

Bosnia and Herzegovina

Selected Statistics and Indicators on Child Labor⁴⁰³

Working children, 5-14 years (%), 2000:	17.5
Working boys, 5-14 years (%), 2000:	19.3
Working girls, 5-14 years (%), 2000:	15.7
Working children by sector, 5-14 years (%):	
- Agriculture	-
- Manufacturing	-
- Services	-
- Other	-
Minimum age for work:	15
Compulsory education age:	15
Free public education:	Yes*
Gross primary enrollment rate (%):	-
Net primary enrollment rate (%):	-
School attendance, children 5-14 years (%), 2000:	76.3
Survival rate to grade 5 (%):	-
ILO-IPEC participating country:	No
* Must pay for miscellaneous school expenses	

Incidence and Nature of Child Labor

Children in Bosnia and Herzegovina work on family farms.⁴⁰⁴ A significant number of children, especially ethnic Roma, live or work on the streets and are often forced to do exploitive work such as participating in begging rings.⁴⁰⁵ Roma children, especially, have been known to beg on the streets of the larger cities.⁴⁰⁶ The majority of street children are under 14 years and most of them do not attend school.⁴⁰⁷

Children in Bosnia and Herzegovina were found to be trafficked for sexual exploitation.⁴⁰⁸ Roma children, in particular, were reportedly trafficked within the country for forced labor.⁴⁰⁹

Child Labor Laws and Enforcement

The 1995 Dayton Accords, formally known as the General Framework Agreement for Peace, established two distinct entities within Bosnia and

Herzegovina (BiH): the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS).⁴¹⁰ The BiH constitutional law supersedes entity laws where provisions are not uniform.⁴¹¹

The minimum age for work in both FBiH and RS is 15 years.⁴¹² In both FBiH and RS, minors 15 to 18 years must provide a valid health certificate in order to work.⁴¹³ Both entities prohibit minors from performing overtime work.⁴¹⁴ The law also prohibits minors from working jobs that could have harmful effects on their health, life, or psychophysical development.⁴¹⁵ Night work by minors is banned, although temporary exemptions may be granted by the labor inspectorate in cases of machine breakdowns, acts of God, and threats to the country's two political entities.⁴¹⁶ In both FBiH and RS, employers found to be in violation of these prohibitions on child labor must pay a fine.⁴¹⁷

The law prohibits forced or compulsory labor.⁴¹⁸ For voluntary military service in either entity, the minimum age is 17 years. Conscription into the Armed Forces was abolished in January 2006.⁴¹⁹

Under the Criminal Codes of both entities, trafficking of minors can result in punishments ranging from 3 to 10 years of imprisonment.⁴²⁰ Also, under the laws of the two entities, procuring a juvenile or seeking opportunity for illicit sexual relations with a juvenile is specifically prohibited and is punishable with up to 5 years imprisonment.⁴²¹ In FBiH, persons caught recruiting or luring juvenile females into prostitution face imprisonment of between 1 and 10 years.⁴²² Under the RS Criminal Code, imprisonment of 1 to 12 years is authorized for individuals who, for profit, compel or lure persons under the age of 21 years into offering sexual services, including by threat or use of force, or by taking advantage of a person's stay in another country.⁴²³

FBiH and RS entity Governments are responsible for enforcing child labor laws; violations of child labor laws are investigated as part of a general labor inspection. According to the labor inspectorates of both entities, no significant

violations of child labor laws were found in the workplace.⁴²⁴

The State Prosecutor's Office has sole jurisdiction over all trafficking cases and has the authority to decide which cases to prosecute at the State level and which ones to send to the entity level. A nationwide interagency anti-trafficking "strike force" coordinated efforts in 2006, resulting in a successful raid of three well-known bars in central Bosnia which led to four arrests and criminal charges against 11 people suspected of involvement in trafficking.⁴²⁵

The Government conducted 26 investigations relating to violations of trafficking in persons for sexual exploitation, from April 2007 to March 2008.⁴²⁶ According to USDOS, there were reports of public officials' involvement in trafficking, but no reported actions were taken against public officials.⁴²⁷

Current Government Policies and Programs to Eliminate the Worst Forms of Child Labor

In order to create a unified strategy for the protection of children, the BiH Council of Ministers adopted on June 20, 2007, the Strategy to Combat Violence on Children in Bosnia and Herzegovina for the period of 2007-2012.⁴²⁸

The Government is also collaborating with the IOM to implement anti-trafficking assistance and prevention programs within the country. These efforts include raising media and public awareness of trafficking through a major national public awareness campaign that includes brochures, billboards, and a documentary.⁴²⁹ The IOM has also assisted the Government in its management of counter-trafficking efforts, such as developing a network of shelters for protecting victims, and the prosecution of traffickers.⁴³⁰ The Government has continued to fight trafficking by registering 41 new individuals in its trafficking victim referral system; working with local NGOs to provide services to trafficking victims; producing an anti-trafficking manual for use in schools; and providing training for police, prosecutors, judges, teachers, and social workers.⁴³¹ Police and border officers have also been given materials to assist them in evaluating victims.⁴³²

The Government of Bosnia and Herzegovina participated in a USD 2.22 million regional program, funded by the Government of Germany and implemented by ILO-IPEC. The program aimed to combat the worst forms of child labor and was completed in July 2007.⁴³³

UNICEF is working in Bosnia and Herzegovina in assessing services available to trafficking victims to ensure that efforts to remove trafficked persons from exploitive situations do not result in further victimization. Specifically, UNICEF has worked to develop medical, legal, and counseling support services for children and minors.⁴³⁴

⁴⁰³ For statistical data not cited here, see the Data Sources and Definitions section. For data on ratifications and ILO-IPEC membership, see the Executive Summary. For minimum age for admission to work, age to which education is compulsory, and free public education, see Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, Issue No. 43, (October 28, 1999), article 15. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, (November 8, 2000), article 14. See also U.S. Department of State, "Bosnia and Herzegovina," in *Country Reports on Human Rights Practices- 2007*, Washington, DC, March 11, 2008, section 5; available from <http://www.state.gov/g/drl/rls/hrrpt/2007/100551.htm>.

