

**Foundation United Women (FUW) Contribution for the Committee of the Parties
to the Council of Europe Convention on Preventing and Combating
Violence Against Women and Domestic Violence
regarding the 2022 Recommendations for Bosnia and Herzegovina**

I. Fundamental rights, equality, and non-discrimination (Article 4)

1. Have your authorities taken measures to ensure that the provisions of the Istanbul Convention are implemented without discrimination on any grounds listed in Article 4, paragraph 3, of the convention, including in terms of the availability of services and the protection by law enforcement agencies?

Partially.

Since 2022, entity authorities in Bosnia and Herzegovina have taken steps to change grounds of protection, namely in criminal law legislation, but also policy documents that can affect protection of the victims of violence.

In Republika Srpska, the Law on Changes and Amendments of the Criminal Code adopted in 2025¹ removed gender identity from several provisions², replacing it with “other personal characteristics.” As the basis for the change, the justification states harmonization of the Criminal Code with the Constitution of Republika Srpska. Changes are contrary to the principles of non-discrimination toward ensuring protection of victims without discrimination, among others, based on gender identity, and contrary to the Law on Prohibiting Discrimination of Bosnia and Herzegovina. Changes are also violating the principle of legality of criminal law protection, which requires for the protection to be clear, precise, and predictable. General provision of other personal characteristics can, in practice, lead to difficulties to prove motives of hate, and different interpretations by the courts in Republika Srpska.

Additionally, in November 2024, the Constitutional Court of Republika Srpska adopted a decision³ that the Article 190, paragraph 6 of the Criminal Code of Republika Srpska,⁴ in a part stating that *persons who were or are still in an emotional or intimate relationship with each other, regardless of whether the perpetrator shares or shared a household with the victim* is not in accordance with the Constitution of the Republika Srpska, and this part has been removed from the Law. By narrowing the definition of the criminal offence of domestic violence, victims of violence in former and current partner relationships, who never lived together, can no longer be protected as victims

¹ Official Gazette of Republika Srpska, no. 31/2025

² Defining the principle of equality of the perpetrators (art. 5), Meaning of Terms in the Law (art.123), criminal offence of the Violation of Equality of Citizens (art. 139), criminal offence of Public Provoking and Inciting Violence and Hatred (art. 359)

³ Decision of the Constitutional Court of Republika Srpska, no. U-73/23 adopted at 27 November 2024

⁴ Definition of family members within the criminal offence of Violence in a Family or Family Community

of criminal offence of domestic violence. These forms of violence can be qualified as other criminal offences (e.g. bodily injury, endangering security), without specific context of gender based partnership violence. In the practice, it can lead to lighter qualification of the acts of violence in the intimate and partnership relations, impossibility to apply protection orders prescribed by the Law on Protection from Domestic Violence of Republika Srpska, and lighter sanctions against perpetrators.

In 2024, the Ministry of Education and Culture, the Ministry of Health and Social Protection, the Ministry of Interior Affairs and the Ministry of Family, Youth, and Sport of Republika Srpska have adopted a new Protocol for Protection of Children from Violence, Abuse and Neglect⁵, replacing the previously effective Protocol adopted in 2013.⁶ New Protocol contains principle of non-discrimination and defines that it *“ensures that all procedures toward children in exercise of their rights are carried out regardless of: sex, age, language, race, color, ethnic origin, national origin, religious affiliation, family status, economic status, education, physical abilities and mental abilities.”* The first version of the Protocol published in the Official Gazette of Republika Srpska no. 38/24 on 24 April 2024 also included *“sexual orientation, gender identity, or any other specifics of a child”*⁷, which was removed with the correction of the Protocol published in the Official Gazette of Republika Srpska no. 47/24 on 5 June 2024.

In Federation BiH, the Law on Changes and Amendments of the Criminal Code⁸ adopted in 2025, among other things, defined that a life partner is *a person living with another person of the opposite sex in a community that has a more permanent character* (art.2, para17), which implies that same sex partners are not protected from domestic violence under the Law.

In the period of preparing this contribution (March 2026), there is no publicly available information if the new Draft Law on Protection from Domestic Violence and Violence Against Women of the Brčko District Bosnia and Herzegovina has been prepared by the appointed Working Group.

2. Have your authorities taken measures contributing to prevent and combat violence against women who are or might be exposed to intersectional discrimination?

Partially.

In the Gender Action Plan of Bosnia and Herzegovina (hereinafter: GAP BiH) for the period 2023-2027, adopted by the Council of Ministers of Bosnia and Herzegovina in 2023⁹, improving the position of multiple marginalized groups of women and men has been defined as one of the cross cutting areas. Within the justification, GAP BiH states that *“aggravating factor for exercising rights is discrimination and exclusion per several different circumstances, such are sex and age, belonging to a national minority, disability, sexual orientation, gender identity, sexual characteristics, and any other circumstance that results in preventing or jeopardizing any person from the recognition, enjoyment, or exercise of rights on an equal basis. When planning activities, special attention must be paid to the specific needs of multiply excluded groups, i.e., persons*

⁵ Official Gazette of Republika Srpska, no. 38/2024 and 47/2024 - correction

⁶ Official Gazette of Republika Srpska, no. 82/13

⁷ <https://www.djeca.rs.ba/wp-content/uploads/2024/05/BROJ-038...pdf>

⁸ Official Gazette of the Federation BiH, no 58/2025

⁹ Official Gazette of Bosnia and Herzegovina, no. 82/23

exposed to multiple forms of discrimination, including gender-related aspects and associated issues.

Strategic Objective 1 of the GAP BiH: Prevention and combating gender based violence, including domestic violence and trafficking of people, includes measures of implementing promotional activities, information campaigns, awareness rising campaigns about specifics of multiple marginalized groups in risk of gender based violence, including trafficking of people. Responsible institutions defined are authorities at state, entity, and Brčko District of Bosnia and Herzegovina levels, cantonal authorities, authorities of local self-government units, in accordance with their authorities regulated by the legislation. The Operational Plan for Implementation of GAP BiH (hereinafter: OP GAPBiH) also includes specific plans for activities that can be observed to address violence against women who are or might be exposed to intersectional discrimination, including: ensuring recognizing and prevention of gender based violence in temporary reception migrant centres, undertaking analysis on existing prejudices and stereotypes against LGBTI persons, organizing trainings on gender equality, prohibition of discrimination, gender based violence, hate crime and trafficking of people for all men and women officers of the State Investigation and Protection Agency (SIPA), border police, and other police and security agencies of Bosnia and Herzegovina, redesigning mandatory trainings for senior civil servants to also include topics of anti-discrimination, gender equality and LGBTI rights, implementing targeted educations for senior servants on the topics of gender equality and anti-discrimination, adopt programs of measures aimed to improving access to education and economic resources for women and girls in risk of trafficking of people, training of judiciary duty bearers on discrimination against LGBTI persons and hate crimes against LGBTI persons, regular trainings for women and men police officers on rights and freedoms of LGBTI persons and procedures in cases of hate crimes against LGBTI persons, public reactions on violation of rights, prejudices, and stereotypes against LGBTI persons, organizing workshops with media aimed for developing skills for gender sensitive, engaged and responsible media reporting on specifics of multiple marginalized groups in risk of gender based violence, including trafficking of people, and implementing activities for combating stigma on specifics of multiple marginalized groups in risk of gender based violence, including trafficking of people.

In Republika Srpska, a new Strategy for Combating Domestic Violence has been adopted by the Government of Republika Srpska in December 2025.¹⁰ Within the Strategic Objective 2: Strengthening System of Assistance, Support, and Protection of Victims of Domestic Violence, Priority 2.2. Strengthening Services of Protection, Assistance and Support to the Victims of Domestic Violence, Measure 2.2.1. Supporting the Victims of Domestic Violence through General and Specialized Services, the Strategy includes preparation of the special programs of assistance and support for victims of domestic violence, which includes children, elderly persons, persons with disabilities, persons under guardianship, and other multiple marginalized groups. Indicators for monitoring progress of this measure include availability of the general and specialized services, number of calls to SOS helpline annually, number of safe houses for victims of violence, number of the victims sheltered to the safe houses annually.

