# REVIEW OF THE MULTI-SECTOR APPROACH TO DOMESTIC VIOLENCE AT THE LOCAL LEVEL IN BOSNIA AND HERZEGOVINA







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# I INTRODUCTION

The multi-sector response to domestic violence is a holistic coordinated approach to harmonising programmes and actions developed and implemented by a variety of institutions that encompasses at least the health, social and judicial sectors, including police and security services. A multi-sector response to domestic violence requires a common understanding of domestic violence and violence against women and girls based on inter-institutional partnerships and cooperation.

Coordination is a central element of the response<sup>3</sup> to domestic violence and violence against women and is crucial both to the victims/ survivors and the institutions that respond. The application of a coordinated response benefits victims/survivors because it leads to increased safety, helps ensure the ability to address their multiple needs and minimises the chances of repeated traumatisation. At the same time, applying a coordinated approach allows the institutions that respond to domestic violence and violence against women to be more effective and better able to provide a more consistent and efficient response.

Yet effective coordination achieved through a multi-sector response is more than just a sign of partnership and communication between institutions in response to domestic violence and violence against women. It is a framework with a clear methodology and extends beyond the scope of a mechanism for referral and multi-sector coordination. It is underpinned by a unified response philosophy built around the following six functions: a) intervention, b) a reporting and referral system, c) training programmes, d) documentation, reporting, transmission and data analysis systems, e) prevention and awareness raising activities and 6) coordination.

This report reviews the viability of applying this approach to the establishment and functioning of multi-sector referral mechanisms at the local level in Bosnia and Herzegovina as the central element of the multi-sector response. The first section presents the methodology for the analysis. The second section considers the most relevant international and domestic legislation, guidelines and standards on applying a multi-sector response to domestic violence and violence against women in Bosnia and Herzegovina. The third section represents the findings from the field in six locations in Bosnia and Herzegovina. The fourth section represents the conclusions and recommendations for the further strengthening of the multi-sector response to domestic violence at the local level in Bosnia and Herzegovina.

<sup>1</sup> UNFPA and East European Institute for Public Health, Multi-Sectorial Response to Gender-based Violence: An effective and coordinated way to protect and empower gender-based violence victims/survivors, (2015) p. 5.

Violence against women is understood as a violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in , physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation or liberty, whether occurring in public or in private life. Domestic violence shall mean all acts of physical, sextual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim. In Bosnia and Herzegovina, legislation only recognizes domestic violence and defines prevention and response measures.

<sup>3</sup> UN Women, UNFPA, WHO, UNDP and UNODC, Essential Services Package for Women and Girls Subject to Violence (2015), Module 5,

p. 8. Available from www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence.

# II METHODOLOGY FOR THE REVIEW

In order to conduct a review of the multi-sector approach to domestic violence at the local level it was first necessary to review the existing domestic legislation, standards and guidelines in order to assess the actual situation on the ground when it came to their implementation and for the purpose of comparison against relevant international legislation and standards. This was done through a detailed desk review of the available documentation, including relevant international standards, domestic legislation and policies as well as other relevant documents related to the topic. The desk review also included a review of the existing policies in relation to the six mechanisms for referral, such as action plans, protocols, reports, systematisation (staff involved in the work of the mechanisms from different sectors and their qualifications) and other relevant information.

In-depth information on the multi-sector referral mechanisms was collected in six selected locations: Milici, Prijedor and Visegrad in Republika Srpska and Gorazde, Travnik and Tomislavgrad in the Federation of Bosnia and Herzegovina. When selecting the locations the two entity gender centres<sup>4</sup> were informed and consulted.

The information was collected through semi-structured interviews<sup>5</sup> conducted with the relevant representatives of the multi-

sector teams, gender mechanisms<sup>6</sup> and nongovernmental organisations<sup>7</sup> that respond to cases of domestic violence and violence against women in the selected locations.8 The gathered information highlighted the three main aspects of an effective and coordinated multi-sector response: 1) the capacities of the multi-sector referral mechanisms, 2) the quality of the service provided by the multi-sector referral mechanisms and 3) their sustainability beyond the duration of the projects through which they were established. The field visits were successful and took place over the period 21-31 May 2018. The information gathered through this review will be used to inform the programming of further activities aimed at strengthening the multi-sector response to domestic violence at the local level in Bosnia and Herzegovina. The proposed recommendations are based on the lessons learned, best practice and the challenges that the multi-sector teams experienced in their work on cases of domestic violence in the six selected locations.

In May 2018 the Gender Centre of the Federation of Bosnia and Herzegovina and the Gender Centre of Republika Srpska were asked to provide examples of success and challenges in the establishment of the multi-sector response. These examples were to be taken from their two largest United Nations supported initiatives on establishing multi-sector referral. In each entity one successful example was selected from joint UNFPA/UNDP project "Preventing and Combating Sexual and Gender Based Violence in Bosnia and Herzegovina (2011–2013)" and two (one successful and one challenging) from the implementation of the project "Standards and Engagement for Ending Violence Against Women in Bosnia and Herzegovina (2016–2019)". Due to UN Women budget constraints six locations were selected for the field visits.

<sup>5</sup> The list of guiding questions for the interviews can be found in Annex 3.

<sup>6</sup> The Gender Centre of Republika Srpska and the Gender Center the Federation of Bosnia and Herzegovina.

<sup>7 &#</sup>x27;Most' from Visegrad, 'Udruzene Zene' from Banja Luka, 'Lara' from Bijeljina, the 'Centar zenskih prava' from Zenica, 'Zena BiH' from Mostar and 'Seka' from Gorazde.

<sup>8</sup> It was initially planned that the consultant would interview several beneficiaries of the multi-sector teams; however, due to confidentiality constraints this was not possible. The consultant then reached out to NGOs that respond to domestic violence and violence against women in the selected location in order to obtain information and feedback from survivors on their level of satisfaction with the multi-sector response to domestic violence.

# III INTERNATIONAL AND DOMESTIC LEGISLATION, STANDARDS AND GUIDELINES FOR A MULTISECTOR APPROACH TO DOMESTIC VIOLENCE AT THE LOCAL LEVEL IN BOSNIA AND HERZEGOVINA

# **3.1.** International legislation, standards and guidelines

Bosnia and Herzegovina has signed and ratified a number of human rights treaties and has agreed to adhere to the highest international human rights standards in relation to the prevention of and protection from violence against women and domestic violence. To date, the most relevant international legal and policy tool for creating effective systems to combat violence against women and domestic violence that is in effect in Bosnia and Herzegovina is the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter, Istanbul Convention).9

The Istanbul Convention calls for the adoption and implementation of effective,

comprehensive and co-ordinated policies and requires that the States parties "devise and implement policies which would comprise a multitude of measures to be taken by different actors and agencies and which, taken as a whole, offer a holistic response to violence against women."10 Additionally, it is required from the States parties to ensure that the adopted policies are implemented by way of effective multi-agency co-operation in such a way that "this type of co-operation should not rely on individuals convinced of the benefits of sharing information but requires guidelines and protocols for all agencies to follow, as well as sufficient training of professionals on their use and benefits."11

At the global level, four United Nations agencies came together to facilitate the development

<sup>9</sup> Bosnia and Herzegovina signed and ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention), treaty series, No. 210 of 2011, in 2013. The full text is available from https://rm.coe.int/168008482e.

<sup>10</sup> Council of Europe, Explanatory Report to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, (2011), treaty series, No. 210, Article 7.1. Available from https://rm.coe.int/16800d383a.

<sup>11</sup> Ibid., para. 64.

of a set of guidelines to ensure that victims/ survivors are provided with quality coordinated and women-centres services. Namely, the United Nations Essential Service Package for Women and Girls Subject to Violence. 12 The aim of the Essential Service Package is to provide all women and girls who have experienced gender-based violence with increased access to a coordinated set of essential and quality multi-sector services. It identifies the essential services that the health, social services, police and justice sectors should provide as well as guidelines for the coordination of essential services and the governance of coordination processes and mechanisms. According to the Essential Service Package, coordination is a central element of the response to violence against women and girls that involves a collaborative effort by multi-disciplinary teams, personnel and institutions from all relevant sectors. The aim is to implement laws, policies, protocols and agreements and to ensure communication and collaboration to prevent or respond to violence against women and girls.

# **3.2.** Domestic legislation, standards and guidelines in Bosnia and Herzegovina

The issue of responding to violence against women and domestic violence in Bosnia and Herzegovina is regulated at the entity level and at lower levels of government. The key relevant legislation includes entity specific criminal codes, sector laws on health and social protection, and family laws and entity specific laws on protection from domestic violence.

**The Law on Protection from Domestic Violence**<sup>13</sup> in Republika Srpska, the Law on Protection from Domestic Violence<sup>14</sup> in the Federation of Bosnia and Herzegovina and the recently adopted Law on Protection from Domestic Violence<sup>15</sup> in Brcko District regulate

15 Zakon o zastiti od nasilja u porodici u Brcko Dis-

the issue of a multi-sector approach to violence against women. At the policy level, both Republika Srpska and the Federation of Bosnia and Herzegovina have further adopted their own policy documents relevant to the work on the prevention of and protection from domestic violence.

