

FOCUS ON GENDER

BOSNIA AND HERZEGOVINA

Issue 06

Sexual Violence against Women in Bosnia and Herzegovina



ВЛАДА РЕПУБЛИКЕ СРПСКЕ
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Violence against women and girls is a widespread problem in Bosnia and Herzegovina and the data indicates that a significant proportion of women experienced sexual violence and sexual harassment during their lives. The outbreak of COVID-19 has further exacerbated the situation, leading to a heightened risk of violence and at the same time restricting women's access to assistance and support services.

At the beginning of 2021 the issue of sexual violence and sexual harassment was brought into the focus of public discourse in the region through the movement 'Nisi sama'. Many women from the region used social media platforms to share their experience of sexual violence and sexual harassment. This movement has pointed out the severity of the situation as demonstrated by the high number of women who have experienced sexual violence, the low level of reporting, the fact that women feel shamed, and fear being stigmatised once they talk about it as well as the high level of tolerance when it comes to sexual harassment in society.

During November and December 2021, UN Women aimed to bring the focus on sexual violence against women into the public discourse through the '16 days of activism' campaign in Bosnia and Herzegovina. The campaign serves to deepen the discussion on the specific challenges related to the protection and support of the survivors of sexual violence and to accelerate much needed changes within the protection and prevention of sexual violence in this country.

This edition Focus on Gender was developed together with the Agency for Gender Equality of Bosnia and Herzegovina, the Gender Centre of Republika Srpska and the Gender Centre of the Federation of Bosnia and Herzegovina as part of efforts under the '16 days of activism' campaign and shall serve as an advocacy tool in support of existing and future efforts to enhance the legislation, support the system for survivors and to accelerate change in social attitudes. The document was used to inform the discussion with experts that was held in Sarajevo on 24 November to mark the opening of the campaign in 2021.

The document, which is based on the available data and information, gives an overview of the main challenges in terms of the legislation, the availability of services for survivors of violence and attitudes on sexual violence among both men and women. It outlines a set of recommendations that primarily target decision makers in the entities and in Brcko District in an attempt to ensure that all forms of sexual violence are condemned, adequately prosecuted and that all survivors have equal access to support services and that sexual violence, including sexual harassment, is not tolerated in any form. It also includes a set of recommendations for other relevant actors, such as civil society organisations, the media and international actors in Bosnia and Herzegovina, in order to ensure synergy between current and future efforts and sustainable solutions in this area.

This Focus on Gender gives an overview of the main challenges in terms of the legislation, the availability of services for survivors of violence and attitudes on sexual violence among both men and women.



Opening event of 16 Days of Activism, on November 24, featured a panel discussion with experts on sexual violence in BiH.

BACKGROUND

According to research carried out by OSCE, every second woman in Bosnia and Herzegovina has experienced some form of abuse, such as intimate partner violence, stalking or sexual harassment, since the age of 15.¹ Psychological, physical and/or sexual violence was experienced by 38 per cent of women, 28 per cent had experienced sexual harassment and 10 per cent had been sexually harassed in the 12 months prior to the survey. Stalking was reported by 5 per cent of women. However, these data show only an estimate of the prevalence and represent only a tip of the iceberg. Many of the cases still remain unreported and untold due to stigmatization associated with this act (84% of women in Bosnia and Herzegovina did not report violence to the police) as well as the fact that many women do not recognize that they are victims of violence.² In addition to these figures, the outbreak of COVID-19 has exacerbated the situation. Emerging evidence shows that indeed the number of reports of violence against women has increased in countries where 'stay at home' measures were put in place to curb the spread of the virus, including in Bosnia and Herzegovina.

In January 2021, the issue of sexual violence and sexual harassment rapidly came into the public attention in the region with the rise of the 'Nisi sama' movement. This movement constitutes a strong response to the increased need of women to reflect on their experiences using public social platforms and their hope that these testimonies will eventually lead to a change in attitudes and a better response system. The movement connected with several civil society organisations (CSOs) and this led to increased awareness raising activities and media pressure aimed at acknowledgement of the extent of sexual harassment and the importance of seeking justice as well as access to services for survivors. It also led to increased engagement in preventative action, the sensitising of relevant institutions and public service providers to this problem, changes in the public perception of the survivors of violence and the advancement and harmonisation of the existing legislation. The momentum created by 'Nisi sama' has also demonstrated the need to coordinate existing initiatives within the field of combating sexual violence and sexual harassment. It brought CSOs and international organisations

¹ OSCE led the survey on violence against women in Bosnia and Herzegovina in 2019. See <https://bit.ly/2CA8XO3>.