¹⁰ Official Gazette of Republika Srpska, no. 116/25

In Federation BiH, the Strategy for Prevention and Combating Domestic Violence for 2024 - 2027¹¹, has been adopted by both houses of the Federation BiH Parliament in 2024. Within the Priority 1: Improving Systemic Prevention of Domestic Violence, planned measures include promotion of tolerance, non-violence, and gender equality in family and society, developing specific programs and quality services aimed to reduce risk of social exclusion of victims of domestic violence and peer violence, especially for gender sensitive categories of society, such as women and children victims of domestic violence, women in risk of poverty and social exclusion, women with disabilities, etc., implementing campaigns aimed for strengthening inter-partner relations and communication with children, promotion of importance of family as the foundation of society, and emphasizing importance of counseling especially in risk categories (children, women with disabilities, underage marriages, etc.)

II. Comprehensive and co-ordinated policies implemented under the responsibility of an adequately mandated and resourced coordinating body (Articles 7 and 10)

5. Which forms of violence against women covered by the Istanbul Convention are addressed by the plan/strategy? Please offer a brief description specifically indicating the forms of violence not previously addressed in plans or strategies at national level.

Both entity level strategies (presented above) are addressing domestic violence, without specifically including measures to combat other forms of violence covered by the Istanbul Convention, including stalking, sexual harassment, female genital mutilation, forced marriage, psychological or sexual violence outside family context as a separate strategic areas.

6. Was specific attention given to place the rights of women victims at the centre of all measures planned?

No.

In Republika Srpska, the new Strategy for Combating Domestic Violence for 2026-2032 adopted by the Republika Srpska Government in December 2025 recognizes, through situation analysis, that women and children are predominant victims of domestic violence through presenting the data on beneficiaries of general and specialized support and assistance in the period preceding adoption of the Strategy. Despite that, all measures planned are using the gender neutral expression "*victims of domestic violence*" without specific reference to, or placing the rights of women victims in the center. Only within the measure 4.2.1. Monitoring implementation of the Law with the purpose of Protection from Domestic Violence, the description includes the reference to "*monitoring of all subjects of protection in cases of domestic violence in which women and children appear as victims/witnesses*".

Results of the independent monitoring of criminal proceedings related to criminal offences that can be recognized as gender based violence in which women and children appear as injured parties (victims) in Republika Srpska, conducted by the Foundation United Women¹² in

¹¹ Official Gazette of the Federation BiH, no. 100/23

¹² Petric, Aleksandra "Access to Justice, Safety and Protection from Violence, Response of the Courts to Violence Against Women and Children", Foundation United Women, 2025., pages 55-56. Full report available at:

cooperation with other women's civil society organizations during 2022-2023, both through direct observing of the court sessions and analysing the verdicts, indicate that women victims were accompanied by their legal representatives/attorneys in less than 5% of court sessions in which they participated to provide testimony. There was not a single case observed where an adult woman victim¹³ as the injured party was accompanied by a person who could provide other types of support in the courtroom. Findings of the monitoring indicate that only one statement by an adult woman victim in a case of Domestic Violence (Art. 190, Para. 3, of the Criminal Code of Republika Srpska) was heard via audio-visual recording in order to avoid her further traumatization. Other few adult women victims who testified during proceedings (as injured parties) did not receive special support as vulnerable witnesses/witnesses under threat through the application of measures of testifying from a separate room or other kind of providing privacy in order to avoid facing the accused, or the right to psychological support that would ensure protection from repeated trauma by revealing details about the violence she experienced. A need was observed to provide such measures by the courts, because, according to the observations of the monitors, a few women victims of violence were traumatized during providing testimonies. Monitoring results also indicate that underage victims of both sexes that witnessed violence or were directly subjected to it were consistently providing testimonies in the courtrooms with support of experts, in accordance with the Law on Protection of Children and Minors in the Criminal Procedure of the Republika Srpska.

In a case for the criminal offence of Domestic Violence (Art. 190, para. 1, of the Criminal Code of Republika Srpska) before a court of first instance, a monitor observed that, during the testimony of a woman victim, the wife of the accused, the judge paid no attention to her testimony, used his mobile phone to send text messages, and laughed throughout the testimony, which made the woman victim even more distressed. During the proceeding, questions of the defence attorney of the accused directed to the woman victim and other witnesses were focusing on examining the circumstances related to her life and habits, her relationship with the children, assessment of her personality and her previous life circumstances, directing the case predominantly to the woman victim and her behaviour, in order to reduce or justify the continuous physical and psychological violence she was subjected to by the perpetrator. In this case, the defence attorney of the accused asked forbidden questions about the woman victim's sex life which the court prevented, after an intervention of her legal representative.

Cases were observed where the court imposed a sanction on perpetrators of violence due to threats and intimidation of women victims.

In the Federation of Bosnia and Herzegovina, the Strategy for Prevention and Combating Domestic Violence for 2024-2027, contains several measures that either place women directly in the center, or refer to women as especially gender sensitive social categories. Within the Priority 1: Improving Systemic Prevention of Domestic Violence, Measure related to Promotion of Tolerance, Non-violence and Gender Equality in a family and society includes following planned actions: developing specific programs and quality services aimed to reducing risk of social

<https://udruzene-zene.org/en/publication/gender-based-violence/access-to-justice-safety-and-protection-from-violence/>

¹³ Referring to women older than 18 years of age

exclusion of victims of domestic violence and peer violence, especially for gender sensitive social groups, such as women and children victims of domestic violence, women in risk of poverty and social exclusion, women with disabilities, etc., implementing campaigns with objective of strengthening inter-partner relations and communication with children, promotion of family as cornerstone of society, and emphasizing importance of counseling work especially with risk categories (children, women with disabilities, underage marriages, etc.). The Measure of Developing Mechanisms of Early Recognizing of Violence and Removing Risk Factors for Domestic Violence includes the following planned action: empowering women through establishing various empowerment programs to reduce economic dependence of women. The Measure of Improving Protection of Violence Victims includes the following planned action: systemic support to a network of available safe houses in sufficient numbers for safe accommodation to victims of violence, especially women and their children. The Measure of Improving Support to Victims of Violence includes the following planned action: continuous implementation, analysis, and adjustments of programs for economic empowerment of women, with special emphasis on connecting multiple marginalized groups, women victims of violence, and women beneficiaries of social protection with the programs of employment and self-employment.

7. Do the plan/strategy and the measures contained therein involve all relevant actors, such as government agencies, the national, regional and local parliaments and authorities, national human rights institutions and civil society organisations?

Partially.

In Republika Srpska, the Strategy for Combating Domestic Violence in Republika Srpska for 2026-2032 contains the detailed overview of the planned measures, and defines responsible actors for implementation of the measures, as follows:

Measure: Continuous informing the public on causes, prevalence, and consequences of violence, as well as actions of subjects of protections that are working on prevention and combating domestic violence (1.1.1.)

Actors: the Ministry of Family, Youth and Sport (as coordinator), the Ministry of Health and Social Protection, The Ministry of Interior Affairs, the Ministry of Justice, the Ministry of Education and Culture, the Ministry of Agriculture, Forestry and Water Management, The Center for Equity and Equality of Sexes, the Council for Combating Violence in a Family and Family Community, subjects of protection (referring to public institutions responsible to respond on domestic violence, including police, judicial institutions, health centers, centers for social work, educational institutions), associations and foundations.

Measure: Improving and implementing educational programs of importance for prevention and combating domestic violence, through educational institutions (1.2.1.)

Actors: The Ministry of Education and Culture (as coordinator), Pedagogical Institute of Republika Srpska, elementary schools, high schools, the Ministry of Interior Affairs, the Center for Equity and Equality of Sexes, preschools, associations and foundations.

Measure: Developing and implementing educational programs of importance for prevention and combating domestic violence, through educational content of the higher education institutions (1.2.2.)

Actors: the Ministry of Family, Youth and Sport (as coordinator), the Ministry of Scientific and Technological Development and Higher Education, universities, faculties, the Ministry of Interior Affairs, the Ministry of Justice, the Center for Equity and Equality of Sexes, subjects of protection, associations and foundations.

