



REPORT

within the project

**Roma women
for
life without violence**

**Response of institutions
to domestic violence**



M. Mustafe Bašeskije 12/II
Phone/Fax: 033 203 070
Phone/Fax: 033 200 736
E-mail: rights_for_all@open.net.ba

Web: www.rightsforall.ba



ICVA Sarajevo
Radićeva 1/II
Phone: +387 33 210 201
Fax: +387 33 668 297
E-mail: icva@bih.net.ba

Website: www.icva-bh.org



ROMA WOMEN FOR LIFE WITHOUT VIOLENCE
Response of institutions to domestic violence

Sarajevo, November 2011

ROMA WOMEN FOR LIFE WITHOUT VIOLENCE
Response of institutions to domestic violence

This report was produced by:

Prava za sve

in cooperation with

Inicijativa i civilna akcija (ICVA)

and a group of Roma women leaders, representatives of the civil society organisations
(in Alphabetic order)

Bolja budućnost (Tuzla), Budi mi prijatelj (Visoko), Centar za majke Nada (Kakanj), Centar za majke Utjeha (Zenica), Kali Sara (Sarajevo), Ponjir (Ključ), Romano Centro (Zenica), Romska suza (Srebrenica), Romska djevojka/Romani Ćej (Prnjavor), Veseli brijeg (Banja Luka)

Translation: Lejla Efendić

Proofreading in English: Bethany Katherine Gianulis

Production and publishing of the report was supported by



The views expressed in this publication are solely the views of the author and do not necessarily reflect the views of the UN Fund to End Violence against Women, UN Women, the United Nations or any UN agency.

TABLE OF CONTENTS:

I. INTRODUCTION	5
II. ROMA WOMEN FOR LIFE WITHOUT VIOLENCE	5
III. GOAL AND METHODOLOGY USED IN DEVELOPING OF A REPORT	6
1. POLICIES AND LEGISLATIVE FRAMEWORK	9
AGAINST DOMESTIC VIOLENCE	
2. POSITION OF ROMA WOMEN AND DOMESTIC VIOLENCE	11
3. RESPONSE OF THE INSTITUTIONS TO DOMESTIC VIOLENCE	14
IV. WOMEN'S PERSPECTIVES	22
- EXPERIENCES FROM THE PROGRAMMES IMPLEMENTED IN ROMA COMMUNITIES	
V. CONCLUSIONS AND RECOMMENDATIONS	27
VI. ANNEX	33
Team of Roma women leaders and representatives of Roma (women) NGOs who participated in development of the report	
VII. LITERATURE USED FOR DEVELOPMENT OF THIS REPORT	34

I. INTRODUCTION

This report on the monitoring of the implementation of the Law against Domestic Violence is the result of the project, “Roma Women for Life Without Violence”, which has been implemented in Bosnia and Herzegovina over the past two years by the partner organisations, “*Prava za sve*” and “*Inicijativa i civilna akcija*” (ICVA), in cooperation with ten Roma women leaders and representatives of Roma (women’s) NGOs and with the support of the UN Trust Fund to End Violence against Women.¹

For years women's non-governmental organisations have been pointing to violence and discrimination against women, in particular domestic violence, as a serious social problem with far-reaching consequences for the economy and prosperity of the country. On the other hand, in public discourse there is a pervasive attitude that BiH society should be dealing with serious matters such as the economic and social crisis, the consequences of the war and the transition. The rights of women to live free from violence and discrimination are often treated as a secondary issue. This attitude is additionally reinforced by discrepant and often contradictory legislation treating violence against women and/or women's rights. There is a lack of financial and other resources required for implementation of the adopted legislation and policies and there are problems in the implementation of a multidisciplinary approach to violence by various institutions. Economic and social inequality of women and poverty and the patriarchal tradition force women to stay in abusive relationships. Women in BiH often have no choice.

In debates on the equality of women and their right to life free from violence there is very little talk, if any, about the position and rights of Roma women. Multiple discrimination of Roma women including their aggravated access to the right to education, a very low percentage of employed Roma women and their social and political marginalisation are the issues that the institutions rarely and rather superficially deal with. Even within the NGO sector there are very few programmes designed to empower Roma women and achieve equality in both their communities and in BiH society. Rare Romani NGOs have projects focused on women's rights, and only a few of them have programmes oriented towards the rights of women and the combat against discrimination and/or violence against women. There are only a few Roma women leaders who indirectly participated in the adoption of legislation and policies aimed at enhancing the position of Roma or women in BiH.

Roma women rarely address institutions requesting protection and assistance in cases of domestic violence. Women do not know where to look for or how to exercise their rights. Often they are not aware of their right to life free from violence and discrimination. Due to economic inequality and poverty, multiple discrimination in society, and the patriarchal tradition, a large number of Roma women cannot and does not know how to live and survive outside of their families and communities. Roma women with no education or sources of income have no choice and therefore suffer violence.

II. ROMA WOMEN FOR LIFE WITHOUT VIOLENCE

The project, “Roma Women for Life without Violence”, offers some possible solutions to identified problems. Goals of the project are the empowerment of Roma women leaders and

¹ United Nation Trust Fund to End Violence Against Women.

Roma communities in general to fight discrimination and violence against women.² The project aims to include Roma women and their organisations in the process of the adoption of laws and policies that concern them. In the first year of activities under this project a team of twelve Roma women leaders and representatives of Romani (women's) organisations underwent training and, with mentor support from partner organisations, developed and conducted an activist field survey about domestic violence and the position of Roma women in BiH. The results of the survey were consolidated in a report on domestic violence against Roma women in BiH³ and presented to competent authorities and the general public through public debates that took place throughout BiH at the end of 2010. Recommendations that came out as a result of these discussions were used as a basis for development of this report and will be further used in advocating for a better position for Roma women in BiH society and better protection of women against domestic violence.

In early 2011 the activities aimed at raising capacities of Roma women leaders and representatives of Romani (women's) organisations were continued through training and through the implementation of programmes in 10 Roma communities in Bosnia and Herzegovina. This programme implied organisation and implementation of educational meetings in the communities and provided basic information and support to women victims of domestic violence. The project also implied a participatory approach, i.e. Roma women leaders were directly involved in designing and implementing the programmes in the communities under the regular mentor support of the project partners.

Implementation of programmes in the communities has confirmed the results of earlier studies, which suggest that a majority of Roma women do not report domestic violence due to a lack of knowledge about their rights and protection mechanisms as well as due to a lack of trust in institutions. Multiple discrimination against Roma women affects their readiness to report abuse and/or leave violent relationships. The Law on Protection against Domestic Violence is the same for everyone, but in the case of Roma women, lack of education, employment and housing, as well as multiple discrimination against them by the community and especially BiH society, additionally isolates the victims of domestic violence. Therefore, strategic documents on improving the situation of Roma in BiH and the Gender Action Plan and Strategy for the Combat against Domestic Violence at all levels need to be revised and the position of Roma women must be considered with due care.

III. OBJECTIVE AND METHODOLOGY OF THE REPORT

This report focuses on (emergency) protection and assistance mechanisms for victims of violence as exists within/between state institutions (primarily centres for social work and police) and non-governmental organisations and the experiences and opinions of professionals and activists about the mechanisms and possibilities for their improvement. Also, the report focuses on the experiences and needs of Roma women victims of domestic violence, as well as the experience of Roma women leaders in the implementation of programmes in the community, including the provision of information to Roma women in individual cases of domestic violence.

The methodology used in drafting this report included: a) a review of national and entity laws and policies on gender equality and domestic violence, and policies in the area of improving

² Majority of Roma organisations involved in this project have never dealt directly with the problem of domestic violence. They mainly focused on activities in the areas of economic and social problems of Roma people. Only a few organisations worked on domestic violence issues.

³ For more information about the survey and results presented in the report on Domestic Violence against Roma Women in BiH, by "Prava za sve" in partnership with "ICVA" and a group of Roma women leaders, and representatives from civil society organisations, November 2010, see www.pravazasve.ba

the situation of Roma (women) in BiH, b) interviews with representatives from police, ministries of interior, centres for social work, activists and professionals in non-governmental organisations who for years have been providing support and services to women and children victims of violence, and women's activists from Romani non-governmental organisations, and c) a review of the experiences of Roma women leaders in the implementation of programmes in communities and the experiences of Roma women victims of domestic violence.

Due to jurisdictional issues and discrepancies in the entity legislation that treats domestic violence and based on the knowledge of the situation and experiences from the field indicating differences in addressing violence, this report focused on one larger and one smaller city in each of the entities.

We would like to thank the following representatives of state institutions for their time and shared experiences: i.e. Centres for Social Work in Banja Luka, Zenica, Visoko and Prnjavor, the Ministries of the Interior in Banja Luka and Zenica, Police Departments in Prnjavor, Zenica and Visoko, inspectors for sexual assault and crimes against life and body (domestic violence) in Banja Luka and Zenica. We would like to extend a special thanks to the following representatives of women's non-governmental organisations: Medica Zenica, *Udružene žene* from Banja Luka, Ms. Fatima Bećirović, a social worker in the *Vive Women* Association in Tuzla, and representatives of the Roma (women's) organisations, especially in Banja Luka, Zenica, Visoko and Prnjavor, Sarajevo, Ključ, Tuzla, Kakanj and Srebrenica for their generous support and assistance in preparing this report. Also, we would like to especially thank the women for their readiness to share their life stories and experiences with us.

