

PROJECT FACTSHEET

Bosnia and Herzegovina March 2017

IMPROVING CONDITIONS FOR THE PROTECTION OF CHILDREN AND ADOLESCENTS



The governments in Bosnia and Herzegovina (BiH) want to reform the juvenile criminal legislation and improve the application of international standards in BiH so that children are better served and protected by the justice system, including the security and social welfare sectors. The Swiss Agency for Development and Cooperation (SDC), the United Nations Children's Fund (UNICEF) and the Swedish International Development Cooperation Agency (Sida) have been conducting a project to this end since 2010.

Approximately 10% of children in BiH live in socially disadvantaged families, a quarter of them in absolute poverty. Socially disadvantaged children and adolescents living in poverty are exposed to a higher risk of becoming perpetrators or victims of a crime.

The prevention of juvenile offending has so far been given scant consideration. Despite an enabling legislative framework, alternative measures and key child friendly procedures are rarely used. Some of the barriers include lack of coordination amongst sectors and institutions, unclear or burdensome procedures for application of some measures, and lack of financial resources and structures in place to implement measures. The notion of the best interests of the child is not systematically applied in all decisions regarding children, and the right for the child to participate in decisions regarding their care, custody and protection is unevenly implemented.

For the last five years Bosnian juvenile criminal law has been undergoing a process of reform with the aim of establishing the necessary legal framework for a justice system adapted to the specific needs of children and adolescents. The Bosnian government has given priority to the creation of a juvenile justice system based on international standards – also in view of its future candidature for membership of the EU.

PRIORITY TO STRENGTHENING PREVENTIVE MEASURES

The overall goal of J4C is for juveniles in conflict with the law, children at-risk, child victims/witnesses and children in civil proceedings to be better served and protected by the BiH justice system, including the security and social welfare sectors.

In this phase the project aims to improve protection for all children and adolescents in the justice system through strengthening child friendly procedures and preventive measures. The social reintegration of juvenile offenders is also to be improved. In the long term, it is expected that prevention programmes for at-risk children, and better treatment of children and juveniles in the justice system will lead to an overall reduction in juvenile offending, and improve children's and juveniles' well-being and ability to engage in educational, social and cultural activities in their communities. J4C also supports protection to victims of violence of crime as well as witnesses of a criminal act.

CONTINUATION OF SPECIALISED TRAINING

The provision of further training and public relations are central aspects of the project. About 1,000 professionals, including judges, prosecutors, social workers and police officers, are receiving specialised further training, the purpose of which is to strengthen the knowledge and develop a more positive attitude towards J4C and prevention. At the same time, the public is to be increasingly sensitised to the issue of juvenile criminal justice and the reforms under way in juvenile law.

BUILDING ON SUCCESSES AND PROMOTING THE PROTECTION OF CHILDREN AND YOUNG PEOPLE

In the first phase, from 2009 to 2013, the focus was on improving the legal framework for juveniles in conflict with the law. For example, at 16 police stations child-friendly rooms were set up in which children and young adults could be interviewed under conditions appropriate for their age. More than 1,800 children, parents and teachers were involved in school-based programmes to raise awareness and prevent violence and juvenile offences. On the local level, cross-sector municipal coordination mechanisms were established in nine selected locations to assess needs, develop municipal action plans on justice for children with a focus on diversion, alternative measures and the pre-

vention of juvenile offending. Over 1400 professionals have increased their technical knowledge in the area of justice for children, international standards, application of alternative and prevention measures, ethical reporting, and child friendly procedures. A KAP (Knowledge, Attitudes, and Practices) Survey showed that the communication activities had some positive impacts on the way society looks at juvenile justice, shifting from a punitive approach to a reintegration one.

Strengthening alternative and preventive measures has so far proved to be successful and have led to a reduction in juvenile offending in some first phase project locations. Data from three municipalities show that juvenile offending in Tuzla and Capljina has declined by 50% and in Zenica by 16% (as at 2013).

