

Assessment: Migrant and Refugee Situation in Bosnia and Herzegovina

Overview of the intervention of key actors in the field



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Front page image: Migrants and refugees trying to get food and other supplies, Sarajevo -
Amir Čengić

Acronyms

BiH: Bosnia and Herzegovina

CCBiH: Criminal Code of BiH

EU: European Union

FBiH: Federation of Bosnia and Herzegovina

GBV: Gender Based Violence

ICMPD: International Centre for Migration Policy Development

IOM: International Organization for Migration

ISM: Migration Information System (MIS/ISM)

LEAs: Law Enforcement Agencies

MHRR: BiH Ministry of Human Rights and Refugees

MIRA: Multi-cluster/sector Initial Rapid Assessment

MoS: BiH Ministry of Security

NGO: Non-governmental Organization

OSCE: Organization for Security and Co-operation in Europe

OHCHR: Office of the High Commissioner for Human Rights

PO: Prosecutor's Office

RS: Republika Srpska

SIPA: State Information and Protection Agency

SFA: Service for Foreigners' Affairs

SWC: Social Welfare Centre

THB: Trafficking in Human Beings

UNHCR: United Nations High Commissioner for Refugees (United Nations Refugee Agency)

UNICEF: United Nations Children's Fund

Glossary

Migrant: A migrant is any person who is moving or has moved across an international border or within a state away from her/his habitual place of residence, regardless of (1) the person's legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of stay is¹.

Refugee: Refugees are persons who are outside their country of origin for reasons of feared persecution, conflict, generalized violence, or other circumstances that have seriously disturbed public order and, as a result, require international protection².

Unaccompanied and separated children: Separated children are children who have been separated from both parents, or from their previous legal or customary primary caregiver, but not necessarily from other relatives. These may, therefore, include children accompanied by other adult family members. Unaccompanied children are children who have been separated from both parents and other relatives and are not being cared for by an adult who, by law or custom, is responsible for doing so³.

Irregular migrant: A person who, owing to unauthorized entry, breach of a condition of entry, or the expiry of his or her visa, lacks legal status in a transit or host country. The definition covers *inter alia* those persons who have entered a transit or host country lawfully but have stayed for a longer period than authorised or subsequently taken up unauthorized employment (also called clandestine/undocumented migrant or migrant in an irregular situation). The term "irregular" is preferable to "illegal" because the latter carries a criminal connotation and is seen as denying migrants' humanity⁴.

Asylum-seeker: Asylum-seekers are people seeking protection as refugees, who are waiting for the government to decide on their applications. In Bosnia and Herzegovina, the Asylum Sector within the BiH Ministry of Security is responsible for those seeking international protection, who then have access to primary health care, primary and secondary education, free legal aid and psychosocial assistance⁵.

¹ IOM, *Glossary on Migration, International Migration*, Law Series No. 25, 2011.

² The refugee definition can be found in the 1951 Convention and regional refugee instruments, as well as UNHCR's Statute.

³ UNICEF Child focused rapid assessment – Key findings and recommendations, 2018. p.5. More information can be found in the [Inter-agency Guiding Principles on Unaccompanied and Separated Children](#).

⁴ [Reporting on Migrants and Refugees. Guidelines for Journalists](#). Published by UNHCR and IOM.

⁵ Idem

Smuggling: The procurement, in order to obtain directly or indirectly, a financial or other material benefit from the illegal entry of a person into a State Party of which the person is not a national or a permanent resident⁶.

Trafficking in human beings: The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation⁷.

Mixed Migration Flow: The movement of people of different status and motivations - refugees, asylum seekers, economic migrants, unaccompanied children, environmental migrants, smuggled persons, victims of trafficking and stranded migrants, among others, form a mixed migration flow.

⁶ Protocol against the Smuggling of Migrants by Land, Sea and Air supplementing United Nations Convention against Transnational Organized Crime, Article 3.

⁷ Council of Europe Convention on Action against Trafficking in Human Beings, Article 3.

Executive Summary

Following its assessment, the OSCE Mission to Bosnia and Herzegovina (*hereafter the Mission*) has concluded that relevant stakeholders in BiH are insufficiently co-ordinated and under-prepared to respond to the current situation surrounding migrants and refugees in the country.

BiH Border Police: The BiH Border Police is critical for screening incoming migrants and refugees and for identifying potential trafficking victims. However, no uniform instructions have been provided by the BiH Ministry of Security on the correct procedure for approaching and screening migrants. This may weaken the institution's ability to effectively identify potential victims among the migrant and refugee population.

BiH Service for Foreigners' Affairs: SFA representatives stated that they have not received uniform guidelines for handling migrants and refugees in vulnerable situations, they are inadequately trained to deal with such cases, and they possess an insufficient internal infrastructure to adequately respond within their legal mandate. Sensitization of SFA staff is required on issues such as domestic legislation on human trafficking, including the victims' referral mechanism, as well as gender-based violence in the context of mixed migration flows.

Health Centres/Hospitals: Health care is unevenly provided to migrants and refugees, and depends greatly on the location and the type of assistance needed. Services are funded from varying sources and there is no health care-focused coordination or data gathering system in place. No systematic approach or protocols are in place to prevent or treat infectious/serious diseases.

Social Welfare Centres: Human and financial capacities are clearly insufficient at the local level to deal with migrants and refugees, especially in areas of their high concentration. The lack of clear protocols or standard operating procedures where roles, responsibilities, accountability and actions are defined might have a negative impact on vulnerable persons. Additionally, poor understanding of legislation and procedures is a cause for concern, especially regarding potential cases of gender-based violence or unaccompanied and separated children.

Non-governmental Organizations: NGOs are currently the main providers of direct humanitarian assistance to migrants and refugees throughout the country. This is recognized by stakeholders such as the SFA, police bodies and international organizations, which consistently refer migrants to NGOs. NGOs are engaged countrywide, in reception centres as well as in those locations with the highest number of migrants and refugees.

Local Administrations: Management of the migrant and refugee situation varies substantially from location to location. Generally, a lack of co-ordination with other levels of government, as well as within local administrations themselves, has been identified as the main challenge to ensuring an effective local government response.

Local Law Enforcement: Local police forces have not received the appropriate tools, guidelines and training in order to effectively respond to cases involving migrants and refugees, and particularly cases of potential human trafficking or gender-based violence.

Prosecutors' Offices and Courts: There is a lack of adequate data within these institutions regarding victims or perpetrators of crime among the migrant and refugee population, and improved co-ordination between key law enforcement bodies and prosecutors' offices in BiH is urgently needed.

Informal Volunteer Groups: Though informal groups of volunteers are providing meaningful and quick assistance to migrants and refugees, their presence in the field is limited. They lack significant or sustainable funding. Uncoordinated and unannounced distribution of food and other supplies at the initiative of individuals was observed in the field and has the potential to create tensions within the migrant and refugee populations.

Religious Communities: Religious communities have limited involvement in assisting migrants and refugees. Only a small number of the Islamic Community's local representatives stated that they are actively engaging on this issue.

While specific recommendations are included at the end of each chapter, some general recommendations are as follows:

- Strengthen the capacities of relevant government stakeholders to respond to the migrant and refugee situation, including potential trafficking victims and especially in locations with high concentrations of migrants and refugees;
- Tailor support to migrants and refugees by ensuring there is a sufficient presence of trained and qualified staff including interpreters, cultural mediators and female officials;
- Strengthen data collection and data management (including sex and age disaggregated data) to ensure more effective monitoring of the situation and contribute to the development of evidence-based strategies/contingency plans;
- Establish effective communication channels to ensure that information is properly disseminated at the local, cantonal, entity and state levels;

- Develop and disseminate clear guidelines and standard operating procedures and strengthen referral mechanisms, to allow relevant stakeholders to more effectively address the needs of migrants and refugees in vulnerable situations;
- Organize regular co-ordination meetings with international organizations, embassies and the main active NGOs to discuss the latest developments and funding needs.

Background and Methodology

Since the beginning of 2018, Bosnia and Herzegovina has witnessed a dramatic increase in the number of migrants and refugees entering the country. The influx has challenged the human and financial resources of responsible institutions.

In response, the Mission conducted a Needs Assessment of the migrant and refugee situation in the country during the first half of 2018. This assessment has three purposes:

- To raise awareness of the gaps in governmental and non-governmental actors' response;
- To improve coordination among the various stakeholders in responding to the situation;
- To promote a human rights-based response to the situation and to ensure the most vulnerable are protected.

In carrying out its assessment, the Mission capitalized on its extensive field presence and its mandate to monitor the human rights situation in the country, as well as its wide-ranging partnerships with local counterparts throughout BiH.

Eleven stakeholders responsible for and/or actively involved in working with migrants and refugees were targeted: the Service for Foreigners' Affairs, city and municipal administrations, social welfare centres, NGOs, religious communities, health centres/hospitals, informal volunteer groups, the police, the border police, prosecutors and courts. The assessment of these stakeholders consisted of an inter-disciplinary and cross-sectional survey, which was tailored to the specific mandate of each stakeholder (see Annex I).

The assessment was conducted in locations most relevant to the migrant and refugee influx (see [link](#)⁸ and map on page 12 with more detailed information), with a particular emphasis on locations with the highest concentration of this population, such as Una-Sana Canton, Sarajevo, and relevant border crossings.

Field research was carried out between June and July 2018. Representatives from a total of 182 organizations and institutions (see Annex II) were interviewed and their inputs fed into the *KoBo Toolbox*⁹ data collection system.

The assessment did not include the perspectives of migrants and refugees, as such information is already available in reports published by UNICEF and UNHCR.

⁸ By clicking in the red spots, the name of the interviewed stakeholder will appear.

⁹ <https://www.humanitarianresponse.info/en/applications/kobotoolbox>

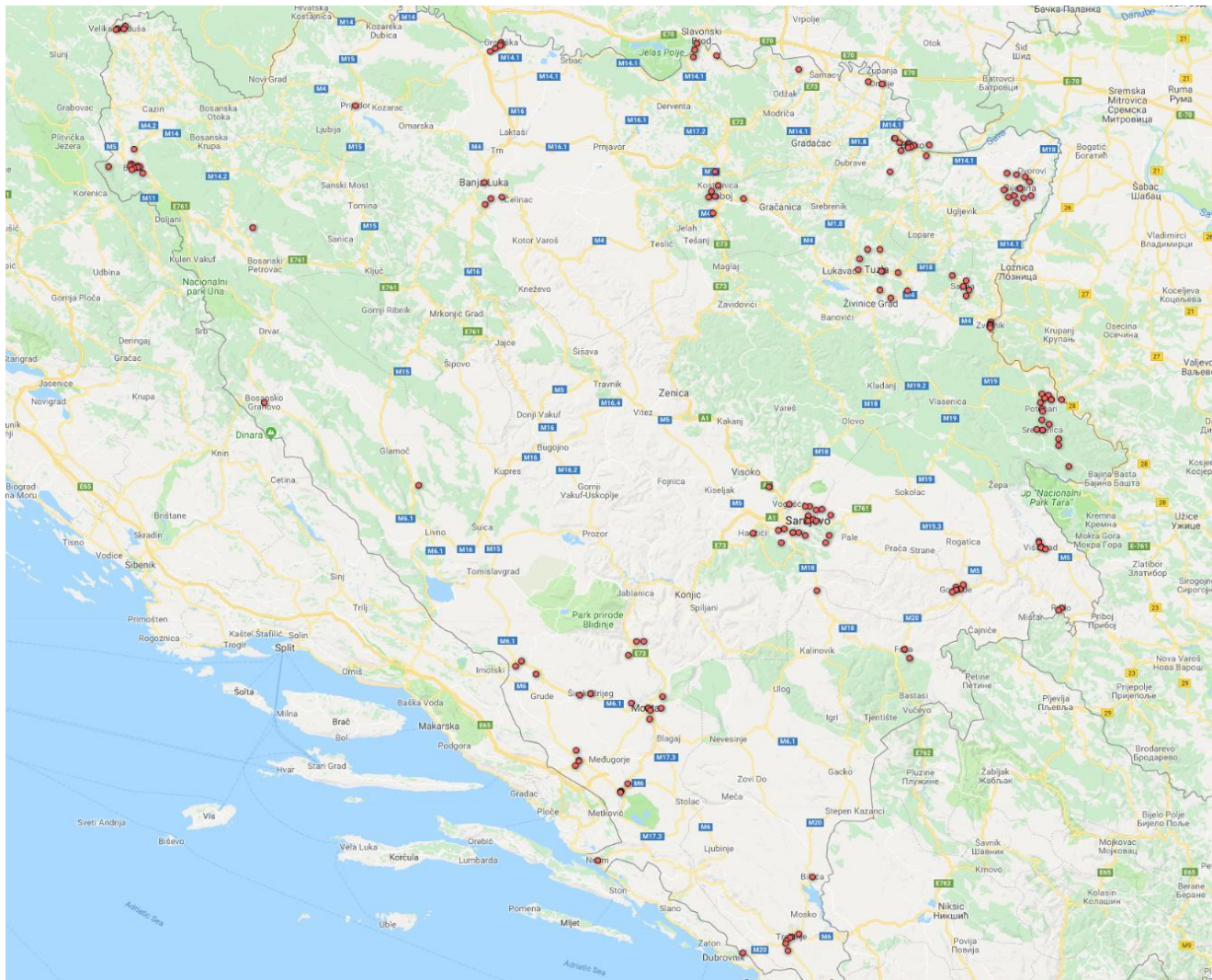
Limitations

Several challenges or limitations to this assessment have been identified:

- Local administrations do not have a unified approach in selecting which of their offices will take the lead in dealing with this topic. As such it was difficult to obtain comparable data;
- Some of the institutions, such as health care centres, do not keep records of assistance provided to migrants and refugees in a systematic manner, and they generally have no instructions on how to treat them. As such, the real number of cases dealt with by health centres might be higher than the one presented in this report;
- In some cases, it was difficult to obtain information from SFA field offices. Even though the Mission sent a letter to inform all stakeholders about this assessment, including the SFA, the authorisation from the SFA in Sarajevo was delayed and, in some locations, the interviews did not take place by the time this report was drafted;
- At least two important actors were omitted from this assessment: international organizations present in BiH and the Institution of Human Rights Ombudsmen of Bosnia and Herzegovina.

Acknowledgements

There are a number of actors which greatly contributed to the development of this report. In particular, the Mission would like to acknowledge the invaluable support of UNHCR and UNICEF. The Mission is also grateful to photographer Amir Čengić and social researcher Esad Bratović, who developed the network analysis of stakeholders.

