



BOSNIA AND HERZEGOVINA
THE COUNCIL OF MINISTERS

ACTION PLAN

for child protection and prevention
of violence against children through
information-communications technologies
in Bosnia and Herzegovina 2014-2015



BOSNIA AND HERZEGOVINA
THE COUNCIL OF MINISTERS

ACTION PLAN

for child protection and prevention
of violence against children through
information-communications technologies
in Bosnia and Herzegovina 2014-2015

The 2014-2015 Action Plan for child protection and prevention of violence against children through information-communications technologies in Bosnia and Herzegovina has been produced in accordance with the Strategy to Counter Trafficking in Human Beings in Bosnia and Herzegovina (2013-2015) adopted at the 43rd session of the Council of Ministers of Bosnia and Herzegovina which was held on 26 March 2013.

Strategic Goal 4 (Proactive Protection) includes a strategic measure D.6: “Improving system of protection against child pornography and paedophilia” which is intended to “ensure efficient mechanisms for protection against child pornography and other forms of sexual exploitation and against abuse of children through information and communications technologies”. The Strategy reasons this plan in the following manner: “Unrestricted “cyber space” and availability of information at all times from any point of the planet is certainly a crucial benefit of the civilization. Still, it also has a negative trends and consequences. Namely, it is this infinite space, accessibility and partial anonymity that allows the deviations of various forms to which formal social control and law enforcement are not accustomed in their daily activities. Children, being the “curious category “ of each country’s population are often in a real danger to become victims due to various abuses of the abovementioned “cyber space”. Therefore, it is necessary to define special measure under this Strategy”.

The Action Plan for the implementation of the Strategy to Counter Trafficking in Human Beings in Bosnia and Herzegovina (2013-2015) has foreseen as activity D.6.3 the adoption of the Action Plan for Child Protection and Prevention of Violence Against Children Through Information-Communications Technologies.

Table of Contents:

A LEGISLATION

- A.1. International instruments monitoring in the field of violence against children through information-communications technologies –accession and ratification
- A.2. Amendments and supplements to substantive and procedural criminal law and harmonisation of bylaws in Bosnia and Herzegovina

B INSTITUTIONAL CAPACITIES AND COOPERATION

- B.1. Establishment and professional development of specialised organisational units of the Entity/Cantonal Ministries of the Interior (hereinafter: MUPs) and Police of the Brčko District
- B.2. Education and training of Police Officers, Prosecutors and Judges
- B.3. Procurement of modern information hardware, software and other equipment
- B.4. Internet service provider (ISP) capacity building and cooperation with law enforcement agencies and judicial institutions
- B.5. Joint activities on the development of the education publications and production of a protocol on cooperation between the BiH law enforcement agencies and NGOs administering the existing “hotlines” for reporting on contents of violence against children through information-communications technologies (ICT)
- B.6. Cooperation with international bodies (Interpol, Europol, Inhope, etc..)

C PREVENTION

- C.1. Raising public awareness of the problem of violence against children through information-communications technologies
- C.2. Support to already established portals and SOS help lines tackling the problem of violence against children through information-communications technologies
- C.3. Training of trainers on violence against children through information-communications technologies
- C.4. Victim support

Field:

LEGISLATION (A)

Reporting Institution:

MINISTRY OF JUSTICE OF BOSNIA AND HERZEGOVINA¹

¹ The Ministry of Justice of BiH shall obtain the competent institutions' information required for the implementation of this Action Plan through the respective Governments of the Federation of BiH, Republika Srpska and Brčko District (that is, their authorised representatives in the Monitoring Team appointed by the referenced Governments to monitor the implementation of the Strategy to Counter Trafficking in Human Beings in BiH (2013-2015));

