

## **Answers to Additional Questions following Third Periodic Report on the Rights of All Migrant Workers and Members of Their Families**

### **1. I. General Information**

**Please provide information on the achievements and difficulties encountered in implementing the Law on Aliens that was adopted in 2015. Please provide updated information on any new legislation related to the protection of the rights of migrant workers and members of their families, new strategies and action plans adopted to improve the implementation of the provisions of the Convention, and recently ratified international instruments related to migration.**

For the purpose of easier implementation of the Law on Aliens ("Official Gazette of BiH", no. 88/15), the following implementing subordinate regulations were adopted in the period 2016-2018:

- Rulebook on entry and stay of aliens ("Official Gazette of BiH", no. 25/16),
- Rulebook on surveillance and removal of aliens from BiH ("Official Gazette of BiH", no. 28/16),
- Rulebook on layout and content of application for issuance of travel document for stateless persons and laissez-passer for aliens ("Official Gazette of BiH", no. 41/16),
- Rulebook on content, method of keeping and use of official records on aliens ("Official Gazette of BiH", no. 51/16),
- Rulebook on standards of functioning and other issues of importance for the work of Immigration Center ("Official Gazette of BiH", no. 55/16),
- Rulebook on registration of biometric characteristics of aliens ("Official Gazette of BiH", no. 55/16),
- Decision on determination of international border crossing points at which visas may be issued ("Official Gazette of BiH", no. 66/16),
- Decision on amendment to Decision on determination of international border crossing points at which visas may be issued ("Official Gazette of BiH", no. 15/17),
- Rulebook on protection of aliens – victims of trafficking in human beings ("Official Gazette of BiH", no. 79/16),
- Rulebook on the central database on aliens ("Official Gazette of BiH", no. 19/17),
- Rulebook on obligations of carriers who bring aliens to border crossings of BiH ("Official Gazette of BiH", no. 23/18).

The foregoing subordinate regulations apply to all aliens, and hence to migrant workers and members of their families. In line with the Strategy in the Area of Migrations and Asylum and the Action Plan for the period 2016-2020, the amendment to the Law on Aliens has been planned in the period 2019-2020 for the purpose of its harmonization with the EU Acquis as well as for a more precise definition of certain provisions that have in practice proved to be insufficiently precise.

**Please also provide information on the specific, time-bound and measurable goals and targets set for the implementation of migrant workers' rights and the provisions made for monitoring them.**

The targets for the implementation of the rights of our migrant workers are related to compliance with the signed agreements and employment agreements. All persons who leave to work abroad through the Labor and Employment Agency of BiH are duly removed from the Employment Services records, and are entitled to workers' rights in the stated countries as equally as domestic workforce in those countries. Any notified derogation from agreement or arrangement shall be settled in accordance with the provisions of the Agreement. The Labor and Employment Agency of BiH in cooperation with the Entity and Brčko District of BiH Employment Services is the BiH competent institution for implementation of these agreements.

**2. According to information before the Committee, in 2018 the State party experienced an influx of migrants, mostly from the Middle East. Please provide information on the measures taken to implement the Convention and to integrate these migrants and members of their families. What concrete measures have been taken to ensure that these migrants have access to employment opportunities, health care, education and other services, and are provided with individual protection as well as risk assessments?**

In Republika Srpska, regardless of the Law on Amendments to the Law on Employment of Foreign Citizens and Stateless Persons ("Official Gazette of Republika Srpska", number 117/11), which grants the same rights to foreign nationals with approved international protection in BiH and foreigners with approved temporary protection of having a job in Republika Srpska as to its own citizens without the obligation of obtaining a work permit, no data on individual requests for the right to work and employment existed in 2018.

In the Federation area, it is first and foremost necessary to regulate the status of migrants from the Middle East (separating regular from irregular migrants) for the purpose of taking concrete measures through which they would be provided with access to employment.

According to the data available at the Department of Health and Other Services, there were no persons, migrants or members of their families in the territory of the Brčko District of BiH towards whom the concrete measures would be taken.

In accordance with the obligations of the Department of Education of the Government of the Brčko District of BiH on implementation of the provisions of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Brčko District schools had no enrolled pupils or students of preschool age, members of families with migrant status in the past period. Article 16 (Education of Foreign Citizens and Stateless Persons) of the Law on Primary and Secondary Education in the Brčko District of

BiH (“Official Gazette of the Brčko District BiH”, number 10/08) stipulates that “Foreign citizens and stateless persons shall have the right to acquire primary and secondary education in the District in accordance with the provisions of this Law, international conventions, international treaties and agreements concluded by BiH, and the treaties and agreements concluded by the District Assembly”.

**3. In its report, the State party indicated that, in March 2016, the new Strategy in the Area of Migrations and Asylum had been adopted. Please provide further clarification on:**

**The achievements and difficulties encountered in implementing the new Strategy in the Area of Migrations and Asylum, particularly the Action Plan on migrations and asylum for the period between 2016 and 2020;**

**Whether the State party undertook impact assessments of previous strategies and action plans and whether the lessons learned were incorporated into the new strategy and action plan on migrations and asylum.**

a) A regular report on the implementation of the Strategy in the Area of Migrations and Asylum and the Action Plan for 2018 is currently being drawn up. Members of the Coordination Body for Migration and Asylum Issues in BiH (Ministry of Security – Sector for Immigration, Sector for Asylum, Border Police of BiH, Service for Foreigners’ Affairs, State Investigation and Protection Agency, Ministry of Foreign Affairs – Sector for International-Legal and Consular Affairs, and Ministry of Human Rights and Refugees – Sector for Emigration and Sector for Refugees, Displaced Persons, Readmission and Housing Policy) participate in the preparation of this report. Following the adoption at the meeting of the Coordination Body for Migration Issues, the report will be sent for adoption to the Council of Ministers of BiH, and then available on the website of the Ministry of Security [www.msb.gov.ba](http://www.msb.gov.ba). Certain activities have not been implemented because, in 2018, BiH was exposed to the biggest migration challenges so far caused by the increased illegal entry. The activities of the Sectors and Agencies are primarily focused on solving the current migration situation, and a certain number of activities will be implemented in the forthcoming period.

b) The Strategy in the Area of Migrations and Asylum and the Action Plan 2012-2015 have been used as a very important source, especially as the results of the implementation of this strategic document are the basis for a projection of BiH's strategic goals in this area for the period 2016-2020.