Measure: Developing and implementing mandatory educational programs of importance for prevention and combating domestic violence, for decision makers, representatives of subjects of protection and media (1.2.3.)

Actors: The Ministry of Family, Youth and Sport (as coordinator), the Ministry of Interior Affairs, the Ministry of Health and Social Protection, the Ministry of Justice, the Ministry of Education and Culture, the Center for Equity and Equality of Sexes, the Institute for Social Protection, subjects of protection, media, associations and foundations.

Measure: Improving multi-disciplinary and coordinated system of protection of domestic violence victims (2.1.1.)

Actors: the Ministry of Family, Youth, and Sport (as coordinator), units of local self-governance, subjects of protection, the Center for Equity and Equality of Sexes, associations and foundations.

Measure: Efficient implementation of emergency protection measures and protective measures, as well as reducing risk from repeating violence (2.1.2.)

Actors: The Ministry of Family, Youth, and Sport (as coordinator), subjects of protection from domestic violence.

Measure: Support to domestic violence victims through general and specialized services (2.2.1.)

Actors: The Ministry of Family, Youth, and Sport (as coordinator), the Ministry of Health and Social Care, the Ministry of Justice, the Center for Providing Free Legal Assistance, subjects of protection from domestic violence, associations, foundations, units of local self-governance.

Measure: Economic empowerment of domestic violence victims (2.2.2.)

Actors: The Ministry of Family, Youth and Sport (as coordinator), Ministry of Labor, and Veterans' Disability Protection, the Ministry of Education and Culture, the Ministry of Health and Social Protection, the Ministry of Justice, the Ministry of Agriculture, Forestry and Water Management, the Secretariat for Displaced Persons and Migrations of Republika Srpska, centers for social work, units of local self-governance, associations and foundations.

Measure: Protection of domestic violence victims in emergency/crisis situations (2.2.3.)

Actors: The Ministry of Family, Youth, and Sport (as coordinator), subjects of protection from domestic violence, safe houses and providers of SOS support services, units of local self-governance.

Measure: Work with perpetrators of domestic violence (2.2.4.)

Actors: The Ministry of Health and Social Care (as coordinator), the Institute for Social Protection, subjects of protection from domestic violence.

Measure: Analysis of the public prosecutors and court practice and improving legal framework (3.1.1.)

Actors: The Ministry of Justice (as coordinator), the Ministry of Family, Youth, and Sport, associations and foundations.

Measure: Strengthening the role of judiciary in domestic violence cases (3.1.2.)

Actors: The Ministry of Family, Youth and Sport (as coordinator), the Ministry of Justice, the Center for Equity and Equality of Sexes, the Center for Education of Judges and Prosecutors, associations and foundations, a working group appointed for preparing the resource package.

Measure: Reporting and researches about domestic violence (4.1.1.)

Actors: The Ministry of Family, Youth and Sport (as coordinator), the Ministry of Interior Affairs, the Ministry of Health and Social Care, the Ministry of Justice, the Ministry of Education and Culture, the Center for Equity and Equality of Sexes, the Council for Combating Violence in a Family and Family Community, units of local self-governance, subjects of protection from domestic violence, the Institute for Statistics, the Institute for Social Protection, Human Rights Ombudsman of Bosnia and Herzegovina, the Ombudsman for Children of Republika Srpska, universities, associations and foundations.

Measure: Monitoring implementation of laws with the purpose of protection from domestic violence (4.2.1.)

Actors: The Ministry of Family, Youth and Sport (as coordinator), the Ministry of Interior Affairs, the Ministry of Health and Social Protection, the Ministry of Justice, the Ministry of Education and Culture, the Ministry of Administration and Local Self-Governance, the Center for Equity and Equality of Sexes, the Council for Combating Domestic Violence, units of local self-governance, subjects of protection from domestic violence, associations and foundations.

Measure: Implementation of international standards and good practices (4.2.2.)

Actors: The Ministry of Family, Youth and Sport (as coordinator), the Ministry of Interior Affairs, the Ministry of Health and Social Protection, the Ministry of Justice, the Ministry of Education and Culture, the Center for Equity and Equality of Sexes, the Council for Combating Domestic Violence, associations and foundations.

In the Federation of Bosnia and Herzegovina, the Strategy for Prevention and Combating Domestic Violence for 2024-2027, defines specific measures and actors responsible for implementation, which are namely the entity level ministries in the Federation BiH Government involved in the Coordination Body for Monitoring and Implementation of the Strategy, and the Gender Center of the Federation of Bosnia and Herzegovina, with no specific plans for involvement of the national human rights institutions or civil society organizations.

9. Please specify the mandate, powers, and competences, as well as the composition, of the co-ordinating body/bodies:

In March 2026, the Ministry of Family, Youth, and Sport of Republika Srpska (hereinafter: MFYS RS) adopted a decision for establishing the Coordination Body for Implementation of the Strategy for Combating Domestic Violence of Republika Srpska for 2026-2032.¹⁴ The Coordination Body appointed members are women and men representatives of the following institutions and organizations: MFYS RS, the General Secretariat of the Republika Srpska Government, the Ministry of Interior Affairs of Republika Srpska, Ministry of Justice of Republika Srpska, Ministry of Health and Social Protection of Republika Srpska, the Institute for Social Protection of Republika Srpska, the Ministry of Education and Culture of Republika Srpska, the Center for Equity and Equality of Sexes of Republika Srpska, the District Public Prosecutor's Office of Banja Luka, the Basic Court in Bijeljina, and the Foundation United Women from Banja Luka. The Decision indicates that the Coordination Body is tasked with monitoring implementation of the planned priorities and measures, and coordination of the planned activities among responsible actors.

In December 2024, the Government of the Federation of Bosnia and Herzegovina adopted a decision on establishing the Coordination Body for monitoring implementation of the Strategy for Prevention and Combating Domestic Violence for 2024-2027. Composition of the Coordination Body includes women and men representatives of the Federal Ministry of Justice, the Federal Ministry of Interior Affairs, the Federal Ministry of Labor and Social Policy, the Federal Ministry of Health, the Federal Ministry of Education and Science, the Federal Ministry of Culture and Sport, the Federal Institute for Programming of Development, and the Gender Center of the Federation of Bosnia and Herzegovina, as the coordinator of this Body¹⁵

III. Financial resources (Article 8)

12. Have your authorities allocated specific funds at the national, and/or regional, and/or local levels of government for activities to prevent and combat all forms of violence against women covered by the Istanbul Convention?

12.1 If yes, what is the annual amount of these funds? If possible, please specify the percentage of the total national state budget that is the amount represents.

Partially.

In Republika Srpska, the Law on Protection from Domestic Violence¹⁶ financial resources for temporary sheltering and accommodation of the victims of violence in the safe houses are provided by the budget of Republika Srpska in amount of 70%, and budgets of local self-governance units in amount of 30% of determined costs of sheltering a victim of domestic violence. The Republika Srpska annual budget has two budget lines related to addressing

¹⁴ Decision of the MFYS RS no. 20.05/012-546/26, adopted at 11 March 2026

¹⁵ Report on the Implementation of the Strategy for Prevention and Combating Domestic Violence in the Federation of Bosnia and Herzegovina 2024-2027 during 2024, page 12, Government of the Federation of Bosnia and Herzegovina, document no. 03-33-1486-2/2023, date: 05.09.2025.

¹⁶ Official Gazette of Republika Srpska, no. 102/2012, 108/2013, 82/2015 and 84/2019

domestic violence in the budget of MFYS titled “Allocations for the care for victims of domestic violence”¹⁷ and “Project and program activities of the Council for Suppression of Domestic violence”¹⁸ Annual planned allocations for the care for victims of domestic violence were, as follows: 340,000 BAM in 2022, 300,000 BAM in 2023, 480,000 BAM in 2024, and 400,000 BAM in 2025, while annual planned allocations for the project and program activities of the Council for Suppression of Domestic Violence were, as follows: 6,000 BAM in 2022, 6,000 BAM in 2023, 4,800 BAM in 2024, and 6,000 BAM in 2025.¹⁹ The allocations for the care for victims of domestic violence were distributed by the MFYS to three women’s civil society organizations that run the safe houses for women and children victims of domestic violence in Republika Srpska: the Foundation United Women in Banja Luka, the Citizens’ Association Buducnost in Modrica, and the Foundation Lara in Bijeljina, based on the public call. All three safe houses are registered in the Register of Safe Houses run by the MFYS, based on the Law on Protection from Domestic Violence of Republika Srpska. Annual licence costs for the SOS helpline number 1264 for supporting victims of domestic violence is paid by MFYS to the BiH Regulatory Agency for Communications and telephone company hosting the number, from the above mentioned budget line for project and program activities.

