REPUBLIC OF SRPSKA
GOVERNMENT

STRATEGY
TO COMBAT DOMESTIC VIOLENCE OF THE REPUBLIC OF SRPSKA
(2014-2019)

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1. Constitutional and legal basis for the adoption of the Strategy

The constitutional basis for the adoption of this strategy is contained in Amendment XXXII items 5 and 12 of Article 68 of the Constitution of the Republic of Srpska, according to which the Republic of Srpska regulates and ensures the exercise and protection of human rights and freedoms and other forms of social protection, and care of children. The Constitution of the Republic of Srpska devotes an entire chapter (Articles 10-49) to human rights and fundamental freedoms. The legal and political system of the Republic of Srpska is constituted and builds primarily, on the principle of guaranteeing and protecting of rights and freedoms in accordance with international standards.

The legal basis for the adoption of the Strategy to Combat Domestic Violence of the Republic of Srpska is contained in Article 4 of the Law on Protection from Domestic Violence (“Official Gazette of the Republic of Srpska“, No. 102/12 and 108/13), which stipulates that for the purpose of protection from domestic violence, the Republic of Srpska National Assembly, on the Republic of Srpska Government's proposal adopts the Strategy to Combating Domestic Violence for the period of five years.

2. Normative and legal framework

2.1. International legal framework

International legal norms in the field of domestic violence are contained in the documents adopted at different levels of within international organizations the countries are members of or are trying to become. By its membership in these organizations, the countries agree on principles such organizations are based on, and with their signature they undertake to apply the international document containing the rules of international law and fulfil the obligations under the ratified document.

International standards in the field of policies and strategies for combating domestic violence, generally speaking, are contained in different documents, both in those adopted at the levels of the United Nations, the Council of Europe and the European Union, and in the decisions by virtue of which the bodies monitoring the application of those documents decide in individual cases of violations of the rights guaranteed by those documents. In addition, the standards are also set through the interpretation of the contents of these documents by these bodies in the form of recommendations. International standards are included also in the concluding comments under the reports required to be submitted to these bodies by the countries signatories to these documents or members of organizations which adopted them, in accordance with the provisions on reporting.

The most important documents of the United Nations that are directly or indirectly related to the issue of domestic violence are:

- The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, 1979) and the Optional Protocol to the Convention (1999) and General
Recommendation No. 19 of the Committee on the Elimination of All Forms of Discrimination against Women (CEDAW Committee) on violence against women,

International Covenant on Civil and Political Rights (1966)

International Covenant on Economic, Social and Cultural Rights (1966)

The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984)


UN Declaration on the Elimination of Violence against Women (1993)


When it comes to regional international documents, the documents of the Council of Europe are relevant for the Republic of Srpska. The most important document of the Council of Europe is the Convention on preventing and combating violence against women and domestic violence (“Official Gazette of BiH – International Treaties”, No. 19/13), adopted by the Council of Europe in April 2011, which is the first document treating the violence against women and domestic violence in a comprehensive manner. The Convention stipulates that the violence against women is a violation of basic human rights and a form of discrimination against women, and provides a comprehensive overview of the legal and other measures that Member States should take in order to achieve full and effective protection of victims of all forms of violence against women, including domestic violence. This Convention is the first and only legally binding document in the field of violence against women and domestic violence adopted at the level of the Council of Europe.

The Convention establishes a structural link between gender-based violence and gender inequality, or inequality between men and women in society. The Convention also emphasizes the need for multi-dimensional and focused approach, the need for multi-agency cooperation and interaction among major holders and establishes a comprehensive system of measures, including the empowerment of women. The Convention establishes binding standards of legal framework and practices (legal provisions, measures, services and policies) in the Member States in relation to violence against women and domestic violence and establishes subject for international monitoring. The Convention is based on CEDAW and ECHR decisions. The provisions of the Convention on due diligence impose on the Member States the obligation to provide conditions for the prevention, investigation, punishment and insurance of reparation for acts of violence, and the failure to act entails responsibility of the state, not only of persons who have committed violence.

One of the priority objectives of the Council of Europe in the field of human rights and gender equality is combating violence against women, including domestic violence. To this end, the Council of Europe continuously collects data relating to legislation and practices of Member States in

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More about treatment based on principle of due diligence can be found in the document which was prepared during the drafting of the Convention by Christine Chinkin, Professor of International Law, Department of Law, Centre for the Study of Human Rights, The London School of Economics and Political Studies, Scientific expert to the CAHVIO, which is available at:

http://www.coe.int/t/dghl/standardsetting/conventionviolence/CAHVIO/CAHVIO_2010_7%20The%20duty%20of%20Due%20Diligence.pdf
preventing and combating violence against women, including domestic violence, and on the basis of analytical studies and data prepares and adopts recommendations, and other documents relevant and recommending, as well as binding, with respect to membership in the Council of Europe and obligations in the process of European integration.

2.2. Legal framework of the Republic of Srpska

Article 10 of the Constitution of the Republic of Srpska stipulates that citizens of the Republic are equal in their freedoms, rights and duties; that they are equal before the law and enjoy equal legal protection irrespective of their race, sex, language, national origin, religion, social origin, birth, education, property status, political and other beliefs, social status and other personal attributes. The Constitution stipulates no one can be subjected to torture, cruel, inhuman or degrading treatment or punishment (Article 14, paragraph 1). In addition, Article 36 stipulates that family, mother and child enjoy special protection.

Normative-legal framework regulating matters of domestic violence has improved significantly in recent years. In addition to the specific incrimination in criminal legislation special law on protection against domestic violence was adopted and it lays down specific measures to prevent and combat domestic violence as well as bylaws for the implementation of the law. This has

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2 Information on all activities and many documents of the Council of Europe relating to the prevention and combating violence against women is available at the following link: http://www.coe.int/T/E/Human_Rights/Equality/05._Violence_against_women/

3 Important documents in this terms are also the recommendations of the Committee of Ministers of the Council of Europe to Member States:
   - Recommendation. R (79) 17 on the protection of children against ill-treatment,
   - Recommendation. R (85) 4 on violence in the family,
   - Recommendation. R (85) 11 on the position of the victim in the framework of criminal law and criminal procedure,
   - Recommendation. R (87) 21 on assistance to victims and the prevention of victimization,
   - Recommendation. R (90) 2 on social measures concerning violence within the family,
   - Recommendation. R (93) 2 on the medico-social aspects of child abuse,
   - Recommendation No. R (2000) 1450 on violence against women in Europe,
   - Recommendation. R (2001) 16 on the protection of children against sexual exploitation,
   - Recommendation. R (2002) 5 on the protection of women against violence,
   - Recommendation CM/Rec (2007) 17 on gender equality standards and mechanisms,
   - Recommendation CM/Rec (2010) 10 on the role of women and men in conflict prevention and resolution and in peace building

Important documents of the Congress of Local and Regional Authorities of the Council of Europe for Member States:
   - Resolution 279 (2009) Combating domestic violence against women,
   - Recommendation 260 (2009) Combating domestic violence against women,

4 Rulebook on standards for the realization of safe houses “Official Gazette of the Republic of Srpska”, No. 25/13), the Rulebook on the content and manner of keeping the register of safe houses (“Official Gazette of the Republic of Srpska”, No. 25/13), Rulebook on the manner of allocating funds to safe houses (“Official Gazette of the Republic of Srpska”, No. 62/13), the Rulebook on the contents of the records and reports on domestic violence (“Official Gazette of the Republic of Srpska”, No. 71/13), the Rulebook on the manner and place of conducting safety measures of mandatory treatment of alcohol and drug dependence (“Official Gazette of the Republic of Srpska”, No. 97/06), the Rulebook on the implementation of protective measures falling within the
created an adequate normative-legal framework for the realization of more effective protection against domestic violence, which is at the same time a good normative basis for its further improvement. In addition, since domestic violence requires a multidisciplinary approach and cross-sectoral cooperation in order to improve and strengthen mutual cooperation in the protection, assistance and support to victims of domestic violence and coordinated response to combat and prevent the recurrence of violence, the General Protocol on action in cases of domestic violence in the Republic of Srpska (“Official Gazette of the Republic of Srpska”, No. 104/13) was signed. The signatories of this protocol are the Ministry of Justice, Ministry of Internal Affairs, Ministry of Health and Social Welfare, Ministry of Education and Culture and the Ministry of Family, Youth and Sports.

The laws that apply in cases of domestic violence and which make a comprehensive legal framework regulating the field of domestic violence and which apply in cases of domestic violence in the Republic of Srpska are:

- Criminal Code of the Republic of Srpska,
- Code of Criminal Procedure,
- Family Law,
- Law on Protection from Domestic Violence, and
- Law on Misdemeanours of the Republic of Srpska.

By the Amendments to the basic form of the criminal offence of domestic violence, the Criminal Code of the Republic of Srpska (“Official Gazette of the Republic of Srpska”, No. 49/03, 108/04, 37/06, 70/06, 73/10, 1/12 and 67/13) provided for a clear distinction between domestic violence as a criminal offence and domestic violence as a misdemeanour. This has removed doubts as to the application of the Law on Protection from Domestic Violence and the Criminal Code to the specific case. The definition of a family member or family community, in the context of this criminal offence, has been changed and adapted to international standards, as well as to the provisions of the Law on Protection from Domestic Violence. New security measures enabling more efficient protection of victims of domestic violence have been introduced, and sanctions for perpetrators of the criminal offence have been tightened. Those changes have made a significant progress in the field of harmonization of legal framework in the field of domestic violence with international standards to prevent and combat domestic violence, especially with the Council of Europe Convention on preventing and combating violence against women and domestic violence. In the context of criminal offences against marriage and family, the Criminal Code contains Article 208 „Violence in the family or domestic unit”, which reads:

„(1) Whoever by violence, insolent or arrogant behaviour violates peace, life and health or mental health of a member of his family or family household, and by that brings about the physical or psychological integrity of a passive subject, shall be punished by a fine or imprisonment for a term between three months and three years.

competence of the Ministry of Internal Affairs („Official Gazette of the Republic of Srpska”, No. 26/06) and the Rulebook on the manner and place of implementation of protective measures of mandatory psychosocial treatment („Official Gazette of the Republic of Srpska”, No. 97/06)
(2) If during the commission of the criminal offence referred to in paragraph 1 of this Article, weapons, dangerous implements or other instruments suitable to inflict grave bodily injuries or harm person’s health have been used, the perpetrator shall be punished by imprisonment for a term between six months and five years.