A.1. International instruments monitoring in the field of violence against children through information-communications technologies –accession and ratification			
Activity:	Competent institutions:	Funding	Implement. deadline
A-1.1. Access to and monitoring new international instruments relating to this field	<i>Ministry of Justice of BiH (reporting institution)</i> Ministry of Justice of FBIH, Ministry of Justice of RS, Judicial Commission of BD BIH	Competent institutions	Continuously 2013-2015
A-1.2. Development of an analysis of harmonisation of BiH legislation with the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse	<i>Ministry of Justice of BiH (reporting institution)</i> Ministry of Justice of FBIH, Ministry of Justice of RS, Judicial Commission of BD BIH	Competent institutions	November 2014
A-1.3. Based on the analysis of harmonisation (A-1.2.), initiate writing the proposals for the amendments and supplements to the law, taking into account the Constitutional competences, towards promotion of the child protection system in Bosnia and Herzegovina.	<i>Ministry of Justice of BiH (reporting institution)</i> Ministry of Justice of FBIH, Ministry of Justice of RS, Judicial Commission of BD BIH	Competent institutions	June 2015

A.2. Amendments and supplements to substantive and procedural criminal law and harmonisation of bylaws in Bosnia and Herzegovina

Activity:	Competent institutions:	Funding	Implem. deadline
A-2.1.	<p>Amendments and supplements to the Criminal Procedure Code of BiH (taking into account the Constitutional competences), with the aim of improving the protection of children from child pornography and other forms of sexual exploitation in accordance with international standards and recommendations and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse in particular.</p> <p><i>Ministry of Justice of BiH (reporting institution)</i></p> <p>Ministry of Justice of FBiH, Ministry of Justice of RS, Judicial Commission of BD BiH</p>	Competent institutions	September 2015
A-2.2.	<p>Amendments to the Criminal Codes of BiH (taking into account the Constitutional competences), in accordance with international standards and recommendations and the Convention on Cybercrime and the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse in particular.</p> <p><i>Ministry of Justice of BiH (reporting institution)</i></p> <p>Ministry of Justice of FBiH, Ministry of Justice of RS, Judicial Commission of BD BiH</p>	Competent institutions	September 2015

A-2.3.	Preparation and adoption of the Guidelines for Protection of Children from Violence through Information-Communications Technologies	Ministry of Human Rights and Refugees of BiH and Ministry of Security of BiH; Ministry of Family, Youth and Sports of RS, Ministry of the Interior of RS, Ministry of Justice of RS, Ministry of Health and Social Protection of RS, Ministry of the Interior of FBiH, Ministry of Labour and Social Policy of FBiH, Ministry of Health of FBiH, Ministry of Justice of FBiH, Police of the Brčko District of BiH, Judicial Commission, Department of Health and other services	Competent institutions	September 2014
A-2.3.	Preparation of a Feasibility Study for the implementation of a so-called “blacklist” programme, to include information on domains containing the violent contents against children through ICT.	Ministry of Transport and Communication of BiH, BiH Communications Regulatory Agency (CRA), RS MUP, FBiH MUP and BD BiH Police	Competent institutions	November 2014

Field:

INSTITUTIONAL CAPACITIES AND COOPERATION (B)

Reporting Institution:

MINISTRY OF SECURITY OF BOSNIA AND HERZEGOVINA²

² The Ministry of Security of BiH shall obtain the competent institutions' information required for the implementation of this Action Plan through the respective Governments of the Federation of BiH, Republika Srpska and Brčko District (that is, their authorised representatives in the Monitoring Team appointed by the referenced Governments to monitor and implement the Strategy to Counter Trafficking in Human Beings in BiH (2013-2015));

B.1. Establishment and professional development of specialised organisational units of the Entity/Cantonal Ministries of the Interior and Police of the Brčko District		Competent institutions:	Funding	Implementation Deadline
Activity:				
B-1.1.	Analyse and, if required, propose the establishment of a specialised organisational structure and changes of the systematisation of posts within the Federation Police Administration (and cantonal MUPs)	Monitoring Team 1	Government of the Federation of BiH	September 2015
B-1.2.	Analyse and, if required, propose the establishment of a specialised organisational structure and changes of the systematisation of posts within Police of the Brčko District	Monitoring Team 2	Government of the Brčko District	September 2015
B-1.3.	Permanent analysis of the existing capacities of law enforcement agencies in BiH in terms of addressing the incidence of violence against children through information-communications technologies (expansion of capacities, amendments to the bylaws...)	Monitoring Team 3	Council of Ministers of BiH and Governments of FBiH, Republika Srpska and the Brčko District	Continuously 2013-2015