# Republika Srpska

The Law on Protection from Domestic Violence in Republika Srpska specifically prohibits violence against women and provides for measures of protection and minor offence sanctions, whereas the Criminal Code of Republika Srpska stipulates that domestic violence is a criminal offence.

The Law on Protection from Domestic Violence in Republika Srpska clearly defines coordination among different stakeholders. Paragraph 2 of Article 11 stipulates that, "in cases of domestic violence, subjects of protection shall cooperate and share necessary data and information." Article 12 defines the roles and steps to be taken by each stakeholder: the police, the centre for social welfare, the medical institution, the prosecutor's office and the court (in the case of emergency protective measures). Articles 15 to 20 stipulate the procedure for placing a survivor of domestic violence in a safe house and determine the rules related to the establishment, funding and functioning of safe houses. Lastly and most importantly, Article 21 stipulates the manner in which the coordination is to be established. The most notable points are as follows:

- The centre for social work shall set up an expert team of representatives of each institution, bodies and services of units of localgovernment, police, non-governmental organisations and experts dealing with the issues of family and domestic violence in order to establish a victim assistance plan and coordination of activities in the process of helping the victim, in accordance with his/her needs and choices.
- 2. A victim assistance plan shall contain specific measures to be taken in accordance with the law regulating social, health and childcare.
- If the victim is a child, the victim assistance plan shall also contain measures to protect the child in accordance with the law defining family relations and regulations governing

triktu, Official Gazette of Brcko District, No. 07/18.

<sup>12</sup> UN Women, UNFPA, WHO, UNDP and UNODC, The United Nations Essential Service Package for Women and Girls Subject to Violence (2015). The full text is available from www.unwomen.org/en/digital-library/publications/2015/12/essential-services-package-for-women-and-girls-subject-to-violence.

<sup>13</sup> Zakon o zastiti od nasilja u porodici Republike Srpske, Official Gazette of Republika Srpska, nos. 102/12, 108/13 and 82/15.

<sup>14</sup> Zakon o zastiti od nasilja u porodici Federacije BiH Official Gazette of the Federation of Bosnia and Herzegovina, No. 20/13.

the protection of children's rights.

In 2013, Republika Srpska adopted the **General Protocol on Dealing with Cases of Domestic** Violence in Republika Srpska.<sup>16</sup> The purpose was to ensure the coordinated, efficient and comprehensive work of different ministries in cases of domestic violence. Five entity ministries signed the Protocol: the Ministry of Family, Youth and Sport, the Ministry of Justice, the Ministry of Interior, the Ministry of Health and Social Protection and the Ministry of Education and Culture. The General Protocol provides detailed guidelines on how to recognise different types of domestic violence and how to proceed in cases of domestic violence. It defines the role and responsibilities of each institution/public service provider within the prevention of and protection from domestic violence. Additionally, the General Protocol describes in detail the process for the protection of victims of domestic violence through the establishment of a multi-sector approach to dealing with domestic violence; it refers to relevant international standards and highlights the fact that each institution/public service provider has its own specific role and level of competence when dealing with cases of domestic violence.

Furthermore, in 2017, the Gender Centre of Republika Srpska developed a Local Protocol on Cooperation and Handling of Cases of Domestic Violence against Women (hereinafter, Local Protocol). The purpose was to ensure a more efficient protection of women and prevention of domestic violence by connecting all relevant actors through coordination, ensuring the transfer of information, the provision of support to survivors and the application of adequate and appropriate measures at the local level. The Local Protocol was developed to serve as a framework and model for local authorities to create their own protocols at the local level.

The Local Protocol defines all relevant actors and their particular role in the process as well as the need for mutual cooperation at the local level. The local actors defined in the Local Protocol are the following institutions: the municipality/town (coordinator of the team),

the basic court, the district prosecutor's office, the police, the centre for social welfare, the healthcare institution operating at the local level, institutions of education operating at the local level and, based on the need, any other relevant actors from the local community.

This policy document stipulates in relation to cooperation that, "the cooperation among different actors is realised through mutual communication of the relevant actors, through the work of a Coordination Body for prevention of domestic violence and through the work of a Multi-sector Team." In the same section, the Local Protocol further describes the roles of the coordination body and the multi-sector teams as follows: "the Coordination Body should be composed of managers of each actor and headed by the appointed person from the municipality/town. The Coordination Body should hold meetings when needed and at a minimum quarterly."

At the same time, the Local Protocol defines in detail the roles, responsibilities and the way in which the multi-sector teams function at the municipal level. Unlike the coordination body, whose role primarily is to promote an environment free from violence against women and prevent domestic violence, the multi-sector team has a more concrete role when dealing with individual cases. Its primary tasks are to enable information exchange among the relevant actors involved in a case of domestic violence, assess the procedure and plan joint activities for the case and coordinate the measures of protection for the victim. The Local Protocol also defines in detail the collection and storage of data on individual cases in accordance with the Law.

In addition to the above-mentioned normative framework, the Gender Centre of Republika Srpska has issued a set of policy guidelines for handling cases of domestic violence and cases involving general violence against women. These include the following:

 Module for Multi-Sector Training of Local Service Providers in accordance with the Istanbul Convention<sup>18</sup>

Republika Srpska, Opsti protokol o postupanju i saradnji ustanova, organa i organizacija u situacijama nasilja nad zenama u porodici i u partnerskim odnosima (Government of Republika Srpska, 2013). Full text available from www.minrzs.gov.rs/files/doc/porodica/nasilje/ Opsti%20protokol%20nasilje%20u%20porodici.pdf.

<sup>17</sup> Olivera Vukovic, Local Protocol on Cooperation and Handling Cases of Domestic Violence against Women (Gender Centre of Republika Srpska, 2017), p. 14.

<sup>18</sup> Professor Vesna Sucur-Janjetovic Ph.D., Modul za multisektorsku obuku za pruzaoce usluga na lokalnom nivou vlasti u skladu sa Konvencijom Savjeta Evrope o sprecavanju i suzbijanju nasilja nad zenama i u porodici (Gender

- Guidelines on the Application of the Istanbul Convention<sup>19</sup>
- User's Manual on the Multi-Sector Response to Violence against Women and Domestic Violence<sup>20</sup>

# **Federation of Bosnia and Herzegovina**

The Federation of Bosnia and Herzegovina Law on Protection from Domestic Violence specifically prohibits violence against women and provides for protection measures for the victims/survivors, whereas the Criminal Code of the Federation of Bosnia and Herzegovina stipulates that domestic violence is a criminal offence.

The Federation of Bosnia and Herzegovina Law clearly defines the obligation to establish coordination mechanisms among different stakeholders. Article 37 of the Law stipulates the obligation of the cantonal governments to adopt a two-year Programme of Measures for the Prevention, Protection and Combating of Domestic Violence, which should represent an action plan for the implementation of a strategy at the cantonal level. Each programme of measures needs to include the establishment of a coordination body that will coordinate the work of all relevant institutions, namely the police, the judiciary, social protection, healthcare, education, the media and, depending on the canton specific context for the implementation of the measures, civil society as well as other actors.

A whole chapter of the Law is dedicated to the multidisciplinary approach to handling cases of domestic violence, including Article 39 where it stipulates the obligation of local authorities to sign protocols on cooperation at the level

Centre of Republika Srpska, 2017). Available from www.16dana.ba/modul-za-multisektorsku-obuku-za-pru-zaoce-usluga-na-lokalnom-nivou-vlasti-u-skladu-sa-kon-vencijom-savjeta-evrope-o-sprecavanju-i-suzbijanju-nas-ilja-nad-zenama-i-u-porodici.

19 Olivera Vukovic, Smjernice za primjenu Konvencije Savjeta Evrope o sprecavanju i suzbijanju nasilja nad zenama i u porodici (Gender Centre of Republika Srpska, 2017). Available from

www.16dana.ba/smernice-za-primenu-konvencije-save-ta-evrope-o-sprecavanju-i-suzbijanju-svih-oblika-nasil-ja-nad-zenama-i-u-porodici-na-lokalnom-nivou-vlasti.

20 Gender Centre of Republika Srpska, Multisektorski odgovor na nasilje nad zenama i nasilje u porodici – Prirucnik, (Banja Luka, March 2018). Available from https://bit.ly/2loRfhA

of one or multiple municipalities. The aim is to define the rights and obligations of all actors within the context of reporting on cases of domestic violence, providing support to the victims and working with the perpetrators of domestic violence.

In order to support lower levels of government (cantonal governments and local level administrations) to adopt and implement a multi-sector approach in response to domestic violence, the Gender Centre of the Federation of Bosnia and Herzegovina prepared a document "Treatment in cases of violence - multisectoral response" in 2017, that defined guidelines on how to deal with cases of domestic violence.<sup>21</sup> The document defines all of the relevant actors in accordance with the Law and their roles in the process and their mutual cooperation at the cantonal (coordination body) and the municipal (multi-sector teams) level. Furthermore, the document contains a training curriculum for professionals on the multi-sectorial response to domestic violence and a referral pathway for responding to cases of domestic violence in the Federation of Bosnia and Herzegovina.