1. POLICIES AND LEGAL FRAMEWORK FOR COMBAT AGAINST DOMESTIC VIOLENCE

Domestic violence is barred as a criminal offence in Bosnia and Herzegovina. Furthermore, domestic violence is regulated through several laws. The Gender Equality Act⁴ prohibits, *inter alia*, domestic violence as a form of discrimination and gender based violence. The competent authorities are obliged to “take appropriate measures to eliminate and prevent gender-based violence in public and private life, and to provide instruments for protection, assistance and compensation to victims.”⁵ Domestic violence is forbidden and punishable under the criminal codes of both entities.⁶ Both entities have adopted specific legislation in this area: the FBiH Law on Protection against Domestic Violence⁷ and RS Law on Protection against Domestic Violence⁸ aiming to ensure the protection of victims of violence as a matter of urgency and without complicated procedures. Both laws provide definitions of family and domestic violence and anticipate protective measures against these phenomena.⁹ Family laws in both entities also anticipate protection of families against violence in several provisions.¹⁰

The Strategy on Prevention and Fight against Domestic Violence at the state level has been adopted for the period 2009-2011, as well as entity strategies: the Strategy for Combating Domestic Violence in RS by 2013 and the Strategic Plan for the Prevention of Domestic Violence for the Federation for the period 2009-2010. Chapter XI of the BiH Gender Action Plan (GAP)¹¹ anticipates a range of activities aimed at eradicating violence against women and men in public and private spheres of life, including domestic violence. In some areas there have been protocols signed on intervention in domestic violence cases that involve the joint action of a number of institutions and NGOs.¹²

BiH does not have reliable methods for data collection and consequently it has no reliable statistics on domestic violence. Therefore, it is difficult to talk about the number of women who suffer domestic violence or speak with certainty about the results of the implementation of adopted laws and policies in this area. It is particularly difficult to reliably establish the number of women who suffer violence in relation to the number of women who reported domestic violence, or a correlation between the number of reported cases compared to the overall number of the cases and the judgments in these cases pronounced before the courts in BiH.

According to data available from the competent courts in the Federation, in the period 2006-2010, there were a total of 1275 domestic violence cases. Of that, in most cases the outcome was a suspended sentence and, in a much lesser number of cases, the outcome was a fine,

4 Article 6 of the BiH Gender Equality Law (consolidated text), “Official Gazette of BiH” No. 32/10

5 Article 6, paragraph 4 of the BiH Gender Equality Law

6 Article 222. “Domestic Violence,” Criminal Code of the Federation of Bosnia and Herzegovina (FBiH), “Official Gazette of FBiH” Nos. 36/03, 21/04 and 18/05 and Code of Criminal Procedure of the Federation of Bosnia and Herzegovina “Official Gazette of FBiH”, Nos. 35/03, 37/03, 56/03, 78/04, 28/05, 55/06, 27/07, 53/07, 64/07, Article 142a, Section 4. “Restrictive measures” stipulate measures that can be also imposed to domestic violence cases;

Article 208. “Domestic violence,” Criminal Code of Republika Srpska (RS), “Official Gazette of RS”, No. 49/03, and Code of Criminal Procedure, “Official Gazette of RS” Nos. 50/03, 115/04, 29/07 and 68/07 stipulate restrictive measures such as ban on visiting certain places and meeting certain people.

7 Law on the Protection against Domestic Violence of the Federation of BiH, Official Gazette of FBiH, Nos. 22/05 and 51/06

8 RS Law on Protection against Domestic Violence, “Official Gazette of RS” Nos. 118/05 and 17/08

9 Protective measures include: removal from the apartment, house or other dwelling and being barred from returning to that apartment, house or other dwelling; a restraining order; protection of the victim of domestic violence; prohibition from harassment and stalking; mandatory psycho-social treatment (in the institution ordered by the court); mandatory rehabilitation of the abuser and community work (the Law in RS anticipates this measure as well).

10 Family Law of RS (Official Gazette of Republika Srpska No. 54/02) and Family Law of FBiH (Official Gazette of FBiH no. 35/05).

11 Chapter XI “Domestic violence, gender-based violence, harassment, sexual harassment and trafficking in persons “

12 The protocols were signed in Banja Luka, Tuzla Canton, Sarajevo, Tuzla, while protocols in Mostar, Bihac and Gorazde are still pending, i.e. are in the process of changes and amendments.

imprisonment and other criminal sanctions.¹³ In the period from 2006 until 2010 in FBiH there were 391 requests submitted for the imposition of protective measures under the Law on Protection against Domestic Violence, while the courts in the same period granted 103 protective measures. In majority cases a restraining order was imposed against persons who have harassed or stalked victims of domestic violence (72,81%).¹⁴ The courts rarely impose protective measures such as protection of a victim of domestic violence and compulsory psychosocial treatment.¹⁵

According to available data for the period from 2006-2008 and 2009 in the RS, there were 1248 proceedings initiated in relation to the domestic violence or violence in family.¹⁶ In the period from 2006-2008, out of 993 cases initiated because of the criminal offence of domestic violence or violence in a family community, a total of 664 cases were completed and 614 of them ended with convictions. Of that, there were 521 suspended sentences, 56 imprisonments and 40 fines. The national report states that “there has been a constant growth of domestic violence cases processed pursuant to the provisions of the RS Law on Protection against Domestic Violence¹⁷ on an annual basis.” Furthermore, it states that in the period from 2006 to 2009 there were 1922 cases of domestic violence related to misdemeanour cases, of which 922 were completed. There are no details about the structure of completed cases, but the report stresses that, among the convictions, the most dominant sanctions were fines and suspended sentences.¹⁸

There is no uniform system within the NGO sector for collecting and processing data on violence cases. However, the organisations, which have safe houses, are collecting data through recording the number of women beneficiaries of safe houses, free legal aid, psychological assistance, emergency phones and safe houses for women and children victims of violence in Bosnia and Herzegovina. In addition to this, the non-governmental organisations, which offer safe house services, share their records on the number of their beneficiaries/victims of domestic violence with the competent ministries and gender centres when required. Data collected by non-governmental organisations providing assistance and support to women victims of violence point to a continuous increase in the number of victims of domestic violence.¹⁹

Furthermore, the organisations show that the public perception of domestic violence is still manifested in stereotypes and misunderstandings of the problems. “One can often read articles and reports in the media, in which journalists and their interlocutors, who often happen to be professionals that work directly with women victims of violence, say that the key causes of violence against women are a low social and economic status, alcoholism and drug abuse, etc.²⁰” In their statements given to the media, professionals often refer directly to the lack of a sensitised approach to work with women victims of domestic violence. There is a lack of real support for women; acts of violence against women are tolerated and perpetrators of violence are neither prosecuted nor sanctioned.²¹

13 Of which: suspended sentences in a total of 1046 cases (76.85%), fines in 143 cases (10.50%), imprisonment in 131 cases (9.55%), and other criminal sanctions in 42 cases (3.08%).

14 According to data from the Fourth and Fifth Periodic CEDAW report for Bosnia and Herzegovina, May 2011, available at:

http://www.arsbih.gov.ba/images/documents/cedaw_4_5_bhs.pdf

15 For example, in the Tuzla Canton from the adoption of the law until 2010 there were 4 protective measures of mandatory psychosocial treatment imposed.

16 Ibid. Detailed information for RS in this report is available for the period 2006-2008. For 2009 there are only data about a total number of cases launched before the courts. Data for 2010 are not mentioned in this Report.

17 Ibid.

18 Ibid.

19 “Violence against Women and Human Trafficking,” by Natalija Petrić (with recommendations for the Section: Trafficking in Women by Mara Radovanović), “Alternative Report on the Implementation of CEDAW and Women's Human Rights in BiH,” a group of NGOs, October 2010, available at: www.pravazasve.ba/bos/dw/alternativni_izvjestaj.pdf

20 Ibid.

21 Ibid. For example, in the article titled “Poverty as a Cause of Domestic Violence”, “Glas Srpske”, 2 June 2010, a lawyer from the Centre for Social Work in Prijedor was cited: “Only last month we had four cases in which four women and four children were victims. Initially, we try to provide them a shelter in our safe house, where they remain for 72 hours. During this

Many factors contribute to the occurrence of domestic violence. BiH is a poor country with a high unemployment rate. “More than 300,000 citizens are in need, but they have no social support or they receive minimal social support.”²² According to the estimates of the World Health Organisation (WHO) about 400,000 people, i.e. every tenth person in BiH, suffers from PTSD and a majority of them receive no adequate medical care. However, there are some other important factors that need to be pointed out such as impunity and lack of restrictive measures and the response of society, which is reflected in the “community’s tolerance of violence against women and domestic violence, as well as in the absence of social action and sanctioning of violent behaviour (which could be understood as a complicity on the part of the state and/or lack of concern for the protection of women, children, elderly and other vulnerable groups)”²³. There is “a lack of legal solutions that take into account the specific situations that increase the risk for violence against women (such as immigration and exile or discrimination based on other personal properties).”²⁴

2. POSITION OF ROMA WOMEN AND DOMESTIC VIOLENCE

Roma women in BiH are exposed to multiple discrimination. Roma women are discriminated against because they belong to the Roma national minority, because of their sex/gender, because of their social origin or status, etc. The field activist survey that was conducted in 2010²⁵ showed an extremely low level of education for Roma women. More than half of respondents had not completed primary school or they had only primary school qualifications.²⁶ Only a small number of Roma women had completed secondary school, and an extremely small number of them had college or higher education degrees.²⁷ The result of a limited access to education is manifested in a very high unemployment rate. The vast majority of respondents were either unemployed or working in the informal sector.²⁸ There are many moving stories of the women who say:

“I have dropped out of school. If I had completed at least primary school, I could have found a job as a cleaning lady. I sell stuff at the market and I have my clients, but I also have to avoid inspection. I make a living. It’s a job. I buy a pair of slippers for 2 KM and sell them for 4 KM, and then I buy a box of cigarettes. It is better than sitting on the street and begging.”

The difficult position of Roma women was also stressed in the Combined Fourth and Fifth Periodic Report on the Implementation of the Convention on Elimination of All Forms of Discrimination against Women, which covers the period from 2006-2010. According to the report, “about 90% of Roma women have no access to healthcare, social protection and employment. The number of Roma girls attending primary school is very small compared to the number of boys (ratio is 3:7 in favour of boys). The number of girls who dropped out the primary school education is greater than the number of boys. Although there were many programmes aimed at resolving the problems of the Roma population in BiH, implemented

time, we try to resolve the case talking to those who have incited the violence. In some cases we return the victim back home. If they do not want to return home, we place them in a safe house where they can stay for up to four months... says M.T., adding that causes of violence are mainly alcohol and poverty.”