**4. In its previous concluding observations (CMW/C/BIH/CO/2, para. 12), the Committee recommended that the State party encourage the Entities (Republika Srpska and Brčko District) to harmonize legislation in order to ensure that migrant workers fully enjoyed the rights enshrined in the Convention, especially in the areas of employment, education and social security. In its report, the State party indicated that the possibility to do so could not be ruled out. Please provide an update on the progress made to harmonize the legislation of the different Entities (Republika Srpska and Brčko District) in certain areas of the Convention, such as employment, education and social security.**

In Republika Srpska, there was no need to change the regulations in the field of employment since Law on Amendments to the Law on Employment of Foreign Citizens and Stateless Persons (“Official Gazette of Republika Srpska”, number 117/11) stipulates that “Foreign

nationals with approved permanent residence in BiH, foreign nationals with approved international protection in BiH and foreign nationals with approved temporary protection shall have the same right to work in Republika Srpska as its own nationals without obligation to obtain a work permit”.

In the Federation of BiH, migrants are mostly from the Middle East who often leave their place of residence within the territory of the FBiH, and it is almost impossible for them to ensure any kind of occupational activity.

According to data available to the competent BiH institutions, the intention of migrants is to leave BiH as soon as possible and head for the countries of the European Union.

Legislation within the Government of the Brčko District of BiH in the field of employment knows no obstacles other than administrative ones related to the movement and stay of aliens, and those ones are under the jurisdiction of BiH. Social security, which includes labor rights, retirement and disability insurance and health insurance, is mostly within the competence of the Brčko District of BiH, while part of it is within the competence of Entities even for citizens living in the Brčko District of BiH. In the near future, the adoption of a new Law on Labor is expected to be even more consistent with all undertaken obligations, and most of all in the part dealing with prohibition of discrimination on any grounds.

The answer of the Department of Education of the Government of the Brčko District of BiH contained in the response to Recommendation No. 2.

**5. Please provide information on the measures taken to improve the collection of quantitative and qualitative data, disaggregated by sex, age, nationality/ethnicity and migration status, in particular of unaccompanied children and Bosnian migrant workers abroad, for use in evaluating the implementation of the Convention. Please also provide updated data, disaggregated by sex, age and nationality, or, failing that, estimates, on the number of irregular migrant workers residing in or transiting through Bosnia and Herzegovina. Please also provide data, disaggregated by sex and age, on the number of Bosnian migrant workers and members of their families abroad, including those in an irregular situation.**

The Labor and Employment Agency of Bosnia and Herzegovina has data on employed BiH citizens who are employed in other countries with which BiH has signed a bilateral employment agreement. The Labor and Employment Agency of BiH, in cooperation with the Employment Services of Entities and Brčko District of BiH, is the competent authority for the implementation of these agreements.

Employment in Slovenia takes place through the Agreement on Employment of BiH Citizens in the Republic of Slovenia, while the Agreement on Employment of Medical Workers for Caregiver Services in the FR of Germany has been signed for Germany, for employment of persons with a completed secondary medical school in general or pediatric medicine, who have passed the professional exam in BiH and possess knowledge of German language at a minimum of B1 level according to the European Framework of Reference for Languages.

All persons who leave to work abroad through the Labor and Employment Agency of BiH have been duly removed from the Employment Services records, and have the same right to work in these countries as the domestic labor force in those countries.

The Labor and Employment Agency of BiH has no data on persons who go abroad without its assistance because these persons are not required to record their departure anywhere.

The Labor and Employment Agency of BiH currently participates in the implementation of employment agreements with the following countries:

**Slovenia**

Information on the number of persons employed in Republic of Slovenia is in the table below:

<b>Year of Agreement Implementation</b>	<b>Work Permits Issued (persons employed)</b>
<b>2013</b>	661
<b>2014</b>	1.870
<b>2015</b>	2.677
<b>2016</b>	4.778
<b>2017</b>	9.923
<b>2018</b>	16.090
<b>To</b>	
<b>TOTAL</b>	<b>35.999</b>

**FR of Germany**

Information on the number of persons employed FR of Germany is presented in the table below:

<b>Year of Implementation</b>	<b>Work Permits Issued</b>
<b>2013</b>	<b>186</b>
<b>2014</b>	<b>566</b>
<b>2015</b>	<b>870</b>
<b>2016</b>	<b>1.079</b>
<b>2017</b>	<b>851 (74 triple win)</b>
<b>2018</b>	<b>1.000 (61? triple win)</b>
<b>TOTAL</b>	<b>4.552</b>

As already mentioned, only persons with secondary medical school are being employed in the FR of Germany through the Labor and Employment Agency of BiH.

The Agency possesses no data, disaggregated by sex, age and nationality, on the number of irregular workers residing in or transiting through BiH. Also, it possesses no data on or estimates of the number of migrant workers from BiH and members of their families abroad, including those in an irregular situation, other than data from the agreements mentioned.

## **6. II. Information relating to the Articles of the Convention**

### **A. General Principles**

#### **6. Please provide updated information on:**

**The number and type of complaints examined by judicial bodies and/or administrative mechanisms mandated to examine complaints from migrant workers and members of their families since 2012, and the decisions taken;**

**The legal assistance provided to migrant workers in a regular or an irregular situation and the measures taken to inform them and members of their families about the legal remedies available to them for violations of their rights;**

**The reparations awarded to victims of such violations, including in the form of restitution, compensation, rehabilitation, satisfaction and assurances of non-repetition.**

The HJPC of BiH is not in a position to provide information on the number and type of complaints examined by judicial bodies and/or administrative mechanisms mandated to examine complaints from migrant workers and members of their families because the Computerized Case Management System in courts and prosecutor's offices (CMS/TCMS) does not record the requested data.

b) the legal assistance provided to migrant workers in a regular or an irregular situation and the measures taken to inform them and members of their families about the legal remedies available to them for violations of their rights;

c) the reparations awarded to victims of such violations, including in the form of restitution, compensation, rehabilitation, satisfaction and assurances of non-repetition.

The Law on Provision of Free Legal Aid entered into force at the end of 2016, and it stipulates that the competent body for provision of free legal aid on behalf of the bodies and institutions of BiH, in accordance with this law, shall be the Office for Provision of Free Legal Aid of BiH, which is an internal organizational unit within the Ministry of Justice of BiH. The aim of this law is to provide every natural person with an efficient and equal access to justice in the proceedings before the bodies and institutions of BiH, before which their individual rights, obligations and interests are exercised and protected.

Since the Office for Provision of Free Legal Aid has not been established, the Minister of Justice of BiH, by way of Authorization Decision, has authorized five civil servants to, in

addition to tasks and duties of their positions, temporarily work on providing free legal aid in accordance with the Law on Provision of Free Legal Aid, both during and outside working hours and in accordance with the needs.

Based on the Report on Provision of Free Legal Aid in 2017, in the course of 2018, they acted in 84 cases in the capacity of free legal aid providers and in accordance with the Law on Provision of Free Legal Aid.