(3) If the commission of the criminal offence referred to in paragraphs 1 and 2 of this Article has resulted in grievous bodily injury of the family member or impaired his health or if the criminal offence referred to in paragraphs 1 and 2 of this Article has been committed against a minor or in minor’s presence, the perpetrator shall be punished by imprisonment for a term between two and ten years.

(4) If the commission of the criminal offence referred to in paragraphs 1, 2 and 3 of this Article has resulted in the death of the family member, the perpetrator shall be punished by imprisonment for a term between three and fifteen years.

(5) Whoever kills a member of family or member of household, whom he has abused previously, shall be punished by imprisonment for a term not less than ten years.

(6) Whoever violates the protective measures against the domestic violence ordered by the court on the basis of the law shall be punished by imprisonment for a term between three months and three years.

(7) For the purpose of this Chapter, family members or members of household shall be also understood to mean spouses or ex-spouses, their children and children of each of them, unwed partners or former unwed partners, their children and children of each of them, in-laws up to the second degree of kinship regardless of the fact that the marriage union has ended, parents of current and former wed or unwed partners, relatives from full adoption in direct line without limitation, and in indirect line up to the fourth degree of kinship, as well as the relatives from partial adoption, persons linked by relation of guardianship, persons who live or lived in the same family household regardless of kinship, and persons who together have a child or have conceived a child, even though they had never lived in the same household.

The Criminal Procedure Code of the Republic of Srpska (“Official Gazette of the Republic of Srpska”, No. 53/12) prescribes measures of prohibition from visiting certain places or areas and prohibition from meeting with certain persons, who, at the request of a party or the defence attorney, can be imposed in case of domestic violence. The measures can be imposed in the phase of investigation (preliminary proceedings judge), after the filing of indictment (preliminary hearing judge), and after the delivery of the case to a judge (the judge, or the president of the panel). The Code prescribes limitations on the content of prohibiting measures: The prohibiting measures shall not restrict the right of the suspect or accused to live in his home in Bosnia and Herzegovina, to see members of his family and close relatives freely but just in Bosnia and Herzegovina or just in a place specified under the house arrest, unless the proceedings involve the criminal offense committed to the detriment of the family member or close relatives.

The Family Law (“Official Gazette of the Republic of Srpska“, No. 54/02 and 41/08) regulates family and legal relations between spouses, parents and children, adoptive parents and adoptees, as well as relations between relatives in marriage, common-law marriage or adoption family, and procedures of competent authorities in connection with family relations and guardianship. The Law stipulates that the Republic of Srpska provides special protection to family, mother and child, in accordance with internationally recognized human rights and fundamental freedoms. With regard to the regulation of domestic violence, the following provisions of this law are especially important:
Article 4, paragraph 2: “Marriage is based on a free decision of a man and a woman to enter into marriage, on their equality, mutual respect and mutual assistance.”

Article 52 paragraph 1: “A spouse may ask for a divorce of a marriage if the relationships in the marriage have seriously and permanently been disturbed, due to which the life together has become intolerable”.

Article 106, paragraph 1: “In extra-judicial proceedings, the court shall deprive parents from parental right if a parent abuses the child, abuses his/her parental right or has abandoned the child, ignored child’s care and neglected his/her parental duties.”

**Law on Protection from Domestic Violence** (“Official Gazette of the Republic of Srpska”, No. 102/12 and 108/13) was adopted in order to provide more efficient, faster and more complete protection of victims of domestic violence. The Law stipulates that a misdemeanour proceeding is initiated for the misdemeanour of domestic violence in accordance with the provisions of the Law on Misdemeanours of the Republic of Srpska and misdemeanour sanctions are imposed in the form of a fine, a suspended sentence and protective measures. This is without prejudice to the criminal and legal protection provided under the Criminal Code of the Republic of Srpska. Moreover, this Law stipulates the obligation for subjects of protection to act in compliance with the provisions of this Law, regardless of whether the criminal or misdemeanour proceeding has been initiated against the perpetrator.

The Law lists the police, prosecutor’s offices, centres for social work or social protection service, health and education institutions and competent courts as the subjects of protection required to provide protection from domestic violence. Procedure of their work is expressly defined by law.

Any form of domestic violence is prohibited. In terms of Article 6 of this Law, domestic violence is any act of violence of a member of family or family community which endangers the tranquillity, mental, physical, sexual or economic integrity of a member of family or family community.

The law stipulates that the acts of domestic violence are all acts of violence not containing the elements of the criminal offence, in particular the following acts:

(a) a threat to inflict bodily injury on a family member or a person close to him/her,
(b) a threat to take children away or throw a family member out of the apartment,
(c) subjecting a family member to exhaustion by work, starvation, deprivation of sleep or necessary rest,
(d) upbringing children in a degrading manner,
(e) depriving a family member of means of subsistence

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5 Article 7 of the Law on Protection from Domestic Violence stipulates that members of the family or family community, in terms of this Law, are:

a) spouses or ex-spouses, their children and the children of each of them,
b) common-law partners or ex common-law partners, their children or the children of each of them,
c) relatives by marriage to the second degree, regardless of the fact that the marriage ceased to exist,
d) the parents of current and ex-spouses and common-law partners,
e) relatives from full adoption in direct kinship (linea recta) without any limitations, and in the linea colateralis up to the fourth degree of kinship, and relatives from partial adoption,
f) persons connected by the relationship of guardianship,
g) persons who live or have lived in the same household, regardless of kinship,
h) persons who have common child or the child who has been conceived, although they have never lived in the same family household
(f) denial of the right to economic independence by prohibiting work or holding a family member in a relationship of dependence or subordination by threats or denying means of subsistence or other forms of economic domination,
(g) verbal abuses, swearing, name-calling or insulting of a family member in another way,
(h) restriction of freedom of communication of a family member with family members or other persons,
(i) damaging or destruction or circulation of the common property or property owned or in possession of another family member or attempt to do so,
(j) stalking of a family member, and
(k) causing fear, humiliation, inferiority, as well as other acts that do not contain elements of the criminal offence of domestic violence.

The court may impose on the perpetrator of domestic violence the emergency protective measure before the initiation of the proceedings in summary proceedings or in the course of the proceedings. The purpose of the emergency protective measure is the elimination of immediate danger of the physical and psychological integrity, prevention of the recurrence of violence and guarantee of the safety of the victim.

The Law also provides for the housing of the victim in a safe house in order to ensure the physical protection, support and assistance in exercising the rights and interests of victims of domestic violence. Housing is done by the centre for social work or social protection service, with the assistance of the police and with the prior consent of the victim of violence.

The Law provides misdemeanour sanctions for the offence of domestic violence: 1. a fine, 2. suspended sentence and 3. protective measures. Protective measures may be imposed independently and without the imposition of fines or other sanctions, and they are the subject to direct enforcement of the authorities responsible for their implementation, in accordance with the provisions of this Law. Protective measures are: 1. removal from apartment, house or other dwelling, 2. prohibition of approaching the victim, 3. prohibition of harassment or stalking of persons exposed to violence; 4. mandatory psychosocial treatment, 5. mandatory treatment of addiction. The purpose of prescribing, imposing and enforcing misdemeanour sanctions is to prevent domestic violence, ensure the necessary protection of the health and safety of victims, prevent negative identification and eliminate the circumstances conducive to or stimulating the commission of further acts of domestic violence. The court in whose territory the misdemeanour has been committed is the territorially competent court, or exceptionally the court in whose territory the victim has permanent or temporary residence, if this is in the interest of conducting the procedure.

Law on Protection from Domestic Violence in Article 3 stipulates that the protection of domestic violence is achieved by application of that law and the laws governing the administrative, misdemeanour and criminal procedures, protection of children and minors in criminal proceedings and proceedings of execution of criminal sanctions, while Article 13 paragraph 2 prescribes that the emergency protective measures are imposed by misdemeanour department of the competent basic court, and Article 14, paragraph 2 prescribes that emergency protective measures are imposed by the judge of misdemeanour department of the competent basic court. Article 23 of the Law on Protection from Domestic Violence stipulates that the misdemeanour sanctions for protection against domestic violence are: a) a fine, b) suspended sentence and c) protective measures, and that a fine or a suspended sentence are imposed in accordance with provisions of the law governing misdemeanours, while protective measure are imposed in accordance with the said Law.
The Law on Misdemeanours of the Republic of Srpska (“Official Gazette of the Republic of Srpska”, No. 34/06, 1/09, 29/10 and 109/11) determines, inter alia, the misdemeanour sanctions and prescribes the procedure for their imposing and execution. This Law provides that the applicant for initiation of the misdemeanour proceedings is an authorized body, prosecutor or the injured party (Article 2, paragraph 1, item a), that a misdemeanour sanction may be imposed by a court in misdemeanour proceedings which has been initiated and conducted in accordance with this Law (Article 5, paragraph 2), that the court can impose by the decision one or more protection measures against the defendant (Article 17), while Article 16 stipulates that protective measures can be prescribed only by law (paragraph 1).

Protection from violence is an obligation that has to be clearly articulated through legislation and operationalized through the policy. The right to live free from violence includes legal recognition of this right, allowing the enjoyment of this right, and in case of violations of rights, the provision of necessary assistance, support and protection, and prevention of the recurrence of violence. Recognizing and understanding the needs of victims who suffer or have suffered domestic violence is necessary in order to establish the measures of interventions that support the real needs of the victims and enable the development of policies and practices that will contribute to their protection and influence the reduction of domestic violence.

