



OMBUDSMAN ZA DJECU
REPUBLIKE SRPSKE

"DJECA IMAJU PRAVO NA ZAŠTITU OD SEKSUALNOG ZLOSTAVLJANJA I ISKORIŠĆAVANJA"



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OMBUDSMAN FOR CHILDREN
OF REPUBLIC OF SRPSKA



OMBUDSMAN ZA DJECU
REPUBLIKE SRPSKE

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SPECIAL REPORT
„CHILDREN HAVE THE RIGHT TO PROTECTION FROM SEXUAL
ABUSE AND EXPLOITATION”

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I INTRODUCTION

The Ombudsman for Children of Republic of Srpska, acting ex officio, in accordance with powers stipulated by the Legal Act on Ombudsman for Children of Republic of Srpska¹, states the need for submitting of this Special Report which indicates the violation of fundamental rights and interests of children to protection from any form of abuse and neglect.

The Ombudsman for Children in this emphasizes the necessity of undertaking of concrete systemic activities to achieve the situation where the local regulations will be compatible with the UN Convention on the Rights of the Child and other international documents which bind on the establishment of such a legislative framework that will identify various aspects of these criminal acts that leave permanent and serious consequences on children.

II POWERS OF OMBUDSMAN

By the Legal Act on Ombudsman for Children of Republic of Srpska, responsibilities and powers of the Institution are clearly defined so that:

In performing the work under its jurisdiction the Ombudsman for Children acts within the framework of the Constitution, laws and other regulations and general acts, as well as international treaties and generally accepted rules of international law, guided by the principles of fairness and moral².

1- follows the compliance of laws and other regulations related to the protection of rights of the child with the provisions of the Constitution of Republic of Srpska, the Convention on the Rights of the Child and other international documents related to the protection of the rights and interests of the child³.

Ombudsman for Children is authorized to submit to the Government or the National Assembly an initiative for amendments of laws and other regulations and general acts, if it considers that the violation of the rights of children occurs because of the deficiency in regulations, as well as to initiate the adoption of new laws, regulations and general acts, when it deems it important for exercising and protection of rights of the child⁴.

Government or the competent committee of the National Assembly is obliged to consider initiatives submitted by the Ombudsman for Children.

¹ Legal Act on Ombudsman for Children of Republic of Srpska, O.G. of RS No. 103/08

² Legal Act on Ombudsman for Children, Art 3.

³ Legal Act on Ombudsman for Children, Art 5.

⁴ Legal Act on Ombudsman for Children, Art 7.

III INTERNATIONAL STANDARDS

1. UN Convention on the Rights of the Child⁵

Binds Member States to take all appropriate legislative, administrative, social and educational measures to protect the child from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parents, legal guardians or other person who has the care of the child.

Such protective measures should include, as appropriate, effective procedures for establishing of social programs for providing of the support necessary to a child and to those who are entrusted with the care of the child, as well as other forms of prevention, determination, registration, submission, investigation, treatment and follow-up of the cases here mentioned child abuse and, as appropriate, addressing the court⁶.

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse⁷.

2. Optional Protocol to the Convention on the Rights of the Child on sale of children, child prostitution and pornography from 2000.⁸

According to the Protocol child prostitution is use of a child in sexual activities for remuneration or any other form of consideration; Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes⁹.

Actions of the execution of this offense are the production, distribution, dissemination, import, export, offering, sale and possession of child pornography.

3. Protocol to Prevent, Suppress and Punish Trafficking in human beings, especially women and children, which supplements the UN Convention against Transnational Organized Crime¹⁰

The purpose of this Protocol is the prevention and combating trafficking in human beings with paying particular attention to women and children, protection and assistance to victims of such

⁵ Adopted at the UN General Assembly in 1989.

⁶ UN Convention on the Rights of the Child, Article 19.

⁷ UN Convention on the Rights of the Child, Article 34.

⁸ B&H has ratified the Protocol on September 4. 2002.

⁹ The Protocol, Art. 2.