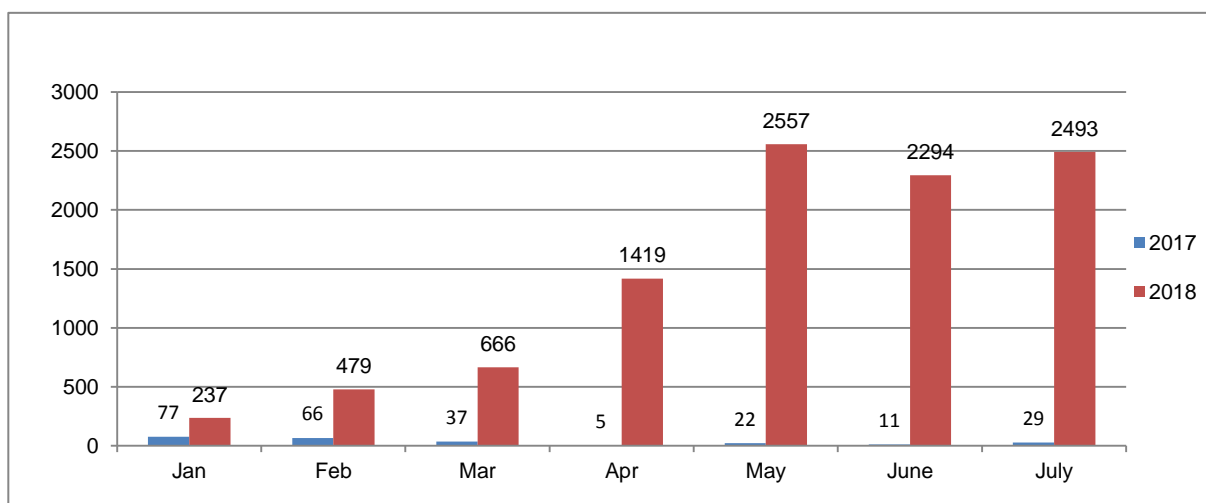


Map 1 - Map of BiH with the stakeholders that were interviewed

Overview of the migrant and refugee situation in BiH

During the first half of 2018, BiH witnessed a dramatic increase in the number of migrants and refugees entering its territory: from 237 recorded in January to 2,557 in May and 2,493 in July¹⁰ (see Graph 1). The total number of recorded arrivals between 1 January and 31 July 2018 was 10,145 (compared to a total of 218 during the whole of 2017), among which 175 were unaccompanied and separated children.

Migrants and refugees entering BiH in an irregular manner have used two main routes, mainly arriving overland from Serbia and Montenegro. The majority of migrants and refugees coming from Serbia remained in that country after the closure of the Hungarian state borders



Graph 1 - Number of detected migrants and refugees entering BiH per month 2017/18

in 2015. The other main route starts in Greece and runs through Albania and Montenegro into BiH. During the first months of 2018, migrants and refugees moved quickly from border areas toward Sarajevo, receiving attestation from local Service for Foreigners' Affairs Offices on the way. However, during the month of July, when the assessment was conducted, a new trend was observed with migrants and refugees increasingly avoiding Sarajevo and heading directly to Una-Sana Canton¹¹.

Accommodating migrants and refugees remains a major challenge. BiH has only a limited number of reception or transit centre facilities¹², with none located at border entry and exit points, though plans are ongoing to open additional premises. In general terms,

¹⁰ Inter-agency operational update- Refugee and migrant situation in BiH- issued by UNHCR.

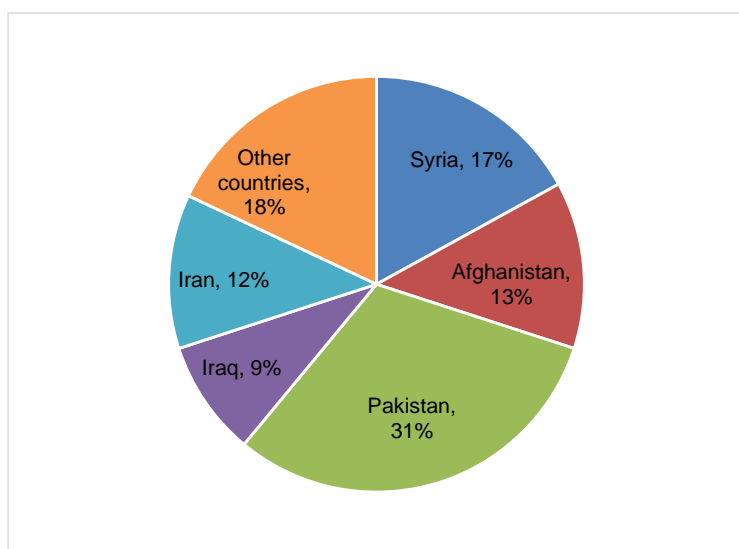
¹¹ The trend is reflected by the decreasing number of migrants and refugees visiting the UNHCR Information Centre in Sarajevo.

¹² In Canton Sarajevo asylum seekers have been accommodated in the state-managed Asylum Centre in Delijaš, in Trnovo Municipality. Apart from that, a group of volunteers has enabled the accommodation of mostly families with children in a private house in Ilidža. Both UNHCR and IOM also provided temporary accommodation in Sarajevo until May. Since May 2018, the premises of the Salakovac Refugee and Readmission Centre have accommodated migrants and refugees. In Tuzla Canton the NGO Emmaus accommodates vulnerable families and unaccompanied asylum seekers based on an agreement signed with UNHCR and the MoS. A new Centre for migrants and refugees will soon be opened in Hadžići.

accommodation for migrants, refugees and asylum-seekers varies from location to location, and includes many ad hoc and informal solutions.

While a total of 8,857 individuals stated that they intended to seek asylum, only 709 applications were submitted. According to the MIRA Assessment published in May,¹³ only 30% of those who were issued attestation managed to then lodge asylum claims.

According to the BiH Border Police, the country of origin of most migrants and refugees is generally self-declared since most lack personal identification documents. However, data from IOM reflects that¹⁴ the main countries of origin are: Pakistan (31%); Syria (17%); Afghanistan (13%); Iran (12%); and Iraq (9%) (see Graph 2).



Graph 2 - Migrants and refugees countries of origin

The majority of migrants and refugees are located in informal settlements in Bihac and Velika Kladuša, intending to continue into Croatia. As the number of persons in these settlements is increasing, living and sanitary conditions are deteriorating. For example, it is estimated that at the end of July there were over 4,400 migrants and refugees in Una-Sana Canton living without formal accommodation, basic hygiene or access to official asylum procedures. In an effort to address this at the end of July, authorities in Una-Sana Canton arranged for 110 vulnerable migrants and refugees to stay in a local hotel.

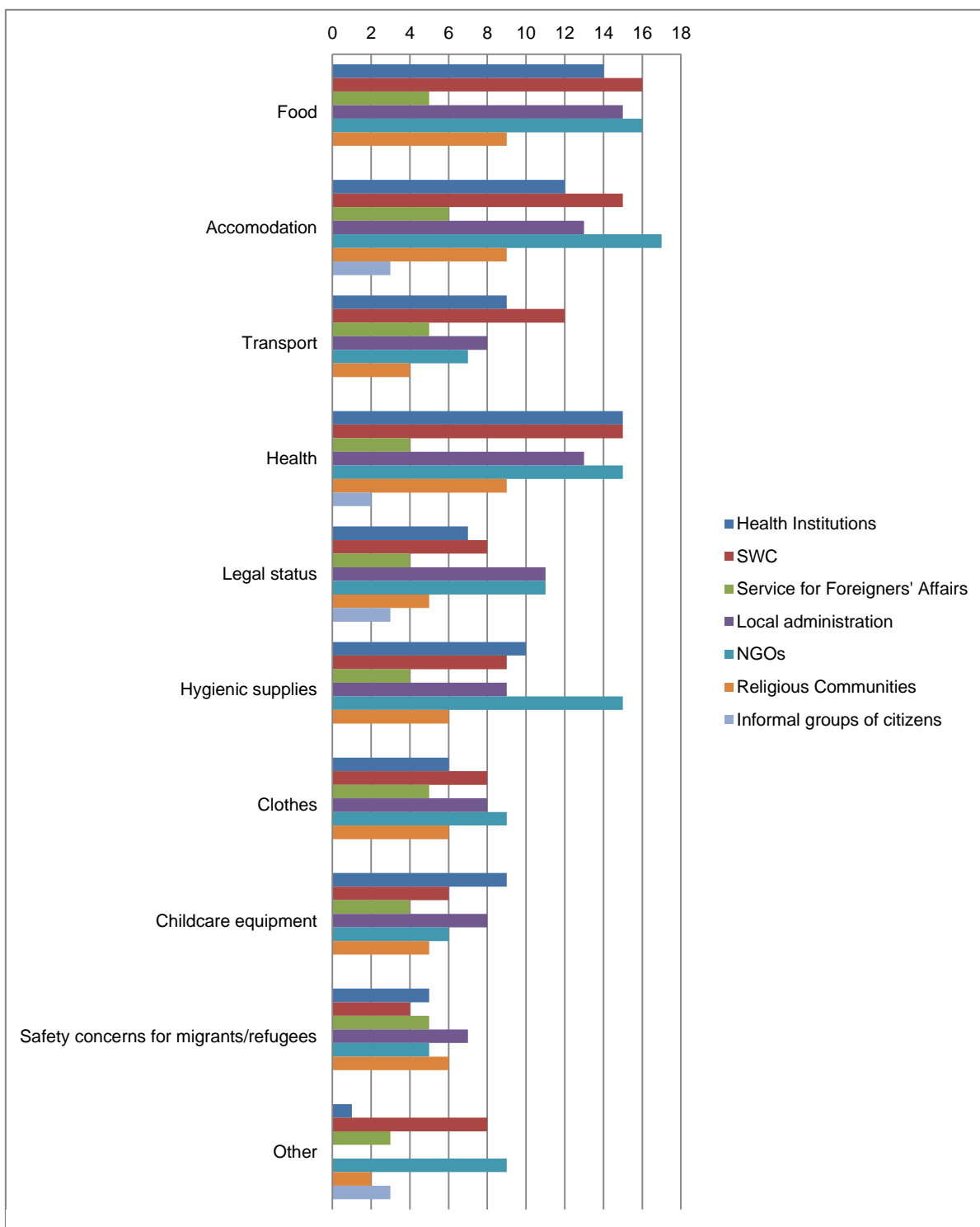
The majority of stakeholders interviewed by the Mission identified food, accommodation and health care (particularly secondary and tertiary care), followed by

¹³Refugee and Migrant Situation in BiH, Multi-Cluster/Sector Initial Rapid Assessment, p. 22. http://ba.one.un.org/content/unct/bosnia_and_herzegovina/en/home/publications/the-multi-cluster--sector-initial-rapid-assessment--mira.html

¹⁴ Mixed migration flows in the Mediterranean – Compilation of Available data and Information – June 2018, p. 42. http://migration.iom.int/docs/Flows_Compilation_Report_June_2018.pdf

hygienic supplies and legal status, as the greatest needs for migrants and refugees in BiH (see Graph 3).¹⁵

¹⁵ Under the response “Other” interviewees added issues such as guardianship for separated and unaccompanied children, water and sanitation, integration and education for those adults and children that will stay longer in BiH, access to information and communication, strengthening security at the border, and professional translators and psychological support, especially for women and children.

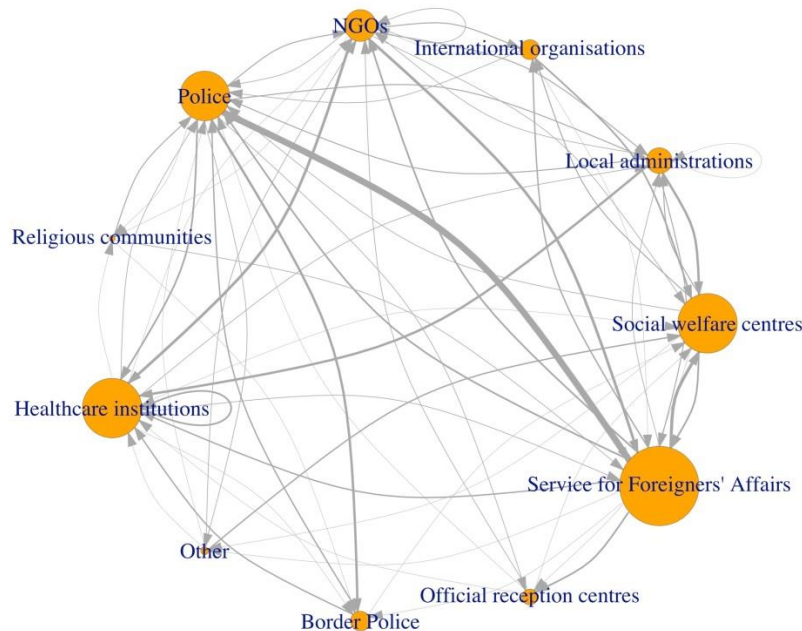


Graph 3 - Frequency of respective needs among migrants and refugees in BiH, as identified by single stakeholders

Network Analysis

This network analysis analyses how different stakeholders interconnect in providing services and assistance to migrants/refugees in BiH.¹⁶ The network analysis focuses on 127 out of 182 institutions/organizations interviewed by the Mission, and specifically those which are referring cases and co-operating with other key stakeholders. Their responses relate to the following specific issues:

- Which institutions/organizations they refer migrant and refugee cases to;
- Which institutions/organizations are referring migrant and refugee cases to them;
- Which institutions/organizations they co-operate with most frequently when providing assistance to migrants and refugees.



Graph 4 - Referral processes

Answers to the first two of these questions are depicted in the graph above (Graph 4), portraying referral process trends for migrant and refugee cases. The various types of institutions and organizations (stakeholders) are represented as circles. The size of the circle corresponds accordingly to the number of individual institutions that refer their cases to them.

The arrows connecting the circles represent the rates at which institutions have referred cases to other institutions. A thicker arrow means that more individual institutions of that type are referring migrant cases to the designated institution.

¹⁶ A network analysis is the mapping and measuring of relationships and flows between people, groups, and organizations. It sheds light on relationships between actors, rather than attributes of actors, and gives a sense of the interdependence between them.

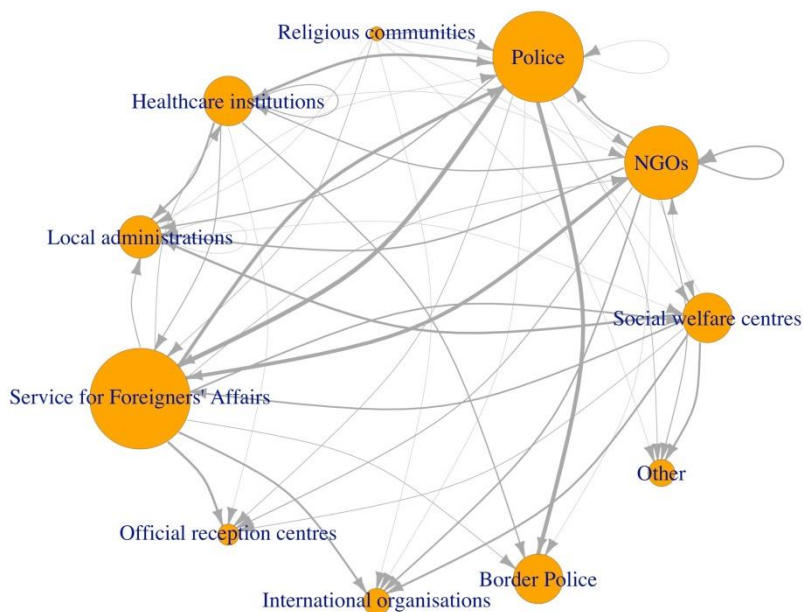
Results

The graph demonstrates that the BiH Service for Foreigners' Affairs, social welfare centres and healthcare institutions are receiving cases from the largest number of individual institutions and organizations included in this research. The police and other law enforcement institutions most often refer migrant and refugee cases to the BiH Service for Foreigners' Affairs, as indicated by the thicker arrow.

Though a relatively small number of individual institutions are referring migrant and refugee cases to NGOs, referrals to NGOs still represent an important part of the process since it was observed that multiple different institutions are engaging in this practise. A substantial number of NGOs have referred cases to healthcare institutions, which reflects their concerns regarding this group as well as their frontline/humanitarian role in dealing with this issue.

The BiH Service for Foreigners' Affairs and the police score highly on the *betweenness* measurement of centrality within the network, suggesting their role as intermediary institutions, tying together otherwise disconnected stakeholders. The SFA and police therefore frequently exist as 'stop-overs' for case referrals between other institutions within the network.