3 Analysis of the situation

3.1. Introduction

The problem of domestic violence was considered a private problem of „family where violence occurs” and it was not considered a violation of human rights and freedoms, or as a form of discrimination. The first steps to raise awareness about domestic violence as a social problem was made by non-governmental organizations which within the scope of their duties and activities also took care of victims of domestic violence and provided free legal and psychosocial assistance to victims of violence. Help is provided through SOS telephones and safe houses where victims, in addition to safety and shelter, receive help and support. With joint forces of non-governmental organizations, academia, members of the National Assembly of the Republic of Srpska and government sector the criminal offence of „domestic violence” was included in the Criminal Code of the Republic of Srpska (2000), while the special Law on Protection from Domestic Violence in the Republic of Srpska entered into force in 2006. This work on the harmonization of the normative-legal framework was accompanied by other different activities and measures aimed at establishing multi-sectoral model of care in local communities, improvement of protection and support to victims through housing in safe houses and provision of free support and help and providing free through the

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6 „Preventing and Combating Domestic Violence in the Republic of Srpska“, Professor Aleksandar Milić, PhD and other Government of the Republic of Srpska, Gender Centre, p. 9, 49. and 82. available at: <http://www.vladars.net/sr-SP-Cyril/Vlada/centri/gendercentarris/media/vijesti/Documents/gender%20final%202010%201-164%20NOVI.pdf>
„SOS Line 1264 for the help of victims of domestic violence”, improvement of keeping the records on domestic violence, the implementation of different educational and promotional activities to strengthen the capacity of subjects of protection from domestic violence and raising awareness of the "zero tolerance" for domestic violence.

The laws and the theories studying violent behaviour did not recognize the domestic violence as a separate problem until the past thirty years, so that it was not specially researched and investigated\(^7\). Domestic violence used to be considered as a disorder caused by interpersonal conflicts, while the today’s theoretical approaches indicate the multiple causes of domestic violence that are not necessarily related to the health status of individuals even and they do not only in those families that are dysfunctional\(^8\) due to various circumstances. Many theorists and scholars tried to find the answer from different scientific perspective why domestic violence happens, what the causes of domestic violence are and intervention measures that would have given or give the best effect to prevent future violence.

Theories examining violent behaviour can be, depending on the approach, divided into five groups: biological/organic, psychopathological, and system theories, of learned behaviour and feminist theories. Theories dealing with the causes of violence can be divided into those studying violence as a phenomenon at the individual level, using psychological approach, such as medical, psychological and psychopathological theories of violence and those which use a general level, looking for the causes in the social environment\(^9\).

However, despite the numerous studies which investigated the causes of domestic violence, even today there is no consensus among theorists about the causes of domestic violence, which is understandable, bearing in mind that this is a complex phenomenon, both at the individual, family, social, and global level\(^10\). In short, the dependence of the abuser of alcohol, mental illness or childhood trauma caused by witnessing violence within the family in which he/she grew up, and which caused such behaviour learned by the model are identified as causes of violence in the psychological theory of violence against women. However, while it is true that some perpetrators of violence are mentally ill, some are alcoholics, and some have grown up in families where they witnessed violence, while some of them acquire all of these cause, these theories could not explain why among of the perpetrators of the violence there are those who are not addicted to alcohol or mentally ill, and they had no model of violent behaviour in families in which they grew up.

Sociological theories claim that external factors, such as traditional patriarchal upbringing, poverty, poor living conditions, low educational level, unemployment and other socio-economic reasons, influence the occurrence of violent behaviour. However, as with psychological theories, among the perpetrators of violence there are also educated, well-off and respectable persons, who are not prone to alcohol or mentally ill and have no history of domestic violence. Their violence is directed only towards their family members, predominantly wives, choosing the time and place to be violent.

Some theories of domestic violence developed on the criticism of other theories, believing that they by gender neutrality ignore and contribute to the concealment of the fact that the predominant majority of perpetrators of domestic violence are men, and that the explanations of the causes of violence they offer are justifications seeking excuses for violence. Feminist theories see the cause of domestic violence in the patriarchally organized society and institutions and the unequal distribution of power between men and women. Opinion that the patriarchy and the unequal power relations cause of surviving violence against women is accepted in international and regional instruments dealing with issues of gender-based violence.

The results of recent research which classify the perpetrators of violence according to psychopathology, type and frequency of violence into the three groups: those who are violent in general terms, those characterized as antisocial, those who are at the border or dysphoric abusers and those who are violent only towards the person they are in a relationship with or within the family, show that, among other things, half of all perpetrators of violence included in this study is included in a group of perpetrators who are violent only within their families, who have serious personality disorders, consume alcohol rarely or in limited amounts and are not prone to depressions.

In any case, the variety of different approaches to the study of domestic violence enriches the knowledge of the issue on which, despite the extensive literature and research done in the last thirty years on this topic, we do not know enough to stop it.

3.2. Prevalence of domestic violence

Regardless of gender-neutral concept of the protection from domestic violence in the Republic of Srpska, which stipulates that domestic violence violates basic human rights and freedoms guaranteed by the Constitution and laws with regard to the so far conducted research and collected

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statistical data which confirm a causal connection, according to which domestic violence predominantly affects women and children as victims\(^\text{15}\), showed the need for specific protection of women's and children's rights in the context of domestic violence. Therefore, the research on the prevalence and incidence of violence against women was conducted in 2012 \(^\text{16}\), with particular emphasis on domestic violence as a form of gender-based violence, the implementation of which was coordinated coordinated by Gender Centre of the Government of the Republic of Srpska and Republika Srpska Institute of Statistics. The research was conducted on a representative sample and in accordance with the indicators of the United Nations to monitor the prevalence and incidence of violence against women and violence.

The aim of the research was to investigate the prevalence of all forms of violence against women, the factor affecting the prevalence of violence and testing of access to services for the protection and support. The research findings are given for the Republic of Srpska in the part of law enforcement and measures for prevention and combatting violence which are within the jurisdiction of the Republic of Srpska\(^\text{17}\).

The picture on violence against women, obtained on the basis of this research, is extremely unfavourable. Women are exposed to high risk of violence, especially in its immediate, intimate environment of partnership and family relations, and then in the wider community. When it comes to the Republic of Srpska, the data of this research show that 47.3% of women have experienced some form of violence at the age of 15 years and older which is unfortunately a very high percentage that speaks for itself about the extent and severity of this social problem. The most common forms of violence to which women are exposed is the psychological, as well as the combined physical and psychological violence. The violence against women by partners (current or ex) is the most widely prevalent and, generally speaking, the sphere of intimate partner and family relations is far greater source of risk of violence for women than it is the wider community. Young women are more exposed to violence than older, the women in a rural area more than women in the urban environment, particularly in the Republic of Srpska. Women of poor health and with disabilities are not spared from violence - and their prevalence rates are the same as in the sub-sample of healthy women and women without disabilities.

The rates of partner physical violence are higher than the rates of physical violence committed by the other person. The data on the incidence of violence confirm that those are not single incidents, but the practices that keep repeating. The women of younger and middle age are the most exposed to sexual violence, compared to children and older women. Partner psychological violence somewhat more often manifests itself in the form of control and restriction of liberty rather than emotional abuse,

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\(^{16}\) Group of authors. „Prevalence and Characteristics of violence against woman in Bosnia and Herzegovina“. Sarajevo: Gender Equality Agency of Bosnia and Herzegovina, 2013. The research was conducted in cooperation of the Agency for Gender Equality of BiH, Gender Centre of the Federation of Bosnia and Herzegovina, the Gender Centre of the Republic of Srpska and statistics institutions in BiH (Entity statistics institutes and the Agency for Statistics of BiH)

\(^{17}\) For the purposes of this Strategy an overview of the most important general findings from this research is given, while the detailed data and analysis are available in the research referred to in the previous references.
The rates of prevalence of domestic violence against women are higher in rural than in urban areas. Material deprivation significantly increases the risks of domestic violence. In families where violence against women was identified, patriarchal attitudes towards gender roles are more pronounced, although they are generally high in the total sample. The culture of “tolerance for violent conflict resolution” increases the risk of domestic violence against women, as well as the presence of various problems such as sick or immobile members, alcoholism or aggressive behaviour of a member/members.

The rates of prevalence of partner violence decrease with higher levels of education of women and their partners. Partner’s dependence on alcohol or “bad temper” extremely increases the risks of their violence against women. The basis of partner violence are unbalanced power relations which are manifested through the dominant decision-making of partners about money in the household, and material deprivation increases the risk of manifestation of partner violence against women from the sample.

The consequences of domestic violence are multiple and therefore it is necessary to have an interdisciplinary approach to solving this problem. According to the findings of the research, exposure to violence has significant consequences for the victims - from direct physical injuries in cases of physical and sexual violence to chronic psychosomatic disorders. However, the victims, mostly women, in most cases fail to profile successful strategies out of the cycle of violence, but they often lack a clear perception of exposure to violence, and the possibilities of protection, or that they have the right to live without domestic violence and the ability to ask for support from relevant institutions and organizations. It should be noted that these consequences, in addition to direct victims of violence, often occur in other family members who witnessed this form of behaviour.

Regarding the children victims of domestic violence, the Law on Protection from Domestic Violence stipulates that a child is a victim if the child was present in the exercise of violence against another family member, although acts of violence were not taken against the child (Article 8, paragraph 3). Violence against children is a serious social problem and one of the most common forms of violation of children's basic rights, the right to life and development. Violence against children occurs in various forms - physical violence, emotional or psychological violence, social violence, sexual violence and abuse, cyber bullying, neglect and negligent treatment, exploitation of children and similar. What is common to all forms of violence is that it leaves multiple, deep and long-lasting effects on physical and mental health of the child, the child’s psychosocial development and future life.

Starting from the fact that the prevention of violence against children is the best way to protect a child, and bearing in mind the consequences the violence has on the child’s growth and development, the ministers of the Ministry of Health and Social Welfare, the Ministry of Education and Culture, the Ministry of Internal Affairs and the Ministry of Family, Youth and Sport signed the Protocol on action in cases of violence, abuse or neglect (“Official Gazette of the Republic of Srpska” No. 82/13). The protocol has been in force since 1 January 2013. The main purpose of the present
Protocol is to improve social care for children and their portion and the provision of necessary assistance in all situations when the child is exposed to some form of violence or abuse, in a manner to ensure adequate and timely reaction of the competent institutions and services.

According to the provisions of the Protocol on action in case of violence, abuse or neglect of children, the institutes and institutions falling under the competence of the Ministry of Education and Culture, the Ministry of Health and Social Welfare and the Ministry of Internal Affairs are responsible, inter alia, to keep records on cases of violence, abuse or neglect. To enhance the quality of record keeping, and to create the conditions for a comprehensive and quality protection of children from all forms of violence, the Ministry of Family, Youth and Sports in cooperation with the Republic Institute of Statistics, prepared the form „Record according to the Protocol on action in case of violence, abuse or neglect“. According to the Protocol, on the basis of the obtained data, the Ministry of Family, Youth and Sports is responsible to make a report on the number of child victims of violence, abuse or neglect by gender, age, form of violence as well as measures taken in these cases. For the first time in the Republic of Srpska, the data of competent ministries were integrated in one place in 2014.