Allocations of the local self-governance units in the amount of 30% of determined costs of sheltering victims of domestic violence, as stipulated by the Law on Protection from Domestic Violence of Republika Srpska, have been limited and inconsistent. For example, in the period 2021-2023, the Safe House in Banja Luka run by the Foundation United Women accommodated a total of 36% of women and children domestic violence victims from Prijedor, Ribnik, Kneževac, Brod, Novi Grad, Kozarska Dubica and Šipovo, for which funds from the budgets of local communities were not refunded. The Safe House in Bijeljina, run by the Lara Foundation, provided shelter and support to a total of 41% of women and children who were victims of violence from Lopare, Ugljevik, Bratunac and Zvornik for which funds from the budgets of these local communities were not reimbursed. The Safe House in Modriča, operated by the Citizens’ Association Buducnost accommodated 42% of women and children who were victims of violence from the local communities of Doboj, Modriča, Šamac, Vukosavlje, Petrovo, Derventa, Pelagićevo, Donji Žabar and Brod, for which funds were reimbursed from these local communities.²⁰

There are no other budget lines in the budget of Republika Srpska designated specifically for prevention and combating other forms of violence against women, including those covered by the scope of the Istanbul Convention.

14. Have your authorities taken measures to foster long-term and sustainable financial support for non-governmental organisations working to support victims and prevent violence?

¹⁷ Budget code 416300 of the Annual Budget of Republika Srpska

¹⁸ Budget code 412900 of the Annual Budget of Republika Srpska

¹⁹ Source: annual public budgets of Republika Srpska for 2022-2025

²⁰ From Formal Obligation to Actual Progress, Response to gender-based violence against women in Bosnia and Herzegovina, Monitoring the situation 2022-2023, Foundation United Women, 2023, page 41. Available at:

<https://udruzene-zene.org/en/publication/gender-based-violence/from-formal-obligation-to-actual-process-monitoring-the-situation-2022-2023/>

Partially.

In Republika Srpska, costs of provided specialized support and assistance to women victims of domestic violence, and other forms of gender based violence covered by the scope of the Convention, which are not beneficiaries of the safe houses, including legal assistance and representation at the court, psychological support, providing support of the person of trust (only for the victims of domestic violence²¹), providing SOS helpline support by counselors, supporting victims of violence in exit strategies from violence through economic empowerment as well as activities aimed at prevention of violence (e.g. awareness rising campaigns, researches, monitoring, etc.) are provided predominantly by women's civil society organizations based on available project and/or core support through international donations, and more recently socially responsible private companies.

IV. Non-governmental organizations and civil society (Article 9)

16. Have your authorities taken measures contributing to further recognise, encourage and support the work of relevant non-governmental organisations and of civil society active in combating all forms of violence against women covered by the Istanbul Convention, including in terms of funding and co-operation?

Partially.

In Republika Srpska, contribution of SOS helpline (1264) for victims of domestic violence operators, team members of the three women's civil society organizations that also run the safe houses is provided based on their voluntary or additional work, for which they are occasionally compensated depending on financial resources fundraised through projects and core funding from international donations. In 2025, based on the preliminary findings of the research on costing services of violence against women,²² the Foundation United Women submitted to the MFYS the initiative aimed for planning the financial resources in 2026 budget for SOS helpline and the safe houses for victims of domestic violence based on optimal costs, which remained with no response.²³

In Federation BiH, SOS helpline for victims of violence has been recently regulated by the new Law on Protection from Domestic Violence and Violence Against Women, which entered into force in March 2025.²⁴ The Law prescribes that *"Federal Ministry of Labor will, with the technical support of the Federal Ministry of Traffic and Communication, ensure establishing 24-hour free SOS telephone covering entire Federation, with objective of providing advices and providing support to the victims of violence, confidentially, i.e. preserving their anonymity in relation to all forms of*

²¹ Article 21a, para. 1 of the Law on Protection from Domestic Violence of Republika Srpska regulates that the victim can, prior or during the proceeding, choose a person of trust that will be present during one or more proceedings or actions in relation to protection from domestic violence.

²² Research in progress under title "At What Cost? - Costing Services for Violence against Women" is part of the regional project "Institutionalising Quality Rehabilitation and Reintegration Services for Violence Survivors II", supported by the Austrian Development Agency, in which the Foundation United Women is participating as a partner organization from Bosnia and Herzegovina.

²³ Full text of the initiative available at: <https://udruzene-zene.org/en/documents/initiatives/initiative-for-costs-of-services-for-victims-of-violence-against-women-in-2026-in-the-republika-srpska/>

²⁴ Article 71, Official Gazette of the Federation BiH, no. 19/25

violence covered by this Law. (para 1). It also regulates that “functioning and work of SOS helpline is ensured and financed from the budget of the Federation, and its work, servicing, counseling and functioning are regulated by the bylaw on the functioning of the SOS telephone line, which is adopted by the Federal Minister of Labor and Social Policy in consultation with the Gender Center of the Federation of Bosnia and Herzegovina.” (para. 2). SOS helpline (1265) existed in the Federation of BiH prior adoption of this Law, and women’s civil society organizations were involved in providing counseling support, with voluntary and additional work contribution, and occasional funding secured through projects and core funding provided from international donations. Similarly like in the Republika Srpska, the Foundation United Women prepared and sent to the Federation BiH Ministry of Labor and Social Policy the initiative aimed to advocate for planning the financial resources in 2026 budget for SOS helpline and the safe houses for victims of domestic violence based on optimal costs.²⁵ In its response, the Federal Ministry of Labor and Social Policy stated that the bylaw for SOS helpline has been prepared and that the Ministry planned financing of the accommodation of the victims in the safe houses and covering current annual expenses related to providing support services of SOS telephone line in the Federation BiH budget, without stating the planned amount.²⁶ In the period of preparing this input (March 2026), the bylaw on functioning of the SOS telephone is still not adopted.

There are examples of positive practice of measures taken by authorities at the local level in Bosnia and Herzegovina aimed at improving cooperation, support, and funding of the nongovernmental organizations working on prevention and combating violence against women.

In 2025, the Foundation United Women received support from the City of Banja Luka through allocation of city owned apartment for temporary housing of women and children leaving the safe house for victims of domestic violence in Banja Luka²⁷, as a support measure in their rehabilitation from violence and social integration. The apartment is under management of the Foundation United Women, and women with children that leave the safe house can use it rent free for up to 12 months, with the obligation to cover the utility costs. Two women and three with children that left the safe house are currently using this service. Such a practice has not been established in other local communities of Bosnia and Herzegovina.

In 2023, the City of Sarajevo adopted a decision to support the safe houses for victims of domestic violence through allocating financial resources for supporting the eight women’s civil society organizations that run the safe houses for women victims of violence. This decision was adopted by the City Council, and support was ensured in continuity for 2023 in amount of 240000 BAM, in 2024 in amount of 90000 BAM, in 2025 in amount of 150000 BAM, and in 2026 in amount of 200000 BAM.²⁸

²⁵ Full text of the initiative available at: <https://udruzene-zene.org/en/documents/initiatives/initiative-for-costs-of-services-for-victims-of-violence-against-women-in-2026-in-the-federation-of-bosnia-and-herzegovina/>

²⁶ Response Letter from the Federal Ministry of Labor and Social Policy no. 01 -31 /1 3-21 05125 SK/ASDŽ, dated 16.09.2025.

