

HATE CRIME AND ITS IMPACT IN BOSNIA & HERZEGOVINA: IMPLICATIONS FOR VICTIM SUPPORT

Findings and recommendations from the 2023
BiH Hate Crime Underreporting Survey¹



Hate crimes can have a greater impact

Hate crime victimization can potentially inflict greater post-victimization repercussions compared with other crimes. The potential greater impact for victims of hate crime is evidenced by a well-established body of research and recognized in hate crime policy internationally. While the greater impact is not felt by every single victim of hate crime, it is evident that **on average hate crimes hurt more** when the post-victimization emotional and psychological impact is measured. Understanding the potential greater repercussions of hate crime for individual victims has important implications for hate crime victim support. *The 2023 BiH Hate Crime Underreporting Survey* incorporated measures to explore the impact of hate crime victimization in the context of hate crimes in Bosnia and Herzegovina to inform support for victims. This fact sheet condenses the survey findings on these measures. A set of recommendations is made for criminal justice institutions and nongovernmental organizations as a result of the findings.

*The 2023 BiH Hate Crime Underreporting Survey recruited a quota sample of **2438 respondents** aged 15 years and older from 18 municipalities/cities consistently ranking the highest in the number of potential hate crimes recorded by the OSCE Mission to Bosnia and Herzegovina hate crimes database. Self-completion interviews were conducted by a sample of an online panel of respondents and other respondents directly recruited by interviewers between July and October 2023. **In total, at least 562 potential hate crimes were experienced by respondents in the previous 12 months.***

"Hate crime" is defined by the *OSCE Office for Democratic Institutions and Human Rights* (ODIHR) as "criminal acts motivated by bias or prejudice towards particular groups of people. Hate crimes comprise two elements: a criminal offence and a bias motivation. A hate crime has taken place when a perpetrator has intentionally targeted an individual or property because of one or more identity traits or expressed hostility towards these identity traits during the crime."

This conceptualisation of "hate crime" is aligned with the definition of hate crimes in criminal law in Bosnia and Herzegovina.

The use in this fact sheet of the terms 'potential crimes' and 'potential hate crimes' recognizes that from the survey data alone it is not possible to legally verify whether the incidents noted by respondents qualify as crimes according to the Criminal Codes in BiH. In practice, verification is ultimately provided by the courts. The same is the case for crime victimization surveys internationally. However, such surveys have long been used in some countries, such as Great Britain, Sweden, and the United States, to provide a more realistic account of crime victimization than captured by police recorded crime data.

¹ *The 2023 Hate Crime Underreporting Survey for Bosnia and Herzegovina (BiH)* was carried out between July and October 2023, as the first survey that aimed to systematically capture the experience of potential hate crime victimization in BiH. The survey was funded by the Norwegian Ministry of Foreign Affairs as part of the Cooperation Agreement with the OSCE regarding 2022-2024 extra-budgetary contributions and commissioned by the OSCE Mission to Bosnia and Herzegovina. The European Union Agency for Fundamental Rights provided support in reviewing the survey questionnaire.

² "What is hate crime?" <https://hatecrime.osce.org/>

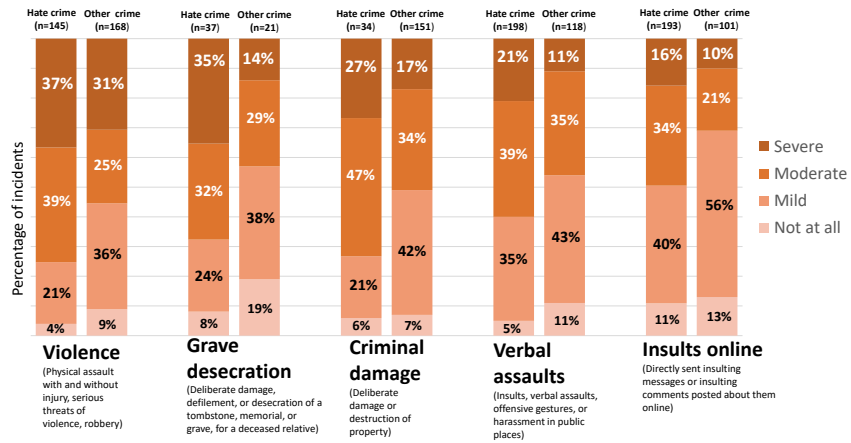
Key findings

Distress

Higher levels of post-victimization distress are suffered by victims of potential hate crimes compared with victims of other potential crimes.