The second graph below (Graph 5) shows results to the following question: which institutions and organizations are you co-operating with when working on refugee and migrant issues? In this graph those types of institutions and organizations represented by larger circles have the highest number of connections to or from other institutions and organizations. A bigger circle indicates a higher level of co-operation between that respective institution or organization and its counterparts. A thicker arrow means that more individual institutions of that type were stating that they co-operate with the other institution in dealing with the migrants and refugees.



Graph 5 – Co-operation between stakeholders

Results

The graph demonstrates that the police (and other law enforcement agencies), the SFA and NGOs co-operate the most with other institutions and organizations on this issue. The network analysis suggests that these organizations represent the main connecting nodes between stakeholders, and are the main hubs in this process. Police representatives have, in addition to the SFA, identified the Border Police as their closest partner, as indicated by the thick arrow in the graph. This suggests that the Border Police plays an even more important role within the institutional network than is indicated by that organization's circle size. Though local administrations may appear to be less co-operative with other stakeholders, they are actually the second most indicated partner, behind the BiH Service for Foreigners' Affairs. This analysis also reflects how religious communities are not as important as other stakeholders in dealing with migrant and refugee issues. Not a single respondent named religious communities as a stakeholder they co-operate with in this process.

Limitations

One limitation of this analysis is that representatives of international institutions, the Border Police and official reception centres were not asked about their referral and co-operation processes. This means that their importance in working with migrants and refugees, relative to other stakeholders, is very likely to have been underrepresented.

Response and needs of key actors

BiH Border Police

Overview

The BiH Border Police is an operationally independent body within the BiH Ministry of Security, tasked with the surveillance and control of the country's international borders. It occupies a key position in the screening of incoming migrants and refugees as well as in the identification of potential human trafficking victims.

The Mission's interviews with BiH Border Police officials revealed that very few cases of human trafficking, smuggling and/or gender-based violence among the incoming migrant and refugee population were registered in the first half of 2018. Moreover, the BiH Border Police appears to lack appropriate human resources such as interpreters and cultural mediators. The divergent responses regarding proper procedure and legal protocols suggested a lack of clear operational instructions from the BiH Ministry of Security, particularly with regard to approaching and interviewing migrants and more specifically, potential trafficking victims.

Assessment

The Mission conducted seven interviews with representatives of the BiH Border Police. Between 1 January and 9 July 2018, the BiH Border Police discovered 2,596 migrants and/or refugees within their area of jurisdiction¹⁷ who had entered the country irregularly. The Border Police also turned away an additional 5,738 individuals who had attempted to enter the country.

In spite of the large number of migrants and/or refugees detected by the institution, 27 smuggling cases and no human trafficking cases were identified during the first half of 2018.¹⁸ This is striking considering that, in light of the difficult terrain surrounding BiH's borders with Serbia and Montenegro, migrants may be tempted to rely on the help of smugglers or organized criminal groups to enter BiH from these bordering countries.

The assessment revealed that the lack of uniform instructions from the BiH Ministry of Security on how to approach, screen and interview migrants entering the country is a major challenge to the effectiveness of their work. Border Police officers also demonstrated divergent practices in registering and collecting data on migrants and refugees.

¹⁷ The Border Police patrol a stretch of territory from the border to 10 kilometers into BiH.

¹⁸ According to information obtained during the assessment, the Border Police reported 27 cases of smuggling of migrants/refugees during conducted operations including two operations named *Taurus* and *Ox*. In these two operations more than thirty persons were identified from two organized criminal groups participating in illegal activities aimed at smuggling migrants from BiH to Croatia.

The appointment process of legal guardians for unaccompanied and separated children among the migrant population emerged as a poorly understood issue. While applicable provisions make the appointment of a legal guardian the responsibility of social welfare centres, Border Police officials indicated poor understanding of this procedure. Additionally, language barriers were identified as a major challenge in assessing the age of an individual. A lack of human resources, including linguistic and cultural mediators and female officers, was also named as a major challenge.

Knowledge of applicable laws and regulations pertaining to trafficking victims were generally well known by Border Police officials. Most were also aware of various protocols and guidelines for handling cases of gender-based violence, though all stated that migrants were not provided with any written materials on the risks of gender-based violence. Many Border Police officials named other counterparts, such as local hospitals, whom they would contact in cases of identifying an unaccompanied child migrant.

Recommendations for BiH MoS

- Issue clear and concise operational instructions on conducting initial interviews with migrants/refugees and develop appropriate trainings for officers on responding to mixed migration flows;
- Develop uniform guidelines for Border Police officers on interviewing suspected trafficking victims;
- Hire additional Border Police officers, including female officers, equipped and trained to handle vulnerable migrants and refugees, for example women, youth, and potential victims of trafficking;
- Take steps to co-ordinate the work of the Border Police with that of other law enforcement agencies, including cantonal and entity level ministries of interior, in order to ensure stronger co-operation in tackling potential trafficking and smuggling cases.

Recommendations for BiH Border Police

- Hire or otherwise engage interpreters and cultural mediators to more effectively communicate with migrants and refugees;
- Educate staff on indicators of gender-based violence through the provision of trainings and the development of guidelines and protocols for handling cases. Provide information on the risks of gender-based violence to migrants and refugees;
- Ensure social welfare centres appoint legal guardians as soon as unaccompanied children are identified.

Service for Foreigners' Affairs

Overview

The Service for Foreigners' Affairs (SFA) plays a prominent role in relation to the flow of migrants through BiH. The SFA is the administrative organization within the BiH Ministry of Security responsible for administrative and inspection duties pertaining to aliens and asylum.¹⁹ The SFA is regarded as a "migration control mechanism", ensuring, among other things, eligibility to enter into the asylum system in BiH. Additionally, the SFA plays a crucial role in identifying potential human trafficking victims as well as victims of child abuse or gender-based violence among the migrant population.

The assessment revealed that capacities and resources for addressing the challenges posed by the migrant and refugee influx should be developed, including trainings for SFA officials on the laws and procedures relevant for the handling of potential human trafficking and gender-based violence cases.

Assessment

The OSCE Mission conducted 10 interviews with representatives of the SFA. The interviews revealed that while they have received trainings on topics such as handling potential human trafficking cases, no official guideline or training on how to handle cases in mixed migration flows has been provided.

The institution has an insufficient infrastructure to deal with vulnerable migrants. For example, there is no effective system for screening or conducting a victim risk assessment. Furthermore, the vast majority of respondents stated that new arrivals are not provided with any information on the risks of falling victim to human trafficking.

In spite of SFA inspectors' legal obligation to conduct interviews with potential trafficking victims in the same location where they are identified²⁰, in order to accelerate the identification procedure, only half of the SFA officials interviewed confirmed that this was the case.

Furthermore, the interviewees stated that the SFA lacks adequate facilities for effectively handling potential human trafficking cases, especially where child victims are involved. They have also confirmed that SFA officials lack key resources such as cultural mediators, for interacting with migrants.²¹

¹⁹ Law on Service for Foreigners' Affairs, Art. 2. Official Gazette of BiH no. 54/05, 36/08. Within the boundaries of its jurisdiction, the SFA enjoys an operational independence and is financed by the state budget. The SFA has 16 field offices.

²⁰ The Rulebook on Protection of Foreign Victims of Trafficking, Art. 9. Official Gazette of BiH no. 79/16.

²¹ This is not in line with the recommendations from relevant international organizations. For example, the OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings (SR/CTHB) in her recent report identified that "[t]he presence of cultural mediators and interpreters should be a pre-requisite for the procedure (of identification of migrants) to be effective.", see OSCE Special Representative and Coordinator for Combating Trafficking in Human Beings, From Reception to

There are widely divergent views among SFA officials about how to assist migrants who express their intention to apply for asylum in BiH. Currently, migrants are issued an attestation of intent to seek asylum, but are then left to travel long distances unsupervised and unsupported in order to file the asylum application in person. This is a highly problematic procedure which should be revised in order to minimise security risks, minimise the risk of migrants falling prey to human traffickers, and to improve migration control.

Recommendations

In light of this information, the Mission recommends the following to the SFA:

- Organise a refresher course for officials on domestic legal provisions related to human trafficking, including provisions on the national referral mechanism. SFA officials would also benefit from a training on working with mixed migration flows;
- Ensure that officials receive practical training on conducting gender-and culturally-sensitive interviews with migrants and asylum seekers, including potential human trafficking victims;
- Ensure the availability of adequate child-friendly rooms for interviewing potential human trafficking victims, and/or the use of premises which other institutions have at their disposal, for example at social welfare centres, police stations, prosecutors' offices, or courts;
- Utilize the services of cultural mediators in dealing with migrants/refugees;
- Educate staff on indicators of gender-based violence through appropriate trainings and develop corresponding guidelines and protocols for dealing with cases of gender-based violence;
- Hire additional female inspectors, trained to interview female migrants/refugees when the circumstances of a particular case so require.

Recognition: Identifying and Protecting Human Trafficking Victims in Mixed Migration Flows, A Focus on First Identification and Reception Facilities for Refugees and Migrants in the OSCE Region (Vienna, 2017). See also Highlights of the 17th Alliance against Trafficking in Persons Conference, <https://www.osce.org/secretariat/313421?download=true>

Health Care Institutions

Overview

The provision of health care services for migrants and refugees has proven to be uneven across the country and across health care institutions.

The number of migrants and refugees that have been treated by BiH health care institutions is likely much higher than official estimates, and funding for health care services as well as the types of services provided have been largely improvised, without official direction or instruction from any higher BiH authority. Only individuals who have filed a request for asylum have the right to access primary health care in BiH.

Assessment

The Mission conducted 18 interviews with employees from a variety of health care institutions, including public health care centres, emergency rooms, hospitals, and the Canton Sarajevo Public Health Institute, with most of these institutions (11) confirming that they have assisted migrants and refugees.

The Mission's findings show a lack of a clear plan or protocol to ensure access to healthcare for migrants and refugees. Due to the ad hoc approach by BiH health care institutions across the country toward migrant and refugee cases, it is difficult to know precisely how many migrants or refugees have received health care services or to assess the quality of this care. During the interviews, a total of 1,292 cases were reported from January 2018 through the beginning of July 2018. However, most health care centres do not keep disaggregated data on the services and assistance provided specifically to migrants and refugees.²² A notable exception is the Canton Sarajevo Emergency Medical Assistance Service, which was able to provide the Mission with clear and disaggregated data on its treatment of migrants and refugees, as they had immediately reacted to the migrant and refugee situation through the creation of an internal information system.

Health care is better regulated for individuals who have filed a request for asylum (8% of the total number of migrants and refugees by July), and who have residence in reception centres. However, while primary health care is provided for asylum applicants in Trnovo and Salakovac²³, where agreements have been established with the health care centres and relevant Ministries, secondary and tertiary health protection is not covered.

²² Some of them use their regular records (protocol registers), while others provide support upon the request of the police or SWC. Some of the respondents admitted that they do not wish to register migrants in their protocol because they would not be able to claim the costs afterwards.

²³ In Salakovac assistance is provided based on an agreement the Health Care Centre Mostar Stari Grad signed with the BiH Ministry of Security, according to which primary health care is provided by the Centre to migrants. Based on the signed

The costs of health services provided to migrants and refugees were covered in different ways, but a majority of health care centres reported covering these costs from their own budgets. Some institutions treated migrants and refugees as BiH nationals with health insurance. The Trebinje Health Care Centre admitted doing so, for example, due to uncertainty about how to otherwise categorize migrant and refugee cases. Other health care institutions reported having received funding from UN agencies, civil society, private volunteers, the BiH Border Police, or local city budget funds allotted for emergencies in order to cover migrant and refugee health care costs²⁴. Detailed statistical details were, however, largely unavailable. Large medical costs are incurred when migrants and refugees use secondary and tertiary health treatments, which BiH administrations are not paying for. Usually it is UN agencies, civil society or volunteers who cover these costs²⁵.

A notable best practice in Trebinje is an agreement between the Health Centre and the BiH Ministry of Security to put an ER doctor on duty for the provision of medical assistance to migrants and refugees, whom the Service of Foreigners' Affairs and Border Police can call when needed. This service is financially supported by IOM.

Additionally, in June 2018, Una-Sana Canton signed a Memorandum of Understanding with *Medecins Sans Frontieres*, with mobile teams from that organization working three times a week in key locations around the Canton.

Health care institutions have provided very different kinds of primary, secondary and tertiary care. Most have provided paediatric care²⁶ and assistance with injuries. Other types of care provided include pregnancy and birth related assistance, assistance with skin conditions, and the distribution of medicines. Some have given assistance related to violence (including gender-based violence), mental health, vaccinations, and surgery. Besides the above, the health centres in Bihać and Velika Kladuša provided additional WASH services²⁷, such as disinfection and extermination of rats. The Cantonal Hospital in Bihać has had challenges with regard to burying deceased migrants and refugees²⁸.

agreement, Health Care Centre doctors visit Salakovac twice a week which, according to the personnel in Salakovac, is not enough and should be introduced every day.

²⁴ For example, Interviewees also mentioned that in Bihać and Sarajevo, IOM covered the costs for patients they assisted. In Bijeljina they used the city's budget funds envisaged for emergency aid for the uninsured. In Velika Kladuša the Islamic Community has provided 5,000 BAM for medicines and medical supplies. In Višegrad the Border Police covered the costs of health services for persons they brought to the health centre. However, in the absence of funds, the Border Police has recently been instructing migrants and refugees to contact the Health Care Centre on their own, and this caused a reduction in the number of patients.

²⁵ In the case of Salakovac, the OSCE Mission was informed that these costs are covered on an ad hoc basis by UNHCR.

²⁶ Note: in some cases such as Mostar, the OSCE Mission was only able to obtain data on paediatric and gynaecologic services, since they were the only ones that were kept in a separate register. This might be the case in other locations as well.

²⁷ WASH is the collective term for Water, Sanitation and Hygiene.

²⁸ Through July 2018, they have had three cases of deceased persons and one autopsy to perform. Assistance was also provided due to exhaustion and malnutrition in the Health Centre of Bijeljina.

Cases of violence against men, women and children were reported by the health institutions in Una-Sana Canton²⁹ as well as the Canton Sarajevo Emergency Room. The Hospital in Bihać treated several violent injuries among migrants who stated having been attacked by Croatian border police, including a miscarriage due to being hit in the stomach, and a broken jaw. Both health centres in Una-Sana Canton³⁰ have also had cases of inter-migrant violence. All cases involving violence were reported to the police.

Regarding the referral mechanism for health care institutions, only a few respondents stated that they have referred cases to other institutions such as the Service for Foreigners' Affairs. Health centres have been referred cases mainly from the Border Police and from the Police, as well as from the Service for Foreigners' Affairs, IOM, the Refugee Centre and local NGOs. Hospitals mainly received cases from local health centres. The public health institutions have mostly collaborated with the Police, Border Police, health centres/hospitals and the SFA.

Recommendations:

Based on its assessment, the Mission recommends the following, particularly for consideration by the Entity and Cantonal ministries of health and the health insurance funds:

- Design uniform protocols on how to provide health care to migrants and refugees which would ensure access to health care for all migrants and refugees in need, possibly under the same rates offered to other people in vulnerable situations from BiH;
- Put in place a proper registration system to keep track of services provided to migrants and refugees as well as an overview of the health problems they face, particularly health problems resulting from violent incidents;
- Ensure that preventive measures are in place with a strong focus on immunization, ensuring access to adequate shelter and WASH³¹ facilities, as they are the first preventive treatment measure for most health issues amongst migrants/refugees³²;
- Ensure mobile teams are deployed, including mental and reproductive health professionals, in the main migrant and refugee settlements to monitor the potential spread of vector-borne diseases, to conduct initial examinations and to refer persons in need for additional medical services³³;

²⁹ Health Centre Bihać, Health Centre in Velika Kladuša and Cantonal Hospital

³⁰ Bihać and Velika Kladuša.