22 “Report on the Status of Human Rights in BiH for the period January-December 2010, “Helsinki Committee for Human Rights in BiH”, <http://www.bh-hchr.org/izvjestaji.htm>

23 “Violence against Women in Intimate Partner Relationships: A Model of Coordinated Response of the Community”, by Tanja Ignjatović, “Reconstruction, Women’s Fund.”, Belgrade 2011.

24 Ibid.

25 “Domestic Violence against Roma Women in BiH”, by “Prava za sve” in partnership with “ICVA” and a group of Roma women leaders and representatives of civil society organisations, November 2010. www.pravazasve.ba

26 The survey was conducted with a sample of 609 women in more than 20 Roma communities in BiH. 17.79% of the respondents said that they had not attended primary school at all, while 27.34% dropped out of primary school and 31.13% completed primary school.

27 Results of the survey show that 19.76% of the respondents completed secondary school and only 2.3% of the respondents completed a college or university.

28 87.18% of respondents from this survey are unemployed, while 9.8% work “in the informal sector,” and 7% live by begging. Only 8.40% stated that they are employed.

with support of international organisations and UN agencies, there are still no programmes in place that would systemically improve the education of Roma girls and employment of Roma women and their access to health and social protection.²⁹”

Such a passive attitude by state-level institutions, which expect that the international agencies or the Roma themselves will solve the accumulated problems, is also reflected in other policies and action plans adopted in Bosnia and Herzegovina. The attitude towards Roma women and their position is perhaps best illustrated by the Strategy for the Resolution of Roma Issues in BiH adopted as part of the Decade of Roma. The basic document, aimed at improving the situation of Roma in BiH, addresses the issue of gender equality in Chapter 13: “Demographic and population policy, family relationships, gender equality and rights of children.”

There is a concern about gender equality of Roma women. The debate on population policy and “achieving the optimal and sustainable birth-rate” as a prerequisite for a happy childhood of Romani children, is very concerning.³⁰ It appears as if the size of the family is the main obstacle for the exercise of the rights of Roma women and that women with no or fewer children would have had a greater scope of the rights or a better access to them. Insisting on programmes aimed at promoting “responsible parenting” is an indirect violation of human (reproductive) rights of Roma women.

Furthermore, only one paragraph in the entire strategy paper discusses the improvement of equality of Roma women, and it says: “The authorities in BiH shall be obliged to pay adequate attention to gender equality of Roma women, as representatives of a Roma national minority, and above all, to improve the financial and social position of women within Roma communities, because it is evident that they are undoubtedly more discriminated against than Roma men. For this purpose, the BiH Gender Equality Agency and entity Gender Centres were appointed to develop an appropriate programme and activity plan for raising awareness on gender sensibility not only among Roma but also among those who are working on solving their issues, together with parliamentary committees and other bodies responsible for gender equality and social position of women, and other competent bodies and Roma NGOs. They are also obliged to ensure that this programme and the activity plan are implemented as soon as they are adopted. Apart from the Gender Equality Agency and entity Gender Centres, this process will be monitored by Roma Committee at the Council of Ministers and the BiH Council of Roma.”³¹”

Six years after the adoption of the strategy, not even this “modest” objective aimed at improvement of the position of Roma women was achieved nor were any activities were undertaken in that respect. Moreover, the action plan for solving the Roma issues in the areas of employment, housing and healthcare arising from the decade and the strategy defines only two activities that are specifically related to Roma women, and both of them are in the areas

29 The Combined Fourth and Fifth periodic CEDAW Report for Bosnia and Herzegovina, May 2011, p. 65. Data used are taken from the report of the Ministry of Finance and Treasury of BiH and UN Team in BiH – “Progress in the Implementation of the Millennium Development Goals in BiH,” 2010.

30 Strategy for Roma in BiH, the BiH Council of Ministers, 2005, (Official Gazette of BiH, No. 67/05), pages 19 and 20: “given the overall circumstances under which this minority lives and works in BiH and the (im)possibility of making significant improvements in those circumstances, the time has come to finally open this question and discuss the population policy within this community and the measures that this policy should entail... It is known that Roma families have many offspring – five, six or more children. Of course, the problem is not about the numbers, i.e. the fact that many Roma couples have five or more children, but in the fact that many of them do not have conditions to normally support and raise their children, let alone sufficient resources for regular and full time education, at least from pre-school to high school. They have no resources for healthcare, housing, toys and other things that are a prerequisite for a happy and normal childhood, in other words, the standard of living adjusted to their needs.” Furthermore, “the BiH Council of Ministers considers that it is necessary to launch a public campaign ... about the meaning and the need for articulation of the issue of sexual and reproductive health of Roma women and girls, i.e. what was until recently called “family planning”, including the number of children and other parameters relevant for normal functioning of a family and preservation of marriage. This, of course, is not and should not be understood as any restriction or a repressive control, and least of all a ban on having children or taking care and raising one’s own children, instead this should be interpreted as an appeal for emphasising the role of responsible parenthood, i.e. one of the ways to prevent that in the future children give birth to children...”

31 Ibid.

of employment (neither of the activities is launched/completed).³² A gender strategy was adopted, which explicitly refers to the situation of Roma women. However, the implementation of the activities under this strategy is slow and we can say that addressing the Roma issues lags compared to other activities from the action plan.³³

The BiH Gender Action Plan (GAP) envisages several activities focused on improvement of the position of Roma women, most of them in Chapter IX – Lifelong Learning, and three other chapters in which Roma women are mentioned as a part of the activities targeted to other vulnerable groups. Unfortunately, implementation of these activities is extremely slow. The financial mechanism for the implementation of GAP (FIGAP) supported only one project aimed at establishing a model for vocational training and re-training of Roma women out of a total of 36 approved projects nominated by NGOs.

The situation is very similar when it comes to the issue of violence against women and domestic violence against Roma women. Previous studies suggest that Roma women are more exposed to violence when compared to non-Roma women.³⁴ A high percentage of Roma women are exposed to various forms of domestic violence. About 20% of Roma women suffer some form of economic violence in the family, while 36% of respondents were exposed to insults, gag and disdain by their husbands. A disturbingly high number of women state that they personally know of a woman who suffers domestic violence (76% women), or personally experiences such violence (43.19% women).³⁵ Domestic violence is systematic violence and it runs continuously for years. The most common offenders are husbands or partners, and in a small number of cases some other family member.³⁶ According to a U.S. government report on human trafficking in 2009 an increasing number of Roma girls have been subject to trafficking for forced marriages.³⁷ The results of the field survey also indicate a high percentage of arranged or paid marriages. Roma women rarely report violence or seek assistance because of fear and shame, lack of knowledge about the law and protection mechanisms, and because of different (bad) experiences they have had with the institutions they turned to for protection and assistance.

In the case of domestic violence, neither state institutions nor policies adopted to combat domestic violence recognise or take into account the special vulnerability and the specific situation of Roma women that increases their risk of violence. Only the RS strategy to combat domestic violence (covering the period until 2013) mentions Roma women, citing the need to implement a public campaign “about the importance of family and family values” and promoting “humane and tolerant relations within the family with special emphasis on gender equality,” which states that special attention should be paid to vulnerable groups such as, *inter alia*, Roma women. This strategy identifies Roma women as a target population that requires special attention. In Chapter XI of the GAP, which aims to eradicate the various forms of gender-based violence, there is no single special activity aimed at vulnerable/marginalised groups including Roma women.

32 The Report on the Implementation of the Action Plan for Resolving the Issues of Roma in the Areas of Employment, Housing and Healthcare, Roma Information Centre, Kali Sara and Decade Watch, Sarajevo, April 2011.

33 Ibid.

34 Medica Zenica, Infoteka, “Nismo naučile(i), tako smo živjele(i)”, January 2001, a study conducted in the Municipality of Zenica in which 33% of the Roma respondents claimed to have been exposed to long-term and multiple abuse compared to 24% of the non-Roma respondents. The study showed that Roma women suffer multiple discrimination on the basis of their social status, gender and sex, race, etc. as well as multiple forms of violence because they are women, members of a minority group and marginalised by the state institutions.

35 The Report on Domestic Violence against Roma Women in BiH, “Prava za sve”, in partnership with “ICVA” and a group of Roma women leaders and representatives of civil society organisations, November 2010.

36 Ibid.

37 U.S. State Department Trafficking in Persons Report, June 2009. <http://gvnet.com/humantrafficking/BosniaHerzegovina-2.htm>

3. RESPONSE OF THE INSTITUTIONS TO DOMESTIC VIOLENCE

Protocols on mutual cooperation of the institutions and non-governmental organisations in cases of domestic violence were signed at a number of areas in BiH.³⁸ However, the protocols, and thus the manners in which support is provided to (women) victims of violence, are not standardised and they vary from city to city. Consequently, in Banja Luka a mobile team has been put together consisting of representatives of the police, the Centre for Social Work and non-governmental organisations, which have shelters for women victims of domestic violence. Under this protocol, the team is responsible for supporting and assisting the victims suffering from acute violence. This is an example of good practice that should be carefully analysed and applied based on the protocol in other areas of BiH. The protocol on interventions in domestic violence cases³⁹ has been signed in the Tuzla Canton, while protocols in Mostar, Bihać and Goražde are still under preparation or in the process of amendments. When analysing the implementation of protocols one should have in mind that there are difficulties and uncertainties in applying the protocols, especially when it comes to a clear and detailed definition of the obligations of all relevant institutions and NGOs.

According to the protocols women victims of domestic violence should be placed in safe houses at the request of the centres for social work and the police as these institutions are, in principle, the mediators between victims and safe houses. The safe houses shall provide to such women a full range of services such as accommodations, meals, free legal and psychosocial assistance, and a whole series of individual and organised group therapies and educational services for women and their children. In some safe houses, for example in *Vive Zene Tuzla*, victims can be received in the shelter either at their personal request or at the request of an institution or organisation.