The survey asked all victims of potential crimes and hate crimes in the last 12 months how distressing the experience was for them. Higher proportions of victims of potential hate crimes noted that they found the victimization experience to be either severely distressing or moderately distressing.

Levels of distress felt following potential crime victimization



- While different levels of post-victimization distress are associated with different types of crime, greater levels of distress were consistently felt by victims of potential hate crimes as they were more 'severely' or 'moderately' affected compared with victims of other potential crimes.

In the case of incidents of criminal damage, this finding needs to be treated with some caution given the small number of potential hate crime victims. The evident pattern of difference compared with victims of other crimes would also not be considered to be a reliable population estimate if determined by probability sampling (although the pattern of difference would be confirmed with a larger sample size). Caution interpretation also needs to be applied in the case of the survey evidence concerning deliberate damage, defilement, or desecration of a tombstone, memorial, or grave, for respondents' deceased relatives, due the small numbers of respondents reporting such potential crimes.

- The greatest levels of distress were felt by victims of violence.

The lowest levels of distress were felt by respondents who had experienced insulting communications online.

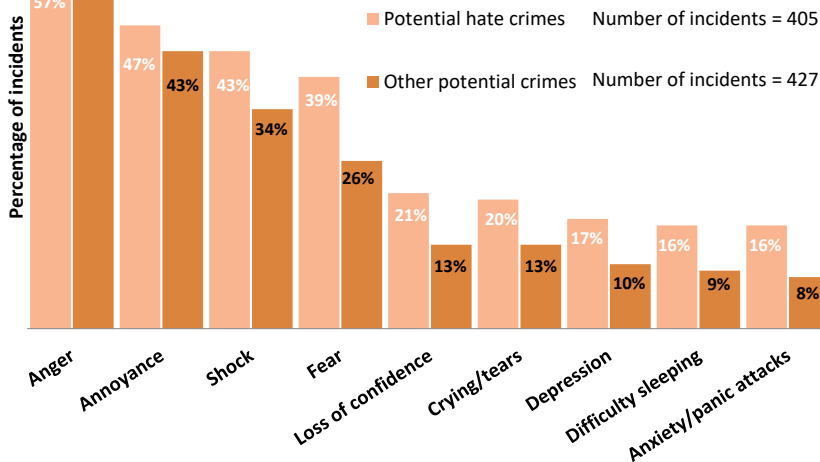
Emotional impact

For each potential crime incident noted in the previous 12 months, survey respondents were asked to indicate whether they experienced some specific emotional reactions. Multiple choices were possible to provide a comprehensive picture of the repercussions felt by respondents.

Victims of potential hate crimes are more likely to experience post-victimization emotional trauma than victims of other potential crimes.

When combining together each of the different crimes asked about in the survey, higher proportions of potential hate crime victims as a group compared with victims of other potential crimes as a group, were more likely to report having an emotional reaction for each of the emotional impact measures used in the survey, apart from the reaction of 'anger'. This pattern is consistent with the international evidence concerning the emotional repercussions of hate crime.

Emotional impact of crime victimization



The overall pattern of difference in emotional reaction between victims of potential hate crimes and victims of other potential crimes is also evident when comparing the different types of crime experienced.

Despite the evident difference, however, victims of potential hate crimes as a group and victims of other potential crimes as a group are more alike than different on each of the measures of mental impact.

Not all respondents noted experiencing a post-victimization emotional reaction, and some were uncertain. However, for each potential crime incident in the previous 12 months where respondents experienced some emotional reaction, they were asked how much they were emotionally affected.