²⁷ Official Gazette of the City of Banja Luka, no. 12/25

²⁸ News articles about the City of Sarajevo allocated support for the women’s civil society organizations running the safe houses for victims of violence in Bosnia and Herzegovina: <https://www.klix.ba/vijesti/bih/grad-sarajevo-potpisao-ugovore-o-pomoci-sa-svim-sigurnim-kucama-u-bih/231107183>

V. Data Collection and Research (Article 11)

21. In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 11, which were not covered by the questions above, please report on these measures.

Bosnia and Herzegovina have no common database on all forms of violence against women and domestic violence at the state level. There is the lack of clear methodology as well as legal, administrative and political obstacles for developing a joint system for data collection and analysis. Data collection on various forms of violence against women covered by the scope of the Istanbul Convention by public institutions that process cases of violence and provide support and assistance to victims of violence remains incomplete and inconsistent.

Different public institutions use their own methodology and forms to collect data on cases of violence, which makes it impossible to compare data and consistently monitor the state and response to violence against women and domestic violence, as well as their use in the context of defining measures and activities within public policies. Data collected within public institutions are only partially publicly available, through periodic publications.

Data on the pathway of cases of violence against women and domestic violence through the system are only partially publicly available. For example, the MFYS of Republika Srpska collects and publishes data from public institutions in the Republika Srpska that are recognized as subjects of protection against domestic violence (police, prosecutor's offices, courts, centers for social work, health and educational institutions). The data is collected on a semi-annual basis and is available on the website of the Ministry. The data, among other things, contain information on the number and type of emergency protection orders and protection orders proposed by the individual public institutions that are recognized as subjects of protection from domestic violence, and number of measures imposed by the courts, as well as the gender and age structure of the persons to whom they were imposed. Data on the number of violated protection orders and imposed sanctions due to violation of protection orders are not available within these records.

No information is available on whether the collected data on violence against women and domestic violence are systematically compared and analyzed in a way that would enable their use in the context of planning measures aimed at improving the actions of public institutions in the chain of protection.

Data on cases of **femicide** (gender related murders of women) are not publicly available by public institutions, except for data on murders disaggregated by sex of a victim that are periodically published through statistical bulletins at the state and entity levels. These data are incomplete, because they do not indicate the relationship between the perpetrator and the victim, nor other data that would enable a more detailed analysis of cases through the identification of institutional measures in the period prior to the femicide. At the initiative of the BiH Ministry of Human Rights and Refugees, the Agency for Gender Equality, the High Judicial and Prosecutorial Council

<https://radiosarajevo.ba/vijesti/bosna-i-hercegovina/potpisan-ugovor-grad-sarajevo-za-sigurne-kuce-u-bih-izdvojio-90000-km/542596>

<https://fld.ba/bs/novosti/grad-sarajevo-nastavlja-pruzati-podrsku-sigurnim-kucama-u-bih/519>

<https://startbih.ba/clanak/finansijska-podrska-grada-sarajeva-sigurnim-kucama-u-bih/282209>

started recording data on the relationship between the victim and the perpetrator in cases of murders of women.²⁹ Despite that, the statistical publications continue not to include this data.³⁰

Systemic data on various forms of violence against women and domestic violence to which **vulnerable categories of women** are exposed, such as women with disabilities, women in rural areas, Roma women, and other categories are **inconsistently collected and analyzed**. For example, by the Rulebook on Content of Records and Reporting on Domestic Violence in Republika Srpska³¹ within the data that the MFYS of Republika Srpska collects from centers for social work, there is a category in which data on vulnerable groups of women victims of violence should be collected. The description of the rubric is *"other important personal characteristics of the victim that are not listed, for example: national minorities, sexual orientation, pregnant women and others (the number of victims who are additionally vulnerable and potentially discriminated against multiple times due to some personal characteristics or affiliation)*. The data remained missing from the publicly available reports, and recent reports available at the web page of the Ministry³² indicate this category/question has been removed from the report form.

VI. Custody, visitation rights and safety (Article 31)

22. Have your authorities taken measures contributing to ensure that incidents of violence covered by the scope of the Istanbul Convention are taken into account in the determination of custody and visitation rights of children, notably by judicial authorities?

Partially.

The Family Law of Republika Srpska prescribes the obligation to conduct a reconciliation procedure before initiating divorce proceedings (Articles 60–63). However, pursuant to Article 62(1)(4) of the Family Law of Republika Srpska, the guardianship authority is not required to schedule a reconciliation hearing where a court decision has established that one of the spouses committed domestic violence against the other spouse or against a children or adopted child, where the court has imposed an emergency protection measure or a protective measure related to domestic violence, or where the prosecutor has issued an order to initiate an investigation for the criminal offence of domestic violence. In such cases, the guardianship authority issues an official note confirming the impossibility of conducting the reconciliation procedure, which has the legal effect of a record of an unsuccessful reconciliation attempt.

Although the law provides for these exceptions, significant shortcomings exist in practice due to the absence of a systematic mechanism for the exchange of information between institutions. Criminal judgments, decisions imposing protective measures, or prosecutorial orders initiating investigations are delivered only to the parties involved in the proceedings, while the guardianship authority is not designated as a mandatory recipient of such decisions. The consequence of this

²⁹ Statement of the Board for Monitoring Implementation and Reporting on the Istanbul Convention and Femicide on the occasion of the femicide in Gradacac: <https://arsbih.gov.ba/saopstenja-odbora-za-pracenje-provedbe-i-izvjestavanje-po-istanbulskoj-konvenciji-i-femicidu-u-bosni-i-hercegovini-povodom-femicida-u-gradaccu/>

³⁰E.g. The latest Thematic Bulletin "Women and Men in Bosnia and Herzegovina", published by the Agency for Statistics of Bosnia and Herzegovina in 2026, contains the data on violent deaths by sex of a victim and type of death (accident, suicide, murder), page 35 https://bhas.gov.ba/data/Publikacije/Bilteni/2026/FAM_00_2025_TB_1_EN.pdf

³¹ Official Gazette of Republika Srpska, no. 58/21

³² From the report covering the period July - December 2023 onward

normative and institutional gap is that guardianship authorities, when scheduling reconciliation hearings or when assessing risks and providing expert opinions regarding the exercise of personal contact between a child and a parent, often do not have access to relevant information on domestic violence and are therefore unable to adequately take such circumstances into account.

A similar problem arises in court proceedings concerning child custody and the regulation of parental responsibilities. Courts deciding in family law matters often lack information about domestic violence that has been addressed in other proceedings (criminal or misdemeanour proceedings). Consequently, incidents of domestic violence are not always considered when making decisions on custody and visitation arrangements, which result in decisions that do not ensure the safety and well-being of victims and children.

Case Study: M.I. – Challenges in Child Handover and Exposure to Family Violence³³

M.I. left an abusive marriage in March 2020 and, for the first time, reported domestic violence committed by her former spouse, D.I., to the police. Following the divorce, finalized by the Basic Court in Banja Luka on 14 May 2021 (Case No. 71 0 P 340073 21 P), custody of their minor daughter, E.I., was awarded to M.I., while contact with the father was regulated through an agreement facilitated by the Center for Social Work (CZSR), Banja Luka, in September 2022 (Ref. No. 02-UP/I-60253-68/22 DBR).

In September 2023, D.I. was convicted of domestic violence against M.I. (Basic Court Banja Luka, Case No. 71 0 K 33420 21 K), highlighting a pattern of abusive behavior. Despite this, ongoing difficulties have arisen regarding the child's handover after contact with the father. M.I. reports that D.I. refuses to return E.I. to her after contact periods and insists that she comes to his family home to take over the child. This requirement is not stipulated in the CZSR agreement and exposes both M.I. and E.I. to distress and intimidation.

During these handovers, D.I. engages in verbal and psychological abuse in the presence of the child. M.I. also expressed concern that E.I. witnesses D.I. physically assaulting his own mother during visits, potentially affecting the child's emotional well-being. M.I. has repeatedly contacted the CZSR for assistance, but her concerns have not been adequately addressed.

To protect her daughter and ensure compliance with the contact arrangement, M.I. engaged legal counsel and filed a lawsuit requesting modifications to the contact schedule, including reduced time with the father and revised handover procedures. She also filed a police report in August 2024 regarding a recent incident during child handover, in which D.I. threatened her verbally in front of the child.