Article 24 of the Law on Provision of Free Legal Aid stipulates that the Office shall decide on the right to free legal aid pursuant to the provisions of this Law and issue a decision on the granted legal aid to the applicant. In all these cases, beneficiaries of free legal aid were asylum seekers or natural persons under international protection, in accordance with international standards.

The Ministry of Justice of BiH does not have any data on restitution, compensation or rehabilitation.

## **B. Part II of the Convention**

### **Article 7**

**7. In its report, the State party indicated that, following the adoption of the Law on Amendments to the Law on Prohibition of Discrimination, better conditions for the protection of migrant workers and members of their families had been created. Please provide information on the extent to which these amendments guarantee non-discrimination, in practice, to all migrant workers and members of their families with regard to the rights provided under the Convention. Please include information on the education, training and awareness-raising programs to combat stereotypes and discrimination against migrant workers and returnees in BiH.**

Amendments to the Law on Prohibition of Discrimination were adopted by the Parliamentary Assembly of BiH and published (“Official Gazette of BiH”, number 66/16), and the unofficial consolidated text of the Law on Amendments to the Law on Prohibition of Discrimination was published on the official website of the Parliamentary Assembly of Bosnia and Herzegovina. The Law on Prohibition of Discrimination has been largely harmonized with the EU Acquis and international human rights standards through the amendment procedure.

Amendments to the Law on Prohibition of Discrimination have added the following grounds for discrimination to the Law on Prohibition of Discrimination (“Official Gazette” 59/09): disability and age. The formulation in the Law relating to sexual expression or orientation has been replaced with sexual orientation, gender identity and sex characteristics. Further harmonization of the Law on Prohibition of Discrimination with the EU Acquis will incorporate into it all the grounds envisaged by Directives of the European Parliament and the Council of Europe until its full harmonization.

## **C. Part III of the Convention**

### **Articles 8–15**

**8. Please provide information on any cases identified in the State party of exploitation of migrant workers and members of their families, both those in regular and those in irregular situations. Please also provide information on any cases identified in the State party of domestic servitude, forced labor and sexual exploitation involving migrant workers, particularly migrant domestic workers, and on the measures to prevent and combat these phenomena.**

Articles 16–22

**9. In its report, the State party indicated that, under the Law on Aliens, the maximum length of detention in immigration centers could not exceed 18 months. Please provide information, disaggregated by sex, age and nationality, on the number of migrant workers in a regular or an irregular situation placed in administrative or judicial detention in the State party since 2012 and the length of their detention. Please provide information on the number of judicial or administrative decisions taken against detained migrant workers in the State party and the conditions in which they are held.**

Answer:

The Law on Aliens in Article 128 prescribes the official records that shall be kept by the competent authorities: Service for Foreigners' Affairs, Border Police of BiH, Ministry of Foreign Affairs, Ministry of Security – Sector for Asylum and Sector for Immigration). The mentioned Article of the Law on Aliens does not prescribe a special record on migrant workers, hence the existing records and the Central Database on Aliens cannot provide data relating exclusively migrant workers, nor can the statistical data provided in the Migration Profile, as the Migration Profile data are not separately classified under data on migrant workers (and members of their families) and data on other migrants.

As regards the conditions of accommodation and stay in the Immigration Center, which is within the competence of the Ministry of Security - Service for Foreigners' Affairs, the latest report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) has given a positive opinion on the conditions provided at the Immigration Center. The Immigration Center is designed and organized in accordance with the standards promoted by the European Convention for the Protection of Human Rights and Fundamental Freedoms, and it provides all conditions for the humane treatment of persons placed under surveillance.

**10. In its previous concluding observations, the Committee recommended that detention orders against migrant workers should be made as a measure of last resort, on a case-by-case basis and in compliance with applicable international standards (CMW/C/BIH/CO/2, para. 26 (c)). Please provide detailed data on the number of detention orders that have been made against migrant workers since 2012 and indicate whether the State party has used alternative measures in lieu of detention for migrant workers. Please also indicate the concrete measures taken to avoid the detention of migrant workers solely on the basis of migratory status and provide alternatives to the detention of pregnant migrant women, mothers with young children and unaccompanied children. In the light of the Committee's previous concluding observations (CMW/C/BIH/CO/2, paras. 29–30), please also provide information on the measures taken to ensure that children of migrant workers are no longer placed in the Lukavica Immigration Center, which is not adapted to the needs of children.**

The Law on Movement and Stay of Aliens and Asylum as well as the Law on Aliens prescribes that a more lenient surveillance measure may be imposed on an alien by restriction of movement to a specific area or location, with an obligation of reporting to an organizational unit of the Service for Foreigners' Affairs or police. The more lenient surveillance measure may be imposed:

- in order to ensure the execution of the decision on expulsion, in the event of cancellation of residence in BiH or in other cases where the expulsion measure has been pronounced;
- in order to ascertain that he/she would leave the country after the rejection of his/her application for residence but failed to leave BiH;
- in order to secure the removal of an alien from the country;
- when the Service for Foreigners' Affairs approves the postponement of the expulsion measure;
- if there are reasonable grounds to believe that free and unrestricted movement of an alien might jeopardize the public order and peace, or security or international relations of BiH, or pose a threat to public health in BiH; that is, if it has been established that an alien poses a threat to legal order, public order and peace or security of BiH;
- when there is doubt as to the veracity of the allegations of an alien concerning his/her identity or when an alien's identity cannot be established within 6 hours of arrival to official premises;
- when an alien is admitted on the grounds of an international agreement in readmission of persons with illegal stay;
- in other cases as stipulated by this Law.

It may be concluded from the foregoing that BiH has used alternative measures instead of detaining migrant workers.

A special department for families with children has been set within the Immigration Center, an apartment pavilion (two family apartments), which ensures the right to family life and the stay of a child with a guardian.

The Immigration Center does not have a separate department where unaccompanied minors would be accommodated, which is why the Service for Foreigners' Affairs does not practice the placement of minors in this Center. The Ministry of Security has signed protocols on cooperation with non-governmental organizations regarding unaccompanied minors, pregnant women, families with small children, as well as other vulnerable categories (MFS - EMMAUS) and victims of trafficking in human beings. The concept of the shelter itself is such as to provide facilities for children's play, health care, and psychological assistance in case of need.

**11. In its report, the State party indicated that an appeal before second-instance body against a decision to place a migrant worker in an immigration detention center could be appealed within three days of the decision delivery date and that legal aid was provided to migrant workers. Please provide information on cases in which migrant workers, including those in an irregular situation, have received free legal aid to appeal against a decision to place them in an immigration detention center. Please also indicate if detained migrant workers have access to consular services and whether the State party notifies their countries of origin about their detention.**

Beneficiaries shall be entitled to the exercise and protection of their rights and legitimate interest in administrative proceedings and administrative disputes, after having agreed in

writing that the representative or the provider of free legal aid shall take all necessary actions in their best interest.