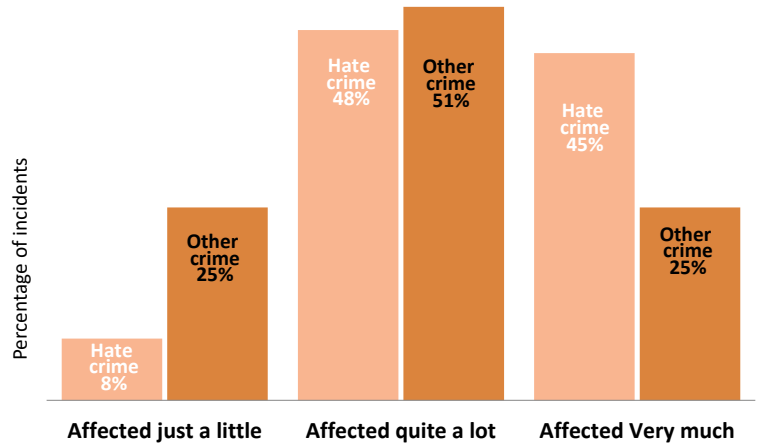
Victims of potential hate crimes as a group were more likely to be affected 'very much' and less likely to be affected 'just a little' than victims of other potential crimes.

Relationship between post-victimization impact and reporting potential crimes to the police

The evidence from the 2023 BiH Hate Crime Underreporting Survey concerning the relationship between post-victimization impact and the reporting of potential crimes to the police is particularly instructive.

Depth of emotional impact of crime victimization

Respondents who experienced an emotional impact

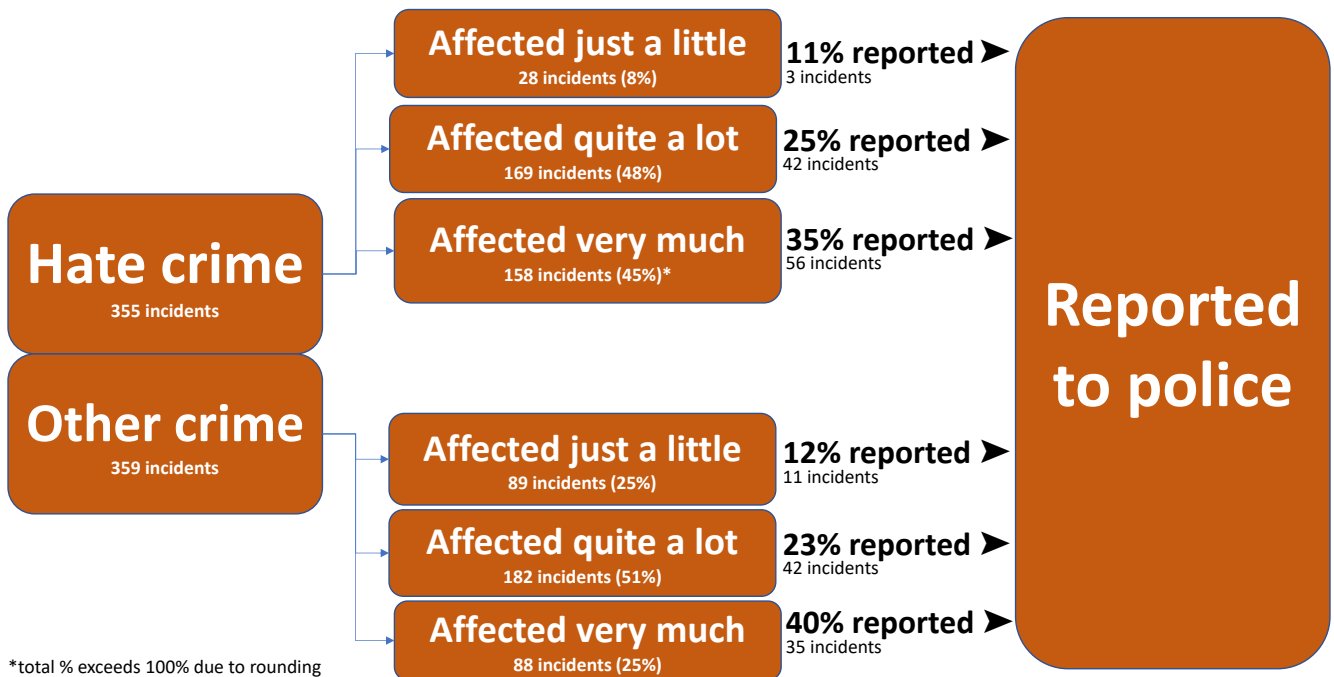


Number of incidents of potential hate crimes = 355
 Number of incidents of other potential crimes = 359