¹⁰ Official Gazette of B&H, International Treaties, No. 3 / 2002

trafficking, with full respect for their human rights, and promoting of the cooperation among States Parties in order to achieve set goals.

4. Recommendation of the Council of Europe Committee of Ministers R (91) 11 on sexual exploitation, pornography and prostitution and trafficking of children and youth¹¹

Calls that the information on risk of sexual exploitation and abuse in programs of elementary and secondary education be included, that in the court and Administrative Procedure privacy be provided, for the respect of the right of children to privacy, for providing of sanctions against all those involved in production and distribution of pornographic material which involve children.

5. Resolution 1099 (1996) of the Parliamentary Assembly of the Council of Europe on sexual exploitation of children¹²

The Assembly calls upon the Member States of the Council of Europe to unite their efforts and their resources to combat child prostitution, trafficking and pornography, calls for increased international cooperation and to promote information campaigns for children and their parents, and also provide educational and psychological care for children who are victims of sexual exploitation.

6. Recommendation (2001) 16 on protection of children from sexual exploitation¹³

Calls for planning and implementing the measures, policies, and practices to combat sexual exploitation, promoting cooperation on various aspects of sexual exploitation of children at national and international levels, eliminating child pornography, child prostitution and trafficking of children, with or without the child's consent and promotion of welfare and best interests of the child.

¹¹ The Committee of Ministers of the Council of Europe, 1991.

¹² Parliamentary Assembly of the Council of Europe adopted Resolution in 1996.

¹³ The Committee of Ministers of the Council of Europe, 2001.

7. Resolution 1307 (2002) on sexual exploitation of children¹⁴

The Assembly urges member states to tackle the problem of sexual abuse by people in positions of trust, such as parents, caregivers, teachers, police or the clergy, through the appropriate bodies.

8. Council of Europe Convention on Cybercrime¹⁵

Binds Member States to, with their national legislations, incriminate the following conduct:

- producing of child pornography;
- offering or making available child pornography through a computer system;
- distributing or transmitting child pornography through a computer system;
- procuring child pornography for oneself or for another person;
- possessing of child pornography.

9. Council of Europe Convention on protection of children from sexual exploitation and sexual abuse¹⁶

The Convention is a new international document and legal basis for further extension of legislative framework to protect children from sexual exploitation and abuse.

The Convention requires the prevention from all forms of violence against children, raising awareness of citizens on the inadmissibility of any behavior that is aimed at sexual exploitation and abuse of children, introduces a number of measures to protect and support victims of violence, is obliged to inform the public and especially children about the rights that they have and dangers that may lead to their violation on that basis, keeping records of the perpetrators of these acts.

¹⁴ Parliamentary Assembly of the Council of Europe, 2002.

¹⁵ Council of Europe, 2001.

¹⁶ Council of Europe, 2007.

CRIMINAL LAW OF REPUBLIC OF SRPSKA

With reform of criminal legislation Republic of Srpska has carried out significant changes especially in part of protection of children from all forms of sexual abuse¹⁷.

Criminal Law of Republic of Srpska provides, inter alia, the following criminal acts related to sexual violence against children:

- rape (Article 193.),
- sexual intercourse over the helpless person (Article 194.),
- sexual violence against a child (Article 195.),
- intercourse by abuse of position (Article 196.),
- satisfaction of sexual passion in front of the other (Article 197.),
- trafficking for the purpose of prostitution (Article 198.),
- exploitation of children and minors for pornography (Article 199.),
- production and viewing of child pornography (Article 200.),
- incest (Article 201.).

The most common criminal acts that occur in practice, in concurrence with the above acts are:

- deprivation of a minor (Article 205.),
- neglect and abuse of a minor (Article 207.),
- domestic violence (Article 208.).