The first-instance body is the Service for Foreigners' Affairs, in accordance with the Law on Aliens. The aforementioned Service has imposed the measures of expulsion of aliens from BiH, the measure of placing aliens under surveillance, or restriction of movement by placing aliens in the Immigration Center. The providers of free legal aid have lodged appeals with the Ministry of Security of BiH as the second-instance body.

In a number of cases, the appeals were admitted, the decisions challenged, or the decisions of the Ministry of Security of BiH were annulled and the cases were returned to repeated proceedings.

Against the final decisions in the administrative procedure against which no appeal is allowed, the providers of free legal aid initiated administrative disputes by way of a lawsuit before the Court of BiH in accordance with Article 120 of the Law on Aliens.

In accordance with the Law on Asylum, the providers of free legal aid also initiated administrative disputes by way of lawsuits before the Court of BiH against decisions of the Sector for Asylum within the Ministry of Security of BiH that had rejected asylum claims of free legal aid beneficiaries.

Free legal aid providers have regularly visited the beneficiaries both at the Immigration Center in Lukavica and the Asylum Center in Delijaš, informing them about the course and outcome of both the administrative procedures and administrative disputes. Free legal aid providers have also attended all hearings scheduled before the Administrative Division of the Court of BiH.

#### **Article 25**

**12. Please indicate the number of labor inspectorate visits that have been undertaken by the State party since 2012 to ensure that equal working conditions and safeguards are applied to migrant workers and national workers. What measures are being taken to regulate household work in the State party and to guarantee domestic migrant workers the rights under the Convention? Please state the measures that have been taken to monitor the working conditions of migrant domestic workers, and to ensure that migrant domestic workers have access to effective mechanisms to lodge complaints against their employers.**

Labor inspectors in the Brčko District of BiH did not have any initiatives (complaints) on the violation of the rights of migrants under the laws that they monitor, namely the Law on Labor, the Law on Employment of Foreigners (which includes migrants) and the Law on Employment and Rights during Unemployment.

#### **Article 29**

**13. In its previous concluding observations, the Committee expressed concern that children of migrant workers, including Roma children and children of migrant workers**

**in an irregular situation, were often neither registered at birth nor issued with identity documents, which impeded their access to health care, social benefits and education. In its report, the State party indicated that significant progress had been made and the number of individuals that were not registered had been significantly reduced. Please provide updated data or an estimate on the number of Roma children and children of migrant workers in an irregular situation who are not registered at birth; and the concrete measures that are being taken to address this phenomenon. Please describe the specific activities undertaken by the State party to raise awareness and train law enforcement officers on the birth registration of children of migrant workers (CMW/C/BIH/CO/2, para. 36).**

#### **Article 30**

**14. In its report, the State party indicated that there was no information on reported cases of discrimination against children of migrant workers with regard to access to education. Which specific steps have been taken to ensure that children of migrants in an irregular situation have access to education? Please provide statistical information on access to education by children of migrant workers.**

In the Una-Sana Canton area since Monday, 28 January 2019, that is, since the beginning of the second school semester, the classes for migrant children have been arranged in the following four primary schools:

- PI PS “Brekovica” Bihać (activities in the period from 09:00 to 12:00 hours)
- PI PS “Harmani II” Bihać (activities in the period from 09:00 to 12:00 hours)
- PI PS “Prekounje” Bihać ((activities in the period from 11:00 to 14:00 hours)
- PI PS “Prekounje” Bihać – BS “Bakšaiš” ((activities from 11:00 to 14:00 hours)

So far, around 100 children from four locations/camps have been covered by the Program:

- Sedra, 45 children. Children from this location are involved in the activities performed in PI PS “Brekovica” Bihać and PI PS “Prekounje” – BS “Bakšaiš”
- Borići, 26 children. Children from this location are involved in the activities performed in PI PS “Harmani II” Bihać
- Bira, 15 children. Children from this location are involved in the activities performed in PI PS “Prekounje” Bihać
- Safe house, 6 children. Children from this location are involved in the activities performed in PI PS “Prekounje” Bihać.

A number of other children reside in all locations, and they will successively be included in the planned activities after having obtained a medical certificate.

Migrant children are taught by the staff who had mastered Save the Children HEART (Healing and Education through Art) Program, which is a good basis for starting to work with migrant children, and the children will gradually get involved in regular classes.

In PI PS “Kamenica” Bihać, one child from the migrant population has been included in the process of education since September 2018.

The aforementioned activities are funded through the project "EU Support to Migration and Border Management in BiH", which is funded by the European Union and implemented by the International Organization for Migration (IOM), UNHCR and UNICEF. The project component that relates to education is being implemented by UNICEF in cooperation with World Vision and Save the Children organizations.

The Ministry of Education, Science, Culture and Sports of Zenica-Doboj Canton has no data on the number of migrants enrolled in primary and secondary schools in the Zenica-Doboj Canton area, but this ministry has received an inquiry from two primary schools regarding the enrollment of migrant children. Pursuant to Article 5, Paragraph (8) of the Law on Primary School of Zenica-Doboj Canton (“Official Gazette of Zenica-Doboj Canton”, number 3/18), “children's rights related to education, and the proper care for the well-being of their physical and mental health and safety in schools and other places where they receive education, shall have primacy over all other rights, and in the event of a conflict of rights, priority shall be given to the right, interpretation or action that will be in the best interests of the child”. Article 8, paragraph (2) of the said law stipulates that, during education in BiH, students who do not have BiH citizenship must have a regulated residence status in BiH in accordance with the provisions of the Law on Aliens (“Official Gazette of BiH”, number 88/15), and pursuant to paragraph (3) of the same Article, foreign nationals and stateless persons shall have the right to acquire education in the Canton schools, in accordance with the provisions of this Law, and in accordance with the conventions and agreements concluded by the State of BiH with other states or international organizations.

Consequently, the Ministry of Education has informed schools inquiring about enrollment of migrant children that they shall have to contact the Service for Foreigners' Affairs, Field Office Zenica, for the purpose of maintaining the residence status of children, students and their families, and that children's parents shall give a statement on the children's previous education, and have it notarized assuming full moral and material responsibility. It is mandatory for children to regularly attend classes during the procedure of extension of the residence permit in BiH and creation and delivery of the parents' statement.

According to the Ministry of Education, Science, Culture and Sport of Herzegovina-Neretva Canton, for the period from October 2017 to 31 January 2019, not a single request has been received, either from an institution or a natural person, for inclusion in the education system of Herzegovina-Neretva Canton.

