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Ministarstvo za ljudska prava i izbjeglice

*Agencija za ravnopravnost spolova
Bosne i Hercegovine*



BOSNA I HERCEGOVINA

Ministry for Human Rights and Refugees

*Gender Equality Agency of
Bosnia and Herzegovina*

----- Working Translation -----

Strategy for prevention and combat against domestic violence in Bosnia and Herzegovina for period of 2009 – 2011

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INTRODUCTION

1. Origin of the Strategy for prevention and combat against domestic violence in BiH

Development of the Strategy for prevention and combat against domestic violence in Bosnia and Herzegovina for the period 2009-2011 was planned according the Working Plan of the Council of Ministers of Bosnia and Herzegovina for 2008 and 2008 Working Plan of the Agency for Gender Equality of Bosnia and Herzegovina of the Ministry for Human Rights and Refugees of Bosnia and Herzegovina. Development of the Strategy was also planned by the Gender Action Plan of Bosnia and Herzegovina as five-years strategic document where are merged, both horizontally and vertically, all obligations of BiH in the area of gender equality deriving from documents of United Nations, European Union and Council of Ministers. ***Council of Ministers BiH adopted BiH Gender Action Plan on its 129 session of 14 September 2006.***

In 2007 RS Gender Center in cooperation with RS Ministry of Justice, RS Ministry of Health And Social Welfare, RS Ministry of family, youth and sport and RS Ministry of Interior drafted ***Action Plan for Combating Domestic Violence in 2007 and 2008 in Republika Srpska*** whose implementation is still ongoing.

Action plan was adopted by RS Government in July 2007 and it represents transitional phase until Strategy for combating against domestic violence in RS for period 2009-2013 is adopted which is planned to happen in first quarter of 2009. Following adoption of the Strategy for combating against domestic violence in RS for period 2009-2013 a review of the Strategy for prevention and combat against domestic violence in BiH is planned.

FBiH Government adopted on its 77 session, as of 13 November 2008, ***Strategic Plan for prevention of domestic violence in FBiH - 2009-2010*** ("Official Gazette of FBiH" no. 75/08).

Strategic Plan has 6 basic goals: encompassing legislation, to network professional services, educate and sensitize professionals and public, develop a common multidisciplinary mode of

work in preventing and protecting from domestic violence, create a common data base and a common SOS hotline used for reporting on cases of domestic violence.

Though the most of competencies concerning domestic violence is located within the entities, there is a need, for the purpose of reporting to international authorities, to develop a common Strategy with in detail worked out activities that would incorporate data both from RS and FBiH. In this regard Working Group for drafting Strategy for prevention and combat against domestic violence in BiH adopted decision proclaiming that Agency for Gender Equality, as framework institution considered to achieve and exercise gender equality principles within executive power in BiH, by bringing together goals and activities of the entity strategic and action plans, is to design Strategy for prevention and combat against domestic violence in BiH. The basic goal of the Strategy is the coordination of the implementation of the entity strategic and action plans for combat against domestic violence, as for their more effective implementation, especially if you take into account the fragmentation and the discrepancy of the legislation in BiH, and unincorporated statistical data related to the issue of domestic violence.

2. Review of international and national legislation

2.1. International documents

- Rights and freedoms defined in **European convention**, which is integral part of the BiH Constitution for protection of human rights and freedoms, is directly applied in BiH and has supremacy over any other legislation. European Convention provides guaranties to right to life (Article 2), right to freedom from torture, inhuman or degrading treatment (Article 3) and right to freedom and security of the individual (Article 5). Article 14 of the European Convention reads „ the enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex”.

- **Universal Declaration of Human Rights**, which BiH ratified in 1992, is based on principles that provides for any individual human dignity and equal enjoyment of right and basic freedoms regardless of sex, race, color, language, nationality, age, religion, social or political affiliation.

- **International Covenant on Civil and Political Rights** from 1966 stipulates in the Articles 2 and 3 enjoyments of civil and political rights as set forth in the Covenant regardless of gender and stipulates for signatory states an obligation to provide for equal enjoyment of all mentioned civil and political rights regardless of their gender. 1966 **International Covenant on Economic, Social and Cultural** rights provides for the same provision as guaranteed under **International Covenant on Civil And Political Rights**.

- **Convention on elimination of all forms of discrimination against women**, ratified by BiH in 1993, is incorporated in Annex to BiH Constitution, i.e. is on the list of international instruments for protection of human rights. Convention is applied directly and has supremacy over domestic legislation if the legislation is not in the line with Convention. Convention finds different forms of discrimination against women as inadmissible. By incorporation the Convention in the BiH Constitution, Bosnia and Herzegovina has confirmed its determination to provide for women absolute and equal enjoyment of their human rights and freedoms. BiH ratified Optional protocol of the Convention on elimination of all forms of discrimination against women that provides for right to file individual complaint to CEDAW Committee in case of violation of provisions of the Convention.

- **UN Declaration on elimination of violence against women** (A/RES/48/104, 20 December 1993) in detail defines the violence against women and is specific as to actions that should be taken by state in order to eliminate violence that is happening in private sphere.

- **UN Security Council Resolution 1325 – Women, peace, security**” was adopted by Council of Ministers in 2000. Resolution seeks for inclusion of women at all levels of decision making, perspective of gender in training for law enforcement agencies and military, protection and respect of human rights of women and girls and perspective of gender in reports of general Secretary and missions of United Nations Security Council.

- **Beijing Declaration and Platform for Action**, adopted on the Fourth World conference of women in Beijing back in 1995, defined the violence as follows: „ means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty in public and private life“.

- **Council of Europe Recommendation (2002)5** argues that violence against women is happening in all segments of society and recommends to the governments of member-states to encourage all institutions dealing with violence against women to develop mid-term and long-term Action plans that would incorporate activities for prevention of violence and protection of victims.

2.2. National documents

- **Constitution of Bosnia and Herzegovina** (as Annex 4 of General Framework Agreement for Peace in Bosnia and Herzegovina) by Annex II that deals with human rights and basic freedoms provides for highest level of internationally recognized human rights and basic freedoms. Similar solutions have been offered in Constitutions of FBiH, RS and Brcko District.

Exercising rights and freedoms as guaranteed under Constitution or international covenants, which are stated in Annex I of the BiH Constitution, provide for all persons in BiH, without discrimination on any grounds such as gender , race, color, language, religion, political or different opinion, nationality or social background, national minority background, property status, birth or any other status.

- BiH Parliamentary Assembly adopted **Law on Gender Equality in Bosnia and Herzegovina** (“Official Gazette” no. 16/03) that regulates, promotes and protects gender equality and guaranties equal opportunities to all citizens, both in private and public sphere of life, and prevents direct and indirect gender based discrimination.

Article 17 of reads: „**Any form of gender based violence is forbidden both in private and public life**“. This provision in connection with Article 154 of the Law on obligation represents grounds for damage compensation in case of violence, which generally allows for legal protection in case of gender based violence.

- Article 222 of **FBiH Criminal Code** („Official Gazette” no. 36/03, 37/03, 21/04, 69/04, 18/05) stipulates special incrimination titled „**Domestic violence**“. Aside the basic forms of this criminal offence for which a fine or imprisonment up to one year is prescribed, there are also graded forms that prescribe fines or imprisonments.

- Article 208 of the **RS Criminal Code** (“RS Official Gazette”, no. 49/03, 108/04, 37/06 and 70/06) foresees special incrimination titled “**Domestic violence**”. Aside the basic forms of this criminal offence for which a fine or imprisonment up to two year is prescribed, there are also graded forms that prescribe harsher imprisonments in comparison to basic form of this criminal offence.

- **Brcko District Criminal Code** (“Official Gazette” of Brcko District BiH” no. 10/03, 45/04 and 06/05). Article 218 of the Law prescribes special incrimination titled “**Domestic violence**”. Aside the basic forms of this criminal offence for which a fine or imprisonment up to one year is prescribed, there are also graded forms that prescribe fines or imprisonments.

- **RS Law on protection from domestic violence** („RS Official Gazette”, no 118/05, 17/08) prescribes as basic sanctions fines and protection measures to more effectively protect victims of domestic violence.

- **FBiH Law on protection from domestic violence** („FBiH Official Gazette”, no 22/05 and 51/06) prescribes as basic sanctions fines and protection measures to more effectively protect victims of domestic violence.

- Article 4 paragraph 1 of the **FBiH Family Law** („Official Gazette of FBiH”, no 30/05 and 41/05) “forbids violent behavior of spouse or any other member of the family”.

- BiH Parliamentary Assembly on its 19 Session of the House of Representatives as of 2007 and on 11th session of House of Peoples as of 2008 adopted “**Resolution on combat against violence against women**” (BiH official Gazette” no 15/08). Resolution confirms that any form of violence against women, including also domestic violence, is violation of rights and fundamental freedoms and that it prevents or annuls exercising of those rights and fundamental freedoms. Resolution expresses concern for the lack of progress being made in protection and promotion of those rights and freedoms in all cases of violence against women.