² Ibid.

together in their efforts to identify the main issues related to tackling sexual violence, advocacy and in lobbying for change. The movement encouraged some institutions to start solving issues related to sexual harassment and to initiate work on the adoption of internal rules and regulations to address cases of sexual harassment.³

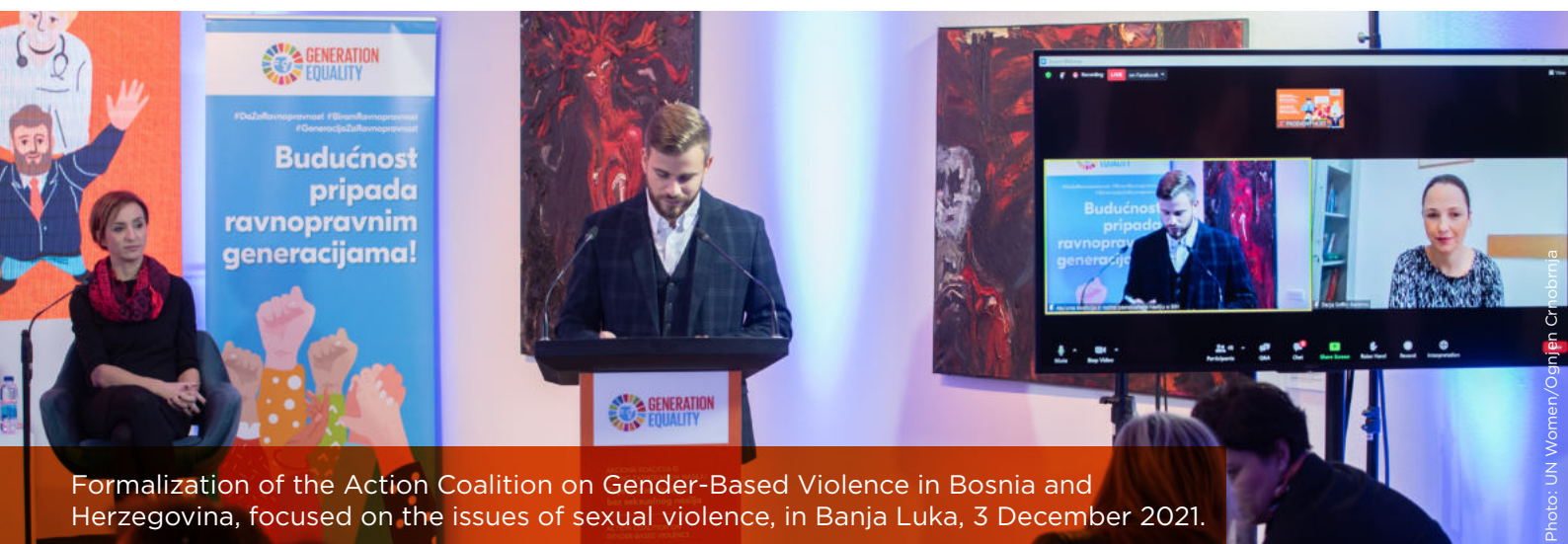
In order to use the momentum and keep the issue of sexual violence in the public discourse, UN Women in Bosnia and Herzegovina focused the '16 days of activism' campaign on the issue of sexual violence. Under the message 'Let's turn off sexual violence, turn on prevention!' the campaign aims to achieve the following:

- Influence decision-makers (entity parliaments and the Parliament of Brcko District) to support the harmonisation of criminal acts related to sexual violence with the Istanbul Convention and push for making specialised services equally available to the survivors of sexual violence and sexual harassment.
- Increase awareness among young people in Bosnia and Herzegovina about the sexual harassment of women and their understanding of consent within intimate relationships.

The campaign contributed to wider efforts focused on ending violence against women in Bosnia and Herzegovina and in the region.