In accordance with the obligation for availability of and access to education, the Ministry maintains an ongoing cooperation with the Salakovac Center where pedagogical and educational workshops with children are being implemented. The Ministry has also

established a program orientation set for inclusion of 76 children in primary education, appointed a primary school which, due to its distance from the camp, is the optimal solution, created the organizational work plan and the base of technical and technological needs in order to meet the quality for inclusion of migrants in the education system of Herzegovina-Neretva Canton.

At the beginning of September 2018, the Ministry of Education, Science and Youth of Sarajevo Canton organized a meeting attended by representatives of UNICEF and Save the Children. At the meeting, it was agreed that the Ministry of Education, Science and Youth of Sarajevo Canton will find a way to enable the enrollment of migrant children in the primary schools of Sarajevo Canton. Representatives of UNICEF and Save the Children expressed their willingness to provide support and assistance in the implementation of these activities. As agreed, UNICEF BiH organized a meeting attended by representatives of various institutions of Bosnia and Herzegovina, international organizations, as well as representatives of the three Ministries of Education (Una-Sana, Herzegovina-Neretva and Sarajevo Cantons).

Conclusions were reached on how to include children in the education system and a procedure was agreed on tentatively for enrollment of migrant children in primary schools in the said three Cantons.

*Considering that migrant children in most cases do not possess the necessary documentation for enrollment in schools in the territory of BiH, it was agreed that schools enroll children provided the mandatory possession of the asylum seeker card, i.e. that children are registered with the Ministry of Security of BiH, the medical certificate and the consent of parents/guardians for enrollment of children in school.*

The Ministry of Education, Science and Youth of Sarajevo Canton has delegated two primary schools near the collective accommodation center “Ušivak” in Hadžići and “House for All” in Ilidža, which should be prepared for enrollment of children. These are the PS “Prva osnovna škola”, Ilidža and PS “9. maj”, Hadžići. The reason for the decision to delegate only two schools is easier coordination between the institutions responsible for the issue of migrants, the safety of children and the sensitized school communities.

During the month of December, with the support of UNICEF and Save the Children, various meetings, education for teachers of the mentioned schools and meetings with children's parents were organized, the classrooms were equipped, and thus the conditions were provided for the children to go to two primary schools at the beginning of the second semester of the 2018/2019 school year. Currently, 22 students attend the “Prva osnovna škola”, and 12 students attend the “9. maj” school. Thanks to UNICEF and other organizations, the students have received the necessary school supplies, snacks and clothing.

Prior to engaging in curricular activities, children shall pass through gradual adaptation to the school system, with the language learning as primary step.

The Ministry of Education, Science and Youth is currently in the process of elaborating a Program that will define the method of taking class exams, the manner of assessing students’

knowledge, as well as recording grades in the pedagogical documentation. Consequently, the Ministry of Education, Science and Youth of Sarajevo Canton is ready for inclusion of all migrant children whose parents declare their intention to reside in the Sarajevo Canton territory, has been stated in the response of this Ministry.

### **Article 33**

**15. Please also indicate the measures that have been taken to inform BiH migrants and migrant workers in transit through or living in the State party, as well as members of their families, of their rights under the Convention and their rights and obligations in the State of employment.**

Measures for migrant workers from BiH:

- Information through the Agency's web portal at [www.arz.gov.ba](http://www.arz.gov.ba) (an overview of all agreements on employment and social security with other countries, information on regulations and working conditions in other countries, electronic brochures),
- Press conferences,
- Posters and brochures in the Employment Services offices in BiH,
- Press releases.

### **D. Part IV of the Convention**

#### **Article 41**

**16. In its report, the State party indicated that it had conducted training and information sessions for voters in countries in which there was a significant number of BiH nationals, such as in Austria, Czechia, Denmark, Germany, Norway and Sweden. In the light of the Committee's previous concluding observations, (CMW/C/BIH/CO/2, para. 39), in which the Committee expressed concern that a small number of BiH nationals working abroad exercised their voting rights in the last elections held in the State party, please provide information on the measures taken to assess the impact of the training and awareness-raising measures in improving the participation in elections of BiH nationals working abroad. Please also provide information on other services, including consular services that are provided to BiH migrant workers abroad.**

Pursuant to the provisions of the Election Law of BiH, every citizen of BiH who has reached 18 years of age shall have the right to vote and to be elected. To exercise his/her right to vote, the BiH citizen must be registered in the Central Voters Register. Since 2006, the so-called passive registration has been in effect for voters in the country, which implies the creation of the Central Voters List on the basis of data from official records in the civil registry of citizens. Voters outside BiH, however, who reside outside BiH temporarily (due to temporary work, scholarships, studies, research or scientific work) or persons who have the status of refugees from BiH, must submit an application for each election to the Central Election Commission of BiH within a prescribed time limit in order to be on the excerpt of the Central Voters List for voting outside BiH.

In order to provide timely information on all relevant segments of the election process and to increase voter turnout, the Central Election Commission of BiH conducts an educational and motivational campaign for this voter category, with these activities particularly intensified in the election year. The period of implementation of the educational campaign lasts from the announcement of the elections in May until the end of September, as the elections in BiH are held on the first Sunday in October.

In the last three election cycles, promotional video material for this voter category has been created, with detailed explanations to voters on how to apply for voting by mail, and the manner in which the application forms (PRP 1 and PRP 2) are filled in, all of which is posted on the website of the institution.

Also, through the DCRO network and partner associations of BiH citizens abroad, information material - application forms, voting guides outside BiH, video material and all relevant materials are delivered to voters outside BiH.

Furthermore, since 2010, the Central Election Commission of BiH, in cooperation with the Ministry of Foreign Affairs of BiH, has been continuously working on the education and information of voters living outside BiH, through visits to the DCROs of BiH and meetings with associations of BiH citizens living abroad, with the aim of encouraging them to go to the polls.

The Central Election Commission of BiH regularly establishes an infoline (help-line), which is primarily intended to provide assistance and information to voters outside BiH, as well as voters in BiH for checking the polling station data.

All the time, for timely information to voters and all actors in the electoral process, the institution's website is being maintained and updated. All information relevant to the electoral process, checking the polling stations, decisions, communications, statistics, subordinate regulations and norms are thus available to the public. The website, as well as the YouTube channel, has the complete video material being used in informational and motivational campaigns.

The Central Election Commission of BiH and the Ministry of Foreign Affairs of BiH, with the aim of encouraging and educating voters living outside BiH, intensified activities on education and information of voters living outside BiH in the course of 2016.

