

Combating Gender Based Violence



In spite of the progress made in the field of gender equality in Bosnia and Herzegovina, a comprehensive legal framework and introduced specialised services for survivors of gender-based violence, predominantly for victims of domestic violence, discrimination and violence based on gender in both the public and private spheres continue to be highly prevalent in BiH. Violence not only affects individual women, it endangers the well-being of the society as a whole.

The OSCE Mission to Bosnia and Herzegovina recognises that gender-based violence is an impediment to the security and safety of all citizens in Bosnia and Herzegovina. For this reason, the Mission invests substantial resources into monitoring and strengthening responses to gender-based violence - a widespread and underreported phenomenon in BiH.

The role of the Mission

The 2018 OSCE-led Survey on the Well-being and Safety of Women¹ was conducted in seven OSCE participating States, interviewing more than 15,000 women, including over 2,300 women in Bosnia and Herzegovina. The survey results for BiH² were released in June 2019 indicating that 38 per cent of BiH women have experienced some form

of violence since the age of 15. The most prevalent form is psychological violence carried out by an intimate partner (36 per cent of women affected), closely followed by sexual harassment (28 per cent).

In only about one in twenty cases of current partner violence did the victim contact the police herself. This number increases to 33 per cent when it comes to a previous partner and 21 per cent to a non-partner. Reluctance among victims to report indicates mistrust in public institutions, particularly in the police. This can also be linked to a lack of support from victims' immediate surroundings, as 25 per cent of women tend to agree that domestic violence is a private matter and should be handled within the family.

In accordance with the OSCE's comprehensive approach to security, the OSCE Ministerial Council adopted Decision No. 4/18 on Preventing and Combatting Violence against Women in December 2018³ as an expression of the importance the OSCE places on this issue.

¹ Available at <https://www.osce.org/projects/survey-on-the-well-being-and-safety-of-women>

² Available at https://www.osce.org/files/f/documents/3/5/423470_1.pdf

³ Available at <https://www.osce.org/files/f/documents/e/e/406019.pdf>

The OSCE Mission recognizes efforts of the BiH authorities and the Mission will continue to support national counterparts in addressing gender-based violence by tackling:

- Promoting the appropriate identification and prosecution of perpetrators of violence by the law-enforcement and justice systems.
- Advocating for survivor-centred policies, protection and services.
- Supporting the work of referral mechanisms that improve co-ordinated institutional responses in cases of violence.

The Mission, together with partner institutions, invests efforts in campaigning and information-sharing activities, for instance by marking the 16 Days of Activism against Gender-Based Violence each year, and creating synergies between authorities and civil society in combating gender-based violence.

BiH is signatory to several international conventions and covenants including the Convention on the Elimination of All Forms of Discrimination against Women⁴ (CEDAW) and Council of Europe Convention⁵ on preventing and combating violence against women and domestic violence (Istanbul Convention).

The Declaration on the Elimination of Violence against Women⁶ and the Istanbul Convention helped to ensure the recognition of gender-based violence against women as a form of discrimination.

BiH has developed a comprehensive framework for prevention and elimination of domestic violence. Both entities and Brčko District have laws on the protection from domestic violence which prescribe extensive protective measures for survivors while at the same time calling for mandatory rehabilitation and psychological treatment for perpetrators. Both entities have adopted strategies to combat domestic violence. Less attention is being given to other forms of gender-based violence.

Survivors of violence and those at risk should have access to protection and general and specialised services. Support services for survivors of violence against women include safe houses, medical assistance, collection of forensic medical evidence in cases of rape and sexual abuse, psychological counselling, legal counselling, advocacy, and SOS telephone lines, among other mechanisms. There are currently eight safe houses (three in RS and five in FBiH) managed by NGOs, several safe spaces and two SOS lines available for survivors of, primarily, domestic violence. BiH are yet to develop rape crisis centres and or referral centres for survivors of sexual violence and adequate response to gender-based violence such as sexual harassment.

The Analysis Based on Data from the OSCE-led Survey on Violence against Women⁷ from May 2022 shows that sexual harassment is one of the most common forms of gender-based violence in BiH. Almost three in ten women in BiH⁸ report to have experienced at least some form of sexual

harassment since the age of 15. Majority of women do not report sexual harassment to the authorities and only 2.6 per cent of women reported incidents to the police. In cases where women speak out about being sexually harassed, this is primarily with friends and family. Lower readiness to disclose such experiences can be explained by various reasons such as lower awareness and a lack of recognition of some forms of sexual harassment as a form of violence. A contributing factor to the lower disclosure of sexual harassment cases can also be the social environment and social norms encouraging high rates of tolerance for such acts, creating pressure on women to ignore such experiences or even being led to understand them as having affectionate intentions.

The OSCE recommends and supports: continuous work on increasing awareness of sexual harassment as a form of gender-based violence among both women and men; and improving protection mechanisms at all levels of governance and in private and public sectors.

4 Available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-elimination-all-forms-discrimination-against-women>

5 Available at <https://rm.coe.int/168008482e>

6 Available at <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-violence-against-women>

7 Available at <https://www.osce.org/files/f/documents/a/7/531890.pdf>

8 Available at <https://www.osce.org/files/f/documents/f/a/531902.pdf>

For more information, scan the QR code.