Only one protocol on cooperation, aimed at preventing and protecting victims of violence in Zenica, was signed by "Romano Centro", the only Roma organisation in BiH signatory to this document.

The Centre for Social Work (the Centre), in addition to the police, is one of the first institutions addressed by the victims of domestic violence. The Centre is obliged to provide the victim all necessary assistance within its competences of the Centre and to refer the victims to other institutions or non-governmental organisations. Depending on the number, structure of employees and size of the area they cover, the centres have different organisational structures. Some centres have special departments that deal specifically with domestic violence cases (thematic division of tasks). Other centres have a social worker who covers a territory – a certain number of neighbouring communities under the jurisdiction of the centre and, apart from the domestic violence, this person is involved in the entire spectrum of issues related to social protection and other services provided by the Centre (polyvalent approach).

³⁸ For example, Protocol on the Conduct of a Team for Assistance and Support to Women Victims of Domestic Violence, Banja Luka, Public Security Centre of Banja Luka, Centre for Social Protection of Banja Luka and NGO "Udružene žene" Banja Luka, April 2007; Protocol on the Work and Cooperation of the Members to the Coordination Body Responsible for the Prevention, Protection and Combat against Domestic Violence, signed by the Ministry of Labour, Social Affairs, Refugees and Displaced persons of the Sarajevo Canton, Ministry of Justice and the Administration of the Sarajevo Canton, Ministry of Health of SK, Ministry of the Interior of Sarajevo Canton, Ministry of Education of the Sarajevo Canton, the association "BiH Novinari" and the Local Democracy Foundation, November 2005, i.e. September 2007; Protocol on Mutual Cooperation in Preventing Domestic Violence and taking care of the victims of domestic violence within the territory of Municipality of Zenica and Zenica-Doboj Canton signed by the Ministry for Labour, Social Affairs and Refugees, Ministry of Interior of Zenica-Doboj Canton, Municipality of Zenica, the Centre for Social Work in Zenica, the Zenica Municipal Court, the Health Centre in Zenica, Cantonal Centre for Fighting Addiction, Pedagogy Institute of Zenica, Public Institution of Home and Family in Zenica, and the associations Medica Zenica, "Romano centro" Zenica and Društva socijalnih radnika kantona, July 2010.

³⁹ Signed by the Ministry of Justice and Administration, Ministry of Labour and Social Policy, Ministry of the Interior, Ministry of Health and the organisations Vive Zene, the Centre for Therapy and Rehabilitation, which also offers safe house services and primary medical treatment to victims of domestic violence.

There are different views within the centres about the effectiveness of different organisational approaches. A representative of one of the centres deems that the approach, in which one employee covers a specific territory and deals with all issues that fall under the competence of a centre, has its advantages because such a social worker is familiar with the whole picture and the situation of families that he/she monitors. In most cases, the centres are faced with an insufficient number of employees, especially lacking psychologists, pedagogues and social workers. In some cases, for example, the tasks of social workers are carried out by persons of different occupations and qualifications, such as secondary school educators, sociologists and political scientists.

The problem of lack of qualified workers in the centres is of a great concern. Some centres do not have sufficient numbers of skilled workers. The Centre for Social Work in Tuzla has only six social workers for about 150,000 inhabitants, which means that, according to the systematisation of jobs, there are 12 social workers fewer than are necessary. In smaller towns, where no psychologists are available, the centres hire psychologists from other institutions, such as health centres. Also, the professionals at the centres are burdened by administrative and other matters and deadlines, which could be performed by employees with different qualifications. Therefore, it is clear that employees do not have enough time to devote themselves to domestic violence cases. Differences between the centres are reflected in the different treatment of victims of domestic violence, depending on the area where the victim lives, as well as in the different manner and the quality of assistance provided.

In addition to this problem, the centres point to the problems of a lack of continuing education on the issues of domestic violence, a serious lack of funding for the work of the centres, and a lack of regular supervision of employees who work directly with victims of domestic violence in order to prevent professional burnout. An employee of one of the centres told us the following:

“Unfortunately, we did not have specialised training for working with victims of violence. Whenever we were in a position to present this shortcoming as an aggravating circumstance, we brought it up on the agenda. Little attention has been paid to professional development of staff. Personally, I would welcome any training on the topic of professional burnout. After graduation, we received our diplomas and were proclaimed experts for all problems in the area of social protection. Given that this is a very broad field of action with a wide range of activities and services and, having in mind that social policy is constantly evolving following the trends and needs of the 21st Century, many of our methods and ways of supporting our clients are no longer appropriate or as effective as they were before. For all these reasons, we constantly need additional training.”

The centres do not keep separate statistics on the number of Roma women who approached them seeking assistance in relation to domestic violence cases. Only one of the four centres for social work covered by this report hired a Roma woman.

The basic procedure in cases of domestic violence in the centres is more or less the same. When a person comes to report domestic violence, the officers first do the interview and take notes on the case. After an introductory interview with the victim, the centre is obliged to act in accordance with the Law on Protection against Domestic Violence and inform the police about the reported case. Where a protocol is signed, the actions are taken following the steps defined in the documents and involving the relevant institutions and organisations. In acute cases, women victims of domestic violence are referred to safe houses. Women with dependent children can stay in the shelter for 3 months and, in exceptional cases, this time can be expanded for another 3 months if needed.

Unfortunately, there are a whole host of problems related to the operation of shelters, some of which are related to the lack of facilities, financial and other assistance on the part of the state institutions, and services that provide for security in the shelters. Most of the funding for these programmes is still provided through projects by non-governmental organisations and international donors. The Strategy on Protection against Domestic Violence in the RS anticipated the establishment of five safe houses, one in each seat of the five district courts and five public security centres. However, in the RS there are only three safe houses currently working. Furthermore, the Law on Protection against Domestic Violence in RS anticipates that shelters will be funded from public budgets at the entity and the local levels. However, neither the 2010 nor the 2011 budgets contained line items for co-financing the existing shelters and there are no earmarked funds for the opening of the two new safe houses planned for in the strategy. The situation is similar in the Federation of Bosnia and Herzegovina. The cantons and municipalities in the Federation, which are to co-finance the operations of the shelters, are allocating insufficient funds for this purpose and they are often very late with payments of these funds. A representative of an NGO said:

“We often have conflicts at the professional level with representatives of the Centre for Social Work who reproach the victims of violence, in this case, the beneficiaries of safe houses, saying that they (the officials) have to set aside 25 KM per day so that they could stay in the shelters, as if they are giving money from their own pocket. I have a feeling that sometimes they see us as competition and believe that if we do our job that they will have less of something.”

Professionals from NGOs deem that a part of the problem is in the legal obligation of the centres to protect marriage, children and families, which also applies in cases of domestic violence. In reality, this principle often is not the same as the effective protection of women victims of violence. However, representatives of non-governmental organisations also refer to a number of positive examples in the work of centres and deem that the access to these centres greatly depends on the person in charge of domestic violence cases.

The experiences of women victims of violence who approached the centres for social work seeking assistance are different. In cities, where there are special departments or officers who deal with the problem of violence, the situation is somewhat better and women are more satisfied with the assistance received.

“When I faced the problem of domestic violence I first approached the Centre for Social Work and police. They helped me a lot and placed my children and me in Medica Zenica. When I pulled myself together, I went to visit a psychotherapist in the Centre for Legal Assistance to Women Victims of Violence. There they helped me with putting together a claim for child support and custody. I took it to the court and they explained to me all the details. Having submitted a certificate of unemployment and ID card, I did not have to pay for a lawsuit, which normally costs 200 KM. They really helped me a lot.”

However, there are still a large number of Roma women who do not believe that the centre can provide them assistance when they suffer domestic. More often, they approach the centre seeking other types of assistance such as child allowances, social assistance, etc. The Roma women who seek help primarily complain about the attitude of the employees towards them and, in a few cases, they complained about abuse from the office. One woman said:

“...Last year I asked for a divorce, but he refused. He did not want to attend the meetings in the centre, as he considered those to be a reconciliation process. Later on, in agreement with a representative of the centre he got custody of the children. Now, the

children are alone, because he is no longer in BiH. The children live alone in the apartment. When he was granted custody of the children I said that I did not care about who their guardian was, but that I wanted to see children and have contact with them every day. He agreed to it. Yet, the social worker from the Centre insisted that I should live with my children while he is out of country, and that I should return to my current partner only when my ex-husband returns. She kept imposing so many terms on me but I refused because I knew that she cannot tell me how to live.”

It is extremely concerning that the Centre for Social Work did not consider the overall family situation when providing recommendations for awarding custody. They failing to take into account the existence of domestic violence and the fact that custody cannot be awarded to an absent parent. In this way, a woman victim of domestic violence is not only "punished" for her choice to live outside the violent community but her children also became the collateral victims of neglect.

Decisions of women victims of domestic violence to live without violence and to pursue their statutory rights are reviewed by the institutions, which tend to propose to them solutions that do not comply with their decisions and attitudes. Women suffered verbal abuse when seeking their rights:

“I had no help. The officers in the Centre for Social Work criticised me, asking me: ‘Why should I have the child with me? Who is going to be a dad to my child? Why do I want to give him my surname?’ And so on. Recently, I went to the centre to seek assistance for my eldest son, and they told me that the kid has a living father and that I should ask him for assistance. But my ex-husband isn’t paying alimony. He has never paid for anything. No child support, nothing.”

Women also talked about the problems they faced approaching other institutions such as municipalities where they sought assistance related to social housing:

“...When I had problems with my husband, I first approached the Centre for Social Work, and they sent me to the police. The police must make a report, they said. I contacted the police and they placed me in a safe house. If it weren’t for the police he would have killed me. I’d never had a bad experience with either police or centres for social work. I go to the Centre whenever I need help. I receive a child allowance and they helped me when my child was supposed to be hospitalised. They also grant aid for single mothers. They all know me over there. But I did have a bad experience in the municipality though. They insulted me on the basis of nationality.”