CEC BiH, within its legal obligation, takes all necessary actions to inform voters who are staying abroad in time on all current issues from that domain. Special attention is paid to motivating the voters living outside BiH to register in order to exercise their voting right, through the following activities:

During the election year 2018, the Central Election Commission of BiH carried out a direct educational campaign for voters living outside BiH in the following countries: Slovenia (Ljubljana), Austria (Vienna, Graz, Salzburg); Italy ( Milan), Switzerland (Bern), United States of America (Washington, Chicago, St. Louis), Germany (Munich, Frankfurt, Berlin,

Stuttgart), France (Strasbourg), Australia (Penshurst, Smithfield, Auburn, Lappington, Bringelly, Sydney, Canberra, Melbourne, Geelong, Springvale).

The application of the direct educational campaign method, or direct contact with voters living outside BiH, has proven to be the best way to motivate voters living outside BiH. The number of voters registered to vote outside BiH from 2010 to 2018 has increased as can be seen from the table below:

Table 1: Exhibit of the registration of voters who live outside BiH and their turnout

S/N	Elections	Voters registered for Voting by Mail	Voted by Mail	Registered for Voting at the DCRO	Voted at the DCRO
1.	General elections 2010	36.673	23.338	0	0
2.	Local elections 2012	37.359	24.562	0	0
3.	General elections 2014	42.128	28.001	245	138
4.	Local elections 2016	65.111	41.196	287	146
5.	General elections 2018	76.707	50.469	1.085	801

During the visit of the DCROs, the delegations of the Central Election Commission of BiH have submitted the following materials to the official persons, both in hard copy and electronic format:

1. Guide for the registration of voters residing outside Bosnia and Herzegovina,
2. Application form for registration of voters outside BiH – PRP 1,
3. PRP 2 form,
4. “How to Vote” poster,
5. “Abuse of Voting Rights” poster
6. “Polling Station” poster

During the visit of a delegation of the Central Election Commission of BiH, the voters voting by mail or in person at the DCRO of BiH were informed on the deadline for registration of voters from abroad that was to expire on 24 July 2018. The voters were also introduced to the Electoral Process procedures, as well as with the possibility to register for voting by mail or in person at the DCROs of BiH, which is decided by the Central Election Commission of BiH upon compliance with Article 1.5 of the Election Law of BiH. Furthermore, the Central

Election Commission of BiH shall send ballot packages by mail to all voters who have stated that they would vote in person at the DCROs of BiH, so that these voters may vote by mail in the event of insufficient number of interested persons for voting at a particular DCRO of BiH.

Following a successful direct educational campaign for voters outside BiH, and on the basis of the aforementioned, the Central Election Commission of BiH, at its 41<sup>st</sup> session held on 16 August 2018, adopted a Decision on designating polling stations for voting at the diplomatic-consular representation offices of BiH, number: 05-1-02-2-219-4/18. Accordingly, in the 2018 General Elections, for BiH citizens who temporarily reside abroad and have the right to vote, voting in diplomatic-consular representation offices of BiH was organized as follows:

<b>S/N</b>	<b>Country Name</b>	<b>Name of DCRO BiH</b>	<b>City where DCRO BiH is located</b>	<b>Serial Number of Polling Station</b>	<b>Number of Voters</b>
1.	Australia	Embassy of BiH in Canberra	Canberra	AU 01	45
2.	Republic of Austria	Embassy of BiH in Vienna	Vienna	AT 01	132
3.	Republic of Austria	Honorary Consulate of BiH in Graz	Graz	A 02	180
4.	Federal Republic of Germany	Embassy of BiH in Berlin	Berlin	D 01	68
5.	Federal Republic of Germany	Consulate General of BiH in Frankfurt	Frankfurt	D 02	35
6.	Federal Republic of Germany	Consulate General of BiH in Stuttgart	Stuttgart	D 03	107
7.	Federal Republic of Germany	Consulate General of BiH in Munich	Munich	D 04	244
8.	Kingdom of Norway	Embassy of BiH in Oslo	Oslo	N 01	180
9.	Republic of Serbia	Embassy of BiH in Belgrade	Belgrade	S 01	80
10.	USA	Consulate General of BiH in Chicago	Chicago	US 01	81

After the Central Election Commission of BiH had adopted a Decision on designating polling stations for voting at the diplomatic-consular representation offices of BiH in accordance with Article 15 of the Rulebook on determining qualifications and procedure for appointment of the polling station committees members (“Official Gazette of BiH”, number 29/18) (hereinafter the Rulebook), the Ministry of Foreign Affairs of BiH was obliged, within 10 days of the date of notification on the adopted Decision, to submit to the Central Election Commission of BiH the proposal on the members of the polling station committees and their

deputies in the aforementioned DCROs of BiH, designated for the polling station for the citizens of Bosnia and Herzegovina to vote, taking into account that the nominated candidates meet the requirements laid down in Article 6 of this Rulebook.

General requirements for the appointment of members of the polling committees are prescribed by Article 2.2 paragraph (1) of the Election Law of BiH (“Official Gazette of BiH” nos. 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13, 7/14 and 31/16), or that Article prescribes that a member of the election commission and polling station committee shall be a person eligible to vote.

Furthermore, Article 6, paragraphs (1) and (2), of the Rulebook stipulates that, in addition to the general requirements referred to in Article 2.2, paragraph (1) of the Election Law of BiH, a member of the polling station committee at the DCROs of BiH must meet special requirements:

that he/she has been entered in the excerpt of the Central Voters Register for voters who vote outside BiH at the DCROs of BiH or by mail,

that he/she has at least finished secondary school, or in exceptional cases has a lower level of professional qualifications than prescribed, in order to meet the requirements of Article 1.5 paragraph (5) of the Election Law of BiH.

**The representation of members from each constituent people in the polling station committee must be ensured.**

Furthermore, pursuant to Article 18, paragraphs (1) and (3) of the Rulebook, **the Central Election Commission of BiH organized training** of presidents and members of the polling station committees at the DCROs of BiH, as well as their deputies, on the manner of voting and counting of envelopes with ballot papers.

The training of members of the polling station committees at the DCROs of BiH was conducted in the period from 11 September 2018 to 21 September 2018 in the following order.