The Guidelines were prepared as part of a project aimed at supporting the work of the cantonal coordination bodies and the municipal multi-sector teams. For the same purpose and as part of the same project, the Gender Centre of the Federation of Bosnia and Herzegovina developed a training curriculum for professionals on the multi-sectorial response to domestic violence. Furthermore, referral pathway for responding to cases of domestic violence is to visually represent the referral of survivors between service providers.

<sup>21</sup> Zlatan Hrnčić i Fatima Bećirović (2018.) Postupanje u slučajevima nasilja u porodici – multisektorski odgovor [Treatment in cases of violence - multisectoral response], Gender Centar Federacije BiH

# APPROACH TO DOMESTIC VIOLENCE AT THE LOCAL LEVEL IN BOSNIA AND HERZEGOVINA: FINDINGS FROM THE FIELD

In order to review the effectiveness of the implementation of the multi-sector response to domestic violence at the local level, the consultant followed the guidelines from the United Nations Essential Service Package for implementation of coordination and the governance of coordination at the local level. The review was organised in three components: 1) the capacity to implement the multi-sector response at the local level, 2) the sustainability of the multi-sector response and 3) the quality of the services provided to survivors. Information was collected in the six targeted local communities (Prijedor, Visegrad, Milici, Gorazde, Travnik and Tomislavgrad), where the formal structure in the form of a multisector team responsible for local coordination and governance of coordination had either been established or was in its final stages of establishment.

# Republika Srpska

Institutional Development: The role of the Gender Centre of Republika Srpska in the establishment and functioning of the local multi-sector teams in the entity

The Gender Centre of Republika Srpska did not provide information on the total number of municipal multi-sector teams established and functioning in the entity. Instead, it stated that the Gender Centre is working on the establishment of multi-sector teams in the municipalities included in the project Enhancement of Accesses to quality Multi-Sector Services for Survivors of Violence against

Women and Domestic Violence at the Local level'. The aforementioned project has been implemented since September 2016 and will continue until January 2019.

Unlike in the Federation of Bosnia and Herzegovina, no piece of legislation stipulates the establishment of local multi-sector teams and the monitoring of their work. Hence, the Gender Centre of Republika Srpska included the establishment of local multi-sector teams into a project that they are currently implementing with UN Women in order to encourage the process of establishing such teams at the local level. This is despite the fact that the local authorities are not legally obliged to establish such teams. Encouraging the establishment of local multi-sector teams through the implementation of the aforementioned project represents a strategic approach by the Gender Centre of Republika Srpska. Namely, if the local teams established through the project turn out to be functional then the Gender Centre will start to lobby for legislative amendments in this regard and this in turn will then give the Gender Centre the competence to monitor their work and results.

The Gender Centre developed the Local Protocol on Cooperation and Handling Cases of Domestic Violence and Violence against Women, the Guidelines on the Application of the Istanbul Convention and the User's Manual on the Multi-Sectorial Response to Violence against Women and Domestic Violence for the teams to use as part of the project.

In regard to mentoring, one of the project activities is to provide mentoring support to existing local service providers in places where multi-sector teams have yet to be created. Currently, the project is in the phase of lobbying for the establishment of multi-sector teams. The future engagement of the Gender Centre of Republika Srpska in the work of local multi-sector teams depends on whether there will be legislative amendments that would enable the Gender Centre to be involved in the work of the teams.

# **Prijedor**

Prijedor has had a **protocol** on dealing with cases of domestic violence since 2010. The Protocol was signed at the level of the City of Prijedor in 2010 with the centre for social work, the police, the healthcare centre and the safe house as cosignatories. The Protocol defines the role and responsibilities of each of these institutions as respondents to domestic violence and defines the joint responsibilities of the multi-sector team as the coordination body.

According to the Protocol, the team has the responsibility to hold monthly meetings, establish a database on cases of domestic violence and a further database on the sanctions and measures taken in cases of domestic violence. The social welfare centre is identified as the coordinator of the multi-sector response and as such has the responsibility to coordinate the activities of all of the institutions, organise monthly meetings, maintain regular communication and ensure information exchange between the signatories of the Protocol. An annex to the Protocol defines the specific roles and responsibilities of each signatory to the Protocol. Representatives of both the primary and secondary schools, the Hospital of Prijedor and the centre 'Sunce' also signed the Protocol. In the meantime, the safe house in Prijedor closed, resulting in the loss of an important team member.

Hence, at the time of this research, the institutions that were members of the **local multi-sector team** in Prijedor were the centre for social work, the police, the healthcare centre, the hospital, representatives of the primary and secondary schools and the centre Sunce. At the beginning, the hospital was reluctant to join the team because of concerns over a corresponding high increase in their costs (such as scans and additional tests for injured

survivors) that would arise once they joined the multi-sector team. Yet despite these concerns positive changes have resulted and now the representative of the centre for social work is allowed to accompany survivors throughout medical testing and treatment.

There are plans to include the City Administration as a member of the team. Although they are not formally members, representatives of the judiciary is invited to every meeting of the team. Each institution appointed one person as a representative to the team. These persons tend to remain the focal point for the team and for cases of domestic violence within their institutions. The team meets on a monthly basis and these meetings are used to report on the number of cases of domestic violence, to discuss, follow-up and define next steps on cases presented by different institutions. When the team was formed, monthly meetings were used only to formally meet the requirements of the Protocol and each institution would focus on presenting its particular data. However, over time members of the team realised that there was a need to utilise these meetings to discuss how to address concrete cases and that this type of cooperation is beneficial for their daily work within their institutions.

Although the Protocol defines the social welfare centre as the **coordinator** and organiser of the team meetings, the team created a different practice as a means to ensure accountability for all of its members. This practice requires that each meeting is organised by a different institution. The institution sends out invitations to the meeting, hosts the meeting, drafts the minutes of the meeting and has the general manager (head) of the institution sign the minutes and send them to the general managers of the other members of the team. The team believes that this is a very good practice worthy of sharing with other communities.

In terms of **expertise**, the members of the multi-sector team have the necessary qualifications for the work they perform in their respective institutions (medical doctors, social workers, psychologists, pedagogues, etc.). Furthermore, they had all undergone some form of training on domestic violence prior to and/or during the course of their work on domestic violence. In Prijedor, a medical doctor is the focal point and coordinator for cases involving domestic violence. Doctor works at the health centre where he, in coordination with the management, established a system

whereby all newly recruited medical staff have to undergo training on domestic violence as part of their general inception training. In addition, over the period 2010–2011, all employees of the institution (over 300 people) attended a seminar related to domestic violence with particular focus on their work. Lastly, in accordance with the Protocol and the Rulebook on the implementation of the Protocol, each job description contains a segment on how to report on and deal with cases of or involving domestic violence.

In to data collection, regard each representative of the institutions that comprise the team, based on their internal forms and procedures and in accordance with the Law, collects data on and compiles a list of cases involving domestic violence. The representatives then share this information with their respective entity line ministries, following the procedure prescribed by the entity legislation. They also use this data to report to the multi-sector team during the monthly meetings. The monthly meetings serve as a means to discuss individual cases from the lists and to agree on the next step in resolving each individual case. However, there is no mechanism in place to ensure monitoring of cases of domestic violence in order to prevent a recurrence of violence in the same family once the case is closed. The team does not have a unique database. Yet an increasing number of cases are reported and, according to an interviewee representative of the healthcare centre, this is an indication of a more efficient system that survivors of domestic violence can trust. The collected data currently does not reflect the level of vulnerability of survivors of domestic violence. Also, it does not take into account whether a survivor of domestic violence is a person with disability or belongs to a minority group.

There is no specific **budget** for a multi-sector response. The team does not have an **action plan** developed and mainly provides an immediate response to domestic violence.

## Milici

The Municipality of Milici does not have a local **protocol** on multi-sector cooperation to address the issue of domestic violence.<sup>22</sup>

The Gender Centre of Republika Srpska is working with the local institutions that provide the response to domestic violence in Milici in order to develop and adopt a local protocol on cooperation in response to domestic vio-

Although the entity laws and the corresponding policy documents govern cooperation between the institutions and their efforts to apply a multi-sector response, this occurs in an informal manner.

The representatives of the institutions that respond to domestic violence do not hold regular meetings and there is no multi**sector team.**<sup>23</sup> Instead, they have an informal agreement on involving each other when there is a case of domestic violence. As reported by the representatives of the institutions, the coordination works in the following way: in most cases, the survivor reports the violence to the police and a representative of the social welfare centre accompanies the survivor to the police. The police first interview the survivor and immediately after inform the prosecutor about the case. In the meantime, the police prepare their report and the social welfare centre prepares its evaluation. The police then forward both reports to the prosecutor. During this period, if there is a need for medical treatment then the representative of the social welfare centre accompanies the survivor to a medical institution. The representative of the social welfare centre remains with the survivor in order to ensure that the attending doctor is fully informed about all the circumstances. Once the immediate response has been provided (police ensure that survivor is safe and that the physical injuries are treated) the social welfare centre informs the survivor about the benefits to which he/she is entitled under the law (i.e. one-off financial assistance) and the police and the social welfare centre visit the family in order to help ensure that such violence does not reoccur.