According to the UN Convention on the Rights of the Child and the Convention on Transnational organized crime with an additional Protocol to Prevent, Stop and Punish Trafficking in Persons, especially Women and Children, a child is considered to be any person under the age of 18 years. Criminal Law of Republic of Srpska does not provide a definition of a child or minor, except that Article 69. by stipulating criminal sanctions against juveniles, makes the difference in the age of the minor, that is a younger minor from 14 -16 years and older minor from 16-18 years. At the same time, Article 64. stipulates that to a minor who at the time of the offense has not reached the age of 14 / a child / criminal sanctions cannot be applied.

In the process of harmonizing its legislation, Republic of Srpska, in January of 2010. adopted the Law on the Protection and Treatment of Children and Juveniles in the criminal proceedings¹⁸. This law gives the definition of a child in accordance with international standards. By this law a child is considered to be any person under the age of 18, and a minor is a child from 14 to 18 years.

Also, this law makes division of the younger (14 to 16 years) and older juveniles (from 16 to 18) and introducing a category of young adults (aged 18 to 21 years). Further, the Law contains, among others,

¹⁷ Criminal Law of Republic of Srpska, O G. of RS No. 49/03, 108/04, 37/06, 70/06

¹⁸ Law on Protection and Treatment of Children and Juveniles in criminal proceedings ("Official Gazette" of RS, No. 13/10) which will start to apply from January 01. 2011.

provisions relating to children who are the victims of criminal acts or appear as witnesses in criminal procedure.

Inter alia, this law states the obligation that a judge for juveniles, more exactly, the council which is chaired by a judge for juveniles judges in all criminal cases where as the damaged a child or minor appears, no matter that the offender is an adult.

The Law (Article 186.) during the implementation of procedural actions prescribes the duty of particularly cautious treatment of children, against which criminal acts have been committed, taking into account their age, personality traits, education and living conditions in order to avoid possible harmful effects on their future life, education and development.

The hearing of the child is done with the help of pedagogue, psychologists or other professional. The hearing may be conducted the most on two occasions and with the use of technical equipment for the transmission of images and sounds.

A child may be examined in its own home or other space in which a child resides or in the social welfare center.

Prohibition of confrontation (Article 187.) - If a child or minor is being examined as a witness, who is seriously physically or mentally traumatized by the circumstances under which a criminal offense was committed or suffers from serious mental disorders which make him/her particularly sensitive, it is prohibited to exercise its confrontation with the suspect or the accused.

The Law on Protection and Treatment of Children and Juveniles in the Criminal Proceedings eliminates deficiencies in the present practice which have been identified in the criminal proceedings relating to this group of criminal acts, and in which children are the victims. This law, first of all, adjusts the procedure of examination to the age of the child and its psycho-physical development.

All these procedures are of urgent nature¹⁹. However, legal procedure of proving of sexual abuse is always a long and stressful. Usually, it all comes down to the opposing testimonies of the defendant and the victim, and because of the lack of witness only a small number of sexual offenses are prosecuted. There are frequent cases in practice that the victim in the trial withdraws the statement given earlier or even that one parent takes the side of the other parent and they accuse the child that it has misunderstood something. Not in any of the crimes, as in for example in rape there is so much examining and determining of the responsibilities and contributions of the victim. The allegations are also present that the victim herself contributed to the rape by her behavior or by the way she dresses, for example.

Article 195. Paragraph 1. of Criminal Law of RS - sexual violence against a child, stipulates an absolute prohibition of any sexual acts with a child, regardless of whether they are voluntary or even initiated by the child, provided that the child, whose sexual integrity is protected, is a person up to 14 years of age.

¹⁹ Law of Criminal Procedure of RS (Official Gazette of RS No. 100/09)

Starting from the expert's opinions, that the child at the age of 14 is in such developmental phase of its personality in which it is not capable of fully understanding seriousness, the essence and importance of sexual intercourse and that sexual intercourse in a child younger than 16 years of age can produce far-reaching negative consequences for later psychophysical development of its personality. The attitude of the Institution is that age limit for voluntary consent to sexual intercourse should be raised to 16 years of age. With it, any sexual act with a child younger than 16 years, regardless of whether these acts were voluntary or even initiated by the child, are considered a criminal act. With it the situation where the perpetrator of the act avoids any responsibility, because the girl-victim of 14 years and one month said that she was in the relation voluntary, could be avoided.