³¹ Water, Sanitation and Hygiene, <https://www.humanitarianresponse.info/en/topics/environment/page/wash>

³² Recommendation drafted by the International Health Donor Coordination Group

³³ Idem.

- Ensure a gender sensitive approach in all mobile team operations and among all deployed personnel³⁴.

³⁴ Idem.

Social Welfare Centres

Overview

Social welfare centres play a crucial role in the official assistance scheme for migrants, refugees, asylum-seekers and unaccompanied or separated children, as they are mandated to provide family-legal protection, child protection, social protection, and family protection against violence and juvenile delinquency, as defined by the relevant laws on social protection.

The lack of clear protocols or standard operating procedures for assisting vulnerable migrants and refugees results in SWCs being unable to offer this population effective assistance. The human and financial resources of SWCs in BiH were insufficient before the influx of migrants and refugees, and are especially insufficient for handling this additional population group. SWCs' staff lack capacity and understanding of relevant legislation and procedures, particularly in cases of missing, unaccompanied and separated children or domestic violence.

Assessment

The Mission interviewed employees of 24 SWCs, half of which reported having assisted migrants and refugees. From January through the beginning of July 2018, those SWCs assisted a total of 13 men, four girls and 68 boys³⁵. None reported providing assistance to a woman. Notably, SWCs in both Velika Kladuša and Bihać reported having assisted migrants and refugees on only one occasion. This is alarming given that these cities represent two of the country's most critical locations for assisting migrants and refugees.

SWCs have received neither funding nor instructions on how to handle migrant and refugee cases. No action plan for addressing migrant and refugee cases exists among SWCs at the local level, despite the fact that most SWC employees interviewed believe that their work would benefit from such an action plan. Some SWCs chose not to receive migrants and refugees, while others have coordinated with the local Red Cross to assist migrants and refugees in obtaining basic food and hygienic supplies.

Notably, most SWCs interviewed lacked capacity for identifying and addressing signs of violence, abuse, trafficking and exploitation. For example, most SWCs did not exhibit adequate awareness of the mechanisms in place for assisting vulnerable groups, such as unaccompanied children, pregnant women or the disabled. Moreover, none of the

³⁵ The SWC with the highest number of reported cases of assistance was the one in Bijeljina (17 boys and three girls) followed by Stari Grad-Sarajevo (16 boys). Those with the lowest number were the SWCs of Velika Kladuša (one boy) and Bihać (one boy)

interviewees were aware of cases of trafficking of migrants and refugees in their municipality or jurisdiction. Only one SWC³⁶ identified a case of domestic violence.

Those SWCs which have worked with migrants and refugees have provided the following types of assistance: guardianship³⁷, food, transportation, clothes and accommodation.

Nine SWCs that participated in this assessment have been contacted to initiate the guardianship procedure for unaccompanied and separated children and all of them stated that they had had some kind of direct contact or communication with a child during this process. The support they provided was diverse: escorting the child, being present during the hearing, helping to provide accommodation, and providing representation for all formal legal actions. Professionals interviewed were asked about the legal implications and procedures in case a minor under guardianship of the SWC goes missing or leaves the refugee centre, and from the diverse range of answers received it can be concluded that there are no clear procedures or protocols in place.

Regarding referral mechanisms, just half of those interviewed have referred cases to other institutions such as the SFA, NGOs³⁸, or the Salakovac Refugee and Readmission Centre. Most cases referred to SWCs came from NGOs, the BiH Ministry of Security and the SFA.

Recommendations

Based on its assessment, the Mission recommends the following:

- The entity and cantonal ministries in charge of social protection should establish a mechanism for coordination to agree on:
 - Budgetary needs and availability, in order to strengthen SWCs through temporary financial and human resources, especially in areas with high migrant populations. This would include 24-hour on-call staff able to provide institutional and professional support to vulnerable persons within the migrant and refugee population, such as families with children or unaccompanied and separated children;
 - Clear referral mechanisms and protocols for the provision of protection for vulnerable migrants, in turn properly communicated to SWC staff. This should

³⁶ In the SWC in Ilidža, a social worker stated that “other relevant institutions did not apply the Law on Protection against Domestic Violence as no protection can be granted to anyone who has no residence permit nor is a citizen of BiH”. This argument is invalid, because the Law is applicable also to foreigners who reside in the country or are on its territory.

³⁷ According to the Law, unaccompanied minors are required to have legal guardians who can make decisions in their best interest.

³⁸ The NGOs that were most often mentioned by SWCs were Vaša Prava (specialising in legal assistance) and the BH Women’s Initiative (specialising in psychosocial assistance).

- include protocols and standard operating procedures for cases of unaccompanied and separated children, and in particular for the appointment of guardians;
- Capacity building to increase the number of skilled workers able to address the needs of the migrant and refugee population and identify and address signs of violence, abuse, trafficking and exploitation;
 - Once an unaccompanied and separated child is identified, a guardian³⁹ should be immediately appointed to represent the child's interests in various initial procedures and act as a link between the child and service providers to ensure required care. There should be no difference in the mandate of a guardian based on whether the child is a national or a foreigner⁴⁰.
- Additionally, the coordination and exchange of information between SWCs and the Service for Foreigners' Affairs should be strengthened when addressing the needs of vulnerable categories of migrants, such as potential trafficking victims.

³⁹ Individuals appointed as guardians must have relevant child protection experience, knowledge of child rights/human rights and an understanding of the specific needs of child victims, including gender specific ones. Guardians shall be given specialized training, professional support and appropriate assistance in the performance of their responsibilities.

⁴⁰ UNICEF (Aug, 2016), Advocacy Brief. Refugee and Migrant Crisis in Europe. A call for effective guardianship for unaccompanied and separated children.

Non-Governmental Organizations

Overview

International and local NGOs have been the main providers of direct humanitarian assistance to migrants and refugees throughout Bosnia and Herzegovina. During its assessment, the Mission found that the importance and impact of NGOs present in BiH is also widely recognized by the SFA, police agencies and other international organizations, all of which reported having referred migrants and refugees to NGOs for assistance.

NGOs are engaged countrywide, both in reception centres in major cities and in areas like Una-Sana Canton, where the highest numbers of migrants are currently located. However, NGOs in the country also face significant challenges to their efficacy related to a lack of funding (and in particular, a lack of long-term funding plans) as well as poor coordination with other organizations, whether governmental, non-governmental, national or international.

Assessment

The Mission interviewed 32 NGOs, of which only 18 were directly working with migrant and refugee populations. Only eight NGOs had registered the total number of *persons* they assisted from January to the end of June 2018, disaggregated by sex and age and totalling 5,310⁴¹. The other ten NGOs registered a total of 15,637 *instances* of assistance, meaning that the same person might have received assistance several times or from different NGOs.

The NGOs found to be providing the greatest amount of assistance to migrants and refugees in BiH are pomozi.ba, IFS Emmaus and the BiH Red Cross, particularly the Red Cross office in Bihać. NGOs are also providing assistance in reception centres and in areas highly populated by migrants and refugees. Examples include the Red Cross in Mostar, which is providing support to the Salakovac Refugee and Readmission Centre, and the Red Cross in Bihać, which is coordinating assistance for migrants living in a ruined building in that city.

Generally, NGOs provide migrants and refugees with humanitarian assistance in the form of food, clothes, childcare equipment and hygienic products, including female hygienic products. Some are also providing legal support, psychological support, medicine or simple healthcare, transport and accommodation.

NGOs expressed a need for long-term funding as well as increased coordination with other organizations and individuals working with migrants and refugees in BiH. They receive funding from a variety of sources, ranging from government institutions to citizen donations to

⁴¹ 16% were women, 62% were men and 22% children

international organizations. Additionally, organizations such as the Red Cross, Caritas, Merhamet or Catholic Relief Services use their own core funding. Just half of NGOs assisting migrants and refugees have an action plan in place, while others reported the intention or need to create such a plan.

NGO employees expressed an impression that city, cantonal, entity and state-level authorities were reluctant to actively co-operate on migrant and refugee issues or to become actively involved; negative media coverage of the situation as well as language barriers were also oft-mentioned challenges to their work.

NGOs reported a significant number of staff working on migrant and refugee issues. IFS Emmaus, Vaša Prava and the BiH Red Cross all have over 25 dedicated professionals working with migrants and refugees. Pomozi.ba and the Red Cross office in Bihać reported 50 and 40 volunteer staff, respectively.

Out of the interviewed NGOs dealing directly with migrants and refugees, the majority (13) stated that they refer cases to other institutions/organizations⁴². When asked whether other institutions or organizations refer cases to them, a majority of NGOs (11) replied affirmatively, with most cases coming from international organizations, the SFA and the police.

NGOs mainly collaborate with the Service for Foreigners' Affairs, international organizations, local administrations and the police.

Recommendations

While NGOs provide a crucial response role, especially in establishing access to basic social services, it is important that government institutions are both strengthened and held accountable for their relevant responsibilities, and that no parallel social welfare system is created.

Thus, based on its interviews with NGOs currently operating in BiH, the Mission recommends the following:

- At the local level, NGOs should actively participate in regular coordination meetings in order to ensure proper distribution of assistance and to avoid effort duplication, especially in areas where several NGOs and other actors are actively working with migrants and refugees;

⁴² Eight NGOs refer cases to the SFA and health centres/hospitals. Three of them refer cases to UNHCR or IOM and to NGOs such as Vaša Prava, BH Women's Initiative, IFS Emmaus or Žene sa Une. Only two NGOs have referred cases to the SWC.

- NGOs collaborating with reception centres and local administrations should consider engaging more migrants in their work and activities, for example as cooks, translators or in educational activities for children;
- NGOs should consistently report human rights violations to relevant institutions such as the Ombudsman and the police;

Local Administration

Overview

Based on the Mission's assessment of local administrations' approaches to the migrant and refugee situation, their respective roles and responsibilities appear to be largely self-determined and ad-hoc, varying widely between locations.

The Mission has concluded from these interviews that the main challenges to local management of the migrant influx in BiH are a lack of clear roles of and within local administrations, and a lack of coordination by local administrations with other levels of government in BiH.

Assessment

The Mission interviewed 21 employees of local administrations (mostly municipalities and city administrations), out of which 16 stated that there exists no internal mechanism within their respective administration for monitoring or addressing the migrant and refugee situation at their local administrative level.

The employees or offices in charge of this issue within local administrations vary from location to location, as do their respective roles and responsibilities. One reason for this is the lack of coordination mechanisms between state and local authorities. Such mechanisms could clarify who, at the local level, should be responsible for refugee and migrant related issues⁴³.

As a consequence, most local administrations interviewed are not monitoring or collecting data on the flow of migrants through their respective areas. Only Brod, Srebrenica, Velika Kladuša, Sarajevo-Stari Grad and Bihać municipalities reported to have some kind of mechanism in place for collecting such information⁴⁴.

Additionally, only three interviewed municipalities have action plans for the provision of assistance to migrants and refugees: Bihać municipality provided a location to accommodate migrants and refugees as well as minimal services (food, health care and municipal services); Sapna municipality has an official plan for co-operation with other relevant services

⁴³ The BiH MoS' Strategy and the Action plan in the area of Migration and Asylum 2016-2020 (p.140) foresee engagement at the local level but not from an operational perspective.

⁴⁴ This information is generally obtained through communication with local social welfare centres and security forums, field visits, communicating with local contacts in the community, enquiring with NGOs as well as the police and border police, and finally through media reports.

and counterparts; and Trebinje municipality, in co-operation with the Red Cross, has marked mined areas, warning migrants and refugees of the danger of mines in the municipality.

In nine out of 21 local administrations, a coordination mechanism for case referral does exist to assist migrants and refugees at the local level. These administrations mainly coordinate with the police, the Red Cross and social welfare centres⁴⁵. With the exception of Sarajevo, Bihać and Velika Kladuša, where interagency coordination meetings are organised by UNCHR and IOM, and Sapna, where the Red Cross coordinates the daily exchange of information, most local administrations organise coordination meetings only when they assess a need.

Recommendations

The Mission recommends the following:

- The municipal council/Mayor could nominate a leading office within the municipality, responsible for migrant and refugee issues;
- The municipal council, together with the leading office for migrant and refugee issues, could identify the main actors working on migrant and refugee issues in their locality and create a clear and regular mechanism for coordination and the exchange of information;
- The leading office could design local action plans, based on the state level emergency plan, especially in those municipalities with a large number of migrants and refugees;
- The FBiH Association of Municipalities and Cities should be included in state/entity level migration-related coordination meetings to ensure a coherent and coordinated approach to managing the migrant and refugee situation at the local level.

⁴⁵ Only in Trnovo are migrants referred by the SWC, the police and other local administration units to the municipality. Only Brod municipality co-operates with the Police and SWC on migrants and refugees issues.

Law Enforcement

Overview

The Mission's assessment sought to understand how law enforcement agencies other than the Border Police⁴⁶ identify migrants, as well as their ability to respond to the social and security challenges which the ongoing migrant and refugee situation presents in BiH, particularly in cases of human trafficking and gender-based violence. The assessment also aimed to analyse the extent and effectiveness of law enforcement's co-operation with other relevant institutions.

Overall, the Mission found that BiH law enforcement's ability to co-operate with relevant counterparts when dealing with migrant cases - including potential human trafficking victims and smuggled persons - is hampered by a lack of uniform guidelines, appropriate tools and adequate training among police professionals.

Assessment

The OSCE Mission conducted 14 interviews with law enforcement representatives from all levels of authority in BiH. The law enforcement agencies interviewed offered widely diverging accounts of the kinds of information they provide to migrants and refugees, but most reported referring cases involving migrants and refugees to the Service for Foreigners' Affairs.

Many agreed that they do not have sufficient internal capacities for handling the migrant and refugee situation, particularly with regard to conducting interviews. Most respondents believed they did not employ enough female officers to effectively communicate with female migrants and refugees.

The Mission assessed that law enforcement agencies possess disparate and varying knowledge of the procedures for handling potential smuggling and human trafficking cases. It appears that law enforcement officials are not provided with adequate tools to identify indicators of trafficking among the migrant and refugee population.

Respondents were also inconsistent in their understanding of procedures for interviewing potential human trafficking victims. Most respondents stated that they had not received any official training on recognizing trafficking victims among mixed migration flows over the last two years.

⁴⁶ In Bosnia and Herzegovina 16 law enforcement agencies are entrusted with standard policing tasks such as the maintenance of public peace and order and the prevention and fight against crime. Each entity has its own law enforcement agency under the entity's ministries of interior. In RS, the Police of RS is a law enforcement agency covering the whole territory of this entity. In FBiH, besides the FBiH Mol (under which the Police Directorate operates) each canton has its own law enforcement agency. The Brčko District of BiH has its own law enforcement agency. Operating at the state level are the State Investigation and Protection Agency (SIPA) and Border Police. The Directorate for Coordination of Police Bodies of Bosnia and Herzegovina is entrusted with securing coordination between law enforcement agencies in Bosnia and Herzegovina.

Respondents did not perceive gender-based violence to be a prominent issue among the migrant and refugee population, and most had not received any training on this topic. How the interviewed law enforcement officers would respond to cases of gender-based violence among migrants and refugees also varied widely.

