

National Legal Framework – Bosnia & Herzegovina

1. State Law

Pursuant to international conventions listed in Annex 1, Bosnia and Herzegovina has implemented a reform of its relevant legislation by enacting:

- BH Criminal Code
- BH Criminal Procedure Law
- Law on BH Court
- Law on BH Prosecutor's office
- Law on protection of witnesses under threat and vulnerable witnesses
- Law on program of witness protection
- Law on state investigation and protection agency
- Law on state border service
- Law on control and supervision of state border
- Law on movement and stay of aliens and asylum
- Law on gender equality and
- Law on prevention of domestic violence

In addition, institutional mechanisms for the implementation of the above mentioned laws in Bosnia and Herzegovina have also been developed.

Trafficking in human beings is a criminal offence only under the BH Criminal Code. The Federal Criminal Code, the Criminal Code of the Republic of Srpska and of the Brcko District deal only with soliciting. Only Courts of Bosnia and Herzegovina are competent to hear and judge trafficking related cases.

2. Bilateral Agreements

Bosnia and Herzegovina has concluded **Agreements on Readmission** with **Sweden, Norway, Denmark** and **Romania**, and has initiated negotiations to conclude similar agreements with the countries in the wider region. The most important ones to mention are Moldavia, Macedonia, Albania, Bulgaria and Turkey.

3. State Action Plan

In November 2001, a Group was established to prepare a State Action Plan (NAP). The **State Group for combating trafficking in human beings** that was subsequently formed is composed by representatives of the Ministry of human rights, Justice, Safety and Foreign Affairs, the State Prosecutor's Office and representatives of the State Border Service. The State Action Plan for combating trafficking in human beings was enacted by Bosnia and Herzegovina Council of Ministers on December the 6th, 2001.

A new State Action Plan for combating trafficking in human beings for 2005 - 2007 was adopted in 2005. This State Action Plan comprises of the following chapters:

- Framework for support;
- Prevention;
- Protection of victims and witnesses;
- Criminal prosecution and international cooperation.

The Ministry of Safety nominates a person for the position of **State Coordinator** for combating trafficking in human beings which is then appointed by the Council of Ministers. The State Coordinator together with the 'State Group' follows-up and coordinates the implementation of measures and activities foreseen in the Action Plan.

Taking into consideration that prevention of trafficking in children is a top priority, a ***Subgroup for children*** was formed in March 2004 to specifically deal with this problem.

Even though the responsibilities of the State Coordinator have not yet been fully formalised, she/he is closely cooperating with the Liaison Officers and the Strike Force for Combating Violence. The latter was established with the purpose to enhance anti-trafficking activities at the highest level and it consists of the representatives of the BH Prosecutor's Office, the State Border Service, the State Investigation and Protection Agency (SIPA) and the financial police.