In a criminal offense under Article 195. - Sexual violence against a child, the action of execution is „ Sexual intercourse or other sexual act”, and it does not clearly include all possible situations in practice. Because of the above mentioned, it is necessary to legally define a criminal offense „indecent acts” in all situations where a child is a victim of the same.

Given the far-reaching and negative consequences on personality development of a child-victim of sexual abuse and exploitation additional mechanisms for protection of children are necessary. One of the mechanisms is the issue of statute of limitation for crimes committed to the detriment of children which should be regulated by the law in a way that it starts from the legal age of the child. This means that the child - the victim, by acquisition of legal age, when it understand all the gravity and consequences of the act that was done, when they release from fear and humiliation, and when not under the influence of parents or other legal representative, decide by themselves whether to file a case against a person which have, on their way of growing up, humiliated and hurt him/her. On the other hand, this way of determining the period of statute of limitation should be in the function of prevention, given that the perpetrator must count on that the child which he blackmailed and intimidated to silence, has additional time in front of him/her and that the perpetrator can expect, the whole time, that the humiliated child now as a grown up, speaks up.

Child Pornography in CL of RS - Criminal offenses that are connected to human trafficking for sexual exploitation often have characteristic of organized crime. This applies to more common occurrence of criminal acts of spreading of child pornography over the internet. Because of the access to internet, acts of execution of these acts stretch across borders, thus acquiring proportions of transnational organized crime. Latest amendments to the Criminal Law as of May of this year, made the harmonization of the Criminal Law with the international standards in this area.

PENAL POLICY - Penalties imposed on the perpetrators most often are not adequate for the committed act. Although the legislator has given the possibility of imposing of severe penalties ranging for example from three to fifteen years, only minimal penalties are imposed.

By latest amendments to the Law prescribed penalties are tightened so that now, for example the legislator provides for the criminal offense of rape "of the minor" from Article 193. Paragraph 2.

imprisonment for at least five years instead of "three to fifteen years" or for the criminal offense of "sexual violence against a child" from Article 195. Paragraph 1. the legislator prescribes imprisonment of "one to ten years" instead of one to eight years in prison".

By amendments of the Law penalties are tightened but still not enough. The problem that a minimum sentence is so small is still present, so that new amendments to the Law have to go in the direction of increasing minimum sentences for these offenses.

No punishment is enough for the perpetrator, because he/she destroyed children's life, but if a sentence of imprisonment of one or two years is imposed then that is a new violence against a child.

Given the weight of all these acts and in particular the consequences that these acts leave on the development and growth of the child it is necessary to establish a record -database of perpetrators of these acts, so that these persons would be under constant surveillance of competent institutions and to avoid any possibility that these persons, after serving a sentence, as the time passes on, be in a position to work with children on any basis.

According to the Criminal Law of RS, the purpose of punishment is (Article 28. CL of RS):

- 1) Preventing the perpetrator to commit criminal acts and his rehabilitation.
- 2) Impact on the others not to constitute criminal offenses.
- 3) Developing and strengthening of social responsibility, by expressing social condemnation for a criminal offense and the necessity of respecting the law.

To perpetrators of criminal acts following security measures can be imposed in accordance with Article 56. of Criminal Law of RS:

- 1) Compulsory psychiatric treatment (to the perpetrator who made the offense in state of significantly reduced mental capacity),
- 2) Compulsory treatment of addiction,
- 3) Prohibition of occupation, activity or duty (to the perpetrator who committed the offense on property that has been entrusted to him, or to which he had access to because of its occupation),
- 4) Prohibition of driving a motor vehicle,
- 5) Depriving of objects.