S/N	Country Name	Name of DCRO BiH	City where DCRO BiH is located	Training held on
1.	Republic of Austria	Embassy of BiH in Vienna	Vienna	11.09.2018
2.	Republic of Austria	Honorary Consulate in Graz	Graz	11.09.2018
3.	Federal Republic of Germany	Consulate General of BiH in Berlin	Berlin	13.09.2018
4.	Federal Republic of Germany	Consulate General of BiH in Munich	Munich	18.09.2016

5.	Federal Republic of Germany	Consulate General of BiH in Stuttgart	Stuttgart	19.09.2016
6.	Federal Republic of Germany	Embassy of BiH in Frankfurt	Frankfurt	20.09.2016
7.	Australia	Embassy of BiH in Canberra – training via Skype	Canberra	28.09.2018
8.	Kingdom of Norway	Embassy of BiH in Oslo – training via Skype	Oslo	02.10.2018
9.	Republic of Serbia	Embassy of BiH in Belgrade – training via Skype	Belgrade	02.10.2018
10.	USA	Consulate General of BiH in Chicago – training via Skype	Chicago	18.09.2018 & 19.10.2018

After having conducted the training, the Central Election Commission of BiH performed the knowledge test and awarded certificates to successful presidents and members of the polling station committees and their deputies at the DCROs of BiH. During the training, the presidents of the polling station committees also received the non-sensitive material consisting of the Minutes of work of the polling station committee, Voting box, Voting booth with privacy screen, Set of forms for the polling station; Candidate lists, Box with non-sensitive material.

After the training of polling station committees for polling stations at the DCROs of BiH had been completed, it was determined that 60 members of the polling station committees from 10 DCROs of BiH had passed the training, and certificates were awarded thereof.

## **E. Part V of the Convention**

### **Articles 58, 59, 61 and 63**

**17. Please indicate the situation and scope of protection afforded to frontier (Art. 58), seasonal (Art. 59), project-tied (Art. 61) and self-employed (Art. 63) workers in the State party.**

#### **Article 59**

**18. In its report, the State party indicated that the Law on Labor did not refer specifically to seasonal workers. Please provide information on the measures taken to protect seasonal workers from violations of their labor rights. Following the adoption of the Law on Aliens in 2015 to provide for the registration of seasonal workers, please provide information on the institution mandated to register seasonal workers in the State party. Please also provide data on the number of seasonal workers registered since the adoption of the Law on Aliens in 2015. Which specific measures have been taken to monitor employment practices in the fields of construction, agriculture and domestic work to protect seasonal workers from unjust and exploitative conditions of work?**

**Please also provide information on the sanctions applied in cases of violation and the legal remedies provided to victims.**

The result of the cooperation between the Labor and Employment Agency of BiH and the Danube Region for Economic Integration of Migrants - the DRIM Project represents the information platform of Danube Compass through which information is available to our citizens about work migration to eight Member States of Danube Region (Germany, Austria, Czechia, Slovakia, Hungary, Croatia, Slovenia and Serbia).

The Labor and Employment Agency of BiH already uses the Danube Compass application and all candidates interested in going to one of the member states of the Danube Region can through this application obtain all relevant information on the manner of taking up employment in these countries, which is crucial to eliminate possible abuse of workers working abroad.

The safest way to manage work migration is the existence of a legal framework, i.e. intergovernmental agreements, which regulate the employment of nationals of one state in another state. The LEA BiH experience shows that this way of managing work migration allows for the safety and protection of workers at work in other countries, enables legal employment, prevents employment fraud, and enables the country from which the labor force leaves to work abroad to manage migration in the context of the needs of domestic labor market, or job matching and placement of only those workers who make a surplus in domestic labor market.

The process of negotiation between the Government of the Republic of Croatia and the Council of Ministers of BiH is underway for the conclusion of the Agreement on Seasonal Employment in Croatia, which will constitute a legal framework for the protection of seasonal workers from violation of their labor rights.

## **F. Part VI of the Convention**

### **Article 64**

**19. In its report, the State party indicated that it planned to conduct research on the number of BiH nationals living in other countries in the region, including in the European Union, in order to initiate further bilateral agreements in the field of employment. Please provide an update if this research has been conducted and, if so, what were the findings. What other measures have been taken to enter into bilateral agreements with other countries?**

The research has not been conducted because financial resources in the budget of the BiH Institutions have not been approved. As regards bilateral agreements, negotiations are underway for the conclusion of the Agreement on Employment with the Republic of Montenegro and the Agreement on Seasonal Employment with the Republic of Croatia.

## Articles 65 and 66

### **20. Please give information on the services and protection measures delivered to migrant workers of the State party and members of their families in receiving countries.**

Workers working in the countries with which BiH has signed Agreements or Arrangements on Employment are protected by the signed acts, and all persons who leave to work abroad through the Labor and Employment Agency are duly removed from Employment Services records, and are entitled to workers' rights in the stated countries as is domestic workforce in those countries.

No statistical data that relate to the issued temporary residence permits for seasonal workers can be provided from the existing records and the Central Database on Aliens.

## Article 67

### **21. Please provide disaggregated statistical information on the number and proportion of BiH returnees who have benefited from the housing project undertaken by the State party to promote the integration of returnees. Please also provide information on the measures taken to facilitate their access to health care, employment, social security, education and vocational opportunities. Please provide an update on the activities undertaken by the Coordination Team established by the Council of Ministers to implement Annex VII of the Dayton Peace Agreement, which, inter alia, requires the State party to create economic and social conditions conducive for the return and reintegration of BiH nationals.**

From the budget resources of the State, Entities and Brčko District of BiH, and through donor and credit instruments, 11,754 housing units have been reconstructed in the period from 2009 to 2017. In 2017, 902 housing units were reconstructed. Through the OPEC project, 74 housing units have been reconstructed; through the Saudi Fund for Development project – 94 housing units; through the Regional Housing Program - 336 housing units; from the budget of the Ministry of Refugees and Displaced Persons of Republika Srpska – 45 housing units; from the budget of the Federal Ministry of Displaced Persons and Refugees – 304 housing units; and from the budget of the Brčko District of BiH - 49 housing units, the aim of which is to provide housing for the most vulnerable displaced persons and refugees from the region. In 2017, 378 projects were implemented to assist in the rehabilitation of communal and social infrastructure in the areas where displaced persons and returnees live. Between 2009 and 2017, approximately BAM 15.750.000 have been invested in the projects of electrification of housing units of displaced persons and returnees in over 60 municipalities in BiH for approximately 2.300 beneficiaries/housing units. During 2017, the meetings of the executive and legislative authorities (Committee for Return of the Parliament of the FBiH and the National Assembly of Republika Srpska with all competent ministries) were held on the topic of health care for returnees and displaced persons and the closure of collective centers. At meetings of all levels of parliamentary and executive authorities dealing with issues of displaced persons and returnees, a set of conclusions has been adopted regarding the closure of collective centers, the adoption of the Law on Social Housing, the issues of resolving health insurance for returnees and displaced persons who do not have one, the amendments to the Law on Health Insurance, etc. The Council of Ministers of BiH issued a Decision on the establishment of the Coordination Team for Monitoring the Implementation of the Rights from Annex VII DMS with the aim of coordinating

the activities of monitoring the implementation of the rights from Annex VII DMS and the implementation of strategic activities from the Revised Strategy. The Coordination Team held the first constitutive session and reviewed the recommendations of the Revised Strategy for the Implementation of Annex VII of the DPA with a proposal of measures for all areas (health care, social care and pension and disability insurance, work and employment, education and safety of returnees and displaced persons). Members of the Coordination Team have agreed that the first activity should focus on exercising the right to health and social care of refugees from BiH, displaced persons in BiH and returnees. In addition to the Coordination Team, a Consultative Working Group was established for the implementation of the Revised Strategy. Over the past period, the Consultative Working Party has prepared reports on the implementation of the Revised Strategy for the implementation of Annex VII of the DPA, covering all areas of the Revised Strategy and Recommendations for improvement of conditions, and giving an overview of recommendation implementation in the previous period.