Recommendations

Based on this assessment, the Mission recommends the following:

- The administrations of individual law enforcement agencies should jointly develop and distribute uniform guidelines for dealing with migrants and refugees, and especially for identifying and responding to cases of human trafficking, or gender-based violence;
- Law enforcement agency administrations should design and conduct trainings for law enforcement officers on working with migrants and refugees, especially those in vulnerable situations, with a particular focus on identifying victims of human trafficking and GBV;
- Law enforcement agency administrations should adopt adequate tools for law enforcement officers to identify human trafficking indicators among the migrant and refugee population.

Prosecutors' Offices and Courts

Overview

Mixed migration flows pose particular challenges for the criminal justice system as the once clear-cut distinction between the crime of smuggling and the crime of trafficking in human beings becomes increasingly blurred in a mixed and irregular migration context. This may lead to situations in which human traffickers are charged for smuggling and, consequently, in which human trafficking victims are not provided with the assistance and protection they need. Furthermore, mixed migration flows present other challenges in terms of the criminal justice sector, as the increased number of migrants and refugees might also result in an increase in other types of crimes, with migrants and refugees as either victims or perpetrators.

Against this background, the Mission considered the criminal justice sector's ability to adequately address migration-related crimes. The assessment revealed that there is a lack of adequate data on victims of migration-related crimes and that improved coordination between key migration and criminal justice actors is very much needed. Furthermore, the lenient sentencing policies in place lack a deterrent effect for smugglers and traffickers, as the vast majority of sentences are suspended. Finally, criminal justice actors need to be trained on culturally and gender-sensitive questioning strategies for migrant victims and perpetrators.

Assessment

The Mission conducted interviews with the Court of BiH and the Prosecutor's Office of BiH (PO BiH), which have exclusive jurisdiction over smuggling and international human trafficking-related crimes. In addition, the Mission conducted 14 interviews with other prosecutors' offices and an additional 25 interviews with courts from all jurisdictions in BiH.

Prosecutors' offices had difficulty providing information on cases in which migrants and refugees were victims of crime. While they are not obliged to record this data, and therefore often were not in possession of it, most of them also maintained that such incidents have been very rare in BiH.

Most of them also had not received reports of migrants as perpetrators of crimes – while those that did reported rare cases of property-related crimes and infliction of light bodily injuries.

The PO BiH received 50 criminal reports against 87 persons for smuggling related-crimes during the first half of 2018, of which 17 indictments were filed against 22 persons.

However, this data does not specify whether/how many cases involved migrants and refugees.⁴⁷

Prosecutors at the PO BiH raised a number of concerns during the Mission's assessment. Specifically, they noted that the Prosecutor's Office of BiH does not currently actively participate in the Migration Coordination Body of BiH, which is led by the BiH Ministry of Security. This is problematic because the PO BiH is a key actor in the investigation and prosecution of migration-related crimes and their actions must be coordinated with those of the relevant law enforcement authorities involved in monitoring and addressing criminal activity among the migrant population.

In addition, the Mission observed that the Migration Coordination Body of BiH has not coordinated effectively with the Strike Force for Combating Trafficking in Human Beings and Illegal Migration,⁴⁸ which is necessary for ensuring effective communication and co-operation in the investigation and prosecution of migration-related crimes across BiH. Furthermore, prosecutors' offices in all jurisdictions should be informed consistently and immediately by relevant authorities about possible crimes involving migrants. The prosecution's central and unique role in the administration of justice requires involvement in the investigation of crimes at the earliest possible stage. This is especially important in transnational cases such as smuggling and trafficking in human beings. It is, therefore, necessary to include prosecutors in all co-ordination meetings and bodies aimed at the suppression of these transnational crimes, which is not currently the case.

To be a more constructive partner to other bodies involved in the suppression of migration-related crimes, prosecutors' offices and the Strike Force should demonstrate a more pro-active approach in addressing migration-related crimes. This approach might include, for example, introducing the practice of storing and analysing data on the profiles of smuggled and trafficked migrants as well as data on indicted and convicted migrant smugglers and human traffickers. The analysis of this data could be crucial in, for example, the identification of migrant smuggling and/or trafficking operations, and the subsequent

⁴⁷ It should be noted that a relatively small number of criminal cases involving migrants in BiH cannot constitute a valid base for reaching definite conclusions about the ability of the justice sector to effectively address migration-related crimes. For a proper assessment of the justice sector's ability in this regard, a tailored monitoring over a longer period of time is needed. However, the Mission was able to reach some preliminary conclusions.

⁴⁸ The Strike Force for Combating Trafficking in Human Beings and Illegal Migration was established in 2003 to strengthen anti-trafficking and anti-smuggling activities at the highest level, directing the justice sector's response to this phenomenon. The Strike Force is composed of representatives of the Prosecutor's Office of Bosnia and Herzegovina, the Prosecutor's Office of FBiH, the Prosecutor's Office of RS, the Prosecutor's Office of Brčko District, the Border Police, State Information and Protection Agency (SIPA), the Ministry of Internal Affairs of the Federation of Bosnia and Herzegovina, the Ministry of Internal Affairs of Republika Srpska, Brčko District Police, the Tax Administration of the Federation of Bosnia and Herzegovina, and the Tax Administration of Republika Srpska. It is chaired by the Chief Prosecutor of BiH and held on a monthly basis to discuss the investigation of individual cases.

creation of adequate arrangements of transboundary co-operation aimed to suppress migration-related crimes.

The Mission also sought to assess how many and what type of migration-related offences are pending before courts across BiH. Most courts have not had any cases involving migrants this year, but the eight courts which have had such cases registered 65 criminal and misdemeanour cases against migrants since January.

The Court of BiH finalised a relatively low number of smuggling cases during the first half of 2018 – just 10 smugglers were convicted in nine cases over this period.⁴⁹ Of those convicted, sentences were suspended for nine perpetrators, while one received an imprisonment sentence of 10 months. The lenient sentencing pronounced in these cases raises concerns for future deterrence of smuggling in BiH, should mixed migration flows continue to rise.

Finally, it must be repeated that mixed migration flows represent a relatively new phenomenon. Investigators, prosecutors, and judges in BiH may still lack vital knowledge about the types of criminal offences normally associated with mixed migration flows, including human smuggling and trafficking.

Recommendations

Based on its assessment, the Mission recommends the following:

- The Migration Coordination Body of BiH and the Strike Force for Combating Trafficking in Human Beings and Illegal Migration should hold joint meetings and agree on a plan for strengthening co-operation between the Prosecutor's Office of BiH, the Ministry of Security of BiH and SIPA in order to improve efforts to address migration-related crimes;
- The Prosecutor's Office of BiH, in co-operation with the Strike Force, should store and analyse data about the profile of smuggled and trafficked migrants, in addition to indicted and convicted migrant smugglers and/or human traffickers;
- The Court of BiH should analyse its sentencing policy in migration-related offences such as smuggling and trafficking and consider imposing penalties for convicted parties that are more commensurate with the gravity of the crime, the culpability of the perpetrator, and the impact on the victim(s);

⁴⁹ Out of those nine cases, at least four are related to acts that happened before 2018, and at least three concern acts committed in 2018.

- Judicial and Prosecutorial Centres should sensitise judicial actors about migration-related crimes as well as on culturally and gender-sensitive questioning strategies for migrant victims and perpetrators.

Informal Volunteer Groups

Overview

Several informal volunteer groups are providing meaningful and quick assistance to migrants and refugees in BiH. However, their presence in the field is largely limited to a few cities, their funding is limited and unsustainable, and they generally do not enjoy strong coordination or co-operation with local administrations or other relevant actors in the field.

Assessment

The Mission identified three main informal groups, composed of private citizens, providing assistance to migrants and refugees. These included *SOS Ljuti Krajišnici Team Velika Kladuša*, *Neformalna Grupa Građana Velika Kladuša*, and *Souls of Sarajevo*. The latter group is the largest, with around 30 volunteers, while the first two claimed five and 10 volunteers, respectively.

Financial capacities are also limited: *Neformalna grupa građana Velika Kladuša* only relies on the individual support of volunteers, while *SOS Ljuti Krajišnici Team Velika Kladuša* relies on donations from individuals as well as IOM funding, and has been receiving support from pomozi.ba for two months. *Souls of Sarajevo* uses crowdfunding and funds collected by pomozi.ba.

These groups have mainly provided assistance through the daily distribution of meals for migrants and refugees. They have also provided hygienic supplies and clothes, as well as informational pamphlets on health protection and children's supplies. *Souls of Sarajevo* has gathered information on human rights violations among the migrant and refugee population, has provided psychological support for children, and has supported the integration efforts of those wishing to remain in BiH.

None of the informal volunteer groups professed to collaborating or coordinating with governmental institutions, though they reported regular contact and collaboration with NGOs.

Recommendations

Based on its assessment, the Mission recommends the following:

- Informal groups of citizens should reach out to local administrations, including SWCs, and request to be included in local coordination mechanisms where they exist. They should actively participate in local-level coordination meetings, so that other actors are made familiar with their contributions/work and in order to benefit from better connectivity to relevant governmental and non-governmental institutions;

- Local administrations should consult volunteer groups when developing local action plans or strengthening their referral mechanisms;
- In case they are made aware of human rights violations among the migrant and refugee population, citizen groups should refer these cases to relevant institutions such as the police and/or the BiH Ombudsman Institution.

Religious Communities

Overview

BiH's religious communities have limited involvement with migrants and refugees in BiH. NGOs linked to these communities, such as Caritas or Merhamet, have assumed the main responsibility in providing assistance to migrants and refugees.

Assessment

As part of this Assessment, 13 representatives of BiH's three main local religious communities were interviewed around the country. Eight representatives were aware of migrants and refugees residing in their respective communities and most were providing some sort of minor assistance in the form of food, transportation, health protection, accommodation or clothes.

Guidance from religious leaders or organizations appears to have not been systematically distributed throughout BiH's religious communities. Only seven of the representatives interviewed reported having received instructions from their respective religious organizations on how to deal with refugees and migrants. For example, the BiH Reis's instructions were in some cases provided to imams through official communication, while others learned about the position of the Reis through the media.

All religious representatives expressed an awareness of their need to coordinate with public institutions in accordance with the law, and only five interviewed religious community representatives reported collaboration with governmental institutions, principally with municipal authorities, the police and the local Service for Foreigners' Affairs Office. Three local religious communities have referred migrants and refugees to other institutions, such as the police (MUP and border police) and to the SFA. In two communities, other institutions (local administrations, the police and the hospital) have referred migrants to a religious community.

Recommendations

Based on its interviews with religious community representatives, the Mission recommends the following:

- One of the roles of religious communities should be to openly condemn hate speech and controversial media messages, in order to ensure social cohesion and to prevent negative perceptions toward migrants among the general population;

- Representatives of religious communities, particularly in areas with a high influx of migrants, should participate in coordination mechanisms at the local level in order to avoid local duplication of efforts.

ANNEX I

Questionnaire

The document contains questions which are related to assessing the human rights situation of migrants and refugees on the field, in addition to specific questions which relate to assessing risks of human trafficking and smuggling in human beings.

At the beginning of each interview the following should be asked:

Name of the institution:

Gender:

Your position in the institution:

How long have you been working in this institution?

1. Service for Foreigners' Affairs:

- 1.1 Have you received any additional instruction from the Ministry of Security about how to treat migrants? YES/NO
- 1.2 Was it a formal instruction? Yes/NO
- 1.3 If Yes, what is the name of the Instruction and when was it received _____
- 1.4 When you receive refugees/migrants, do you instruct them about legal aid possibilities? YES/NO
- 1.5 When you receive refugees/migrants, do you instruct them about their rights?
- 1.6 If so, which rights? Please, name them _____
- 1.7 If so, how do you do it?
 - a) orally in local language
 - b) orally in English
 - c) with a hired interpreter
 - d) with a volunteer interpreter
 - e) in a written form in local language
 - f) in a written form in their language
 - g) in a written form in English
 - h) using already prepared leaflets,
 - i) Other, please specify _____
- 1.8 Do you enter biometric data of a migrant into Migration Information System (Informacioni sistem za migracije ISM)? YES/NO
- 1.9 If no, please specify where you store the data:
 - a) Other database
 - b) Hard copy files
 - c) Other, please specify
- 1.10 Do you collect gender disaggregated data on migrants/refugees? YES/NO
- 1.11 What do you do in cases where the migrant doesn't have any documents?
- 1.12 How do you proceed with migrants that don't require any additional service?
- 1.13 Does your institution refer cases? YES/NO

- 1.14 Towards which institution?
- Social Welfare Centre
 - Police
 - Hospital or Health Centre
 - Official Reception Centre. Which one?
 - NGO. Which one?
 - International Organisation (UNHCR, IOM, others). Which one?
 - Local administration.
 - I don't know
 - Other, please specify
- 1.15 Do other institutions refer cases towards your institution? YES/NO
- 1.16 Which institution?
- Social Welfare Centre
 - Police
 - Hospital or Health Centre
 - Official Reception Centre. Which one?
 - NGO. Which one?
 - International Organisation (UNHCR, IOM, others). Which one?
 - Local administration.
 - I don't know
 - Other, please specify
- 1.17 Please list the institutions you collaborate with the most when dealing with the migrants' issue:
- Social Welfare Centre
 - Police
 - Hospital or Health Centre
 - Official Reception Centre. Which one?
 - NGO. Which one?
 - International Organisation (UNHCR, IOM, others). Which one?
 - Local administration
 - I don't know
 - Other, please specify
- 1.18 Do you collaborate with SIPA? YES/NO. If YES, please explain how.
- 1.19 If they are sent to the Reception Center, are identified vulnerabilities/needs communicated to the Reception Center Staff, e.g. case of medical care. YES/NO
- 1.20 In case of minors (small and/or unaccompanied children) where do you refer them to?
- Social Welfare Centre
 - Police
 - Hospital or Health Center
 - Official Reception Center. Which one?
 - NGO. Which one? _____
 - International Organisation (UNHCR, IOM, others) Which one? _____

- g) We don't refer them
 - h) I don't know
 - i) Other, please specify
- 1.21 How many cases of vulnerable migrants have you registered since January 2018? (By vulnerable people we mean people with disabilities, sick, unaccompanied minors, women with children pregnant women, etc.?)
- 1.22 Do you have gender disaggregated data for these categories?
- 1.23 What do you do in case of families? Open
- 1.24 What do you do in case of ill people? Open
- 1.25 What do you do in case of persons with disabilities?
- 1.26 What do you do in case of pregnant women?
- 1.27 How do you establish the identification of people and age (in case of minors)?
- a) By medical examination
 - b) Through a pre-identification interview with the officer in charge
 - c) Through involving a multidisciplinary team
 - d) Other, please specify
- 1.28 When establishing the identification of minors is any representative of the Centre Social Welfare present? YES/NO
- 1.29 How do you establish the identification of people that don't have any identification documents with them with them? Open _____
- 1.30 Were there cases of recurring migrants? Number _____
- 1.31 How do you overcome language barriers?
- a) Using mimic/hands
 - b) Interpreter/translator
 - c) Online translator (google translator or similar)
 - d) Other migrants speaking language of common understanding
 - e) We don't manage to communicate
 - f) Other, please specify ____
- 1.32 According to you, what is the main issue which needs to be addressed?
- a) Food
 - b) Accommodation
 - c) Transport
 - d) Health
 - e) Legal status
 - f) Personal items of hygiene
 - g) Clothes
 - h) Childcare equipment
 - i) Safety concerns for migrants/refugees
 - j) Other

Trafficking in human beings

- 1.33 Is any written material offered to new arrivals on risks of trafficking?
Yes/No/Which?