Safety measures foreseen by the Law do not include the possibility that the perpetrator of sexual abuse and exploitation of the child shall be imposed with mandatory measures of treatment- psychosocial treatment nor the possibility of prohibition of any activities in relation to children, therefore it is necessary by new amendments of the Law to establish mandatory psychosocial treatment of offenders, and imposing of the measures of prohibition of the occupation, that is, activities related to all jobs and tasks which by their nature have connection with children.

Round table in Modriča

In Modriča on December 1. 2009. in a joint organization of the Ombudsman for Children of Republic of Srpska and Association of Citizens "Budućnost" from Modriča a round table on the topic of sexual violence against children was held. Round table was attended by representatives of centers for social work, police, courts and the media from Doboje region.

Presentations and discussions of participants at the round table refer to the following:

- There are not enough accurate records on cases of abuse of children;
- Lack of well-trained professional teams at the local or regional level that could do psychotherapy with victims and perpetrators of violence
- There is not a sufficient degree of cooperation between all participants in the proceedings;
- Centers / services for social work do not receive feedback from the prosecution and courts;
- Penal policies not adequate to the offenses committed;
- Insufficiently developed system of foster families;
- Need of constant education of staff in a unique program presented by the relevant ministry as well as judges and prosecutors by the Center of Education;
- There is a need for the introduction of licensing for all personnel who work with victims of violence in the centers/services for social welfare;
- There is a need for networking of all institutions working in this field at the regional level and developing the partnership, including the media;
- Education in the family with the development of preventive programs to protect children from all forms of violence, including sexual;
- Lack of adequate institutions for assistance and support to children - victims of violence.

STATISTICS

Child abuse is a problem that is present in all countries. The difference is only in country's willingness to talk openly about it and search for solutions for the protection of children.

According to UNICEF, more than a million of children in the world is forced to prostitution, smuggled or sold for sexual purposes, and for the production of child pornography. Every third girl and every third boy in the world survive some form of sexual violence to its eighteenth year.

According to the Helsinki Committee for Human Rights, from all forms of violence against children in B&H even 16% is sexual violence against children. The perpetrators of violence are mostly men, and nearly half of these acts are happening in the family.

European research shows that there is a large number of unreported cases and that to one reported case comes 10 to 15 unreported cases.

The courts and centers / services for social work

Because of the complexity and extensiveness, the Ombudsman for Children has obtained information from a number of courts and centers for social work and only for a criminal offense under Article 193. and 195. of Criminal Law of Republic of Srpska.

	Authority/Institution	Criminal offense	2008.	2009.	Perpetrators	Children-victims
1.	Primary Court in Banja Luka, Doboj, Prijedor, Derventa, Bijeljina and Sokolac	Art. 193. ²⁰	2	1	7	7
		Art. 195. ²¹	1	3		
2.	District Court in Doboj, Banja Luka, Istočno Sarajevo and Trebinje	Art. 193.	1	3	16	10
		Art. 195.	1	4		
3.	Social welfare Centers in Trebinje, Doboj, Foča, Bijeljina and Prijedor	Art. 193.			2	2
		Art.195.	2			
TOTAL			7	11	25	19

Ministry of Internal Affairs of Republic of Srpska

From 1996. to 2002. MIA of RS has, to the competent prosecutor's offices, reported 61 cases of sexual violence against children in RS and in the area of CPS Doboj 14 cases were reported.

In the area of CPS Doboj in the period of six years, from 1996. to 2002. a total of 14 cases were recorded, and for the period of two and a half years, from January 2005. to September 2007. 24 cases of sexual violence against a minor / child were recorded. Only in this period of two and a half years 21 minors / children were victims of some form of sexual violence, which were performed by 33 perpetrators.

²⁰ Rape, Article 193. Criminal Law of Republic of Srpska

²¹Sexual violence against a child, Article 195. Criminal Law of Republic of Srpska

Statistics, MIA of RS, data for the year of 2009.