According to the records kept by organizational units of relevant ministries, a total of 650 children victims of various forms of violence were recorded in 2013 in the Republic of Srpska.

The greatest number of child victims of violence is at the age of 15 to 18 years of age, 246 or 37.8% of them. A total of 207 children were between 10 and 14 years old or 31.8% of the total number of child victims of violence, while the number of child victims of violence, abuse or neglect between 5 and 9 years old was 131 children, or 20.2%. At the age of zero to four years there were 66 children victims of violence or 10.2% in 2013.

Figure 1. The number of child victims of violence by age in percentage

According to the records, male and female children were equally exposed to acts of violence, abuse or neglect. Out of the total number of children, 326 or 50.2% of victims were male children, while 324 or 49.8 child victims were female.
In the Republic of Srpska in 2013, there were a total of 956 acts of violence against children, expressed through various forms of violence.

*Emotional / psychological* violence is the most common form of violation of the fundamental rights of children.

Out a total of 956 acts of violence against children, emotional/psychological violence was recorded 322 times (33.7%). In 158 cases, victims of emotional/psychological violence were male children, while the emotional / psychological violence against female children was registered 147 times.\(^{18}\)

*Neglect and negligent treatment* are cases of failure to provide conditions for the child's proper development in all areas, which results in the endangerment of the child's health or physical, mental, spiritual, moral and social development.

Neglect and negligent treatment was recorded 294 times or 30.8% out of the total number of acts of violence against children. According to the records, the victims of neglect and negligent treatment were 151 male children (51%) and 143 female children (49%).

Third, the most common form of violence, according to the records is *physical violence*. Physical violence is behaviour in which physical force is used and which is intended to cause some, even the slightest degree of pain and/or discomfort, which results in actual or potential injury of the child.

In 2013, the competent institutions and facilities recorded 208 cases of physical violence against children, which represented 21.8% of the total number of acts of violence against children. In most cases, physically abused children are male, over which 105 acts of physical violence was committed. Children females were victims of physical violence in 67 cases.

*Social violence is exclusion from the group and discrimination.*

Social violence was reported in 45 cases (4.7%) and in 19 cases against male children and 26 cases against female children are.

Sexual violence and abuse of children means their inclusion in sexual activity which they not fully understand, for which they did not develop (they do not accept it, they are not able to agree with it), and which aims to provide enjoyment or satisfies the needs of the other person.

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\(^{18}\) Ministry of Education and Culture delivered the overall data by form of violence ages 15 to 18 years, without any indication of a sex of children. For this reason, the total number of registered forms of violence does not agree with the total number of child victims by sex.
Victims of sexual violence in most cases are girls. A total of 31 cases of sexual violence and abuse (3.2%) were recorded in the Republic of Srpska in 2013. Out of the total number, in 27 cases the victims were female children, while sexual violence against male children was recorded in four cases.

The term of child abuse means any act or failure to act by individuals and/or institutions, that directly affect or indirectly harms children or reduces their possibility for safe and healthy development and/or puts them in a helpless, dependent and unequal position in relation to individuals and institution.

In the Republic of Srpska in 2013 the acts of child abuse were reported to and recorded by the competent institutions 28 times or 2.9% of the total number of acts of violence against children. According to records, male children (14) and female children (14) were equally exposed to this form of violence.

Exploitation of children refers to the use of children for work or other activities for the benefit of other persons and / or institutions. Exploitation of children was recorded 15 times (1.6%), i.e. 15 children were victims of this form of violence, five boys and 10 girls.

Violence by use of information technology/cyber violence is according to the data of relevant institutions and institute the rarest reported violence in the Republic of Srpska in 2013. It includes any form of messaging, by e-mail, SMS, MMS, via web pages, chat, and with the aim of injury, harassment, or any other harm to the child.

Thirteen patients (1.3%), three males and eight females, were the victims of this form of violence.

Table 1. Forms of violence by gender of children

<table>
<thead>
<tr>
<th>FORM OF VIOLENCE</th>
<th>TOTAL</th>
<th>MALES</th>
<th>FEMALES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Emotional violence</td>
<td>322</td>
<td>158</td>
<td>147</td>
</tr>
<tr>
<td>Neglect and negligent treatment</td>
<td>294</td>
<td>151</td>
<td>143</td>
</tr>
<tr>
<td>Physical violence</td>
<td>208</td>
<td>105</td>
<td>67</td>
</tr>
<tr>
<td>Social violence</td>
<td>45</td>
<td>19</td>
<td>26</td>
</tr>
<tr>
<td>Sexual violence and abuse</td>
<td>31</td>
<td>4</td>
<td>27</td>
</tr>
<tr>
<td>Child Abuse</td>
<td>28</td>
<td>14</td>
<td>14</td>
</tr>
<tr>
<td>Exploitation of children</td>
<td>15</td>
<td>5</td>
<td>10</td>
</tr>
</tbody>
</table>
The Protocol on action in case of violence, abuse or neglect of children provides that the competent institutions and authorities take measures to protect the rights of child victims of violence in a way that the best interests of the child and his/her personal integrity is protected all the time.

Data about the measures taken in the field of their competence were submitted by the Ministry of Internal Affairs and the Institute of Public Health of the Republic of Srpska.

According to the data of the Ministry of Internal Affairs for 2013, 184 children victims of violence, abuse or neglect were recorded, among whom 132 children victims of domestic violence.

In the future period, it will be necessary to expand the subject of research and, in addition to women and children as the predominant victims of domestic violence, to investigate the problem not only from the perspective of women and children, but also from the perspective of men who are victims of domestic violence and persons with disabilities victims of domestic violence, persons under guardianship, and in particular elderly persons of both sexes who are victims of domestic violence. This will complement, plan and implement activities that will provide adequate assistance and support and protect all victims of domestic violence.

3.3. Statistical and administrative data

The adoption of the Law on Protection from Domestic Violence in November 2012 and the Rulebook on the content of the records and reports of domestic violence ("Official Gazette of the Republic of Srpska", No. 71/13) stipulates the obligation of registering cases of domestic violence and the reports. The first analysed data and unified record of all relevant institutions in the Republic of Srpska will be available in 2014. Currently available relevant data held by different subjects of protection show that the domestic violence in the Republic of Srpska is increasing. The data of the Ministry of Internal Affairs of the Republic of Srpska which has a record of the criminal offences and misdemeanours of domestic violence are especially important.

According to the data of the police of the Republic of Srpska, a total of 1 088 cases of domestic violence (misdemeanours and criminal offences), 999 reports of violence and 1 143 (1 047 males and 96 females) perpetrators of violence were recorded in 2013 in the Republic of Srpska. A total of 1 362 victims were recorded, of whom 67 children up to 14 years, 65 children from 14 to 18 years, 892 women over 18 years and 338 men over 18 years. In 453 cases, it was found that those were criminal offences for which a total of 442 reports on committed criminal offences were filed against

<table>
<thead>
<tr>
<th>Cyber violence</th>
<th>13</th>
<th>3</th>
<th>8</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL</td>
<td>956</td>
<td>459</td>
<td>442</td>
</tr>
</tbody>
</table>

19 Article 8, paragraph 2 of the Law on Protection from Domestic Violence prescribes that a victim who is a child, elderly person, disabled person, and person under guardianship shall have a special help and protection in accordance with this Law.

20 Ministry of Internal Affairs has been keeping records of criminal offences of domestic violence since 2000, and of minor offences of domestic violence since, or since the date of entry into force of relevant laws.
463 perpetrators in 2012\textsuperscript{21}. A total of 28 emergency protection measures were imposed of which seven of removal of the perpetrator from the apartment, house or other dwelling and 21 restraining the perpetrator from contacting the victim of violence. In the same period, a total of 30 protective measures were imposed, three of which were the removal of the perpetrator from the apartment, house or other dwelling, seven restraining orders and 20 prohibitions of harassment or stalking victims.

Despite all the efforts to prevent the domestic violence systematically, and to follow the increase or decrease of these cases through official records and data in order to undertake appropriate and effective measures to prevent and protect victims, the data of the Ministry of Internal Affairs that at total of 123 murders were committed in the family that from 2000 to 2012 is worrying. Women make up more than half of those killed, when it comes to family homicide, or more than one-third of those killed in the Republic of Srpska\textsuperscript{22}.

Data of the NGOs testifies to the fact that violence in the family, or the number of reported cases of domestic violence increases each year. A total of 107 women and 113 children were housed in safe houses in 2013\textsuperscript{23}, out of whom 46 women and 48 children based on the decisions of centres for social work or social protection services\textsuperscript{24}. From 2007 to 2013, in safe houses in the Republic of Srpska, has so far the care has been taken of 812 women and 1,006 children, while there were 29 899 calls for help on SOS number 1264 to victims of domestic violence from 2005 until the end of 2013 (3 982 in 2013), of which 98% of the victims were female\textsuperscript{25}.

\section*{3.4. Practice of the work of subjects of protection in cases of domestic violence}

In the proceedings based on the report of domestic violence, in order to adequately protect victims, the cooperation of all stakeholders in the process - the subjects of protection against domestic violence is of great importance: police officers, officers of centres for social work, prosecution offices, courts, health institutions, educational institutions as well as non-governmental organizations to which victims report violence, with the aim to provide better protection of victims of violence and to prevent repeated violence.

