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BOSNIA AND HERZEGOVINA
Ministry of Human Rights and Refugees
Department for Human Rights

The Responses of Bosnia and Herzegovina to the UN General Secretary Questionnaire on Violence Against Children

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I. THE LEGAL FRAMEWORK

International human rights instruments

1. As far as the violence against children is concerned, in the previous period, the competent authorities of Bosnia and Herzegovina have realized several very significant activities regarding a more effective protection of children's rights.

The majority of activities we present have been achieved based on the international instruments that were accepted by Bosnia and Herzegovina.¹

On the level of Bosnia and Herzegovina, upon the suggestion of portfolio ministries, the Council of Ministers of Bosnia and Herzegovina adopted a number of national plans and programs concerning the commitment of conducting various activities regarding violence against children.

Thus:

In the year 2000, an ACTION PLAN FOR THE PREVENTION OF TRAFFICKING IN HUMAN BEINGS had been adopted, which was then revised in the year 2004 for the period from 2005 to 2007;

In the year 2001, a National Group for the Prevention of Human Trafficking and Illegal Immigration in BiH had been established, with the aim of improving the coordination and monitoring of implementation;

In December 2001, the Council of Ministers of BiH adopted the Action Plan for the Prevention of Trafficking in Human Beings in Bosnia and Herzegovina.

Although many assessed this Plan as a general and declaratory document, it still played **an initial role** and became the framework for activities and measures that the authorities in BiH and some of the non-governmental and international organizations intended to conduct.

The BiH authorities manifested their orientation for the taking of certain legal, administrative, and operative measures on the prevention of trafficking in human beings and illegal immigration.

The activities that followed lead to the establishing of a body for the implementation of the Action plan, the National Commission, and a Strike force, that is, the conducting of activities with the aim of building a resource for expert and operative linking of the work of key institutions, that is, ministries, which have, in accordance with their competences, been involved in the realization of the Action Plan.

The Action Plan for the Prevention of Trafficking in Human Beings in BiH consists of four components:

Legislative measures;

The strengthening of operative and expert capacities;

The creation of capacities for the protection of victims – the shelters for victims;

The creation of capacities for education and actions for the raising of awareness in the area of prevention of trafficking in human beings.

¹ Kovencija o pravima djeteta, TKZ Palermo protokoli, ILO konvencije
Pogledati **PRILOG I** –Lista međunarodnih instrumenata

The results that were achieved up to the second half of the year 2003 indicated progress, a raised awareness, and the first results in investigations, the preventing of a sudden inflow of immigrants, etc. After the above-mentioned a new process of reorganization of authorities on the level of Bosnia and Herzegovina followed, which resulted in the forming of the following new state ministries: the Ministry of Security and the Ministry of Justice, while the Court of Bosnia and Herzegovina and the Prosecution of Bosnia and Herzegovina were already established.

- In July 2003, for the purpose of improving and better linking the work of the key ministries and institutions of BiH on the national level, the Council of Ministers passed a Decision on the procedures and the means of coordinating the activities on the prevention of trafficking in human beings and illegal immigration in Bosnia and Herzegovina and establishing the functions of the National Coordinator for Bosnia and Herzegovina.
- It was necessary to both legally and functionally facilitate the conducting of joint policy and procedures of competent bodies in BiH, which are in the jurisdiction of various BiH institutions, that is, to establish the function of a National Coordinator for BiH seeing that was the practice in the majority of countries from the region and Europe.

In 2004, the Action plan for combat against trafficking in human beings in BiH 2005-2007 had been revised defining new goals for combat against trafficking in human beings for the next three (3) years and developing a new program document for operative action **for combat against trafficking in human beings in 2005.**

The above-mentioned documents retain the structure of the current national plan, except for the fact that this model has been harmonized with the new elements that were determined based on the recommendations (of ICMPD), which were created and harmonized on a regional level. The basic elements of the above-mentioned plan relate to the further improvement of the legal framework and the institutional mechanisms concerning the trafficking in human beings.

The Action Plan defines the general purpose of the national response by implementing the interdisciplinary and inter-sector approach, applying the principles for the outlawing of discrimination, the participation of the civil society and self-sustainability. The plan is accomplished through three areas:

The system of punishing the organizers of trafficking in human beings;

Victim protection;

Prevention;

The improvement of regional and international cooperation.

In the year 2004, the SUB-GROUPS FOR THE PREVENTION OF TRAFFICKING IN CHILDREN were formed within the framework the National coordination for the prevention of trafficking in human beings in BiH;

The Sub-group for the prevention of trafficking in children prepared a special plan of activity that determined the special measures for the prevention of trafficking in children, data collection, trainings, the raising of awareness, and other activities in accordance with the Action plan of trafficking in human beings in BiH.

In the year 2002, the “PLAN OF ACTION FOR CHILDREN IN BiH 2002-2010” had been adopted;

In the year 2003, a COUNCIL FOR CHILDREN of Bosnia and Herzegovina had been formed, with the aim of implementing and monitoring the Action Plan for Children in BiH;

The Action Plan for Children had been adopted by the Council of Ministers of Bosnia and Herzegovina in 2002, and in 2003, the Decision on the establishing of a Council for Children of Bosnia and Herzegovina had been passed.

The Council for Children of Bosnia and Herzegovina (hereinafter in the text: Council) had been established as an independent body, of an advisory and coordinating nature.

The Council started to operate in 2002. Its first preparatory assembly was held in November 2002, followed by a constitutive assembly in December 2002, and up to the present, **it holds its sessions as least once a month.**

Within the framework of its determined activity, pursuant to the point VIII of the Decision on the establishing of a Council for Children of Bosnia and Herzegovina (hereinafter in the text: the Decision), the Council adopted a Regulation book on the work of the Council for Children of BiH, and every year, it adopts Operative work programs.

The above-mentioned documents present a planning framework for the work of the Council, and seeing that the Operative annual work program is concurrently harmonized with the relevant entity representatives and the representatives of Brčko District of BiH, which are the Council members, and the goals of the BiH Action Plan, they also present the basic guidelines for the work of this body.

It is important to remind that the Council does not pass committing acts, or, as this is defined by the Decision, the Council develops the policy towards children on the level of Bosnia and Herzegovina, follows the standards and suggests measures for the implementation of the Action Plan for BiH, ensures coordination in all activities regarding the rights of children in Bosnia and Herzegovina, and reports to the Council of Ministers of Bosnia and Herzegovina on all issues.

In the previous period, the Council for Children accomplished several significant activities that are related to the following:

The improvement of the legal framework for the protection of children, such as the participation in the preparation of the Framework Law on Primary and Secondary Education in BiH and the preparation of measures for its better implementation, particularly in the segment of improvement of the education process and the processes of advocating the creation of an education strategy on the level of BiH;

The conducting of activities which aim is the implementation of this and other laws through the education of the competent officials in the ministries and the pedagogic institutes;

Assistance in the creation and initiation of the implementation of measures which aim is the adoption and implementation of standards, principles that are, above all, determined by the Convention on the rights of the child, its protocols, and other international documents that were signed by Bosnia and Herzegovina;

The initiation of ideas to commence with the creation of sector strategies, such as the National Strategy for Combating Drugs, the National Strategy for the Prevention of Violence, the National Strategy for the Prevention of Juvenile Delinquency for the purpose of better monitoring and implementation of the Action Plan for the Children in BiH;

The coordination of activities with other inter-portfolio commissions and bodies, such as the Board for Roma People, the National Group for the Prevention of Trafficking in Human beings and Illegal Immigration, and particularly in the Sub-group for the prevention of trafficking in children;

Cooperation with the Advisory Board for HIV/AIDS;

Cooperation with the BiH Agency for Gender Equality, which also operates within the framework of the Ministry for Human Rights and Refugees;

The activity regarding the development of models for the monitoring of the implementation of the Action Plan for Children, conventions, and protocols, with the aim of regular collection of statistics data and other indicators, is of a particular significance. This activity is developed within the framework of a special working group in which the competent agencies and institutes for statistics, as well as the representatives of competent authorities, are involved.

The coordination and the initiating of those programs that have the aim of promoting children's rights and a more active involvement of children, and the monitoring and implementation of the above-mentioned activities.

The Council for Children seeks to, by conducting its activities, generate and monitor the most important activities, plans, and programs that are executed by the portfolio ministries and to, with the help of indicators, which it also seeks to develop based on the Action Plan for Children in BiH, prepare and present the best possible recommendations to the governments and portfolio ministries at any level.

It is because of that that the Council for Children, in the observed period, directed the majority of its activities to the development of the system of monitoring and reporting, with the aim of creating a Report on the needs of national reporting about the state of children's rights in Bosnia and Herzegovina.

This type of approach should, in the following period, enable having a necessary minimum of data at disposal, based on which the activities and measures for the surpassing of problems in achieving children's rights would be planned more easily and the existing state and quality of children protection would be improved.

The most important activity to which the Council for Children pays special attention is the activity that relates to the improvement of institutional mechanisms which are obligated to conduct policy and laws, with the aim of ensuring the best possible protection for children, that is, acting in the best interest of the child.

The above-mentioned activity is almost the most important one due to the fact that Bosnia and Herzegovina is now in the period of transition, the period of constructing new institutional mechanisms, with the aim of building a legal system that enables the rule of law and a better protection of human rights in general.

In the year 2004, the NATIONAL PROJECT FOR THE PREVENTION OF VIOLENCE AGAINST CHILDREN had been realized, with the aim of creating an Initial report on the state of violence against children in BiH;

The goal of the project can be demonstrated through several target activities:

- The improvement of protection of children from violence and the prevention of violence committed by children;

- The improvement of the implementation of the Convention on the Rights of the Child;
- The improvement of the system of monitoring of the implementation of the Convention on the Rights of the Child in the area of violence prevention;
- The development of the model for data collection, with the aim of determining a permanent and continued process of collecting statistical data and other indicators;
- The collecting of data for the period from 2000 to 2003 according to a unique model, with the aim of creating a Report on the state of violence and the basis for creating a final version of the Manual for assistance to expert workers, children, and parents;
- The creation of an Ethic code of research of children;
- The commencing of an initiative for the improvement of training of professional workers and the improvement of coordination and cooperation;
- The establishing of a permanent network of employees on all levels which are included in this process, the forming of expert work groups, coordination, and meetings;
- The development of a permanent model for the exchange of information;

Analyzing the available data on the state of violence against children in Bosnia and Herzegovina before the conducting of this project, it was determined that there exist many different indicators, which are the result of research that were based on various methodologies and that, in different ways, demonstrated and interpreted violence against children in Bosnia and Herzegovina.

The statistical data available within the framework of statistical research conducted in Bosnia and Herzegovina in the framework of competent ministries are not adjusted to the reporting needs according to international conventions, and, along with that, it is also not able to present them on the level of Bosnia and Herzegovina according to unique parameters.

One of the following reasons are the already mentioned commitments of Bosnia and Herzegovina in the view of data collection, systematization, analysis, and creation of a data base, which are related to the state of the rights of child in Bosnia and Herzegovina, and particularly due to the commitment to report on the implementation of the UN Convention on the Rights of Child, as well as other obligations of Bosnia and Herzegovina towards the Council of Europe.

In the year 2004, BiH prepared a National Strategy for Combating HIV/AIDS;

In the year 2005, WORKING GROUPS FOR THE CREATION OF A STRATEGY “CHILDREN IN CONFLICT WITH THE LAW” have been established;

In the year 2005, the creation of a strategy for the prevention of violence against children and the re-socialization of children victims of violence in BiH and a strategy for combating drugs have been initiated;

In the year 2004, the reform of the education system, primary, secondary, and higher education, had begun. In the documents regarding the education reform in Bosnia and Herzegovina, there is a special emphasis on the approach to education without discrimination, that is, there is a plan to introduce changes in the curricula enriched with

new contents, which are in the function of including new and adjusted contents relating to the prevention of violence against children.

- The Education Reform in BiH, Peace Implementation Council, Brussels, 2002;
- Bosnia and Herzegovina Medium-term Development Strategy (PRSP) 2004-2007;
- The Framework Law on Primary and Secondary Education in BiH, 2003;
- The Cantonal Laws on Primary and Secondary Education, 2004;
- The Concept of Nine-year Primary Education in the Federation of BiH;
- The Agreement on Satisfying the Needs and Rights of Children Returnees in BiH;
- The Action Plan on the Education Needs of the Roma People and the Members of Other National Minorities;
- The White Paper, a Joint Strategy for the Modernization of Education.

Note: IN THE ATTACHMENT II, there is a complete list of laws that have, in the last three years, been passed and harmonized with the international standards, particularly the Convention on the Rights of Child and other protocols treating the issues of protecting children's rights.

Reference to international or regional human rights standards in a court case.

When the cases of violence against children in which the courts refer to the international or regional human rights standards are in question, we list the case that has been considered by the Human Rights Chamber number CH/3/13051 due to the violation of human rights and fundamental freedoms, the responsibility in the process of attaining justice for the victim of kidnapping and illegal termination of pregnancy.

(In the above-mentioned case, a lover of a young female person, along with three other helpers, kidnapped his lover, who was seven months pregnant, from her house, conducted a forced abortion of the child she was carrying, and then, only a few hours after the forced abortion, drove her to a highway where they proceeded to throw her out of the car in a state of unconsciousness).

The matters in hand are the following: the violation of Article 3 of the European Convention or the prohibition of torture, subjection to torture, inhumane or degrading procedure or punishment; the violation of Article 6 The Right to a Fair Trial; the violation of Article 8 The Right to Respect for Private and Family Life, Home, and Correspondence; the violation of Article 13 The Right to an Effective Legal Remedy; the violation of Article 14 The Prohibition of Discrimination.

Apart from the above-mentioned case, the Human Rights Chambers considered a case regarding the access to health care. Under deliberation was the violation committed by the competent service for health care due to the conducting of a local rule of monetary participation and the inspection of the bearers of health care insurance even in those cases when the health care of a child was in question, which, according to the valid laws in BiH, is compulsorily provided to all persons up to 18 years of age.

The violation consisted of a right to health care being denied to a child due to the fact that his parents did not have a regulated status of insurance bearers, that is, bearers of payment of compulsory contributions for health care, because of the fact that their company did not regularly pay contributions for social care.

Legal Provisions regarding Violence Against Children

2. The forms of violence against children are regulated by the Constitution of Bosnia and Herzegovina, that is, the entity constitutions, as well as laws and sub-legal acts:

THE CONSTITUTION OF BOSNIA AND HERZEGOVINA

Article 2 of the Constitution of BiH “Human Rights and Fundamental Freedoms” in paragraph 1 prescribes that BiH and both of its entities will ensure the highest level of internationally recognized human rights and fundamental freedoms. In paragraph 2 of this article that carries the name International Standards, it is stated that the rights and freedoms expressed in the European Convention on the Protection of Human Rights and Fundamental Freedoms, as well as its protocols, will be implemented directly in BiH, and that these documents will have precedence over all other laws. Moreover, the rights and freedoms guaranteed by the Constitution to all people and children in BiH are listed in paragraph 3 of this article. With paragraph 7 International Agreements, it is guaranteed that BiH will remain, or that it will become a foreign signatory of international agreements stated in Annex I of the Constitution – additional agreements that will be implemented in BiH. There are 15 international and European conventions listed in Annex I, and under the ordinal number 12 is the Convention on the Rights of the Child from 1989. Annex VI of the Dayton Accord – Agreement on Human Rights – guarantees human rights, and, thus, the rights of children and fundamental freedoms, also including those that are listed in the European Convention on the Protection of Human Rights and Fundamental Freedoms, as well as those stated in the Amendment to this Annex. The instruments for the protection of these rights and freedoms are anticipated as well, and these are the Human Rights Commission (ceased to operate), Human Rights Ombudsman, Human Rights Council, later Human Rights Chamber, and now the Constitutional Court of BiH. With Annex VII Agreement on Refugees and Displaced Persons, a legal framework for the return of property, safe return of refugees, including a large number of children, to their pre-war homes, without intimidation, persecution, or any other forms of discrimination, had been created.

Article III of the Constitution of BiH stipulates that all functions of authority and all competences that are not clearly granted to BiH institutions by the Constitution belong to their entities. That is why the area of family affairs in BiH is regulated on the entity level.

THE ENTITY CONSTITUTIONS

The constitutions of the Federation of BiH and Republican Spike are harmonized with the Constitution of BiH.

THE CONSTITUTION OF THE FEDERATION OF BOSNIA AND HERZEGOVINA

Chapter II – Human Rights and Fundamental Freedoms stipulates that the principles, rights, and freedoms determined in article II of the Constitution of BiH are applied on the territory of BiH. In article II A.2. of the Constitution of the Federation of BiH, it is specified that the Federation of BiH will ensure the implementation of recognized rights and freedoms determined in the documents listed in the Annex to this Constitution, particularly the protection of family and children (j). 22 international acts, including the

Convention on the Rights of the Child from 1989, are listed in the Annex to the Constitution of the Federation of BiH. All of the above-mentioned international acts have constitutional force.

THE CONSTITUTION OF REPUBLIKA SRPSKA

In the Constitution of RS, the issues of human rights and freedoms are regulated in articles 10 – 49 of chapter II, which, as is the case in the Constitution of FBiH, bears the name Human Rights and Freedoms. Unlike the Constitution of FBiH, Amendment LVII (57) to the Constitution of RS stipulates that the provisions on human rights and freedoms will be realized in accordance with Articles 8- 11 of the European Convention on the Protection of Human Rights and Fundamental Freedoms.

CRIMINAL LEGISLATURE

In Bosnia and Herzegovina, the following four criminal codes are implemented: The Criminal Code of BiH, the Criminal Code of FBiH, the Criminal Code of RS, and the Criminal Code of BD.

Within the framework of the existing criminal codes, two basic forms of violence are included:

- Physical and sexual violence -

(the inflicting of minor or serious bodily injuries and violence against sexual integrity).

The criminal codes determine the following criminal offenses (in the further text of the Questionnaire):

- Minor bodily injury;
- Grievous bodily injury;
- Rape;
- Sexual intercourse with a child;
- Sexual coercion;
- Sexual violence against children;
- Sexual Intercourse by Abuse of Position;
- Incest.

- Psychological violence -

(various forms of psychological harassment, sexual harassment, abuse, neglect, and negligence)

- Acts of indecency, sexual misconduct;
- The satisfaction of sexual desires in front of another person;
- The satisfaction of lust before a child or a juvenile;
- The use of children and juveniles for pornography;
- The production and displaying of child pornography;
- Domestic violence;

Negligence

- The violation of family obligations;
- The negligence or abuse of a child or a minor;
- Domestic violence;
- Avoiding the Maintenance;
- The prevention and avoidance of measures for the protection of minors;

Other forms

- The enabling of entering into a prohibited marriage;
- Extramarital union with a juvenile;
- The abduction of a child or a juvenile;
- The change of the family status.

Actions that refer to trafficking in human beings according to the Criminal Code of BiH

- The establishment of slavery and the transport of slaves;
- Trafficking in human beings;
- International enticing for the purpose of prostitution;
- Illegal withholding of identification documents;
- Trafficking in human beings for the purpose of prostitution (only exists in entity criminal codes).

The Law on Family Violence Protection in the Federation of BiH

The Federation of BiH passed the **Law on Family Violence Protection**, which regulates the following: family violence protection; the term family violence; persons who are defined as family members in the context of this law; the mean of protecting the family members; and the type and purpose of criminal sanctions for the perpetrators of violent acts. The passing of the same law in Republika Srpska is in progress.

The Law on Gender Equality in Bosnia and Herzegovina

This law regulates, promotes, and protects gender equality and guarantees equal opportunities to all citizens, both in public, as well as in the private sphere of the society, and prevents direct and indirect gender-based discrimination. This law prohibits sexual harassment (a more extensive explanation is given in the response to question number 7).

The Law on Social Security and the Family Law regulate the issue of revoking parenting rights and taking away the custody over children, which are subjected to some form of violence, that is, over neglected children.

Sub-legal acts

Forms of violence, such as verbal arguments, insults, pushing, slapping, in case of public institutions, such as schools, children homes, and other forms of collective accommodation are resolved through lawful legal acts of institutions, such as the **statutes and codes of schools, institutions, that is, rulebooks on house rules**, which regulate the disciplinary measures towards those persons that express unacceptable behavior.

These provisions do not restrict any person in realizing judicial protection from any form of committed violence. All public institutions are required to pass the above-mentioned legal acts and utilize them in regulating the issue of how to proceed in case of any form of violation of official duty, and this also relates to any form of violent behavior as well.

When the forms of violence that are regulated by law are in question, there is no difference made concerning the site where they take place.

In Bosnia and Herzegovina, there do not exist **common laws** that regulate these issues, thus the questions of violence is exclusively resolved within the framework of the above-mentioned laws.

PREVENTION

3. Beside the Law on the Protection against domestic Violence, in BiH there do not exist special laws regarding the protection of children from violence. Violence, as it has already been stated, is mainly regulated through criminal legislation.

As far as the prevention of violence is concerned, BiH introduced new practices in prevention, especially in the area of protecting children from trafficking, therefore:

The Law on movement and stay of foreigners and asylum determines the obligation for all competent ministries to, within the framework of their activities on the implementation of this law, particularly conduct measures for the raising of awareness and training of state officials that implement these laws. The competent ministries and the state officials are obliged to cooperate with non-governmental organizations that conduct special programs for the prevention of trafficking in children, so, as far as these activities are concerned in particular, the competent ministries (the Ministry of Security) signed the Protocols regarding cooperation with the non-governmental organizations that act on the territory of Bosnia and Herzegovina.

BiH also developed an institutional mechanism for the training of judges and prosecutors and other state officials in regards to the implementation of the best practices in prevention and protection from trafficking in human beings. The National Group conducts this program for the Prevention of Trafficking in Human Beings and the Center for Judges and Prosecutors of the entities in cooperation with non-governmental and international organizations in BiH.

These activities are determined within the framework of the Action Plan for the Prevention of Trafficking in Human Beings in BiH 2005 – 2007, adopted by the Council of Ministers in April 2005.

The Code on the Protection of Victims of Trafficking in Human Beings determines the obligation of the competent bodies in the sense of conducting the activities of prevention and suppressing of trafficking in human beings, and particularly conducting measures for the protection of children. It is important to remind that this code determines the obligation of conducting interviews with potential victims and persons who are asylum applicants, with the aim of identifying the potential victims. The code also defines measures in the case of children victims in the sense of acting and proceeding in the best interest of the child in all situations that are related to the prevention of violence and providing of assistance to victims of violence.

School codes and statutes

All primary and secondary schools in BiH employ pedagogues or psychologists or social workers who are responsible for the conducting of activities regarding protection from violence against children and child abuse, and they are required, as their official duty, to

bring charges against any form of violence, and particularly inform the competent social service about this problem. This practice is at the start of its implementation. There is a lack of financial and professional resources for the preparation and the conducting of adequate preventive programs. This issue is regulated by the code or statute of the school. The Law on Social Security determines the rules of conduct regarding children exposed to violence,

THE PROTECTION OF CHILDREN FROM ALL FORMS OF VIOLENCE

The measures of special protection determined within the framework of the Law on Social Security, the Family Law, and the Law on Protection against domestic Violence are implemented.

In Bosnia and Herzegovina, there does not exist a separate law, but there do exist legal provisions that regulate the issues of violence against children, which are listed in the response to question 2. However, there do exist problems as far as the implementation of the above-mentioned laws is concerned since the laws in question are new and require the implementation of new practices, which anticipates the training of suitable professional staff.

The current Family Law protects the child from all forms of violence stipulating that:

“All bodies, organizations, and physical persons are obliged to, without delay, inform the body of guardianship in regards to the child’s rights, especially concerning violence, child abuse, sexual maltreatment, and molestation of the child.”