Art. CL of RS	Offense	Victims	
		Boys	Girls
Art. 193.	Rape	0	3
Art. 194.	Sexual intercourse over the helpless person	1	2
Art. 195.	Sexual violence against a child	2	14
Art. 196.	Sexual intercourse by abuse of position	0	0
Art. 197.	Satisfaction of sexual passion in front of others	0	1
Art. 198.	Human trafficking for prostitution	0	0
Art. 199.	Exploitation of children and minors for pornography	3	1
Art. 200.	Production and showing of child pornography	0	0
Art. 201.	Incest	0	1
TOTAL		6	22
Art. 208.	Domestic Violence	15	20
Violations under Article 6. Law on Protection from Domestic Violence		50	46

PREVENTIVE action

Sexual violence by itself is manifested as perfidious and hidden form and is very difficult to detect. On one hand, the reason is in for the present patriarchal upbringing and belief that violence is a private family problem to which the child belongs, on the other hand, the reason is the power of the perpetrator to whom the child is connected to and is often dependant on, either emotionally or economically. Special problem is child trafficking for sexual exploitation where, for profit, children are lead and encouraged to provide sexual services.

Research shows that violence occurs in all social strata regardless of income, type and level of education, culture and social status.

We are still not prepared to believe that these acts occur in our environment, we still believe that the acts take place in the dark streets of big cities and by an unknown attacker with serious bodily injury of the victim. However, research shows the opposite. Most rapes are occurring, at home of either the

victim or the perpetrator. The perpetrator, in most cases, is a person whom victim knows very well and trusts him/her unconditionally these are the people you would never think could do this, they are persons with no prior psychiatric diagnosis and no police files, and the victim can be any child. A child is a victim because it trusts him, believes that what he does-does for child's own good.

"Abuse of children is, according to modern concepts, a consequence of violence in the family, which belongs to the worst forms of traumatic experiences from childhood with lasting impact on the whole, especially emotional development of a child. Forms of the abuse of children can be: physical, emotional, sexual, and combined. Each of these forms of abuse has subgroups with the outcome which indicates the need for primary prevention, and appropriate forms of protection and treatment, for abused children and the abusers²²".

Children today can hardly recognize this type of violence that is happening to them. And even when they recognize it, they do not speak about it because they are ashamed and in fear. They are in fear that they will compromise the family, that no one will believe them, that it is their fault ... They are afraid of the perpetrators who, with various treats and blackmail, keep them in fear of the consequences that will happen to them if they speak out.

Therefore, the obligation of adults, parents, teachers and others is to, on each child's statement which refers to the abuse from any person, take seriously and check.

Experts warn that children never lie about that and that those who listen to them and hear what they say can recognize the existence of some form of violence from which the child suffers.

PSYCHOSOCIAL assistance and support is a form of treatment performed by professional team, psychologist and social worker in their work with victim of abuse. The main goal of psychosocial work with the user is empowerment (physical and psychological), which relates to assistance to the user in some of the areas of psychosocial need.

Psychosocial needs are the need for security, understanding, respect, emotional and social support or assistance, knowledge, and similar.

The objectives of psychosocial work²³ are:

- reduce the impact of long-term effects of living in adverse conditions;
- reduce the effects of exposure of individual / family to traumatic and stressful experiences;
- encourage the activity and increase individual / family mechanisms of overcoming and resistance (strength);
- to encourage action and increase the capacity of local communities and the environment of persons exposed to severe and adverse life experiences;

²² Ivan Vidanović, "Dictionary of Social Work"

²³ Nada Polovina "Psychosocial work", Faculty of Philosophy, Banja Luka, 2008.

- increase the level of support of the local community (institutions, individuals, NGOs) to individual / family in difficult living conditions.

There are three types of psychosocial support / work, and they are:

1. support information (notification, referral, advice);
2. material support, i.e. concrete support (money, shelter, food) and
3. emotional support (provision of care, compassion, emotional exchange).

If we take into account all the consequences that committed offense leaves on growing up of the child, than it is clear that psychosocial measures are necessary to a child-victim as well as to his family, in order to, to the highest extent possible, mitigate the consequences of committed act.