The third Regional Forum on Combating Violence against Women in the Western Balkans and Turkey⁴ held on 1 and 2 December 2021 was aimed at fostering dialogue within and across countries in order to accelerate the implementation of national and regional commitments on gender equality and on ending violence against women. The UN Women 'Generation Equality' campaign in Bosnia and Herzegovina will work to localise action coalitions aimed at mobilising the legislative, judicial, and executive authorities, public administrations and institutions, CSOs, including women's, feminist and youth-led organisations, and international organisations and the private sector. It is also intended to catalyse collective action, spark conversations among generations, drive increased public and private investment and deliver concrete progress on gender equality across generations for girls and women. The formalisation of the Action Coalition on Gender-Based Violence in Bosnia and Herzegovina was marked in Banja Luka on 3 December 2021.

It is worth noting that the issue of sexual violence against women in Bosnia and Herzegovina has not been researched thoroughly and that most of the studies conducted with the support of UN Women on this issue were only developed in the past few years. The latter were used in the conceptualisation of this document.



Formalization of the Action Coalition on Gender-Based Violence in Bosnia and Herzegovina, focused on the issues of sexual violence, in Banja Luka, 3 December 2021.

³ The Faculty of Architecture of the University of Sarajevo appointed an advisor for the prevention of sexual harassment. At the Faculty of Political Science of the University of Sarajevo an analysis of the teaching content and inclusion of domestic violence in the syllabus is currently being conducted with the support of the Gender Centre of the Federation of Bosnia and Herzegovina.

⁴ The Forum is part of the European Union funded regional UN Women programme 'Ending Violence against Women in the Western Balkans and Turkey: Implementing norms, changing minds'.

THE MAIN CHALLENGES IN ADDRESSING SEXUAL VIOLENCE IN BOSNIA AND HERZEGOVINA

LEGISLATION ON PROTECTION FROM SEXUAL VIOLENCE AND THE PROSECUTION OF SUCH CASES IN THE COURTS

Violence against women has long been recognised and addressed within the legal and criminal justice systems in Bosnia and Herzegovina and by ratifying the relevant international treaties⁵ the country has committed itself to adjusting its legislation and policies in order to establish a more efficient system for preventing and combating violence against women.

Up until now, the institutions and organisations have prioritised domestic violence and sexual violence in times of conflict, but less attention has been given to the crimes of rape and sexual harassment. Furthermore, ensuring social condemnation of and legal protection from sexual violence and sexual harassment has not received the same amount of attention throughout the country and the legal system is not fully in line with the Council of Europe Convention on Prevention and Combating of Violence against Women and Domestic Violence (Istanbul Convention).

However, it is important to note that Bosnia and Herzegovina has already demonstrated its commitment to establish zero tolerance of any form of violence by adopting regulations, ratifying international documents and implementing strategic documents. These efforts are ongoing and will continue to work towards the further harmonisation of the legislation with that of the Istanbul Convention.

At the level of Bosnia and Herzegovina, the Guide for Taking Effective Measures to Prevent Gender-Based Harassment and Sexual Harassment in the Workplace in the Institutions of Bosnia and Herzegovina⁶ has been adopted. At the level of the Federation of Bosnia and Herzegovina, there is an initiative to adopt such a document for the entity institutions. In addition, Sarajevo cantonal administration adopted a Protocol on the Procedure in cases of Sexual Harassment applicable to all institutions established and run by the cantonal administration.

THE CRIMINAL ACT OF SEXUAL VIOLENCE IN BOSNIA AND HERZEGOVINA

State level criminal provisions in Bosnia and Herzegovina do not recognise the criminal offence of rape, in accordance with the division of competencies within the domain of criminal legislation. However, there is an exception when the crimes of rape and/or sexual violence constitute the body of a crime deemed to have been committed against humanity or as a war crime against the civilian population, which are recognised as criminal acts.

Rape, as the most severe form of sexual violence, is defined by all criminal codes as a criminal offence when the perpetrator uses coercion, force or the threat of violence on the victim or a person close to them. The criminal codes also prescribe qualified forms of rape, which define the crime in terms of the following: extremely cruel or degrading ways in which the crime was committed, its multiplicity, if the act resulted in death of

⁵ The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), its Optional Protocol and the Council of Europe Convention on Prevention and Combating Violence against Women and Domestic Violence (Istanbul Convention).

⁶ Available at <https://bit.ly/3pDXmTG>

grievous bodily harm or pregnancy, whether the act was committed because of ethnic, racial, religious or linguistic intolerance towards the victim or if the victim was a minor.