The Law on Protection from Domestic Violence of the Republic of Srpska, with the aim of improving the protection of victims of violence and to prevent the recurrence of violence, prescribes the obligation of all subjects of protection to cooperate with each other, exchange data and information (Article 11) and form a team of experts in order to develop a plan to help victims and coordinate activities in the process of assistance, in accordance with the victim's needs and choice (Article 21,

\begin{footnotesize}
\begin{tabular}{ll}
\textsuperscript{21} & Document of the Ministry of Internal Affairs Number: S/M-052-26 /14.  \\
\textsuperscript{22} & Gender Centre - Centre for Gender Equity and Equality of the Government of the Republic of Srpska, \textit{Report on implementation of strategies to combat domestic violence in the Republic of Srpska to 2013}, for 2012, February 2013. \\
\textsuperscript{23} & Data of legal entities that implement a special measure of support to safe house.  \\
\textsuperscript{24} & Data of the Ministry of Family, Youth and Sports for 2013.  \\
\textsuperscript{25} & Gender Centre - Centre for Gender Equity and Equality of the Government of the Republic of Srpska, \textit{Report on implementation of strategies to combat domestic violence in the Republic of Srpska to 2013}, for 2012, February 2013, page 3 and SOS line 1264 Overview of the victims of domestic violence, the information delivered on 29 January 2014.
\end{tabular}
\end{footnotesize}
Plan of assistance to victim contains specific measures to be taken in accordance with the law governing social, health and child protection, and if the victim is a child, the plan of assistance contains measures to protect the child in accordance with the regulations governing family relations and regulations governing the protection of children's rights (Article 23 paragraph 1 and 2).

All subjects of protection shall provide protection, support and assistance to victims of domestic violence, regardless of whether it is against the perpetrators of misdemeanour or criminal proceedings (Article 9). Subjects of protection shall promptly provide immediate resolution of cases of domestic violence, taking into account that the interest and welfare of victims are a priority in these proceedings, especially if the victim is a child, elderly person, person with disabilities and the person under guardianship (Article 11).

In the Republic of Srpska, police officers, in accordance with their real and local jurisdiction, upon the submission of report on domestic violence, are usually the first one on the scene. Thus, their contribution and significance in the process of protection of victims of violence is high. They are the ones who should collect evidence that will be, after a criminal investigation, forwarded to the prosecutor's office, or to submit a request to initiate a misdemeanour procedure before the competent court. Quality collection of evidence directly affects the whole subsequent course of the procedure in the process of proving domestic violence and protection victims of violence.

Concerning the work of the police, the statistical data classified by sex are kept in the Republic of Srpska, but this obligation is not consistently implemented in practice of other subjects such as care centres for social work, health and educational institutions and the judiciary. However, the data collected during the eight years since the adoption of the Law on Protection from Domestic Violence (since 2006), show that the work of the subjects of protection, as well as statistics, is largely improved and the subjects of protection have sufficient knowledge and experience to work on these issues.

Emergency measures are imposed on the perpetrators by the judge of misdemeanour department of competent primary court, in a summary procedure, in order to eliminate direct danger to the physical or psychological integrity, to prevent the recurrence of violence and guarantee the safety of victims. These measures may be imposed even before the initiation of procedure and at every stage of the procedure, a proposal for imposing them may be filed to the court by police, centre for social work, health institution or the injured (the victim).

Emergency protective measures are imposed for a term which shall not be longer than 30 days, and according to the Law on Protection from Domestic Violence the court may impose the following emergency protection measures:

1. Removal of the perpetrator from the apartment, house or other dwelling and/or

2. Restraining the perpetrator from contacting the victim of domestic violence.

Concerning the current practice, it can be concluded also that the lack of coordination and cooperation between the subjects of protection is one of the major obstacles to the exercise of the rights of victims of violence. The cooperation of subjects of protection and sharing of data and information on specific cases is the prerequisite for adequate implementation of the Law on Protection from Domestic Violence, as well as other regulations recognizing certain rights of the victims of domestic violence, such as for example the Law on Social Protection. The problem in some
communities was overcome in a way that the subjects of protection signed cooperation protocols / memoranda and thus, to the extent that the law allowed, regulated their mutual relations, responsibilities and procedures in cases of domestic violence. These examples were identified as good practice and led to the signing of the General Protocol on action in cases of domestic violence in the Republic of Srpska, with the purpose to provide a coordinated, efficient and comprehensive work of the signatories for the purpose of immediate assistance, support and protection of victims of domestic violence, suppression and prevention of the recurrence of violence. Protocol signatories are: the Ministry of Justice, Ministry of Internal Affairs, the Ministry of Health and Social Welfare, Ministry of Education and Culture.

As for the other subjects of protection, the analysis of previous work practice showed different results. As for the courts, the available data show that the procedures were conducted based on the reports of violence before the courts and they usually lasted for a year or more, and that these cases were not considered emergencies. This is another circumstance which has contributed to the impression that work on the issue of violence is not necessarily seen as a priority, and has led to the perception among victims that the system in this part does not function. In addition, the misdemeanour proceedings were initiated and conducted and the misdemeanour sanctions were imposed, mostly fine or a suspended sentence, usually for domestic violence. The protection measures were rarely imposed and the most common were prohibition of harassment and stalking of victims of violence and restraining order. Protective measures of removal from the home or apartment were imposed only by some courts (Basic Court Sokolac and Basic Court Bijeljina). In criminal proceedings, the most common were fines or suspended sentences to a fine or imprisonment for a relatively short terms of probation (usually six months to a year).

The above-mentioned points out that the adoption of the public policies including a number of measures to be undertaken by different actors and which, in general, offering a holistic response to violence against women and domestic violence is necessary. The examples of a good practice show the improved results from the cooperation of the bodies of internal affairs, judiciary, social and health institutions, educational institutions and non-governmental organizations and other relevant and social partners. This type of cooperation should not depend on individuals convinced of the benefits of information exchange, but it requires clear procedures, policies and protocols to be followed by all authorities, as well as adequate training of employees in how to use them and how to benefit from them. The Strategy to Combat Domestic Violence of the Republic of Srpska (2014-2019) is based precisely on these principles and a framework for multi-sectoral cooperation in law enforcement to prevent and combat domestic violence and to raise standards in this area, in order to ensure adequate, timely and effective protection victims of domestic violence.

26 The protocols have been signed so far in the following local communities: Banja Luka, Prijedor, Bijeljina, Lopare, Ugljevik, Trebinje, Novi Grad, Doboj, Derventa, Brod, Šamac, Istočno Sarajevo, Istočni Stari Grad, Pale, Sokolac, Trnovo, Višegrad, Foča, Rogatica, Čajniče, Vukosavlje, Nevesinje, Berkovići, Modriča, Gačko, Vlasenica, Zvornik, Koz. Dubica, Istočna Ilidža, Istočno Novo Sarajevo, Bratunac, Milići, Srebrenica i Šekovići

27 „Official Gazette of the Republic of Srpska”, No. 104/13

It is especially important to emphasize that the Strategy to Combat Domestic Violence of the Republic of Srpska (2014-2019) is a framework document, and that based on the strategic directions, objectives and programs established the Strategy, the Government of the Republic of Srpska will adopt Annual Action Plans for implementing the Strategy, on the proposal of the Ministry of Family, Youth and Sports, as stipulated by Article 4, paragraph 2 of the Law on Protection from Domestic Violence. This way, the achieved results will be evaluated and the activities responding to the needs of victims of domestic violence will be planned every year.

4. Vision and Mission

**Vision** – Adequate assistance, support and protection from domestic violence are provided to the victims of domestic violence in the Republic of Srpska – Republic of Srpska without domestic violence.

**Mission** – By using all available capacities in combating domestic violence, to strengthen the confidence of victims in the rule of law and government institutions at all levels, with the maximum involvement of all segments of society.

5. Strategic directions, objectives and programs of measures

**Strategic direction 1:** Prevention of domestic violence

**Strategic Objective 1:** Strengthening of preventive policy and deterrence of domestic violence.

**Programs of prevention measures:** Promotion and awareness raising, educational programs in all sectors, with an emphasis on education.

- **Campaigns** to inform and raise awareness of domestic violence as a social problem – Activities within the program: Continuous informing of the public about the obligations and activities of subjects of protection working to prevent and combat domestic violence, and protect victims; Promotion of equality between women and men; Promotion of the culture of nonviolent conflict resolution; Promotional activities for children and youth through educational institutions; Promotion of SOS 1264; Development and distribution of promotional materials; Promotion through social networks; Adoption and implementation of guidelines for reporting of the media on domestic violence; Campaign during the 16 days of activism; The campaign „NO to domestic violence“.

- **Programs** of education and sensitization on domestic violence – Activities within the program: Introduction in the programs of educational institutions, of regular and extracurricular educational programs with the content and topics related to domestic violence; Development and introduction of the system of training programs for BAs in Pedagogy /psychologists/social workers, teachers and other professional staff in schools to deal with cases of domestic violence; Development and implementation of a model of peer education on
domestic violence; Development and implementation of training programs for early identification of children from at-risk families and children victims of domestic violence; Development and implementation of trainings for nonviolent conflict resolution and nonviolent communication; Development and implementation of trainings for anger and stress management; Development and implementation of trainings on domestic violence for the media.

- **Programs** of prevention of domestic violence – **Activities** within the program: Preparation and implementation of research on violence against the elderly, persons with disabilities and persons under guardianship who suffer domestic violence; Preparation and implementation of research on violence against children victims of domestic violence; Preparation and implementation of research on violence against male victims of domestic violence; Improvement of records on domestic violence; Establishment and development of family and marriage counselling centres in local communities; Establishment and development of self-help groups; Establishment and development of the groups for work with persons at risk of violent behaviour; Establishment and development of anger management groups; Establishment and development of the group for the prevention of alcoholism and other forms of addiction.

<table>
<thead>
<tr>
<th>Strategic direction 2: Support and assistance to victims of domestic violence</th>
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</table>
| **Strategic objective 2:** Efficient implementation of the Law on Protection from Domestic Violence. **The programs of measures of support and assistance to victims:** Ensuring comprehensive, effective and coordinated policies for prevention and combating domestic violence, multidisciplinary and holistic approach to the protection that puts the interest of the victim at the centre of cooperation between the various stakeholders.

- **Application** of international standards to prevent and combat violence against women and domestic violence – **Activities** within the program: Analysis of the harmonization of legal and political documents and measures with the prescribed standards; The Council of Europe Convention on preventing and combating violence against women and domestic violence; Continuation of the process of harmonization of normative-legal framework in the area of fight against domestic violence; Analysis of the application of regulations in the area of protection from domestic violence; Improvement of secondary regulations in the field of protection against domestic violence; Development of the Comments on the Law on Protection from Domestic Violence.