- 1.34 Are you aware of criminal provisions on trafficking in human beings?
Yes/No
- 1.35 Are you aware of referral mechanism for victims of trafficking? Yes/No
- 1.36 Have you been offered training in the recent period (last two years) on recognition of victims of trafficking in mixed migration flows? Yes/No
- 1.37 If yes, how many officers from your field office attended such training?
- 1.38 What kind of tools are available in printed form to assist you and your colleagues in identifying indicators of trafficking in human beings?
- The Rulebook on the protection of foreign victims of trafficking in persons
 - Guidelines for Regional Monitoring Teams
 - ICMPD Brief Guidance and Indicators for the Identification of Victims of Trafficking in BiH
 - Other, please specify_____
- 1.39 In the case of suspicion of the existence of human trafficking who conducts the interview with the presumed victim?
- The competent Inspector for Foreigners' Affairs in the location where the potential victim is discovered.
 - Any employer of the Office who is on duty at that moment.
 - We don't conduct the interviews.
 - I don't know.
- 1.40 In the case of suspicion of the existence of human trafficking, where is the interview conducted?
- At the premises of the Field Office of the Service for Foreigners' Affairs
 - In the Emigration Center
 - In the shelter
 - Other location, please specify_____
- 1.41 How is the interview conducted?
- At the spot, in the presence of other migrants, in a language that presumed victims understand
 - At the spot, in the presence of other migrants, with the help of professional interpreters
 - At the spot, in the presence of other migrants, with the help of another migrant who acts as interpreter
 - In a separate interview room in language that presumed victims understand
 - In a separate room with the help of professional interpreters
 - In a separate room with the help of another migrant, who acts as interpreter
 - Other, please explain.
- 1.42 Do you have enough female officers to conduct interviews with women when/if required? Yes/NO
- 1.43 How are the interviews with potential victims of trafficking recorded?
- voice recorder
 - camera
 - minutes
 - Other means, please specify_____

- 1.44 Who is being informed of it?
- Ministry of Security, the Department for Combating THB
 - Prosecutor's Office
 - Legal Aid Providers
 - NGO that provides social and psychological assistance to VoTs
 - Social Welfare Centres
 - Other, please specify_____
- 1.45 In the case of suspicion of the existence of human trafficking involving child victim, do you inform Social Welfare Centres? Yes/No
- 1.46 In the case of suspicion of the existence of human trafficking involving a child victim, do you conduct the interview in the presence of Social Welfare Centre worker/ child psychologist? Yes/No
- 1.47 In the case of suspicion of the existence of human trafficking involving a child victim, do you conduct the interview in a child-friendly environment? Yes/No
- 1.48 In how many instances since 1st January 2018 have you contacted entity/state prosecutor's office to report offences of international THB, smuggling in persons, or any other offences involving migrants as perpetrators?
- 1.49 In how many instances since 1st January 2018 have you contacted entity/state prosecutor's office to report offences of international THB, smuggling in persons, or any other offences involving migrants as victims?

Gender Based Violence

- 1.50 Have you encountered so far persons who are under risk or you suspected are victims of gender based violence?
- 1.51 Is any written material offered to new arrivals on risks of gender based violence? Yes/No/Which?
- 1.52 Are you aware of criminal provisions on gender based violence? Yes/No
- 1.53 Do you have any referral mechanisms or operating procedures where victims of GBV can seek help/assistance in case of safety problems? Yes/No
- 1.54 Have you been offered training in the recent period (last two years) on recognition of victims of GBV and vulnerability of women/girls in the migration flows? Yes/No
- 1.55 If yes, how many officers from your field office attended such training?
- 1.56 In the case of suspicion of the existence of gender based violence where do you refer the victim to?
- Social Welfare Centre
 - Police
 - Hospital or Health Center
 - Official Reception Center. Which one?
 - NGO. Which one?_____
 - International Organisation (UNHCR, IOM, others) Which one?_____
 - Local Administration
 - We don't refer them
 - I don't know

j) Other

1.57 Do you think that your institution possesses sufficient human capacities to deal with the issue of migrants within institution`s mandate? Yes/No

2. Local Administration (Municipality, Civil Protection Unit or Cantonal Ministry):

2.1. Is there any monitoring mechanism in place? YES/NO

2.2. If so, how is the information collected?

- a) Regular communication with Red Cross
- b) Regular communication with NGOs please specify names _____
- c) Regular communication with police
- d) Regular communication with Social Welfare Centres
- e) Regular communication with border police
- f) Regular communication with Service for Foreigners' Affairs
- g) MZs and Security Forums
- h) Through field visits
- i) Through religious leaders
- j) Through the news
- k) Other, please specify _____

2.3. How is the information registered?

- a) completing a form
- b) opening a file
- c) online database
- d) hardcopy database
- e) no written record
- f) other, please specify _____

2.4. What information is collected?

- a) Number of migrants within municipality,
- b) Age
- c) Sex
- d) Country of origin,
- e) Legal status,
- f) Needs of the migrants (shelter, food, etc.),
- g) Where the person(s) are staying,
- h) Duration of stay
- i) Plans on whether they will apply for asylum,
- j) Who they are traveling with
- k) Safety related concerns
- l) Health related concerns
- m) Other, please specify _____

2.5. Are you implementing any plan to assist migrants and refugees? YES/ NO

2.6. If so, which one? _____

2.7. Is there any housing facility being utilized for accommodating migrants and refugees identified in your municipality? YES/NO

2.8. If yes, what is the capacity? _____ name and number _____

- 2.9. Is there any housing facility for accommodating migrants and refugees that could be used in the future in your municipality? YES/NO
- 2.10. If yes, what is the capacity? _____name and number_____
- 2.11. What conditions does the existing facility have?
- a) Electricity
 - b) water
 - c) Separate sleeping rooms for men and women Separated toilets for men and women
 - d) Staff to assist migrants
 - e) Other please specify _____
- 2.12. Is there any coordination mechanism in place at the local level? YES/NO
- 2.13. If so, who is participating?
- a) Ministry/ies
 - b) City administration
 - c) Red Cross
 - d) UNHCR
 - e) IOM
 - f) Police
 - g) CSW
 - h) NGO, which one(s)
 - i) Other, please specify
- 2.14. Who is the leading institution that co-ordinate activities?
- 2.15. How often is it taking place?
- 2.16. If there is no coordination mechanism in place, do you think that one would be necessary? YES/NO
- 2.17. According to you, what is the main issue to be addressed?
- a) Food
 - b) Accommodation
 - c) Transport
 - d) Health
 - e) Legal status
 - f) Personal items of hygiene
 - g) Clothes
 - h) Childcare equipment
 - i) Safety concerns for refugees/migrants
 - j) Other _
- 2.18. Does your institution refer cases? YES/NO
- 2.19. If yes, towards which institution?
- a) Social Welfare Centre
 - b) Police
 - c) Hospital or Health Centre
 - d) Official Reception Centre. Which one?
 - e) NGO. Which one?
 - f) International Organisation (UNHCR, IOM, others) Which one?

- g) I don't know
 - h) Other, please specify
- 2.20. Do other institutions refer cases towards your institution? YES/N
- 2.21. If yes, which institutions refer to your institution?
- a) Social Welfare Centre
 - b) Police
 - c) Hospital or Health Centre
 - d) Official Reception Centre. Which one?
 - e) NGO. Which one?
 - f) International Organisation (UNHCR, IOM, others) Which one?
 - g) I don't know
 - h) Other, please specify
- 2.22. Please list the institutions you collaborate with the most when dealing with the migrants' issue:
- a) Social Welfare Centre
 - b) Police
 - c) Hospital or Health Centre
 - d) Official Reception Centre. Which one?
 - e) NGO. Which one?
 - f) International Organisation (UNHCR, IOM, others) Which one?
 - g) We don't refer them
 - h) I don't know
 - i) Other, please specify
- 2.23. Do you think that your institution possesses sufficient human capacities to deal with the issue of migrants within institution`s mandate? Yes/No

3. Social Welfare Centres (SWC)(or social care providers):

- 3.1 Did you have any migrants/refuges cases? YES/NO
- 3.2 If so, how many women since January 2018?
- 3.3 If yes, how many men since January 2018?
- 3.4 If yes, how many boys and girls since January 2018? How many boys? How many girls?
- 3.5 What needs have been addressed
 - a) Food
 - b) Accommodation
 - c) Transport
 - d) Health
 - e) Legal status
 - f) Personal items of hygiene
 - g) Clothes
 - h) Childcare equipment
 - i) Safety concerns for migrants/refugees
 - j) Other

- 3.6 Do personal items of hygiene contain supplies for women (tampons and or sanitary pads)? Yes/No
- 3.7 Does your institution refer cases? YES/NO
- 3.8 If yes, towards which institution?
- Service for Foreigners' Affairs
 - Police
 - Hospital or Health Centre
 - Official Reception Centre. Which one?
 - Local administration
 - NGO. Which one?
 - International Organisation (UNHCR, IOM, others) Which one?
 - I don't know
 - Other, please specify
- 3.9 Do other institutions refer cases towards your institution? YES/N
- 3.10 If yes, which institutions refer to your institution?
- Service for Foreigners' Affairs
 - Police
 - Hospital or Health Centre
 - Official Reception Centre . Which one?
 - Local administration
 - NGO. Which one?
 - International Organisation (UNHCR, IOM, others) Which one?
 - I don't know
 - Other, please specify
- 3.11 Please list the institutions you collaborate with the most when dealing with the migrants' issue:
- Service for Foreigners' Affairs
 - Police
 - Hospital or Health Centre
 - Official Reception Centre. Which one?
 - Local administration
 - NGO. Which one?
 - International Organisation (UNHCR, IOM, others) Which one?
 - I don't know
 - Other, please specify
- 3.12 Do you think that your institution possesses sufficient human capacities to deal with the issue of migrants within institution`s mandate? Yes/No
- 3.13 What are the human capacities of the SWC to support any request linked to this population?
- We don't have any one in charge of this topic
 - We have appointed a colleague dealing with this.
 - We have more than one staff member dealing with this
 - Mobile teams are available
 - We have staff on duty 24/7

- f) External (Red Cross or NGOs we work with)
- g) Other, please specify _____

- 3.14 What are the financial capacities of the SWC to support any request linked to this population?
- a) We don't have any
 - b) We have some funding allocated in the amount of _____
 - c) We have support from higher level authorities (entity, cantonal) in the amount of _____
 - d) Funds from the municipality have been allocated for this purpose _____
 - e) We use the funds for other vulnerable categories.
 - f) Other, please specify _____
- 3.15 Are you aware of any action plan in place at the local level? YES/NO
- 3.16 Do you think there is a need to have one? YES/NO
- 3.17 Are there any mechanisms in place for vulnerable groups, in particular, unaccompanied or separated children, sick people and persons with disabilities, pregnant women? YES/NO
- 3.18 What is the mechanism in place? _____
- 3.19 Have you ever been contacted to initiate the procedure of guardianship⁵⁰ for unaccompanied minors? YES/NO
- 3.20 If yes, did any Social Worker have any direct contact/communication with the child?
- 3.21 If yes, what have you provided as a guardian? _____
- 3.22 What are the legal implications/procedures in case the minor under the guardianship of SWC goes missing/leaves the camp? Open _____
- 3.23 Did you have such cases? YES/NO Explain_____
- 3.24 According to you, what is the main issue to be addressed?
- a) Food
 - b) Accommodation
 - c) Transport
 - d) Health
 - e) Legal status
 - f) Personal items of hygiene
 - g) Clothes
 - h) Childcare equipment
 - i) Safety concerns for migrants/refugees

⁵⁰Law on Asylum, art.12 "A guardian shall be appointed for an unaccompanied minor and a legally incapacitated alien who has expressed the intent to apply for asylum or has filed the asylum application, under the same conditions as for BiH nationals. The request for appointing a guardian shall be submitted by the Ministry of Security to a centre for social work". For juveniles under subsidiary protection the same procedure applies, but the request should be submitted by the Ministry of Human Rights and Refugees.

j) Other

Trafficking in Human Beings

- 3.25 Are you aware of any cases of trafficking of migrants/refugees in your municipality/jurisdiction? YES/NO
- 3.26 If yes, who has informed you?
- a) Local police
 - b) Service for Foreigners' Affairs
 - c) Border Police
 - d) NGO
 - e) Any other, please specify...
- 3.27 If there were any cases of trafficking in your municipality/jurisdiction what did you do? _____
- 3.28 Do you collaborate with the Service for Foreigners' Affairs on this issue? YES/NO
- 3.29 If so, could you please explain how? _____
- 3.30 Do you collaborate with the police on this issue? YES/NO
- 3.31 If so, please explain how. _____
- 3.32 With what other institutions do you collaborate/coordinate on this issue?
- a) None
 - b) Ministry of Security
 - c) Local authorities
 - d) Prosecutor Office
 - e) Other, please specify _____

Gender-based violence

- 3.33 Are you aware of any cases of gender based violence against migrants in your municipality/jurisdiction? YES/NO
- 3.34 If yes, what was the case?
- a) Sexual violence/abuse
 - b) Domestic violence
 - c) Physical violence
 - d) Exploitation
 - e) Risk of attack when using toilets/showers/sleeping arrangements
 - f) Forced marriage
 - g) Unable access services
- 3.35 If they were any cases of gender based violence against migrants cases in your municipality/jurisdiction what did you do? _____

4 NGOs operating in the AoR/municipality:

- 4.1 What is your main field of work? _____
- 4.2 Where do you get the fund to work with migrants from? _____
- 4.3 Have you had any migrants/refuges cases? YES/NO
- 4.4 If so, how many women since January 2018? _____
- 4.5 If yes, how many men since January 2018? _____

- 4.6 If yes, how many children since January 2018? ____
- 4.7 If there is not separate data, how many migrants since January 2018? ____
- 4.8 What kind of assistance are you providing?
- a) Food
 - b) Accommodation
 - c) Transport
 - d) Health
 - e) Legal status
 - f) Personal items of hygiene
 - g) Clothes
 - h) Childcare equipment
 - i) Safety concerns for migrants/refugees
 - j) Other
- 4.9 If you provide any food, how many meals a day? _____
- 4.10 Do personal items of hygiene contain supplies for women (tampons and or sanitary pads)? Yes/No
- 4.11 Does your organization refer cases? YES/NO
- 4.12 If yes, towards which institution?
- a) Service for Foreigners' Affairs
 - b) Police
 - c) Hospital or Health Centre
 - d) Official Reception Centre Which one?
 - e) Local administration
 - f) NGO. Which one?
 - g) International Organisation (UNHCR, IOM, others). Which one?
 - h) Social Welfare Centre
 - i) I don't know
 - j) Other, please specify
- 4.13 Do institutions refer cases towards your organization? YES/N
- 4.14 If yes, which institution?
- a) Service for Foreigners' Affairs
 - b) Police
 - c) Hospital or Health Centre
 - d) Official Reception Centre. Which one?
 - e) Local administration
 - f) NGO. Which one?
 - g) International Organisation (UNHCR, IOM, others) Which one?
 - h) Social Welfare Centre
 - i) I don't know
 - j) Other, please specify
- 4.15 Please list the institutions you collaborate with the most when dealing with the migrants' issue:
- a) Service for Foreigners' Affairs
 - b) Police