THE PROJECT IN BRIEF

NAME:
Support to Juvenile Justice Reform Project

DOMAIN:
Democratic Governance, Municipal Services and Justice

THEME:
Governance, Institutions and Decentralization

LAND/REGION:
Bosnia and Herzegovina

PARTNERS:
State and Entities' Ministries of Justice
BiH Ministry for Human Rights and Refugees
Entities' and Cantonal Ministries of Social Protection
Entities' and Cantonal Ministries of Interior
High Judicial and Prosecutorial Council

IMPLEMENTING PARTNERS:
United Nations Children's Fund (UNICEF), as the implementing partner
Swedish International Development Cooperation Agency (Sida), as co-donor agency

STARTING POINT / BACKGROUND INFORMATION:
About 10% of BiH's children are living in socially vulnerable families; 26% live in absolute poverty. They are particularly prone to be at risk as offenders or victims of criminal acts. Due to a lack of adequate child protection procedures focused on alternative measures, improved conditions and programmes in detention and post-release services, it is very hard for juvenile offenders to re-integrate successfully into the society. This leads to negative effects for the juveniles themselves and for the society on its way to transition - 18% of released juveniles have re-offended in 2012. Despite tangible achievements in creating a child friendly justice system in BiH, over the last five years - e.g. justice for children has been set as a rule of law priority - , the relevant legal framework needs to be further developed and related proceedings need to be implemented. More modern, child sensitive services and procedures are to be further established, in compliance with respective international standards.

PROJECT OBJECTIVE:

The overall goal is for children (at-risk, juvenile offenders, child victims/witnesses) to be better served and protected by the BiH justice system, as well as the security and social welfare sectors. project has two objectives: 1) to strengthen the legal, policy and social environment for secondary and tertiary prevention measures for juveniles at-risk or in conflict with the law, and 2) to increase access to efficient support and protection services for child victims/witnesses and children in civil proceedings. In the long term, it is expected that prevention programmes for at-risk children, and better treatment of children and juveniles in the justice system will lead to an overall reduction in juvenile offending, and improve children's and juveniles' well-being and ability to engage in educational, social and cultural activities in their communities.

Children and juveniles can be involved at different stages in justice systems in BiH; as potential offenders or perpetrators of crime, as victims or witnesses of crime; the project intervenes to set up children sensitive proceedings; their specific rights shall be defended and prevention measures will be priorities.

TARGET GROUP:

The core target groups include key actors within BiH's Juvenile Justice system, mainly governmental institutions at municipal, cantonal, entities' and state levels, as well as their sub-ordinate agents involved in justice for children. Addressed are also specialised training organisations, juvenile detention institutions and facilities, and professionals. End beneficiaries are children aged up to 18 years- estimated at a population of 804'000. Within this broad population group, the project seeks to support children at-risk of being in conflict with the law – estimated at about 76'600 persons, as well as child victims and witnesses of criminal acts.

BUDGET:
CHF 1'050'000 (phase I)
CHF 2'250'000 (phase II)

DURATION:
15.12.2009 – 30.06.2013 (phase I)
01.01.2014 – 31.12.2017 (phase II)

FOR FURTHER INFORMATION AND CONTACT DETAILS

Swiss Agency for Development and Cooperation (SDC)
Cooperation with Eastern Europe, Western Balkans Division
Freiburgstrasse 130, 3003 Bern
Tel. +41 (0)58 462 22 12
E-Mail: deza-oza@eda.admin.ch
www.sdc.admin.ch

Embassy of Switzerland in Bosnia and Herzegovina
Zmaja od Bosne 11, RBBH Building, object B
BiH-71000 Sarajevo
Tel. +387 33 27 58 50, +387 33 25 40 30
Fax +387 33 57 01 20
E-Mail: sar.vertretung@eda.admin.ch
www.eda.admin.ch/bosnia-and-herzegovina