The third part of this Law deals with the RELATIONSHIP OF THE PARENT AND THE CHILD, within the framework of which, in the following points:

“3 The Supervision of the bodies of guardianship and
5. The revoking of parenting right and duty”

it regulates the supervision and revoking of parenting right.

«Article 97. (1) Parents and other family members must not subject the child to humiliating acts, spiritual and bodily punishment, that is, abuse. If the parents, that is, the parent with which the child lives, abused the child or neglected caring about the child, neglected to educate the child, or if the child had experienced some form of breakdown as far as its education and care are concerned, the guardianship body can take the child away and place them in the custody of the other parent, some other person, or an adequate institution, if there does not exist a court decision regarding the entrusting of the child.”

Article 106. stipulates the procedure for the revoking of the parenting right:

« (1) In an extra-judicial procedure, the Court will take away the parenting right of the parent who abuses the child, misuses the parenting right, or has abandoned the child, become negligent in caring about the child, and neglected his or her parenting duties.

(2)The parent abuses parenting rights and duties:

1. if they conduct physical or psychological violence against a child,
2. if they take advantage of the child sexually,
3. if they exploit the child, forcing them to overwork or perform work unsuitable for their age,
4. if they allow the child to drink alcohol, use drugs or other narcotics, or if they induce the child to do so.
5. if they induce the child to any form of socially unacceptable behavior,

6. if they, in any other fashion, clearly violate the rights of the child.
- (3) The parent obviously neglects their parenting duties and rights:
1. if they abandon the child
 2. if they spend more than a month without providing care to the child with which they do not live,
 3. if, within the deadline of a year, they do not create the necessary conditions for a joint life with the child which has been placed in another family or institution, and have no legitimate reason for not being able to do so.
 4. if they have neglected to take care of the basic living needs of the child with which they live, or if they do not follow the measures previously passed by a competent body for the purpose of protecting the rights and welfare of the child.
- (4) The court can give the parenting right back to the parent if the reason due to which this right has been taken away from them ceases to exist.

PROVISION OF SUPPORT TO CHILDREN EXPOSED TO VIOLENCE

Concerning provision of support to children who are the victims of violence all the above stated regulations are applicable, which means that the competent employees of the Centers for social work that exist in all municipalities in Bosnia and Herzegovina, are in charge of carrying out the procedure of supervision of execution of parents' rights and the procedure of deprivation of custody.

Accommodation and protection of victims is carried out in non-governmental shelters in cooperation with competent services for social protection. Programs of reintegration and rehabilitation of children who are the victims of violence are carried out in the shelters.

The Law on obligation relations envisages the possibility of compensating for non-pecuniary damages for the caused physical pain, psychical pain and fear. The compensation should be adjudicated for the psychical pain that the damaged person has suffered. In the case law the claim should be filed with the perpetrator.

The damaged person has a right to get compensated for all forms of non-pecuniary damages if the pain and fear were very intense and lasted for a relatively longer period of time in order to justify the adjudication of pecuniary compensation. In the disputes on determination of non-pecuniary damages the expert witnesses of medical profession should be hired in order to establish the existence of pain and fear, their duration and intensity.

SANCTIONS FOR PERPETRATORS OF VIOLENCE OVER CHILDREN

The criminal laws applicable in Bosnia and Herzegovina within the framework of the envisaged penalties make a difference between the acts committed against children and series of criminal acts in juncture.

The minimal imprisonment of three to five years is envisaged for criminal offence related to sexual and physical abuse of children.

Regarding other criminal offences related to psychical and other forms of violence, the envisaged imprisonment sentences are double stricter in comparison to the same offences committed over adult persons.

REINTEGRATION AND REHABILITATION OF CHILDREN WHO ARE VICTIMS OF VIOLENCE

The Laws providing for social protection in the entities envisage rehabilitation, integration, re-socialization and care. This Law provides for Centers for provision of services and day care that ensure different social conditions to individuals, families and groups, such as individual and group treatment, daily care, counseling, occupational work, protected employment, care and in-house support, foster-parenting, social rehabilitation, integration, re-socialization, protected care, protected accommodation, and SOS telephone.

Centers from the above Article can be established as separate institutions, as part of the already existing institutions for social protection, or part of developed associations or non-governmental organizations.

“Several actors who agree on regulation of their roles, rights, obligations and responsibilities can participate in provision of services in these centers.»

Paragraph 2. of the above Article of the Law is implemented in practice, because in many Centers the professionals together with non-governmental organizations agree on establishing these Centers in their regions in order to work with victims of violence and perpetrators.

According to the above stated provisions, some municipalities in BiH started establishing these Centers, but they still lack the necessary financial resources for covering the network of these Centers at the whole territory of Bosnia and Herzegovina.

4. As already stated, forms of violence, including physical, sexual and psychological violence, causing an injury or abuse, neglecting or uncared for relation has been provided for within several Laws.

The Law on Family Violence Protection defines the protection against domestic violence, the notion of domestic violence, persons who are considered family members in the meaning of this law, way to protect family members, type and purpose of sanctions for offences for perpetrators of violent actions.

General principles and rules provided for under this law and other regulations concerning domestic violence, ensure prevention and combat against this type of violence, efficient measures influencing the perpetrators and other persons not to commit violence offences, and removal of consequences of the committed violence, providing for ways how to implement this protection.

The protection proceedings are executed under the provisions of the Law on offences, unless this Law provides otherwise.

The competent offence court has to deliver the decision on the pronounced protective measure within the eight days to the Center for social work.

This law envisaged that the above proceedings should be handled as a matter of urgency.

This law has also established the offence sanctions, that is the protection measures for perpetrators of domestic violence (removal from the apartment, house or any other dwelling and ban from returning to the apartment, house or dwelling, restraining order; insurance of a person exposed to violence; prohibition of harassment and stalking of a person exposed to violence; obligation of a psycho-social treatment; obligatory treatment against addictions; and the purpose of prescribing, sentencing and implementation of the sanction for the offence, and protection measures, is a personal protection of the family and its members - victims of violence, ensuring the execution and development of a healthy and harmonious life within the family, as well as respect of the legal system, and taking efficient actions to re-educate the bullies and remove circumstances that are favorable or instigate new violent actions in the family.

CRIMINAL OFFENCES AGAINST MARRIAGE AND FAMILY

Domestic and Family Violence

Article 208.

"(1) A person who, using violence, impertinent or ruthless behavior, puts in danger the harmony, physical integrity or mental health of a member of his/her family or family union, shall be sentenced either with pecuniary penalty or imprisonment to a two year term.

(2) If, during the commitment of the offence from paragraph 1 of this Article some weapon was used, a dangerous tool, or other object suitable for causing severe injuries or damaging health, the perpetrator shall be sentenced to imprisonment from three months to three year term.

(3) If the offence mentioned in the paragraph 1 and 2 of this Article caused a severe physical injury or damaged, or the offences were committed over an underage person, the perpetrator shall be sentenced to imprisonment from one to five year term.

(4) If the offence mentioned in the above paragraphs caused death of a family member or a member of a family union, the perpetrator shall be sentenced to imprisonment from two to 12 year term.

(5) A person who takes life from a family member or member of a family union whom s/he previously abused, shall be sentenced to imprisonment for minimal 10 year term.

(6) Under the term family or family union in the meaning of this offence, ex spouses and their children imply too, as well as the parents of the ex spouses."

Violation of family obligations

Article 209.

"(1) A person who, by violating the legally prescribed family obligations leaves in a difficult position a family member who is not able to take care of her/himself, shall be charged with pecuniary penalty or a two year imprisonment.

(2) If, during the commitment of the offence under paragraph 1 of this Article, a severe damage of health was caused, a perpetrator shall be sentenced to imprisonment from six months to five-year term.

(3) If the offence under paragraph 1 of this Article caused a death of a family member, a perpetrator shall be sentenced to imprisonment from one to eight year term.

(4) While pronouncing a suspended sentence, the Court can put a condition to the perpetrator to neatly perform her/his obligations of taking care, education and support."

Avoidance of providing support

(1) A person who avoids to provide support for a person s/he is legally entitled to support, this duty been established based on the executive court decision or settlement before the court or other competent body, shall be charged with pecuniary penalty or sentences to one year imprisonment.

(2) If the offence committed under paragraph 1 of this article caused severe consequences for the supported person, the perpetrator shall be sentenced to imprisonment to two-year term and pecuniary penalty.

(3) While pronouncing a suspended sentence, the Court can decide for a perpetrator to cover all the liabilities and pays regular support.

The Law on Prevention of Violence in Sports and Recreational Facilities

At present, only Republika Srpska has the Law on Prevention of Violence at Sports Events (Official Gazette of Republika Srpska no. 28/04). This Law provides for measures for prevention of violence and inappropriate behavior at sports events, measures for ensuring protection of the audience, players, as well as other participants in sports events, and creating conditions for prevention, combat against and sanction against irresponsible behavior, riots and violence before, during and after sports events, as well as creating conditions for sports and other events contribute to better quality of life of citizens and youth, the same as obligations of organizers and competencies of authorities in carrying out of these measures.

There are six (6) cantons in the Federation of BiH who have their Laws on sports providing for this issue, and they are: Una-Sana, Tuzla, Zenica-Doboj, Bosansko-podrinjski, Zapadno-hercegovački, Sarajevo canton.

Four (4) cantons use the Law on physical culture from 1991: Posavina, Srednje-bosanski, Livno canton.

Hercegovina-Neretva canton has the Law on prevention of riots in the sports fields.

CRIMINAL OFFENCES AGAINST GENDER INTEGRITY

We provide definitions of criminal offences resolving some forms of violence.

Definitions are contained in the applicable criminal laws in Bosnia and Herzegovina

Rape

“(1) Whoever by force or threat of immediate attack upon life and limb, or life or limb of a close person, compels another person to sexual intercourse, or some other sexual act shall be punished by imprisonment term ranging between one and ten years.

(2) If the criminal offense described under paragraph 1 of this article has been committed against a juvenile, or in a particularly brutal or degrading way, or the rape was at the same occasion repeated once or several times by one or several individuals, the act has caused grievous bodily injury or a serious disturbance of health or pregnancy of the female victim, the perpetrator shall be punished by imprisonment term ranging between three and fifteen years.

(3) If the act referred to under paragraphs 1 and 2 of this article has caused death of the victim, the perpetrator shall be punished by imprisonment term exceeding five years.”

Sexual Violence against a Helpless Person

“(1) Whoever performs sexual intercourse or another sexual act with a person taking advantage of his mental disease, mental underdevelopment, other mental disorders, infirmity, or any other state of that person which makes that person incapable of resisting, shall be punished by imprisonment term ranging between six months and five years.

(2) If the criminal offense described under paragraph 1 of this article is committed against a juvenile, or in a particularly brutal or degrading way, or several acts were committed by several persons, or grievous bodily injury, impairment of health, or pregnancy of the helpless female victim were brought about, the perpetrator shall be punished by imprisonment term ranging between three and fifteen years.

(3) If the offences described under paragraphs 1 and 2 of this article have resulted by death of the victim, the perpetrator shall be punished by imprisonment term exceeding five years.”

Sexual Violence against a Child

«(1) Whoever performs sexual intercourse or another sexual act with a child, shall be punished by imprisonment term ranging between one and eight years.

(2) Whoever commits the act of rape or another sexual action with a child (article 183) or with a helpless child (article 184), shall be punished by imprisonment term ranging between three and fifteen years.

(3) In case that the offense described under paragraphs 1 and 2 of this article had been committed by a teacher, educator, guardian, step-father, medical doctor or any other person who had abused his position with respect to the child entrusted to him for teaching, educating, guarding or taking care of, the perpetrator shall be punished by imprisonment term ranging between five and fifteen years.

(4) If the criminal offense described under paragraphs 1, 2, and 3 of this article is committed in a particularly brutal or degrading way, or several acts were committed by several persons on the same occasion, or grievous bodily injury, impairment of health, or pregnancy of the female victim were brought about, the perpetrator shall be punished by imprisonment term exceeding five years.

(5) If the offenses described under paragraphs 1, 2, 3, and 4 of this article had caused death of the child, the perpetrator shall be punished by imprisonment term of at least ten years.

Sexual Intercourse by Abuse of Position

“(1) Whoever by abuse of position induces another person who is in a subordinate or dependent position in relation to him into sexual intercourse or another sexual act, shall be punished by imprisonment term not exceeding three years.

(2) A teacher, educator, guardian, adoptive parent, step-father or any other person who by the abuse of his status commits sexual intercourse or another sexual act with a juvenile who has been entrusted to him for the purpose of instructing, educating, custody or care, shall be punished by imprisonment term ranging between six months and five years. “

Satisfying sexual passion in front of others

«(2) A person who is doing the actions aimed for satisfying own or someone else's sexual urges in front of a child or underage person, or who force a child to make such actions in front of her/him or some other person, shall be charged with pecuniary penalty or sentences to imprisonment to three year term.»

Trafficking in human beings for the purpose of prostitution

“(1) Whoever for profit, induces, incites or lures other persons into offering sexual services, or in some other way enables a person s transfer to another for the purpose of offering sexual services, or whoever takes part in any way in organizing or maintaining offering sexual services, shall be punished by imprisonment term ranging between six months and five years.

(2) Whoever, with the intention to acquire personal gain, by use of force or serious threat of force or other significant harm, compels or lures another to provide sexual services, shall be punished by imprisonment term ranging between one and five years.

(3) Punishment described under paragraphs 2 of this article shall also be imposed on whoever for the purpose of getting profit, in the manner described under previous paragraph, by abusing the difficult situation originating from the person s stay in another country, compels or induces that person to offer sexual services, or hires in a professional way another person to induce the person.

- (4) If the offense described under paragraphs above has been committed against a person under twenty one years of age, the perpetrator shall be punished by imprisonment term ranging between one and twelve years.
- (5) For the purposes of this article, it does not matter whether the person forced, induced or procured had already been prostituting before.”

Exploitation of children and under-age persons for pornography

- „(1) A person who exploits a child or an under-age person to make photographs, audio-visual materials and other items of pornographic contents, or exploits a child or an under-age person for a pornographic show, shall be imprisoned from six months to five years.
- (2) Objects and items under paragraph 1 shall be confiscated.»

Production and presentation of child pornography

- «(1) A person who offers, distributes, presents, or by public exposure or any other way makes accessible papers, photography, audio-visual or other items which present child pornography, and persons who produce such materials for these purposes, or buys or keeps them, or persons who present a child pornography show, shall be charged with pecuniary penalty or sentenced to imprisonment up to one year term.
- (2) If the offence under paragraph one is committed towards a person younger than 16 years of age, a perpetrator shall be sentenced to imprisonment up to three-year term.
- (3) If the offences from the above paragraphs were committed by means of public information media or Internet, a perpetrator shall be sentenced to imprisonment from six months to five-year term.
- (4) The notion of child pornography in the meaning of this provision implies pornographic material, which visually presents:
- a) a child or an under-age person as a participant of an evident sexual behavior, and, b) realistic pictures showing a child or an under-age person participating in the evident sexual behavior.»

Incest

- «(1) A person who commits incest with a blood relative in the straight line or with a brother or a sister, shall be sentenced to imprisonment up to three year term or charged with pecuniary penalty.
- (2) A person who commits the offence under paragraph 1 with a child or an under-age person, shall be sentenced to imprisonment from one to eight year term.
- (3) No criminal sanctions shall be applied towards a victim of the offence who was under age at the time of commitment under paragraph 2. This applies even in the case when the offence continued after the victim became of age.»

Legal acts of schools, institutions for care, accommodation, health, mental health, and other facilities for child care provision

Within the framework of the Statute and the Book of Rules the school provides for the issue of dealing with bullies, and decides on the protection measures towards them. As already stated, these legal documents provide for disciplinary responsibility towards the official staff of the school that neglects the official duties or exhibits some form of violent behavior over under-age persons. The application of these measures does not exclude the possibility of adequate court proceedings with the aim to establish responsibilities or some of the legal forms of compensation, or damages.

5. The laws in BiH explicitly prohibit physical punishment of children, that is, in the B/H legal system:

The Family Law prescribes for proceedings for taking away parental rights in the following cases:

- Physical and mental violence over child(ren)
- Sexual exploitation of a child
- Soliciting a child to a socially unacceptable behavior, while severe neglecting of duties exists particularly in cases:
- If a parent does not fulfill the responsibility of supporting a child longer than three months
- If a parent does not follow the previously determined measures for protection of the rights and interests of a child
- If a parent does not prevent a child in enjoying alcohol drinks, drugs or other intoxicating substances, and
- If a parent does not prevent a child under sixteen years of age to go out late at night.

The Criminal Law also provides for sanctions against persons who commit violence over any of their family members:

Domestic or Family Violence

"(1) A person who, using violence, impertinent or ruthless behavior, puts in danger the harmony, physical integrity or mental health of a member of his/her family or family union, shall be sentenced either with pecuniary penalty or imprisonment to a two year term.

(2) If, during the commitment of the offence from paragraph 1 of this Article some weapon was used, a dangerous tool, or other object suitable for causing severe injuries or damaging health, the perpetrator shall be sentenced to imprisonment from three months to three year term.

(3) If the offence mentioned in the paragraph 1 and 2 of this Article caused a severe physical injury or damaged, or the offences were committed over an underage person, the perpetrator shall be sentenced to imprisonment from one to five year term.

(4) If the offence mentioned in the above paragraphs caused death of a family member or a member of a family union, the perpetrator shall be sentenced to imprisonment from two to 12 year term.

(5) A person who takes life from a family member or member of a family union whom s/he previously abused, shall be sentenced to imprisonment for minimal 10 year term.

(6) Under the term family or family union in the meaning of this offence, ex spouses and their children imply too, as well as the parents of the ex spouses."

The Law on Family Violence Protection explicitly prohibits physical punishments of children.

As already stated, the prohibition of physical punishments in any region is defined by criminal laws on entity level and level of Brčko District BiH within the framework of the criminal offence - causing minor physical injuries.

6. The criminal law of Bosnia and Herzegovina does not allow for physical punishments for criminal offences committed by persons less than 18 years of age. The death penalty has been abolished.

7. The Law on Gender Equality governs, promotes and protects the equal treatment of the sexes and guarantees equality of opportunity for all in both the public and the private domain, and prohibits direct and indirect discrimination on the grounds of sex. This law explicitly defines sexual harassment:

Definitions:

For the purposes of this Law, the following definitions shall apply:

- a) gender is the socially established role of women and men in public and private life as distinct from the expression bestowed by biological attributes. The expression of gender, for the purposes of this Law, indicates the significance given to the biological attributes of sex within society;
- b) gender-based violence is any act that causes physical, mental, sexual or economic harm or suffering, as well as threats of such acts that seriously impede a person's ability to enjoy his or her rights and freedoms on the grounds of the equal treatment of the sexes in public and private life, including trafficking in human beings for the purposes of forced labor, and constraints on or the arbitrary deprivation of freedom;
- c) harassment is any situation in which inappropriate behavior related to gender arises which has the intent and effect of inflicting injury on the dignity of a person or giving rise to intimidation, hostility, or demeaning, threatening or similar situations;
- d) sexual harassment is any behavior that in word, action or psychological effect of a sexual nature in intent or effect inflicts injury on the dignity of a person or gives rise to intimidation, hostility, or demeaning, threatening or similar situations and which is motivated by belonging to another sex or different sexual orientation and which to the victim represents inappropriate physical, verbal, suggestive or other behavior.”

Penalties anticipated for sexual harassment (the Law on Gender Equality in BiH):

“Anyone who perpetrates violence, harassment or sexual harassment on the grounds of sex as described by the provisions of Article 4 of this Law shall be convicted of a criminal offence and sentenced to serve a term of from six months to five years in custody.

Action to prosecute shall be taken in the line of duty.”

CRIMINAL PROVISIONS:

As already stated, within the Criminal Law, there is a criminal offence related to endangering sexual integrity, such as (Satisfying sexual urges in front of others), which is sanctioned by charging pecuniary penalty and imprisonment up to three years.

8. There has never been a case of genital mutilation in BIH, and this procedure cannot be considered a custom in this country.

Marriage between children is not allowed. Conditions to contract a marriage are prescribed by the family laws of Republika Srpska, Federation of BIH and Brčko District BIH:

According to legal provisions within the family laws applicable in Bosnia and Herzegovina:

- (1) A person younger than 18 years of age cannot contract a marriage.
- (2) From justified reasons a court can, in out-of-court proceedings allow for contraction of a marriage to a person older than 16 years of age, if it establishes that the person is both physically and mentally able to perform rights and duties following from marriage. A proposal for contraction of a marriage can be filed by the interested under age person.
- (3) Before issuing the decision, the court shall obtain the opinion of the guardian body.

According to positive legislation, a marriage contracted between children is null and void.

9. The children who are not citizens of Bosnia and Herzegovina and who do not have the citizenship, including the asylum seekers and displaced children shall be treated, according to the family laws, identical as any other children - citizens of BIH, as well as according to the Law on migration and residence of foreigners and asylum in BIH.

If an international agreement or treaty did not define otherwise, the guardian body (Centers for social work) shall take necessary actions to protect persons, rights and interests of a foreign citizen, until the state body (Citizenship country) issues a necessary decision and takes specific actions.

Territorial jurisdiction of the guardian body is determined according to the permanent residence, and if this is not possible to establish, then according to temporary address of a person who should be in custody.

The guardian body, based on the immediate findings or information delivered by others, shall initiate the proceedings for custody of a person, or some other form of protection.

During the decision making on the form of protection that shall be applied on THE protégé, primarily the interests of the protégé shall manage the guardian body.

Roma are nowadays in Bosnia and Herzegovina de facto the most numerous national minority (there are 17 national minorities in BIH). Besides being the most numerous national minority, Roma people are, at the same time, the most endangered national minority, according to all criteria and parameters that measure and evaluate the status of a social group.

All Roma children still do not attend primary school education; a large number of those who start regular primary education do not complete it, or complete it with a great delay; the number of those who complete secondary education is less than 10% of the Roma population, while only a few members of Roma nationality goes to studies.

The fact that Roma children do not get adequate education causes that most of them, when they grow up, cannot find any employment. One of the reasons why Roma children

do not attend school regularly is the fact that most of them have to start working in order to help their own family survive, and a large number of them beg, mostly because their parents force them, or their foster parents, or even organized crime, so they are the victims of a particular violence over children.

At this moment there are no exact, statistically processed data in Bosnia and Herzegovina on how many Roma children is begging in the street, but some estimations (including data and information provided by the Roma NGOs), talk about almost two hundred children, whether they do it on their own, or their parents or relatives exploit them as an object "bait" for collecting money. This information is difficult to obtain also for the fact that, among those who are begging, there are a lot of children who arrived to Bosnia and Herzegovina from the neighboring countries, primarily from Serbia and Monte Negro.

These children are not the citizens of BIH, they neither have the status of asylum seekers nor refugees, but simply stay in BIH following the specific legal and political inertia resulting from the fact that, until recently all Roma people lived in one country, ex SFR Yugoslavia, so many of them still perceive this geographical region as common legal, political and state region.

Canceling the hospitality to Roma children - their parents and supporters who are also from the neighboring countries, is rarely applied in practice, for the reason of still unregulated inter-state relations in the sector of the re-admission, non-existence of regular personal Ids and passports of these "tourists" to BIH, and, to some extent fear of the state authorities that they might be accused for the discrimination of Roma people.

Apart from the intervention of the police, and, occasionally, inspection bodies and competent services from the Centers for social work, other measures for prevention of begging are almost not applied at all, what means that in BIH do not exist efficient social and state mechanisms for prevention and protection from the consequences of begging whose actors and victims at the same time are the Roma children.