- **Gender Action Plan of BiH** is strategic document in the area of gender equality adopted on 129th session of the BiH Council of Ministers on 14 September 2006. Gender Action Plan is consisted of 15 areas containing activities, deadlines and authorities whose cooperation is necessary for implementation of the activities as foreseen in the gender Action Plan. Chapter XI of the Gender Action Plan of BiH is titled “Domestic violence, violence on the grounds of sex, harassment, sexual harassment and trafficking in human beings“

3. Analyses of situation

Violence in the family against women is present in all social systems no matter of their political or economical establishment, welfare of the society, race or culture. From the birth till the death women do face discrimination and violence.

In BiH great proportion of women faces the problem of domestic violence. Our society has been built on deep patriarchal grounds so that women victims of the violence do not enjoy support of the society and face many prejudices. Serious studies on domestic violence in BiH have started since 1996. Accepting the fact that family can be extremely violent environment, where basic human rights of family members are violated, is very slow and painful and is additionally hampered by traditional attitude that problems occurred between family members should be resolved exclusively within the family.

It is very hard to establish the scope of presence of domestic violence in BiH. Basic reasons for that lays within the hidden nature of the problem, failure to report domestic violence, non-existence of single data records and treating a problem of domestic violence exclusively as a “private problem”.

Domestic violence is any form of physical, sexual, psychological (emotional) or economic harm that puts at risk security of a family member, permanent or temporary partners and/or use of physical or emotional force, or threat with physical force, including sexual violence in the

family or within household. It includes molesting the children, incest, hitting the spouse, sexual or any other form of molesting of the family member.

According to the Law on protection from domestic violence in FBiH and Law on protection from domestic violence in RS, the following actions are understood as domestic violence: Domestic violence shall be any act of inflicting physical, psychological, sexual or economic harm or suffering, as well as threats as regards the aforementioned, and lack of due care and attention which may seriously impede family members from enjoying their rights and freedoms in all areas of public and private life which are based on equality.

Acts of domestic violence, in terms of paragraph 1 above, shall include:

- every use of physical force or physical coercion to the physical or psychological integrity of a family member;
- any act of a family member which may result in the physical, psychological, or financial damage to other member of the family;
- Intimidation, threats or the violation of the dignity of a family member by blackmail or another form of coercion;
- Physical attack of a family member by another family member, irrespective of the fact of whether there was physical injury or not;
- Verbal attack, insult, profanity, name calling and other violent harassment of one family member by another;
- Sexual harassment and harassment of a family member
- Stocking and other related forms of harassment of a family member;
- Damaging and destroying joint property and possessions or attempts thereof;
- Lack of due care, supervision for a family member or failure to assist and protect a family member when bound to do so by law and morality and when such inaction may result in the physical, psychological or socioeconomic endangerment of that family member.
- Isolation and limitation of freedom of movement and communication with other persons

Domestic violence is manifested in different ways but the most often forms of domestic violence are the following:

Physical violence, which includes: pushing, hitting with hands, legs or different items, strangling, smoldering, pulling the hair, torture, mutilation etc.

Psychological violence, expressed through different forms of mocking, comments, isolations, public insults etc.

Sexual violence, which includes: inappropriate comments, inappropriate comments, exhibitionism, inapt sexual proposals, forced sexual intercourse, forced touching, rape, incest, forced pregnancy as well as any other form of sexual nature committed against the will of other person.

Economic violence, expressed through denying access to money, education or employment and similar.

Two most frequent causes that lead to domestic violence are the following: inadequate living condition, unemployment, financial insecurity, alcoholism, stress, mental diseases, addiction to drugs, and violence as a form of behavior derived from patriarchal understanding of husband-wife relations. Victims of domestic violence are spouses, ex-spouses, children, parents, as well as other persons living in family community.

International and regional legal framework refers to unequal distribution of power in favor of men, and to the detriment to women, as the cause of violence against the women in the family, which leads toward domination and discrimination against women by the men and prevents

them to enjoy their basic human rights and freedoms on equal basis and prevents their progress.

Though the victims of domestic violence may be of both genders, domestic violence studies show that woman is usually the victim while a man is in most of the cases a perpetrator. In cases of domestic violence children are usually viewed as the victims regardless if they been subjects to violence or not. Domestic violence leaves the children with huge consequences and traumas. The violent person usually comes from the families where domestic violence was present.

Prevention of domestic violence is activity of extreme significance to which special attention must be given. Prevention understands three categories:

Basic prevention: prevention of the violence to appear (awareness raising, campaign, human rights education, educational programs for children and youngsters etc)

Secondary prevention: identification of risk factor and risky group, providing assistance (establishing SOS telephone, legal counseling – interpretation of legal provision etc)

Third prevention provision preventing further violence (direct assistance to the victims, opening shelters, efficient police interventions, court proceedings, work with perpetrators)

The domestic violence is a specific type of a crime. The victim-perpetrator relationship is a specific because perpetrators are the closest relatives; family or in-laws. The police, whose officers are the first to contact the perpetrator and the victim, plays a special role in assisting victims of domestic violence. Besides police, SWC have significant role in preventing the violence and avoiding victimisation of the victim.

3.1. Federation of Bosnia and Herzegovina

The Criminal Code of the Federation of Bosnia and Herzegovina regulates domestic violence as a criminal offence. On the basis of data submitted by ten cantonal POs regarding Article 222 of the CC FBiH there were 781 criminal reports filled, 414 indictments raised, 257 final verdicts and 284 ongoing proceedings. In 712 cases women and in 66 cases men were identified as victims.

On the basis of the analysis of data submitted by 26 MCs it is noticeable that these courts have received 399 law suits regarding Article 222 of the CC FBiH, whereby 323 cases have been processed, 177 final judgments issued, 73 first instance judgments issued and 161 ongoing proceedings.

On the basis of data submitted by the MoI FBiH, in 2007 there were 1093 criminal reports filled for domestic violence (Article 222 of the CC FBiH) and 647 reports submitted to the competent PO.

3.1.1. Safe Houses

The following are the NGOs in FBiH which run the safe houses: association „Žena BiH“ Mostar, women’s association „Mirjam“ Mostar, association „Žene sa Une“ Bihać, „Fondacija lokalne demokratije“ – Sarajevo, citizen’s association „Medica“ Zenica and women’s association „Vive Žene“ Tuzla. In the abovementioned safe houses 265 women victims of domestic violence have been placed in 2007, out of which 41,5% were accommodated in the safe house ran by the Fondacije lokalne demokratije, Sarajevo.

The Government of FBiH has budgeted 200,000 KM for the implementation of the Law on Protection from Domestic Violence. These funds shall be distributed in accordance with the program of the Gender Center of FBiH in the following manner: „Fondacija lokalne demokratije“ Sarajevo (37,500 KM), Association "Žene sa Une" Bihaća 35,000 KM, Prihvatilište za žene i djecu u nevolji "Mirjam" Mostara – 37,500 KM, and 30,000 KM each to associations "Žena BiH" - Mostar, "Medica Zenica" - Zenica and "Vive žene" Tuzla.

3.1.2. SOS telefon

The Gender Center of FBiH has established a SOS telephone line number 1265 for assistance to the victims of domestic violence in FBiH.

This project has been developed in partnership with SWC Jajce, Fondacija lokalne demokratije, Sarajevo, citizen's association "Medica" - Zenica, women's association "Vive Žene" - Tuzla, association "Žena BiH" - Mostar and association "Žene sa Une" - Bihać.

The Gender Center of FBiH has made an agreement with all telephone services providers in Bosnia and Herzegovina that these phone calls are free of charge.

3.2. Republika Srpska

The Criminal Code of the Republika Srpska regulates domestic violence as a criminal offence. The district POs in RS have submitted data on violation of the CC RS for 2006. There were no criminal reports filed for violation of Article 162 "Infringement of the Equality of Individuals". There were 554 cases of violation of Article 208 "domestic violence", 524 perpetrated by men and 11 perpetrated by women. In 105 cases the victims were men, out of which 84 boys, and 525 female victims, out of which 105 girls. There were 379 indictments raised and 233 verdicts. In 457 cases the suspects were men and in 6 women. There were 297 verdicts against men and 4 against women. In 273 cases the victims were female and in 22 cases male¹. On the basis of the information provided by the DPOs in RS for 2007 there were 301 cases reported. There were 209 indictments raised and 181 verdicts. There were 5 decisions dismissing the indictment, 5 acquitting verdicts, and 181 guilty verdicts. There were 12 prison sentences imposed, 13 fines and 146 suspended sentences.