- **Building** and strengthening of multi-sectoral models to prevent and combat domestic violence – **Activities** within the program: Analysis and improvement of application of the General Protocol on action in cases of domestic violence; Formation of multidisciplinary teams in all cities and municipalities of the Republic of Srpska; Development of training programs for officers at the subjects of the protections to work with victims of domestic violence; Conducting of training programs in all sectors; Analysis and improvement of the Protocol on acting in the case of violence, abuse or neglect from the perspective of children victims of domestic violence.

- **Measures** to support victims of domestic violence – **Activities** within the program: Improvement and standardization of the work of SOS telephone service 1264 for victims of domestic violence; Analysis and improvement of implementation of special measure to
support safe houses; Development and implementation of individual plans of support to victims, with the risk assessment; Psychosocial support to victims of violence; Creation of the program „Care after“ in order to monitor the reintegration of victims into society and community after resolution of the cases of violence before a court or another institution; Free legal aid to victims of domestic violence; Legal and psychological support to victims of violence in court proceedings; Free health and social protection for victims of domestic violence; Economic empowering of victims of domestic violence through employment and self-employment; Housing of victims of domestic violence in accordance with the program of social housing; Protection of victims of domestic violence in the case of temporary or final release of the perpetrator or in case of the perpetrator’s escape from prison; The introduction of technical requirements for telecommunications support for reporting of violence (special devices that are used for the safety of victims and fast reporting to the police); The establishment of Alimony Fund; Creating a special program of support for victims of violence who are included in the most vulnerable categories of the population: children up to 18 years, persons with disabilities, members of ethnic minorities and those of low educational and social status, the elderly, pregnant women and people with small children, victims of sexual violence, and other multiple marginalized group.

- **Measures** for perpetrators of domestic violence – **Activities** within the program: Development of standards for work with perpetrators of domestic violence, on a voluntary or mandatory basis; Development of training programs for professionals to work with perpetrators of domestic violence; Training of professionals to work with perpetrators of domestic violence; Implementation of measures against perpetrators, under the Law on Protection from Domestic Violence and the Criminal Code of the Republic of Srpska (removal from the apartment / house, restraining, the prohibition of contact with the victim, mandatory psycho-social treatment, the treatment of the disease of addiction); Implementation of the program to discuss anger and stress; Implementation of the program for nonviolent conflict resolution and nonviolent communication; The introduction of measure of community service; The introduction of measures to monitor via electronic bracelet.

**Strategic direction 3:** Protection of victims of domestic violence

**Strategic objective 3:** Domestic violence is the act of the same social danger as any other criminal offence and misdemeanour – a review of penal policy.

**Program of measures:** Improvement of the action of the police, judiciary and centres for social work

- **Continuous** sensitisation of professionals – **Activities** within the program: training of professionals on domestic violence from a gender perspective, the importance of multi-sectoral collaboration, case studies of domestic violence, anti-discrimination and diversity, gender stereotypes and stereotypes about domestic violence, psychological profiles of the victims and the perpetrators, legal and social rights in this area, the needs and rights of victims, as well as the prevention of secondary victimization; Building the expertise of professionals in the Republic of Srpska, who will be the future instructors/trainers.
Exchange of information and experiences – Activities within the program: Conferences; Round tables; Professional discussions; Presentation of good practices.

<table>
<thead>
<tr>
<th>Strategic direction 4: Monitoring the implementation of laws, policies and measures against domestic violence</th>
</tr>
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</table>

Strategic objective 4: Compliance with the standards in the field of domestic violence.
Programmes of measures: The introduction and improvement of records and statistics, research and analysis.

- **Collection** of the data on domestic violence – Activities within the program: Collection of the data on all cases of domestic violence; Improvement of application and content of the Rulebook on the contents of the records and reports on domestic violence; Regular periodic reporting on domestic violence; Periodic analysis of the incidence and prevalence of domestic violence.
- **Monitoring** the efficiency of protective measures under the Law on Protection from Domestic Violence – Activities within the program: Collection of the data on the measures implemented and cases of repeated domestic violence, during and after the implementation of the measure; Periodic analysis of the efficiency of protective measures.
- **Monitoring** the efficiency of multi-sectoral teams in local communities – Activities within the program: Collection of data on work teams, the number of protocols, the number of cases of violence that have been resolved, the performance of work teams; Periodic analysis of the efficiency of multi-sectoral teams.
- **Monitoring** the efficiency of prevention programs – Activities within the program: Collection of the data on all programs and projects for prevention of domestic violence; Periodic analysis of the efficiency of prevention measures.
- **Monitoring** the public awareness of domestic violence – Activities under program: Monitoring the intensity and impact of the campaigns; Periodic surveys of public opinion on domestic violence.
- **Monitoring** the implementation of the Law on Protection from Domestic Violence and the Criminal Code of the Republic of Srpska – Activities under the program: Periodic analysis of the application of the laws, with recommendations for action (by sector and general); Training for monitoring of court proceedings in cases of domestic violence; Periodic monitoring and analysis of court proceedings.

Based on the defined strategic directions, objectives and programs, the Government of the Republic of Srpska will adopt annual action plans for implementation of the Strategy, which will elaborate in details the activities within the program, on the proposal of the Ministry of Family, Youth and Sports, as prescribed by Article 4, paragraph 2 of the Law on Protection from Domestic Violence. This way, the achieved results will be evaluated and the activities responding to the needs of victims of domestic violence will be planned every year.
6. **Framework Action Plan for implementation of the Strategy**

**Strategic direction 1:** Prevention of Domestic Violence  
**Strategic objective 1:** Strengthening prevention policy and deterrence of domestic violence.

<table>
<thead>
<tr>
<th>Programs of preventive measures</th>
<th>Activities</th>
<th>Indicators</th>
<th>Period and financial framework</th>
<th>Actors responsible for implementation of activities</th>
<th>Results</th>
</tr>
</thead>
</table>
| 1.1. Promotion and awareness raising, educational programs in all sectors, with the emphasis on education | Campaigns to inform and raise awareness of domestic violence as a social problem; Education and sensitization programs on domestic violence; Activities directed towards persons at risk of domestic violence. | The number and types of public campaigns, promotions, researches; Number and type of promotional and other materials; The number and type of activities for persons at risk of domestic violence. | **From 1 July 2014 to 31 December 2019**  
2014: GCRS BAM 2 500  
2015: GCRS BAM 2 500  
2016: GCRS BAM 2 500  
2017: GCRS BAM 2 500  
2018: GCRS BAM 2 500  
2019: GCRS BAM 2 500 | • Ministry of Family, Youth and Sports  
• Ministry of Health and Social Welfare  
• Ministry of Internal Affairs  
• Ministry of Justice  
• Ministry of Education and Culture  
• Gender Centre  
• Subjects of protection  
• Non-governmental organizations  
• The media | Provided support to promotional activities and activities to raise public awareness of the unacceptability of domestic violence, planned and implemented by the responsible actors. |
6. Framework Action Plan for implementation of the Strategy

**Strategic direction 2:** Support and assistance to victims of domestic violence  
**Strategic objective 2:** Efficient implementation of the Law on Protection from Domestic Violence

<table>
<thead>
<tr>
<th>Programs of measures of assistance and support to victims</th>
<th>Activities</th>
<th>Indicators</th>
<th>Period and financial framework</th>
<th>Actors responsible for implementation of activities</th>
<th>Results</th>
</tr>
</thead>
</table>
| 2.1. Application of international standards and good practices and the establishment of multidisciplinary and coordinated system of protection for victims of violence against women and domestic violence | Building and strengthening of multi-sectoral approaches to the prevention and combating domestic violence;  
Support for victims of domestic violence;  
Work with perpetrators of domestic violence. | Application of the General Protocol on action in cases of domestic violence in the Republic of Srpska;  
Continuous work of SOS telephone service 1264 and safe houses;  
Standards for working with perpetrators of domestic violence. | **From 1 July 2014 to 31 December 2019**  
2014: GCRS  
BAM 400 +  
MFYS  
BAM 400 000  
2015: MFYS  
BAM 1 400 +  
BAM 400 000  
2016: MFYS  
BAM 1 400 +  
BAM 400 000  
2017: MFYS  
BAM 1 400  
2018: MFYS  
BAM 1 400 +  
BAM 400 000  
2019: MFYS  
BAM 1 400 +  
BAM 400 000 | • Ministry of Family, Youth and Sports  
• Ministry of Health and Social Welfare  
• Ministry of Internal Affairs  
• Ministry of Justice  
• Ministry of Education and Culture  
• Gender Centre  
• Subjects of protection  
• Centre for Free Legal Aid  
• Non-governmental organizations | Standardized work and clear roles and tasks of all subjects of protection, and efficient assistance, support and protection of victims of domestic violence |
**Strategic direction 3:** Protection from domestic violence  
**Strategic objective 3:** Domestic violence is the act of the same social danger as any other criminal offence and misdemeanour – review of penal policy

<table>
<thead>
<tr>
<th>Programs of measures of assistance and support to victims</th>
<th>Activities</th>
<th>Indicators</th>
<th>Period and financial framework</th>
<th>Actors responsible for implementation of activities</th>
<th>Results</th>
</tr>
</thead>
</table>
| 3.1. Improving the conduct of the police, judiciary and social welfare centres | Training of officers; Exchange of information, experiences and good practices; Monitoring of the subjects of protection. | The number and types of continuous training of officers on the causes and the consequences of domestic violence and manners of help, support and protection of victims. The number and types of activities aimed at improving the conduct of the police, judiciary and centres for social protection. The number and type of activities of monitoring of the subjects of protection. | From 1 July 2014 to 31 December 2019 | • Ministry of Family, Youth and Sports  
• Ministry of Health and Social Welfare  
• Ministry of Internal Affairs  
• Ministry of Justice  
• Subjects of protection  
• Centre for Education of Judges and Prosecutors  
• Council for Combating Domestic Violence  
• Non-governmental organizations | Improved treatment of victims of domestic violence and avoiding secondary victimization |

2014: 0 BAM  
2015: 0 BAM  
2016: 0 BAM  
2017: 0 BAM  
2018: 0 BAM  
2019: 0 BAM
**Strategic direction 4:** Monitoring the implementation of laws, policies and measures against domestic violence  
**Strategic objective 4:** Compliance with standards in the field of domestic violence