The cases of economic exploitation of Roma children are also very rarely reported to the competent bodies. Firstly, the families who make children work would never do that; secondly, for some traditional and conservative reasons the representatives of authorities do not react continuously to the examples of this kind of exploitation of the Roma children, and they do not always have the mechanisms and means available that would make their intervention justified and efficient. Regarding this issue, in the last few years, the only active and effective were the NGOs that deal with Roma problems, or media for information, but their influence is of a limited range.

A number of Roma children originated from Serbia and Monte Negro, mainly from the area of Kosovo and Metohia, who came to BIH during the NATO bombing of the then SR Yugoslavia, can still be found in refugee and processing centers in BIH with the recognized refugee status. The BIH authorities mainly fulfill all their international obligations towards this population, primarily regarding health protection and provision of educational services, so that it cannot be said that Roma children in comparison to children refugees of other national groups have been discriminated. Also, children refugees do not enjoy some special protection in regards to what the international conventions dealing with human rights and the norms of humanitarian rights prescribe, as well as provisions of domestic legislation, nor the children from this population and such psycho-social environment are exposed to some form of violence, except facing the feeling and perception of their own position, attributed to all refugees and displaced persons.

10. The Law on Gender Equality BIH prohibits the discrimination according to gender orientation.

Prohibition of discrimination relates to any gender, meaning that in application of the criminal or any other law, the victim and the perpetrator are not differentiated by gender or gender orientation.

The only difference in practice can be observed by the severity of the pronounced sentences, although lately, there are no distinct differences regarding the gender difference.

When it comes to relations towards the victim regarding gender, it is clear that there are differences, primarily because of the traditional attitudes and prejudice concerning women, but the awareness on the need for sanctioning any form of violence is, however, crucial.

Concerning the age of the victim or the perpetrator, the Criminal law makes this age difference.

A child is a person under 14 years of age.

A minor is a person under 18 years of age.

According to the above stated, there is a difference in criminal responsibility of perpetrators of criminal offences in the meaning of criminal irresponsibility of a child, and criminal responsibility of a minor.

Regarding the victim and her/his status, the needs are assessed according to the age and gender.

It has already been stated that perpetrators of criminal offences are more severely sanctioned when the victims are children, and, when it comes to sanctioning of minors, special sanctions apply, what is further elaborated within the answer to question no. 25.

According to the Law on Family Violence Protection: «Domestic violence is any action causing physical, psychical, sexual, or economic damage or suffering, as well as threats with such actions, or missing due actions and care, that seriously prevent family members to enjoy their rights and freedoms on the principle of equality in public or private sphere of life.

Actions of domestic violence in the meaning of the above mentioned law:

- 1) any application of physical force or psychical pressure to physical or psychical integrity of a family member,
- 2) any action of a family member that can cause or provoke danger to cause physical or physical pain or economic damage,
- 3) causing fear or personal endangerment or violation of dignity of a family member by blackmail or other force actions,
- 4) physical attack to a family member regardless of whether the physical injury occurred or not,
- 5) verbal assault, offensive words, swearing, calling names, and other ways of rude harassment of a family member by another family member,
- 6) sexual harassment of a family member according to the Law on Gender Equality in Bosnia and Herzegovina («Official Gazette of BiH», no. 16/03),
- 7) stalking and all other similar forms of harassment of a family member,
- 8) damaging or destroying common property or own property, or the attempt to do so,
- 9) neglecting due attention, supervision of a family member or failing to provide support and protection to a family member although there is an obligation to do it according to law and morality, causing the condition or state of physical, physical, economic or social endangerment of a family member.»

11. While amending the Criminal Code and the Criminal Proceedings Code, the new laws kept the paragraph providing for criminal offences against sexual integrity. In comparison with the previous criminal laws that were effective until the above mentioned laws entered into force, the provision is introduced that incriminates the criminal offence of exploitation of under age persons for making photographs, audio and visual materials and other items of pornographic contents, exploitation of children and under age persons for pornography, etc.

Regarding the criminal sanctions for under age persons, there have been some changes. As a sanction towards minors a counseling recommendation has been introduced and all types of criminal sanctions that can be sentenced to minors, what has been introduced in detail in the answer to the question no. 25.

In our answers to the questions, the details of the new laws have already been presented, that treat the solutions to the violence over children in a different manner.

Law on Migration and Residence of Aliens and Asylum in BIH.

This law provides for the conditions of entering and staying of foreigners in BIH, reasons for rejection of entering and staying of foreigners, exiling, getting and terminating the asylum, and other issues related to the staying of foreign citizens and asylum.

This law prohibits every form of discrimination and enables freedom of movement. The foreigners have the obligation to respect the regulations and constitutional organization of Bosnia and Herzegovina.

The foreigners have the obligation to provide all necessary information to the competent authorities and present adequate identification documents and permits for staying.

The border has to be crossed on a designated border points.

This law approves a temporary stay for foreigners for humanitarian reasons:

« If s/he is a victim of the organized crime of trafficking in human beings, to an underage child if s/he is abandoned, or a victim, or without the escort, to persons without citizenship (expatriates), foreigners who did not get the asylum but meet the requirements of Article 60 (threat to life - prohibited return), or from other reasons whose validity shall be evaluated by the Ministry or enabling to carry out the court proceedings.

For the approval of staying for humanitarian reasons, the recommendation is necessary from the competent body, court, administration, a physician, or the treatment institution».

This law provides for special protection for the victims of trafficking in people:

- Legal support, information and counseling;
- Adequate and safe accommodation
- Health protection

The competent bodies shall, in ensuring the rights, take care of the age, gender, and special needs of the victim, paying particular attention to the specific needs of the children, including the adequate accommodation, education, and care.

The support to the victims of trafficking in people can be provided by NGOs that concluded a Protocol on cooperation with the Ministry of Safety.

Special protection of children - victims of trafficking in human beings

A child who is not a citizen of Bosnia and Herzegovina shall enjoy the same rights to care and protection as children who are the citizens of Bosnia and Herzegovina.

Procedures considering the rights and interests of children shall be treated as urgent.

All children in the meaning of the definition given in this Rule Book, have the right to "special treatment and protection".

“Special treatment of a child” implies the insurance of:

- Accommodation to the safe place,
- Respect of a child's opinion,
- Right to confidentiality and discretion,
- Right to information,
- Efficient handling of the procedure, evaluation of each individual case
- Finding and implementating a permanent solution.

Accommodation of children to the shelter

The children shall be put into shelter without any delay, particularly a foreign child, if s/he is:

- o Without the escort of parents or guardians, has no valid documents on staying in Bosnia and Herzegovina.
- o Without the escort of parents or guardians, has valid documents,
- o If there is reasonable doubt that it is the case of the victim of trafficking.

For the accommodation of children special compartments shall be used if possible, and if not against the best interest of a child. A child shall enjoy all the rights pertaining to the victims of trafficking in people, as well as special rights pertaining to a child, according to the laws of Bosnia and Herzegovina and International Convention on the rights of a child. A child shall remain in a shelter until a permanent solution is found.

Appointing a temporary guardian

After the request of a competent officer from the organizational unit of the Ministry, a temporary guardian shall be appointed by the administrative authority in charge of the social protection affairs in the place where the shelter is situated.

A temporary guardian shall represent the interests of a child in the proceedings until the permanent solution is found. The competent bodies have the obligation to inform the appointed guardian on all the issues in the interest of a child - victim of trafficking in people.

Carrying out the proceedings

All the activities of the competent bodies have to be taken in the best interest of a child, taking into consideration the rights and obligations of her/his parents, guardians, as well as the opinion of a child respecting the age of a child.

All actions shall be taken with the utmost emergency, efficiency, and maximal protection of privacy and identity of a child - victim of trafficking in people.

If, for some reason the age of the victim of trafficking in people can not be determined, and there are reasons leading to the fact that the victim of trafficking in people is a child, the proceedings shall be carried out under the assumption that a victim is a child.

Returning a child

The organizer of return is due to ensure the procedure that ensures that a child shall be accepted by the competent body in charge of protection of children, and/or a parent or a guardian.

The Law on Social Protection

The Laws on social protection of the entities and Brčko District provide for the basis of social protection of citizens and their families, define the basic rights from social protection, beneficiaries, foundation and work of the institutions for protection and founding the associations of persons with disabilities, forms and basis for protection of families with children, financing, and other issues important for execution of basic rights from social protection.

The law determines the basic terms, categories of persons under protection, and types of rights :

- 1) pecuniary and other material support,
- 2) enabling for life and work,
- 3) accommodation to another family,
- 5) services of social and other expert work,
- 6) home care and in-house support.

Family Law of the Federation of BiH and Republika Srpska

The new Family Law of RS was adopted in July 2002. Applicable Law in the third part – Relations between parents and children, in the first sub-title - Rights and Duties of parents and children: Article 81. states that parents have the right and duty to protect their under-age children, and take care of their life and health, and only in one place mentions the rights of children, in Article 81, paragraph 2, providing for under-age children as a rule to live with their parents, and if justified interests of children, or parents require that, children can live separated from parents.

The new Family Law of FBiH has passed the Parliamentary procedure, and shall soon be published. A series of changes have been embedded to the new law.

In the III section of the Law, in the chapter Relations between children and parents, in a title C. Rights and duties of parents and children, sub-title 1. starts with provisions determining the rights of a child, in Articles 124-127 the rights of a child have been established - there are ten of them, and duties of a child - there are two, in Article 128. So, the rights of children have been listed, particularly rights of children to protection against all forms of violence, abuse, exploitation and neglect in the family. The provisions providing for duties and rights of parents have been extended in comparison to the previous law.

One of the novelties is a provision according to which the parents have the obligation to take care of a child, fulfill her/his needs, and protect her/him from all forms of violence, injury, economic exploitation, and sexual abuse by other persons, but at the same time they have the obligation to control the behavior of a child, depending on the age and maturity of a child. In order to better protect the child, provisions are envisaged, according to which the guardian body, in the line of official duty, has the obligation to take all necessary measures to protect the rights and interests of a child based on the immediate findings or information.

All the bodies and organizations, as well as physical persons have the obligation to deliver the information on the violation of the rights of a child to the guardian body. On the basis of that information the guardian body has to take necessary measures in the line of official duty. If the parents jeopardize the interests of a child, and to a larger extent neglect raising, upbringing and education of a child, the court shall, in the out-of-court

proceedings deprive them of the right to live with the child, and care and upbringing of a child shall be committed to the care of another person or institution; they will regain their right when it is evaluated to be in the child's best interest. By pronouncing this measure, other duties, responsibilities, and rights of parents towards the child do not stop. Besides the above mentioned measure, the court can order the supervision over the execution of parents' rights, and in out-of-court proceedings pronounce the measure of deprivation of parent's rights in case of misuse of these rights or rude neglect of parental duties, or abandoning the child, or not caring after the child s/he does not live with, and therefore obviously jeopardizing the safety, health and morality of a child. The Law also states what is considered as misuse of rights:

- Physical and mental violence over child(ren)
- Sexual exploitation of a child
- Soliciting a child to a socially unacceptable behavior, while severe neglecting of duties exists particularly in cases:
 - If a parent does not fulfill the responsibility of supporting a child longer than three months
 - If a parent does not follow the previously determined measures for protection of the rights and interests of a child
 - If a parent does not prevent a child in enjoying alcohol drinks, drugs or other intoxicating substances, and
 - If a parent does not prevent a child under sixteen years of age to go out late at night.

The above stated provisions are also contained in the Family law of RS.

This Law (FBiH) has also envisaged the monthly fee for the work of the guardian; the amount of the fee shall be prescribed by the Federal minister of social policy, according to the scope of work and degree of protection of the protégé's rights. Such a provision does not exist in the Family Law of the RS.

Contrary to the family law of RS, the Federation law contains the provisions that are a part of the Law on civil proceedings, providing for procedure in marital disputes and disputes from the relations between parents and children. Besides these, it embedded the provisions of the Law on out-of-court proceedings that regulate removal and return of working abilities, procedure for issuance of permit for contracting a marriage, procedure for deprivation and reinstating parent's right to live with a child, and procedure for obtaining the work capacity of an under-age person who became a parent.

According to the provisions of executive proceedings embedded into this law, the procedure of execution in order to give a child to the parent that s/he is going to live with shall be carried out, the execution in order to maintain personal relations and contacts of a parent with the child, and execution to provide support. Measures of insurance for support are provisional measures of ensuring the execution of support, and at the same time the provisional measures of providing support. The aim of these measures is to remove the possibility for the opponent of the party proposing the support measure is prevented or makes difficult the implementation of support.

The eighth section of the family Law provides for the procedure of protection against the violent behavior in the family. This protection shall be provided by: the police, guardian bodies, social services, and the court; and all physical and legal entities have the obligation immediately after finding about the violent behavior to inform the competent

police administration. Police administration is responsible to remove the violent person, and to inform the guardian body, that shall take legal actions.

12. There were not researches in BiH to establish the assessment of the influence of legal measures in resolving the violence over children.

BiH, within the processes of accession to European Union, continuously carries out the procedure of harmonization the BiH laws with the regulations of the European Union. Parallel to this process, BiH is also implementing the activities on development of a study on the harmonization of domestic legislation with the European Convention on human rights and freedoms.

Within the framework of the process of the preparation of the BIH report on implementation of the UN and European Conventions in the area of human rights, the applicable laws have been continuously analyzed, and this information is included into reports submitted by Bosnia and Herzegovina.

Within the research carried out jointly by the BIH authorities and non-governmental organizations, including the research on violence over children, the assessment is to be done of the influence of legal measures/laws. The research has been carried out in cooperation with UNICEF, Save the Children Norway, Save the Children UK, Ombudsmen of FBiH and RS, and local NGOs.

Courts tasked with addressing violence against children

13. In the legal system of Bosnia and Herzegovina and the existing organization of the courts, there do not exist juvenile nor family courts. The cases in which juveniles appear as victims are resolved by the regular courts (the courts with general jurisdiction), with the difference being that the family laws of RS and the FBiH regulate that in such cases, under official duty, the social service organ, competent to deal with issues of guardianship, that is the guardian, is included. It is postulated that the social service organ, competent to deal with issues of guardianship, also appoints a so-called collision guardian in all those cases when the interests of the child are in conflict with the interest of the parent, and, in those instances, the guardian needs to have the agreement of the social service organ, competent to deal with the issues of guardianship, if the matter at hand is the confiscation of the juvenile's property.

The Criminal Procedure Code regulates the following:

The Composition of the Court

- (1) The judge for juveniles, who directs preparatory proceeding and other actions when proceeding against juveniles, shall direct the first instance proceeding in accordance with this Code.
- (2) The Panel for juveniles, composed of three (3) judges, shall rule on appeals against the decision of the judge for juveniles in the cases provided by this Code.

When proceedings are undertaken that are attended by the minor (the victim or the defendant), and especially when he is examined, the bodies participating in the proceeding must be circumspect, mindful of the mental development, sensitivity and personal characteristics of the minor, so that the conduct of the criminal proceeding will not have an adverse effect on the minor's development. Psychologists, specialist in defective delinquency, and other experts are included in the procedure when necessary as well.

Minimal age for sexual activity

14. Legally defined minimal age for a valid consent to sexual activity does not exist. All those who commit a sexual intercourse with a juvenile, regardless of gender and sexual orientation, younger than 14 years of age come under the attack of the Criminal law.

The law does not explicitly determine age in view of heterosexual and homosexual activities. The Law on Gender Equality in BiH allows the freedom of sexual orientation and does not contain explicit bans or thresholds in the above-mentioned laws as far as age is concerned, but the responsibility of a juvenile, that is person, older than 14 years of age can be considered in accordance with the provisions of the current criminal code.

15. The conditions for entering a marriage are prescribed by the family laws :

According to these laws:

- A person who is not yet 18 years of age cannot enter into marriage.
- Due to justifiable reasons, the court, in an out of court proceedings, can allow the conclusion of marriage for juveniles older than 16 years of age, if it determines that this person is both physically and socially able to perform the duties and rights resulting from marriage.
- An interested juvenile person can submit the proposal for an approval for marriage.
- Before making its decision, the court will get the opinions of the guardianship body.

Sexual exploitation of children

16. The criminal codes in BiH, as has been mentioned already, contain more criminal offenses that relate to sexual abuse of children, particularly commercial exploitation, prostitution, and other sexual activities (*Trafficking in Humans for the Purpose of Prostitution, the Use of Children and Juveniles for pornography, the Production and Displaying of Child Pornography, Establishment of Slavery and the Transport of Persons in Slavery, International Enticement for the purpose of Prostitution, Illegal Withholding of identification documents, and Trafficking in Human Beings*).

The children victims are not, in accordance with the BiH laws, criminally responsible until the age of 14.

Children victims that have been forced by other persons to commit criminal offenses, especially offenses related to trafficking in human beings, are also not subjected to the criminalization procedure.

Juvenile Procedure, which regulates the application of the provisions to children stipulates the following: When it is established in the course of the proceeding that at the time when the minor committed the criminal offense he had not reached the age of fourteen (14), the criminal proceeding shall be dismissed, and **the juvenile authorities shall be so informed.**

The role of the Juvenile Welfare Authority

(1) In a proceeding against minors, **beside the authority exclusively provided by the provisions of this Chapter, the juvenile welfare authority shall have the right to be kept informed of the course of the proceeding, to make recommendations in the course of the proceeding and to point up the facts and evidence that are important to the rendering of a correct decision.**

- (2) The **Prosecutor shall notify the competent juvenile welfare authority** of each proceeding instituted against a minor.

The Exclusion of the Public:

- The judge for juveniles may allow the main trial to be attended by **persons professionally concerned with the welfare and development of minors** or with combating juvenile delinquency, as well as scientists.
- During the main trial, the judge for juveniles may order that all or certain persons be removed from the session except the Prosecutor, defense attorney and the **representative of the juvenile welfare** authority.

The Criminal Code of BiH stipulates those offences that relate to trafficking in human beings:

Establishment of slavery status and transport of enslaved persons:

- enslaving of another person or putting him/her in similar position;
- buying or selling of another person;
- mediation in the buying, selling or handing over of such a person
- Inciting of another person to sell his/her freedom or the freedom of persons he/she supports or takes care of..... sentence of imprisonment for a term between one year and ten years.
- Whoever perpetrates the criminal offence against a juvenile..... imprisonment for a term not less than five (5) years.
- (forced adoption, transplanted organs, exploitation by labor or for other illicit purposes)
- Transport of persons who are in a position of slavery or in similar status..... imprisonment for a term between six months and five years.

Trafficking in Human Beings:

- recruitment, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion;
- abduction, fraud, **deception**, abuse of power or of a position of vulnerability of another, or the giving and receiving of payments or benefits to obtain the consent of a person having control over another person, **for the purpose of exploitation**imprisonment for a term between one and ten years.
- Criminal offence against a juvenile..... imprisonment for a term not less than five years.
- organizing a group of people imprisonment for a term not less than ten years or long-term imprisonment.
- acting out of negligence..... imprisonment for a term between six months and five years.

(Exploitation includes, in particular, exploiting other persons by way of prostitution or of other forms of sexual exploitation, forced labor or services, slavery or slavery-like practices, serving under coercion or removal of organs for the purpose of transplantation.)

International Procuring in Prostitution:

- procuring, enticing or leading away another person to offer sexual services for profit within a state excluding the one in which such a person has residence or of which he is a citizen..... imprisonment for a term between six months and five years.
- use force or deceit, coerces or induces another person to go to the state in which he has no residence or of which he is not a citizen, for the purpose of offering sexual services upon payment..... imprisonment for a term between six months and five years.
- If the criminal offence perpetrated against a child or a juvenile..... imprisonment for a term between one and ten years.

(The fact whether the person procured, enticed, led away, forced or deceived into prostitution has already been engaged in prostitution is of no relevance for the existence of a criminal offence).

Unlawful Withholding of Identity Papers:

- unlawful withholding of another person's identification papers or passport.....imprisonment for a term between six months and five years.

Pornography and harmful information

17. As far as the legal and other measures with which the production, possession, and distribution of child pornography is prohibited are concerned, the laws in Bosnia and Herzegovina have determined the penal acts with which this form of organized crime is punished.

The definitions of the criminal offense of Using children and juveniles for the purpose of pornography, the *Production and displaying of child pornography* are given in the response to question number 4.

18. When the issue at hand is the protection of children from the damaging materials and information that are transmitted via media, Internet, videos When the issue at hand is the protection of children from the damaging materials and information that are transmitted via media, Internet, videos, electronic games, etc., the distributors and the electronic media are obliged to emphasize that the content they show or rent is not suitable for children.

When Internet and electronic games are in question, there is no limit on protection or warnings that the content might be harmful for children.

Reporting obligations relating to violence against children

19. The reporting towards the competent bodies on all forms of violence and abuse of children is, as a rule, obligatory, as a part of official duty.

In article 213 of the BiH Criminal Procedure Code, the obligation to report criminal offenses is stipulated:

- (1) "Official and responsible persons in all the governmental bodies in Bosnia and Herzegovina, public companies and public institutions shall be bound to report criminal offenses of which they have knowledge, through information provided to them or learned by them in some other manner. Under such circumstances, the official and responsible person shall take steps to preserve traces of the criminal offense, objects upon which or with which the criminal offense was committed, and

other evidence, and shall notify an authorized official or the Prosecutor's Office without delay. "

In accordance with the above-mentioned, it is evident that responsibility is being individualized so that the official and responsible persons would report on **all** criminal offenses, and, thus, **the criminal offenses in which there are elements of violence against children are not an exception either.**

In the case of failure to report such a criminal offense, that is, failure to act in accordance with these provisions, this can, **in certain cases only**, present a criminal offense from the article 230 of the Criminal Code of BiH Failure to Report a Criminal Offense or a Perpetrator, for which basic form one can be punished with a fine or imprisonment for a term not exceeding three years, while for its qualified form, with a punishment of imprisonment for a term of five years, or a more severe punishment may be imposed for such a criminal offense. In this article, the reporting of a criminal offense or a perpetrator relates to the criminal offenses where a sentence of long-term prison (I Paragraph), or the criminal actions for which a term of 5-year of imprisonment, or a more severe punishment (II), can be sentenced, both having in mind the possible punishments for this criminal offense of Violence in the family means that this obligation would apply to only those qualified cases of violence which resulted in grievous bodily injuries or death of the victim.

"(2) Medical workers, teachers, pedagogues, parents, foster parents, adoptive parents and other persons authorized or obligated to provide protection and assistance to minors, to supervise, educate and raise the minors, are obligated to immediately inform the authorized official or the Prosecutor about their suspicion that the minor is the victim of sexual, physical or any other form of abuse."

In this case, the pre-condition for the obligation of reporting is the **existence of doubt** that a juvenile is a victim of sexual, physical, or some other abuse, that is, it is not required that the active subject of the offense is informed, or that he/she found out about the criminal offense.

The legislator prescribes the obligation of reporting by competent official persons or prosecutors in all cases where there exists a doubt to some form of juvenile abuse, which is truly on the line of protection of the rights of a child as an especially vulnerable category in the system of criminal law.

It is stipulated that a physician, dentist, midwife or medical worker, psychologist, notary public and social welfare worker shall be punished for the criminal offences referred to in paragraphs 1 and 2 of this Article, if the criminal offence is perpetrated against a child or juvenile. Therefore, these professions, that is, these persons who are in business contact with the child or juvenile, in order to particularly strengthen their obligation of reporting any possible perpetration of above-mentioned criminal offences, have been especially underlined.

Citizens Reporting a Criminal Offense:

- (1) A citizen shall **be entitled** to report a criminal offense.
- (2) All persons must report commission of a criminal offense in those instances where failure to report such a criminal offense itself constitutes a criminal offense.