United Women Foundation has supported M.I. by sending letters to the CZSR and the Ombudsman for Children RS to highlight the non-compliance with contact arrangements and the risks posed by exposure to family violence. Supporting documents include the court ruling

³³ <https://www.youtube.com/watch?v=plF33QwIDhQ> - Testimony of a Survivor

convicting D.I., the CZSR contact regulation, police reports, and prior correspondence with the CZSR.

M.I. continues to face fear and anxiety regarding the child's safety during contact periods. With legal support, she has successfully obtained a decision to reduce the father's contact with the child. However, the visits are still unsupervised, raising ongoing concerns about the child's exposure to potential harm. This case underscores the persistent challenges faced by survivors of domestic violence in enforcing legal protections and safeguarding their children's well-being, even when formal legal measures are in place.

VII. Immediate response, prevention, and protection (Article 50)

Partially.

25. Enhancing the training of law enforcement officials on the gendered nature of violence against women and its consequences

Domestic violence is classified as part of general crime, meaning that first responders are usually uniformed police officers, who in most cases are not criminal investigators certified for specialized risk assessment. Currently, there are no dedicated domestic violence units³⁴, so initial contact and immediate interventions are handled by officers without specialized training in gender-sensitive approaches. This situation limits the ability to immediately apply protective measures and provide victims with comprehensive information.

Both the Law on Protection from Domestic Violence of Republika Srpska and the Law on Protection from Domestic Violence and Violence against Women in the Federation of Bosnia and Herzegovina establish the mandatory risk assessment of repeated domestic violence. In Republika Srpska, a limited number of criminal investigators have completed specialized training and certification to conduct these assessments. However, because they rarely engage in first contact with victims, risk assessments and related interventions generally occur after the initial response, which constrains their effectiveness. In the Federation of BiH, the law has only recently been adopted, and no publicly available information exists regarding specialized training for law enforcement, meaning implementation is still in its early stages.

³⁴ Overall crime in the Republic of Srpska in the period 2014–2024 decreased by 50%, while the number of criminal offenses in which women are victims increased by the same percentage. The criminal offense of **domestic violence or violence within the family unit** has recorded a significant increase: its share rose from 4.12% (2014) to 17.02% (2024), meaning that nearly one in five reported criminal offenses is precisely domestic violence.

Furthermore, the rate of domestic violence in the Republic of Srpska is **84 reported criminal offenses per 100,000 inhabitants**, which is higher compared to the Federation of Bosnia and Herzegovina, the Brčko District, and Montenegro. According to the so-called "crime clock," a case of domestic violence is reported in the Republic of Srpska every 6.5 hours – which means three cases per day. Data available at <https://udruzene-zene.org/publikacije/rodno-zasnovano-nasilje/statisticki-pokazatelji-i-trendovi-nasilja-u-porodici-i-nasilja-nad-zenama/>

Despite these data, there are **no specialized units or teams within the criminal police** that deal exclusively with domestic violence and violence against women, in order to ensure a professional, continuous, and sensitized approach to victims and effective prosecution of perpetrators; nor is there continuous training and professional supervision of police officers' conduct, in accordance with the **Law on Protection from Domestic Violence** and the **Law on Police and Internal Affairs of the Republic of Srpska**.

The legal framework specifies that risk assessments should be carried out for every report of domestic violence, including evaluation of the likelihood of repeated violence based on clearly defined criteria. While the laws provide for early-stage risk assessment and victim information, the practical application remains uneven, directly affecting victims' trust in law enforcement and their willingness to engage with the justice system.

In Bosnia and Herzegovina, criminal offences of domestic violence are generally classified as part of general crime within the work of the prosecution services, except in larger prosecutor offices, where dedicated prosecutors handle these cases within Departments for Sexual and Violent Crimes. At the same time, family courts do not exist in the country, and cases of violence against women are handled by judges operating within criminal or misdemeanor departments, where emergency and protective measures are issued as part of their proceedings.

Training of judges and public prosecutors in Republika Srpska is implemented through the programmes of the Centres for the Education of Judges and Public Prosecutors at the entity level, as well as through joint trainings organised in cooperation with the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, pursuant to the Law on the Centre for the Education of Judges and Public Prosecutors³⁵.

Specialised induction seminars are organised for all newly appointed judges and prosecutors, covering a range of topics. However, an analysis of training programmes conducted in the period 2020–2025 indicates that none of the induction training for **newly appointed judges and prosecutors** included modules specifically addressing violence against women or domestic violence.

In addition to induction training, judges and prosecutors are required to attend at least three days of professional training per year, on topics of their own choosing. As a result, there is a real possibility that judges and prosecutors may begin and continue performing their duties without having attended any training on domestic violence or violence against women.

The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC BiH). Letter No. 08-08-5-889-1/2024 dated 27 February 2024, addressed to municipal and basic courts in the Federation of BiH, Republika Srpska, and Brčko District, relates to activities concerning the judicial protection of victims of domestic violence. In this letter, the Council emphasizes the importance of ensuring an independent, impartial, and professional judiciary, with a particular focus on the effective protection of victims of domestic violence. Among the recommendations arising from the letter is the need for systematic and specialized training of judges handling domestic violence cases, as well as the engagement of judges who are professionally trained in this field. Courts are obliged to maintain records of training, seminars, and courses attended by judges, and the HJPC BiH collects this information on an annual basis.

³⁵Law on the Center for Education of Judges and Public Prosecutors of the Republika Srpska <https://rs.cest.gov.ba/download/zakon-o-centru-za-edukaciju-sudija-i-tuzilaca-u-republici-srpskoj>
Law on the Center for Judicial and Prosecutorial Training in the Federation of Bosnia and Herzegovina <https://www.fbihvlada.gov.ba/bosanski/zakoni/2002/zakoni/>

The Centers for the Education of Judges and Prosecutors of Republika Srpska (CEST RS) and the Federation of BiH (CEST FBiH) have a points-based system and are recognized as professional development programs, but they **are not mandatory for all judges and prosecutors handling cases of violence against women**. Additionally, the HJPC letter refers **exclusively to cases of domestic violence** and does not cover other forms of violence against women, and the content of the letter constitutes a **recommendation, not a binding act**.

In this context, although institutional support and a framework for training exist, it is necessary to further strengthen a systematic approach to training, particularly in the area of understanding gender-based violence and its consequences, so that all judges and prosecutors have consistent, professional, and sensitive practices when dealing with victims.

Ensuring a sufficient number of female police officers

In Bosnia and Herzegovina, at the level of the entities and the Brčko District, in cases of reporting domestic violence and other forms of violence against women, victims most often contact police stations directly or call the emergency number 122. The first response is provided by uniformed police officers, who act operationally and take further measures in accordance with their legal powers.

However, available data indicate a significant lack of female police officers in operational roles. According to data from the Agency for Gender Equality of Bosnia and Herzegovina, there are approximately 1,501 female police officers (with the status of police officer), representing around 9% of the total number of police officers³⁶. This percentage points to a pronounced underrepresentation of women, particularly considering that police officers are the first point of contact for victims of violence.

Although some progress has been made in recent years in terms of women's access to police academies, recruitment practices still reflect a considerable gender imbalance. For example, public calls for enrollment at the Police Academy of the Ministry of Interior of Republika Srpska allocate significantly fewer positions for women. In the competitions for the XXVIII and XXIX classes of police training, a total of 150 cadets were planned for enrollment, of which 130 were men and only 20 were women³⁷. This structure directly affects the future composition of the police force, as these cadets will serve across the territory of Republika Srpska.

Given that the course and quality of institutional response largely depend on the first contact a victim has with authorities, it is essential to ensure a sufficient number of female police officers to handle cases of violence against women. The current number of women employed in the police does not allow for the systematic availability of female officers in all cases, which may negatively affect victims' sense of safety, their willingness to report violence, and the overall quality of the institutional response.