- c) Hospital or Health Centre
 - d) Official Reception Centre. Which one?
 - e) Local administration
 - f) NGO. Which one?
 - g) International Organisation (UNHCR, IOM, others) Which one?
 - h) Social Welfare Centre
 - i) I don't know
 - j) Other, please specify
- 4.16 Do you have any plan in place to assist this population? YES/NO
- 4.17 If not, do you think there is a need to have one? YES/NO
- 4.18 How do you collect initial information on migrants' cases and their needs?
- a) direct field visits
 - b) media (social, portals, TV, newspapers),
 - c) contact with governmental institutions,
 - d) word of mouth, ,
 - e) other please specify_____
- 4.19 How many people within your NGO are dealing with this issue? _____ No.
Professional staff dealing with migrants?_____ No. of volunteers
- 4.20 According to you, what is the main issue to be addressed?
- a) Food
 - b) Accommodation
 - c) Transport
 - d) Health
 - e) Legal status
 - f) Personal items of hygiene
 - g) Clothes
 - h) Childcare equipment
 - i) Safety concerns for migrants/refugees
 - j) Other
- 4.21 Do you think that your institution possesses sufficient human capacities to deal with the issue of migrants within institution`s mandate? Yes/No

5 Religious Communities:

- 5.1 Are you familiar with any cases of migrants in the congregation/religious community you are responsible for? YES/NO
- 5.2 Does your religious community provide assistance to migrants? YES/NO
- 5.3 If yes, which support and assistance you provide
- a) Food
 - b) Accommodation
 - c) Transport
 - d) Health
 - e) Other, please specify
- 5.4 Have you received any instructions from your religious authorities to deal with this issue? YES/NO

- 5.5 If so, what are the highlights? _____
- 5.6 Do you address this issue with members of your congregation/religious community? YES/NO
- 5.7 If so, in which way?
- 5.8 Do you collaborate or coordinate with any governmental institution on this issue? YES/NO
- 5.9 If so, which ones and how? ____
- 5.10 Do you collaborate or coordinate with any NGO? YES/NO
- 5.11 If so, which ones? _____
- 5.12 If so, How? _____
- 5.13 According to you, what is the main issue to be addressed?
- a) Food
 - b) Accommodation
 - c) Transport
 - d) Health
 - e) Legal status
 - f) Personal items of hygiene
 - g) Clothes
 - h) Childcare equipment
 - i) Safety concerns for migrants/refugees
 - j) Other
- 5.14 Does your institution refer cases? YES/NO
- 5.15 If yes, towards which institution?
- a) Service for Foreigners' Affairs
 - b) Police
 - c) Hospital or Health Centre
 - d) Official Reception Centre. Which one?
 - e) Local administration
 - f) NGO. Which one?
 - g) International Organisation (UNHCR, IOM, others) Which one?
 - h) Social Welfare Centre
 - i) I don't know
 - j) Other, please specify
- 5.16 Do other institutions refer cases towards your institution? YES/NO
- 5.17 If yes, which institutions?
- a) Service for Foreigners' Affairs
 - b) Police
 - c) Hospital or Health Centre
 - d) Official Reception Centre. Which one?
 - e) Local administration
 - f) NGO. Which one?
 - g) International Organisation (UNHCR, IOM, others) Which one?
 - h) Social Welfare Centre
 - i) I don't know

- j) Other, please specify
- 5.18 Please list the institutions you collaborate with the most when dealing with the migrants' issue:
- a) Service for Foreigners' Affairs
 - b) Police
 - c) Hospital or Health Centre
 - d) Official Reception Centre. Which one?
 - e) Local administration
 - f) NGO. Which one?
 - g) International Organisation (UNHCR, IOM, others) Which one?
 - h) Social Welfare Centre
 - i) I don't know
 - j) Other, please specify
- 5.19 Do you think that your institution possesses sufficient human capacities to deal with the issue of migrants within institution's mandate? Yes/No

6 Health Center/ Emergency Room:

- 6.1 Have you had any migrants/refuges cases? YES/NO
- 6.2 If so, how many men? ____
- 6.3 If so, how many women? ____
- 6.4 If so, how many children? ____
- 6.5 What kind of assistance have you provided?
- a) Injuries
 - b) Skin conditions
 - c) Paediatric care
 - d) Surgery
 - e) Mental health
 - f) Vaccinations
 - g) Medicines
 - h) Pregnancy and birth related assistance
 - i) Assistance related to violence
 - j) Assistance related to gender based violence
 - k) Other, please specify ____
- 6.6 Have you provided any other assistance/service to migrants/refugees?
- 6.7 Have you treated any man for injuries as result of violence committed against him? YES/NO
- 6.8 Have you treated any woman for injuries as result of violence committed against her? YES/NO
- 6.9 Have you treated any boys or girls for injuries as result of violence committed against them? YES/No
- 6.10 How many boys, how many girls?
- 6.11 If yes, can you please explain the cases and what happened? _____
- 6.12 Have you reported it to the police YES/NO
- 6.13 Does your institution refer cases? YES/NO

- 6.14 If yes, towards which institution?
- Service for Foreigners' Affairs
 - Police
 - Official Reception Centre. Which one?
 - Local administration
 - NGO. Which one?
 - International Organisation (UNHCR, IOM, others). Which one?
 - Social Welfare Centre
 - I don't know
 - Other, please specify
- 6.15 Do other institutions refer cases towards your institution? YES/NO
- 6.16 If yes, which institution?
- Service for Foreigners' Affairs
 - Police
 - Border Police
 - Hospital or Health Centre
 - Social Welfare Centre
 - Official Reception Centre. Which one?
 - Local administration
 - NGO. Which one?
 - International Organisation (UNHCR, IOM, others). Which one?
 - Social Welfare Centre
 - I don't know
 - Other, please specify
- 6.17 Please list the institutions you collaborate with the most when dealing with the migrants' issue:
- Service for Foreigners' Affairs
 - Police
 - Border Police
 - Hospital or Health Centre
 - Official Reception Centre. Which one?
 - Local administration
 - NGO. Which one?
 - International Organisation (UNHCR, IOM, others) Which one?
 - Social Welfare Centre
 - I don't know
 - Other, please specify
- 6.18 Do you think that your institution possesses sufficient human capacities to deal with the issue of migrants within institution's mandate? Yes/No
- 6.19 How are the costs of treating migrants being covered?
- 6.20 According to you, what is the main issue to be addressed?
- Food
 - Accommodation
 - Transport

- d) Health
- e) Legal status
- f) Personal items of hygiene
- g) Clothes
- h) Childcare equipment
- i) Safety concerns for migrants/refugees
- j) Other

7 Informal Groups/Individuals providing assistance to migrants/refuges:

7.1 What kind of assistance do you provide?

- a) Food
- b) Accommodation
- c) Transport
- d) Health
- e) Legal status
- f) Other __

7.2 How often do you assist them?

- a) daily,
- b) weekly
- c) monthly

7.3 On average, how many men do you assist? ____

7.4 On average, how many women do you assist? ____

7.5 On average, how many boys do you assist? ____

7.6 On average, how many girls do you assist? ____

7.7 Do you have disaggregated data? YES/NO

7.8 If you don't have disaggregated data, was it the total number? ____

7.9 What are the human capacities that you have? ____

7.10 What are the financial capacities that you have? ____

7.11 Where do you get the funding from?

7.12 Do you collaborate or coordinate with any governmental institution on this issue? YES/NO/ WHICH

7.13 If so, how? ____

7.14 Do you collaborate or coordinate with any NGO? YES/NO/ Which

7.15 If so, how? ____

7.16 According to you, what is the main issue to be addressed?

- a) Food
- b) Accommodation
- c) Transport
- d) Health
- e) Legal status
- f) Other __

Rule of Law Part

8 Border police

- 8.1 How many migrants have you identified since the beginning of the year in the area of responsibility for your field office? (*ask the officer to provide you data disaggregated by months, gender, age and origin of migrants*).
- 8.2 What procedures are used for the identification of migrants (without documents)?
- Rulebook on registration of biometric data for foreigners
 - Rulebook on Protection of Foreign Victims of Trafficking
 - Other _____
- 8.3 Is there a specific operational instruction from Ministry of Security or any other institution on first interviews? YES/NO/ WHICH?
- 8.4 Are you aware of any protocols/guidelines on dealing with THB victims?
YES/No/Which
- 8.5 Are you aware of any protocols/guidelines on dealing with GBV victims?
YES/No/Which
- 8.6 Do you enter biometric data of registered migrants in the Migration Information System (ISM)? YES/NO
- 8.7 If not, how do you store this information?
- Other database
 - Hard copy files locally
 - Other, please specify
- 8.8 Do you use ROS (Register of Suspect Foreigners)? YES/NO
- 8.9 Have you had cases of refusal of entry at the border crossing? YES/NO
- 8.10 If yes, how many? (*ask the officer to provide you data disaggregated by months, gender, age and origin of migrants*).
- 8.11 If yes, on what grounds? _____
- 8.12 Are you aware of any investigations into cases of organized migrant smuggling?
YES/NO
- 8.13 Did you report those cases? Yes/No
- 8.14 Are you aware of criminal provisions on trafficking in human beings? YES/NO
- 8.15 Are you aware of any referral mechanism for victims of trafficking? YES/NO/
Which
- 8.16 Have you been offered training in the recent period (last two years) on recognition of victims of trafficking in mixed migration flows? YES/NO
- 8.17 If yes, how many members of border police from your field office attended such training? _____
- 8.18 Do you have available in printed form any tools to assist you and your colleagues to identify indicators of trafficking in human beings? YES/NO
- 8.19 If yes, please share.
- 8.20 In case there is an indicator of a person/minor being trafficked, who is informed
- Service for Foreigners' Affairs
 - Shelter,
 - NGOs.
 - SWC
 - International Organisations
 - Ministry of Security, Department for Combating THB

- g) SIPA
h) Other, please specify
- 8.21 Have you encountered so far on persons that are under risk or you suspected are victims of gender based violence?
- 8.22 Is any written material offered to new arrivals on risks of gender based violence? Yes/No/Which?
- 8.23 Are you aware of criminal provisions on gender based violence? Yes/No
- 8.24 Do you have any referral mechanisms or operating procedures where victims of GBV can seek help/assistance in case of safety problems? Yes/No
- 8.25 Have you been offered training in the recent period (last two years) on recognition of victims of GBV and vulnerability of women/girls in the migration flows? Yes/No
- 8.26 If yes, how many officers from your field office attended such training?
- 8.27 In the case of suspicion of the existence of gender based violence where do you refer the victim to?
- a) Social Welfare Centre
b) Police
c) Hospital or Health Center
d) Official Reception Center. Which one?
e) Local administration
f) NGO. Which one?____
g) International Organisation (UNHCR, IOM, others) Which one?____
h) We don't refer them
i) Other, please specify
- 8.28 Are there any child-specific procedures in place? YES/NO/ Which
- 8.29 What are methods for age assessment being used?
- a) By medical examination
b) Through a pre-identification interview with the officer in charge
c) Through involving a multidisciplinary team
d) Any other please specify_____
- 8.30 What are the key challenges in the immediate appointment of legal guardians to unaccompanied children? Explain _____
- 8.31 In the case of suspicion of the existence of human trafficking do you conduct the interview with the presumed victim? YES/NO
- 8.32 In the case of suspicion of the existence of human trafficking do you conduct the interview with the presumed trafficker? YES/NO
- 8.33 If yes, who conducts the interview with the presumed victim?
- a) The competent border police member in the location where the potential victim is discovered.
b) Specially trained border police member.
c) We don't conduct the interviews.
d) I don't know.
- 8.34 If it should be someone else, please explain.

- 8.35 Do you have enough female officers to conduct interviews with women when/if required? Yes/NO
- 8.36 Where is the interview conducted?
- At the spot, in the presence of other migrants, in a language that presumed victims understand
 - At the border crossing/spot, in the presence of other migrants, with the help of professional interpreters
 - At the spot, in the presence of other migrants, with the help of another migrant who acts as interpreter
 - In a separated interview room in language that presumed victims understand
 - In a separated room with the help of professional interpreters
 - In a separated room with the help of another migrant, who acts as interpreter
 - Other, please explain.
- 8.37 How are the interviews with migrants recorded?
- Camera
 - Voice recorder
 - Other means
- 8.38 Who is being informed of it?
- I Social Welfare Center in a case of minors
 - Ministry of Security
 - Prosecutor's Office, please specify..
 - Other institution, please specify
- 8.39 In how many instances have you contacted entity/state prosecutor's office to report offences of international THB, smuggling in persons, or any other offences involving migrants?
- Number of reports concerning international THB, per month___
 - Number of reports concerning smuggling in persons, per month___
 - Number of reports other offences involving migrants per month___
- 8.40 What information is provided to migrants?
- Information on asylum procedure
 - Information on legal aid options
 - Information on accommodation
 - Information on transportation
 - Other, please specify___
 - No information is provided
- 8.41 In what language do you have information available?
- English
 - Arabic
 - Farsi, Dari, Pasto, Urdu or Kurdish
 - Other (specify):
- 8.42 How many hours does the migrant stay usually at the premises of border police?

- 8.43 Who is being called to provide assistance to specific categories (i.e. unaccompanied minors, pregnant women, persons in urgent medical need),
- Social Welfare Center
 - Local hospital
 - NGO, which?
 - Other, please specify

8.44 Is there any involvement of mobile IOM teams? YES/NO

8.45 Do you think that your institution possesses sufficient human capacities to deal with the issue of migrants within institution`s mandate? Yes/No

9 Police

9.1 How many migrants in the vulnerable situation have you identified since the beginning of the year in the area of responsibility of your organisational unit? (*ask the officer to provide you with data disaggregated by months, gender, age and origin of migrants*).