Education institutions assume the role in accordance with the Republika Srpska Protocol on Dealing with Cases of Violence, Abuse and Neglect of Children. If a child begins to display a noticeable difference in behaviour then the school begins to monitor the child and the pedagogue schedules a meeting with the child. Children are often reluctant to talk about violence at home, especially if a parent does not report it. If the pedagogue suspects that the child's behaviour could be a result of domestic violence, they report their suspicions to the social welfare centre. Similarly, if the violence

lence.

23 The Gender Centre of Republika Srpska is working with the local institutions responsible for responding to domestic violence in Milici in order to establish a multi-sector team.

is reported to the police and the social welfare centre then the latter informs the school to ensure that the child receives the necessary support.

Since there is no official team, there is no officially appointed stakeholder in charge of **coordination** of the overall work on domestic violence. In terms of **expertise**, the representatives of institutions that respond to domestic violence have the necessary qualifications for the work they perform in their respective institutions (medical doctors, social workers, psychologist, pedagogue, etc.). As a part of their work on establishing a multisector team at the local level, Gender Centre of Republika Srpska organised a comprehensive multi-sector training for the representatives of these institutions in 2017.

In terms of **data collection**, there is no unique database on cases of domestic violence. Each stakeholder collects and compiles a list of domestic violence cases and reports to their respectivelineministry. None of the stakeholders had information on the reoccurrence of cases of domestic violence, which distorts the picture of the overall number of cases reported to the line ministries. This omission, for example, could lead to three incidents of violence occurring within one family being registered as three separate cases. This potentially creates a gap within the system in relation to the family experiencing multiple occurrences of violence. They only use the information from the perspective of an individual recipient when they need to act upon a particular case, in line with the chronology described above. Similarly, no data was available on the number of women from marginalised groups that had requested services related to domestic violence.

There is no **budget** allocated to support a multisector response and no **action or monitoring and evaluation plan.** The institutions have not appointed a person to be in charge of cases of domestic violence and it remains unclear how without the appointment of one person specialised in dealing with such specific and complex cases the local service providers deal with cases of domestic violence.

# **Visegrad**

Visegrad signed the **Protocol** on Multi-Sectorial Coordination in addressing Cases of Domestic Violence in 2011. This Protocol was updated in 2013 and in 2018 when it was aligned with the

Local Protocol developed by the Gender Centre of Republika Srpska. The signatories of the Protocol are the Municipal Court, the police, the social welfare centre, the healthcare centre, the Municipality of Visegrad, the preschool institution, the primary School, the secondary school and the NGO 'Most'. These institutions are members of the **multi-sector team**. Each institution has appointed one person as a representative on the team. According to the Protocol, a **coordination body** comprised of managers of all of the institutions must be established in addition to the multi-sector team.

Improvements to the Protocol and the inclusion of the institutions for education on the multisector team were made to better support children survivors of domestic violence.

The Municipality of Visegrad is both the coordinator of the multi-sector team and the initiator of the Protocol. The team holds meetings on a regular basis. The referral pathway between the institutions that respond to domestic violence and the method of their cooperation is very clear. In most cases, the survivor first contacts the police and the police immediately inform the social welfare centre. The representative of the social welfare centre accompanies the survivor throughout the procedure (during the police interview and, if necessary, the medical intervention). Unlike other visited municipalities, the court is an active member of the team and there is no problem in terms of cooperation between it and the other institutions. The team meets quarterly, but its members maintain regular contact and respond to each case involving domestic violence as soon as the violence is reported.

In relation to their **expertise**, the members of the multi-sector team have the necessary formal qualifications for the functions they perform in their respective institutions (medical doctors, social workers, psychologists, pedagogues, etc.). In terms of their knowledge of domestic violence, they all had some form of training on domestic violence prior to and/or during the course of their engagement in their work on domestic violence. Furthermore, as part of its work on strengthening the multi-sector response at the local level, the Gender Centre of Republika Srpska organised comprehensive multi-sector training for the representatives of these institutions in 2017.

Concerning data collection, because of their reporting obligations toward their respective line ministries, each team member has its own database on cases of domestic violence. They present this data to one another during their regular meetings, where they compare information and help each other fill in the missing information where needed. As a result, despite the team not having a unique database on cases of domestic violence, there is no discrepancy in the data contained in the individual databases of the stakeholders. Yet information obtained through interviews with the representatives indicates that currently the collected data does not encompass the vulnerability of the survivors of domestic violence. Namely, it does not take into account whether a survivor of violence belongs to a minority or has some form of disability, etc.

The team does not have its unique **budget** but instead each stakeholder functions through its own budget, in accordance with the Law on Protection from Domestic Violence of Republika Srpska. Visegrad included the Action Plan for Combating Domestic Violence the period 2017–2018 in annex to the Protocol. They also stated that they were planning to conduct an evaluation of the Action Plan once it expires.

### NGO and survivor perspective

The association 'Udružene žene' from Banja Luka is an NGO that provides support to many victims of domestic violence from Prijedor. They report that very often survivors of domestic violence lose trust in the system immediately after the first contact with the relevant institutions. Most of the complaints that the NGO receives from survivors focus on the police. The majority of problems with the police relate to documentation of cases. The police often treat a case of domestic violence as a case of public disorder or does not even register the case (The NGO found that cases had not been registered by the police when attempting to follow-up ). The NGO also stated that there were cases where the police threatened survivors that both parties would have to pay the fine if they continue to 'argue'. The police often do not inform the social welfare centre about a case of domestic violence, even if there are minor children in the family.

The conclusion that the NGOs draw from such experiences is that the employees of the relevant institutions are not adequately sensitised or trained to work with cases involving domestic

violence, resulting in a failure to provide adequate services and support to survivors in accordance with the relevant legislation.

The minimum sanctions that the perpetrators of domestic violence receive dismay the survivors of violence. A large number of survivors of domestic violence do not know what to do after they contact the police and the social welfare centre. They are particularly concerned about the fact that they do not receive any follow-up information on their case after they report it to the police, namely whether the case was forwarded to other institutions and what happens next. This is why most of them chose to contact the NGOs instead.

According to the NGO 'Most', similar situations related to the documentation of cases of domestic violence by the police also occurred in **Visegrad**. In addition, there are cases where the healthcare institution qualified the injuries incurred by a survivor of domestic violence as 'light' even when the case was severe.

The social welfare centre in **Visegrad** highlighted a particular problem related to the relevant legislation. In families that have children under the age of 18, spouses who decide to divorce have to go through so-called 'reconciliation'<sup>24</sup> at the social welfare centre. The interviewees stated that even in cases of domestic violence the employees of the social welfare centre insist that the family stays together during the reconciliation process and tend to put the blame on the wife when she wants to divorce by telling her that she will destroy her children through divorce and that she should save her marriage at any cost.

24 Section 3 of the Family Law of Republika Srpska regulates the procedure for the reconciliation of spouses. It stipulates that spouses with children or adopted children or children who have been granted parental rights are obliged to initiate a reconciliation procedure before the guardianship authority prior to filing a divorce claim or joint divorce application. During the reconciliation session, the guardianship authority will attempt to settle the dispute between the spouses. If, despite no settlement being reached, the guardianship authority believes that there is a prospect that a settlement can be reached then it can schedule a new reconciliation session. The court will dismiss a divorce claim or a joint divorce application if it is filed after the suspension of the reconciliation procedure. In the process of reconciliation, the guardianship authority will strive to help the spouses to reach agreement in regard to the protection, education and financial support of a child and alimony and property settlements, etc. The guardianship authority will have in mind the best interests of the child throughout this process. Republika Srpska, Family Law of Republika Srpska, Official Gazette of Republika Srpska, nos. 54/2002, 41/2008 and 63/2014, Articles 57 to 64.

The NGO Lara from Bijeljina has worked on the issue of domestic violence since 1998 and provides support to survivors of domestic violence in different parts of Republika Srpska, including from Milici. According to the NGO, it is difficult to give a detailed picture of the situation in Milici because not many victims from Milici call their SOS line. The general picture of their work on domestic violence that they presented included victims in Milici.

In general, the victims of domestic violence tend not to report it because they are afraid of the consequences. A large number of victims do not believe that they will receive the necessary support after they report violence, as 50 per cent of all citizens of BiH still considers domestic violence as a private issue . Fear of the repercussions of reporting violence is prevalent among victims of sexual violence. According to confidential information provided to the NGO Lara, four young female victims of sexual violence do not want to report this crime under any circumstances. They are afraid that they will be judged by their community and therefore these crimes remain unpunished. Victims know that they should first report violence to the police and they generally trust the police. They are usually unaware of their rights and procedures after they report an act of violence to the police. Women also see the safe house as a solution when seeking protection from violence.

According to the NGO Lara, the accessibility of service providers is minimal, and this is especially true when it comes to women with some form of special needs, for example, women with disabilities, women with speech or hearing problems and elderly women.