Law and Protective Measures – The Law on Protection against Domestic Violence, in both entities, in Article 18 prescribes the competences of different institutions, organisations and victims of domestic violence, i.e. their proxies to file requests for protective measures. However, in reality the centres quite rarely apply for the imposition of these measures. Also, there is a significant difference in treatment in the centres in the cities and towns. Thus, in towns the responsibility of filing these requests is entirely shifted to the police. In the cities, on the other hand, staff of the centres informs the victims that they are entitled to require the imposition of protective measures and, in concert with the victims, they propose to the police that proceedings for the imposition of protective measures be initiated.

The centres are also responsible for recording all the protective measures imposed by the court in cooperation with institutions that directly enforce these measures – the police, centres for the fight against drug addiction and mental health centres. Representatives of the Centres

for Social Work consider that the law is incomplete, unclear and non-binding when it comes to the enforcement of protective measures. The law is not clear about what happens when a person against whom a protective measure is pronounced fails to comply with the measure. There are misdemeanour provisions for people who do not comply with the imposed measures, but it is not clearly stated who initiates this procedure. They find that this part of the law should be amended for the sake of its efficiency. Another shortcoming they referred to is the vague provision concerning the enforcement of compulsory treatment of drug addiction. In the RS, they pointed out the problem of implementing protective measures of community work. The law and bylaws do not foresee where the work is to be performed, nor do they say how long will it last and what happens if the offender violates the imposed measure.

Often there is doubt about the nature of domestic violence, i.e. relevant qualification of the offense as a misdemeanour in relation to the criminal offense of domestic violence, and interpretation of protective measures as punishment for perpetrators of violence rather than measures to protect victims. This approach is a detriment to victims. Domestic violence also qualifies as a misdemeanour (RS), and in both entities the offenders are usually punished with a fine or a suspended sentence. Employees in the centres say that the imposed fines are usually paid from the household budget and thus these fines are penalising not only the offenders but also victims of violence or the whole family. According to the centres, the cases of repeated violence and cases where physical violence is always present should always be qualified as a criminal offense. In this case, the punishment would be meaningful, as the offenders will be adequately sanctioned and sent to correctional and rehabilitation programmes. Consequently, that would produce a preventive effect. Effective quick conviction of a perpetrator of domestic violence conveys the message that the violence is punishable, socially unacceptable and that the institutions of the system function and sanction such behaviour.

A representative of an NGO said the following about this:

“Even the sanctions stipulated by law, which in my view should not treat domestic violence as a misdemeanour offence, are considered an aggravating circumstance for a woman rather than a punishment of the offender. Very often the protective measures are perceived as punishment. Talking to those who are responsible for implementation of the law, I have never heard from anyone that the protective measures are imposed to protect the victim from the offender; instead they consider that this is a punishment for the offender. For example, if an offender is sent to compulsory treatment for addiction, it is considered that he has been punished. In my view, that is more of a reward than a punishment.”

Non-governmental organisations and representatives of the centres share the opinion that there should be programmes designed for work/treatment for the offenders. Providing assistance and taking care of victims solves only half of the problem. Imprisonment and fines are not sufficient as a long-term solution to this problem. The offenders also require adequate psychosocial treatment to understand and accept responsibility for the violence. Experts from non-governmental organisations find it necessary to amend the Regulation on the Implementation of Compulsory Measures of Psychosocial Treatment. Namely, according to these regulations, the centres for mental health are responsible for enforcing these measures, but often they do not have professionals who are trained for such work. It is often overlooked that treatment can be delivered either by a professional or by a legal entity adequately trained to deliver the treatment.

In BiH specialised training for professionals working with perpetrators of violence was delivered to 12 professionals in the Tuzla Canton and 13 professionals in the region of Dobož and Modriča. The training was delivered by the Society for Psychological Assistance in Zagreb, an association with long experience training professionals and carrying out treatment in the Republic of Croatia, where this treatment has proven to be efficient with a small number of repeated cases of violence among offenders who have undergone the treatment. Unfortunately, due to limitations in the rulebook, the trained professionals are not able to perform this treatment.

Representatives of the centres, regardless of the entity and the size of a town/city, often emphasise the importance and the role of judiciary (prosecutors' offices and courts) in combating domestic violence. They also mentioned the slow pace of the work of judicial bodies as an aggravating factor in tackling domestic violence. Victims who decided to report violence and file a case before the court may easily wait for as long as a year before the court makes a ruling. Representatives of the centres believe that the establishment of specialised departments within courts and prosecutors' offices to tackle domestic violence cases could be a part of the solution. In this way, the time between the occurrence of violence and imposition of protective measures for victims and sanctions for the offenders would be shortened. Judges would be able to follow the cases of repeated offenses. Also, it would be useful to provide continuous training to both judges and prosecutors on domestic violence.

The NGOs also consider judicial bodies, primarily prosecutors, to be an obstacle to more efficient application of the law. Representatives of these organisations believe that the laws on protection against domestic violence in both entities should be modified and that this process should be approached systematically and seriously involving the professionals, who on a daily basis, apply this law - judges and prosecutors, the centres, the police and non-governmental organisations.

The police have a strict hierarchy and rules of conduct. They are the executive authority and act according to law and regulations adopted by the Ministry of Interior Affairs. The police are often the first institution that the victim of violence addresses for help. Whether going to the site or just taking a statement at the police station, they are the ones who make the first assessment of the situation and, if necessary, involve other institutions in the process. Ministries of Interior in both entities have issued manuals with instructions for the procedure. In the RS, police officers have undergone a short training on dealing with cases of domestic violence organised by the Ministry of Internal Affairs.

Police departments, which cooperated with the project, have no Roma employees. The police do not have statistics on domestic violence cases classified according to the nationality of persons involved in the case so there is no data available on domestic violence cases that are reported by Roma women.

Structure of police and initial intervention – The organisational structure of police in the Federation of BiH is different from the organisational structure of police in Republika Srpska.

The Federation police structures are divided into the entity, cantonal and municipal levels. The highest level is the entity Ministry of Interior, followed by Cantonal Ministry of Interior and finally cantonal ministries of interior with the police departments (PDs) operating at the municipal level and inspectors that deal, *inter alia*, with domestic violence cases. At the very end or beginning of the hierarchy there are the police departments with uniformed officers who are first to receive reports and go to the field. The highest level of organisation in

Republika Srpska is the RS Ministry of Interior, a body at the entity level, followed by the Public Safety Centres spread across the five regions and accommodating the PDs.

The initial response to domestic violence is different between the entities. In the RS, if the case of domestic violence is reported, the police officers and an inspector will visit the site. If, for example, there is a report on disturbing public order, the police officer assesses the situation on the ground and, depending on whether it is a misdemeanour or a criminal offense, calls the inspector. In the FBiH, the police first assess the seriousness of the situation. Depending on the situation, if necessary, the police call inspectors who work on domestic violence and sexual assault cases and the on-duty prosecutor. The prosecutors make the final decision on further procedure and qualification of a crime, and decide whether or not to initiate procedures for the offence of domestic violence.

According to the protocol, in Banja Luka a team for domestic violence has been formed and tasked to act in the cases of acute violence. This team is composed of representatives of the police, centres for social work and non-governmental organisations. The non-governmental organisations have a plan to further modify the protocol and apply the Banja Luka model to other parts of RS.

Unfortunately, in most cases, incidents of domestic violence are qualified as a misdemeanour and everything ends with the imposition of a fine or suspended sentence and, in some cases, the imposition of one of the protective measures against the perpetrator. Only repeated violence or serious physical injuries inflicted on the victim(s) are considered a criminal offence. The procedure for the imposition of protective measures is initiated by inspectors. In Zenica, where there is a Protocol on Cooperation signed between the institutions that provide assistance to victims of violence, there is a single application form, which is filled in cases of domestic violence. This allows easier management of statistical data as well as better sharing of information about victims among institutions and organisations involved.

Collecting of evidence, detaining the offender and accommodating the victim – After visiting the site, depending on the situation, the police assess whether or not the offender should be detained. The offender may be detained for up to 24 hours, and a prosecutor may decide to extend the detention to another 24 hours. If the victim is injured, he/she will be provided medical care. After that the police make an on-the-spot investigation and collect evidence: they photograph the site, take statements from witnesses and collect other physical evidence.

If necessary, the victims of violence are placed in safe houses located within non-governmental organisations. Victims of domestic violence are placed in a safe house at the request of centres for social work, although there are areas in which the victim can seek accommodation in a safe house on his or her own. In addition to good cooperation with the centres, police representatives also said they have very good cooperation with representatives of non-governmental organisations. The NGOs have very good cooperation with the police, emphasising that of all institutions, the police are the most open to cooperation.

Women victims of domestic violence shared different experiences with the police representatives.

“I told the police everything and they placed us in a safe house. In my statement given at the PD I explained what he had done to us. He stabbed me in the head twice with a knife and did many other things. If it weren’t for the police, God knows what would have happened to us.”

For women the major problem is that the police fail to respond to report domestic violence cases or they fail to keep the offenders in detention. For many victims it is very important to have the offender isolated from the family, so that they can have a peaceful night after the experienced violence. Experiences of the women show that in many cases the offenders happen to be more aggressive after police intervention.

“They came a couple of times and took him away. He would spend a night in detention and next day he was already out. After that, he would be even more aggressive.”

They also indicate differences in treatment by police officers, even within the same police department:

“I called the police, when I had to. Sometimes they would come, sometimes not. Once, he threatened to kill us all, so I called the police but they did not come. I took the children and went straight to the police station. They told me to go home and as he had promised them that he will not cause any trouble. I went home and there was trouble... He was never sanctioned and there is no any record of him being apprehended. They did not even make a report about it. Only after the last incident they responded to the call. He attacked us with a knife and injured my daughter’s hand. A police officer who came to the site made a report of this and sent it to the court. That was the only time the police made a record. The police officer took him away and came back to tell us that we can spend night in peace as he will not be released before morning. Later, he went to the court and was fined 950 KM.”