On the basis of data provided by basic courts of RS for 2006 there were 338 cases regarding Article 208 of the CC RS, and 250 guilty verdicts with 233 suspended sentences. In 2007 total number of cases was 415 and 220 verdicts. The data regarding the Law on Protection from Domestic Violence indicate that 130 cases have been completed in 2007 and in 40 cases protection measures have been imposed. The DCs in RS have processed 2 cases of domestic violence and have pronounced 2 guilty verdicts. With regard to the Law on Protection from Domestic Violence in RS there was one guilty verdict with fine imposed.

The Public Security Centers in Banja Luka, Bijeljina, Doboj, Istočno Sarajevo and Trebinje have submitted data for 2006 with 537 cases of domestic violence recorded, out of which 277 perpetrated by men and 12 by women. In 231 cases the victims were female and 39 male. In 2007 there were 464 cases reported, with men being victims in 121 cases and 445 women victims. Especially worrisome is that in 37 cases victims were boys and in 48 cases girls.

3.2.1. Safe Houses in Republika Srpska

There are currently three safe houses in Republika Srpska which are meeting the standards foreseen by the law and bylaws, with the capacity to accommodate 57 persons (Banja Luka: 21,

¹ The difference in data regarding the number of cases of domestic violence in FBiH and RS is justified by the fact that domestic violence cases are recorded at the different level of prosecution of cases.

Modriča: 16 and Prijedor: 20). The Strategy for Combating Domestic Violence shall determine future models and capacity to protect victims of domestic violence, having in mind the “7500-10000 inhabitants, one safe house” requirement set by the recommendation of the CoE.

The funding is regulated by Article 4 of the Law on Protection from Domestic Violence, which foresees that 70% of funding is provided by the entity and 30% by local community. The funds from the municipal/city budget are transferred to the SWC in the place of permanent residence of the victim which further transfers the funds to the safe house in which the victim is placed. The funds from the entity’s budget are transferred to the safe houses directly.

The following are the NGOs in RS which run the safe houses: „Budućnost“, Modriča, „Udružene žene“, Banja Luka and „Fondacija za obrazovanje, razvoj i socijalnu zaštitu djece“, Prijedor.

At the end of 2003 the Government of RS has approved 70,000 KM from the budget reserves for financing the establishment of the safe house in Banja Luka and in 2004 the „Ženski centar“ Trebinje has received 70,000 KM for purchase of the facility for the safe house in Trebinje. The Ministry of Family, Youth and Sports of RS has donated from its own budget the amounts of 10,000 KM each to citizen’s associations „Budućnost“ Modriča and „Udružene žene“ Banja Luka for the safe houses. From the budget of the Action Plan for Combating Domestic Violence in 2007 and 2008 a grant in the amount of 100,000 KM has been approved for financing safe houses in Banja Luka and Modriča.

In 2008 the Government of RS has allocated additional 400,000 KM and these funds were distributed through competent ministries. The Draft budget of RS for next year foresees 400,000 KM for the safe houses and providing protection of victims of domestic violence in the safe houses.

3.2.2. SOS Telephone Line

In June 2005 the Gender Center of RS and four NGOs from RS have signed MoU for establishing a unique SOS telephone line number 1264 for the entire territory of RS. In accordance with the information provided by the following NGOs which run this telephone line: „Udružene žene“ Banja Luka, „Budućnost“ Modriča, women’s organisation „Lara“ Bijeljina and „Ženski centar“ Trebinje, in the first five months of 2005 (from its opening to the end of 2005) there were 1019 calls received regarding domestic violence. In 2006 there were 2657 calls. In 70 cases the victims were male and in 2587 female- in 88% of cases of age between 19 and 60. Two years after its opening there were 1973 calls registered, out of which 1941 by female victims and 32 by male.

In the Annex of the MoU from November 2007 the services on this telephone line are also provided by NGO „Fondacija za obrazovanje, razvoj i socijalnu zaštitu djece“ Prijedor. The data on received telephone calls for 2007 indicate that there was an increase in number of calls and that in this year there were 3513 calls, 3456 by female (98%) and 149 by male (2%) victims.

3.3. Brčko District Bosnia and Herzegovina

In this period there were 130 cases of domestic violence reported in Brčko District and all have been processed.

4. Definition of Terms

Discrimination is placing in an unfavorable position on any prohibited bases any person or group in enjoying their guaranteed rights.

Gender-based Discrimination- Direct

Direct discrimination is any action or lack of action based on gender by which a person or group is treated less favourably than someone else is, has been or would be treated in a comparable situation.

Gender-based Discrimination- Indirect

The use of an apparently non-discriminatory provision, criterion or practice which puts persons or groups at a particular disadvantage compared with others in a similar situation on the basis of gender, unless it can be shown that the provision, criterion or practice is a proportionate and necessary mean of achieving a legitimate goal.

Dignity at Work is a right to be respected at work, which particularly includes the right to protection from sexual or other harassment or abuse at work.

Mobbing is a specific form of harassment at work conducted by one or more persons in a systematic manner for longer period of time by psychologically harassing or humiliating another person with the aim of undermining the individual's reputation, honour, dignity and integrity.

Multidisciplinary Approach involves drawing appropriately from multiple disciplines (such as sociology, planning, economy, public health, statistical data, etc.) to define and apply new understanding of complex situations.

Multisectoral Accountability means that the accountability for resolving problems of violence lies with several segments of the society (public health, social work, public safety and security, etc.).

Gender-based Violence is any act that results in physical, psychological, sexual or economic harm or suffering, including threats of such acts which seriously constrain persons to enjoy their rights and freedoms on the basis of gender equality, whether occurring in public or in private life, including trafficking for forced labour purposes and restriction or arbitrary deprivation of liberty, including rape, beating, sexual harassment, incest and pedophilia.

Violence against Women is any act of gender-based violence that results in, or is likely to result in physical, sexual or mental harm or suffering to women, including threats of violence, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

Domestic Violence is any physical, sexual, psychological (emotional) or economic violence that exposes to a risk a family member, permanent or temporary partners and/or domestic use of physical or emotional coercion or threat of force, including sexual violence. It also includes child violence, incest, beating and sexual and other harassment of a family member.

Empowerment is a process of approaching resources and development of one's capacities in creating his/her own life and the life of a community in economic, social and political sense.

Reproduction Rights are the rights of all individuals or couples to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health.

Sexual Violence is any sexual act, an attempt to obtain a sexual act, unwanted sexual comments or advances directed, against a person or his/her sexuality, by any person regardless of their relationship to the victim, in any setting.

Sexual Harassment is any act, verbal, physical or psychological, of sexual nature which aims at undermining the dignity of a person or creating intimidating, hostile, humiliating, threatening or similar situation which is motivated by gender or sexual orientation and representing an unwanted physical, verbal, suggestive and other behaviour for a victim.

Burden of Proof is a situation in which a person who believes to be discriminated on some illegal basis and deprived of certain rights provides evidence of possible existence of direct or indirect discrimination before court or other administrative body, the burden to prove otherwise lies with the other party.

Gender-based Harassment is any unwanted behaviour in relation to gender, which aims at undermining the dignity of a person or creating intimidating, hostile, humiliating, threatening or similar situation.

Victimisation is treating unfavorably a person who filed a complaint, request or initiated court proceedings for protection from discrimination, harassment, violence, etc. Secondary victimisation is intensifying of primary victimisation through the negative reaction of society and by inadequate or even wrong reaction of law enforcement bodies.

MAIN AND SPECIAL GOALS OF STRATEGY

The long term strategic goal in prevention of domestic violence is the following: to ensure harmonised and adequate prevention of domestic violence in Bosnia and Herzegovina by authorities at all levels and NGOs, which includes the following specific objectives:

- Place victims of domestic violence in the center of attention and protection,
- Raise awareness about domestic violence being a society's problem, as well as violation of human rights and that each institution and an individual must confront it,
- Oblige community to priorities this problem, to show political will and provide resources, multisectoral and coordinated approach for reaching concrete results in its resolution.

The main and special goals of the Strategy for Prevention and Combating of Domestic Violence in BiH combines goals from the Strategic Plan for Prevention of Domestic Violence in FBiH (2009-2010) and operational goals of the Action Plan for Combating Domestic Violence of RS (2007-2008) and future strategy for combating domestic violence in RS (2009-2013).

I. Analysis and Harmonisation of Domestic Violence Related Legislation in Bosnia and Herzegovina

I.1. Harmonise laws on protection from domestic violence in both entities, and develop necessary by-law;

I.2. Harmonise available and enact new legislation regarding domestic violence and establish a system of financing prevention, the needs of victims and work with violent persons- from local to Federation BiH level;

I.3. Harmonise legislation regarding domestic violence in Republika Srpska with other domestic and international legal standards.