<table>
<thead>
<tr>
<th>Programs of measures of introduction and improvement of records and statistics, research and analysis</th>
<th>Activities</th>
<th>Indicators</th>
<th>Period and financial framework</th>
<th>Actors responsible for implementation of activities</th>
<th>Results</th>
</tr>
</thead>
</table>
| 4.1. Introduction and improvement of records and statistics, research and analysis | Analysis of the harmonization of legal and political documents and measures with the standards prescribed by the Convention of the Council of Europe on preventing and combating violence against women and domestic violence | The document Analysis of harmonization of legal and political documents and measures with the standards prescribed by the Convention of the Council of Europe on preventing and combating violence against women and domestic violence was prepared; | **From 1 January 2015 to 31 December 2019** | • Ministry of Family, Youth and Sports  
• Ministry of Justice  
• Ministry of Internal Affairs  
• Ministry of Health and Social Welfare  
• Ministry of Education and Culture  
• Gender Centre  
• Subjects of protection  
• Council for Combating Domestic Violence  
• Coordination Body of the Council to monitor implementation of the measures prescribed by the Convention of the Council of Europe Convention on preventing and combating violence against women and domestic violence | The right framework is in compliance with the standards laid down in Council of Europe Convention on preventing and combating violence against women and domestic violence. Available consolidated data of importance for problem analysis and planning of measures and... |
| | The collection of data on domestic violence | The number and type of measures imposed and implemented, the | | | |
| Monitoring the efficiency of emergency protection measures, protective measures and sanctions prescribed by the Law on Protection from Domestic Violence; Monitoring the implementation of the Criminal Code of the Republic of Srpska in the part on the domestic violence; Monitoring the implementation of measures prescribed by the Council of Europe Convention on preventing and combating violence against women and domestic violence. | number of returnees after the measure imposed; The number and types of sentences and security measures; The report on the implementation of the measures prescribed by the Convention of the Council of Europe on preventing and combating violence against women and domestic violence | activities in order to help, support and protect victims of domestic violence |
Holders of programs and measures:
1. The Ministry of Family, Youth and Sports,
2. The Ministry of Health and Social Welfare,
3. The Ministry of the Interior,
4. The Ministry of Education and Culture,
5. The Ministry of Justice,
6. Gender Centre,
7. Centre for Education of Judges and Prosecutors,
8. The media and
9. NGOs.

Mechanisms for monitoring and evaluation of progress:
1. Coordination Body,
2. Council for Combating Domestic Violence,
3. The Ministry of Family, Youth and Sports,
4. The Government of the Republic of Srpska and
5. The National Assembly of the Republic of Srpska.

NOTE:
Holders of the program responsible for implementation of the Framework Action Plan for the implementation of the Strategy should in the context of the Budget Framework Paper (BFP), as well as the annual work plans of institutions, plan the implementation of activities set out in this Strategy. In accordance with the three-year program planning, holder of activities will in their budgets plan in details the funds and the implementation of activities for the coming year, while the framework planning will be done for the next two years. The Framework Action Plan specifies the framework funds for certain activities that continuously take place, noting that the Annual action plan with proposed activities and funding for the next year will further elaborate it. In the next five years (from 2014 to 2019), based on the report for each fiscal year on the results of implementation of the Strategy, the total required funds for the programs provided for in the Strategy for the coming year will be determined.
7. EXPECTED LONG-TERM IMPACT OF IMPLEMENTATION OF THE STRATEGY

The adoption and implementation of the strategic directions and objectives contributes to adequate assistance, support and protection of victims of domestic violence.

The established strategic directions and objectives, as well as their measures and activities and achieved results aim to provide support to the fulfilment of the long-term impact in the area of prevention of domestic violence in the Republic of Srpska, which are:

− Zero tolerance for domestic violence,
− Domestic violence is a social danger as other criminal offences or misdemeanours prescribed by law,
− Standards prescribed by the Convention on preventing and combating violence against women and domestic violence of the Council of Europe are incorporated into the legal system and treatment by the subjects of protection in the Republic of Srpska.

8. MONITORING AND PERFORMANCE MEASUREMENT OF THE IMPLEMENTATION OF STRATEGY

In order for a strategy to be successful, its planning and implementation should be a continuous learning process, based on theoretical knowledge and empirical data. Such a learning process includes, in addition to defining the strategy (based on the analyses conducted, specific goals, existing knowledge and assessment of the impact of measures and activities), the following phases:

− Implementation of the Strategy and
− Performance measurement (evaluation of the actual results of pre-defined measures and activities).

Performance measurement based on continuous control of conducted measures and activities is important, since it will also enable the improvement and redefinition of combinations of instruments. It is important to ensure that the strategy is regularly updated and adapted to changing external influences and established priorities.

9 FRAMEWORK FOR MONITORING AND REPORTING ON THE IMPLEMENTATION OF THE STRATEGY

The Ministry of Family, Youth and Sports through the Coordination Body within the Council on Combating Domestic Violence is responsible for monitoring the implementation of the Strategy. The duties and responsibilities of the Coordinating Body in the process of monitoring and reporting on the implementation of the Strategy, as well as the continuation of the strategic planning process are:

- providing the assistance to institutions, bodies and organizations in the Republic of Srpska in defining the operational plans for the development of the Annual Action Plan of the implementation of the Strategy,
- integration of operational plans and their submission to the Minister of Family, Youth and Sports for inclusion in the annual action plan and proposing to the Government of the Republic of Srpska,
- establishing mechanisms of communication and coordination with institutions, bodies and organizations in the Republic of Srpska in order to monitor the implementation of the Strategy,
- defining a framework for the integrated and processed data and reports of the subjects of protection from domestic violence which are necessary for monitoring the implementation of the Strategy,
- regular monitoring of implementation of the Strategy on the basis of established indicators of success and sources of verification,
- identification of risks for the implementation of the Strategy and launching initiatives to address them,
- giving directions for creation of the policy of prevention and combating domestic violence,
- creating a preliminary draft of the annual report on the implementation of the Strategy and submitting reports to the Council for Combating Domestic Violence (the Council to the Minister of Family, Youth and Sports, the Minister to the Government, and the Government to the National Assembly),
- on the basis of data collected, monitoring of the implementation of the Convention of the Council of Europe on preventing and combating violence against women and domestic violence and preparing the report presenting a framework for reporting to the competent institutions of the Republic of Srpska and international bodies, and
- carry out the next cycle of strategic planning in accordance with the recommendations of the previous report(s) and taking into account the risks and “lessons learned”.

The members of the Coordination Body, inter alia:

- Provide information on the implementation of the Strategy by their institutions, agencies, bodies and organizations, collect information and perform analysis of the situation during the implementation of the Strategy by relevant fields for the purpose of reporting and further planning,
- Ensure that the activities envisaged by the Strategy are incorporated in the work programs and strategic plans and budgets of their institutions, bodies and organizations, and
- identify risks and problems in the implementation of the Strategy.
9.1 Form for reporting of holder of activities

<table>
<thead>
<tr>
<th>Strategic direction</th>
<th>Specify the name of strategic direction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategic objective</td>
<td>Specify the name of strategic objective</td>
</tr>
<tr>
<td>Specify the name of program of measures</td>
<td>Specify the name of program of measures</td>
</tr>
<tr>
<td></td>
<td>Deadline for implementation and holder of activities</td>
</tr>
<tr>
<td>1.1</td>
<td>1.1.1 Specify the name of activity…</td>
</tr>
<tr>
<td></td>
<td>etc.</td>
</tr>
<tr>
<td>2.1</td>
<td>2.1.1 Specify the name of activity…</td>
</tr>
<tr>
<td></td>
<td>etc.</td>
</tr>
<tr>
<td>3.1</td>
<td>3.1.1 Specify the name of activity…</td>
</tr>
<tr>
<td></td>
<td>etc.</td>
</tr>
</tbody>
</table>

Explanation:
Dates of implementation and activity: until when the activity should be completed and who is responsible for the activities.
Status: it explains what has been done to implement the activities:
Not at the stage of implementation: it presents the status of activities the implementation of which has not started in any form (give a brief explanation).
Implementation under way: is the status of activities whose implementation started in some form (specify summarized planned implementation steps as well as the current status).
Completed: Activity completed in full.
Completed in percentage compared to the plan: for those activities the implementation of which is under way it is necessary to estimate the percentage of completion so far
Spent in a percentage compared to the plan: it presents the funds approved for implementation of activities as well as funds spent until the moment of the report and the respective percentage.
EXPLANATION
OF THE PROPOSAL STRATEGY TO COMBAT DOMESTIC VIOLENCE OF

I CONSTITUTIONAL BASIS FOR ADOPTION OF THE STRATEGY

The constitutional basis for the adoption of this strategy is contained in Amendment XXXII
items 5 and 12 of Article 68 of the Constitution of the Republic of Srpska, according to which the
Republic of Srpska regulates and ensures the exercise and protection of human rights and freedoms
and other forms of social protection, and care of children. The Constitution of the Republic of Srpska
devotes an entire chapter (Articles 10-49) to human rights and fundamental freedoms. The legal and
political system of the Republic of Srpska is constituted and builds primarily, on the principle of
guaranteeing and protecting of rights and freedoms in accordance with international standards.

II COMPLIANCE WITH THE CONSTITUTION, LEGAL SYSTEM AND RULES
NORMATIVE-LEGAL TECHNIQUES

According to the Opinion of the Republic Secretariat for Legislation No. 22/03-021-388/14
dated 30 April 2014, the constitutional basis for the adoption of this Strategy is contained in
Amendment XXXII to Article 68, items 5 and 12 of the Constitution of the Republic of Srpska,
according to which the Republic, among other things, regulates and ensures the exercise and
protection of human rights and freedom of other forms of social protection and care of children.

The legal basis for the adoption of the Strategy to Combat Domestic Violence of the Republic
of Srpska is contained in Article 4 of the Law on Protection from Domestic Violence (“Official
Gazette of the Republic of Srpska“, No. 102/12 and 108/13), which stipulates that for the purpose
of protection from domestic violence, the Republic of Srpska National Assembly, on the Republic
of Srpska Government's proposal adopts the Strategy to Combating Domestic Violence for the period of
five years.

The Republic Secretariat for Legislation gave a positive opinion on the Draft Strategy to
Combat Domestic Violence of the Republic of Srpska (2014-2019) in document No. 22/03-021-
188/14 of 14 March 2014.