This is not in line with the Istanbul Convention, which includes the absence of voluntary consent as separate to the conditions of coercion and the threat of violence. The Istanbul Convention states that rape must be sanctioned regardless of the nature of the relationship between the victim and the perpetrator,⁷ for example, in cases of marital rape. It can be said that the crime of rape as defined in the existing criminal codes is restrictive and does not include all acts of rape.

Criminal laws in both entities and in Brcko District define the acts that constitute sexual violence differently. The Criminal Code of Republika Srpska⁸ was amended in 2017 to include genital mutilation, forced sterilisation, stalking and criminal offenses against sexual integrity as well as sexual blackmail, sexual harassment and forced marriage. This makes this code the most advanced when it comes to the definition and criminalisation of various forms of sexual violence as criminal acts in Bosnia and Herzegovina. Yet neither the entity criminal codes nor the Brcko District Criminal Code include the absence of consent, which covers a wide range of behavioural responses to sexual violence and rape among the victims and is recommended by the Istanbul Convention.

It is important to note that expert discussion should be initiated on the concept of consent, defining marital sexual violence or sexual violence in a relationship in line with the Istanbul Convention and with the aim of fulfilling the highest standards in relation to the protection of human rights.

The Law on Gender Equality in Bosnia and Herzegovina is the first law to define sexual harassment as any unwanted form of verbal, non-verbal or physical conduct of a sexual nature that seeks to violate a person's dignity. Furthermore, the Law emphasises the obligation of an employer to take effective measures to prevent harassment, sexual

harassment or gender-based discrimination at the workplace. The Law, in addition to judicial protection through Article 23, provides for criminal liability, namely imprisonment for a term of six months to five years (paragraphs 1 and 2 of Article 23 and Article 29), and therefore it can be said that this sanction is in line with the recommendation from the Istanbul Convention. Entity and Brcko District regulations governing employment issues also contain definitions and sanctions related to sexual harassment at the workplace.

Yet it is important to note that neither the Federation of Bosnia and Herzegovina Criminal Code nor the Brcko District Criminal Code define sexual harassment as a criminal offense and that neither code prescribes different criminal offenses that constitute violence against women and sexual violence in accordance with the Istanbul Convention⁹. Led by the Federal Ministry of Justice, the Federation of Bosnia and Herzegovina is currently preparing to amend its Criminal Code.

THE PROSECUTION OF CASES OF SEXUAL VIOLENCE IN BOSNIA AND HERZEGOVINA

The analysis of court verdicts within the baseline analysis from 2020¹⁰ indicated several challenges that should be addressed in order to enhance access to justice for women survivors of sexual violence. Based on the findings, it is clear that court practices often adopt a disproportionate approach when assessing additional information about the victim and the perpetrator, often taking positive circumstances in favour of the perpetrator into consideration when reaching a verdict. When assessing the duration of the penalty it also became clear that most verdicts apply the minimum penalties and that not once has the maximum penalty been applied, regardless of the severity of the committed acts. Another challenge that was noted is the practice of using the legal measure of plea bargaining. It can be concluded that this practice has been used exclusively for reaching verdicts with lower sanctions. Lastly,

⁷ Explanatory Report to the Council of Europe in relation to the Convention on Preventing and Combating Violence against Women and Domestic Violence (paragraph 191). Available at <https://rm.coe.int/16800d383a>.

⁸ Criminal Code of Republika Srpska, 'Official Gazette of Republika Srpska' No. 64/17, from 13 July 2017.

⁹ For example, genital mutilation, stalking, forced sterilization, criminal act against sexual integrity, sexual blackmail, sexual harassment, forced marriage.

¹⁰ Zigic, R. and Mujezinovic, J., Criminal protection, legal and social position of victims of sexual violence in Bosnia and Herzegovina, Basic study, 2021.

it can be concluded that the analysed cases were long and therefore in direct conflict with the recommendations from the Istanbul Convention, which prescribes urgency in prosecuting cases of gender-based violence.

Another analysis from 2019 of court verdicts in Republika Srpska in relation to the criminal acts of stalking and sexual harassment confirmed similar challenges. Verdicts for the criminal acts of stalking and sexual harassment included a low level of penalties and therefore additional efforts should be invested in changing this practice. This is important not only from the perspective of the victim's right to justice but also because of its direct influence on secondary prevention of sexual violence. It also has a negative effect in terms of the aim to achieve zero tolerance of violence and adversely influences social norms that marginalise and stigmatise sexual violence and can lead to victim blame. However, it is important to note that the analysis reflected the level of importance that has been awarded to the statements given by survivors and their importance in reaching a verdict, which has a positive effect in terms of survivor trust in the legal system.¹¹

SUPPORT SERVICES FOR THE SURVIVORS OF SEXUAL VIOLENCE IN BOSNIA AND HERZEGOVINA

While there have been improvements in the support services that are available to survivors of domestic violence and wartime gender-based violence¹² little to no systematic effort has been made to provide the same services to the survivors of sexual violence.