In regard to the sequence for reporting violence, victims mainly first go to the police; however, such cases mainly do not go beyond the police. In cases where the survivor of violence has visible bodily injuries the police take the victim to the healthcare institution. If the victim does not have visible injuries then the police only advise the victim to visit the doctor; however, the victims of domestic violence rarely do so unless they have some form of support or encouragement. If children were present during the violence then the police inform the social welfare centre in order for them to become involved in the case. If no children were present during the violence then the police rarely inform the social welfare centre. The police inform the prosecutor who then gives further guidance, such as on the collection of evidence. The prosecutor then designates the violence as either a minor offence or a criminal offence. The involvement of the judiciary in the case depends on whether the victim is willing to testify.

# The Federation of Bosnia and Herzegovina

Institutional development: The role of the Gender Centre of the Federation of Bosnia and Herzegovina in the establishment and functioning of the local multi-sector teams in the Federation of Bosnia and Herzegovina

In the Federation of Bosnia and Herzegovina, eight cantons have established cantonal coordination bodies (some were appointed by the cantonal governments, while others were not). The remaining two cantons (West Herzegovina Canton and the Herzegovina-Neretva Canton) have still to establish a cantonal coordination body with West-Herzegovina Canton being in its final stage.

To date, municipal multi-sector teams have been established in 10 municipalities in the Central Bosnia Canton and in six municipalities in Canton 10, where the Gender Centre of the Federation of Bosnia and Herzegovina is implementing the project "enhancing access to multi-sectoral service for victims of gender based violence at cantonal and local level".<sup>25</sup> In most municipalities where multi-sector teams exist, the social welfare centre coordinates the work of the team.

According to the Gender Centre of the Federation of Bosnia and Herzegovina, it remains unclear who initiates the establishment of the local multi-sector teams and who coordinates their work and to whom they report. Because of these dilemmas, the Gender Centre of the Federation of Bosnia and Herzegovina organised meetings in 12 municipalities in the Central Bosnia Canton that were attended by mayors, the directors of the centres for social welfare and the heads of the police. The Gender Centre plans to continue to hold such meetings in another six municipalities in Canton 10 and four municipalities in the West Herzegovina Canton until the end of the year.

The role of the Gender Centre is to provide

<sup>25</sup> Jajce, Dobretici, Vitez, Donji Vakuf, Gornji Vakuf/ Uskoplje, Fojnica, Novi Travnik, Travnik, Kresevo and Kiseljak.

support and to monitor the situation on the ground based on contact with members of the municipal multi-sector teams and the cantonal coordination bodies.

Concerning the approach used to establish the multi-sector teams, protocols on handling cases of violence have been signed in 11 municipalities of the Central Bosnia Canton.<sup>26</sup>

In regard to Canton 10, the cantonal Protocol has been signed and it encompasses all six municipalities in the Canton. The Protocol was revised in 2018 with the support of the association Zena BiH from Mostar.

The Gender Centre monitors the work of the municipal multi-sector teams in the Central Bosnia Canton and in Canton 10 through the minutes of the team meetings and those of the regular meetings held between the cantonal coordination bodies and the municipal multisector teams. The latter are held bimonthly as part of the project and are used to report on activities and the situation in each municipality. The possibility to monitor the work of the teams as part of its regular activities will be analysed once the UN Women project is completed. This is because the Gender Centre does not possess the financial means in its regular budget to visit the field or hold meetings at the local level or to support the work of the municipal teams financially. Therefore, the continuation of the Gender Centre's work with the cantonal coordination bodies and the municipal teams depends on future financing opportunities provided through new projects.

Best practice is shared through information exchange during regular meetings held at the cantonal level. Additionally, a meeting was held between the members of municipal the multisector teams from the Central Bosnia Canton and representatives of relevant institutions from Tuzla Canton in July 2018. The aim was to exchange best practice and experiences in this regard. The meeting was organised through cooperation between the Gender Centre of the Federation of Bosnia and Herzegovina and the NGO "Biro za ljudska prava" from Tuzla. Lastly, the Gender Centre supports the organisation of the annual conference "Multi-sectorial approach to the Prevention of and Protection

from Domestic Violence", which serves as an opportunity for all of the cantonal coordination bodies and the municipal multi-sector teams to exchange experiences and best practice in their work.

Concerning the timeline for the establishment of municipal multi-sector teams, the Gender Centre stated that it expects all project activities to be completed on time but that it does not have the authority to impose deadlines on institutions at the municipal or cantonal level. According to Article 37 of the Federation of Bosnia and Herzegovina Law on Protection from Domestic Violence (adopted in 2013), the cantonal governments are obliged to adopt twoyear programmes of measures for prevention of, protection from and combating domestic violence at the cantonal level within six months from this Law entering into force. The same Article stipulates that the programme shall include the establishment of the coordination body.

When it came to the methodology for establishing the municipal teams, the Gender Centre stated that the process of establishing the teams depended on the representatives of the institutions, i.e. which institution took on the initiative to lead the process of establishing the teams at the local level. The methodology is generally not standardised, because many factors influence the establishment of such a team. These factors include the size of the municipality, the resources that the municipality has at its disposal, the number of institutions that wish to join the team, the number and type of qualified staff in the municipality/city and in each institution, the motivation and commitment of the staff employed in the relevant institutions, etc. The process also depends to a large extent on the personal motivation of the directors of the relevant institutions at the municipal level. An analysis of all of the municipal multi-sector teams will be made by the Gender Centre at the end of the project, planned for the end of the year.

In regard to the mentoring of the municipal teams, the Gender Centre stated that it is at the disposal of the relevant institutions at the municipal level for any questions, dilemmas and guidance that fall under the competency of the Gender Centre. Mentoring is discussed with the municipal teams during regular meetings as well as through ongoing email and telephone communication.

lbid. Eight municipal protocols were signed during 2017 and three were signed during the earlier period. At the time of the preparation of this analysis they were undergoing revision due to changes to the legal regulations. In 2018, Jajce adopted a new revised Protocol.

### Gorazde

Gorazde does not have a signed **local protocol** on multi-sector cooperation. The cantonal **Protocol** on Dealing with Domestic Violence and Gender-based Violence Cases by Competent Institutions of Bosnia-Podrinje Canton<sup>27</sup> was signed in 2012.28 The aforementioned Protocol defines the establishment of a cantonal coordination body responsible for coordinating the implementation of the cantonal After signing the Protocol, each Protocol. institution appointed two persons to represent them at the meetings of the coordination body, although by the Protocol they were required to appoint one. The cantonal TV Station, the NGO 'Svjetlost Drine' and SOS Kinderdorf also signed the Protocol in 2018.

According to the Protocol, all signatories are responsible for ensuring cooperation with and the involvement of any other relevant institution. The Coordination Body has still to agree on which institution should be designated to coordinate and organise the meetings. The role of the Coordination Body is to prepare joint reports on the implementation, prepare amendments when necessary and propose a programme of measures aimed at protecting survivors of domestic violence. 'enthusiastic' individuals representing their institutions left their positions on the team it caused a gap in meetings that lasted from 2014 up to 2017. The cantonal Coordination Body resumed its monthly meetings after the NGO 'Seka' discussed the issue with the cantonal social welfare centre in 2017. Problems in cooperation are visible. One example is the fact that, despite its clearly defined obligation in the Protocol, the police do not propose measures of protection in cases of domestic violence. According to the available data, there have been no confirmed indictments for cases of domestic violence in this canton to date.

In terms of their **expertise**, the members of the multi-sector team have the necessary formal qualifications for the functions they perform (medical doctors, social workers, psychologists, pedagogues, etc.). Additionally, they all had some form of training on domestic violence prior to and/or during the course of their engagement in their work on domestic violence.

The Protocol defines the methodology for data collection. All of the signatories are obliged to establish their own database on cases of domestic violence (in accordance with their competencies) and submit the data to the Coordination Body every six months. In addition, the signatories of the Protocol are required to submit this data once a year (more often if necessary) to their respective line ministries. This database must contain data disaggregated according to the age and sex of both the survivor and perpetrator, the type of violence and the number of cases and number of protection measures issued. Yet despite the obligation defined in the cantonal Protocol, there is no unique database on cases of domestic violence. Since its reinstitution, the Coordination Body has received no data on the number of cases of domestic violence. Instead. each stakeholder has its own database on domestic violence.

The Protocol does not define what happens in the event that the Coordination Body fails to fulfil its duties. Furthermore, the Coordination Body does not have an **action plan** or **a monitoring and evaluation system** in place.

The coordination body does not have a unique **budget.** Instead, each institution functions through its own budget in accordance with the law. Finally, the team does not take into account whether a survivor of domestic violence is a person with disability or belongs to a minority group.

## **Travnik**

The Central Bosnia Canton signed the first cantonal Protocol on Mutual Cooperation on dealing with the Prevention of and Protection of Victims of Domestic Violence in 2012. Yet this Protocol was not implemented until 2016, because the text of the Protocol was extremely broad. It contained provisions

<sup>27</sup> The cantonal Protocol was signed at the initiative of the Gender Centre of the Federation of Bosnia and Herzegovina and as part of the joint project implemented by the UNDP and UNFPA.