The aim of this Strategy is strengthening the preventive policy and combating domestic
violence, consistent application of the Law, a review of penal policy in terms that the domestic
violence is treated as an act of the same social danger as any other criminal offence and
misdemeanour, and the introduction of the standards set forth by the Convention on preventing and
combating violence against women and domestic violence (“Official Gazette of BiH - International
Treaties”, No. 19/13).

The draft strategy was discussed at the 34th regular session of the National Assembly of the
Republic of Srpska, held on 25 April 2014. After the parliamentary debate, the difference between the
Draft and the Proposal Strategy contained in the improvement of the Strategy in the part that refers to
the analysis of the situation in the field of preventing and combating violence against women and
domestic violence. Also, the part of the Strategy relating to the subtitle 3.2. The prevalence of
domestic violence was improved in a manner that the data available, referring to children who were victims of domestic violence, were specified.

Given that after the parliamentary there were no substantial differences between the Draft and Proposed Strategy and that the Draft Strategy complies with the Constitution, the legal system of the Republic of Srpska, the Republic Secretariat for Legislation is of the opinion that the Draft Strategy to Combat Domestic Violence of the Republic of Srpska (2014-2019) may be referred for consideration.

III COMPLIANCE WITH LEGAL ORDER OF THE EUROPEAN UNION

According to the Ministry of Economic Relations and Regional Cooperation Opinion No 17.03-020-1068/14 dated 30 April 2014, after examining the regulations of the European Union and analysis of the Draft Strategy to Combat Domestic Violence of the Republic of Srpska (2014-2019), it was found that the EU acquis contains the resources that are relevant for the subject matter of establishment of the delivered Strategy, due to which “partially compliant” is contained in the Statement of Compliance.

The matter of the Strategy, in the part of primary sources of the EU law is regulated in the Charter of Fundamental Rights of the European Union, Article 4.

In the part of secondary sources of the EU law, the proponent did not identify the sources of the EU acquis that are relevant to the establishment of subject matter, which is why “not applicable” assessment is specified in the Statement of Compliance, in the relevant part

In the part of other sources of the EU Law, the proponent consulted:
- Resolution on the need to establish a European Union wide campaign for zero tolerance of violence against women, The European Parliament;
- European Parliament resolution on the current situation in combating violence against women and any future action;
- European Parliament resolution of 26 November 2009 on the elimination of violence against women;

In the part of legal documents of the Council, the proponent consulted
- Convention of the Protection of Human Rights and Fundamental Freedoms, CETS No: 005;
- Council of Europe Convention on preventing and combating violence against women and domestic violence, CETS No. 210;
- Recommendation Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence, Council of Europe;
– Recommendation No. R (85) 4 of the Committee of Ministers to Member States on Violence in the Family, Council of Europe;
– Recommendation No. R (87) 21 of the Committee of Ministers to Member States on Assistance to Victims and the Prevention of Victimization, Council of Europe;
– Recommendation Rec(2006)8 of the Committee of Ministers to member states on assistance to crime victims, Council of Europe.Rec(2002)5 of the Committee of Ministers to member states on the protection of women against violence (Adopted by the Committee of Ministers on 30 April 2002 at the 794th meeting of the Ministers’ Deputies;

Please note that the adoption of the Strategy will contribute to fulfilment of the obligations of Chapter I, Article 2 of the SAA, which, inter alia, states that respect for democratic principles and human rights as proclaimed in the Universal Declaration of Human Rights and as defined in the Universal Convention for the Protection of Human Rights and Fundamental Freedoms, the Helsinki final act and the Charter of Paris for a new Europe, as well as respect for the principles of international law, the basis of internal and external policies of the parties.

IV DIFFERENCES BETWEEN THE PROPOSAL AND THE DRAFT STRATEGY

In continuation of 34th regular session of the National Assembly, held on 25 April 2014, the National Assembly of the Republic of Srpska considered and adopted the Draft Strategy to Combat Domestic Violence of the Republic of Srpska (2014-2019).

The MPs supported the proposed text of the Draft Strategy and gave, after a detailed analysis of its content and presentation of opinions on the implementation of the previous strategy and issues relating to domestic violence, the specific comments on specific parts of the proposed Draft Strategy, which the Ministry of Family, Youth and Sports, when preparing the Draft, mostly adopted and incorporated into the Draft Strategy to Combat Domestic Violence of the Republic of Srpska (2014-2019).

Accepted notes

The note that the persons included in the preparation of the Strategy should be specified was accepted and the members of the Working Group were listed in Chapter V of Explanations of the Proposal Strategy, or in the chapter Reasons for adoption of the Strategy.

The note which points out that the statement treading that domestic violence is recognized as a problem only in the last 15 years and that it was considered a private problem until than cannot be accepted is accepted.
The proposal to remove a word “area” in the sentence that read: “According to the police of the Republic of Srpska, in 2013 there were 1 088 cases of domestic violence (misdemeanours and criminal offences), 999 reports of violence, 1 143 (1 047 male and 96 female) perpetrators of violence were recorded in 2013 in the area of the Republic of Srpska”, was accepted and now the sentence reads: “According to the police of the Republic of Srpska, in 2013 there were 1 088 cases of domestic violence (misdemeanours and criminal offences), 999 reports of violence, 1 143 (1 047 male and 96 female) perpetrators of violence were recorded in 2013 in the Republic of Srpska”.

Note relating to the reworking of the Strategy in a way to specify and investigate the causes of the occurrence of the problem of domestic violence was accepted and these cases were explained in details in Chapter 3 Analysis of the situation, subsection 3.1 Introduction.

Note that it was necessary to put special emphasis on the protection of the elderly and children was accepted so that a part of the Strategy (sub-section 3.2 Prevalence of domestic violence) was corrected. The data relating to children victims of violence were indicated and the need to pay particular attention to the elderly and children as victims of domestic violence in future was emphasized, as well as persons with disabilities and persons under custody.

The note that the strategic directions, objectives and programs of measures were not sufficiently specific and substantial was accepted, noting that, on the basis defined strategic directions, goals and programs, the Government of the Republic of Srpska would adopt annual action plans for implementation of the Strategy, which would elaborate in details the activities within the program.

Notes which were not accepted

The note relating to the results of the research of the group of authors on the prevalence and characteristics of the violence against woman, the men who are mostly perpetrators of the violence and characteristics of the victims of violence, could not be accepted since those are value judgment on one side, contrary to the relevant research results, according to the proponents’ opinion.

Note that the text of the Strategy should state: “... the actions of the Ministry of Internal Affairs after a victim calls for help, the actions taken in order to provide the victim with medical assistance, placement in a safe house...” was not adopted since the action by the subjects of protection in cases of violence was thoroughly elaborated in other documents, in particular - the General Protocol on action in cases of domestic violence in the Republic of Srpska (“Official Gazette of the Republic of Srpska” No. 104/13). This Protocol regulates that the manner of action of the subjects of protection that in accordance with the provisions of the Law on Protection from Domestic Violence provide the protection, support and assistance to victims of domestic violence, regardless of whether criminal or misdemeanour proceedings has been imitated against the perpetrator, as well as forms and manner of cooperation and exchange of necessary data and information between the subjects of protection, so that, in the opinion of the proposer, it was not necessary to repeat them in the Strategy.

V REASONS FOR ADOPTION OF THE STRATEGY
The legal basis for the adoption of the Strategy to Combat Domestic Violence of the Republic of Srpska is contained in Article 4 of the Law on Protection from Domestic Violence (“Official Gazette of the Republic of Srpska”, number 102/12), which stipulates that in order to prevent domestic violence, the National Assembly of the Republic of Srpska, at the proposal of the Government of the Republic of Srpska, adopts the Strategy to Combat Domestic Violence Of the Republic of Srpska for a period of five years.

Previously valid Strategy to Combat Domestic Violence in the Republic of Srpska was adopted for a four-year period, ending with 2013, and in that sense, to contribute to the protection of victims of domestic violence, implementation of the Law on Protection from Domestic Violence and coordinated multidisciplinary departmental response to domestic violence, as well as raising standards in this area, the Ministry of family, Youth and sport approached the adoption of the Strategy for combating domestic violence of the Republic of Serbian (2014-2019).

The Minister of Family, Youth and Sports has appointed a working group on the Strategy for Combating Domestic Violence, consisting of: Professor Ivanka Marković, PhD, Natalija Petrić, Spomenka Krnić, Jelena Malinović, MA, Tijana Arambašić - Živanovic, MA, Slavica Kuprešanin, Vesna Pilopović, Marijana Aćimovac and Nada Golubović.

The Strategy was prepared by methodology including the following steps:

– analysis of international standards and the legal framework of the Republic of Srpska and the current situation in the field of domestic violence by identifying the key and priority issues,
– for the purpose of developing the Strategy, CWOT analysis was conducted among the institutions having the most information on the results achieved, challenges, and resources in the area of preventing and combating violence against women and domestic violence, specifically the Ministry of Health and Social Welfare, the Ministry of Internal Affairs, the Ministry of Justice, the Ministry of Education and Culture, Gender Centre, subjects of protection, and non-governmental organizations. This analysis identified key strengths and weaknesses, opportunities and challenges, but also included the analysis of resources,
– Analysis of the resources in the area of prevention of domestic violence (the resources in this context refer to the legal, political, institutional, organizational, human, material and technical resources). This area does not require a “work over”, but the upgrade and systematization of the existing processes and resources, as well as their compliance with the standards in the field of domestic violence.
– Defining the vision and mission of the Strategy,
– Defining the strategic directions and objectives, and
– List of measures and activities of the Strategy with the planned financial framework.

VI FUNDS

The holders of the program responsible for implementation of the Framework Action Plan for implementation of the Strategy in the context of the Budget Framework Paper (BFP), as well as annual
plans of the institutions, should plan the implementation of activities determined in this Strategy. In accordance with the three-year program planning, the holder of activities will in their budgets plan in details the funds and the implementation of activities for the coming year, while framework planning will be done for the following year. The Framework Action Plan specifies the framework funding for certain activities that are continuously taking place, noting that they will be elaborated further by Annual Action Plan with the proposed activities and resources for the following year.

In the next five years (2014-2019), based on the reports for each budget year on the results of the implementation of the Strategy, the total required funds for the realization of the programs envisaged in the Strategy for the next year will be determined.