According to research conducted by the 'Women against Violence European Network',¹³ Bosnia and Herzegovina does not provide support services exclusively for the support of survivors of sexual violence. This

includes services such as rape crisis centres (as defined in the Istanbul Convention) where holistic and comprehensive support is provided (forensic medical examination, psychosocial support, legal aid etc.), for rape victims and thus reduces the risk of their re-traumatisation and stigmatisation.

Moreover, research shows that the existing support services that cater to the needs of survivors of sexual violence are not comprehensive and lack the necessary systemic support in the form of sufficient trained professionals as well as sufficient funding allocated from public budgets to ensure their sustainability. Finally, survivors belonging to the most vulnerable groups and/or living in rural areas of the country have limited access to these services.¹⁴ In 2021, the BiH Agency for Gender Equality, MHRR began the process of establishing crisis centres in three cities in Bosnia and Herzegovina: Sarajevo, Tuzla and Mostar. For the establishment of three pilot crisis centres, the Agency for Gender Equality of BiH allocated funds, from the Project "Strengthening the Capacity of Institutions for Resolving Gender-Based Violence in BiH" funded by USAID in the amount of 240,000 KM for three health institutions.

In the Federation of Bosnia and Herzegovina, specialised CSOs and other experts assist victims of rape and sexual abuse by providing the necessary assistance and support within the system through the existing medical institutions. These include psychiatric clinics and mental health centres and family counselling and witness support departments within the courts and the prosecutors' offices. A recent mapping of services for survivors of sexual violence in Republika Srpska¹⁵ confirmed the existence of general services on social protection, justice and legal aid, psychosocial and health support provided by safe houses, the centres for social welfare, health institutions and by the witness support departments within judicial institutions. Although some sectors, such as health and justice, and women's rights organisations and safe houses are better positioned to provide

¹¹ Petric, Analysis of court verdicts in Republika Srpska on the criminal acts of stalking and sexual harassment, 2019. Available at <https://bit.ly/3qDUkhq>

¹² USAID, Gender Analysis for Bosnia and Herzegovina: 2019 Follow-up, August 2019, pp. 2-3. Available at <https://bit.ly/3g0AUNa>

¹³ MAPPING OF SEXUAL VIOLENCE SERVICES IN THE WESTERN BALKANS AND TURKEY, Executive Summary, 2019 <https://bit.ly/3FnmrXM>.

¹⁴ MAPPING OF SEXUAL VIOLENCE SERVICES IN THE WESTERN BALKANS AND TURKEY, Executive Summary, 2019 <https://bit.ly/3FnmrXM>.

¹⁵ Nera Zivlak-Radulovic, Mapping of existing services for victims of sexual violence in Republika Srpska, Government of Republika Srpska Gender Center - Center for Gender Equality 2021.



Closing event of 16 Days in Activism, held in Mostar on 10 December 2021, featured a discussion with youth on the prevention of sexual violence.

support to survivors of sexual violence there is a lack of specialised support for the survivors of sexual violence.

The mapping confirmed a scarcity of information on the support that is available to survivors, the lack of capacity among the relevant professionals to detect cases of sexual violence and therefore survivors, the absence of protocols on how to provide adequate and standardised support and on how to respond to cases of violence. The professionals that participated in the mapping exercise highlighted the low level of such cases reported to the relevant institutions but at the same time referred to good examples of protocols and processes for cases involving violence against children.