Complaints procedures

20. The procedure for complains regarding all forms of violence against children in public institutions is regulated by the legal acts of the public institutions with which the disciplinary responsibility of the official persons is determined, as has been mentioned earlier on.

The complaints regarding any form of violence that appears in public institutions (schools, military academies, at the work place, sport and recreational facilities, neighborhood, on the street) can be filed by the interested party and the child itself, or a parent or a guardian, relative, friend, or a conscientious citizen.

With the Law on Family Violence Protection, a procedure for complaints regarding domestic violence against children has been determined. According to the above-mentioned law, family members, health and social workers, teachers, kindergarten instructors, medical, education and other institutions and bodies, as well as non-governmental organizations, which, in the process of performing their duty, find out about the domestic violence that has been committed are obliged to, immediately upon finding out about the perpetrated offense, report it to the competent police administration.

The person who fails to conduct the obligation of reporting violence in the family is committing a criminal offense.

21. During the procedure that is being lead against juvenile criminal offenders, the juvenile offenders, that is, their representatives have the right to review documents in accordance with the general provisions of the Criminal Code Procedure of BiH.

22. Informing oneself about the possibilities for directing complaints regarding violence against children is still not an organized process, but in primary and secondary schools, within the framework of curricula, contents and information related to the mean of directing the complaints are included. These contents are realized in accordance with non-governmental organizations within the framework of workshops, round tables, by creating information materials, flyers.

In BiH, SOS hot lines providing protection and confidentiality in view of the submitted complaints about violence have been opened and established. Basic information on the possibilities of directing complaints and all other information in the view of protection against violence can also be received through these telephone lines.

23. The new Criminal Procedure Code of BiH stipulates the possibility of using special investigative means for which a sentence of three years of imprisonment, which is, as a rule, a minimal sentence when offences committed towards children are concerned as well, is foreseen (use of undercover investigators and informants, surveillance, technical recording of premises, etc.) Witness protection institute can be used as well, that is, the authorized prosecutor decides on all investigative means, and, as evidence, medical and other expert findings are used.

24. The most common result of complaints regarding violence against children is the punishment of the perpetrator.

The issue of “*compensation*” for the victim is resolved in an additional procedure in accordance with the Law on obligating relations (the request for a compensation of

intangible damage that can be born by the victim only, that is, by a parent/guardian on behalf of a child).

The *rehabilitation* of perpetrators is a new measure stipulated within the framework of the Law on Protection Against Domestic Violence, which implementation is only being started in Bosnia and Herzegovina, and, therefore, it is necessary to, in that direction, train the staff in the Social Service centers, and other complementary services that will be formed for the purpose of conducting the program for the rehabilitation of perpetrators.

The family therapy measure was already being implemented, but not to a sufficient extent, thus, there is a need to intensify this measure as well.

25. According to juvenile criminal offenders, Educational Measures, Educational Recommendations, and Sanctions are implemented as legal measures according to the Criminal Code of BiH.

The purpose of educational recommendations is:

- a) To avoid initiation of criminal procedures against juvenile perpetrators; and
- b) To use the educational recommendations as a means of influencing juveniles not to perpetrate criminal offences.

The educational recommendations are the following:

- 1) Personal apology to the injured party;
- 2) Compensation of damage to the injured party;
- 3) Regular school attendance;
- 4) Working for a humanitarian organization or local community;
- 5) Accepting an appropriate job
- 6) Being placed in another family, home or institution;
- 7) Treatment in an adequate health institution;
- 8) Attending instructive, educational, psychological and other forms of counseling;

Criminal Sanctions for Juveniles:

(1) Educational measures and certain security measures may be imposed to a juvenile perpetrator of a criminal offence, while in extreme cases, the punishment of juvenile imprisonment may be imposed on an older juvenile.

(2) To a juvenile who at the time of perpetration of a criminal offence had attained fourteen years of age but had not reached sixteen years of age (a junior juvenile) only educational measures may be imposed.

(3) To a juvenile who at the time of perpetration of a criminal offence had attained sixteen years of age but had not yet reached eighteen years of age (a senior juvenile) educational measures may be imposed under conditions laid down by this Code, and exceptionally a punishment of juvenile imprisonment may be imposed.

(4) Security measures may be imposed on juveniles under the conditions laid down under this Code.

(5) A suspended sentence may not be imposed on a juvenile.

Purpose of Educational Measures and Juvenile Imprisonment

The purpose of educational measures and of juvenile imprisonment is to ensure the education, rehabilitation and proper development of juveniles who have perpetrated criminal offences by extending protection, assistance and supervision to them, providing

them with vocational training and developing their personal responsibility. In addition, the purpose of juvenile imprisonment is to exercise special influence on juvenile perpetrators in order to prevent them from perpetrating criminal offences in the future, as well as to deter other juveniles from perpetrating criminal offences.

Types of Educational Measures

(1) Educational measures are:

- a) Disciplinary measures;
- b) Measures of intensified supervision;
- c) Institutional measures

(2) Disciplinary measures shall be imposed on a juvenile perpetrator of a criminal offence who does not need to be submitted to extended educational or reformatory measures, in particular if he has perpetrated a criminal offence out of thoughtlessness or frivolity.

(3) Measures of intensified supervision shall be imposed on a juvenile perpetrator of a criminal offence if it appears necessary to submit the juvenile to extended measures of education, rehabilitation or treatment under adequate supervision, but where it is not necessary to completely isolate him from the old environment.

(4) Institutional measures shall be imposed on a juvenile perpetrator of a criminal offence when it appears necessary to submit him to extended measures of education, rehabilitation or treatment, as well as to detach him completely from his old environment. Institutional measures may not last more than five years.

Educational Measures

On a juvenile perpetrator of a criminal offence, the following educational measures may be imposed:

- a) Disciplinary measure of committal to a disciplinary center for juveniles;
- b) Measures of intensified supervision: on the part of the parents, adoptive parents or guardians, in a foster home, or on the part of a competent social care body;

Institutional measures: committal to an educational institution, to an educational-reformatory home or some other training establishment.

Punishment of Senior Juveniles

Only a senior juvenile criminally liable may be punished if he has perpetrated a criminal offence for which a punishment of imprisonment for a term exceeding five years has been prescribed, if it would not be justifiable to apply an educational measure because of the grave consequences of the offence perpetrated and the high degree of criminal responsibility.

Juvenile Imprisonment

(1) The duration of the sentence of juvenile imprisonment may not be shorter than one or longer than ten years, and shall be measured in full years or half-years.

In meting out punishment for a senior juvenile for a criminal offence, the court may not impose juvenile imprisonment for a term exceeding that of imprisonment prescribed for

that particular criminal offence, but the court shall not be bound by the minimal punishment prescribed for the particular criminal offence.

Imposing Educational Measures and Juvenile Imprisonment for Concurrent Criminal Offences

(1) The court shall impose only one educational measure on a juvenile for concurrent criminal offences, or only a sentence of juvenile imprisonment when legal conditions exist for that sentence to be imposed and when the court finds that it should be imposed.

(2) The court shall proceed in the same manner as set forth in paragraph 1 of this Article in case it establishes that a juvenile had perpetrated a criminal offence prior or after an educational measure or juvenile imprisonment has been imposed.

Imposing Security Measures to a Juvenile

(1) Security measures referred to in Article 69 (*Types of Security Measures*), items a), b) and d) of this Code may, under conditions determined in law, be imposed on a juvenile perpetrator on whom an educational measure or a sentence to juvenile imprisonment has been imposed.

(2) A security measure of mandatory treatment of addiction may not be imposed together with disciplinary measures.

(3) Instead of a security measure of mandatory psychiatric treatment, an educational measure of committal to another training establishment may be imposed if the treatment and the supervision may be enforced in that institution and thus the purpose of the security measure attained. In addition, the security measure of forfeiture may also be imposed.

Impact of Punishment on Educational Measures

(1) If the court imposes a punishment of juvenile imprisonment on a senior juvenile during the course of an educational measure, such educational measure shall terminate with commencement of the service of the punishment.

(2) If the court imposes on an adult a punishment of juvenile imprisonment or imprisonment for a term of at least one year during the course of an educational measure, such educational measure shall terminate with commencement of the service of the punishment.

If the court imposes on an adult a punishment of imprisonment for a term shorter than one year during the course of an educational measure, the court shall decide in the judgment whether upon the completion of the imprisonment term the educational measure would be continued or cancelled.

Effect of Educational Measures and Sentencing to Juvenile Imprisonment

(1) Educational measures and juvenile imprisonment do not entail the legal consequences consisting of the bar to acquire certain rights as set under Article 114 (*Types of Legal Consequences Incident to Conviction*), paragraph 2 of this Code.

The provisions of Article 108 (*Labor by Convicted Persons*) of this Code also apply to the persons serving the educational measure of committal to an educational-reformatory home or sentence of juvenile imprisonment.

Execution of Sentence of Imprisonment or Long-term imprisonment

(1) The sentence of imprisonment or juvenile imprisonment shall be carried out in closed, semi-open or open institutions for the execution of punishments.

The sentence of long-term imprisonment shall be carried out in the closed-type institution for execution of punishments.

Execution of Sentence of Juvenile Imprisonment

(1) Senior juveniles serve the sentence of juvenile imprisonment in special institutions for juvenile offenders, where they are allowed to stay until they reach eighteen years of age. Those who have reached eighteen but who have not reached twenty-three years of age (younger juveniles) shall serve the sentence of juvenile imprisonment in special institutions for younger juveniles or in a special department of the institution where adults are serving sentence, where measures are to be taken in order to ensure that contact of juveniles and older convicted persons is prevented. If a person has not completed serving the punishment until the time he reached twenty-three years of age, he shall be sent to prison for adults.

(2) A younger juvenile may stay in the institution for juvenile offenders as long as it is necessary in order to complete his schooling or training. A younger juvenile may not stay, under any circumstances, in the institution for juvenile offenders if this would be detrimental, in any way, for juveniles serving the sentence there.

(3) The choice of occupation for convicted juveniles shall be made in accordance with their abilities and inclinations towards some occupation, aiming to occupational training and in accordance with the possibilities available at the institution for juvenile offenders. Younger juveniles shall also have the possibility for education and training regardless of whether they are serving the sentence in special institutions or in special departments of prisons for adults.

(4) Working hours of the convicted juveniles are set so to enable schooling and training, and to leave enough time for physical exercise and entertainment.

(5) The convict can be released on parole if he has served one third of his sentence, but not before one year of the time to be spent in the institution for juvenile offenders has elapsed. During the parole, the court may order the measure of intensified supervision by a competent social care body. Revocation of parole shall be done in accordance with the provisions of Article 45 (*Revocation of Parole*) of this Code.

The convicted juveniles, except in special circumstances, shall be entitled to maintain contacts with their family through letters and visits.

II. THE INSTITUTIONAL FRAMEWORK AND RESOURCES TO ADDRESS VIOLENCE AGAINST CHILDREN

26. The Government bodies, structures, and mechanisms are competent for the resolving of problems of violence against children:

In the Ministry of Security, the following administrative organizations are found:

- The Central Sector that consists of several sectors (the Sector for Immigration, the Sector for Asylum, the Sector for International Cooperation, the Sector for Analysis and Assessment, the Sector for Coordination, the Sector for Civil Protection);
- The State Investigation and Protection Agency of BiH (SIPA)

- The State Border Service (DGS);
- Interpol (NCB – the National Central Bureau) .

THE MINISTRY OF SECURITY – CENTRAL SECTORS

The Ministry of Security is one of the newly established ministries on the level of Bosnia and Herzegovina, in the year 2003. This ministry has the competences for the prevention and discovery of terrorist acts, drug trafficking, the falsifying of domestic and foreign currencies, trafficking in human beings, and other criminal offenses with an international element to them, the execution of policy, migration and asylum, and the policy for movement and stay of foreigners in BiH, etc.

Within the framework of this ministry, there exist various agencies and professional sectors that are responsible for the tackling of various issues.

The Sector for Immigration and Asylum is in charge of regulating the status, movement, and stay of foreigners, the assigning of asylum, the protection of trafficking victims.

In accordance with the above-mentioned, the ministry conducts its activities in accordance with the special legal regulations on the protection of trafficking victims and asylum seekers. These activities are also conducted in cooperation with non-governmental organizations that act and operate in Bosnia and Herzegovina.

Within the framework of this ministry, the forming of an immigration service that will cover the territory of Bosnia and Herzegovina and take over the competences from the entity ministries of interior affairs, which have, up to now, operated in the Department for foreigners, is in progress.

The employees working in these departments are included in the training with the aim of becoming trained to work with special categories of foreigners (asylum seekers, illegal immigrants) for the purpose of preventing trafficking in human beings, and especially for the purpose of protection of children.

THE STATE INVESTIGATION AND PROTECTION AGENCY (SIPA)

SIPA is an administrative organization within the framework of the Ministry of Security in BiH, with operational independency, founded for the purpose of performing police work.

At the headquarters of the Agency, which is located in Sarajevo, at the Department for Criminal Investigations, there is also a Department for Criminal Investigations, in which composition is also the Team for the Suppressing of Trafficking in Human Beings and Sexual Offences. The above-mentioned Team, in a special segment, deals with the suppressing of trafficking in children and preventing sexual offences committed against children. Moreover, the Team at the headquarters conducts coordination of the total activities in the area of prevention of trafficking in human beings and sexual offences of the Teams found in the Regional offices in Sarajevo, Banja Luka, Mostar, and Brčko (the Regional Office in Brčko is in the process of being established; however the headquarters of this office has still not been definitely determined). Apart from the above-mentioned activities, the Team at the SIPA headquarters has the obligation of monitoring and collecting all interesting modes of smuggling of human beings, collecting of evidence on offences committed in view of trafficking in human beings, particularly children, the prevention and suppression of trafficking in human beings and sexual offences, the unifying of evidence on traffickers, trafficking victims, and sexual offences, assistance to victims, activities of prevention, cooperation with the non-governmental and government sector, the organizing of the training of SIPA investigators in means of work in the area of

combat against trafficking in human beings, obligations regarding the implementation of the Project in cooperation with the EUPM: Combat and Intervention Against Trafficking in Human Beings, Project FIGHT – the flow of documents on trafficking in human beings with the aim of creating a habit of permanent updating of professional knowledge, and, within the framework of the FIGHT Project – the International and National Cooperation in regards to SIPA’s activities on the suppressing of trafficking in human beings.

“Project FIGHT” means: Fi – fight, G- against, H – human, T – trafficking, that is, it presents a complete program for combat against crime related to trafficking in human beings. This includes trafficking in women, men, children, trafficking in human organs (tissues), the sexual exploitation of children, exploitation in the form of Internet pornography, etc.

Within the framework of the above-mentioned projects, a special emphasis has been given to the training of police employees in conducting interviews (talks) with children up to 12 years of age, and with mentally disabled persons. At the same time, the equipping of rooms for conducting talks with children up to 12 years of age and mentally disabled persons has been planned, as well as a room for the conducting of talks with victims of trafficking in human beings.

THE STATE BORDER SERVICE (DGS)

The state border service is an administrative organization within the framework of the Ministry of Security of BiH, founded to perform police work in the framework of border supervision, or control of traffic on border crossings, as well as perform all police work related to criminal offences that are prosecuted by official duty.

The State Border Service (DGS) is organized in the following fashion:

A Director, a Deputy, and assistants manage the body.

The Main office;

Field offices;

Border service units;

In the main office, there is a Central Investigative Office, within which composition, there is a Department of Investigations, within which there are investigators for combat against trafficking in human beings, and, within that activity, there is also work on the prevention of violence against children in the view of taking measures and activities regarding the prevention of trafficking in children.

At the field offices, which are found in Bijeljina, Višegrad, Sarajevo, Čapljina, Grahovo, and Gradiška, within the framework of the Department of Investigations, investigators are working on the combat against trafficking in human beings. Within the baseline of the work done on combat against trafficking in human beings, the DGS investigators keep special records and apply special measures as far as children victims of trafficking are concerned, that is, as far as cross-border criminal (smuggling) of children is concerned.

INTERPOL (NCB)

Interpol is, by definition, an International organization of criminal police forces, which primary task is the exchange of data, acting in accordance with the requests of the criminal police forces of other countries members of Interpol, exchange of experiences, etc.

Seeing that BiH is a member of Interpol, within the framework of the above-mentioned work, and by means of Interpol, that is, NCB (the National Central Bureau), in Sarajevo,

among other things, the exchange of data in regards to trafficking in human beings, and, thus, violence against children, is conducted as well. In the organization of NCB, one can also find the inspectors responsible for the line of work regarding the trafficking in human beings. All requests of the criminal police forces in BiH, regardless of which police Agency is in question, which are directed to other countries, are forwarded by the means of Interpol (NCB) BiH in Sarajevo.

Under the General Secretariat of Interpol, an Interpol group specialized in combat against trafficking in women has been formed with the aim of sexual exploitation. Within the framework of the work of the group that, in May 2005, in Lyon, plans to hold its sixth meeting, a special emphasis has been placed on the exploitation of children.

NATIONAL COORDINATOR FOR COMBAT AGAINST TRAFFICKING IN HUMAN BEINGS AND ILLEGAL MIGRATION

The Office of the National Coordinator is in the framework of the Ministry of Security in BiH, which plays a role in the implementation of the common principles and procedures of the competent bodies of BiH in the area of suppressing of trafficking in human beings and illegal migration, as well as the establishing of an effective coordination of activities prescribed by the valid laws of BiH, which are under the authority of various institutions in BiH. The National Coordinator is, at the same time, the Chairman of the National Group for Combat Against Trafficking in Human Beings and is appointed by the Council of Ministers of BiH...

THE MINISTRY OF HUMAN RIGHTS AND REFUGEES

The Ministry of Human Rights and Refugees is responsible for the following:

- The implementation of international conventions and other documents in the area of human rights and fundamental freedoms,
- The promotion and protection of personal and collective human rights and freedoms,
- The coordination and the preparation of the report on the implementation of the conventions and international documents in BiH,
- The creation and the implementation of activities on the fulfillment of BiH obligations in regards to the process of accession to Euro-Atlantic integrations, and, particularly, in regards to the implementation of the European Convention on Human Rights and Freedoms, and its protocols.
- The monitoring, creation, and distribution of information on the standards, achievements, and activities in the area of human rights, cooperation with religious communities, national minorities, and their associations.
- The collection of data that the ministry deems relevant in accordance to the valid laws and the protection of information,
- The cooperation with the non-governmental sector on issues that are under the competence of the ministry,
- The creation of policy regarding migration and asylum in BiH,
- The collection, systematization, publishing, and distribution of all data under the ministry's competence.

The Ministry initiated the establishment of a Council for Children of Bosnia and Herzegovina, and it, in accordance with its competences, assists the work of this body in an administrative and technical fashion.

The Competence of the Council for Children of BiH

The Council for Children of Bosnia and Herzegovina has been established as an independent body of an advisory and coordinative character.

The Council for Children of Bosnia and Herzegovina is responsible for the following:

- The monitoring and implementation of the Action Plan for Children in Bosnia and Herzegovina from 2002 to 2010;
- The reporting to the Council of Ministers of Bosnia and Herzegovina, when necessary, and at least once a year, regarding the implementation of the Action Plan in BiH from 2002 to 2010;
- The coordination with the competent entity ministries and non-governmental organizations;
- The proposal of measures for the improvement of the implementation of the Action Plan in BiH,
- The preparation of the operative plans for each year;
- And other questions regarding the implementation of the Action Plan in BiH from 2002 to 2010.

THE MINISTRY OF CIVIL AFFAIRS

There does not exist an Agency, but, within the framework of the competences of the Ministry of Civil Affairs of BiH, among other things, the issues of social care have been defined as well.

In accordance to the organizational structure, the Sector for labor, employment, health and social care, and pensions deals with these issues.

In accordance with the regulation book within the framework of this Sector, there does exist a Division for Social Care with the following competences:

In coordination with the entity bodies from this area (entity ministries, centers for social work), efforts are invested to create a regulation in the area of social insurance, their implementation is monitored, the initiatives and proposals regarding the change of regulation in the area of social care are given, there is participation on the creation of analyses, collection of information, and reports in the area of social care.

THE MINISTRY OF INTERIOR OF REPUBLIKA SRPSKA

At the headquarters of the Ministry, within the framework of the Administration of the criminal police, there is a Department for the Suppressing of Organized Crime, which has the competence to combat against trafficking in human beings. Ministry of Internal Affairs (MUP) of Republika Srpska has 5 centers of public safety (CJB) that are located in Banja Luka, Doboj, Bijeljina, East Sarajevo, and Trebinje, as well as four Stations for Public Safety (SJB) that are located in Prijedor, Mrkonjić Grad, Zvornik, and Foča. At the Canters for Public Safety, within the composition of the Departmental criminal police, there are Departments for combat against organized crime, which consist of dedicated investigators responsible for combat again trafficking in human beings (with the exception of the CJB in Banja Luka, which, due to its size, has a Sector of Criminal police and a Department for Combat against Organized Crime, in which composition are

the investigators for combat against trafficking in human beings, and there are also investigators for juvenile delinquency). At the Stations for Public Safety (SJB), within the structure of the criminal police forces, in a group for combat against organized crime, there is an investigator for combat against trafficking in human beings. Within the framework of their activities, the investigators for combat against organized crime work on the suppressing of violence against children. All exact data regarding the above-mentioned issue flow into the Administration of the Criminal Police at the headquarters in the Ministry of Internal Affairs (MUP) of RS, which is, at the same time, in charge of the cooperation with the non-governmental organizations and the training of police on suppressing the trafficking in human beings. the crime

THE MINISTRY OF INTERIOR OF THE FEDERATION OF BIH

In accordance to the constitutional system of Bosnia and Herzegovina, which consists of entities, Federation of BiH and Republika Srpska, and Brčko District, the internal affairs in the Federation of BiH are under the competence of the Federal Ministry of Internal Affairs and the 10 cantonal ministries of internal affairs. Thus, the internal affairs in the Federation of BiH are the responsibility of the Federal Ministry of Internal Affairs and the 10 cantonal ministries of internal affairs.

The system of police forces discussed here is a decentralized one, in which the Federal Ministry of Internal Affairs is responsible for acts of terrorism, inter-cantonal crime, the trafficking of drugs and drug-related substances, and organized crime. The authority of the Federal Ministry of Internal Affairs (FMUP) also covers affairs related to citizenship of FBiH, as well as the security and safety of certain persons and buildings from the Federation of BiH.

The cantonal ministries of internal affairs are individually competent for other affairs on the territory of their subsequent cantons.

The Government of FBiH determines the system of FMUP and its internal organization, and attention needs to be paid regarding a whole series of factors. With the aim of a more effective conducting of internal affairs-related work and tasks assigned by the Law on Internal Affairs, the following organizational forms have been established: the Cabinet of the Ministry, the Administration management, and the Management of the Police.

The Management of the Police, as an integral part of the Ministry, is primarily responsible for the operational part of police work, which is directed by the Director, and which is, in an operational and financial sense, completely independent. The Management of the Police directly takes measures on the prevention and discovering of criminal offences in the above-mentioned areas.