Victims withdrawing from further proceedings – The police often claim that the main obstacle to resolving domestic violence cases is that the victims withdraw their statements about the reported violence. In a majority of cases when the victim gives up further procedure the violence reoccurs. In that case, the police again need to collect evidence and restart the procedure. Prosecutors often blame the police when the victim withdraws saying that the police have not done their job well.

Police actions differ from place to place depending on the awareness and sensitivity of the police officers. In both entities, police officers consider that one of the obstacles to the better application of the law is frequent internal shifts of inspectors from one section to another. For instance, a number of inspectors, trained to deal with these cases, worked on them for a while, but then they were moved elsewhere and new inspectors came in who needed to start everything from the beginning. These changes affect the approach of the police towards the victim.

Some inspectors said that, prior to taking official statements from the victims, they give the victim an opportunity to change their minds and refrain from further prosecution. By taking a statement from a victim, the police launch the process and the victim can withdraw the report only in the prosecutor’s office. Others said that once the case is reported, it is prosecuted and, if the violence can be proven, the report is not withdrawn.

Another problem that should be pointed out is the documentation of evidence from the scene of the violence. Thus, for example, in one case the police failed to document the damage to the property as it was owned by the offender and owners can do with their property whatever they want. This is one of the important questions as domestic violence cases are often based on the sole testimony of the victim and often there is no other evidence pointing to domestic violence.

Experts from non-governmental organisations believe that one should insist on the fact that the testimony of the victim is not the only evidence in the proceedings. Prosecutors may

conduct investigations and collect other evidence that may be used as the basis for the procedure. Unfortunately, at present, unless the case is about a more severe act of violence, the prosecutor at his/her own discretion can dismiss the report as unfounded or suspend further proceedings, declaring that the victim withdrawn charges.

Law and protective measures – The law on Protection against Domestic Violence anticipates that these cases be handled in an expedited procedure. The police often complete their job within the deadline, but they often have to wait for the judicial authorities, namely the prosecutors' office and the courts. When a victim reports domestic violence, the case is immediately recorded and, depending on the circumstances, when all necessary information is collected, the case is forwarded to the prosecution. Emergency cases are referred to the prosecutor within 24-48 hours, while other cases are forwarded within a month. However, NGOs report that prosecutors initiated proceedings a year after they were reported, which indicates the slow pace and inefficiency in the work of judicial bodies when it comes to domestic violence cases.

Police are responsible for monitoring the implementation/execution of four of the six safeguard measures in the FBiH and seven in the RS. Uniformed police officers, as a part of their regular duties, monitor the enforcement of protective measures. Monitoring is carried out by visiting the victims and interviewing them and their neighbours. The police also include visiting and interviewing the offender. Based on information gathered from the field and interviews conducted, the police prepare a report, which they sent to the Centre for Social Work. Depending on the case, the police the families at least twice a month and, if necessary, they visit them weekly or more often.

All police officers stated that it is good that there is a specific law in place, although it is full of flaws. They point out that the law does not clearly define the notion of domestic violence. According to them, the definition is very general and it should be more precisely defined. Another shortcoming they point out is the failure of the law to clearly distinguish a misdemeanour from a criminal offence. These shortcomings cause them many problems in practice as most domestic violence cases are qualified either as misdemeanour offences or are simply fined. Domestic violence is qualified as a criminal offence in the case of repeated offenders and repeated violence. They also mentioned the problems with the implementation of protective measures, commonly citing the problem of implementing restraining orders. In their opinion, the law should stipulate more severe penalties for those who breach the protective measures.

Representatives of the police stressed that they are responsible for law enforcement and for acting according to the regulations issued by the Ministry of Interior. They find that the crucial thing is to ensure expedient resolution of domestic violence cases in the prosecutors' office and courts.

IV. WOMEN'S PERSPECTIVES – EXPERIENCES FROM THE PROGRAMMES IMPLEMENTED IN ROMA COMMUNITIES

Implementation of the Law on Protection against Domestic Violence does not depend exclusively on the work of law enforcement institutions. Other obstacles to women victims of violence seeking protection are lack of knowledge of the law and their rights, lack of knowledge about the institutions that provide assistance and protection or distrust in the work of those institutions. Roma women victims of domestic violence are often discouraged from seeking assistance due to the prejudice about Roma within society and the patriarchal

community. Therefore, it is important to analyse and observe the experiences of programmes conducted in Roma communities from the standpoint of better and more effective law enforcement.

The experience of Roma women leaders from the implementation of educational meetings in the community One approach to raising awareness and preventing violence through community work was based on an analysis of the situation in which the women victims of violence failed to seek assistance from institutions because they did not know where to look for and how to exercise their rights. Community meetings imparted information on their rights directly to citizens, unlike situations where citizens are forced to seek their rights on their own and often get lost in a number of institutions and mechanisms of protection. The approach implied a participatory principle in which the activities in the community were carried out by (women) Roma organisations and Roma leaders under mentor support of the project partners.

The programme of work in the community began in February 2010 and it is carried out in Roma communities in Sarajevo, Visoko, Kakanj, Banja Luka, Ključ, Prnjavor, Srebrenica, Tuzla and Zenica. In the nine months of the programme there were 90 meetings in communities with 1350 participants, mostly women (1,080 women). A small number of men (270) participated in these meetings because the programme is intended primarily for women. The programme is still conducted in Roma communities in nine towns in BiH.

For the first time the conversations were launched in the communities about domestic violence and rights of women - the topics that were, so far, rarely discussed, if at all. The experiences Roma women leaders gained during implementation of the programme must also be considered from the standpoint of the implementation of the Law on Protection against Domestic Violence, as these experiences show that the majority of participants were not aware of laws and available measures for protection against domestic violence.

Roma leaders invited the police and representatives of social welfare centres to community meetings to talk about their roles in protection against domestic violence. This model of providing information and raising awareness has proven to be an effective beginning of trust building between the communities and the institutions of the system. Participants in the community meetings asked questions about procedures applied in individual institutions. They were interested in the competences and responsibilities of the centres for social work and the police. The community members shared concrete examples; they asked what action to take in individual circumstances and whom to address their issues. They also shared bad experiences they had had with representatives of these institutions, asking about possible sanctions that could be imposed to employees who refuse to provide them assistance.

Most frequent questions addressed to the police were about the actions they can take if the police fail to respond to reported domestic violence. How long can the police keep the offender in custody? What should they do when they report domestic violence and when, after that, the violence intensifies? Can a neighbour or a child report the violence?

The participants asked the representatives from the centres for social welfare what they could do specifically for victims of violence. They asked whether their centres could provide accommodation if the victim decides to leave an abusive relationship. Participants shared their negative experiences with representatives of the centres, asking them specifically what to do in those situations. They took the opportunity to learn more about the services provided by the centres, such as social assistance, child allowances, etc.

The meeting participants knew very little about the work of women's NGOs dealing with domestic violence and the types of assistance they provide and the ways in which the beneficiaries can use the help and support of such organisations. Many women learnt about safe houses, free legal aid centres and psychological assistance counselling centres for the first time.

Meetings in the community included participation of a larger number of women but also a number of men. In this way the process provided for a full transparency of activities and facilitated the participation of community members who wanted to discuss the topic, which is important to the whole community. According to the experiences of women leaders, these meetings have made possible, for the first time, the discussion of the topic of women's rights to violence-free lives within each community, enabling women to understand their rights and open the discussion about these matters within the community. Community members often did not know that there are laws on protection against domestic violence and did not know the responsibilities of institutions in such a cases. According to the experience of women leaders, this was the first time that some participants heard that domestic violence and violence against women is forbidden by law.

The women leaders have found that men, unaccustomed to discussing this topic openly, in some cases, thought that these kinds of meetings were not good and that they adversely affect women who are thus encouraged to leave their husbands. During discussions, men often found excuses for violence against women, considering it a part of their tradition which allows a man to punish his wife when she does something wrong. They felt that there are certain rules when it comes to the conduct of women and their responsibilities. Of course, a number of women supported such a position, believing that there is a division of male and female affairs and that man is the head of the household and therefore should be obeyed.

There were also different examples where the men condemned violence against women and presented their personal experiences related to domestic violence. At a meeting in Visoko, which was mainly attended by young men, they themselves proposed to consider concrete actions that could be implemented in their communities to combat violence. Similar situations occurred in the meetings in Tuzla and Ključ. In these meetings, many men for the first time heard of psychological, economic or sexual abuse, none of which they considered to be domestic violence before. Some of these forms were considered normal behaviour. They were very surprised by the consequences resulting from surviving of this type of violence.

Overall experiences with the meetings held so far showed that the participation of representatives of institutions, citizens and NGOs has multiple benefits for all participants. This proactive mode of cooperation between the institutions and non-governmental organisations should be continued and further intensified. These meetings also helped Roma women leaders to establish or achieve better cooperation with representatives of institutions in their communities. In some communities, the cooperation with the centres or the police had previously been sporadic and insufficient. In two communities, the police suggested that a Roma woman leader be regularly informed and called in cases of domestic violence in Roma communities. By establishing regular communication with the centres for social work, the women leaders have created a basis for tackling some other issues and exercising other rights that are not directly related to incidents of domestic violence but are important to women's positions and their independence.

For some leaders the work in the communities helped to establish better cooperation with the media, to create additional projects of their respective organisations with a focus on combating violence against women, or, in one of the cases, these meetings inspired the

establishment of a women's Roma organisation which turned out to be the first non-governmental organisation of this kind in the area. Interestingly, apart from establishing good cooperation with the institutions, it turned out that this organisation was very useful for the city as the leader of the organisation was consulted not only by Roma but also by non-Roma women. Other women leaders and their organisations were also encouraged to participate and support not only Roma women but also all women who are interested in information about their rights.