ATTITUDES ON SEXUAL VIOLENCE

Attitudes on gender equality and violence against women in Bosnia and Herzegovina are affected by strong patriarchal norms. According to the OSCE survey, women in Bosnia and Herzegovina accept that violence against women is very common but believe that violence is a private matter.¹⁶ This is reflected in the fact that 84 per cent of women do not report violence to the police, which indicates a low level of trust in the institutional response system.¹⁷

In a study conducted in 2019 among women from rural and urban areas in Bosnia

and Herzegovina on the prevalence and attitudes on sexual violence,¹⁸ 90 per cent of the interviewed women agreed with the statement that 'sexual violence is very common and underreported'. Although the participants in the survey showed a high level of understanding when it came to the position and vulnerability of the victim of sexual violence, 15.3 per cent of respondents believed that women themselves contribute to being raped through their behaviour and/or the clothes they wear. It is very concerning that 30 per cent of the interviewed women reported that they had experienced fear of being sexually attacked as this indicates a high level of social tolerance to sexual violence.

According to the findings of the UN Women survey from 2018 on Perceptions and Attitudes on Gender-based Violence in Bosnia and Herzegovina, 28 per cent of all respondents and 32 per cent of male respondents believed that there was no rape if the victim did not physically resist.¹⁹ The UN Women study on Sexual Violence and Sexual Harassment in Public spaces in Banja Luka²⁰ confirms the findings from the above-mentioned studies. It confirms and reiterates the low level of awareness on sexual violence against women in public spaces and that this results in high tolerance of inappropriate behaviour by both men and women. Based on the findings drawn from interviews with the focus groups, the most common forms of sexual harassment are sexual comments, catcalling, inappropriate humour about sex and then stalking, suggestive comments and gestures, unwelcome physical contact, propositions and sexual attention.

¹⁶ OSCE led survey on violence against women in Bosnia and Herzegovina, 2019. <https://bit.ly/2CA8XO3>.

¹⁷ Ibid.

¹⁸ Zigic, R. and Mujezinovic, J. Criminal protection, legal and social position of victims of sexual violence in Bosnia and Herzegovina, Basic study, 2021.

¹⁹ UN Women, Public Perceptions of Gender Equality and Violence against Women in Bosnia and Herzegovina, 2018.

²⁰ Gacanica, L. and Rakanovic Radonjic, A., Safe Cities and Safe Public spaces: Scoping study, UN Women in Bosnia and Herzegovina, 2019.

MUTUAL EFFORTS TO COMBAT SEXUAL VIOLENCE IN BOSNIA AND HERZEGOVINA

To use the momentum created thus far in shedding light on the extent of sexual violence and sexual harassment in Bosnia and Herzegovina and the need to enhance efforts to combat these forms of violence, a coalition of actors will be formalised in order to advocate for better laws, better access to justice for survivors and zero tolerance of sexual violence and harassment in society.

The Action Coalition on Gender-based Violence is part of the global UN Women effort under Generation Equality aimed at mobilising legislative, judicial and executive authorities and public administrations and institutions and CSOs, including women's, feminist and youth led organisations, international organisations and the private sector to catalyse collective action, spark conversations on this subject among stakeholders and generations, drive increased public and private investment and deliver concrete progress on gender equality for girls and women across generations.

The Action Coalition on Gender-based Violence will be led in its work by the principles of condemning all forms of sexual violence against women and girls, advocating for available and adequate protection from all forms of sexual violence for women and girls

and ending impunity for the perpetrators of sexual violence.

It will work to ensure that the following are achieved:

- The structural nature of sexual violence and the effect it has on maintaining gender inequality in society in Bosnia and Herzegovina is explained.

- Others are motivated and encouraged to join the work of the Action Coalition and joint efforts aimed at combating sexual violence in Bosnia and Herzegovina.

- The Action Coalition Action Plan with measures contributing to stronger prevention and protection frameworks for cases of sexual violence in Bosnia and Herzegovina is developed.

- Mutual cooperation, support and assistance is ensured in order to apply an integrated approach to the elimination of sexual violence and the monitoring of progress in this area.

For more information on how to join the Action Coalition on Gender-based Violence please contact UN Women at unwomen.bih@unwomen.org.



Closing event of 16 Days in Activism, held in Mostar on 10 December 2021, featured a discussion with youth on the prevention of sexual violence.

RECOMMENDATIONS

In order to ensure that all forms of sexual violence are condemned, that survivors have access to support services and that sexual violence, including sexual harassment, is not tolerated, several courses of action must be taken.

DECISION MAKERS

THE LEGISLATIVE FRAMEWORK AND THE PROSECUTION OF CASES

All acts that constitute sexual violence according to the Istanbul Convention must be defined as criminal acts.

Internal protocols and procedures for addressing cases of sexual harassment at the workplace must be adopted by all public institutions and legal entities at both the local to state level.

