

Bosnia and Herzegovina - United States Department of State

BOSNIA AND HERZEGOVINA: Tier 2 Watch List

The Government of Bosnia and Herzegovina does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. These efforts included the State Coordinator organizing working groups with government and civil society representatives to draft the national strategy, which the government adopted in January 2020. The government identified more victims and the State Prosecutor's Office (SPO) appointed a prosecutor to the anti-trafficking strike force—the only mechanism to coordinate law enforcement efforts across entities. The government revised the structure and guidelines of regional coordinating teams to increase effectiveness. However, the government did not demonstrate overall increasing efforts compared to the previous reporting period. The government did not have an approved state budget, which delayed funding to anti-trafficking efforts. Law enforcement continued to regularly investigate trafficking under lesser offenses, while judges continued to issue sentences below minimum penalties, as they tend to do in all criminal cases in Bosnia and Herzegovina. Law enforcement lacked victim-centered investigations and prosecutions, and the anti-trafficking strike force remained ineffective. In addition, the government continued to penalize victims and did not disburse annual funds to NGOs for victim protection efforts, while victim assistance providers continued to lack resources and could not assist all domestic victims. Because the government has devoted sufficient resources to a written plan that, if implemented, would constitute significant efforts to meet the minimum standards, Bosnia and Herzegovina was granted a waiver per the Trafficking Victims Protection Act from an otherwise required downgrade to Tier 3. Therefore Bosnia and Herzegovina remained on Tier 2 Watch List for the third consecutive year.

PRIORITIZED RECOMMENDATIONS:

Vigorously investigate, prosecute, and convict traffickers, including any complicit officials, and impose sentences that reflect the serious nature of the crime. • Implement the law that exempts victims from penalties for unlawful acts their traffickers compel them to commit, particularly victims of sex trafficking, forced begging, and forced criminality. • Train first responders on victim identification and referral and increase proactive identification efforts. • Allocate sufficient funding for NGO-run shelters and develop financial policies that effectively allocate funding for victim assistance. • Improve cooperation and coordination among state and sub-state actors, including allocating adequate resources and assigning personnel to the anti-trafficking strike force. • Formally disconnect identification procedures and official victim status from cooperation on investigations and prosecutions. • Increase law enforcement capacity and training to investigate complex cases. • Train judges to understand the severity of trafficking when issuing sentences and sensitize prosecutors and judges to the issues of secondary trauma and victim-centered approaches. • Standardize victim assistance throughout the country, including the ability to access assistance and support outside of