-
- 3 Monitoring Team for the implementation of the Strategy to Counter Trafficking in Human Beings in BiH (2013-2015) appointed by the Council of Ministers of BiH
 - 4 Monitoring Team for the implementation of the Strategy to Counter Trafficking in Human Beings in BiH (2013-2015) appointed by the Council of Ministers of BiH
 - 5 Monitoring Team for the implementation of the Strategy to Counter Trafficking in Human Beings in BiH (2013-2015) appointed by the Council of Ministers of BiH

B.2. Education and Training of Police Officers, Prosecutors and Judges				
Activity:		Competent institutions:	Funding	Implementation Deadline
B-2.1.	Police specialist training for “online” investigation of a criminal offence (criminal procedure evidence collection, undercover investigations and similar).	Ministry of Security of BiH, Ministry of the Interior of FBIH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH.	Competent institutions	Continuously 2013-2015
B-2.2.	Specialist training in using software packages for investigations and forensics.	Ministry of Security of BiH, Ministry of the Interior of FBIH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH and relevant non-governmental organisations entered into the NGO Registry	Competent institutions	Continuously 2013-2015
B-2.3.	Joint training for Police, Prosecutor’s Offices and Courts on conducting investigations of the criminal offence of violence against children through information-communications technologies.	Ministry of Security of BiH, HJPC, FBIH CJPT, RS CJPT, Judicial Commission of the Brčko District, Ministry of the Interior of FBIH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH and relevant non-governmental organisations entered into the NGO Registry	Competent institutions	Continuously 2013-2015

B-2.4.	Organisation of training for the work with victims of the criminal offence of violence against children through information-communications technologies (target group: police officers – beyond the Juvenile Delinquency Department)	Ministry of Security of BiH, Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH and relevant non-governmental organisations entered into the NGO Registry	Competent institutions	Continuously 2013-2015
B-2.5.	Sensibilisation of Prosecutors and Judges working with children-victims of violence committed through information-communications technologies.	High Judicial and Prosecutorial Council of BiH (HJPC), FBiH CJPT, RS CJPT, Judicial Commission of the Brčko District, relevant international governmental and non-governmental organisations and local non-governmental organisations entered into the NGO Registry	Competent institutions	Continuously 2013-2015

B.3. Procurement of modern information hardware, software and other equipment				
Activity:		Competent institutions:	Funding	Implementation Deadline
B-3.1.	Provide adequate hardware equipment (Tableau, F.R.E.D.,) required for the law enforcement operations	Ministry of Security of BiH, Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH and relevant non-governmental organisations entered into the NGO Registry	Competent institutions and international organisations	Continuously 2013-2015
B-3.2.	Provide adequate software (EnCase, FTK, Internet evidence finder,) equipment required for the law enforcement operations	Ministry of Security of BiH, Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH and relevant non-governmental organisations entered into the NGO Registry	Competent institutions and international organisations	Continuously 2013-2015
B-3.3.	Provide technical support to non-governmental organisations administering and managing the “online“ reporting and support communication in case of violence against children through information-communications technologies.	Ministry of Security of BiH, Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH and relevant non-governmental organisations entered into the NGO Registry	Competent institutions and international organisations	Continuously 2013-2015

B.4. Internet service provider (ISP) capacity building and cooperation with law enforcement agencies and judicial institutions			
Activity:	Competent institutions:	Funding	Implementation Deadline
B-4.1.	Establish cooperation between MUPs, judicial authorities, ISPs and CRAs with the aim of tackling the incidence of violence against children through information-communications technologies.	Ministry of Transport and Communications of BiH, Ministry of Family, Youth and Sports of RS, Ministry of the Interior of RS, Ministry of Justice of RS, Ministry of Health and Social Protection of RS, Ministry of the Interior of FBiH, Ministry of Labour and Social Policy of FBiH, Ministry of Health of FBiH, Ministry of Justice of FBiH, Police of the Brčko District of BiH, Judicial Commission, Department of Health and other services	Competent institution November 2014
B-4.2.	Implementation of website “blacklists” (a list of domains) with various materials containing the most severe forms of violence against children through information-communications technologies.	Ministry of Security of BiH Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH	Competent institutions September 2015
B-4.3.	Development of uniform guidelines for ISPs as to how to act in case of detection of websites showing violence against children.	Ministry of Transport and Communications of BiH, CRA, Ministry of the Interior FBiH, Ministry of the Interior of Republika Srpska, Police of Brčko District of BiH, Ministry of Justice of FBiH, Ministry of Justice of RS, Judicial Commission of BD BiH.	Competent institutions June 2015