- Preconditions have been created in BiH institutions for the prevention of sexual and gender-based harassment. Although most of the counsellors attended the basic and advanced trainings of the Civil Service Agency and the Agency for Gender Equality of BiH MHRR, it is necessary to continue the activities, both for the appointed counsellors and with other employees.²¹
- The Protocol on addressing cases of Sexual Violence and Harassment in Institutions must be adopted in the remaining nine cantons of the Federation of Bosnia and Herzegovina.²²

Criminal acts must be sanctioned regardless of the nature of the relationship between the victim and the perpetrator.

Ensure continuous monitoring of the implementation of the laws and policies aimed at the prevention of sexual violence and sexual harassment and that regular public discussions are held with decision makers on the results of the monitoring, which should include CSOs.

Harmonise court practice in relation to the prosecution of cases of sexual violence:

- In all three criminal codes, for example, the existence of coercion or force is an important element in prosecuting the criminal act of rape and yet when reaching a verdict, in the majority of cases, the courts interpret this as the existence of physical resistance by the survivor. Standards in these procedures should include the absence of consent by the victim, including cases where the victim did not resist physically.
- Relevant information on both the victim and the perpetrator should be considered equally by the court when reaching a verdict. The courts should avoid using the characteristics of the perpetrator or plea bargaining as a means for justifying minimum sentencing.
- The practice of reaching verdicts with minimal or close to minimal sentences should be avoided. The verdict should reflect the severity of the committed act, ensure the victim's right to justice, and serve as a deterrence factor for any future cases.

²¹ Namely, in accordance with the conclusion of the Council of Ministers of BiH from October 15, 2019, until December 2021, 60 institutions from the level of Bosnia and Herzegovina appointed counsellors for gender-based harassment prevention and made a decision on zero tolerance for sexual harassment.

²² To date, Canton Sarajevo is the only canton that has taken concrete steps towards the prevention of sexual violence in public institutions.

- Criminal acts of a sexual nature should be treated with urgency and unreasonably long court proceedings should be avoided in future court practice.
- Regular education of judges and prosecutors based on international and domestic human rights standards and through regular public debates involving experts should be used to harmonise judicial and prosecutorial approaches in proceedings related to acts of sexual violence.

Use the relevant regulations to invite institutions to apply the principle of due diligence in the implementation of activities aimed at the prevention, protection, prosecution and sanctioning of violence in accordance with the Istanbul Convention.

Provide systematic protection and psychological and legal support to the victims of sexual violence and/or harassment in proceedings before judicial authorities. Support should be focused on the well-being and needs of the victims.

SUPPORT SERVICES FOR THE SURVIVORS OF SEXUAL VIOLENCE IN BOSNIA AND HERZEGOVINA

Strengthen the existing services and create the conditions for the provision of services that are currently lacking for the survivors of domestic violence. This should include the specific needs of the survivors of sexual violence:

- standardisation of the institutional response to cases of sexual violence and protocols on the treatment of survivors;
- strengthening the capacities of multisectoral teams to address the specific needs of the survivors of sexual violence (how to identify this type of case, how to provide adequate and specialised support to survivors, etc.);
- ensuring adequate and sustainable financing through public financing for general and specialised services for survivors;
- ensuring that the provision of all services is adapted to crisis situations such as pandemics, natural disasters and similar.

Ensure that the survivors of violence have equal access to all services throughout Bosnia and Herzegovina.

Ensure equal access to free legal aid for all survivors of violence, including the survivors of sexual violence irrespective of the survivors' income.

Support the further establishment of referral centres.²³ A sufficient number of these centres should be available to the victims of rape and other forms of sexual violence and special attention should be given to ensuring that these centres are long-term sustainable solutions in Bosnia and Herzegovina.

Provide information on how and where to report cases of sexual violence and harassment through the existing support mechanisms and services in Bosnia and Herzegovina, including local institutions such as municipalities, centres for social welfare, hospitals, mental health centres and police stations in both urban and rural areas.

²³ According to the Explanatory Report attached to the Istanbul Convention, the parties should decide on which solution better fits the needs of the country. In this regard, rape crisis centres can take many different forms. Typically, these centres offer long-term help in the form of counselling and therapy through face-to-face counselling, support groups and contact with other services. They also support victims during court proceedings by providing woman-to-woman advocacy and other practical help (paragraph 140). On the other hand, sexual violence referral centres can specialise in immediate medical care, high quality forensic practice and crisis intervention. They can, for instance, be established in a hospital setting in order to respond to instances of sexual assault by carrying out medical checks and referring the victim to specialised community based organisations for further services. They can also concentrate on immediate and adequate referral of the victim to appropriate specialised organisations that are able to provide the necessary care as determined by Article 25 (paragraph 141).