II. Substantiation of Greater Protection of Victims of Domestic Violence and Improvement of Practice through Continues Education and Sensitisation of

Professionals and Greater Level of Coordination of all Actors in the Process of Protection of Victims and Prevention of Domestic Violence

- II.1. Determine joint and specific content and methodology of work through “modules” for education of officials in state and public bodies about domestic violence;
- II.2. Establish efficient network of expert services in educational institutions for protection of children from violence caused by family circumstances;
- II.3. Continues education and sensitisation of professionals about domestic violence and needs of protection of victims from legal, educational, health, psychological, social and economic aspect;
- II.4. Creation of systemic model of protection based on areas and forms of protection;
- II.5. Develop unique multidisciplinary model of approaching prevention and protection and achieve cooperation of all actors in prevention of domestic violence and protection of victims;

III. Sensitisation of Public for Domestic Violence and Promotion of Prevention

- III.1. Determine a plan of promotional activities of institutions and media regarding domestic violence with the aim of presenting domestic violence as an issue that must be combated against systematically and which needs to be adequately treated in media;
- III.2. Sensitise and educate public about domestic violence from legal, educational, health, psychological, social and economic aspect;

IV. Systematic Collection, Consolidation, Processing and Publication of Data regarding Domestic Violence and on the basis of this Data Continuation of Development of Sustainable Strategies for Combating Domestic Violence

- IV.1. Develop methodology of collection and consolidation of statistical data from both entities, and in accordance with that, collection, analysing and regular publishing of data regarding domestic violence;
- IV.2. Establish unique database about victims of domestic violence and violent persons and unique SOS telephone line for reporting of domestic violence in FBiH;
- IV.3. Systematisation of collection and processing of data about domestic violence in RS;
- IV.4. Development of a Strategy for Combating Domestic Violence 2009-2013 for RS

GOALS AND ACTIVITIES:

V. GOAL I

VI. Analysis and harmonization of the legal framework in Bosnia and Herzegovina regulating domestic violence issues

Special goals

VII. State level – Bosnia and Herzegovina:

I.1. Harmonizing the laws on protection in domestic violence issues in both entities, and drafting of all necessary bylaws regarding domestic violence

I.1.1. Form a Working Group for the analysis and drafting of proposals for the harmonization of entity laws on regulation in domestic violence

I.1.2. Public debate and finalizing of the text with the amendments, additions and bylaws

Duty-bearers:

- Legislative bodies on all levels,
- Federal Ministry of the Interior,
- Republika Srpska Ministry of the Interior,
- Brcko District police,
- Department for professional and administrative affairs of Brcko District
- Ministry of Justice of Republika Srpska,
- Federal Ministry of Justice,
- Federal Ministry of Healthcare,
- Ministry of Health and Social protection of Republika Srpska,
- Federal Ministry for Labour and Social security,
- Department for Healthcare of Brcko District

Partners: Agency for gender equality of Bosnia and Herzegovina, prosecution offices and courts on all levels, Gender Centre of Federation of Bosnia and Herzegovina, Gender Centre of Republika Srpska

Deadline: 2009

Basic indicators for realization special goal I.1:

- Draft proposal for harmonization of entity laws on protection in domestic violence in the family

Entity level – Federation of Bosnia and Herzegovina:

I.2. Harmonising the existing regulations and bringing new ones on domestic violence, and establishing a system of funding preventive activities, meeting victims' needs and working with those inclined to violent behaviour – from local community to the FBiH

I.2.1. To elaborate a draft law on free legal aid (including victims of domestic violence)

Duty-bearer:

- Cantonal ministries of Justice

Deadline: June 2010

I.2.2. To elaborate a proposal on amendments and addenda of the Federal Criminal Code so as to augment minimum sentences for the crimes related to domestic violence and to extend/define the crimes related to harassment, sexual harassment, mobbing, and bossing

Duty-bearer:

- Federal ministry of Justice

Deadline: June 2009

I.2.3. To elaborate amendments and addenda to the Law on Health Insurance in order to provide health protection of victims of domestic violence without healthcare insurance

Duty-bearer:

- Federal Ministry of Healthcare
- Deadline: May 2010

I.2.4. To analyse and assess predispositions for establishment of family courts, i.e. special sections within the existing courts and prosecutor's offices.

Duty-bearer:

- The High Judicial and Prosecutor's Council of Bosnia and Herzegovina in cooperation with the Federal and Cantonal Ministries of Justice
- Deadline: December 2010

I.2.5. To create legal predispositions which would prevent domestic violence offenders from exercising public functions or being as state officials in state administration agencies

Duty-bearer:

- Federal ministry of Justice in cooperation with the High Judicial and Prosecution Council
- Deadline: September 2009

I.2.6. To create normative procedures and affirm standards for funding the needs of victims and the activities on preventing domestic violence from budgets – from local to federal level:

I.2.6.1. To amend the laws on social protection at Federal and cantonal levels in the way that they treat victims as a social category

Duty-bearer:

- Federal ministry of Labour and Social Policy in cooperation with competent cantonal ministries and NGOs dealing with this matter
- Deadline: December 2010
Funds: Budgetary funds of duty-bearers and donators

I.2.6.2. To bring a bylaw (rulebook) on criteria and standards for founding, work and funding of the safe houses

Duty-bearer:

- Federal Ministry of Labour and Social Policy
- Deadline: September 2009
Funds: Budgetary funds of the Federal Ministry of Labour and Social Policy and donators

I.2.7. To create preconditions (infrastructure) for implementation of the Law on Domestic Violence, especially implementation of the protection measures (e.g. establishing new and reorganizing existing institutions, elaborating programmes of work with violent individuals, creating selection criteria for subjects which are to work with violent individuals, etc).

Duty-bearers:

- Federal Ministry of Justice,
- Federal Ministry of Healthcare,
- Federal Ministry of Interior,
- Federal Ministry of Labour and Social Policy incorporation with cantonal ministries in charge,
- Institute for Public Healthcare of FBiH,
- NGOs which deal with domestic violence.

Deadline: December 2010

Funds: Budgetary funds from FBiH Budget and those of cantons, municipalities, NGOs, and funds from donators

- I.2.8. To commence an initiative to insert the importance of family, it being a basic cell of society crucial for development of a child, into educational legal framework and its general provisions.

Duty-bearers:

- Federal Ministry of Education and Science in cooperation with cantonal ministries of education, science and sports

Deadline: December 2010

- I.2.9. To enhance curricula and programmes of elementary and secondary by obligatory introduction of topics on non-violent behaviour.

Duty-bearer:

- Federal Ministry of Education and Science in cooperation with cantonal ministries of education, science and sports

Deadline: beginning of school terms 2009-10

- I.2.10. Pedagogic standards to envisage engagement of social workers and psychologists in every educational institution

Duty-bearers:

- Federal Ministry of Education and Science in cooperation with cantonal ministries of education, science and sports

Deadline: beginning of school terms 2009-10

- I.2.11. To ensure that processing and decision-making in the criminal proceedings related to domestic violence are treated as urgent and that they are priority in the work of competent courts.

Duty-bearer:

- FBiH Centre for Education of Judges and Prosecutors in cooperation with Federal Ministry of Justice

Deadline: continuous activities

- I.2.12. To assure that the persons lawfully convicted for domestic violence and other related crimes have these circumstances used as aggravated in all kinds of proceedings (criminal, misdemeanour, disciplinary, etc)

Duty-bearers:

- FBiH Centre for Education of Judges and Prosecutors in cooperation with Federal Ministry of Justice

Deadline: continuous activities

I.2.13. To establish system of registering victims of domestic violence in health institutions with an obligation to deliver those data to the institutions for public healthcare.

Duty-bearers:

- FBiH Institution for Public Healthcare in cooperation with cantonal institutions for public healthcare

Deadline: second half of 2010

Funds: Budgetary funds of duty-bearer and donators

I.2.14. To give recommendations to the employment authorities to include victims of domestic violence into their employment projects as a special target group in employment co-financing measures, trainings and prequalification or self-employment.

Duty-bearer:

- Federal Ministry of Labour and Social Policy in cooperation with cantonal ministries in charge of social policy, Federal Employment Bureau in cooperation with cantonal employment bureaus and FBiH Gender Centre

Deadline: March 2009

Basic indicators for special goal I.2 to be carried out:

- Amended and complemented laws cited in special goal I.2
- A bylaw (rulebook) on criteria and standards for funding, work and funding of safe houses in FBiH
- Altered legislation in the area of education in FBiH
- Complemented curricula and educational programmes in FbiH
- Elaborated programmes on treatment and medical assistance of violent individuals.