³⁶ Agency for Gender Equality: Guide for Gender Policies and IPA III Programming in the Security Sector, p. 22, report available at https://arsbih.gov.ba/wp-content/uploads/2023/08/8_LL-Vodic-Sigurnost-Web.pdf

³⁷ <https://mup.vladars.rs/novi-panel/uploads/konkursi/ps/Konkurs%20XXIX%20klasa%20PA%20.pdf>

Therefore, it is necessary to take additional measures to increase the number of women in the police, particularly in uniformed and operational roles, including the introduction of gender-balanced recruitment quotas, targeted measures for the recruitment and retention of women, and continuous monitoring and improvement of gender representation within the security sector.

Setting up premises designed to establish a relationship of trust between the victim and the law enforcement personnel

Domestic violence is classified as part of general crime, which means that the first responders are uniformed police officers. As a rule, these are not specialized investigators who are specifically certified and trained to work on cases of domestic violence and violence against women. Criminal offences of sexual violence, on the other hand, fall under specialized departments dealing with sexual and violent crimes.

The legislative framework on domestic violence clearly stipulates the obligation of all protection actors to inform victims, already at the first point of contact and in a manner understandable to them, about their rights and the available forms of protection and support³⁸. However, despite these normative provisions, there is no publicly available information on standardized procedures guiding how uniformed police officers provide such information in practice.

Feedback from women survivors of violence who seek support from specialized service providers indicates that they often do not receive any additional information about their rights, neither orally nor in the form of printed informational materials.

Within the work of the Police Training Centre of the Ministry of Interior of the Republika Srpska, the Ministry, in cooperation with the United Women Foundation, conducts one-day seminars on handling domestic violence cases for all cadets. These trainings include information on victims' rights, and a "Guidelines for Police Officers on Handling Cases of Domestic Violence"³⁹ has been developed and distributed to the police officers (1100 copies). However, while this document represents a useful tool for strengthening the capacities of police officers and improving their understanding of procedures and victims' rights, it is not designed as an informational resource for victims themselves. In that sense, it is not intended for distribution to victims, nor does it serve as a tool to directly support their understanding of available rights, protection measures, and services.

³⁸ Law on Protection from Domestic Violence and Violence against Women in the Federation of Bosnia and Herzegovina "Protection actors are obliged, upon first contact with a victim of violence, to inform the victim, in a language she understands and in a manner understandable to her, about all rights, protection measures, and services available to her under this Law and other regulations, as well as about institutions, authorities, and legal entities that provide specialized support services referred to in Article 14 of this Law".

Law on Protection from Domestic Violence of the Republika Srpska "Protection actors are obliged, upon first contact, to inform the victim, in a manner understandable to her, about all the rights she has in accordance with this and other regulations, as well as about the institutions, authorities, legal entities and organizations that provide assistance, support and protection."

³⁹ Guidelines for Police Officers on Handling Cases of Domestic Violence; <https://udruzene-zene.org/publikacije/rodno-zasnovano-nasilje/vodic-za-policijske-sluzbenike-za-postupanje-u-slucajevima-nasilja-u-porodici/>

In addition to the quality of the initial contact with victims, the **timeliness of institutional response and the promptness of investigative and judicial actions** play a crucial role in shaping victims' trust in the system. Delays and inefficiencies in handling cases can significantly undermine victims' confidence in institutions and discourage their continued engagement in proceedings.

Although laws on protection from domestic violence at the entity level prescribe the obligation of all subjects of protection (police, health care institutions, the center for social work, and judicial institutions) to act with urgency, such urgency is not systematically embedded within criminal legislation. The Criminal Code of Republika Srpska (Article 190 – Domestic Violence or Violence within the Family or Family Community) defines the offence and sanctions, while the Criminal Procedure Code of Republika Srpska regulates procedural aspects; however, neither framework establishes a general obligation for urgent handling of cases of violence against women and domestic violence. Urgency is explicitly only in cases involving minor victims.

This legislative gap has a direct impact on the duration of proceedings—from the investigation phase and the filing of indictments to adjudication—thereby undermining victims' trust in institutions and discouraging their participation in proceedings. Timely and prompt action is essential to ensuring effective protection and access to justice for victims.

According to data collected from 19 basic courts in Republika Srpska for the period from 2020 to 31 August 2023, the average duration of first-instance criminal proceedings in cases of domestic violence is 166 days. In certain courts, the duration is significantly longer (e.g., Basic Court in Banja Luka – 400 days; Prijedor – 336 days; Gradiška – 310 days), while others demonstrate comparatively shorter timeframes (Foča – 74 days; Trebinje – 100 days), indicating inconsistent judicial practice⁴⁰.

Case study – statute of limitations due to delayed prosecution

Victim reported the violence to the authorities without delay (in 2019); however, the indictment was not filed until five years later. It can therefore be concluded that the statute of limitations occurred as a result of the inefficient conduct of the competent authorities, including the prosecution and the court, which should not operate to the detriment of the injured party.

A decision of the Basic Court in Banja Luka⁴¹ demonstrates the consequences of a delayed institutional response. Criminal proceedings for domestic violence under Article 190 (1) of the Criminal Code of Republika Srpska were discontinued due to the expiry of the statute of limitations.

- The violence was reported on 18 September 2019.

⁴⁰ Petric, Aleksandra "Access to Justice, Safety and Protection from Violence, Response of the Courts to Violence Against Women and Children", Foundation United Women, 2025., page 51.

⁴¹ Case number of the Basic Court in Banja Luka: 71 0 K 448186 25 K; Indictment number of the District Public Prosecutor's Office in Banja Luka: T13 0 KT 00 52432 24, dated 18 December 2024.

- The indictment was filed only on 18 December 2024.
- On 5 March 2026, the court discontinued the proceedings due to the statute of limitations.

Relying on Articles 95 and 96 of the Criminal Code of Republika Srpska, the court found that the legally prescribed time limit for prosecution had expired. As a result, the case could no longer be adjudicated. This case highlights serious shortcomings in ensuring a timely institutional response, leading not only to violations of victims' right to access justice but also to impunity for perpetrators.

Ensuring the efficient collection of evidence so that the reliance on the victim's testimony is lessened

According to data from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC BiH), extracted from the annual overview of crime structure in BiH, in 2024 the district public prosecutor's offices in Republika Srpska received 1,232 reports of criminal offences of domestic violence (Article 190, Criminal Code of Republika Srpska). Indictments were confirmed in 343 cases (30.3%), while investigations were discontinued in 376 cases and not initiated in 245 cases.

Data from the same source indicate that the situation was very similar in 2023. The Lara Foundation has been collecting these data since 2019. These percentages were also comparable to the period when domestic violence in Republika Srpska could be qualified and prosecuted as a misdemeanor (under the Law on Protection from Domestic Violence prior to the 2020 amendments), highlighting those investigating criminal offences of domestic violence is a highly specific process. It requires targeted efforts by both police and prosecutors to secure sufficient evidence to ensure perpetrators are prosecuted and sanctioned whenever reports are justified.

Most investigations into criminal offences of domestic violence are discontinued when the victim, who is the key witness, exercises the right under the Criminal Procedure Code to withdraw from testifying.

An analysis of discontinued cases conducted by the Lara Foundation in 2019, based on a sample of 106 discontinued investigations obtained via the Ministry of Interior of Republika Srpska, showed that investigations in domestic violence cases are not conducted in a standardized manner. Furthermore, not all investigative measures available to police and prosecutors are utilized, including scene inspections where possible, photo documentation, medical examinations, social anamneses, and other investigative actions.

These findings indicate a critical need to improve the systematic and comprehensive collection of evidence in domestic violence cases to reduce the undue reliance on the victim's testimony and ensure that perpetrators are effectively held accountable.

VIII. Emergency barring, restraining or protection orders (Articles 52 and 53)

29. Have your authorities taken measures contributing to ensure the availability of restraining or protection orders to victims of the following forms of violence against women - domestic violence, stalking, sexual violence, sexual harassment, forced marriage, female genital mutilation, forced abortion, forced sterilisation? If yes, please specify:

Partially.