For that purpose, in the headquarters of the FMUP in Sarajevo, within the framework of the Management of the Police, there exists a Sector of criminal police, in which composition there are 10 departments. In the Department for Organized and Inter-cantonal Crime, there exist three divisions, as follows: Division for property offences, Division for serious felonies, and (from 01.03.2003.), the Division for the suppression of trafficking against human beings. There is an intention² to have the Division for the suppression of trafficking against human beings, apart from trafficking in human beings, smuggling, and organized prostitution-related affairs, take on, as one of its competences, the problem of sexual criminal and domestic violence, where the domestic violence would

² At the moment, it is not stated precisely enough who should be following the problem of violence against children on the Federal level, and the situation is bridged by having one police officer – inspector from the Department for serious felonies of FMUP, that is, KMUP deal with violence against children as domestic violence, which is not always the case.

be more closely followed as an issue on the level of the Federation of BiH and not just executed and dealt with in concrete cases. As far as the concrete issue of domestic violence is concerned, lower organizational units, that is, the Cantonal MUPs (there is 10 of them altogether in FBiH), that is, the Police administrations, deal with these problems. In each Cantonal MUP (KMUP), within the framework of the Sector of criminal police (most frequently, within the Department for Special Purposes), there exists at least one police officer inspector who is responsible for the monitoring of this issue in the area of his Canton. He has, at his disposal, one or more police officers from each Police administration, which main task, but not their only one, is the domestic violence.

IN FMUP and the majority of KMUPs, and in the Police of District Brčko, a room is already prepared for the questioning of victims of trafficking, that is, victims, which equipment was stolen. These rooms are already being used for this purpose, or it is a question of days before they will be used. .

As far as the Police of the Brčko District is concerned, it is important to emphasize that the tasks related to violence against children are mostly conducted by the Unit of criminal police, most often within the framework of responsibility of one of the 9 teams – work directions – the Team for trafficking in human beings, sexual offences, and domestic violence.

LEADING AGENCIES – THE CENTERS FOR SOCIAL WORK

27. In Bosnia and Herzegovina, the leading government agencies for the resolving of violence against children are the Centers for Social Work. In Brčko District of BiH, there is one such center, in the Federation of BiH, there are 10 cantonal centers and 71 municipal center, in Republika Srpska, there are 44 centers for social work and child care, which function as municipal government bodies.

The Center for Social Work is an institution where a child victim of violence can receive professional help, be given adequate treatment, provided with counseling and therapy services, and all other necessary assistance with the aim of their care.

When violence against children is the issue at hand, the Center for Social Work also conducts professional tasks regarding the implementation of social care and social work, family care, and child care, doing so in the following fashion:

1. It explores and monitors the social needs of citizens and their problems in the area of social care,
2. It proposes and takes measures in resolving the continuous needs of citizens and monitors their execution,
3. It organizes and conducts the adequate forms of social care and child care, and provides direct services of social care and social work,
4. It develops and improves the deterrent activities that contribute to the prevention and repression of social problems,
5. It offers diagnostic services, provides adequate treatment, counseling and therapy services, and professional assistance to the users,
 - 5a. It works on the establishing of a family counseling with the aim of providing services to the family and to the individual,
6. It encourages, organizes, and coordinates the professional and voluntary work in the area of social care,

7. It performs tasks related to the conducting of educational measures directed towards juveniles,

7a. It works on the selection and implementation of educational recommendations for juveniles,

8. It keeps records and documentation on the services rendered and actions taken within the framework of its activities,

9. It works on the development of partnership between the various actors in the community, which provide social services,

9a. It works on the development of various models of user care and social services, in accordance with the user needs,

10. It also performs other tasks as determined by law and the by the decision of the municipality, that is, the city.

The Ministry competent for social care determines the norms and standards for the work conducted by the centers for social work in their execution of public authorization.»

28. Bosnia and Herzegovina, that is, the centers for social work do not have special financial resources for the resolving of general forms of violence..

The portion of resources that are intended for the realizing of the right from the Law on Social Care, for family legal care, is partially used for the financing of issues of domestic violence and violence against children.

For the financing of the right from the Law on Social Care, in the year 2004, in Republika Srpska, approximately 9.500.000,00 KM have been taken from the municipal budget, and one percent of this sum was allocated for the financing of resolving of various forms of violence.

The data from the center for social work indicate that, in 2004, about 500 children are recorded as having undergone some form of violence, and having sought assistance that was provided to them by and in these institutions.

The Federation of BiH and the Brčko District secure financial resources in the same fashion, within the framework of the budget, through planning of resources for social care, so it is not possible to identify what is the exact amount being operated with.

29. The budget does not serve to plan for resources with which activities for the prevention of violence against children would be financed.

The centers for social work finance the resolving of issues of violence against children from the resources that are approved for them from the budget of the municipality, particularly out of the portion of resources intended for activities in the area of family legal care, since there are no financial resources separately allocated for this activity.

30. The international organizations, primarily UNICEF, SAVE THE CHILDREN NORWAY, and SAVE THE CHILDREN UK, in cooperation with the authorities of BiH, conducted various programs with the aim of strengthening resources for the resolving of violence against children. The projects concerned are those with which adequate professional persons in competent services and ministries are trained, data on the spread of violence are collected, research is conducted in individual segments, such as research related to certain vulnerable categories: minorities, asylum seekers, foreigners. However, the most significant ones are the projects that had the aim of creating an Action Plan for Children in BiH 2002 to 2010, a project of assistance for the establishment of international mechanisms (te Council for Children of BiH, the Sub-Group for the

Prevention of Trafficking in Children, the Gender Equality Agency, etc.) Apart from the above-mentioned projects, in cooperation with the local authorities and non-governmental organizations, numerous projects, with the aim of education, data collection, and conducting of violence prevention projects, have been accomplished.

These projects were supported by the European Union member countries, and all of the projects concerned were smaller budget projects.

31. Bosnia and Herzegovina, as a country in economic transition, with an expressed degree of poverty, does not have adequate resources for the providing of assistance to other countries. With the aim of developing regional cooperation, and within the framework of activities of participation in and organizing of conferences serving for the promotion of children's rights, it intends to participate in such activities, and, thus, in Sarajevo, in 2004, the following conference has been held

32. Bosnia and Herzegovina has the institution of Ombudsmen and the Commission for Human Rights, which acts under the Constitutional Court of BiH. The institutions of Ombudsmen exist on a national and entity level, and are competent to receive all types of complaints about the actions of the competent and bodies of authority.

The Ombudsmen formed a special department for the rights of a child, which work had been supported by the international organization Save the Children Norway. In regards to violence against children, the Ombudsmen particularly focused on the issue of institutional care for children victims of violence.

33. The Parliament of Bosnia and Herzegovina, that is, the House of Representatives, formed a Human Rights Commission, which mandate also relates to children's rights. Within the framework of the entity parliaments – assemblies, there also exist similar commissions that can initiate talks on the parliament, that is, level of assemblies, regarding the state of children's rights, and, thus, violence, Up to now, there have been no discussions held regarding this topic.

34. Lately, there were no parliamentary initiatives for the resolving of violence against children.

Within the framework of the legal possibilities for having the members of the Parliament asking ministerial questions, a few ministerial questions regarding the protection of children and the issue of custody and adoption of children have been initiated.

III. ROLE OF CIVIL SOCIETY IN ADDRESSING VIOLENCE AGAINST CHILDREN

35. Bosnia and Herzegovina, as a country in transition, after the war, and especially in the aftermath period, has paid attention to significance and the role of civic society, understanding that there will be no overall democratic relations in the society, without a more active role and the development of the civic sector.

According to incomplete data, there are approximately 1000 different NGOs in BiH. The largest part of those deals with the issues of human rights, and there is also a number of NGOs dealing with the children's rights.

There are three forms of nongovernmental organizations in BIH at the moment:

- association of citizens,

- humanitarian organizations,
- foundations.

Between **60 and 80** nongovernmental organizations are working on issues of protecting children and families in Bosnia and Herzegovina.

There are approximately 160 youth organizations in BiH (clubs, centers, associations of youth), which satisfy the needs of children and youth, and protect their interests. Also, according to estimations, there are approximately 60 associations and nongovernmental organizations in BiH, which main field of activity is protection of women, family and children.

Currently, diapason of activities and the work of the civic sector in BiH is seen through initiation of activities and drawing attention of the authorized authorities to the problems related to: VIOLENCE AGAINST CHILDREN in general, labor exploitation of children, abuse in the family, in the street, in school and in other institutions.

Significant role is played by nongovernmental organizations when it comes to support and drawing attention of the society to the problems of violence as follows:

- ✚ VIOLENCE AGAINST CHILDREN in general,
- ✚ trafficking in women and underage persons,
- ✚ labor exploitation of children,
- ✚ abuse in the family,
- ✚ abuse in the street,
- ✚ abuse in the school,
- ✚ abuse in other institutions.

Besides the nongovernmental organizations, the following are also actively involved in solving of the issue of violence:

- ✚ academic institutions,
- ✚ associations of professionals (association of medical, educational and other professionals),
- ✚ associations of women,
- ✚ organizations and associations of youth,
- ✚ religious associations,
- ✚ nongovernmental organizations funded by the state,
- ✚ international nongovernmental organizations,
- ✚ associations of journalists.

INITIATIVES AND RESEARCHES OF THE CIVIL SOCIETY

Activities of NGOs contributed to the fact that the disclosure of different forms of VIOLENCE AGAINST CHILDREN in the family, the school, the local community and other environments where children live and reside, is approached in a more organized and a more effective manner.

Besides increased sensitivity for the problem of a child, it is a fact that it is very important to separately analyze and overview researches and initiatives of the NGO sector, along with the government's results, with the aim of better understanding of the problem of VIOLENCE AGAINST CHILDREN and finding the best solutions in practice.

We are herewith presenting the initiatives of the civic society whose goal was to understand the issue of VIOLENCE AGAINST CHILDREN and to point out some of the problems.

Research “How do you see the VIOLENCE AGAINST CHILDREN?”, based on a sample

The result of this research shows that: “Children and adults, from the given sample, see VIOLENCE AGAINST CHILDREN as a significant and growing problem. Besides this, this problem remains hidden, mostly because of the increased fear from violence, habit of tolerating the violence in the family, and belief that violence should not be discussed outside the home. Children see and accept violence as a part of their lives and as a component of domestic upbringing, and not as something that should not be happening. Generally speaking, the interviewees – children and parents, but also professionals, do not fully understand which the actions done to children and what treatment of children present the violence.”

Answers of a certain number of interviewees show that the VIOLENCE AGAINST CHILDREN is more present than it was before the war. Some of the given reasons are related to consequences of the war itself, increased disintegration of the society and great poverty, unemployment and general uncertainty related to future. Interviewees also stated lack of capacities of social and other relevant services, which should provide psychosocial and other kinds of support and protection.

Participants of the research have identified men as the main perpetrators of violence, but also women, in most cases closer members of the family. Still, while parents think that the state and institutions, as well as the media, contribute to VIOLENCE AGAINST CHILDREN (for example – through the school system that is inadequate, too large and tiring for children or the inefficient system of health protection), children emphasize that the whole environment is violent. It seems that the most present violence are the physical VIOLENCE AGAINST CHILDREN (beating, slaps, hair-pulling and ear-pulling), emotional and psychological abuse (abusive language, belittling, mockery), neglect and sexual abuse and disturbances.

Still, it was emphasized that the violence most often happens as a combination of two or more forms of violence in which one of them dominates.” (On the other side of the science, Report on research on VIOLENCE AGAINST CHILDREN in Bosnia and Herzegovina, Save the Children UK), including sometimes the children themselves.

Trafficking in children

Results of the research *Trafficking in children* in Bosnia and Herzegovina, initiated by the Save the Children Norway and UNICEF, have placed the light on the problem of trafficking of children with the purpose of sexual abuse. Data gained from police stations, border services, MOI and local NGOs, have shown that all of them identified between 100 and 150 children – victims of trafficking with a purpose of sexual abuse. Half of those children came from BiH. Most of them are older than 14 years of age, and only a few are 10 or younger. All interviewees spoke of girls. Although the given data does not show existence of an organized trade with children’s pornography, we are aware that many cases of criminal abuse related to sexual abuse of children remained hidden from

the given institutions and the NGOs. This imposes a larger responsibility of emergency undertaking of measures that would prevent establishment of the market and widening of the sexual abuse of children for prostitution and pornography.

In the undertaken researches, to the question: “Do you know a child or children that were sexually abused by their parents?”, 6.1% answered positively. Even 13.2% of interviewed children stated that they knew a child or children who were sexually abused by adult, unknown persons, while 4,5% said to know children who were sexually abused by teachers and 2.7% of interviewees said to know children sexually abused by their peers (Report of NGO on situation related to rights of children in BiH).

“Centers of social welfare do not maintain specific database of cases of family violence. The Family Law and the Law on social protection of RS, have not prescribed the obligation of maintaining the data of the given cases. The Ministry of Health and Social Protection of RS has not prescribed the given obligation, nor have they given any regulation related to family violence.” (Special Report on Presence of Family Violence in the Region of Dobož, Ombudsmen RS, Dobož Office).

On the basis of data of the Republic Statistics Office of BiH, in the period from 1999 to 2002, there were 72 registered underage persons involved in prostitution, out of which 16 were male.

There are no data on the number of children – victims of all kinds of sexual exploitation, either by kind, nor by the age of victims or by gender.

The project *Prevention of VIOLENCE AGAINST CHILDREN of the community center Zdravo da ste, Prijedor*, donor – the Finish Government and IBHI. The project was implemented in partnership with the Center of Social Welfare and primary schools in the Prijedor region. Within the project, 36 teachers were educated, who did workshops of violence prevention with 800 students and 500 of their parents. The project was implemented in 2000 – 2001.

According to the official statistic data for 2001, the number of children in BiH neglected by their parents or neglected in the sense of upbringing, has doubled in comparison to 1999. (Reports of NGOs, on the situation of children’s rights in BiH).

Projects, researches, campaigns in 2002

On the other side of silence – report on research on VIOLENCE AGAINST CHILDREN in BiH, implemented by the Save the Children UK, 2002

Conclusions:

- children from dysfunctional families are the ones most exposed to the violence,
- children without parents or with single parent,
- children with difficulties in development,
- children from marginalized groups,
- especially Roma children,
- Poverty was specifically emphasized as an enhancing factor of VIOLENCE AGAINST CHILDREN in families,
- Children are mostly exposed to violence in the family, on the street, in parks, coffee-shops and in the school.

Special report on presence of family violence in the area of 10 municipalities of the Doboj Region, report made by the Ombudsmen RS, Doboj Office

During 10 months of 2002, 84 women and 117 children found shelter at the Shelter for victims of violence, within the NGO “Buducnost” from Modriča. Within this NGO, there is also the SOS telephone and provision of legal assistance to the victims of violence.

In 2002, 11673 children were registered in BiH whose development was disturbed due to improper family circumstances and poor financial situation (Report of NGOs on the situation of children’s rights in BiH).

Projects, researches, campaigns in 2003

1. Stop violence – NGO Women’s Center Trebinje (children and women – victims of violence, and playrooms for children, 2003)
2. Prevention of family violence – NGO Pro Familija Banja Luka, work with victims of violence, but also the work with violators, 70 police officers were educated. There were 246 families included, in which the violence was registered. 10 violators participated in 8 workshops. 2003/2004 – donors: DIFID and the City of Banja Luka.
3. Accepting station for children wonderers – Center for Social Welfare Banja Luka, 2003 – donors: DIFID and the City of Banja Luka.
4. Ombudsmen RS – Special report on presence of the family violence, research undertaken in the Doboj Region

Projects, researches, campaigns in 2004

1. NGO Zdravo da ste – implements the project “VIOLENCE AGAINST CHILDREN” in Bosanska Gradiška. The project is implemented in 2 primary and 1 secondary school. Program has so far involved 143 students. Services of the SOS telephone were used by over 100 beneficiaries. Children within the project prepared and gave the performance “Love against the violence”. A brochure of children’s pieces to the given topic was printed. Donor: Unicef – IBHI.
- NGO Budućnost – Modriča and NGO Center for the rights of children Konjic, implemented the project “Lean on me”, theatre show performed by 15 children in each of the given towns. Performance was made with the aim to inform on the issues related to trafficking with children and on protection mechanisms. Performance was seen by students of primary schools of Doboj and Herzegovina regions. Round tables for institutions: police, schools, SWC, health institutions and media), 2004 – donor: Save the children Norway.





It is common for all of the activities that those were directed towards the following:

- prevention of VIOLENCE AGAINST CHILDREN through education of adults and children themselves,
- research on the number of children – victims of violence, forms and causes,
- no developed programs for treatment and rehabilitation of children – victims of violence,
- small number of safe houses in BiH is intended primarily for women – victims of violence, but their children are accommodated together with them

- in Banja Luka, the largest urban center in RS, there is the Institute for protection of mental health, which provides services for the victims of violence. It is evaluated that its function is not fully implemented.








Advocacy

With the aim of initiating the community and educating wider public on violence in general, VIOLENCE AGAINST CHILDREN, women, violence in the community, among the youth, there were a number of public campaigns undertaken in our country:




-  Association of citizens “Žene ženama” – campaign “NO means no” and “Your girlfriend is someone’s sister – THINK!”
-  Sexual harassment at the work place. Do not keep quiet – resist”, campaign “How to say NO to a boss”.
-  La Strada implemented campaigns of trafficking prevention, including the children’s trafficking as one of the worst forms of violence. Target groups were: children in primary and secondary schools, teaches, social workers, returnees and children and youth living in rural areas.
-  World Vision –

Awareness raising

Knowledge of a problem and facing of all in the community with the problem being all around us, surely presents the first step towards its comprehension and solving. Counseling, conferences, round tables, seminars... contributed to the fact that the problem of VIOLENCE AGAINST CHILDREN and violence in general are given an adequate place and initiation of mechanisms for solution of those. The given activities have more intensively started in 1997. Below are some of those:

-  Conference on physical violence on women, January 1997, Sarajevo, Legal aspect of the problem, the role of NGOs
-  Counseling “Relation between the victim and the attorney” (bringing a claim for criminal acts against women and children, and programs of assistance and counseling), Tuzla, 1997
-  Seminar: Violence – problem of public health (discussion on introduction of standardized methods for collection of data and Equipping of specific parts in the sphere of health in order to have the domestic violence visible), Travnik 1998
-  IOM – Stability Pact for South-east Europe – the First Annual Report on Victims of Trafficking in South-east Europe – September 2003
-  Human Rights Field, Operation for BiH – Trafficking in BiH
-  UNICEF/Columbia University – It is not for sale – prevention of children’s trafficking in South-east Europe
-  Conference: Aspects of violence on women and children in Bosnia and Herzegovina

Prevention

-  September 1997 saw initiation of the “Initiative for prevention of violence on women and children”
-  Ministry for Human Rights and Refugees / Ministry for European Integrations prepared the Action Plan for prevention of trafficking (2001)
-  IOM – Regional program against trafficking in the Western Balkans (July 2003)

- ✚ La Strada – within its regular activities, it organizes seminars, conferences, workshops and round tables for the legislative bodies, police officers, DGS, social workers, journalists and all other categories of professionals who are – in their work – in contact with the problem of trafficking. Specifically significant is education of so called Risk Groups – students of secondary schools, university students, minority returnees who represent the most endangered category of population, especially in economically under developed areas. There is informational material being prepared with the aim of informing on possible dangers related to departure abroad for “better future”.
- ✚ Peer groups were educated, consisted of students and pupils who were involved in the training and education and who work on raising of awareness and informing of children and youth.

✚ **Rehabilitation**

Center for rehabilitation of victims of torture CTV – Most, Sarajevo started its work in April 1997, supported by the NGO RCT/IRCT from Denmark. It provides services to the victims of torture – children and their families.

La Strada – provides social assistance, which understands direct work with victims of trafficking. Within the social assistance, victims are provided with assistance in three levels: urgent level – accommodation, food, and basic hygienic needs. The next level understands full psychosocial and rehabilitation process, as well as re-socialization. (Shelter Project).

✚ **Treatment of victims**

La Strada – provides medical assistance to victims of children trafficking and other forms of abuse: examinations, blood analysis, psychological support and assistance, involvement of a team of professionals – psychiatrists, gynecologists, legal advisor and other (Shelter Project).

Center for rehabilitation of torture victims CTV – Most offers services to victims of torture and their families. It implements medical, physiotherapeutic, and psychotherapeutic treatment. The center undertakes research within the field of torture problem and treatment, undertakes activities related to raising of social awareness on harmfulness of torture and inhuman behavior, abuse and consequences such actions leave on children and people.

Center is a member of the Network of centers for torture victims of the Balkans – BAN Network. In April 1998, there was a meeting of the BAN Network members held in Sarajevo (8 members), when the SARAJEVO STATEMENT was issued. The Sarajevo Statement obliges the members to the following:

- undertaking activities related to torture prevention in the Balkans Region
- working on rehabilitation of torture victims, and
- developing methods that would ensure equal medical, psychosocial and legal assistance for all victims of torture, regardless of their national, ethnic, religious background, political belief or social status.

✚ **Providing service of resource obtaining**

The best resources in provision of services related to violence on women and children were built by the nongovernmental organization Medica Zenica. In the beginning of its work, Medica worked on consequences of war violence on women and children. It was seen that, after the war, women and children suffer violence at home, expert circles, in the street among their peers (domestic violence). It is necessary that the domestic violence receives a name – definition in the law, column at the medical examination. After the war, there was an instant growth of domestic violence and the growing trend is constantly present. Medica is, so far, the only NGO in the Federation of BiH that undertakes accommodation in an overall manner – medical care, shelter, accompanying during court procedures, rehabilitation and reintegration in the community.

During 2000, 81 person passed through Medica's homes, out of which 54 women and 27 children. According to the forms of misuse, the most common is the violence in the community, protection of motherhood, loss of close persons, refugees from Kosovo and psychosomatic problems. In the same year, there were 1184 outpatient therapeutic sessions, mostly in the field of family and marital sphere of problems, 244 sessions related to drastic forms of violence, 89 sessions related to the rape in the society, 117 related to rape in the family, neurological disturbances – 117 cases of depression, 79 cases of disturbances in development, and out of the whole number 112 therapeutic sessions were held with children.

It is necessary, in an event of violence, to evaluate the level of risk for the family by the violator, and to define a juridical measure in accordance with it.

- SOS telephone for women and children – victims of violence was established in May 1998 within the activities of the Medica Zenica.
- Foundation of Local Democracy implements the project “Strength is within you” – shelter for women and children victims of violence. During 4 years, from 2000 to 2004, the project included 190 violated women in the age from 18 to 60. Within the structure of the victims, 61.11% are unemployed women. When it comes to the educational level, the most victimized women were with primary school, incomplete primary school or secondary school, while the number of highly educated women was much lesser.

According to the forms of misuse, the most present is the emotional misuse – 94,73%, followed by a physical – 89,47%, economic – 52,63% and sexual abuse – 47,36%. There were 254 children, age 1 to 18, residing with their mothers. The most presented forms of children abuse were: emotional 78,74%, educational and neglect in upbringing 66,92%, physical 59,05% and sexual 0,39% (one child).

Shelter for girls – victims of violence – project titled “You can do it” – is being implemented since 2002. The project included 50 girls/young women, age 12 to 20. Forms of misuse of girls / young women were: emotional 84%, physical 80%, educational and social neglect 50%, victims of trafficking 18% and sexual abuse 10%.

Duty operators of the SOS telephone had 640 contacts, out of which 61,40% of family violence reports, 20,63% of beneficiaries sought combined way of assistance, 12,03% beneficiaries sought legal assistance, and 5,94% asked for medical assistance.

La Strada – Maintaining SOS line for emergency assistance to victims of trafficking, which operates 24 hours a day. The line is available in the whole area of BiH (1261 calls were registered).

The Safe House was opened in 2001. Since then, La Strada accommodated over 70 clients, out of which 20% were underage.

The most significant activities in combat against trafficking started in 1998, after the Conference on trafficking, organized by the Council of Europe and the UNHCR. The conference saw participation of representatives of foreign nongovernmental organizations, government sector and local women nongovernmental organizations. After this, a number of activities were initiated at the state and entity levels. National group for trafficking was established (2000), and it prepared the National Plan of actions for combating the trafficking. This plan has been adopted by the Government in 2001. Special teams of international police IPTF were established. Special activities were organized with the aim to prevent trafficking – Program STOP (inspections of night clubs).