The Protocol was signed at the cantonal level. The signatories were as follows: the Cantonal social welfare centre (leading institution), the Ministry of Social Affairs, Ministry of Education and the Ministry of Interior, the Basic Court in Gorazde, the cantonal Prosecutor's Office, the Municipality of Gorazde, the Municipality of Pale-Praca, the Municipality of Foca-Ustikolina and the association Seka. Therefore, in the case of the police, the cantonal Ministry of Interior signed the Protocol and passed the appropriate instructions to the police stations in the municipalities that signed the Protocol. In the case of the cantonal Prosecutor's office, the cantonal Prosecutor was a direct signatory of the Protocol.

from the cantonal Law on Social Protection, the Law on the Protection of Civilian War Victims and the Law on the Protection of Families with Children,<sup>29</sup> but without guidelines on how to implement such provisions and without defining the specific role and responsibilities of each institution. Based on an initiative of the Gender Centre of the Federation of Bosnia and Herzegovina, a new protocol was signed in 2016 and its active implementation began through mutual cooperation between the institutions.

After signing of the new cantonal Protocol, the cantonal Coordination Body was established in 2016. Unlike the 2012 Protocol, the 2016 Protocol clearly defines the role of each institution as well as the ways of their cooperation. However, the Protocol does not define what happens if the Coordination Body fails to fulfil its obligations, which raised the question of accountability within the system.

The Municipality of Travnik signed the **local Protocol** on Mutual Cooperation on dealing with the Prevention of and Protection of Victims of Domestic Violence in December 2017. A municipal multi-sector team was also established. The following institutions are the signatories of the local Protocol and hence members of the local multi-sector team: the social welfare centre, the police, the healthcare centre/centre for mental health, four schools (coordinating the activities of all 17 institutions of education) and the 'TNT Group' as the media representative. The judiciary did not sign the local Protocol and therefore did not join the multi-sector team. Although not a member of the team, the relevant institutions reported close cooperation with the NGO 'Centre for Education of Youth' on the issue of domestic violence.

According to the local Protocol, the social welfare centre is the **coordinator** for the implementation of the Protocol and the multisector team. As specified in the Protocol, the municipal multi-sector team meets once a month in order to follow-up on the situation of victims of domestic violence and assess the efficiency of the implementation of the Protocol. Although not specified in the Protocol, as part of the project activity, the municipal multi-sector team sends the minutes from these meetings to the Gender Centre of the Federation of Bosnia and Herzegovina.

The minutes are not shared among the team members unless they request it. The team has held four meetings since the Protocol was signed. In line with the role and responsibilities of each institution responding to incidents of domestic violence, the Protocol stipulates the requirement for the police to inform the social welfare centre immediately about any reported case of domestic violence in order to ensure that the victim receives adequate protection and accommodation. However, the police do not invite the social welfare centre to accompany the survivor immediately after the violence is reported. Instead, they advise the survivor to contact both the social welfare centre and the healthcare centre after leaving the police station.

In terms of their **expertise**, members of the multi-sector team have the necessary formal qualifications (medical doctors, social workers, psychologists, pedagogues, etc.). In addition, they all had some form of training on domestic violence prior to and/or during the course of their work on domestic violence. Yet the information provided to the consultant about the training was sporadic and did not provide sufficient information to conclude that all of the team members have the adequate level of knowledge and skills. However, the members of the team did participate in a number of trainings organised by the Gender Centre of the Federation of Bosnia and Herzegovina that included training on the multi-sector response to domestic violence.

In regard to **data collection**, each institution sends its data on the reported number and type of cases of domestic violence to their respective cantonal line ministry. There were discrepancies in the number of cases, because each institution had a different figure for the number of cases of domestic violence. Information obtained through the interviews indicates that the data currently collected does not reflect the level of vulnerability of a survivor of domestic violence. The team has no policy on cases involving survivors of domestic violence that belong to a marginalised group.

The team does not have its own **budget**. Instead, each institution functions through its own budget and in accordance with the Federation of Bosnia and Herzegovina Law on Protection from Domestic Violence. The municipal multi-sector team does not have an **action plan** or a **monitoring and evaluation system** in place.

<sup>29</sup> Zakon o socijalnoj zastiti, zastiti civilnih zrtava rata i zastiti porodica s djecom SBK, Official Gazette of the Central Bosnia Canton, nos. 10/05 and 2/06.

# **Tomislavgrad**

Tomislavgrad does not have a local Protocol on multi-sector cooperation for addressing cases of domestic violence. The multisectoral team has been formed, but not yet formally appointed, as planned.<sup>30</sup>

The cantonal Protocol on Conducting and Cooperation in Domestic Violence Cases for Canton 10 was signed in 2010. The following institutions developed and signed a revised text of the Protocol in 2018: the Ministry of Justice, the Ministry of Labour, Health and Social Welfare, the Ministry of Science, Education, Culture and Sport and the Ministry of Interior. The Protocol was developed in a participatory manner with each ministry drafting the section concerning the roles and responsibilities within its respective sector. Hence, the cantonal Protocol defines the role of each institution at the local level when dealing with cases of domestic violence.

Other than the requirement for each sector to inform other sectors about any case of domestic violence reported to them, the Protocol does not define cooperation between the signatories in detail. The Protocol does define the requirement to establish the cantonal coordination body and states that it will perform all of the functions defined in the Federation of Bosnia and Herzegovina Law on Protection from Domestic Violence. According to the Protocol, the coordination body is comprised of one representative from all of the signatories and is responsible for ensuring cooperation between all of the stakeholders when it comes to the implementation of the Protocol.

The cantonal Protocol designates the municipalities as the bodies responsible for establishing local multi-sector teams. The representatives of the social welfare centre and the police reported that they had recently begun to consider preparing their own

According to information provided by both the Gender Centre of the Federation of Bosnia and Herzegovina and the Centre for Social Welfare, the team is comprised from representatives of the centre for social welfare, the police, the healthcare centre, school, religious institutions, NGOs and the local communities (mjesna zajednica). In August 2018, the Gender Centre FBiH held a meeting with the municipal Mayor, the Director of the centre for social welfare and the head of the police. The conclusion of the meeting was to initiate the procedure to appoint members of the multi-sector team and to develop the municipal Protocol.

municipal protocol. They believed that should there be a municipal protocol in place it would be easier to operate in practice. However, the interviewees gave no specific reasons for this conclusion and no action has been taken in this regard.

In practice, when it comes to cooperation, the police and the social welfare centre cooperate closely on each case of domestic violence. The representative of the social welfare centre is present during the police interview with the survivor and issues ex officio one-off financial assistance to the survivor and offers the survivor the option to be referred to a safe house. If the survivor requests to be placed in the safe house then they are accompanied by the representatives of police and social welfare centre. In the meantime, the police immediately inform the prosecutor about the case and in close cooperation with the social welfare centre propose appropriate measures of protection for consideration by the prosecutor. If there is a child in the family then the social welfare centre contacts the school the child attends and requests that it monitors the child case. The fact that there is no municipal policy framework raises the question of the accountability of the service providers toward the survivors of domestic violence.

The cantonal Protocol failed to define a methodology for **data collection**. According to the Protocol, the Coordination Body is obliged to hold periodic meetings (without specifying how often) and to prepare annual reports on the implementation of the Protocol. The Coordination Body submits the annual report to the Government of the Canton for adoption. Yet despite this structured reporting mechanism, the Protocol makes no mention of data collection on the number of cases by either the Coordination Body or the other stakeholders.

The Coordination Body does not have a unique **budget** and there is no **action plan** or **monitoring and evaluation system** in place. There is no specific policy on cases involving survivors of domestic violence belonging to a marginalised group.

# The NGO and survivor perspective

In Gorazde, the NGO Seka stated that survivors are generally not satisfied with the work of the police because the police do not inform the social welfare centre immediately after

they receive a report on a case of domestic violence. Instead, they send an official letter to the centre after they complete their part of the job. Additional problems in Gorazde relate to the fact that the police never propose measures of protection and the prosecutor never acts in cases of domestic violence. Another long-term problem linked to the fact that there is no criminal prosecution of cases of domestic violence is that there are no resources to assist the survivors of domestic violence. No social benefits are available to survivors of domestic violence and there is no safe house. In the absence of a safe house, the authorities provided an apartment; however, the apartment does not meet the minimum standards for housing survivors of violence. It provides a place for a survivor to stay but there is no psychosocial support, which is part of the safe house concept.

The NGO Seka stated that although it has been very active in its work against domestic violence for a number of years and through many different activities, including assisting survivors to report violence, they feel ethically uncomfortable when encouraging survivors to report violence. This is because they know that when a survivor reports violence the authorities are incapable of providing the necessary comprehensive services and assistance. This means that the survivor is left in an untenable situation and likely to end up back in the family and therefore at risk of suffering a recurrence of violence.

The NGO Zena Bosnia and Herzegovina from Mostar, which operates in the area of **Tomislavgrad**, stated that the public service providers coordinate very well within this relatively small municipality. The main challenges they face in their work relate to the fact that measures of protection are not always executed and that there is no safe house.