Provide training for professionals (including judges, prosecutors, and lawyers) on the existing legislation on sexual harassment. Recent practice has shown that the legislation is in place but that it is not being implemented. Professionals should be provided with further training on how to apply the legislation more consistently.

Ensure mandatory and continuous education for all experts on gender-based violence.

CHANGING SOCIAL NORMS

Conduct countrywide awareness raising campaigns on sexual violence and sexual harassment in partnership with the relevant institutions (ministries at all levels relevant to combating sexual violence and domestic violence, the gender mechanisms, public institutions, and administrations and CSOs).

Consider the possibilities for the revision of school textbooks in order to exclude many gender stereotypes and to include more inclusive topics related to the prevention of violence against women and girls and especially sexual harassment (entity and cantonal ministries of education).

Ensure that all formal institutions of education adopt a zero tolerance of sexual violence and sexual harassment policy (entity and cantonal ministries of education and universities). By ensuring a safe space for the normalisation of conversations on the subject of sexual harassment, these institutions of education will set an example for other institutions and contribute towards increased knowledge on sexual violence among future generations. In ensuring this, special attention should be given to universities and student campuses across Bosnia and Herzegovina.

Conduct education on the recognition of and protection from sexual harassment at all levels of education, from kindergartens up to universities. Include the experiences of CSOs within special education modules in all faculties as an institutional response to gender-based violence.

Cooperate with women and men appointed to executive, judicial and legislative positions in order to ensure adequate decision making and implementation of activities for combating sexual harassment and sexual violence and raising awareness on the issue.



Art workshop with youth on prevention of sexual violence, held in Mostar on 10 December 2021.

CIVIL SOCIETY ORGANISATIONS

Continue to advocate for the adoption of a legislative framework in line with international standards for victims of gender-based violence.

Ensure that professionals who provide specialised support in safe houses are sensitised and educated and have the capacity to address the needs of the survivors of sexual violence.

In cooperation with the formal education systems (entity and cantonal ministries of education) develop and implement preventive activities aimed at youth attitudes on gender stereotypes, toxic masculinity, tolerance of sexual harassment, and the stigma attached to sexual harassment and sexual violence in primary and secondary schools.

- Special attention should be given to working with young men in order to change attitudes about masculinity, gender roles, peer violence and traditional patriarchal norms that perpetuate violence against women.
- Demystifying the notion of consent within intimate relationships and respecting personal boundaries should be topics covered when working with young people.

Continue to conduct awareness raising campaigns aimed at ending violence against women, with special focus on sexual violence and sexual harassment. Conduct campaigns in urban and rural areas and consider the level of sensitivity of the topic when reaching out to the target audience.

THE MEDIA

Use special caution when report on cases of or involving sexual violence. Apply the principle of responsible reporting and respect the Code of Ethics when reporting on specific cases and do not use sexist terms or sexism.

Act as allies in raising awareness on sexual violence. Reach out to and cooperate with relevant civil society institutions and other relevant organisations at the local, entity and state level on the development and implementation of activities aimed at the prevention of violence against women.

Adopt internal policies and protocols to address cases of sexual harassment.

In cooperation with experts in the field of gender-based violence, conduct continuous training for media workers on reporting on this topic with special focus on sexual violence.



INTERNATIONAL COMMUNITY ACTORS

Advocate for and encourage governments to pay more attention to the following:

- ensuring an adequate response to cases of sexual violence;
- providing budget lines to fund general and specialised services for the victims of violence, including sexual violence;
- changing attitudes about stereotypical gender roles and violence against women, especially sexual harassment, through formal education systems at the entity and cantonal level.

Provide support for women's rights organisations, especially those that provide specialised services for hard-to-reach, remote and vulnerable communities and groups that experience multiple discrimination.

A survivor of wartime sexual violence, Mirsada Terzic, is one of the founders of Naš glas (Our Voice), an association for women survivors of wartime sexual violence in Bosnia and Herzegovina. Tuzla, 2016.



Photo: UN Women Europe and Central Asia/Rena Effendi

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