Special police teams were established with the aim of preventing trafficking and illegal migration (main group).

The Council of Ministers of Bosnia and Herzegovina has nominated the State Coordinator (July 2003). At the same time, each ministry nominated its representative in the State group for prevention of trafficking and illegal migration.

Under the mentorship of the State group, in March 2004, a Working group for prevention of trafficking of children was established and it contains 10 members (5 representatives of state ministries, Brčko District, 2 members of NGOs, UNICEF and Save the Children Norway).

Majority of nongovernmental organizations, dealing with the issues of VIOLENCE AGAINST CHILDREN, women and violence in general, emphasize that they have not had direct support from the governmental sector in their activities on implementation of projects providing support to persons who experienced violence. They showed the need for better coordination of institutions of the governmental sector in solution of individual cases of accommodating children who were abused.

NGO La Strada emphasizes that it functions as a part of the network of nongovernmental organizations working on trafficking, and as such it operates independently, without the support from the governmental sector. Cooperation with the governmental sector – Ministry of Safety, is present in cases of seeking asylum for victims of trafficking. Also, La Strada has established an excellent cooperation with federal and State attorney offices, and that is in cases when the client raises the claim against the trafficker, and in similar instances.

36. Coordination of initiatives of nongovernmental and governmental sector in the last five years saw a significant progress, and especially in some fields. When discussing the issue of trafficking, and trafficking of children, authorized ministries made protocols on cooperation with nongovernmental organizations and have established a practice of regular referral system with the aim of reporting – mainly by the Government towards

nongovernmental organizations, in relation to activities undertaken by the institutions of power and collection of information implemented by the nongovernmental sector. Representatives of the Government are also having larger implementation in the activities of nongovernmental organizations through provision of larger and more detailed information on programs and plans adopted by the Government and they are, also, including the representatives of the nongovernmental sector in preparation of majority of plans, programs, and laws within the field of combating VIOLENCE AGAINST CHILDREN.

37. When the issue of solving problem of VIOLENCE AGAINST CHILDREN is in question, there are certain problems due to neglect of standards related to misuse of information and protection of the victim.

It often happens that the VIOLENCE AGAINST CHILDREN is reported by the media in a sensational manner. There are many examples of disrespecting the right of children to privacy, so name of the victim is stated or all details are given along with the initials, making it therefore easy to identify the victim. It is often that photographs of victims are shown presenting situation when the said were helpless, which additionally enlarges the stigmatization of them.

The force of the media in preventive actions is not utilized. Education of journalist took uncoordinated and partial pattern. Editorial politics of certain media is also a field to which journalists have no power of influence.

Media has a large role in solving the problem of VIOLENCE AGAINST CHILDREN and that is through rising of public awareness. The way in which media speaks of children, or ignores their problems, can influence the decisions being brought in behalf of the children, as well as the relationship of the society towards children. Due to such large possibilities of influence by electronic and written media, it is specifically important for the media to be in a more adequate manner involved in prevention projects and strategies for combating VIOLENCE AGAINST CHILDREN and other forms of child abuse.

According to the data from the Institute for Statistics of the Federation of BiH, radio stations broadcast 560970 hours of program annually. Within the structure of radio program, there is no specifically distinguished children's program. The most present is the music program 40,07%, followed by informative program 19,51% and entertaining program 12,39%. Educational program is presented through 3.37%, while scientific, cultural or artistic program with 4.20%.

Television stations have a total of 111741 of program. What is positive in this program is the existence of programs for children and youth – 7.09%, while educational program is presented with 4.23%. The mostly present is the informative program – 23.46% and acted programs with 21.25%.

In the structure of written media we have several daily media and the same number of weekly media in which the daily problems are prevailing with the domination of political evens and sensationalistic titles related to 'black chronicle' or glamour of newly established jet set.

A large number of magazines with plentiful of pornographic and inappropriate texts are noted to be available to children, where persons with criminal and asocial behavior are glorified. We have recently had an example of the most printed magazine that published the details of kidnapping and the photograph of the child during the course of the kidnapping itself, despite the agreement and silence of all other magazines. Association of journalists did not react, nor did the parents of the child initiate a claim against the magazine owner. In Bosnia and Herzegovina, there were no cases of claims for damages related to violation of a child's personality.

A beam of light of the written media in the Federation of BiH are the children's magazines, being distributed through the school system (Vesela sveska, Male novine, Palčić, Sezam and 5 plus), while some of those can also be purchased in free sale. What is positive with these magazines is that those have daily enlargement of children's stories. Those magazines should be more used for organized campaigns that have the function of informing, prevention and education of youth in the combat against VIOLENCE AGAINST CHILDREN and among children. Professional associations do not initiate specialized magazines that could contribute to improvement of the situation.

When it comes to specialized magazines, there is the Zdravlje magazine. So, there are no specialized magazines that would, in an adequate manner, treat serious themes or children's problems, problems of youth and of family.

Media has large opportunities in prevention, implementation of campaigns, informing of children and youth on protection from misuse and exploitation of children. This is why it is necessary for the media to be better organized and involved in projects of prevention and strategy of combating VIOLENCE AGAINST CHILDREN. Media are not sufficiently utilized in the combat against VIOLENCE AGAINST CHILDREN.

As a result of expertise and professional work of the personnel from nongovernmental organizations with misused persons, there was a need to work on preparation of a manual and other publications, as an aid to new, arising human resources. We will state some of those:

1. "Intervention of teachers working with misused children", Mirha Pojskić, Psycho-team Medica Zenica, 1998
2. "Not living with violence", group of authors, Medica Zenica, 1999
3. "Manual for assistants who work with victims and survivors of violence", group of authors, Medica Zenica, 2001
4. "Alcoholism – life on two tracks", Emina Kapetanović-Bunar, Globus, Zagreb, 1985
5. "Violence and recovery", Prim Dr Emina Kapetanović-Bunar, BSc Ragib Vajnaga, BSc Nasiha Omanović, BSc Mubera Hodžić, Sarajevo, 2003
6. "Torture, consequences and rehabilitation", Dr Sabina Popović, Center for Victims of Torture, Sarajevo, 1999

IV. CHILDREN AS ACTORS IN ADDRESSING VIOLENCE

38. As far as the inclusion of and consultation with children in creating activities on the implementation and monitoring of the program and policies with which the problem of violence against children is being resolved is concerned, the authorities of Bosnia and

Herzegovina do not have good examples to show, apart from the introduction of a new mean of participation of children in the work of the student councils in schools and the project Children Monitors of Rights. Children in primary and secondary schools (age 20 to 18) are participating in the framework of these activities.

Apart from the above-mentioned activities, it is interesting to mention those projects that are related to children in conflict with the law as well, where shelters and facilities to be occupied by such children have been opened, and a special purpose program for these children, with the aim of enabling them to hang out with their peers and participate in sport and other creative activities, had been implemented. The majority of those programs are accomplished in cooperation with international organizations, so the programs in question are, for now, mainly programs that cover smaller numbers of children with problems. Children teenagers (age 13 to 18) are involved in this program.

39. The Law on Criminal Procedure in Bosnia and Herzegovina determines the regulations of the criminal procedure that need to be followed by the municipal courts, cantonal courts, and the Court of Bosnia and Herzegovina, the Prosecutor, and other participants in the criminal proceedings, when taking actions in criminal matters.

The above-mentioned law also regulates the means of action and the progress of criminal proceedings in the cases of raising indictments for criminal offences that can be qualified as violence against children.

If during the criminal proceedings, actions are undertaken that are attended by the minor, who has suffered some form of damage due to the criminal act and is being examined, the bodies participating in the proceeding must be circumspect, mindful of the mental development, sensitivity and personal characteristics of the minor, so that the conduct of the criminal proceeding will not have an adverse effect on the minor's development. If necessary, the examination of the minor will be conducted with the help of psychologists, pedagogues or some other expert person.

In case a minor appears as a witness during the course of the criminal proceedings, the minor who, due to his or her age and spiritual development, is not able to comprehend the right to not having to testify will not be examined.

During the course of the examination of the minor, who has suffered some form of damage due to the criminal offence, and during the conducting of the criminal proceedings, in consideration of the age, physical and mental state of the minor, or some other justifiable interest, especially in cases of junior minors who have not yet reached 16 years of age, audiovisual recordings can be used during the course of the criminal proceedings so that the minor would not have to appear in court.

From the opening of the court proceedings up to the termination of the final search in cases of perpetrated criminal offences that can be qualified as violence against children, the judge, that is, the council will, by official duty, exclude the public with the aim of protecting the interests of the minor.

40. The centers for social work are the leading agency in resolving problems of violence against children. In the procedure that has been defined by the above-mentioned laws, the centers for social work employ or hire adequate experts such as psychologists, pedagogues, psychiatrists, and other experts from the medical field. Each case is resolved with previously conducted procedure of problem assessment so that the final decision is

passed within the framework of the expert team, that is, an anamnesis of each case is required.

Children can help their peers out within the framework of various extracurricular activities, within the framework of the schools through the organizing of workshops and various activities, voluntary work on SOS telephone lines, organizing of sport, cultural, and other entertaining activities, etc. The programs concerned are small, and there are no resources for them, so a very small number of children are involved in such activities.

V. POLICIES (STRATEGIES) AND PROGRAMMES TO ADRESS VIOLENCE AGAINST CHILDREN

41. Bosnia and Herzegovina does not have a comprehensive policy for the resolving of issues of violence against children, but individual sector strategies, such as the Action Plan for Children in BiH 2002 – 2010 and the Action Plan for the Prevention of Trafficking in Human Beings in BiH 2004 –2007 are adopted and contribute to the development of sector strategies. It should also be underlined that the activities of collecting and producing statistical and other indicators on violence have been initiated with the aim of starting the creation of a comprehensive strategy for the suppressing of the problem of violence against children in BiH in 2005.

Police in BiH has not passed any particularly important documents, that is strategies for work on the combating of violence against children, so the police work on this issue is mainly performed through actions taken from case to case, and based on positive legal regulations.

42. The Ministry for Human Rights and Refugees in BiH - the Council for Children of BiH, the Ministry of Security in BiH – the National Coordinator for the prevention of trafficking in human beings, and the Ministry of Justice in BiH, within the framework of own programs they conduct, cooperate with international and local non-governmental organizations. Special cooperation has been established with non-governmental organizations in BiH that conduct programs of care for victims of violence, victims of trafficking. They have also been given the competence to organize shelters, safe houses in which the programs of psychological support and other forms of assistance to victims (health care, legal aid, psychological assistance) are being implemented.

SHELTERS FOR VICTIMS OF TRAFFICKING AND VIOLENCE

- «Lara» Bijeljina
- «La Strada» Mostar
- «Medica» Zenica
- «Žene BiH» Mostar
- «Emaus» Tuzla
- «ADL» Sarajevo
- «Budućnost» Modriča

	Physical	Sexual	Psychological	Neglect	HTPs	Other
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Family/home	x	x	x	x		
School	x	x	x	x		
Institutions				x		
Neighborhood Community	x			x		
Working place		x				
Police						
Other						

43. The Ministry for Human Rights and Refugees in BiH - the Council for Children of BiH, the Ministry of Security in BiH – the National Coordinator for the prevention of trafficking in human beings, within the framework of planned activities, monitor the area of trafficking in children. Within the framework of this coordination, a special sub-group for the prevention of trafficking in children, which collects data on this type of violence in BiH that are included in the national report on the state of trafficking in human beings in BiH, has been formed. These data are collected by the centers for social work, police, and prosecutor's offices.

The Ministry for Human Rights and Refugees – the Council for Children of BiH, within the framework of their activities, monitor the implementation of the Convention on the rights of a child and the complementary protocols, and the Action Plan for Children in BiH 2002 – 2010, within the framework of which information regarding violence against children and violence committed by children are particularly collected. The portfolio ministries for social and childcare, health, education, police, and courts collect the above-mentioned data.

www.bhas.ba

www.mhrr.gov.ba

www.anti-trafficking.gov.ba

44. Bosnia and Herzegovina is very active within the framework of European and regional programs that relate to the prevention of trafficking in human beings and projects for the prevention of violence in everyday life that have been accomplished during 2002 – 2004, within the framework of Council of Europe. The aim of these projects is the collecting of indicators, education, and exchange of experiences in the area prevention of violence against children. The special contents of these activities are the exchanges of information, the development of the legal framework, and the realization of concrete measures for the suppression of all forms of violence.

Within the framework of regional cooperation, Bosnia and Herzegovina actively participates in the programs for combat against trafficking in human beings, especially children, which have been initiated and financed by the Council of Europe, the European Union.

VI. DATA COLLECTION, ANALYSIS AND RESEARCH

45. In the previous five years, there has been no research in the area of victimization. Research was mainly done in the area of epidemiology, as far as some of the contagious diseases are concerned (such as hepatitis, tuberculosis, brucellosis).

46. There have been no representative interviews done with children and parents on the violent victimization of children. Within the framework of the Faculty for Social Work, criminology, etc., students have conducted smaller research, but we do not have sufficient information about those.

47. In the previous five years, the Government initiated research for the creation of a unique model of data collection regarding violence against children and violence committed by children. It started with the creation of an Ethic Code on Research of Children and with Children that was supported by the Save the Children Norway.

The above-mentioned project is implemented with the goal of comprehensive collection of data on violence against children, the determining and establishing of standards for a permanent and sustainable system of monitoring and assessment of the state of children's rights in the area of prevention of violence against children. The collecting of statistical data and other indicators on violence against children and violence committed by children is based on the principles and standards determined within the framework of the Convention on the Rights of a Child and other complementary protocols.

The target group was children exposed to violence and children in conflict with the law. The research was conducted as a priority within the framework of the group of children that received and receive support by the centers for social work on the entire territory of Bosnia and Herzegovina, and are exposed by some form of violence, or have committed violence themselves.

Apart from this target group, the research has also been conducted within the framework of education institutions, particularly institutions for pre-school, primary, and secondary education in Bosnia and Herzegovina. In the research, the social workers and pedagogues recorded acts of violence, perpetrators, and victims of violence committed by children against children.

The target group was children registered as victims of violence or registered as perpetrators of violence within the framework of the courts – the prosecutor's offices, that is, police institutions and courts for minor offences, and the centers for social work in Bosnia and Herzegovina..

Indirectly, the research also covered adult persons that committed violence against children in the sense of determining statistical data or forms of violence committed against children.

The Council for Children of Bosnia and Herzegovina, that is, the Ministry for Human Rights and Refugees will publish the results of this research – the Initial Report on the State of Violence Against Children in Bosnia and Herzegovina – in the mid-term of the year 2005.

48. In Bosnia and Herzegovina, a study or research regarding the influence of legal measures in resolving violence against children has not been conducted. There do exist researches related to the assessment of **the harmonization of the law with the international standards** of efficacy of the introduced legal measures. Seeing that the majority of laws in Bosnia and Herzegovina are of amore recent date, the implementation of the legal practice and the new models of data collection and legislation analysis was only recently started.

49. In Bosnia and Herzegovina, every death case is formally investigated, that is, the cause of death is identified.

In the case of doubt that violence is the cause of death, by an order of the prosecutor, an autopsy is conducted, that is, there is an additional investigation of the cause of death . This procedure is compulsory for all cases of violent death. Also, the interested family member can request an investigation of the cause of death in case they doubt in the identification of the sample. The Law on Criminal Procedure in BiH regulates this procedure.

50. In Bosnia and Herzegovina, the data on mortality are collected, but there is no practice of reporting, that is, describing the statistical profile of the known or suspicious death cases..

51. The reports on the profile of known or suspicious violent death cases in Bosnia and Herzegovina are published within the framework of the mortality statistics.

The data that relates to violent deaths contains all of the offered options, but in statistics, there is no category for the expression of data on «suspicious death».

There do exist similar data that are recorded within the framework of the courts and the prosecutor’s offices as unresolved cases. There is a very small number of such cases, and they are mostly related to the failure to discover who is the perpetrator, and not to the failure to determine the cause of death.

Sex	x
Age	x
Nationality	x
Mean of death (murder, suicide, undetermined)	x
External causes of death (fire arms, strangulation)	x
Geographical place of incident (address)	x
The time and date when the incident occurred	x
The relationship between the victim and the perpetrator	x
Other	x

52. In the Attachment no. 2, there is a presentation of data regarding the number of registered cases of violence against children in the years 2000, 2001, 2002, and 2003.

53. Also, in the Attachment no. 2, there is a presentation of data on the number of convicting verdicts and registered cases for the various categories of violent forms of crime against children in the years 2000, 2001, 2002, and 2003.

VII. AWARENESS, ADVOCACY AND TRAINING

54. In the previous five years in Bosnia and Herzegovina, a number of activities with the basic goal of raising awareness on the existence of the problem of violence against children and means of combating this problem, with a special emphasis on the research and collection of adequate indicators on the spread of violence against children in BiH, were realized.

In accordance with the national plan, (the Action Plan for Children in BiH 2002 - 2010), with the aim of protecting children's rights on all levels, and in cooperation with the non-

governmental sector and international organizations, the competent institutions in BiH conducted targeted campaigns focused on trafficking in children and the prevention of violence in everyday life.

The Council for Children of BiH, in cooperation with all levels of government, conducted a comprehensive research – the collecting of data on violence against children and violence committed by children, in which the police, courts, and centers for social work were involved.

Also, all levels of government supported the research conducted by non-governmental and international organizations, which relate to the following:

- RESEARCH ON VICTIMS OF TRAFFICKING IN CHILDREN, CONDUCTED BY THE NGO «SAVE THE CHILDREN»,
- THE RESEARCH CONDUCTED BY UNICEF AND SAVE THE CHILDREN NORWAY REGARDING THE VICTIMS OF TRAFFICKING IN CHILDREN IN BOSNIA AND HERZEGOVINA, 1999 TO 2003,
- A ROUND TABLE ON THE TOPIC «TRAFFICKING IN CHILDREN IN BIH AND SEXUAL ABUSE», ILIDŽA 2004,
- THE RESEARCH OF THE HELSINKI COMMITTEE, PRESENTED ON THE INTERNATIONAL HUMAN RIGHTS DAY – DECEMBER 10TH, 2004,
- THE SECOND INTERNATIONAL CONFERENCE «MAKING EUROPE FIT FOR CHILDREN» - ADOPTED A DOCUMENT – «SARAJEVO COMMITMENTS»

Various non-governmental and international organizations assisted in the realization of these activities through a number of projects, which the non-governmental and international organizations conducted with the support of the government sector. We list some of the most significant ones, which have achieved the greatest results:

- **CIVITAS BIH, THE IMPLEMENTATION OF EDUCATION IN CIVIC DEMOCRACY AND HUMAN RIGHTS,**
- **MAK (MINE ACTION CENTER), EDUCATION IN MINE PROTECTION – HANDICAP INTERNATIONAL, UNICEF AND INTERNATIONAL RED CROSS (THE COUNCIL OF MINISTERS ADOPTED THE STRATEGY FOR DE-MINING IN BIH IN 2002),**
- **IHP, HUMAN LAW RESEARCH,**
- **SZO (WORLD HEALTH ORGANIZATION «HEALTHY SCHOOLS»),**
- **NGO „DUGA“ I UNICEF „INCLUSIVE AND SPECIAL EDUCATION“**
- **SAVE THE CHILDREN UK, „ROMA EDUCATION“,**
- **CRS, SAVE THE CHILDREN UK, WORLD VISION, SAVE THE CHILDREN NORWAY, UG, „LET'S BE ACTIVE“ AND „INFORMAL YOUTH EDUCATION».**

All of the above-mentioned projects also included campaigns with the aim of informing the public, especially children and teaching staff, regarding the problems related to certain forms of violence. The campaigns included the creation of leaflets, pamphlets, brochures, and other information materials, with the aim of informing the children about the mean of providing assistance and about the government and non-governmental institutions that are able to provide necessary information to children, their parents, and expert staff that works with children, with the aim of preventing violence against children.

55. The messages, campaigns for the raising of awareness and the prevention of violence against children were conducted through the majority of media, such as printed media, radio, TV, and in schools, within the framework of subject areas and projects, such as:

- Children in Conflict with the Law,
- Pedophilia, psychological and physical stress for children, ,
- The Providing of Assistance to Children in Neglected and Negligent Families,
- Drugs as the Greatest Evil for the Society and the Human Health, and Drug Rehabilitation
- Promotional campaigns, posters, flyers, etc.

Within the framework of all of these activities, violence against children has a special significance as well, either as an individual topic or as part of the activities that are conducted with the aim of better implementation of the Convention on the Rights of a Child as a whole.

Printed media	X
Radio	X
Television	X
Theatre	
Schools	X
Other	x

56. The authorities of Bosnia and Herzegovina, within the framework of their resources, have limited financial possibilities for the organizing of campaigns for training in the area of prevention of violence against children. However, this certainly does not mean that there have been no such activities. The authorities of Bosnia and Herzegovina on almost all levels utilized the resources that the domestic non-governmental and international organizations have, so that the majority of programs and campaigns are organized as a result of a cooperation of the government and non-governmental sector.

Thus, in the period from 2000 to 2004, the majority of programs were initiated by the international and non-governmental organizations and supported by the government services, while some of them have subsequently been taken on by the government sector as a permanent model.

We list some of the activities that have been realized at the initiative of international and domestic non-governmental organizations, with the approval of the competent ministries.

	Prevention	Protection	Assistance	Rehabilitation	Punishments
Medical workers					
The practitioners in public health care					
Social workers and psychologists	x	x			
Teachers and other educators	x	x	x		
Court officials (judges and prosecutors)		x			x
Police	x	x	x		

Prison staff				x	
The staff responsible for underage offenders, persons in institutions, Parents, guardians	x				
Other (list)	x	x			

More than 500 policemen, students of police academies, and other staff responsible for juvenile offenders in BiH have gone through training in the improvement of work with minors. Getting to know the Convention on the Rights of a Child, the improvement of the work with minors, the procedures and legal provisions are directed towards the prevention of violence against children and those who came in conflict with the law and everyone else. As a result of this training program, a Manual for the students of police academy was created, and it will be used in regular classes.

Within the framework of regular activities of the Office of the National Coordinator for the Prevention of Trafficking in Human Beings in BiH, more than 200 persons (policemen, judges, social workers, immigration officers) were trained in the issue of trafficking in human beings, especially women and children, and the modes of prevention, protection, and assistance to victims of trafficking in human beings.

Within the framework of Brčko District, the Center for Judges and Prosecutors operates and continuously organizes training related to the implementation of the new laws and new practices as far as the protection, punishment, and the prevention of trafficking in human beings and other practices related to criminal prosecution and punishment are concerned.

The Ministry for Human Rights and Refugees, within the framework of special activities regarding the realization of the Action Plan for Children in BiH, included social workers from the territory of BiH, the representatives of the ministries of education and justice, with the aim of training and raising awareness regarding the problem of violence committed by children and perpetrated against children.

Within the framework of the project *Implementation of Children Rights and Assistance to Children Victims of War*, supported by UNICEF, and realized by the NGO «Zdravo da ste», in 2000, a training within the framework of which a group of juveniles that came into conflict with the law, their parents, the representatives of the judiciary, prisons, centers for social work, and schools underwent a training. The subject of the training was the Convention on the Rights of the Child, with an emphasis on violence and all forms of abuses of children.

The NGO «Zdravo da ste», in cooperation with the Center for Social Work from Prijedor realized the training of teachers within the framework of the project *Prevention of Violence Against Children*.

Through the project «Implementation of Children's Rights and Assistance to Children Victims of War», more than 200 teachers from RS were educated in the area of children's rights. There was a special emphasis on the protection of children from all forms of abuse. UNICEF, Save the Children Sweden, and the Danish Red Cross supported the Project. The Program has been realized in a continuous fashion for the last 5 years, and it is still going on today. It is implemented by the NGO *Zdravo da ste*.