⁴⁰⁴ U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," section 6d.

⁴⁰⁵ U.S. Embassy- Sarajevo, *reporting*, March 7, 2007.

⁴⁰⁶ U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," section 6d.

⁴⁰⁷ United Nations Committee on the Rights of the Child, *Concluding Observations on the Rights of the Child, Bosnia and Herzegovina*, CRC/C/15/Add.260, September 21, 2005, para. 65; available from [http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/dd9baddc520d9878c1257018002db47e/\\$FILE/G0544039.pdf](http://www.unhcr.ch/tbs/doc.nsf/898586b1dc7b4043c1256a450044f331/dd9baddc520d9878c1257018002db47e/$FILE/G0544039.pdf).

⁴⁰⁸ U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," sections 5 and 6d.

⁴⁰⁹ U.S. Department of State, *Trafficking in Persons Report- 2007: Bosnia and Herzegovina*, Washington, DC, June 12, 2007; available from <http://www.state.gov/documents/organization/82902.pdf>.

⁴¹⁰ U.S. Department of State, *Background Note: Bosnia and Herzegovina*, [online] October 2007 [cited December 17, 2007]; available from <http://www.state.gov/r/pa/ei/bgn/2868.htm>.

⁴¹¹ Government of Bosnia and Herzegovina, *Constitution of Bosnia and Herzegovina*, (December 14, 1995), article III, section 3, para. b.; available from http://www.ohr.int/print/?content_id=372.

⁴¹² Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, article 15. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, article 14.

⁴¹³ *Ibid.*

⁴¹⁴ Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, articles 32 and 51. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, article 42.

⁴¹⁵ Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, articles 15 and 51. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, article 69.

⁴¹⁶ Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, article 36. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, article 46.

⁴¹⁷ Government of Bosnia and Herzegovina, *The Labour Law (FBiH)*, article 140. See also Government of Bosnia and Herzegovina, *The Labor Law (RS)*, article 150.

⁴¹⁸ U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," section 6c.

⁴¹⁹ U.S. Central Intelligence Agency, *The World Factbook: Military Service Age and Obligation*, [online] [cited December 17, 2007]; available from <https://www.cia.gov/library/publications/the-world-factbook/print/bk.html>.

⁴²⁰ Government of Bosnia and Herzegovina, *Criminal Code of the Federation of Bosnia and Herzegovina*, (November 20, 1998), article 184; available from http://www.ohr.int/ohr-dept/legal/crim-codes/default.asp?content_id=5130#18. See also Government of Bosnia and Herzegovina, *Criminal Code of the Republika Srpska (excerpts)*, (July 31, 2000), article 144; available from <http://www.legislationline.org//legislation.php?tid=178&lid=2935>.

⁴²¹ Government of Bosnia and Herzegovina, *Statute of the Brcko District of Bosnia and Herzegovina*, (September 2000),

article 209; available from <http://www.ohr.int/ohr-dept/legal/const/doc/brcko-statute.doc>. See also Government of Bosnia and Herzegovina, *Criminal Code (FBiH)*, articles 224 and 228. See also Government of Bosnia and Herzegovina, *Criminal Code of the Republika Srpska*, (July 31, 2000), article 185; available from http://www.ohr.int/ohr-dept/legal/crim-codes/default.asp?content_id=5129.

⁴²² Government of Bosnia and Herzegovina, *Criminal Code (FBiH)*, articles 224 and 229.

⁴²³ Government of Bosnia and Herzegovina, *Criminal Code (RS)*, article 188.

⁴²⁴ U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," section 6d.

⁴²⁵ *Ibid.*, section 5. See also U.S. Embassy- Sarajevo, *reporting. March 7, 2007*.

⁴²⁶ U.S. Embassy- Sarajevo, *reporting*, March 3, 2008.

⁴²⁷ U.S. Department of State, *Trafficking in Persons Report- 2007: Bosnia and Herzegovina*.

⁴²⁸ U.S. Embassy - Sarajevo, E-mail communication to USDOL official, July 22, 2008.

⁴²⁹ IOM, *Counter-trafficking in BiH*, [online] [cited December 17, 2007]; available from <http://www.iom.ba/CT4.html>. See also U.S. Department of State, *Trafficking in Persons Report- 2007: Bosnia and Herzegovina*.

⁴³⁰ IOM, *Counter-trafficking in BiH*.

⁴³¹ U.S. Department of State, "Country Reports- 2007: Bosnia and Herzegovina," section 5. See also U.S. Embassy - Sarajevo, E-mail communication, July 22, 2008.

⁴³² U.S. Department of State, *Trafficking in Persons Report- 2007: Bosnia and Herzegovina*.

⁴³³ ILO-IPEC Geneva official, E-mail communication to USDOL official, December 12, 2007.

⁴³⁴ UNICEF, *FACTSHEET: TRAFFICKING The facts*, [online] [cited December 17, 2007]; available from <http://www.unicef.org/protection/trafficking.pdf>.