# V CONCLUSIONS AND RECOMMENDATION

The purpose of this paper is to review the viability of the applied approaches to the establishment and functioning of multi-sector referral mechanisms at the local level in Bosnia and Herzegovina. Due to different legislation governing the area of domestic violence, conclusions and recommendations will be presented for Republika Srpska and Federation of BiH

### **Conclusions**

# Republika Srpska

- Legal and policy framework and guidelines developed in Republika Srpska are largely in line with international standards and guidelines. Multi-sectoral cooperation represents the essence of protection of survivors of domestic violence in legislation and policies in Republika Srpska. However, legal and policy framework does not set the obligation for local communities to sign protocols, set up multi-sectoral teams, monitor and evaluate the quality of their work or budget for the coordinated response.
- There is no entity of local level institution responsible for monitoring of the work of coordinated response at the local level in Republika Srpska. Hence, there is no information about the **number** of functional multi-sectoral teams in Republika Srpska.
- Interviewed first responders from all municipalities are aware and engaged in **multi-sectoral cooperation** when responding to domestic violence. While there are elements of coordinated response in all the municipalities, multi-sectoral teams are not in place in all locations. Foundation of the coordinated response and multi-sectoral team constitute the centre for social work and the police. Although essential in providing coordinated response, (except in Visegrad) the court and the prosecutor's office are not taking active part in work of multi-sectoral teams.
- Functioning of the teams and coordinated

- response is different in each location (coordinating institution, organization of meetings, exchange of information etc.). Targeted teams do not have systems for monitoring and evaluation, budgets or (apart from Visegrad) an action plan. Additionally, multi-sectoral teams lack of a join administrative database on cases involving domestic violence. The extent to which data is shared between service and subsequent follow-up related to available information depends on individual willingness and motivation of service providers. In general, each stakeholder has its own database and reports the data to the line institution at entity level.
- In terms of **expertise**, all interviewed professionals are formally qualified for positions they are holding and have been trained on domestic violence by different actors using different training packages. There is no standardized training on domestic violence for first responders and service providers.
- In terms of **quality of services** provided, survivors are not receiving a women's centred support. Some service providers are not sensitized or trained to address cases of domestic violence. Survivors are reluctant to report violence as they don't think they will receive the necessary and adequate support. Additionally, survivors receive only limited feedback about the case once they report it and have a very passive role.

# Federation of Bosnia and Herzegovina

Legal and policy framework and guidelines developed in Federation of BiH are largely in line with international standards and guidelines. Multi sectoral cooperation represents the essence of protection of survivors of domestic violence in legislation and policies. Legal and policy framework sets the obligation for lower levels of government (cantons and local communities) to develop action planes, sign

- protocols and set up coordination bodies and multi-sectoral teams. Framework does not include the requirement to monitor and evaluate the quality of their work or budget for the coordinated response.
- There is no institution at entity, cantonal and local level responsible for monitoring of the work of coordinated response at the cantonal and local level in Federation of Bosnia and Herzegovina. Hence, there is no information about the number of functional multi-sectoral teams.
- Interviewed first responders from all municipalities are aware and engaged in **multi-sectoral cooperation** when responding to domestic violence. There are elements of coordinated response in all the municipalities and established cantonal coordination bodies in all three cantons. A need for a multi-sectoral team is expressed in local communities in bigger cantons (Travnik, where the team is in place and Tomislavgrad). In terms of coordination at the cantonal level, all stakeholders (with the except of judiciary in Gorazde) are taking full participation.
- **Functioning** of the coordination bodies is to an extent different target locations (coordinating institution, meetings, protocols etc.). Only Travnik has signed the municipal protocol and therefore the cantonal protocols form the basis of work on cases of domestic violence in Gorazde and Tomislavgrad. There are no systems for monitoring and evaluation, budgets or action plan. In general, teams mainly provide immediate response to cases of domestic violence with less focus on coordination. continuous Additionally, multi-sectoral team/coordination bodies lack of a join administrative database on cases involving domestic violence. The level of data input and follow-up related to data depends on individual willingness and motivation from service providers. In general, each stakeholder has its own database and reports the data to the line institution. Additionally, there is an electronic database of cases at cantonal and entity level.
- In terms of expertise, all interviewed professionals are formally qualified for positions they are holding and have been trained on domestic violence by different actors using different training packages. There is no standardized training on domestic violence for first responders and service providers.

 In terms of quality of services provided, survivors are not receiving women's centred support. Some service providers are not sensitized or trained to address cases of domestic violence. Furthermore, there is a lack of specialized support service for survivors of domestic violence.

### **Recommendations**

# Republika Srpska

- Legal and policy framework and guidelines should be fully aligned with international standards and guidelines. The framework should be explicit in setting the obligation for local communities to sign protocols, set up multi-sectoral teams with clear referral pathways and role of the team and each institution, monitor and evaluate the quality of that work and budget for the coordinated response. Furthermore, institution responsible to monitor the work of coordinated response at the local level in Republika Srpska needs to be defined.
- Multi-sectoral teams should be in place in all locations with active participation of first responders from all responsible sectors.
- While each local community should be free to adapt to their local context, functioning of the multi-sectoral teams should be standardized by defining minimum standards and quality control mechanisms. These standards should reflect specific needs of survivors belonging to marginalised groups. It is critical to define institution responsible for quality control and monitoring of the work of multisectoral teams at the local and entity level.
- Each team should have a common administrative database on cases of domestic violence at the local level and a clear procedure on sharing information between local service providers.
- All service providers should receive standardised and continuous victims' centred education on providing a coordinated response to domestic violence. All first responders responsible to support survivors of domestic violence need to be specialized for the job.
- In addressing the gaps of multi-sectoral response to domestic violence, responsible stakeholders need to be guided by the principles of **victim centred approach** protection of survivors of domestic violence

# Federation of Bosnia and Herzegovina

- Legal and policy framework and guidelines should be fully aligned with international standards and guidelines. The framework should be explicit in setting the obligation for local communities to sign protocols, set up multi-sectoral teams with clear referral pathways and role of the team and each institution, monitor and evaluate the quality of that work and budget for the coordinated response. Furthermore, institution responsible to monitor the work of coordinated response at the local level needs to be defined.
- **Multi-sectoral teams** should be in place in all locations with active participation of first responders from responsible sectors.
- While each local community should be free to adapt to their local context, **functioning** of the multi-sectoral teams should be standardized by defining minimum standards and quality control mechanisms. These standards should reflect specific needs of survivors belonging to marginalised groups. It is critical to define institution responsible for quality control and monitoring of the work of multi-sectoral teams at the local, cantonal and entity level.
- Each team should have a common administrative database on cases of domestic violence at the local level and a clear procedure on sharing information between local service providers.
- All service providers should receive standardised and continuous victims' centred education on providing a coordinated response to domestic violence. All first responders responsible to support survivors of domestic violence need to be specialized for the job.
- In addressing the gaps of multi-sectoral response to domestic violence, responsible stakeholders need to be guided by the principles of victim centred approach protection of survivors of domestic violence.

# **ANNEX I**

UNITED NATIONS ESSENTIAL
SERVICE PACKAGE FOR
WOMEN AND GIRLS SUBJECT
TO VIOLENCE: GUIDELINES
FOR ESSENTIAL ACTIONS
FOR COORDINATION AND
THE GOVERNANCE OF
COORDINATION

The Guidelines for Essential Actions for Coordination and the Governance of Coordination aim to provide guidance for essential services so that they can work together, both formally and informally, to ensure that a comprehensive women and child-centred response is provided to all women and girls (and where necessary to their children). The Guidelines are part of the Essential Services Package, which aims to provide all women and girls that have experienced gender-based violence with greater access to a set of essential quality and coordinated multi-sector services.

When it comes to effective implementation of local level coordination and the governance of coordination, it is necessary for the relevant stakeholders to undertake a number of steps.

- a. Create an action plan that ensures the following:
- compliance with laws and policies and alignment with national strategies and standards related to coordination and the governance of coordination:
- identification of local needs and gaps;
- it is developed using a consultative process involving key stakeholders, especially victims/survivors and their representatives;
- the identification of priorities;
- it defines specific activities to be carried out, including timelines, individual agency responsibilities, the necessary resources and indicators for measuring progress;
- it identifies possible resources and includes efforts to obtain them;
- creates linkages to other local responses to violence against women and girls;
- informs all relevant stakeholders that have not been involved in the development of the action plan.
- **b.** Make agreements on agency membership and participation in coordination

mechanisms in the following ways:

- develop a mission and vision of the coordination mechanism based on a common understanding of violence against women and girls;
- identify the composition of the coordination mechanism (including representatives of justice, social services, and the healthcare sectors and civil society, including marginalised groups and other relevant parties);
- require that agency representatives have decision making authority on behalf of their agency;
- define the roles and responsibilities of representatives;
- define chairing arrangements and terms of office:
- establish a schedule for meetings;
- create decision making processes;
- adopt accountability and complaint resolution processes;
- create a review process to assess the functioning of the coordination mechanism, including timeframes for the completion of work;
- create group rules (for example, confidentiality);
- commit to sharing information with specifically identified relevant stakeholders.
- c. Create standard operating procedures for the coordination mechanisms in the following way:
- map local service providers;
- create a common understanding and principles of service delivery among providers;
- create a protocol for referrals and interaction among service providers;
- carry out training across sectors according to agreed standards;
- develop linkages with third parties (for example, schools);
- subject to confidentiality requirements, practice transparency.
- d. Develop and conduct community awareness activities on violence against women and girls, such as television and radio public service announcements, social media messages, billboards and the publication of reports.
- Conduct monitoring and evaluation in the following manner:

- identify the purpose, scope and timeline for monitoring and evaluation;
- focus monitoring and evaluation on how the response to violence against women and girls functions on coordination;
- align with the national monitoring and evaluation framework;
- identify baselines and indicators for measuring progress;
- require agencies to collect and share agreed data;
- develop the capacity and resources for monitoring and evaluation;
- include victims/survivors in the monitoring and evaluation process;
- track funding;
- report monitoring and evaluation findings to the national or regional oversight body;
- comply with reporting requirements of high-level entity.