Entity level - Republika Srpska:

I.3. Harmonizing legislative regulations on domestic violence in Republika Srpska with other domestic and international legal standards

I.3.1. Establishment and activities of Working Group for the analysis of the legal framework (domestic and international) on domestic violence issues (Law on Protection from Domestic Violence of RS, Criminal Code of RS, Law on Criminal Procedure of RS, Family las of RS)

Duty-bearer:

- Ministry of Justice of Republika Srpska

Deadline: 2008 (2009)

I.3.2. Elaboration of overview and analysis of the legal framework on domestic violence issues with assessment of harmonization of domestic legal framework with international standards and proposals for its amendments

Duty-bearer:

- Ministry of Justice of Republika Srpska

Deadline: 2008 (2009)

I.3.3. Initiation to launch procedure for amendments to legal regulations

Duty-bearer:

- Ministry of Justice of Republika Srpska
Deadline: 2008 (2009)

I.3.4. Public debate and finalization text of amendments on Law on Protection of Domestic Violence Victims (regional level: Banja Luka, Prijedor, Doboj, Bijeljina, East Sarajevo and Trebinje)

Duty-bearer:

- Ministry of Justice of Republika Srpska
Deadline: 2008 (2009)

I.3.5. Referring amendments of the Law on Protection from Domestic Violence into procedure for adoption

Duty-bearer:

- Ministry of Justice of Republika Srpska
Deadline: 2008 (2009)

Basic indicator of realization of special goal I.3:

- Changed and amended Law on Protection from Domestic Violence in Republika Srpska

Explanations of Activities:

Partners of duty-bearer re activity I: Gender Centre of RS, Ministry for Family, Youth and Sport, Ministry of Health and Social Protection, Committee for Equal Opportunities of RS National Assembly, partnering NGOs and other institutional and out-of-institutional partners as decided by the duty-bearer.

Reminder:

Harmonization of legal framework on domestic violence in Republika Srpska with domestic and international legal standards is going to result in special goals and activities through the Strategy for Combating Domestic violence in Republika Srpska.

VIII. GOAL II

IX. Realization of greater protection for victims of domestic violence and raising the quality of practices through continuous education and sensitisation of professionals and a greater degree of coordination of all subjects in the process of protection of victims and prevention of domestic violence

Special goals

State level – Bosnia and Herzegovina:

II.1. To determine common and specific contents and a work method regarding the establishment of the „module” for the education of state employees on domestic violence issues in Bosnia and Herzegovina

- II.1.1. To elaborate an analysis of the existing educational programs
- II.1.2. To elaborate training programs in the area of prevention and protection from domestic violence including the needs of each system/institution
- II.1.3. To carry out training for state employees and partially those working in non-governmental organizations on the issues in domestic violence

Duty-bearers:

- Agency for Gender Equality BiH
- Ministry of Security of Bosnia and Herzegovina
- Ministry of Justice of Bosnia and Herzegovina
- Ministry of Civil Affairs BiH – Sector for education.....

Deadline: Continuous activities

Basic indicator for realization of special goal II.1:

- Developed modules for trainings and seminars with prior analyses of existing trainings and modules, the number of participants at the trainings

Entity level – Federation of Bosnia and Herzegovina:

II.2. Continuous education and sensitisation of professionals about the problem of domestic violence and needs to protect victims of domestic violence from a legal, educational, health care, psychological, social and economic aspects

- II.2.1. To elaborate a programme of systematic education, i.e. education of teachers in preschools, elementary and secondary schools in relation to recognition, prevention and suppression of domestic violence.

Duty-bearer:

- Federal Ministry of Education and Science in cooperation with cantonal ministries of education, science and sport, institutes for education and pedagogy and NGOs

Deadline: September 2009

Funds: Budgetary funds of duty-bearers and donators

- II.2.2. To conduct a systematic education of all participants in the educational-pedagogic process: preschools, elementary and secondary schools, institutes and centres for children with special needs, and those working on prevention, and support of victims with all the issues related to domestic violence, and to strengthen professional capacities.

Duty-bearers:

- Federal Ministry of Education and Science in cooperation with cantonal ministries of education, science and sport, institutes for education and pedagogy and NGOs

Deadline: continuous activities

- II.2.3. To elaborate a programme for education of judges and prosecutors in domain of domestic violence.

Duty-bearers:

- Centre for Education of Judges and Prosecutors in cooperation with Federal Ministry of Justice
Deadline: end of 2009 with constant additional activities, depending upon changes of regulations
Funds: Budgetary funds of the Centre for Education of Judges and Prosecutors in cooperation with Federal Ministry of Justice

II.2.4. To elaborate a programme for education and training of healthcare workers in the FBiH on domestic violence, which includes:

II.2.4.1. Train the Trainer (TtT) programme

Duty-bearers:

- Federal Ministry of Healthcare in cooperation with cantonal ministries in charge of health care, Federal Institute for Public Health, cantonal institutes for public health and NGOs
Deadline: April 2009
Funds: Budgetary funds of the Federal Ministry of Healthcare and donators

II.2.4.2. Programme of education of healthcare workers

Duty-bearers:

- Federal Ministry of Healthcare in cooperation with cantonal ministries in charge of health care, Federal Institute for Public Health, cantonal institutes for public health, and NGOs
Deadline: December 2010
Funds: Cantonal budgetary funds and donators

II.2.5. To elaborate a programme for education and training of social welfare centres employees in the FBiH on domestic violence, which includes:

II.2.4.3. Train the Trainer (TtT) programme

Duty-bearers:

- Federal Ministry of Labour and Social Policy in cooperation with cantonal ministries in charge of social policy and NGO's
Deadline: April 2009

II.2.5.1. Programme of trainings for social workers

Duty-bearers:

- Federal Ministry of Labour and Social Policy in cooperation with cantonal ministries in charge of social policy and NGOs
Deadline: December 2010

II.2.6. To elaborate a programme for education and training of police officers in the FBiH on domestic violence, which includes:

II.2.6.1. Train the Trainer (TtT) programme

Duty-bearers:

- Federal Ministry of Interior, Federal Police Department in cooperation with cantonal ministries of interior, and NGOs
Deadline: April 2009

Funds: Budgetary funds of the Federal Ministry of Interior, Federal Police Department and donators

II.2.6.2. Programme of education of police officers

Duty-bearers:

- Federal Ministry of Interior, Federal Police Department in cooperation with cantonal ministries of interior, and NGOs

Deadline: June 2009

Funds: Budgetary funds of the Federal Ministry of Interior, Federal Police Department and donators

II.2.7. To elaborate a joined programme of education (joint core) of judges, prosecutors, teachers, social workers, health care workers, police officers and NGO activists on domestic violence.

Duty-bearers:

- Centre for Education of Judges and Prosecutors of the FBiH
- Federal Ministry of Healthcare in cooperation with cantonal ministries in charge of health care
- Federal Institute for Public Health, cantonal institutes for public health,
- Federal Ministry of Education and Science in cooperation with cantonal ministries of education, science and sports,
- Federal Ministry of Labour and Social Policy in cooperation with cantonal ministries in charge of social policy
- Federal Ministry of Interior,
- Federal Police Department in cooperation with cantonal ministries of interior
- NGOs
- Gender Centre of Federation BiH

Deadline: September 2010

Funds: Budgetary funds of the duty-bearers and donators

II.2.8. To introduce trainings on domestic violence in the programmes of professional improvement and education conducted by the FBiH Agency for State Service for those state employees whose scope of work in judiciary, education, health care and protection and social protection also comprises the issue domestic violence.

Duty-bearers:

- FBiH Agency for State Service, Federal Ministry of Justice, and FBiH Gender Centre

Deadline: March 2009

Basic indicators of realization of special goal II.2:

- Number and quality of training for professionals in FbiH on the issue of domestic violence and the need for protection of victims of domestic violence from the legal, educational, health, psychological , social and economic aspect
- Number of professionals, training and professional education participants on the issue of domestic violence and the need of victim protection in FbiH

II.3. Creating a network of professional services in educational institutions protecting children from conditions deriving from domestic violence

II.3.1. To elaborate a protocol on establishing professional services for prevention, identification and suppression of domestic violence in all pedagogic-educational institutions, and a mechanism in cases of domestic violence which will comprise a legally accepted definition of violence, obligations of the state-authorized bodies and other participants involved in its preventing, identifying, suppressing, as well as the types, manners and contents of the cooperation.

Duty-bearers:

- Cantonal ministries of education, science and sport, institutes for education-pedagogy in cooperation with school managements

Deadline: September 2009

Funds: Budgetary funds of duty-bearers and donators

II.3.2. To ascertain basic professional standards to ensure:

- trust of children-victims of domestic violence and their parents/guardians in the work of professional service;
- ways how domestic violence cases are registered and with an obligation to protect the identity of children-victims and their parents.

Duty-bearers:

- Cantonal ministries of education, science and sport, institutes for education-pedagogy in cooperation with school managements

Deadline: September 2009

Funds: Budgetary funds of duty-bearers and donators

II.3.3. To improve the system of collecting and publishing information about children who abandon schools.