B.5.	Joint activities on the development of the education publications and production of a protocol on cooperation between the BiH law enforcement agencies and NGOs administering the existing “hotlines” for reporting on contents of violence against children through information-communications technologies (ICT)			
Activity:	Competent institutions:	Funding	Implementation Deadline	
B-5.1.	Develop a protocol on cooperation between the BiH law enforcement agencies and NGOs administering the existing “hotlines” for reporting on contents of violence against children through ICT, <u>after the INHOPE protocol model.</u>	State Coordinator for Combating Trafficking in Human Beings, Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, RS Agency for Information Society, Police of the Brčko District of BiH and relevant non-governmental organisations entered in the NGO Registry.	Competent institution	December 2014
B-5.2.	Develop operations manual in case of violence against children through ICT, intended for the law enforcement agencies, judicial institutions and NGOs.	State Coordinator for Combating Trafficking in Human Beings, Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH and relevant non-governmental organisations entered in the NGO Registry.	Competent institutions	June 2015

B.6. Cooperation with international bodies (Interpol, Europol, Inhope, etc....)				
Activity:		Competent institutions:	Funding	Implementation Deadline
B-6.1.	Participation in the work of international bodies and international initiatives directed toward combating violence against children through ICT.	Ministry of Security of BiH, Ministry of Justice of BiH, Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH and relevant non-governmental organisations entered in the NGO Registry.	Competent institution	December 2014
B-6.2.	Providing the law enforcement agencies with access to Interpol's databases with regard to identified photographs and audio-visual materials containing children pornography (ICAID).	Ministry of Security of BiH, Ministry of the Interior FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH	Competent institutions	June 2015
B-6.3.	Securing access to INHOPE's database and other similar databases.	Ministry of Security of BiH, Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH and relevant non-governmental organisations entered in the NGO Registry	Competent institutions	June 2015
B-6.4.	Securing access to the "GROOVE" police forum, competent agencies (organisations) in BiH addressing this matter.	Ministry of Security of BiH, Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH	Competent institutions	September 2015
B-6.5.	Application to the UK Metropolitan Police for access to child protection software –CPS	Ministry of Security of BiH, Ministry of the Interior of FBiH, Ministry of the Interior of Republika Srpska, Police of the Brčko District of BiH	Competent institutions	September 2015

FIELD:

PREVENTION (C)

Reporting Institution:

MINISTRY OF HUMAN RIGHTS AND REFUGEES OF BOSNIA AND HERZEGOVINA⁶

⁶ The Ministry of Human Rights and Refugees of BiH shall obtain the competent institutions' information required for the implementation of this Action Plan through the respective Governments of the Federation of BiH, Republika Srpska and Brčko District (that is, their authorised representatives in the Monitoring Team appointed by the referenced Governments to monitor and implement the Strategy to Counter Trafficking in Human Beings in BiH (2013-2015));

C.1. Raising public awareness of the problem of violence against children through information-communications technologies				
Activity:		Competent institutions:	Funding	Implement. Deadline
C-1.1.	Scientific analysis of the problem of violence against children in Bosnia and Herzegovina through information-communications technologies	Academic and scientific-research institutions or organisations.	The Council of Ministers of BiH and the respective Governments of FBiH, Republika Srpska and the Brčko District	September 2014
C-1.2.	Marking a Safer Internet Day	Non-governmental organisations entered into the NGO Registry in BiH, in cooperation with the competent institutions in BiH	The Council of Ministers of BiH and the respective Governments of FBiH, Republika Srpska and the Brčko District	Continuously 2013-2015
C-1.3.	Implementation of various forms of campaigns concerning the problem of violence against children through information-communications technologies.	All institutions involved in the implementation of this Action Plan, international organisations and non-governmental organisations, information-communications industry.	Competent institutions	Continuously 2013-2015