Providing information to women in individual cases of domestic violence - In addition to the meetings in the communities, the Roma leaders also provided direct information to women victims of domestic violence in individual cases, advising them of their rights and opportunities and (non)institutional protection or support. The leaders conducted individual interviews with women who directly sought their assistance. These talks were aimed at providing women victims of domestic violence a safe place to share their stories and obtain information concerning the institutions that they can address for help and the ways in which they can approach these institutions.

The programme of information sharing started simultaneously with the meetings in February 2010. So far 180 women have received information and assistance in individual domestic violence cases through this programme. The programme is still implemented in the Roma communities in the nine towns in BiH.

Here are some of the experiences of Roma women:

"When my kid stayed with his father, I sought help through the court, through the municipality, through Medica and through the Centre for Social Work. We had problems. He was beating me all the time. I left the kid with him because I could no longer endure the abuse. With the assistance of the institutions I managed to get my kid back through the court."

Reviewing of the cases in which simple legal information was provided showed that women often seek assistance against violence perpetrated by their partners. After the spouses, the next most frequent abusers are members of the husband's family or, in some cases, children (sons). More than half of the women interviewed never sought any help. Of those who decided to seek help, most turned to the centre for social work and the police, then to non-governmental organisations, and a few of them sought assistance from medical institutions.

"...And I must say that the police are now good. They help. They used to be different before. Before the war, they would not even respond to your call. Now, when you call them, they come and do whatever they can. But they can keep him only for one day. That's the law. But even if you call them a hundred times, they will always respond and come."

However, a large number of women who have requested individual support cannot and do not want to address the institutions. The main reasons for not seeking help from the institutions are distrust in the functioning of the institutions, previous bad experiences with the institutions, experiences of other women they know, shame because of the violence they suffer, fear of the consequences, and also because they are not aware of their rights or the services available in certain institutions and non-governmental organisations.

"I went to the Centre for Social Work. They were not helpful. Only when I visited the association "Be my friend", I learnt whom to address and how to seek assistance. They were the only ones who helped me. The Centre for Social Work helped only after the association reacted on my behalf."

A large number of women who asked for individual assistance said that they will consider further requests for assistance, as they are not yet ready to report violence, or they did not want to talk about whether or not they will take any action. Only a small number of women said that they will seek assistance from institutions or non-governmental organisations. Women who are abused by their sons said that they cannot report their children.

Women complained about the work of employees of certain institutions or legal regulations that prevent them from exercising certain rights, such as the number of children in exercising the right to social assistance, missing the deadlines for registration at an employment office which results in losing the right to healthcare, etc.⁴⁰ When addressing the institutions women often feel lost in the legislation and regulations, concerned for their future and future of their children and intimidated by years of continued violence. Women often lose faith, not believing that any institution can stop the violence they suffer. They often face prejudice and misunderstanding.

“I knocked on many doors and I even paid a visit to the mayor. I sought help from anyone and everyone but they would all simply chase me away. There is no single institution that I failed to visit. I even went to the institution for human rights. They told me that they did not understand what I was saying. I am illiterate but I am not crazy.”

A very important aspect of protecting women from domestic violence is the overall position of Roma women, their poverty and social exclusion. Women are reluctant to report domestic violence because the family income, including children’s allowances or any other type of social assistance, is, by the decision of the centres, tied to the husband. Due to lack of information women consider their husbands supporters of their families and they are afraid to lose their income. Also, a part of the problem can be ascribed to bureaucratic procedures, which often seem to be an obstacle to exercise of the rights of women:

“When you seek benefits for care and assistance, you are requested to submit a lot of paperwork. You end up waiting for a month or a month and a half to get some 50 KM. When they told me how much paperwork I needed to do, I gave up.”

Yes, the laws are equal for all, but many Roma women face a whole range of problems and obstacles in exercising their rights guaranteed by law. Women are faced with a whole series of difficulties in exercising their most fundamental rights or the rights of their children:

“Only two of my children have health insurance. One got it through the municipality and the other through the Centre for Social Work, but as soon as he enrolls in school he will lose his insurance. My other children have no health insurance. I also have two little girls who are minors and they attend school, and therefore have no insurance. One is in the second grade and the other is in the sixth grade. They have no right to free medical treatment because I was removed from the registry of unemployed persons in the Employment Bureau. I do not have the right to free medical care either, but I keep going to the bureau. Neither my children nor I have medical insurance.”

Major obstacles are stereotypes of Roma women not wanting to work or go to school or fit into society. The reality of Roma life speaks differently:

“I have completed the sixth grade of primary school. I also completed two additional grades as a part-time student through the association “Romano Centro”, so I have primary

⁴⁰ For example in Zenica-Doboj Canton, a woman with only one child is not eligible to social aid.

school qualifications. I registered at the bureau, but they never called me. Nowadays even teachers have a hard time finding a job, so what can I expect with having completed only eight grades.”

“When you turn to them for help, they say “you have your own organisation”. A long time ago I went to see them because of my son who attends school, but they told me that I should address my organisation. His father is alive. They discouraged me from looking for any further assistance. I have a child with Down Syndrome and now I decided to seek assistance from the municipality. I hope to get at least some support for paying additional care for my child and meeting his essential needs.”

Violence against women is a serious social problem. Effective implementation of laws and policies in this area is an important element in fighting violence. However, the efficient fight against violence will not be possible unless simultaneous efforts are made to improve the overall position of women in BiH. Lack of education, employment, childcare and housing are important issues that greatly influence the decisions of women to leave violent partners, report cases and receive protection. In the case of Roma women, tackling of these problems is essential and is equally important as the fight against stereotypes, exclusion and discrimination in the community and the BiH society.

Roma women's NGOs and women leaders continue to work within their communities and society, especially through disseminating information and supporting women. The programme "Roma women for Life Without Violence" continues to be implemented through community meetings and by providing information to victims of domestic violence in Roma communities. At the same time, partner organisations and a group of Roma women leaders will focus on improving the situation of Roma women through public and legislative advocacy seeking to make laws and policies on domestic violence more supportive of programmes aimed at assisting the women victims of violence and more sensitive to women exposed to discrimination and marginalisation in BiH.

V. CONCLUSIONS AND RECOMMENDATIONS

Promotion of gender equality and minority equality of Roma women is a key prerequisite for the realisation of the basic human rights of Roma women to equal treatment before the law. The law is equal for all but economic, social and any other marginalisation of Roma women leads to a higher percentage of violence and discrimination against Romani women in relation to non-Roma.

The current implementation of legislation and policies for the prevention of domestic violence shows the inequality in the protection of the rights of victims of domestic violence, which depends on whether the victim of domestic violence lives in a smaller or larger city, whether the protocol on treatment of domestic violence cases is adopted and whether it is applied. It also depends on the budget of each individual area (regardless of the entity in which a victim of violence is based) as well as on the differences in legislation between the entities.

General recommendations for the improvement of gender equality of Roma women

There is an urgent need to make changes to the 2005 Strategy for Roma, the 2008 Action Plan for Resolving the Issues of the Roma in the Area of Employment, Housing and Health Care and Protection as well as to the 2004 Action Plan Concerning the Educational Needs of Roma and Other National Minorities, and the 2010 Revised Action Plan on the Educational Needs of Roma pursuant to the guidelines set out in the Framework of the European Union on National Strategies for Roma Integration by 2020, which was adopted at the European Commission in April 2011.⁴¹

The Council of Ministers and, in particular, the Ministry for Human Rights and Refugees, in cooperation with the competent entity ministries, gender equality agencies and centres, should immediately begin the process of modifying and amending the 2005 Strategy for Roma and the revising the action plans in order to adequately, efficiently and appropriately integrate the issue of gender equality and the rights of Roma women into existing documents. In drafting the changes and amendments to these documents, one should take into consideration the views and opinions of Roma women leaders as well as their needs. All the policies must also be followed by adequate budgets to ensure the implementation of these documents in practice.

It is essential to introduce the provisions on mandatory gender-sensitive and minority quotas for enrolment into secondary schools, colleges and universities into the Action Plan on Educational Needs of Roma (2010) as well as into the bylaws, which regulate in detail the educational process. These gender and minority quotas should be incorporated in the bylaws that regulate the conditions for awarding scholarships for primary, secondary and higher education.

When reviewing the Action Plan on Roma Employment (2008) it is necessary to include the provisions that are specifically aimed at increasing the employment of Roma women, particularly through programmes for acquiring qualifications or expanding existing qualifications of Roma women, specifically the introduction of lifelong learning to educate and train Roma women for jobs that are required in labour market. Gender sensitive quotas targeted at increasing the employment of Roma women should also be incorporated in programmes aimed at the stimulation of employment and self-employment. Furthermore, such programmes should also contain a public awareness component about the rights of the Roma and their communities under the action plans. Also, the action plan should contain a specific strategy supporting women who are in the process of developing business plans for self-employment programmes that will be offered by non-governmental organisations and/or employment services.

Application of these employment and self-employment programmes should be regularly monitored and the results thereof should be regularly evaluated. Companies that apply for this programme must submit evidence proving that they are operational and functional. Re-application for the funds under these programmes should be limited, *inter alia*, to those companies that can prove that the previous funds were spent for their intended purpose and that the number of Roma persons who were employed under the programme are still working in the company that re-applied for the funds. Only in this way can the sustainability and effectiveness of action plans be achieved.

⁴¹ "An EU Framework for National Roma Integration Strategies up to 2020, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions", Brussels, 5.4.2011. http://ec.europa.eu/justice/policies/discrimination/docs/com_2011_173_en.pdf

Action plans for education, employment, housing and healthcare must have a component of the empowerment and integration of women victims of violence in order to ensure to these women the right to live free of violence and the right to choose where, how and with whom to live.