Duty-bearers:

- Federal Ministry of Education and Science in cooperation with cantonal ministries of education, science and sport, institutes for education-pedagogy, Federal Agency for Statistics and FBiH Gender Centre

Deadline: December 2010

Basic indicators for realization of special goal II.3:

- Protocol on forming professional services for prevention, recognition and containment of violence
- Efficient network of professional services in educational institutions for protection of children in domestic violence issues in FBiH

Entity level - Republika Srpska:

II.4. Creation a systemic model of protection of victims from domestic violence in the family by areas and forms of protection

II.4.1. Initial financing of shelters for victims of domestic violence

II.4.1.1. Elaboration of overview on existing capacities and resources(material and human) and needs for shelters in RS

Duty-bearer:

- Ministry of Health and Social Protection of RS

Deadline: 2008 (2009)

II.4.1.2. Elaboration of overview of existing capacities and resources of NGOs dealing with domestic violence cases in RS

Duty-bearer:

- Gender centre of RS
- Deadline: 2008 (2009)

II.4.1.3. Coordination of activities and lobbying for establishment of sustainable functioning of shelters for the victims of domestic violence

Duty-bearer:

- Gender centre of RS
- Deadline: 2008 (2009)

II.4.1.4. Creation of the sustainable model of financing rights and obligations in accordance with the Law on protection from domestic violence

Duty-bearer:

- Government of Republika Srpska
- Deadline: 2008. (2009.)

II.4.1.5. Allocation of grant for temporary financing of the Safe Houses

Duty-bearer:

- Ministry of Finance of Republika Srpska
- Deadline: 2008 (2009)

Explanation of activities:

- Partners of the duty-bearer re activities II.4.1.1: Ministry of Internal Affairs, Ministry for Family, Youth and Sport of RS, partnering NGOs and other institutional and out-of-institutional partners as determined by the duty-bearer.
- Partners of the duty-bearer re activities II.4.1.2: Partner NGOs and other institutional and out-of-institutional partners as determined by the duty-bearer.
- Activity II.4.1.3. implies finding a way for systemic functioning of shelters for the victims of domestic violence, as well as sustainable form of cooperation of institutional and out-of-institution partners (nongovernmental organizations). It also implies harmonization of mandate of certain institutions, introduction of procedures, criteria as well as assessment of necessary material, technical, personnel and financial requirements for continuous and undisturbed functioning of shelters with the purpose of the most efficient protection of the victims of violence. REMARK: In cooperation with the Ministry of Finance, it is needed to include financing of accommodation for the victims of domestic violence into the guidelines for cities/municipalities related to preparation of budget for 2008, specifically in places where these capacities exist (accepted standard is 1 accommodating capacity/bed per 7.500 -10.000 citizens)
- Partners of duty-bearer re activity II.4.1.3: Ministry for Family, Youth and Sport, Ministry of Health and Social Protection, Ministry of Internal Affairs, Committee for Equal Opportunities, partnering nongovernmental organizations and other institutional and out-of-institution partners, as decided by the responsible body.
- Activity II.4.1.4: In accordance with the effective Law on protection from domestic violence, RS Government shall adopt Resolution to establish a fund for financing rights and obligations stemming from the laws; the competent ministry shall, in accordance with

the Law and Decision, elaborate a rulebook on functioning of this fund. All legal regulations arise as results of the Activity I shall be certainly taken into consideration during the implementation of this activity.

- Amount of money for the activity II.4.1.5. is planned for the initial functioning of the Safe Houses in RS (Modrica, Banja Luka) that have working permit in accordance with the Rulebook on manner and place of implementation of the protection measure for the victims of domestic violence (RS Official Gazette of RS”, No. 97/06) The amount will be used as a grant or grants for the work of safe houses.

Reminder:

Certain activities of the Action plan for combating domestic violence in 2008 and 2009 in RS have been partially implemented, and certain activities are going to be carried out in the years to follow due to the necessity of their continuity.

II.4.2. Strengthening police capacity for dealing with domestic violence cases

- II.4.2.1. Establishment of Working Group and its performance as to development of form of implementation of a Rulebook on manner of realization of protection measures and practical guidelines for police work with victims and perpetrators of violence.

Duty-bearer:

- Ministry of Internal Affairs of Republika Srpska
Deadline: 2008 (2009)

- II.4.2.2. Development of form of implementation of the Rulebook on manner of realization of protection measures which are under jurisdiction of the Ministry of Internal Affairs and practical guidelines for police work with the victims and perpetrators of violence

Duty-bearer:

- Ministry of Internal Affairs of Republika Srpska
Deadline: 2008 (2009)

- II.4.2.3. Developing manual for police based on created form

Duty-bearer:

- Ministry of Internal Affairs of Republika Srpska
Deadline: 2008 (2009)

- II.4.2.4. Training for the trainers of police services in line with the manual

Duty-bearer:

- Ministry of Internal Affairs of Republika Srpska
Deadline: 2008 (2009)

- II.4.2.5. Training of police services in line with the manual (regional level: Banja Luka, Prijedor, Dobo, Bijeljina, East Sarajevo and Trebinje)

Duty-bearer:

- Ministry of Internal Affairs of Republika Srpska
Deadline: 2008 (2009)

Explanation of activities:

Partners of duty-bearer re activity II.4.2: Gender Centre, partnering nongovernmental organizations and other institutional and out-of-institutional partners as decided by the duty-bearer.

Reminder:

Certain activities of the Action plan for combating domestic violence in 2008 and 2009 in RS have been partially implemented, and certain activities are going to be carried out in the years to follow due to the necessity of their continuity.

II.4.3. Strengthening SWC capacities for psycho- social assistance to domestic violence victims and psycho- social treatment for domestic violence perpetrators

1. Establishment of Working Group and its performance as to development of form of psycho-social assistance for victims of domestic violence and perpetrators

II.4.3.1.

Duty-bearer:

- Ministry of Health and Social Protection of Republika Srpska
Deadline: 2008 (2009)

II.4.3.2. Development of a model for psycho- social assistance for victims of domestic violence and a model for psycho- social treatment for domestic violence perpetrators

Duty-bearer:

- Ministry of Health and Social Protection of Republika Srpska
Deadline: 2008 (2009)

II.4.3.3. Development of two manuals for SWCs according to developed forms

Duty-bearer:

- Ministry of Health and Social Protection of Republika Srpska
Deadline: 2008 (2009)

II.4.3.4. Training for trainers in line with the manuals

Duty-bearer:

- Ministry of Health and Social Protection of Republika Srpska
Deadline: 2008 (2009)

II.4.3.5. Training for SWC staff in line with the manuals (regional level: Banja Luka, Prijedor, Dobo, Bijeljina, East Sarajevo and Trebinje)

Duty-bearer:

- Ministry of Health and Social Protection of Republika Srpska
Deadline: 2008 (2009)

Explanation of activities:

Partners of duty-bearer re activity II.4.3: Gender Centre, SWCs, partnering nongovernmental organizations and other institutional and out-of-institutional partners as decided by the responsible body.

Reminder:

Certain activities of the Action plan for combating domestic violence in 2008 and 2009 in RS have been partially implemented, and certain activities are going to be carried out in the years to follow due to the necessity of their continuity.

II.4.4. Strengthening medical institutions' capacities for treatment of domestic violence

II.4.4.1. Establishment of Working Group and its performance as to development of form of a primary health care to domestic violence victims

Duty-bearer:

- Ministry of Health and Social Protection
- Deadline: 2008 (2009)

II.4.4.2. Development of a model of a primary health care for domestic violence victims

Duty-bearer:

- Ministry of Health and Social Protection
- Deadline: 2008 (2009)

II.4.4.3. Development of manual for health care professionals in line with designed model

Duty-bearer:

- Ministry of Health and Social Protection
- Deadline: 2008 (2009)

II.4.4.4. Training for trainers in medical institutions in line with the manuals

Duty-bearer:

- Ministry of Health and Social Protection
- Deadline: 2008 (2009)

II.4.4.5. Training for health care professionals in line with the manuals (regional level: Banja Luka, Prijedor, Doboj, Bijeljina, East Sarajevo and Trebinje)

Duty-bearer:

- Ministry of Health and Social Protection
- Deadline: 2008 (2009)

Explanation of activities:

Partners of duty-bearer re activity II.4.4: Gender Centre, partnering nongovernmental organizations and other institutional and out-of-institutional partners as decided by the responsible body.

Basic indicators of realization of special goal II.4:

- Creation of systematic model of protection of victims from domestic violence in Republika Srpska by areas and forms of protection including establishment of a sustainable model of financing the rights and obligations according to the Law on Protection from domestic violence and building capacities of professionals for work in the area of domestic violence.

Reminder:

Certain activities of the Action plan for combating domestic violence in 2008 and 2009 in RS have been partially implemented, and certain activities are going to be carried out in the years to follow due to the necessity of their continuity.