- **Different levels of post-victimization impact are clearly associated with different rates of reporting potential crimes to the police.**

Victims of potential crimes who were affected 'very much' had the highest rate of reporting, and those affected 'just a little' the lowest rate. This applies to both victims of potential hate crimes and victims of other potential crimes.

Impact of crime and reporting to the police



- **The depth of post-victimization emotional impact is a stronger predictor of reporting potential crimes to the police than whether they are perceived to be hate motivated or not.**

For each level of impact, the observed differences in reporting rates for potential hate crimes compared with other potential crimes are small and would not be considered to be reliable population estimates if determined by probability sampling.

Recommendations for victim support

Recognizing the impact of crime victimization provides a basis for an appropriate response to all victims of potential crimes. The authorities in Bosnia and Herzegovina should:

- **Provide regular training** and establish guidance for police officers and other criminal justice professionals on the sensitive and respectful treatment of crime victims informed by recognition of the post-victimization impact likely to be felt by those victims who report potential crimes to the police.
- Identify, map, and co-ordinate, on an ongoing basis, **dedicated support services for victims** of crime and ensure that support is available for all victims wherever they reside.
- **Establish professional quality standards** for the delivery of crime victim support services and monitor compliance with the standards.
- Ensure that professionals providing victim support are appropriately **trained and skilled**.
- Ensure that criminal justice authorities work in **partnership** with crime victim support services.
- Make provisions for crime victims to **present in court the impact of their crime victimization** experience without cross-examination by the defence, while preserving other procedural rights of the defendant.
- Ensure that the impact of the crime upon the victim is taken into account by courts in **sentencing decisions**.

While the 2023 BiH Hate Crime Underreporting Survey shows that victims who report potential hate crimes to the police experience similar levels of post-victimization impact with victims of other crimes reported to the police, it should also be recognized that hate crimes are different from other crimes in some key respects. A common denominator of difference for hate crime victims is that it happened in whole or in part because of their social identity. The experience can therefore be felt as a denigrating attack on the core of their essence as a person.

Each hate crime can also be felt as an act of marginalization sending an exclusionary message that the victim, and others like them, are unwelcome. Moreover, the fear of further victimization can be greater for victims of hate crimes: since they have been targeted already based on their social identity, they can be targeted again. In applying such understanding, **it is additionally recommended that for potential victims of hate crime specifically**, the authorities in Bosnia and Herzegovina should:

- Provide regular training and guidance for police officers and other criminal justice professionals on the **sensitive and respectful treatment of hate crime victims** informed by recognition of the post-victimization impact of hate crime likely to be felt by those victims who report potential crimes to the police.
- Identify, map, and co-ordinate **dedicated support services for victims of hate crime**.
- Establish professional **quality standards** for the delivery of hate crime victim support services.
- Provide **training** of professionals for hate crime victim support.

Furthermore, it should be ensured that an offender's bias motivation is taken into account by courts in sentencing decisions.

Going further – some key reading on hate crime victim support with recommendations for policy and practice:

OSCE Office for Democratic Institutions and Human Rights (ODIHR) (2020) *Understanding the Needs of Hate Crime Victims*, Warsaw: OSCE ODIHR.

OSCE Office for Democratic Institutions and Human Rights (ODIHR) (2021), *Model Quality Standards for Hate Crime Victim Support*, Warsaw: OSCE ODIHR.

OSCE Office for Democratic Institutions and Human Rights (ODIHR) (2021), *Diagnostic Tool for Assessing National Hate Crime Victim Support Systems*, Warsaw: OSCE ODIHR.

OSCE Office for Democratic Institutions and Human Rights (ODIHR) (2022), *Hate Crime Victim Support. Policy Brief*, Warsaw: OSCE ODIHR.