C-1.4.	Support to children-victims of violence through information-communications technologies	This activity only refers to FBiH and the Brčko District, and falls within the competence of all institutions involved in the implementation of this Action Plan, international organisations and non-governmental organisations and information-communications industry. In Republika Srpska, this field has already been defined by the Law on Protection from Domestic Violence and the Law on Social Protection.	Competent institutions	Continuously 2013-2015
C-1.5.	Shadow monitoring (so-called "Shadow Report")	A relevant network of civil society organisations entered in the NGO Registry	Donations	September 2016

C.2.	Support to already established portals and SOS help lines tackling the problem of violence against children through information-communications technologies			
Activity:	Competent institutions:	Funding	Implement. Deadline	
C-2.1.	Development of an initiative for posting links on the education institutions' websites for children, referring to the established portals and help lines tackling the problem of violence against children through information-communication technologies.	Ministry of Education and Culture of RS, in cooperation with the RS Agency for Information Society; FBiH Cantonal Ministries of Education and the Department of Education of BD BiH.	Ministry of Civil Affairs of BiH	Continuously 2013-2015
C-2.2.	Establishment of a Safer Internet Centre	Non-governmental organisation MFS EMMAUS in consultation and with the prior consent of the Ministry of Education and Culture of RS, FBiH Cantonal Ministries of Education and the Department of Education of BD BiH.	Ministry of Security of BiH, supported by donations	Continuously 2013-2015

C.3.	Training of trainers on violence against children through information-communications technologies			
Activity:	Competent institutions:	Funding	Implement. Deadline	
C-3.1.	Development of the train the trainer programme about violence against children through information-communications technologies	Faculty of Criminalistics, Criminology and Security Studies of the University of Sarajevo and the College of Internal Affairs of Republika Srpska	Ministry of Security of BiH, supported by donations	September 2014
C-3.2.	Training of trainers (information technology teachers in primary and secondary schools) about the problem of violence against children through information-communications technologies	Faculty of Criminalistics, Criminology and Security Studies of the University of Sarajevo and the College of Internal Affairs of Republika Srpska; Ministry of Education and Culture of RS, Ministry of Education in all cantons in FBiH and the Department of Education of BD BiH.	Ministry of Security of BiH supported by donations	Continuously 2014-2015

C.4. Victim support				
Activity:		Competent institutions:	Funding	Implement. Deadline
C-4.1.	Development of Guidelines for rehabilitation and reintegration programmes for victims of violence through information – communications technologies	Ministry of Human Rights and Refugees of BiH, Ministry of Family, Youth and Sports of RS, Ministry of the Interior of RS, Ministry of Justice of RS, Ministry of Health and Social Protection of RS, Ministry of the Interior of FBiH, Ministry of Labour and Social Policy of FBiH, Ministry of Health of FBiH, Ministry of Justice of FBiH, Police of the Brčko District of BiH, Department of Health and other services	Ministry of Human Rights and Refugees of BiH, supported by donations	February 2015
C-4.2.	Harmonisation of standards for support and protection of children-victims of human trafficking and other forms of crime	Ministry of Human Rights and Refugees of BiH, Ministry of Security of BiH; relevant ministries in the field of education, social protection and health in FBiH; Ministry of Family, Youth and Sports of RS, Departments of education, social protection and health of the Brčko District of BiH	Competent institutions	December 2014
C-4.3.	Establishment of the Guidelines monitoring system for reintegration and re-socialisation programmes for children-victims of violence through information-communications technologies	Ministry of Human Rights and Refugees of BiH, Ministry of Family, Youth and Sports of RS, Ministry of the Interior of RS, Ministry of Justice of RS, Ministry of Health and Social Protection of RS, Ministry of the Interior of FBiH, Ministry of Labour and Social Policy of FBiH, Ministry of Health of FBiH, Ministry of Justice of FBiH, Police of the Brčko District of BiH, Department of Health and other services	Ministry of Human Rights and Refugees of BiH, supported by donations	December 2015