Entity level – Federation of Bosnia and Herzegovina:

II.5. Developing a common multidisciplinary mode of work in preventing and protecting from domestic violence, and attaining cooperation amongst all actors involved in prevention of domestic violence and in the process of victim protection

II.5.1. To elaborate an experimental copy of protocol on mutual cooperation in the activities on prevention and protection from domestic violence in municipalities and cantons.

Duty-bearer:

- Working group consisting of the representatives from competent federal and cantonal ministries in charge of judiciary, education, health care, security, social protection, and NGOs and FBiH Gender Centre

Deadline: September 2009

Funds: Budgetary funds of the duty-bearers and donators

II.5.2. To reactivate *Safe Women's Network*

Duty-bearers:

- NGOs-members of the Safe Network

Deadline: First quarter 2009

Funds: NGOs' funds

II.5.3. To organize roundtables in order to present the results of best practices of cooperation amongst the actors working on prevention and protection from domestic violence

Duty-bearer:

- Gender Centre of Federation BiH,
- Federal Ministry of Healthcare in cooperation with cantonal ministries in charge of health care,
- Federal Institute for Public Health in cooperation with cantonal institutes for public health,
- Federal Ministry of Education, Science and Sports in cooperation with cantonal ministries of education, science and sports,
- Federal Ministry of Labour and Social Policy in cooperation with cantonal ministries in charge of social policy,
- Federal Ministry of Interior
- Federal Police Department in cooperation with cantonal ministries of interior
- NGOs.

Deadline: continuous activities

Funds: Budgetary funds of the duty-bearers and donators

Basic indicator for realization of special goal II.5:

- Development of a common multidisciplinary mode of work and attainment of cooperation amongst all actors involved in prevention of domestic violence and protection of victims in Federation of BiH including the elaboration of an experimental copy of protocol on mutual cooperation.

X. GOAL III

XI. Sensitisation of the public about the problem of domestic violence and promotion of prevention

Special goals:

State level - Bosnia and Herzegovina:

III.1. Create and confirm a plan for promotional action of institutions and media in regards to domestic violence, with the goal to present domestic violence as behaviour which requires systematic counter action as well as adequate treatment by the media

- III.1.1. Developing of a plan for promotional action for institutions and media in regards to the issue of domestic violence
- III.1.2. Setting standards for reporting, presentation and promotion of non-violent behaviour for the media
- III.1.3. Promoting important dates related to human rights and improvement of the situation victims of domestic violence
- III.1.4. Organizing public campaigns, round tables and other events with the goal of sending an educational message in regards to all the consequences of domestic violence.

Duty-bearer:

- Agency for Gender equality of BiH, Entity Gender centres, RAK – Regulatory Agency for Communication, public broadcasting radio and television, Print Media Council of BiH, journalist society of BiH, different media agencies (especially the public broadcasters in BiH)

Partners of duty-bearer: Police, prosecution offices, courts, social and healthcare institutions, educational institutions on all levels, Ombudsman, NGOs

Deadline: continuous activities

Basic indicator for realization of special goal III.1:

- Elaborated plan of promotional action, thought out and carried out campaigns to raise awareness, number of organized public debates, seminars and workshops, number of participants, seminars, workshops and lectures.

Entity level – Federation of Bosnia and Herzegovina:

III.2. Sensitising and educating the public about the problem of domestic violence from its legal, educational, health care, social and education aspects

- III.2.1. To create and print out the programme and educational material on non-violent forms of behaviour and conflict resolution (pamphlets and brochures with information about domestic violence, addresses of institutions, organizations and other instances where victims of violence can go to and seek help, support and protection).

Duty-bearer:

- Federal Ministry of Healthcare in cooperation with cantonal ministries in charge of health care,
- Federal Institute for Public Health in cooperation with cantonal institutes for public health,
- Federal Ministry of Labour and Social Policy in cooperation with cantonal ministries in charge of social policy,
- Federal Ministry of Interior
- Federal Police Department in cooperation with cantonal ministries of interior,
- Federal Ministry of Education and Science in cooperation with cantonal ministries of education, science and sport,
- Gender Centre of Federation BiH and
- NGOs

Deadline: continuous activities

Funds: Budgetary funds of the duty-bearers and donators

III.2.2. To have a joint campaign in the FBiH and to disseminate educational-promotional material e.g. jumbo posters, radio and TV ads, etc).

Duty-bearers:

- Gender Centre of Federation BiH and other gender-related institutional mechanisms,
- Federal Ministry of Education and Science in cooperation with cantonal ministries of education, science and sport,
- Federal Ministry of Healthcare in cooperation with cantonal ministries in charge of health care,
- Federal Institute for Public Health in cooperation with cantonal institutes for public health,
- Federal Ministry of Labour and Social Policy in cooperation with cantonal ministries in charge of social policy,
- Federal Ministry of Interior
- Federal Police Department in cooperation with cantonal ministries of interior,
- NGOs-members of the Safe Network,
- Public electronic and press media

Deadline: continuous activities

Funds: NGOs' funds and donators

III.2.3. To celebrate the 16th day of activism combating violence against women – campaigns

Duty-bearers:

- NGOs, FBiH Gender Centre, and other gender-related institutional mechanisms

Deadline: November 2009 – November 2010

Funds: NGOs' funds and donators

Entity level - Republika Srpska:**III.3. Raising public awareness on domestic violence issues**

III.3.1. Development of public campaign plan for raising public awareness on domestic violence issue

Duty-bearer:

- Ministry for Family, Youth and Sport
Deadline: 2008 (2009)

III.3.2. Implementation of public campaign in line with the plan

Duty-bearer:

- Ministry for Family, Youth and Sport
Deadline: 2008 (2009)

Explanation of activities III.3.1. i III.3.2.:

- Partners of duty-bearer re activities III.2.4. i III.2.5: Gender Centre, Ministry of Justice, Ministry of Health and Social Protection, Ministry of Internal Affairs, PBS of Republic of Srpska, Committee for Equal Opportunities, partnering nongovernmental organizations and other institutional and out-of-institutional partners as decided by the duty-bearer.
- Amount of money for the III.3.1. activity is planned to cover costs of making a TV video, radio announcements, promotion materials and media (posters, leaflets, calendars, notepads, notebooks, pens, T- shirts etc.), new internet pages at RS Government and partners' web pages, publications for informing public etc., involving public figures for promotion of domestic violence combat etc. in line with the Plan of Public Campaign.

Basic indicator for realization of special goals III.2. i III.3:

- Sensitized and educated public about the problem of domestic violence including: created and disseminated educational-promotional material, carried out public campaigns, number of organized public debates/seminars/workshops in the framework of celebrating 16 days of activism.

Reminder:

Certain activities of the Action plan for combating domestic violence in 2008 and 2009 in RS have been partially implemented, and certain activities are going to be carried out in the years to follow due to the necessity of their continuity.

XII. GOAL IV

XIII. Systematic collection, merging and processing of data regarding domestic violence, and creation of follow-up strategies based on this data in regards to combat domestic violence

Special goals:

State level - Bosnia and Herzegovina:

IV.1. Developing a methodology for the collection and merging of statistical data from both entities, and in accordance to this, collect and analyse and regularly publish data in regards to domestic violence on the state level

IV.1.1. To define a system of collecting data, that is, to create a central data base, through the establishment of a standard form which registers cases of domestic violence in Bosnia and Herzegovina

IV.1.2. To develop a common methodology of recording data and a common data base on all levels of government and enable exchange from the police, health care institutions, social work centres, educational institutions, courts and prosecution offices for cases of domestic violence.

- IV.1.3. To create a standard form for reporting domestic violence cases (according to the Protocol on Action in cases of domestic violence) per protection actors.
- IV.1.4. Publish annual statistical report on domestic violence with judicial and police statistic data, statistical data from social work centres, and statistics on social exclusion related to domestic violence, as well as the health care costs for victims of domestic violence².
- IV.1.5. Initiate the conducting of qualitative and quantitative research on the issue of domestic violence in Bosnia and Herzegovina.

Duty-bearer:

- Agency for Gender equality of BiH, entity Gender centres, Ministries of Justice, Agency for Statistics of BiH, entity institutes for statistics, Bureau for Statistics of District Brcko, courts, prosecution offices.

Deadline: 2010.

Basic indicators for realization of special goal IV.1:

- Developed standard methodology of collecting data on the state level including merging and processing of data from both entities, created data base, published annual statistical report, created standardized form for reporting on domestic violence cases in Bosnia and Herzegovina.