# ANNEX II LIST OF INTERVIEWEES

- Goran Račetović, neuropsychiatric, coordinator for domestic violence cases, Centre for mental health, Health centre Prijedor
- Danijela Madžarević, police officer, Police station Milici
- Marijana Gligorović, psychologist, Centre for social work Milici
- **4.** Ljubica Milanović, pedagogue, Elementary school Milici
- 5. Esma Drkenda, president, Association Seka Goražde
- **6.** Azra Zorlak-Kuštura, psychologist, Centre for social work Gorazde
- Dejan Savić, director, Centar for social work Visegrad
- **8.** Jelena Savović-Todorović, Legal department of Local Administration, Visegrad
- Osman Rahmanović, judge, Basic court Visegrad
- **10.** Tijana Širiković, criminal investigator, Police station Visegrad
- **11.** Danijela Mikavica, kindergarten Neven, Visegrad
- **12.** Gorica Tomić, psychologist, Centre for mental health, Visegrad
- **13.** Bosa Miletić, director, Women's association Most, Visegrad
- 14. Ivana Jović, High school Visegrad
- **15.** Koviljka Marković, Department for economy of Local Administration, Visegrad
- **16.** Tomislav Lučić, psychologist, Centre for social work, Travnik
- **17.** Zvjezdana Nakić, NGO Social-educational centre SEC, Travnik
- **18.** Sabina Malanović, social worker, Centre for social work Travnik

- **19.** Jasmina Pašalić-Ramić, social worker, Centre for mental health Travnik
- 20. Prenda Petrović, Police station, Travnik
- **21.** Josip Jandić, criminal investigator, Police station, Travnik
- **22.** Ilija Krišto, director, Centre for social work, Tomislavgrad
- **23.** Jozo Gudelj, director, Police station, Tomislavgrad
- **24.** Joško Mandić, project coordinator, Agency for Gender Equality BiH
- **25.** Fatima Bećirović, project coordinator, Gender centar FBiH
- **26.** Maja Marjanović, project coordinator, Gender centar RS
- 27. Lana Jajčević, legal advisor, United Women Banja Luka Banja Luka,
- **28.** Aldijana Trbonja-Tule, project coordinator, Žena BiH Mostar.

# **ANNEX III**

# LIST OF GUIDING QUESTIONS FOR THE INTERVIEWS

Please Note: The interviews were envisaged as semi-structured. The list of questions below provided the consultant with the basis from which to establish a meaningful discussion with the relevant stakeholders. This left the interviewees enough room to raise any significant issues related to the establishment, functioning, institutional memory, quality of service and sustainability as well as other aspects of the multi-sector team.

# 1. Guiding questions for the coordinator of the multi-sector team

- Has the team been formally set up? If yes, under what document? (protocol on cooperation) Who signed it and when? (Which sectors does it comprise?)
- Are the roles clearly defined for each sector?
- Apart from the 'standard' multi-sector team members, who else participates in the work of the team? Is the mayor's office involved and if so to what extent? Have you involved the education sector in the work of the team? The media? Any other relevant actor?
- Is the chronology of engagement defined clearly (hodogram)?
- Is the manner of cooperation described clearly in the formal protocol/agreement?
- Is there an action plan developed/ adopted for the work of the team with clear activities, responsible institutions, budget and deadlines? If so, what are the challenges to its implementation? To what extent is it in line with the Law on Domestic Violence and the Local Protocol (Republika Srpska) and the Law on Domestic Violence and the Guidelines (Federation of Bosnia and Herzegovina)?
- How is the data to be collected, shared and stored?
- How many cases have you processed so far? (If the team has existed for a number of years, how many per year?) Try to establish whether the number of cases is increasing over time and if so ask their opinion on why? (Try to find out if they feel there is an added value to the existence of the multisector team)
- What are the challenges to cooperation/ coordination?
- How often does the team meet? Is it on a

- regular basis or ad hoc?
- Do you meet to discuss each case individually and exchange information about the case? Is there a system in place to ensure the ease of information flow among the team members when it comes to concrete cases? Sometimes, the urgency of the matter is key to resolving a case of violence against women/domestic violence and so how do you ensure that each team member acts in a timely manner? Is there a system in place that allows for follow-up on cases? For example, what happens once the case is closed? Is there any follow-up and if so how?
- To whom does the team report?
- Are there accountability measures set up? What happens if one team member does not act in accordance with the set procedures? To whom and how is the problem reported? Is there any follow-up?
- Are there any monitoring and evaluation mechanisms set up? If so, are they being applied?
- Does the team have a budget?

# 2. Guiding questions for a survivor of violence who has utilised the services of the multi-sector team

- You have used the services of the multisector team. How did your contact with the team work? Whom did you contact first? Whom were you referred to next? (chronology)
- How did you find out about the existence of the team?
- Describe your experience in your own words. Did you feel comfortable contacting the team?
- Can you describe your experience and your contact with each member of the team? (sector by sector)
- What were the main challenges to your contact with the team?
- Did you feel safe throughout the process?
- Did you feel that you were informed fully about your rights and all of the procedures throughout the process? At what point were the procedures within the team explained to you?
- Would you recommend anyone you know to the team if you knew that they needed assistance because of violence against women?

# 3. Guiding questions for the individual sectors of the multi-sector team

- How long have you been a member of the team?
- Before you, did your sector have another person who was a member of the team? (In order to ensure sustainability, try to find out the level of consistency and the ongoing nature of engagement on the part of each sector)
- Are you fully aware of the role of your institution when it comes to cases of domestic violence in accordance with the Law and the Local Protocol (Republika Srpska) and the Guidelines (Federation of Bosnia and Herzegovina)? Do you feel that the role of your institution, as stipulated in the Law on Domestic Violence, is reflected adequately in the formal set-up and functioning of the multi-sector team?
- What are your formal qualifications and years of professional experience relevant to your role in the team?
- Did you have any additional training in relation to violence against women prior to or during your engagement with the team?
- To whom do you report when it comes to activities done as part of the team? (Try to find out the extent of accountability of each sector and assess to what extent each team member feels accountable for his/her work as part of the team as opposed to fulfilling the activities because it 'feels right' to do so)
- To what extent is your sector aware of the work of this team?
- Is there some type of formal appraisal in place related to your work on the team?

## **ANNEX IV**

# LIST OF INTERNATIONAL STANDARDS, DOMESTIC LAWS AND POLICIES AND OTHER RELEVANT DOCUMENTS

United Nations Population Fund and the East European Institute for Public Health, Multi-Sector Response to Gender-based Violence: An effective and coordinated way to protect and empower gender-based violence victims/ survivors (2015).

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Olivera Vukovic, Local Protocol on Cooperation and Handling Cases of Domestic Violence against Women (Gender Centre of Republika Srpska, 2017).

Professor Vesna Sucur-Janjetovic Ph.D., Modul za multisektorsku obuku za pruzaoce usluga na lokalnom nivou vlasti u skladu sa Konvencijom Savjeta Evrope o sprecavanju i suzbijanju nasilja nad zenama i u porodici (2017).

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Porodicni zakon Republike Srpske, Official Gazette of Republika Srpska, nos. 54/2002, 41/2008 and 63/2014.

Zakon o socijalnoj zastiti, zastiti civilnih zrtava rata i zastiti porodica s djecom SBK, Official Gazette of SBK, nos. 10/05 and 2/06).



# UN WOMEN IS THE UN ORGANIZATION DEDICATED TO GENDER EQUALITY AND THE EMPOWERMENT OF WOMEN. A GLOBAL CHAMPION FOR WOMEN AND GIRLS, UN WOMEN WAS ESTABLISHED TO ACCELERATE PROGRESS ON MEETING THEIR NEEDS WORLDWIDE.

UN Women supports UN Member States as they set global standards for achieving gender equality, and works with governments and civil society to design laws, policies, programmes and services needed to implement these standards. It stands behind women's equal participation in all aspects of life, focusing on five priority areas: increasing women's leadership and participation; ending violence against women; engaging women in all aspects of peace and security processes; enhancing women's economic empowerment; and making gender equality central to national development planning and budgeting. UN Women also coordinates and promotes the UN system's work in advancing gender equality.



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