Unfortunately, timely and adequate assistance and support, to a child and the family today is absent.

For the purpose of preventive action it is necessary to ensure programs of children's education and information on all forms of sexual violence and in that particularly important role should have educational institutions.

Ombudsman for Children emphasizes the need to establish a network of institutions on local or regional level for assistance and support of children who are the victims of violence and establishing of compulsory coordination between the social welfare centers (services), health care facilities, schools, public safety agencies and nongovernmental organizations for the purpose of monitoring, detecting, reporting of these criminal acts and help and support to children-victims of these acts.

Convention on the Rights of the Child obliges states-parties to undertake all appropriate measures for better physical and psychological recovery and social reintegration of a child who is the victim of some form of neglect, exploitation, abuse, torture or other forms of cruel, inhuman or degrading treatment or punishment, or armed conflicts. Such recovery and reintegration are taking place in the environment that encourages health, self-respect and dignity of the child.

Unfortunately, in our previous practice and after processing of certain cases, children - victims are left to themselves. By analysis of five cases of sexual violence against children, it appears that participation of center / services for social work mostly reduces to the presence of social workers in child's giving a statement in criminal proceedings.

It is therefore necessary, in an expedited procedure, to bring manual on measures of psycho-social rehabilitation, which must be applied to children who have been victims of violence, including the types of measures, ways and terms of their application by social welfare centers with the obligation of reporting to the relevant ministry on the possibility to increase the efficiency of measures.

This manual should follow identification of a unique program of compulsory education of official persons who participate in the process of psychosocial rehabilitation with specific topics of education, the terms

and holders of activities, and which will be followed by prescribing of conditions for the issuance of the appropriate annual licenses to official persons for work with children-victims of violence.

It is very important that competent institutions in their work with children-victims of violence have timely and quality communication, in the area of preventive work, in the "prosecution of the case", as well as at the end of the proceedings before the court in the form of providing quality psychosocial support to a child.

One of the possibilities, to overcome the current situation, is that social welfare centers, within the available material and human resources, establish mobile teams in municipal or regional centers for psychosocial work i.e. forming of mobile counseling centers for victims and perpetrators of violence at municipal or regional level.

Children, who are victims of violence, should be encouraged to speak about the problem and to seek help. At the same time they need to know where, at the given moment, they can turn to and what kind of help they can and should get ... In all of these cases it is very important that the reaction of competent institution is fast and adequate. Otherwise, the consequences for child may be more difficult.

To strengthen the system for the protection of children and their rights and interests a prerequisite is quality legislation that will recognize all the aspects of for children the hardest forms of abuse. At the same time, sanctions established by the law must be adequate to the gravity of the offense committed.

IT IS THEREFORE NECESSARY:

- Statute of Limitations for criminal prosecution for crimes committed against the child must be prescribed by the law in a way that limitation starts from the moment child becomes of legal age,
- Establish a register-base of the perpetrators of these criminal acts, in order that such persons be under constant supervision of the competent institutions,
- Childs' age limit, for voluntary consent to sexual intercourse, should be defined by the law as of 16 years of age of the child, taking into consideration that children under 16 years of age are at a specific stage of growing up and they are not able to fully understand the seriousness and all the consequences of their decisions,
- Further tighten sanctions against the perpetrators of these acts, especially define by the law higher minimum sentences, which would prevent the offender being convicted for one or two years of imprisonment,
- Establish by the law that to the perpetrator of these acts in addition to prison sentences imposing of mandatory measures of treatment-psychosocial treatment,
- Stipulate by the law to the perpetrator of these acts prohibition to perform any activity which has been associated with children,

- In the aim of preventive actions it is necessary to provide educational programs and informing children about all forms of sexual violence, in which a special role must have educational institutions,
- Define measures of psycho-social support that must be applied to children victims of sexual abuse and the family, including the type of measures, ways and terms of their application by social welfare centers.

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