9.2 Does your institution refer cases? YES/NO

9.3 If yes, towards which institution?

- Service for Foreigners' Affairs
- Border Police
- Official Reception Centre. Which one?
- Local administration.
- NGO. Which one?
- International Organisation (UNHCR, IOM, others) Which one?
- Social Welfare Centre
- I don't know
- Other, please specify

9.4 Do other institutions refer cases towards your institution? YES/NO

9.5 If yes, which institutions?

- Service for Foreigners' Affairs
- Border Police
- Hospital or Health Centre
- Official Reception Centre. Which one?
- Local administration
- NGO. Which one?
- International Organisation (UNHCR, IOM, others) Which one?
- Social Welfare Centre
- I don't know
- Other, please specify

9.6 Please list the institutions you collaborate with the most when dealing with the migrants' issue:

- Service for Foreigners' Affairs
- Border Police
- Hospital or Health Centre

- d) Official Reception Centre. Which one?
 - e) Local administration
 - f) NGO. Which one?
 - g) International Organisation (UNHCR, IOM, others) Which one?
 - h) Social Welfare Centre
 - i) I don't know
 - j) Other, please specify
- 9.7 Do you think that your institution possesses sufficient human capacities to deal with the issue of migrants within institution`s mandate? Yes/No
- 9.8 Are you aware of any investigations into cases of organized migrant smuggling? YES/NO
- 9.9 Have you reported them? Yes/NO
- 9.10 Are you aware of criminal provisions on trafficking in human beings? Yes/NO
- 9.11 Are you aware of any referral mechanism for victims of trafficking? YES/NO
- 9.12 Have you referred any case? YES/NO
- 9.13 If yes, please explain to whom _____
- 9.14 Have you been offered training in the recent period (last two years) on recognition of victims of trafficking in mixed migration flows? YES/NO
- 9.15 If yes, how many police officers from your organisational unit attended such training? _____
- 9.16 What kinds of tools are available in printed form to assist you and your colleagues to identify indicators of trafficking in human beings?
- a) 2016 The Rulebook on the protection of foreign victims of trafficking in persons
 - b) 2010 Guidelines for Regional Monitoring Teams
 - c) 2017 ICMPD Brief Guidance and Indicators for the Identification of Victims of Trafficking in BiH
 - d) Other, please specify_____
- 9.17 In case there is an indicator of a person/minor being trafficked who is informed
- a) Service for Foreigners' Affairs,
 - b) Shelter,
 - c) NGOs.
 - d) SWC
 - e) International Organisations
 - f) Ministry of Security
 - g) PO/CPO
 - h) Other, please specify
- 9.18 Have you encountered so far on persons that are under risk or you suspected are victims of gender based violence? Yes/NO
- 9.19 Do you have recorded cases of Gender-based violence?
- 9.20 If there were cases of GBV recorded, who has committed them?
- a) migrants
 - b) local population
 - c) police
 - d) Other, please explain

- 9.21 If there were cases of GBV recorded, were they duly processed?
- Yes
 - No?
 - I don't know.
- 9.22 Do you know if the cases were processed?
- 9.23 Do you have instances of recorded violence against LGBT migrant population?
- 9.24 Is any written material offered to new arrivals on risks of gender based violence?
Yes/No/Which?
- 9.25 Are you aware of criminal provisions on gender based violence? Yes/No
- 9.26 Do you have any referral mechanisms or operating procedures where victims of GBV can seek help/assistance in case of safety problems? Yes/No
- 9.27 Have you been offered training in the recent period (last two years) on recognition of victims of GBV and vulnerability of women/girls in the migration flows? Yes/No
- 9.28 If yes, how many officers from your field office attended such training?
- 9.29 In the case of suspicion of the existence of gender based violence where do you refer the victim to?
- Social Welfare Centre
 - Police
 - Hospital or Health Center
 - Official Reception Center. Which one?
 - Local administration
 - NGO. Which one? ____
 - International Organisation (UNHCR, IOM, others) Which one? ____
 - We don't refer them
 - I don't know
 - Other
- 9.30 Are there any child-specific procedures in place? YES/NO/ Which
- 9.31 What are methods for age assessment being used?
- By medical examination
 - Through a pre-identification interview with the officer in charge
 - Through involving a multidisciplinary team
 - Other, please specify _____
- 9.32 What are the issues in the appointment of legal guardians to unaccompanied children? Explain _____
- 9.33 In the case of suspicion of the existence of human trafficking do you conduct the interview with the presumed victim? YES/NO
- 9.34 In the case of suspicion of the existence of human trafficking do you conduct the interview with the presumed trafficker? YES/NO
- 9.35 If yes, who conducts the interview with the presumed victim?
- Any police officer alone
 - Any police officer with the assistance of the social worker, psychologist or other expert
 - Female police offices in case of female migrants

- d) Prosecutor
 - e) Any other, please specify
- 9.36 Do you have enough female officers to conduct interviews with women when/if required Yes/No
- 9.37 Where is the interview conducted?
- a) In police station
 - a) In child friendly interview rooms in the case of children
 - b) Other locations, please specify
- 9.38 How are the interviews with migrants recorded?
- a) Voice recorder
 - b) Camera
 - c) Other means...
- 9.39 Who is being informed of it?
- a) Social Welfare Centre
 - b) Service for Foreigners' Affairs
 - c) Ministry of security
 - d) Other, please specify
- 9.40 In how many instances have you contacted entity/state prosecutor's office to report offences of international THB, smuggling in persons, or any other offences involving migrants including hate crimes incidents?
- a) Against Migrants Number _____
 - b) By Migrants Number _____
- 9.41 What information is provided to migrants?
- a) No information is provided
 - b) Information on legal aid options
 - c) Information on asylum procedure
 - d) Information on their rights. Which ones? _____
- 9.42 In what language do you have information available?
- a) English
 - b) Arabic
 - c) Farsi, Dari, Pashto, Urdu or Kurdish
 - d) Other (specify):
- 9.43 Once identified, how long does the migrant stay at the premises of the police?
_____ hours
- 9.44 Who is being called to provide assistance to specific categories (i.e. unaccompanied minors, pregnant women, persons in urgent medical need),
- a) Social Welfare Center
 - b) Local Hospital
 - c) Other, please specify
- 9.45 Do you have any complaints from public/institutions on crimes/security risks committed by migrants? YES/NO
- 9.46 Do you think that your institution possesses sufficient human capacities to deal with the issue of migrants within institution`s mandate? Yes/No

10 Prosecutor's offices

- 10.1 How many reports (izvjestaja) involving migrants have you received since the beginning of the year? _____ (
- a) Number of reports in which migrants were identified as victims of crime _____
 - b) Number of reports in which migrants were identified as perpetrators _____
- 10.2 In case that the answer is positive, what kind of charges is mentioned in reports in which migrants were identified as victims of crime? (number per month)
- a) Smuggling of Persons... (total number/number per month if available),
 - b) Trafficking in human beings
 - c) International Procurement to Prostitution (total number/number per month)
 - d) Theft (total number/number per month)
 - e) Robbery (total number/number per month)
 - f) Hate crimes against migrants (total number/number per month)
 - g) Hate crimes by others migrants (total number/number per month)
 - h) Gender based violence, including domestic violence, sexual violence/abuse, etc
 - i) Other charges, please specify,
- 10.3 In case there are police reports where migrants are reported as perpetrators of crime what kind of charges is mentioned in reports?
- a) Trafficking in human beings
 - b) Smuggling of Persons... (total number/number per month)
 - c) International Procurement to Prostitution (number per month)
 - d) Theft (total number/number per month)
 - e) Robbery (number per month)
 - f) Hate crimes against migrants (number per month)
 - g) Gender based violence, including domestic violence, sexual violence/abuse, etc
 - h) Other charges, please specify,
- 10.4 How many indictments have you raised involving migrants? _____
- a) Number of indictments in which migrants were identified as victims of crime _____
 - b) Number of indictments in which migrants were identified as perpetrators _____
- 10.5 What kind of charges is included in indictments in which migrants were identified as victims of crime? (number per month)
- a) Trafficking in HB
 - b) Smuggling of Persons... (total number/ number per month if possible) /applicable only for BIH PO
 - c) International Procurement to Prostitution (number per month)/ applicable only for BIH PO
 - d) Theft (number per month)
 - e) Robbery (number per month)
 - f) Hate crimes against migrants (number per month)
 - g) Hate crimes by others migrants (number per month)
 - h) Gender based violence, including domestic violence, sexual violence/abuse, etc
 - i) Other charges, please specify,

- 10.6 In case you have raised an indictment where migrants were involved as perpetrators of crime, what kind of charges is included in indictments
- Trafficking in HB
 - Smuggling of Persons... (number per month) applicable only for BIH PO
 - International Procurement to Prostitution (number per month) applicable only BiH PO
 - Theft (number per month)
 - Robbery (number per month)
 - Hate crimes against migrants (number per month)
 - Gender based violence, including domestic violence, sexual violence/abuse, etc.
 - Other charges, please specify,
- 10.7 Did you refer any of the reports to the BIH PO? YES/NO (*in the case of the affirmative answer, RoLMAs should collect as much information as possible about the referred case and continue to monitor the case in accordance with THB monitoring methodology*).

11 Courts

- 11.1 How many cases (both criminal and misdemeanour) involving migrants have you registered since the beginning of the year? _____ (*Ask the court to provide different data for cases in which migrants were identified as victims of crime and data for cases in which migrants were identified as perpetrators*).
- 11.2 How many indictments have you received/confirmed involving migrants?
- Number of indictments in which migrants were identified as victims of crime _____
 - Number of indictments in which migrants were identified as perpetrators _____
- 11.3 Did you refer any of the cases to the Court of BiH? YES/NO (*in the case of the affirmative answer, RoLMAs should collect as much information as possible about the referred case and continue to monitor the case in accordance with THB monitoring methodology*).
- 11.4 Does the Court continue with the proceedings when there is a lack of interpreters? Yes/NO
- 11.5 In case you had cases in court involving migrants (both as victims/perpetrators) did you appoint legal representative (defence attorney) to migrants? YES/NO
- 11.6 If YES, please explain _____
- 11.7 Have you had cases in which custody had been ordered against migrant? YES/NO
- 11.8 If yes, against how many migrants custody have been ordered?
- 11.9 What was the average duration of custody?
- 11.10 How many migrants have been convicted by the Court?
- 11.11 If yes, convictions for which criminal offences migrants were convicted?
- Trafficking in HB
 - Smuggling of Persons... (number per month) /applicable only for Court of BIH
 - International Procurement to Prostitution (number per month)/ applicable only for Court of BI

- d) Theft (number per month)
- e) Robbery (number per month)
- f) Hate crimes against migrants (number per month)
- g) Hate crimes by others migrants (number per month)
- h) Gender based violence, including domestic violence, sexual violence/abuse, etc.
- i) Other charges, please specify,

ANNEX II – Stakeholders Interviewed for the Migrants and Refugee Assessment conducted by the OSCE Mission to Bosnia and Herzegovina. July 2018.

Service for Foreigners' Affairs (SFA)

Service for Foreigners' Affairs, Tuzla
Service for Foreigners' Affairs, Goražde
Service for Foreigners' Affairs, Bijeljina
Service for Foreigners' Affairs, Brčko District
Service for Foreigners' Affairs, Banja Luka
Service for Foreigners' Affairs, Bihać
Service for Foreigners' Affairs, Doboj
Service for Foreigners' Affairs, Travnik
Service for Foreigners' Affairs, East Sarajevo
Service for Foreigners' Affairs, Head Office

Local Administration

Tuzla City
Sapna Municipality
Zvornik City
Bratunac Municipality
Srebrenica Municipality
Brod Municipality
Gradiška Municipality
Brčko District, Department for Refugees, DPs and Housing
Brčko District, Department for Security
Višegrad, Civil Protection
Velika Kladuša Municipality
Bihać City
Ministry of Health, Labour and Social Protection of Herzegovina-Neretva Canton
Mostar City, Service for Social and Housing Affairs, Health, DPs and Refugees
Local Administration for Refugees, Herzegovina-Neretva Canton
Ivanica, Ravno Local Community
Trebinje, Civil Protection
Trnovo Municipality, Office for General Administration, Social Services, War Invalid, Child and Social Protection
Stari Grad Municipality, Sarajevo, Office for War Invalid and Social Protection
Centar Municipality, Sarajevo
Ilidža Municipality

Social Welfare Centres (SWC)

Social Welfare Centre Tuzla
Social Welfare Centre Sapna

Social Welfare Centre Bijeljina
Social Welfare Centre Zvornik
Social Welfare Centre Bratunac
Social Welfare Centre Srebrenica
Social Welfare Centre Brod
Social Welfare Centre Doboј
Social Welfare Centre Gradiška
Social Welfare Centre Višegrad
Social Welfare Centre Foča
Social Welfare Centre Goražde
Social Welfare Centre Rudo
Social Welfare Centre Velika Kladuša
Social Welfare Centre Bihać
Social Welfare Centre Mostar
Social Welfare Centre Trebinje
Social Welfare Centre Bileća
Office for Social Protection Stari Grad
Office for Social Protection Vogošća
Office for Social Protection Iliđža
Office for Social Protection Novi Grad
Office for Social Protection Novo Sarajevo
Sub-Department for Social Protection, Brčko District

NGOs

Red Cross Tuzla
Merhamet Tuzla
Red Cross Sapna
Red Cross Bijeljina
Otaharin NGO Bijeljina
Red Cross Zvornik
Emmaus Srebrenica
"Forum žena" Bratunac
Red Cross Bratunac
Red Cross Srebrenica
Youth and women association "Sara", Srebrenica
Association of citizens Brod
Merhamet Doboј
Proni NGO Brčko
Red Cross Brčko District
Red Cross Foča
Merhamet Goražde
DOM NGO Velika Kladuša
Žene sa Une NGO Bihać

Red Cross Bihać
Médecins sans Frontières (MSF)
Red Cross Mostar
Merhamet Mostar
BHWI Foundation
Red Cross Trebinje
pomozi.ba
Red Cross Bosnia and Herzegovina
Vaša prava BiH NGO
Caritas Bosnia and Herzegovina
BiH Women's Initiative Foundation
Catholic Relief Service

Religious Communities

Muftiship Tuzla
Majlis of Islamic Community Bijeljina
Majlis of Islamic Community Zvornik
Majlis of Islamic Community Srebrenica
Majlis of Islamic Community Bratunac
Majlis of Islamic Community Gradiška
Majlis of Islamic Community Brčko
Serbian Orthodox Church Brčko
Franciscan Monastery – Dubrave Brčko
Majlis of Islamic Community Velika Kladuša
Majlis of Islamic Community Bihać
Majlis of Islamic Community Trebinje
Islamic Community of BiH

Health Centres/Emergency Rooms

Health Centre in Tuzla
Health Centre in Sapna
Health Centre in Bijeljina
Health Centre in Zvornik
Health centre in Bratunac
Health Centre in Srebrenica
Health Centre in Brčko
Health Centre in Višegrad
Health Centre in Goražde
Health Centre in Rudo
Health Centre in Velika Kladuša
Health Centre in Bihać
Cantonal Hospital in Bihać
Health Centre Stari Grad Mostar

Health Centre Trebinje
Institute for Emergency Medical Help Canton Sarajevo
Institute for Public Health Canton Sarajevo
General Hospital Sarajevo

Informal Groups

SOS Ljuti Krajišnici TM Velika Kladuša
Neformalna grupa građana Velika Kladuša
Souls of Sarajevo

Border Police

Head Office
Field Office North-East
Field Office for Airport, Unit Airport Sarajevo
Field Office East
Field Office East, Unit Zvornik
Field Office South
Field Office West

Police

Tuzla Canton Ministry of Interior
RS Ministry of Interior
Police Administration Bijeljina
FBiH Ministry of Interior
SIPA Head Office
SIPA Regional Office Banja Luka
SIPA Regional Office Tuzla
Sarajevo Canton Ministry of Interior
Brčko District of Bosnia and Herzegovina Police
Una-Sana Canton Ministry of Interior
Posavina Canton Police Administration
Police Station Goražde
West Herzegovina Canton Police Administration
Herzegovina-Neretva Canton Police Administration

Prosecutor's offices

District Public Prosecutor's Office Bijeljina - Field Office in Srebrenica
District Public Prosecutor's Office in Bijeljina
Cantonal Prosecutor's Office - Posavina Canton
Cantonal Prosecutor's Office - Canton Sarajevo
Cantonal Prosecutor's Office- West Herzegovina Canton
Cantonal Prosecutor's Office - Herzegovina-Neretva Canton
District Public Prosecutor's Office East Sarajevo

Brčko District of BiH Prosecutors Office
Cantonal Prosecutor's Office – Una-Sana Canton
Prosecutors Office of BiH
District Public Prosecutor's Office Doboj
District Public Prosecutor's Office East Sarajevo, Filed Office in Višegrad
District Public Prosecutor's Office Banja Luka
District Public Prosecutor's Office Trebinje
Prosecutors Office of Bosnian Podrinje Canton

Courts

Basic Court in Srebrenica
Basic Court in Gradiška
Basic Court in Bijeljina
Municipal Court Mostar
Cantonal Court in Široki Brijeg
District Court Doboj
Municipal Court in Velika Kladuša
Court of BiH
District Court East Sarajevo
Basic Court in Zvornik
Basic Court in Trebinje
Municipal Court Ljubuški
Cantonal Court Sarajevo
Municipal Court in Goražde
Basic Court of Brčko District of BiH
District Court Bijeljina
Basic Court in Višegrad
Municipal Court Sarajevo
Basic Court in Sokolac
Municipal Court Orašje
Municipal Court Bihać
Cantonal Court Mostar
Basic Court in Foča
Basic Court in Doboj
District Court Trebinje
Cantonal Court Bihać