Entity level – Federation of Bosnia and Herzegovina:

IV.2. Creating a common data base on all victims of domestic violence and those inclined to violence, and a common SOS hotline to be used for reporting on cases of domestic violence

IV.2.1. To analyse legislation and guidelines to file-keeping, to develop a common methodology on data collection, creation of forms, definition of database elements:

IV.2.1.1. Appointing multidisciplinary team and assigning a team of experts

Duty-bearers:

- Federal Ministry of Justice in cooperation with cantonal ministries of justice
- Federal Ministry of Education and Science in cooperation with cantonal ministries of education,
- Federal Institute for Public Health in cooperation with cantonal institutes for public health,
- Federal Ministry of Healthcare in cooperation with cantonal ministries in charge of health care,
- Federal Agency for Statistics,
- Federal Ministry of Labour and Social Policy in cooperation with cantonal ministries in charge of social policy,
- Federal Ministry of Interior,
- Federal Police Department in cooperation with cantonal ministries of interior,
- FBiH Gender Centre and
- NGOs.

Deadline: June 2010

Funds: Budgetary funds of the duty-bearers and donators

² Has been stated on state, entity, cantonal and municipal levels

IV.2.1.2. Elaborating methodology for collecting and processing statistics data

Duty-bearers:

- Federal Ministry of Justice in cooperation with cantonal ministries of justice
- Federal Ministry of Education and Science in cooperation with cantonal ministries of education,
- Federal Institute for Public Health in cooperation with cantonal institutes for public health,
- Federal Ministry of Healthcare in cooperation with cantonal ministries in charge of health care,
- Federal Agency for Statistics,
- Federal Ministry of Labour and Social Policy in cooperation with cantonal ministries in charge of social policy,
- Federal Ministry of Interior,
- Federal Police Department in cooperation with cantonal ministries of interior,
- FBiH Gender Centre and
- NGOs.

Deadline: December 2010

Funds: Budgetary funds of the duty-bearers and donators

IV.2.1.3. Software development; education on software usage

Duty-bearer:

- Federal Agency for Statistics in cooperation with FBiH Gender Centre

Deadline: December 2010

Funds: Donators

IV.2.2. To establish a common SOS hotline for reporting on domestic violence cases.³

Duty-bearer:

- Gender Centre of Federation of BiH

Deadline: January 2009

Funds: FBiH Gender Centre budgetary funds

IV.2.3. To conduct a survey on causes of domestic violence in the FBiH

Duty-bearer:

- FBiH Gender Centre in cooperation with federal ministries of justice, education and science, health, labour and social policies, interior, Federal Police Department, Federal Agency for Statistics, FBiH Institute for Public Healthcare and NGOs

Deadline: December 2010

Funds: Donators

Basic indicator of realization of special goal I.2:

- Common data base on victims of domestic violence and violent persons in FBiH and established a common SOS line for reporting domestic violence cases.

³ Approval received from the Regulatory agency for telephone number 1265.

Entity level – Republika Srpska:

IV.3. Systematization of collecting and processing data on domestic violence in Republika Srpska

IV.3.1. Creation and harmonization of forms and contents for collection and registry of data on domestic violence cases for all protection subjects

Duty-bearer:

- Gender Centre of Republika Srpska
- Deadline: 2008 (2009)

IV.3.2. Elaboration and signing of Protocol on exchange of data on domestic violence

Duty-bearer:

- Gender Centre of Republika Srpska
- Deadline: 2008 (2009)

IV.3.3. Elaboration of project document "System of analyses for database"

Duty-bearer:

- Gender Centre of Republika Srpska
- Deadline: 2008 (2009)

IV.3.4. Elaboration of project document "System of design for database"

Duty-bearer:

- Gender Centre of Republika Srpska
- Deadline: 2008 (2009)

Explanation of activities:

- Ministry of Health and Social Protection, Ministry of Internal Affairs, Ministry for Family, Youth and Sport, partnering NGOs and other institutional and out-of-institutional partners as decided by the responsible body.
- Amount of money for activities IV.3.3. i IV.3.4., implies expenses of work related to preparation of the project document "System of analysis for production of software for registry of domestic violence cases in RS collected by all institutions and NGOs dealing with these issues. It implies meetings with all partners, analysis of data flow in each institution and NGO, proposals of software modules, relations, reports, manner and level of data transmission and proposal of aggregated indicators for monitoring of situation in RS.

Basic indicator for realization of special goal IV. 3:

- Set up system of collecting and processing data on domestic violence in Republika Srpska.

Reminder:

Certain activities of the Action plan for combating domestic violence in 2008 and 2009 in RS have been partially implemented, and certain activities are going to be carried out in the years to follow due to the necessity of their continuity.

IV.4. Developing strategy for combating domestic violence 2009-2013 in Republika Srpska

IV.4.1. Establishment of Working Group and its performance as to development of Strategy

Duty-bearer:

- Ministry of Health and Social Protection Ministry of Justice
Deadline: 2008 (2009)

IV.4.2. Collecting information on good practice examples for the region, Europe and World

Duty-bearer:

- Gender centre of Republika Srpska
Deadline: 2008 (2009)

IV.4.3. Developing Strategy first draft

Duty-bearer:

- Ministry of Health and Social Protection and Ministry of Justice of RS
Deadline: 2008 (2009)

IV.4.4. Public discussion and finalization of the text of Strategy (regional level: Banja Luka, Prijedor, Doboј, Bijeljina, East Sarajevo and Trebinje)

Duty-bearer:

- Ministry of Health and Social Protection and Ministry of Justice of RS
Deadline: 2009

IV.4.5. Forwarding Strategy to regular procedure for adoption

Duty-bearer:

- Ministry of Health and Social Protection and Ministry of Justice of RS
Deadline: 2009

Explanation of activities:

Partners of duty-bearer re activity IV.4: Gender Center, Ministry for Family, Youth and Sport, Ministry of Internal Affairs, Committee for Equal Opportunities, partnering nongovernmental organizations and other institutional and out-of-institutional partners as decided by the responsible body.

Basic indicator for realization of special goal IV.4:

- Adopted Strategy on combating domestic violence 2009-2013 in Republika Srpska

MONITORING

The report on carrying out of the Strategic plan for prevention of domestic violence in Bosnia and Herzegovina is going to be done by the Agency for Gender equality and submitted to the Council of Ministers of Bosnia and Herzegovina. The report is going to be prepared according to the confirmed methodology of reporting, and based on the reports of Gender Centres on carrying out the Strategy for prevention of domestic violence in Federation of BiH and the Action plan of Republika Srpska, that is, Strategy for combating domestic violence in Republika Srpska, which are also included in this document.

Gender Centre of Federation of BiH is going to coordinate the work on carrying out the Strategic plan of Federation of BiH and submit the report to the government of Federation of BiH every six months on the activities carried out which are included in the Strategic plan and based on quarterly reports received from duty-bearers.

Gender Centre of Republika Srpska is going to coordinate the carrying out of activities from the Action Plan of Republika Srpska and submit reports to the government of Republika Srpska based on the reports done by the duty-bearers. Gender Centre of Republika Srpska is going to be reporting on activities of the future Strategy on combating domestic violence of Republika Srpska, for the need on reporting on BH strategy.

XIV. BIBLIOGRAPHY

1. Izvještaj Bosne i Hercegovine po Konvenciji o eliminaciji svih oblika diskriminacije žena (CEDAW), Sarajevo 2006. godine, Ministarstvo za ljudska prava i izbjeglice BiH,
2. "Studija o nasilju u porodici", Helsinski parlament građana Banja Luka, Organizacija žena Lara Bijeljina, Udruženje građanki Žene ženama Sarajevo, Banja Luka, 2005.
3. Strategija za prevenciju nasilja u obitelji sa Akcijskim planom za Federaciju Bosne i Hercegovine, Sarajevo 2008. godine, Gender centar FBiH,
4. Akcioni plan za borbu protiv nasilja u porodici u Republici Srpskoj, Banja Luka, 2008. godine, Gender centar Vlade RS,
5. „Multidisciplinarni pristup suzbijanju domaćeg nasilja i drugih oblika nasilja nad djecom i ženama 1999-2006” Medica Zenica Infoteka (iskustva),
6. „Nasilje u porodici-razvojna studija u Bosni i Hercegovini”, grupa autorica Institut za kriminologiju i sigurnosne studije FKN Sarajevo (profil žrtve i nasilnika i postupanje),
7. „Policija i nasilje u porodici u Bosni i Hercegovini” grupa aurora/ki FKN Sarajevo (postupanje policije),
8. „Nasilje na prolazi samo od sebe” izvještaj o istraživanju rodno uvjetovanog nasilja u adolescentnim vezama u Republici Hrvatskoj (smjernice i preporuke 118. i 119. stranica).
9. „Rezolucija o borbi protiv nasilja nad ženama u porodici” („Službeni glasnik BiH”, broj: 15/08), Parlamentarna skupština BiH,
10. Petrić, Natalija. "Uticaj pravne regulative na zaštitu žene od rodno zasnovanog nasilja". Magistarski rad. Centar za interdisciplinarne postdiplomske studije Univerziteta u Sarajevu. Magistarski program Gender/Rodne studije. Sarajevo, 2008.
er/Rodne studije. Sarajevo, 2008.