The training in the area of children's rights realized in 2000, 2001, and 2002, supported by UNICEF, and implemented by the NGO *Zdravo da ste*.

Also, in the Federation of BiH and Brčko District, UNICEF, SOROS, and ADL Local Democracy Sarajevo trained a number of professionals in psychosocial programs of support, with the aim of recognizing the consequences of violence, neglect, and abuse in programs that have been supported.

ANNEX I

**THE LIST OF INTERNATIONAL DOCUMENTS SIGNED AND RATIFIED BY
BOSNIA AND HERZEGOVINA**

- ❖ **THE CONVENTION ON THE RIGHTS OF A CHILD (CRC) (1989); 1993. SUCCESSION;**
- ❖ **ALTERNATIVE PROTOCOL ALONG WITH THE CONVENTION ON THE RIGHTS OF A CHILD , ON TRAFFICKING IN CHILDREN, CHILDREN PROSTITUTION, AND PORNOGRAPHY (2000); 2000 RATIFICATION;**
- ❖ **THE CONVENTION ON ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) (1980) 1993. SUCCESSION;**
- ❖ **THE HAGUE CONVENTION ON THE CIVIL ASPECTS OF AN INTERNATIONAL ABDUCTION OF A CHILD (1980);**
- ❖ **THE CONVENTION OF THE INTERNATIONAL LABOR ORGANIZATION ON THE BAN AND IMMEDIATE ACTION ON ELIMINATION OF THE MOST SERIOUS FORMS OF CHILDREN LABOR NO,C182 (1999);**
- ❖ **THE PROTOCOL FOR THE PREVENTION, ELIMINATION, AND PUNISHMENT OF TRAFFICKING IN HUMAN BEINGS, PARTICULARLY WOMEN AND CHILDREN, WITH WHICH THE UN CONVENTION ON TRANS-NATIONAL ORGANIZED CRIME, PALERMO 2002 IS SUPPLEMENTED;**
- ❖ **THE HAGUE PROTOCOL ON THE RECOGNIZING OF ADOPTION OF A CHILD**
(signed, but not yet ratified)

ANNEX II

**THE LAWS AND SUB-LEGAL ACTS
STATE LAWS**

- THE LAW ON THE MOVEMENT AND STAY OF FOREIGNERS AND ASYLUM 29/03
- THE LAW ON REFUGEES FROM BIH AND DISPLACED PERSONS IN BIH 23/99
- THE CRIMINAL CODE OF BOSNIA AND HERZEGOVINA 2003
- THE LAW ON CRIMINAL CODE PROCEDURE IN BIH 27/2002.35/03
- THE LAW ON CITIZENSHIP IN BiH 43/01
- THE LAW ON GENDER EQUALITY IN BIH
- THE LAW ON THE PROTECTION OF RIGHTS OF THE MEMBERS OF NATIONAL MINORITIES IN BIH 2004
- THE LAW ON WITNESS PROTECTION AND THE PROTECTION OF WITNESSES UNDER THREAT IN BIH 21/2003
- THE REGULATION BOOK ON THE PROTECTION OF FOREIGNERS VICTIMS OF TRAFFICKING IN HUMAN BEINGS 2004
- THE LAW ON THE EXECUTION OF CRIMINAL SANCTIONS IN BIH
- THE FRAMEWORK LAW ON PRIMARY AND SECONDARY EDUCATION IN BiH 2003

- **CRIMINAL CODE OF THE BRČKO DISTRICT OF BIH**

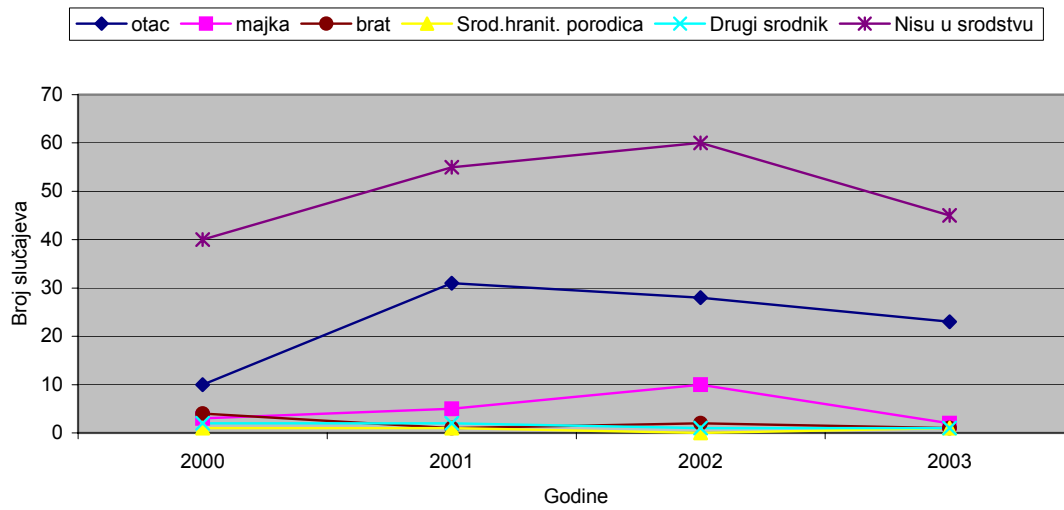
- THE CRIMINAL PROCEDURE CODE IN THE BRČKO DISTRICT OF BIH,
- THE LAW ON SOCIAL AND CHILD CARE,
-

ENTITY LAWS

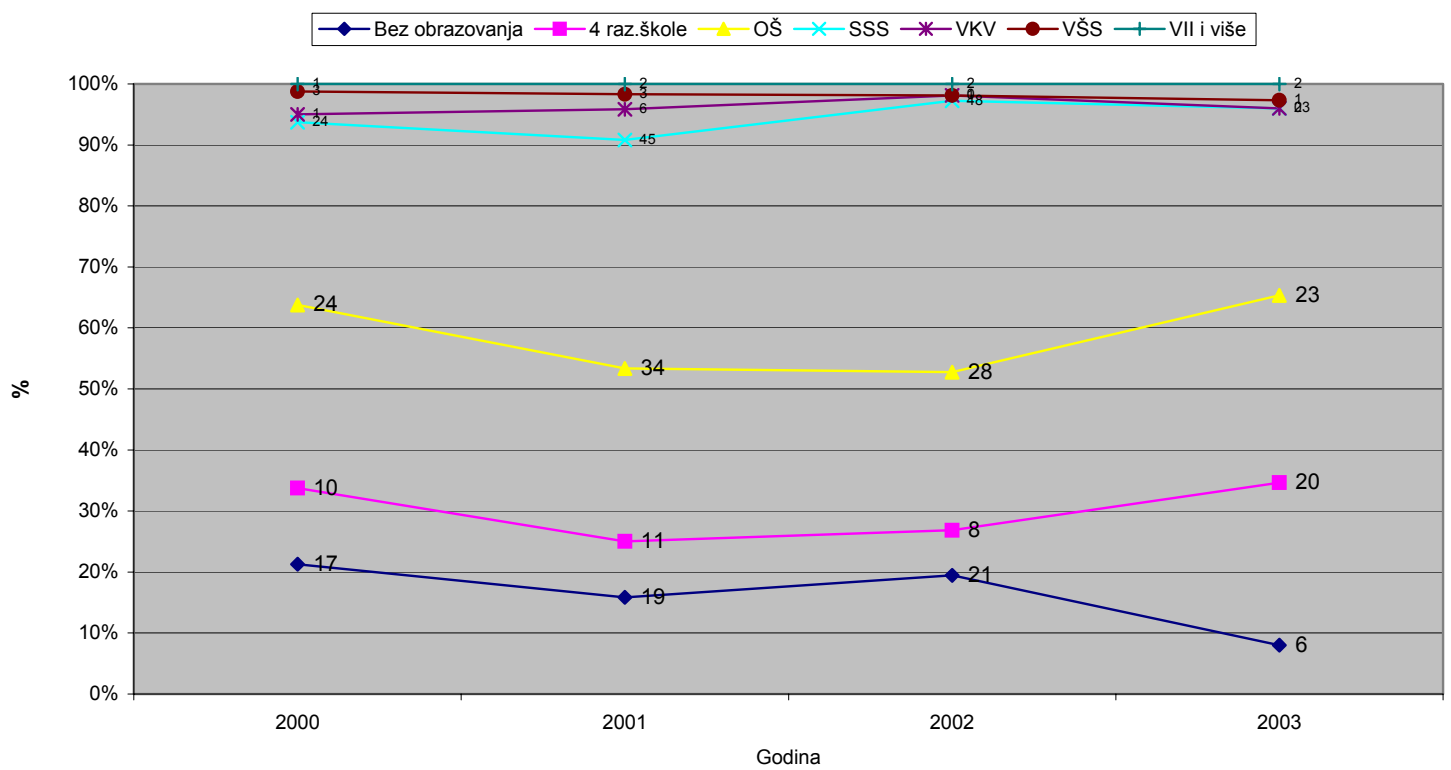
- THE LAW ON THE FUNDAMENTS OF SOCIAL CARE, PROTECTION OF CIVIL VICTIMS OF WAR, AND THE PROTECTION OF FAMILIES WITH CHILDREN 36/99 FBiH
- THE LAW ON DISPLACED PERSONS AND REFUGEES-RETURNEES IN FBiH 19/00, 27/2002.03
- THE LAW ON EMPLOYMENT IN FBiH 13/98
- THE CRIMINAL CODE OF FBiH 36/03
- THE LAW ON REFUGEES, DISPLACED PERSONS, AND RETURNEES OF RS 1999
- THE LAW ON LABOR OF U RS 2000
- THE LAW ON THE EXECUTION OF CRIMINAL SANCTIONS IN FBiH 44/98 I 42/99
- THE LAW ON THE CENTER FOR THE TRAINING OF JUDGES AND PROSECUTORS IN FBiH 2002
- THE CRIMINAL CODE OF RS 2000 I 2001
- THE CRIMINAL PROCEDURE CODE OF RS 2003
- THE LAW ON THE EXECUTION OF CRIMINAL SANCTIONS OF RS 2001
- THE LAW ON THE TRAINING CENTER FOR JUDGES AND PROSECUTORS OF RS 2000
- THE FAMILY LAW OF RS 54/02 (FBiH, IN PROCEDURE - NEW)
- THE LAW ON SPECIAL PROTECTION OF WITNESS IDENTITY IN CRIMINAL PROCEDURE IN FBiH 17/01
- THE LAW ON WITNESS PROTECTION AND PROTECTION OF WITNESSES UNDER THREAT RS 2003 AND FBiH

- THE LAW ON PUBLIC LAW AND ORDER IN FBIH, ON THE CANTONAL LEVEL 2000
- THE LAW ON HEALTH CARE FBIH 1997
- THE LAW ON MISDEMEANORS RS 2003
- THE LAW ON MISDEMEANORS F BiH
- THE LAW ON PUBLIC LAW AND ORDER OF RS 2002
- THE LAW ON CHILD CARE RS 2003
- THE LAW ON HEALTH CARE OF RS 1999
- THE LAW ON PROTECTION AGAINST DOMESTIC VIOLENCE IN FBIH
- THE LAW ON PRIMARY AND SECONDARY EDUCATION IN RS
- THE LAW ON PRIMARY AND SECONDARY EDUCATION IN FBIH, ON THE LEVEL OF THE CANTONS

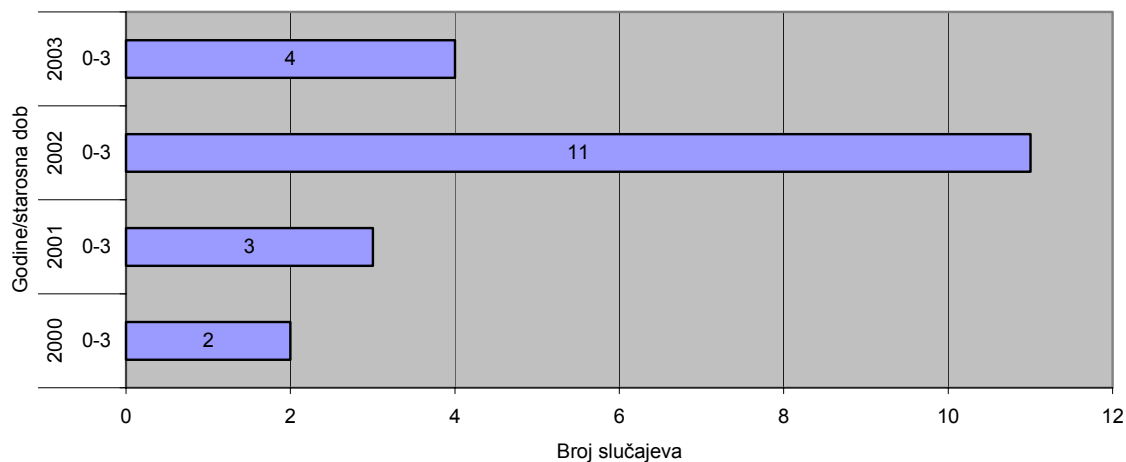
Grafikon 1. Podaci razvrstani prema srodstvu počinioca i srodstvu sa djetetom žrtvom



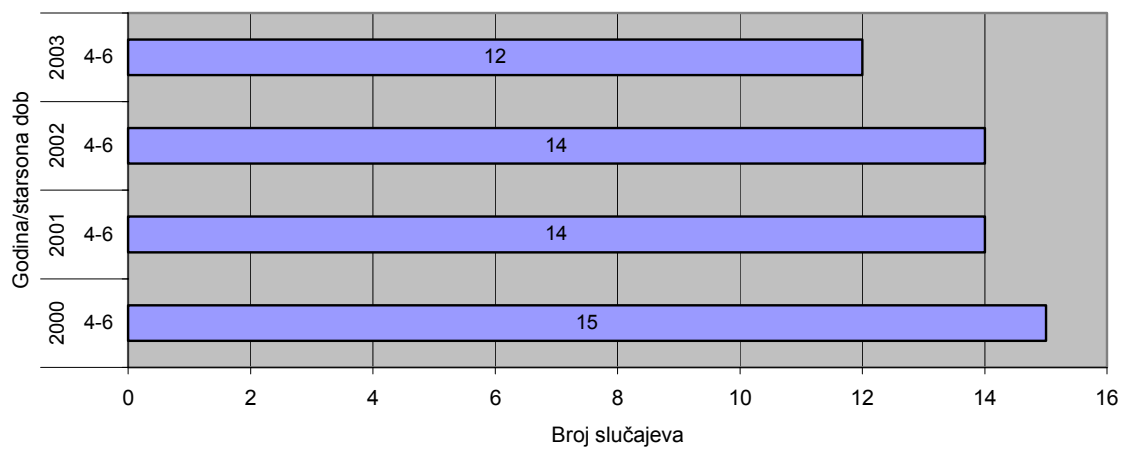
Grafikon 2. Podaci razvrstani prema obrazovanju nasilnika



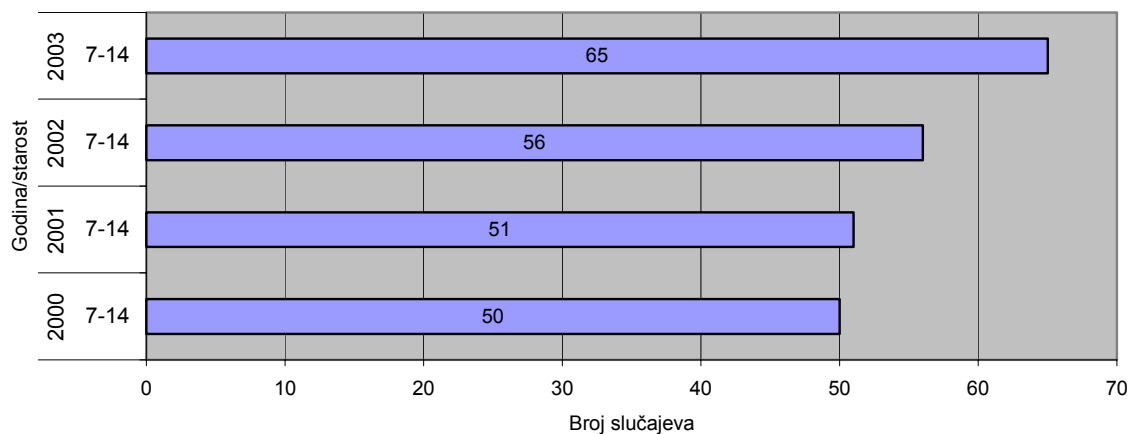
Grafikon 3. Podaci o djetetu žrtvi nad kojim je izvršeno nasilje



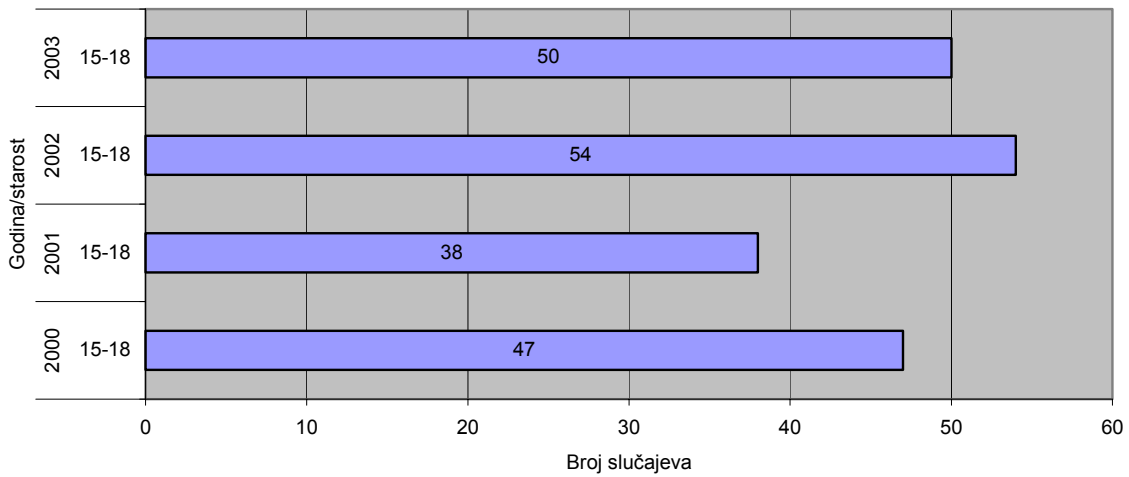
Grafikon 4. Podaci o djetetu žrtvi nad kojim je izvršeno nasilje



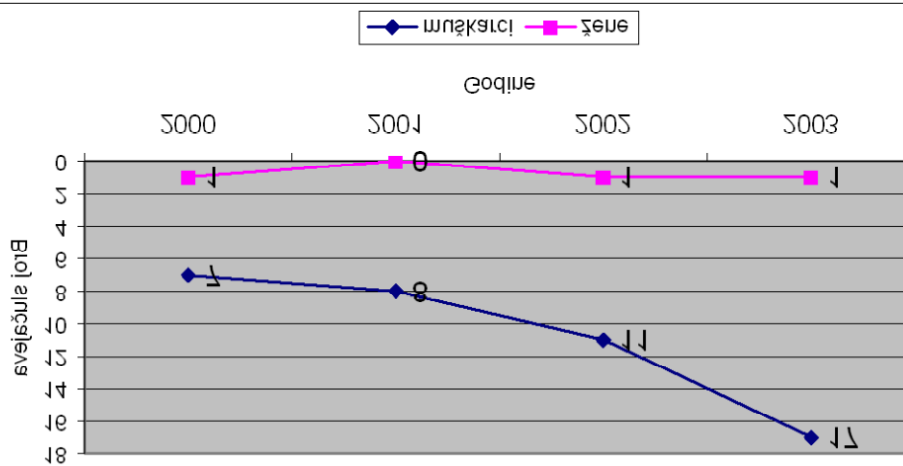
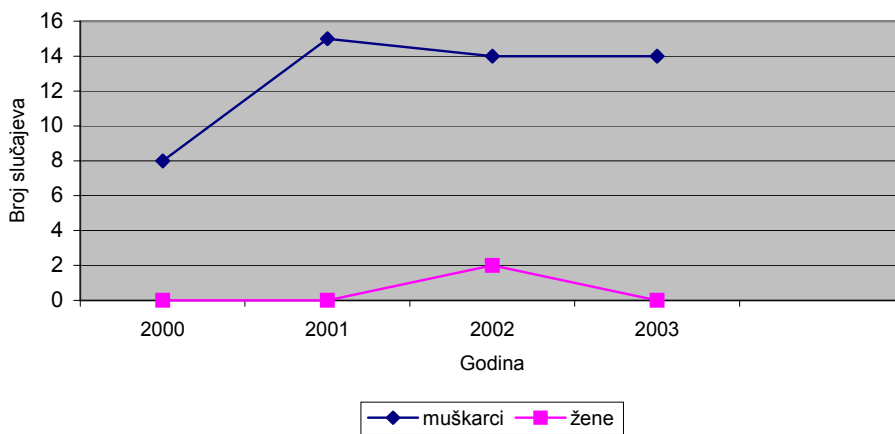
Grafikon 5. Podaci o djetetu žrtvi nad kojim je izvršeno nasilje



Grafikon 6. Podaci o djetetu žrtvi nad kojim je izvršeno nasilje

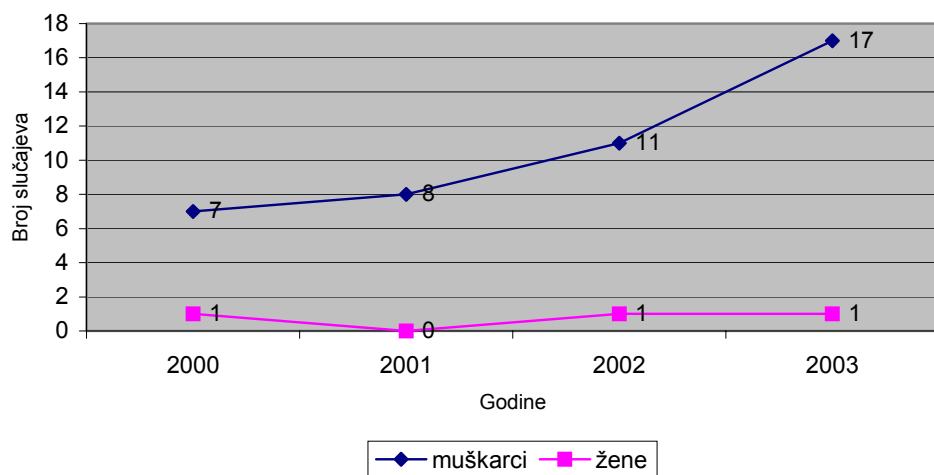


Grafikon 7. Podaci o krivičnim i prekršajnim prijavama prema dobi i polu počinioca, 19-21