The Gender Equality Agency and entity gender centres should conduct further discussions with the Roma women's organisations and experts from relevant fields on the adoption of specific strategies to improve the rights of Roma with a focus on priority areas and taking into account the current activities of the Roma women's organisations in developing their own strategy. Also, the discussion should be extended to possible ways to integrate the promotion of equality of Roma women in the current Gender Action Plan (GAP) and the financial instrument for implementation thereof (FGAP).

There is a need for developing a strategy for gender sensitisation of the institutions and the Roma community as envisaged by the 2005 Strategy for Roma. The strategy should aim to intensively use the existing experiences of various non-governmental organisations in raising awareness about women's rights and gender equality through the implementation of meetings on the ground, directly in Roma communities, with the participation of representatives of state institutions. In implementing this strategy in the field it is crucial to involve Roma women's NGOs in order to win their trust and ensure the involvement of the largest possible number of Roma and Romani women in these activities.

Violence against Roma women, in particular domestic violence

A new strategy for preventing and combating domestic violence, which should integrate the issue of community education, education of all citizens about the rights stemming from positive legislation and mechanisms available to protect and assist women victims of domestic violence is in preparation. When planning and carrying out such activities in Roma communities it is necessary to use and develop the existing capacities of the Roma non-governmental organisations working on issues of women's human rights.

The position of Roma women in Bosnia and Herzegovina and the activities of Roma women's NGOs focusing on combat against domestic violence and the struggle for a better position of Roma women in the family, the community and the BiH society should be strongly promoted in the media.

Domestic violence

It is necessary that Bosnia and Herzegovina sign and ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (2011.), which states the basic standards for effectively preventing and combating violence against women including domestic violence.

The entity parliamentary commissions for gender equality should urgently conduct a public hearing on the application of the Law on Protection against Domestic Violence, and other laws applicable in cases of domestic violence, the secondary legislation governing the application of these laws, in particular protective measures, which will include professionals from the police, social work centres, judicial institutions and NGOs with an aim to amend the Act on Protection against Domestic Violence.

Changes to the legislation in both entities should aim to:

- Clearly define and sanction domestic violence as a crime,
- Define the rights of victims of violence to social protection and the right to financial assistance, regardless of other rights under social protection,
- Equalise the rights and the procedures of competent institutions in dealing with domestic violence and secure support systems for victims of violence in both entities, and between regions/cantons,
- Clearly define protective measures and distinguish them from sanctions for perpetrators of violence,
- Establish effective systems of implementation and monitoring of protective measures by defining in the law that protective measures are not sanctions for perpetrators of violence, defining the jurisdiction and institutions responsible for launching the infringement proceedings in the event of default of protective measures, and defining through the secondary legislation different ways of enforcement of protective measures such as community work, for example.

It is necessary to ensure full implementation of the Law on Protection against Domestic Violence in both entities through the use of existing mechanisms for controlling and monitoring the implementation of laws, for example through the parliamentary committees, in order to ensure effective and timely response of all institutions to the perceived problems. It is necessary to establish effective mechanisms for implementation and control of adopted protective measures with staff trained to deal with abusers and victims of domestic violence.

The Gender Equality Agency/gender centres at the entity levels should keep the records and statistics on the reported, prosecuted and completed domestic violence cases.

There is an urgent need for continuous training programmes on the appropriate application of the law for the police, professional staff of centres for social work, health institutions and judicial bodies and for provision of adequate assistance and support to victims of violence. These programmes should also include regular exchanges of experiences and knowledge between the institutions and their employees in the fight against domestic violence. It is necessary to establish a coordinated and effective response by institutions and NGOs throughout BiH in cases of domestic violence.

Entities, cantons and municipalities have to allocate funds in their budgets for the work of shelters.

It is necessary to establish effective mechanisms for the implementation and control of imposed protective measures, and for training of professionals to implement mandatory psychosocial treatment of perpetrators of violence in the regions and cantons where the training has not yet been conducted.

It is necessary to amend the Regulation on the Implementation of the Protective Measure of Mandatory Psychosocial Treatment of Perpetrators of Violence that governs the implementation of this treatment to anticipate appropriate expertise for dealing with perpetrators of violence and facilitate the implementation of treatment by natural and legal persons that have adequate qualifications for such work. There is a need for continuous training of professionals in all regions and cantons who work with perpetrators of violence.

There is a need for the introduction of special programmes for abusers in relevant institutions and NGOs and for conducting training of professionals in these institutions and organisations to deliver these programmes. These programmes have proven to be an effective method for preventing the recurrence of domestic violence.

Police

Entity ministries of interior and ministries of justice must ensure strict enforcement of the Law on Protection against Domestic Violence in both entities particularly pertaining to police conduct, mandatory responses to requested visits to the scene, collection of all available evidence, and the submission and forwarding of the application for further processing of domestic violence to competent institutions.

It is necessary to inform citizens about the existing internal control mechanisms for cases of racist and discriminatory actions or in cases of failure of the police to act in accordance with the law. It is also necessary to explain the ways of reporting such cases and initiating the actions.

Centre for Social Work

Entity ministries, namely the FBiH Ministry of Labour and Social Affairs and RS Ministry of Health and Social Welfare, should establish and ensure the implementation of specific training programmes for workers in the Centres for Social Work in order to sensitise them for work with victims of domestic violence, and for providing victims of domestic violence with all forms of support and assistance within their jurisdiction.

In order to ensure an effective response of the centres for social work to the tasks concerning the protection of victims of domestic violence, these centres need to be strengthened with additional personnel and expertise and adequate funding for these institutions through the budget. Entity and cantonal ministries of social affairs need to ensure equal functioning of centres for social work, particularly in terms of compliance with the rules concerning the mandatory number of staff, structure and the qualifications of professionals in the centres. It is necessary to establish regular supervision of all employees, especially those who work on cases of domestic violence. Also, there should be regular internal control of the employees in place to ensure compliance with the law.

Centres for social work should establish a close cooperation with Roma organisations, particularly women's NGOs, that provide assistance and support to Roma women victims of domestic violence and should provide housing for Roma women in the shelters, when necessary.

Judicial bodies

Within the Entity Ministries of Justice, and in consultation with professionals in the field of justice, urgent actions should be taken concerning the establishment of special departments within the courts and prosecutors' offices that will deal exclusively with domestic violence, gender-based violence and discrimination. In this way, the judges and prosecutors would be able to have continuity in education in this area, particularly in cases of continuous violence in the same families involving the same perpetrators, etc. It would be of great importance to develop and establish case law in the prosecution and the courts in order to base domestic violence cases on a wider range of evidence rather than basing them solely on the testimonies

of the victims.

It is necessary to ensure that prosecutors can prosecute domestic violence cases *ex-officio* even when the victim withdraws the charges.

The existing case law whereby courts dismiss cases of the trafficking/sale of young Roma women for marriage or for economic or for sexual exploitation based on the interpretation that it is the Roma tradition must be ceased. The Department for Combating Trafficking, which is a part of the Ministry of Security of BiH, in cooperation with other relevant ministries and judicial institutions and non-governmental organisations, must take urgent measures to prevent the sale and trafficking of Roma girls.

International community

It is necessary to continue to support, financially and otherwise, the capacity development of women's Roma organisations and programmes aimed at fighting for women's human rights and life without violence. Furthermore, it is necessary to support informative campaigns on the rights and protective mechanisms for women victims of violence and discrimination.

Since the role of the international community in adopting and implementing programmes aimed at improving the situation of Roma in BiH is undoubtedly important, we strongly advocate for an urgent integration of these measures into all existing action plans, which will respond to specific needs and concerns of Roma women. Action plan reform, which is in preparation, it is essential to ensure participation and the inputs of Roma leaders in discussions and in the adoption of these plans.

VI. ANNEX

List of Roma women leaders and representatives of Roma (women's) Non-governmental organisations participating in development of this Report (in Alphabetic order)

1. Ahmetović Šaha, Udruženje Roma “Veseli brijeg”, Banja Luka
2. Bajramović Indira, Udruženje “Bolja budućnost”, Tuzla
3. Bešić Sanela, “Romski informativni centar Kali Sara”, Sarajevo
4. Fafulić Razija (Goca), Udruženje “Centar za majke Nada”, Kakanj
5. Hakić Jasmina, “Romska Suza”, Srebrenica
6. Halilović Melina, Udruženje “Budi mi prijatelj”, Visoko
7. Jašarević Aida, Udruženje “Romano Centro”, Zenica
8. Mirković Snježana, Udruženje “Romska djevojka” (Romani Ćej), Prnjavor
9. Musić Naima, Udruženje “Centar za majke Utjeha”, Zenica
10. Tahirović Alena, Udruženje Roma “Ponjir”, Ključ

VII. LITERATURE USED IN PRODUCING THIS REPORT

Izveštaj o nasilju u porodici nad Romkinjama u BiH, Prava za sve u partnerstvu sa ICVA i grupom Romkinja liderica i predstavnica organizacija civilnog društva, novembar 2010.

Fourth and Fifth Periodic CEDAW Report of Bosnia and Herzegovina, Gender Equality Agency of BiH, May 2011.

Alternativni izvještaj o implementaciji CEDAW konvencije i ženskim ljudskim pravima u BiH, “grupa nevladinih organizacija, oktobar 2010.

Izveštaj o stanju ljudskih prava u BiH za period januar – decembar 2010. godine, Helsinški komitet za ljudska prava u BiH

Nasilje prema ženama u intimnom partnerskom odnosu: Model koordiniranog odgovora zajednice, Tanja Ignjatović, Rekonstrukcija Ženski fond, Beograd, 2011.

Strategija za rješavanje problema Roma u BiH, Vijeće ministara BiH, 2005.

Izveštaj o implementaciji Akcionog plana za rješavanje problema Roma u oblastima zapošljavanja, stambenog zbrinjavanja i zdravstvene zaštite, Romski informativni centar Kali Sara i Decade Watch, Sarajevo, april 2011.

Nismo naučile(i), tako smo živjele(i), Medica Zenica, Infoteka, januar 2001.

Trafficking in Persons Report, U.S. State Department, June 2009.