In Republika Srpska, emergency protection orders and protection orders are regulated by the Law on Protection from Domestic Violence of Republika Srpska,⁴² and these apply only in relation to the victims of domestic violence. For other forms of violence against women covered by the scope of the Convention, although the Criminal Code of Republika Srpska recognizes the criminal offences of Female Genital Mutilation (Art.133), Forced Sterilization (Art. 134), Stalking (Art.144), Sexual Blackmailing (Art.166), Sexual Harassment (Art. 170), and Forced Marriage (Art.183), Misuse of Photos and Videos of Sexually Explicit Content (so called revenge porn, Art. 175a) restraining and protection measures remain unavailable for the protection of victims. Security measure of prohibition of approaching and communicating with a certain person, as regulated by the Criminal Code of Republika Srpska (Article 79)⁴³ is available and applicable also to the criminal offences listed above, which are recognized by the Law, but only as a part of the criminal sanction, as the Law defines that purpose of the security measures is *"to remove conditions that may influence the perpetrator to commit criminal offences in a future"*. (Article 71).

In Brčko District of Bosnia and Herzegovina, the current Law on Protection from Domestic Violence⁴⁴ recognizes emergency protection orders (Art. 11-12) which can be imposed by the Basic Court, on proposal of the police or authorized body within 24 hours from the proposal, or bringing the perpetrator to the court (Art. 11, para. 3). Purpose of the emergency protection orders is to eliminate the immediate danger to physical and mental integrity, to prevent the repetition of violence and to guarantee the safety of the victim, and they can be imposed before the initiation of the procedure or during the procedure (Art. 11, para 1). Due to their nature, emergency protection orders can be imposed regardless if the domestic violence is later qualified as a misdemeanor or criminal offence.⁴⁵ If in the latter phase, a public prosecutor qualifies the acts of domestic violence as criminal offence, the protection orders are not available for protection of the victims of domestic violence, as they are recognized as the sanctions against the perpetrators of violence and strictly tightened to the minor offence procedure⁴⁶. The emergency protection orders do not apply to the victims of other forms of violence against women covered by the scope of the Convention, which are recently integrated in the Criminal Code of Brcko District BiH, such

⁴² Emergency protection orders are regulated by the Articles 13 - 14, and protection orders are regulated by the Articles 29-33, Official Gazette of Republika Srpska, no. 102/2012, 108/2013, 82/2015 and 84/2019

⁴³ Official Gazette of the Republika Srpska, no. 64/2017, 104/2018 - decision of the Constitutional Court, 15/2021, 89/2021, 73/2023, "Official Gazette of Bosnia and Herzegovina", no. 9/2024 - decision of the Constitutional Court of BiH, "Official Gazette of Republika Srpska" 105/2024 - decision of the Constitutional Court, 19/2025, "Official Gazette of Bosnia and Herzegovina", no. 14/2025 - decision of the Constitutional Court of Bosnia and Herzegovina, "Official Gazette of Republika Srpska", no. 31/2025 and 85/2025 - decision of the Constitutional Court.

⁴⁴ Official Gazette of Brcko District BiH, no. 7/2018

⁴⁵ Article 5 of the Law for Protection from Domestic Violence of Brcko District BiH defines acts of domestic violence which are considered as a misdemeanor

⁴⁶ See the Article 17 of the Law for Protection from Domestic Violence of Brcko District BiH

as Psychological Violence (Art. 178a), Stalking (Art. 183a), Sexual Blackmailing (Art. 203a), Sexual Harassment (Art. 207a), Forced Marriage (Art. 216a), Misuse of Photos and Videos of Sexually Explicit Content (Art. 206a).

Based on available data, there are significant challenges in the application of emergency and protection orders in Republika Srpska, as the legal framework does not provide detailed regulations on what a proposal for issuing an emergency protection order or protection order by authorized submitters must contain—something that would be useful to include in the provisions of the new law. Furthermore, the procedures and conduct of courts regarding proposals for the issuance of emergency or protection orders are not specified in detail, except for the indication that such measures are to be issued by the competent court within the misdemeanor procedure.

The law also lacks detailed guidance on who is authorized to submit a proposal for issuing an emergency protection or protection order, which measures qualify as emergency or protection orders, when they can be issued, and the legal timeframes within which the court must decide on such proposals.

For more details, see the document: Summary of Conclusions and Recommendations from the Working Meeting held on 22 August 2024 in Banja Luka, regarding the improvement of normative rules and procedures for issuing emergency and protection orders as prescribed by the Law on Protection from Domestic Violence of Republika Srpska⁴⁷.

The current **Rulebook on the Implementation of Urgent and Protective Measures within the Competence of the Ministry of Internal Affairs** (“Official Gazette of RS”, No. 73/2014) is not aligned with the provisions of the amended **Law on Protection from Domestic Violence**, particularly in the following aspects:

According to Article 16, paragraph (1) of the Law on Protection from Domestic Violence, the right to submit a proposal for all protective measures is granted to the police, the guardianship authority, and the victim of violence. However, the current rulebook recognizes only the police as a proposer for measures within its competence. This creates a legal inconsistency and causes confusion among protection actors regarding the authority to initiate proceedings for measures related to mandatory psychosocial treatment and mandatory addiction treatment.

Furthermore, the **General Protocol on Procedures in Cases of Domestic Violence in the Republika Srpska** states that: *“For the purpose of protecting victims of domestic violence, the competent police officer may submit a proposal to the competent court in misdemeanor proceedings for the issuance of a protective measure, which shall be issued within 30 days from the date of submission of the proposal. Protective measures include: removal from the apartment, house, or other residential space, prohibition of approaching the victim of domestic violence or*

⁴⁷ Summary of Conclusions and Recommendations from the Working Meeting held on 22 August 2024 in Banja Luka, regarding the improvement of normative rules and procedures for issuing emergency and protection orders prescribed by the Law on Protection from Domestic Violence of Republika Srpska
https://udruzene-zene.org/wp-content/uploads/2024/12/Sazetak-zakljucaka-i-preporuka-sa-radnog-sastanka-odrzanog-22.08.2024.-u-Banja-Luci_BHS.pdf

the family household, prohibition of harassment or stalking of the victim of domestic violence or the family household, mandatory psychosocial treatment, and mandatory addiction treatment."

In light of the above, it is necessary to update the Rulebook to eliminate the existing inconsistencies, ensure legal certainty, and enable the effective implementation of protective measures in accordance with the law and protocols.

According to the record of domestic violence cases provided to the United Women Foundation by the Ministry of Internal Affairs of the Republic of Srpska (Letter No. S/M - 053 - 13/26, 22 January 2026), the number of reported domestic violence cases in 2025 was **1,017**, while the number of proposed urgent protection measures was **180**, representing less than 20% of the total recorded cases.

Data disaggregated by the jurisdictions of the Police Administrations also point to inconsistent practice. For example, in the territory of the **Banja Luka Police Administration**, 230 cases were recorded, with 20 protection measures proposed, whereas in the territory of **East Sarajevo**, 63 cases were recorded and 31 urgent protection measures were proposed. This highlights the **inconsistency in victim protection depending on the territory in which they live**.

Specific Recommendations

33. Please report on measures taken by your authorities contributing to the implementation of the recommendation to amend the sexual offences provided under the national, entity-level and Brčko District criminal codes to fully incorporate the notion of lack of freely given consent and to specify the type of non-consensual sexual acts that are criminalised, while ensuring that any offence of sexual violence applies between former or current spouses or partners; provide and apply proportionate and dissuasive sanctions for all sexual acts without the consent of the victim, irrespective of personal characteristics (Recommendation A.13, IC-CP/Inf(2022)7).

In Republika Srpska, the criminal offence of Rape remains defined in a way to exclude the notion of freely given consent. Article 165, para (1) defines the act as *"Whoever forces another to rape or a sexual act equated to it by the use of force or the threat of directly attacking the life or body of that person or a person close to him.."* In 2025, the Foundation United Women submitted the initiative to the Ministry of Justice of Republika Srpska to include the lack of freely given consent.⁴⁸ In the period of preparing this contribution, the Foundation United Women received no response on the initiative.

⁴⁸ Full text of the Initiative with justification available (on local language) here: <https://udruzenezene.org/dokumenti/inicijative/inicijativa-za-izmjene-krivcnog-zakonika-republike-srpske-u-opisu-bica-krivcnog-djela-silovanja/>