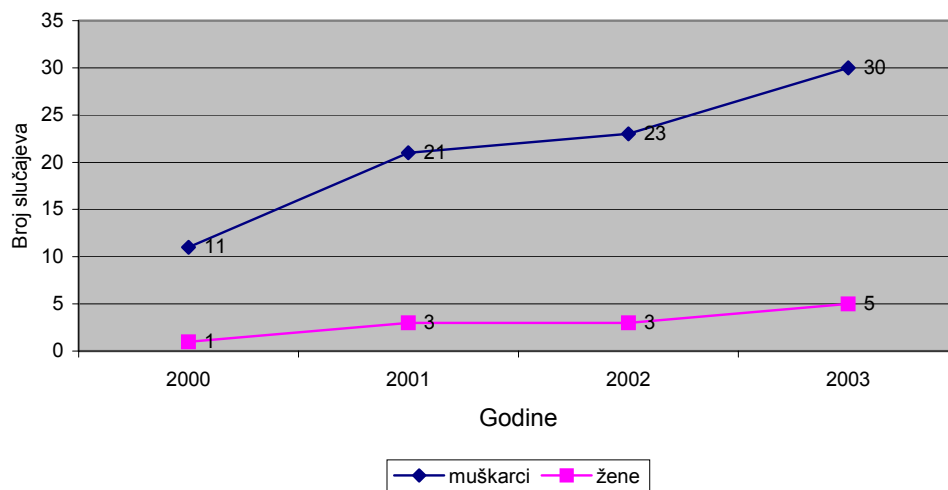


Grafikon 8. Podaci o krivičnim i prekršajnim prijavama prema dobi i spolu počinioca, 22-27

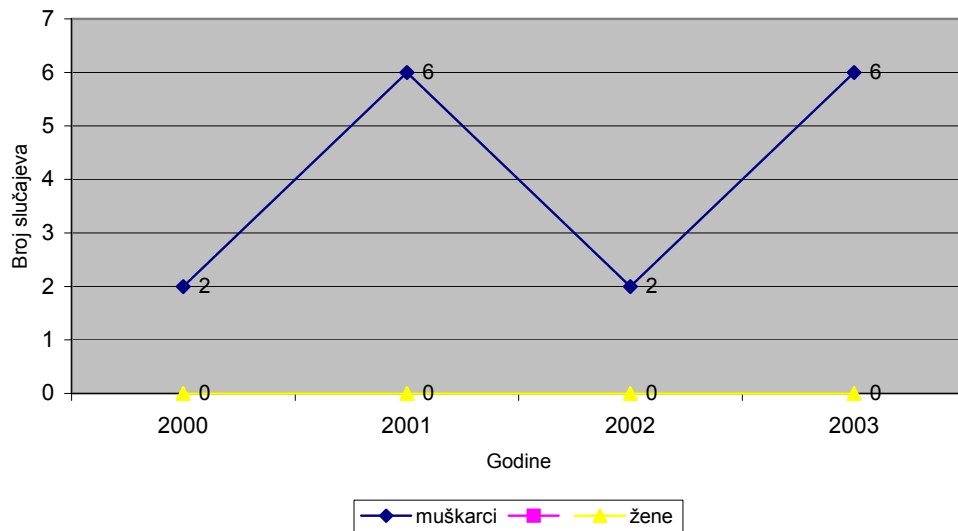
Grafikon 9. Podaci o krivičnim i prekršajnim prijavama prema starosnoj dobi i spolu počinioca,28-35



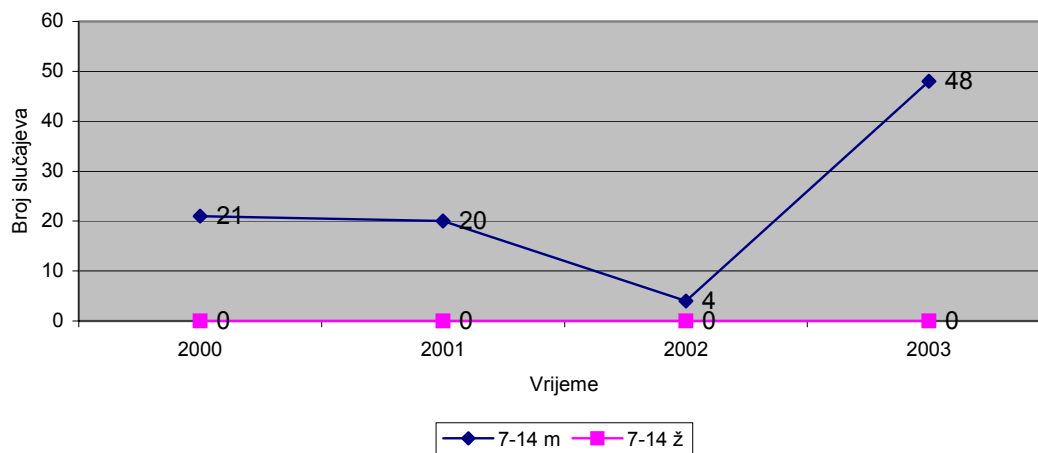
Grafikon 10. Podaci o prekršajnim i krivičnim prijavama prema starosnoj dobi i spolu počinioca,36-50



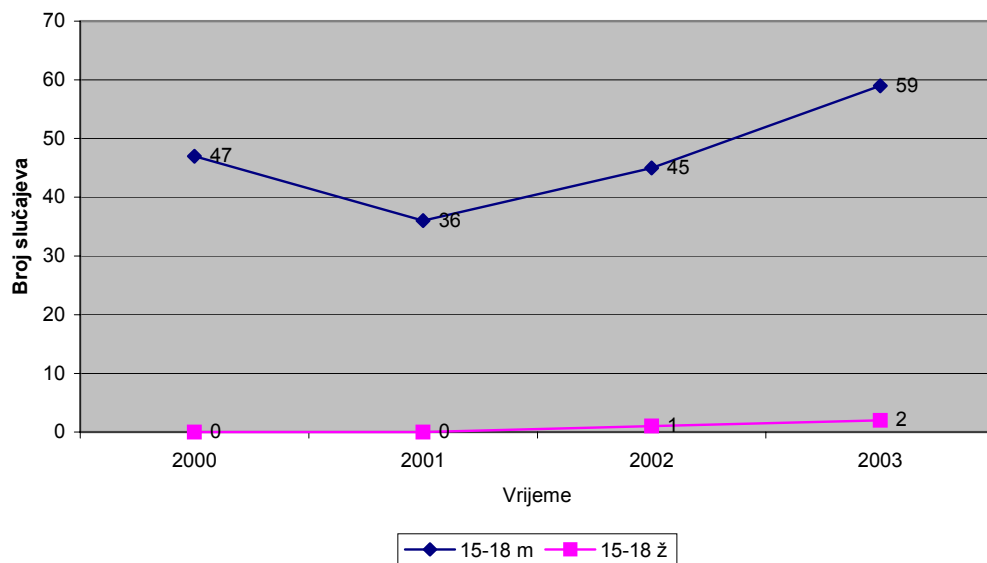
Grafikon 11. Podaci o krivičnim i prekšajnim prijavama prema starosnoj dobi i spolu počinioca, preko 50



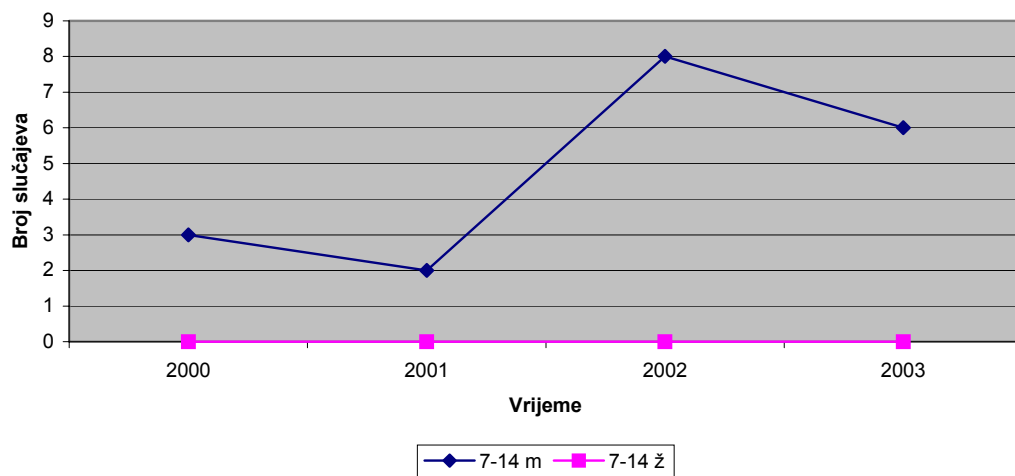
Grafikon 12. Podaci o nasilju koje vrše djeca prema dobi i spolu-krivične prijave



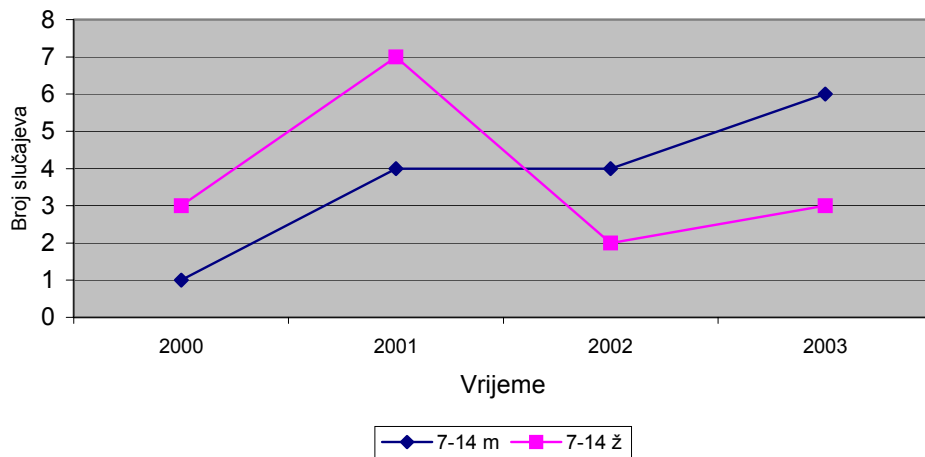
Grafikon 13. Podaci o nasilju koje vrše djeca prema dobi i spolukrivični prekršaji



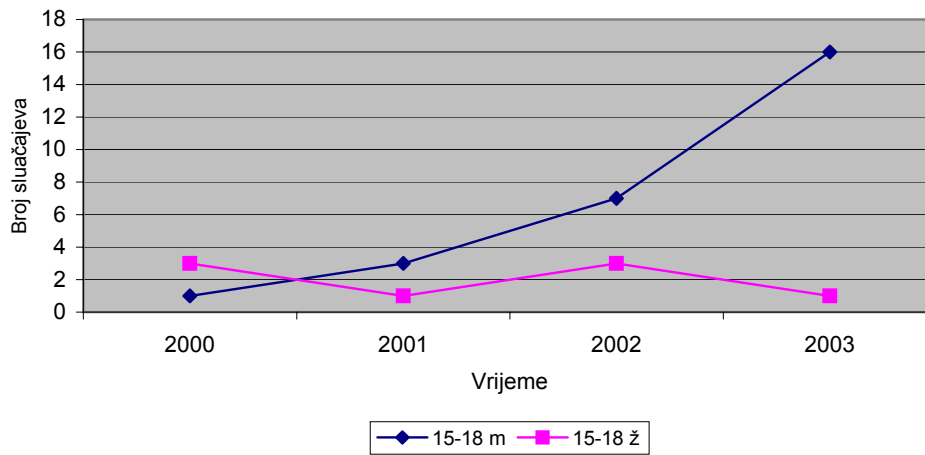
Grafikon 14. Podaci o nasilju koje vrše djeca prema dobi i spoluprekršajne prijave



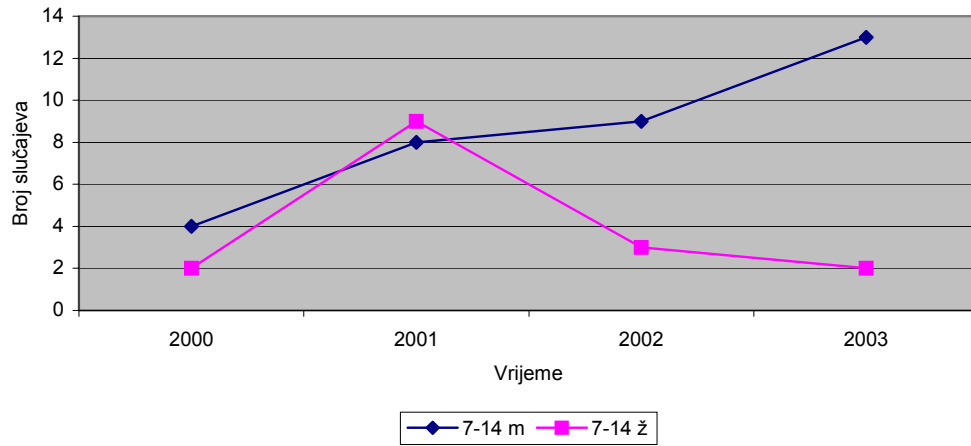
Grafikon 15. Podaci o djeci nad kojim je izvršeno nasilje prema dobi i spolu djeteta,krivične prijave



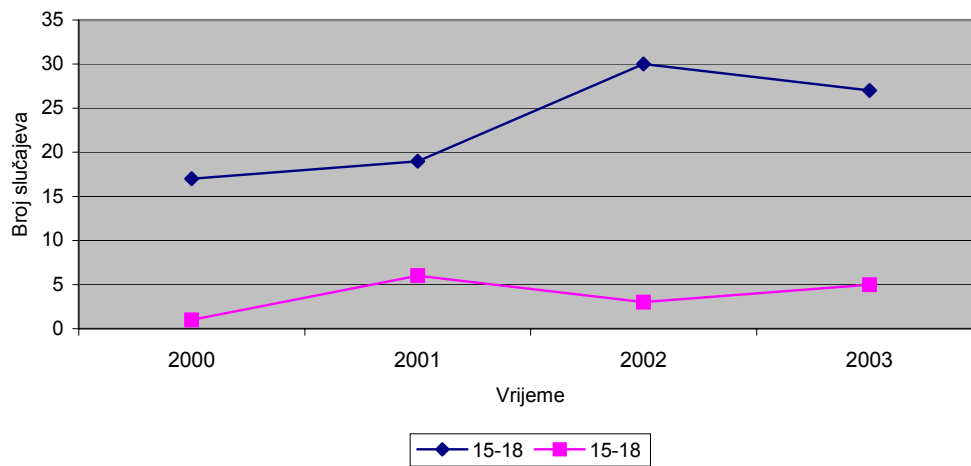
Grafikon 16. Podaci o djeci nad kojim je izvršeno nasilje prema dobi i spolu djeteta,krivične prijave



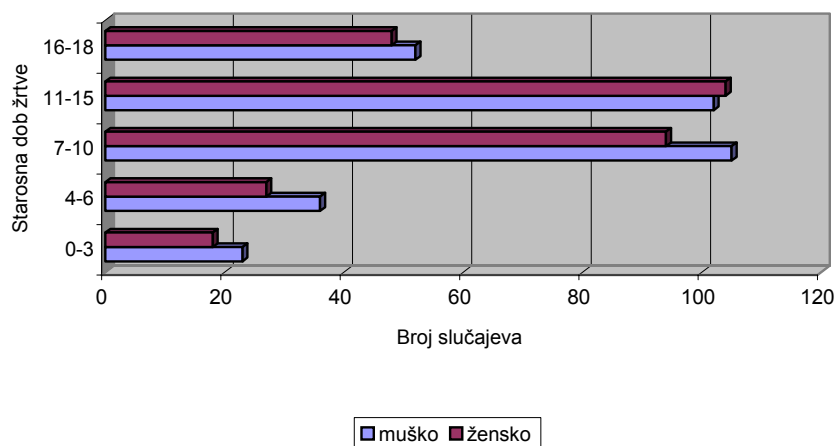
Grafikon 17. Podaci o djeci nad kojim je izvršeno nasilje prema dobi i spolu,prekršajne prijave



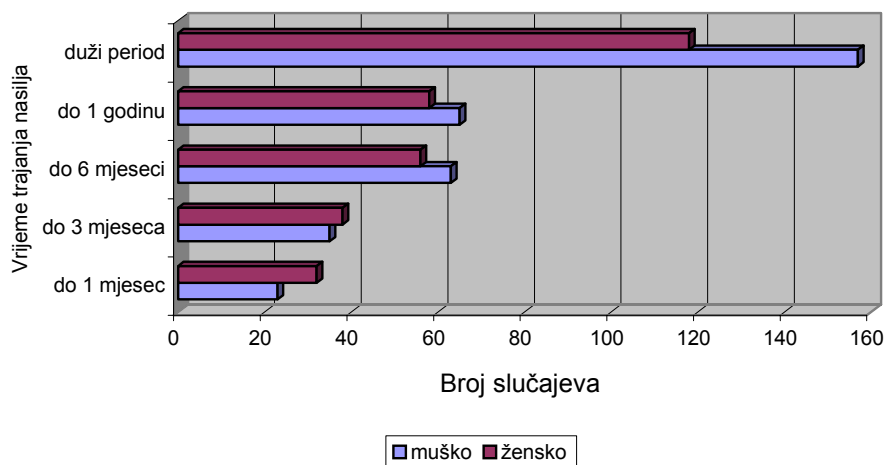
Grafikon 18. Podaci o djeci nad kojim je izvršeno nasilje prema dobi i spolu,prekršajne prijave



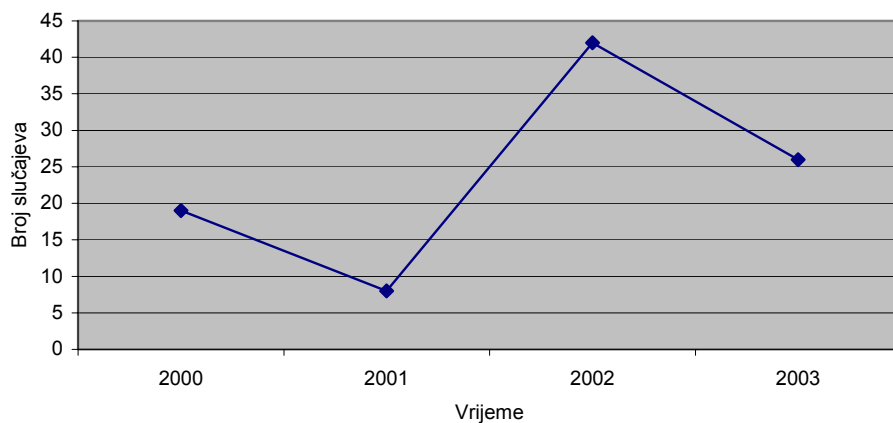
Grafikon 19. Podaci o životnoj dobi djeteta-žrtvi i dužini trajanja nasilja



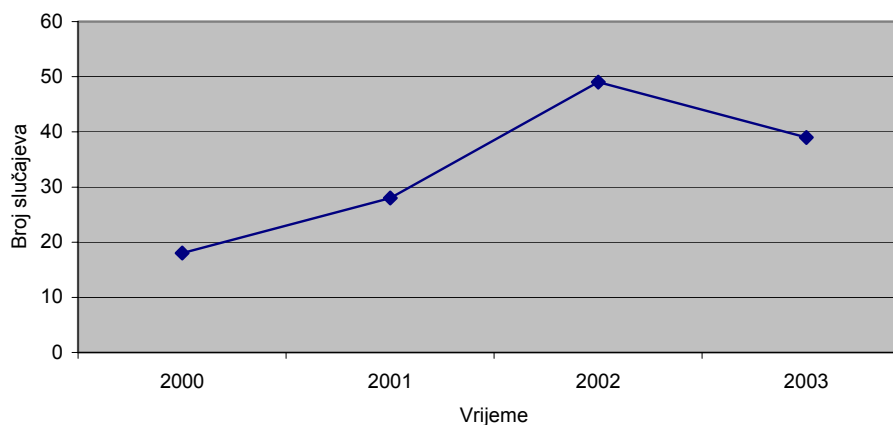
Grafikon 20. Podaci o dužini trajanja nasilja nad djetetom žrtvom



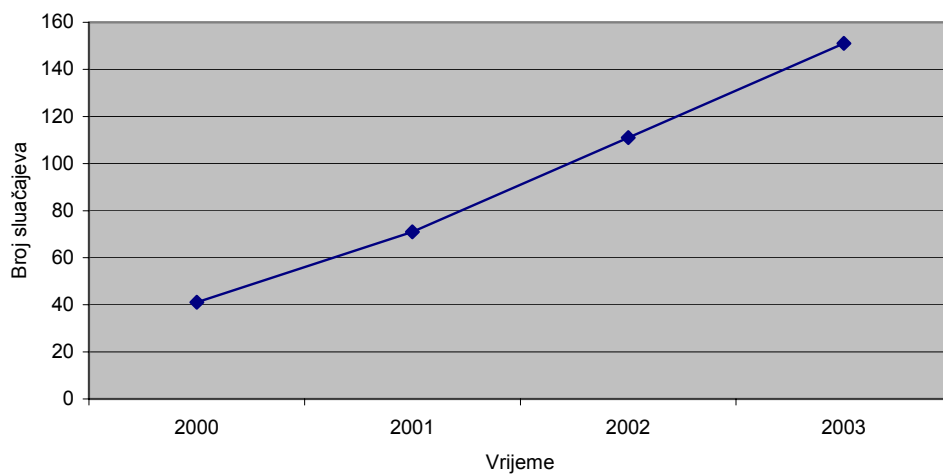
Grafikon 21. Podaci o djetetu žrtvi nad kojim je izvršeno nasilje, 0-3



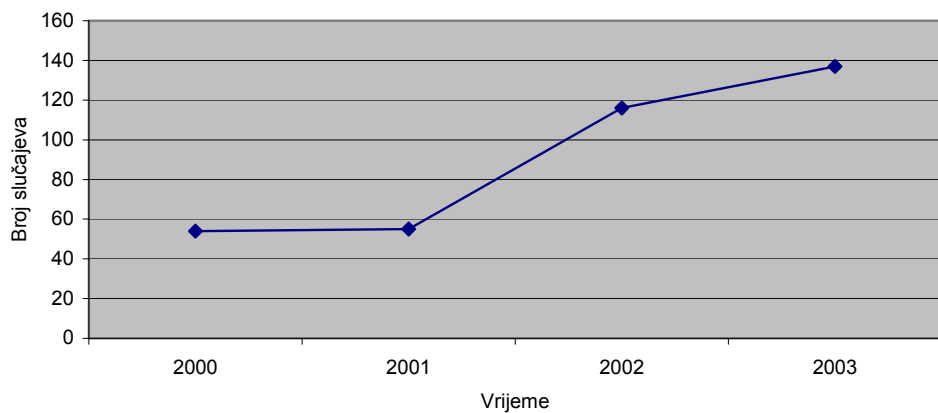
Grafikon 22. Podaci o djetetu žrtvi nad kojim je izvršeno nasilje, 4-6



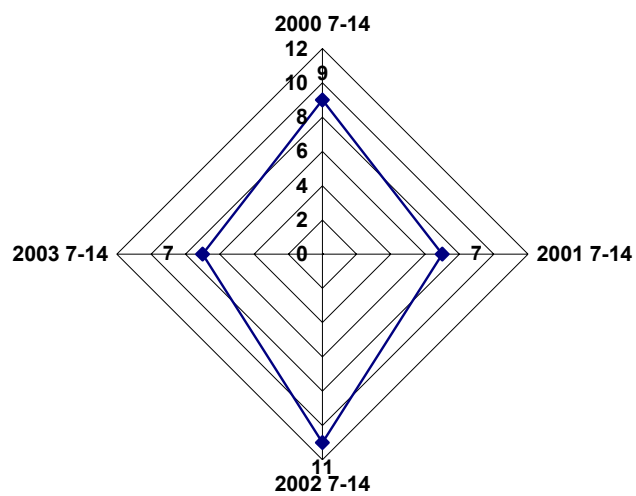
Grafikon 23. Podaci o djetetu žrtvi nad kojim je izvršeno nasilje, 7-14



Grafikon 24. Podaci o djetetu žrtvi nad kojim je izvršeno nasilje, 15-18



Grafikon 1. Podaci o nasilju koje vrše djeca-krivični prekršaji



Grafikon 2. Podaci o nasilju koje vrše djeca-krivični prekršaji