#### **Article 68**

**22. In its report, the State party indicated that the State Coordinator for Combating Trafficking in Human Beings and Illegal Immigration had submitted amendments to legislation in order to harmonize certain elements of the criminal offence of human trafficking with international standards. Please provide an update on the progress made to harmonize legislation on trafficking and address the problem of the jurisdictional overlap of the offence of trafficking in human beings, which presents challenges for State and Entities prosecutors.**

**23. In the light of the Committee's previous concluding observations (CMW/C/BIH/CO/2, para. 48), please provide information on the implementation of Strategic Measure B3, which seeks to improve the identification of victims of trafficking and traffickers. Please also provide updated data on the number of trafficking cases decided by judicial bodies, in particular on the number of investigations, prosecutions, convictions, sentences imposed on traffickers and redress provided to trafficking victims since 2012.**

Reference answers to Recommendations number 22 and 23

The ICMPD has assisted in the development of Indicators for identification of victims of trafficking in human beings, which were developed on the basis of research of documentation sources and through a participatory consultative process between experts and domestic parties involved in the fight against trafficking of human beings. The research of documentation sources focused on three main areas: the analysis of judgments upon indictments for trafficking in human beings and related offences, the analysis of several recently discovered cases of trafficking in human beings and the review of expert literature on victim identification. The Indicator draft was approved through a nationwide consultative process held in partnership with the State Coordinator for Combating Trafficking in Human Beings within the Ministry of Security of BiH. Indicators are focused on exploitation patterns that are most frequently repeated and detected in the country, including trafficking in human beings for the purpose of sexual exploitation, forced labor, forced begging and coercion to commit

criminal offences. Hence there are four sets of indicators, one for each form of exploitation. Indicators are available in printed and electronic versions.

**Year 2012** According to data from the High Judicial and Prosecutorial Council of BiH, the Prosecutor's Offices ordered a total of 19 investigations against 42 persons for the criminal offences of trafficking in human beings and criminal offences related to trafficking of human beings in 2012. 9 investigations against 22 persons were dismissed while 15 indictments against 22 persons were filed. The competent courts pronounced 11 judgments of conviction against 13 persons, of which five sentences of imprisonment against 6 persons, 2 fines against 2 persons, and 4 suspended sentences against 5 persons. One verdict of abandonment was pronounced for 3 persons, and two acquittals for 3 persons.

**Year 2013** According to data from the High Judicial and Prosecutorial Council of BiH, a total of 17 criminal charges and 34 perpetrators were brought before the Prosecutor's Offices in BiH for the criminal offences of trafficking in human beings and criminal offences related to trafficking of human beings in 2013. During 2013, the Prosecutor's Offices ordered 14 investigations against 31 persons. In the course of the year, the work on 23 investigations against 50 persons from the previous year continued, so the Prosecutor's Offices conducted a total of 37 investigations against 81 persons in 2013. The Prosecutor's Offices took a decision not to file investigations into 7 cases against 10 persons. During 2013, the Prosecutor's Offices dismissed 7 investigations against 24 persons and filed 12 indictments against 21 persons, of which the courts confirmed 11 indictments against 16 persons. There were no dismissed proceedings. The courts pronounced 10 judgments of conviction against 15 persons, of which five sentences of imprisonment against 7 persons and 5 suspended sentences against 8 persons. During 2013, there were neither pronounced verdicts of abandonment nor acquittals, nor fine sentences. One measure of confiscation of material gain was pronounced.

**Year 2014** According to data from the High Judicial and Prosecutorial Council of BiH, the Prosecutor's Offices in BiH received a total of 23 reports on committed crimes against 32 persons for the criminal offences of trafficking in human beings and criminal offences related to trafficking in human beings in 2014. During 2014, the Prosecutor's Offices ordered 14 investigations against 18 persons. During the reporting period, the Prosecutor's Offices issued a decision to dismiss the investigation into 6 cases against 12 persons and to file 7 indictments against 9 persons. The courts pronounced 12 judgments of conviction against 13 persons, of which 8 sentences of imprisonment against 8 persons and 4 suspended sentences against 5 persons. There was also one acquittal against four persons.

**Year 2015** According to data from the High Judicial and Prosecutorial Council of BiH, the Prosecutor's Offices ordered 20 investigations against 30 persons for the criminal offences of trafficking in human beings and criminal offences related to trafficking in human beings in 2015. During the reporting period, the Prosecutor's Offices issued a decision to dismiss the investigation into 11 cases against 22 persons and to file 9 indictments against 15 persons. The courts pronounced 10 judgments of conviction against 14 persons, of which 7 sentences

of imprisonment against 9 persons and 3 suspended sentences against 4 persons. There was also one acquittal against 2 persons.

**Year 2016** According to data from the High Judicial and Prosecutorial Council of BiH, the Prosecutor's Offices in BiH received 27 charges/reports against 48 persons for the criminal offences of trafficking in human beings and criminal offences related to trafficking in human beings in 2016. The Prosecutor's Offices ordered 7 investigations against 33 persons. During the reporting period, the Prosecutor's Offices issued a decision to dismiss the investigation into 2 cases against 3 persons and to file 5 indictments against 25 persons. The courts pronounced 4 judgments of conviction against 10 persons, of which 4 sentences of imprisonment against 7 persons and 1 suspended sentence against 3 persons. There was also one acquittal against 1 person.

**Year 2017** As regards criminal prosecution of trafficking in human beings and related criminal offences, according to data from the High Judicial and Prosecutorial Council of BiH, the Prosecutor's Offices ordered 27 investigations against 38 persons for the criminal offences of trafficking in human beings and criminal offences related to trafficking in human beings in 2017. During the reporting period, the Prosecutor's Offices issued a decision to dismiss the investigation into 8 cases against 8 persons and to file 15 indictments against 23 persons. The courts pronounced 17 judgments of conviction against 17 persons, of which 14 sentences of imprisonment against 14 persons and 1 suspended sentence against 1 person, as well as 2 fines against 2 persons. There were also 3 acquittals against 3 person in this reporting period.