

GENDER-BASED HATE CRIMES AGAINST WOMEN IN BOSNIA AND HERZEGOVINA

Findings from the 2023 Hate Crime Underreporting
Survey for Bosnia and Herzegovina¹



Gender-based hate crimes, as defined by the OSCE Office for Democratic Institutions and Human Rights (ODIHR), are “criminal offences motivated by bias against a person’s gender”. Women and girls are believed to be disproportionately affected by gender-based hate crime, targeted either on the basis of their gender alone, or because of multiple identity traits including gender.²

Provisions against gender-based hate crime are included in Criminal Codes in Bosnia and Herzegovina. In entity and Brčko District BiH “sex” is explicitly included as a relevant targeted identity trait in the provisions against hate crime. While “sex” and “gender” have different meanings, they are commonly both incorporated into the single notion of “gender-based hate crime” in the international policy literature.

Despite the provisions against gender-based hate crime in law there has been little publicly available evidence about the problem to date in Bosnia and Herzegovina. The *2023 Hate Crime Underreporting Survey for Bosnia and Herzegovina* therefore uniquely sought to explore the problem with some specific questions included in its interviews of the general population which focused on the experience of potential crimes in public places. All female respondents who indicated that they had experienced a potential crime in the last 12 months were asked: “Do you think it happened partly or completely because you are female?”. The interview also asked about the perpetrators and locations of the potential crimes experienced, the mental impact of incidents, and whether incidents were reported to the police or other authorities. The key findings are presented in this fact sheet, with recommendations for criminal justice authorities informed by the survey findings.

The 2023 Hate Crime Underreporting Survey for Bosnia and Herzegovina sampled 2,438 respondents (1,274 females, 1,160 males, and four self-classified as ‘other’) aged 15 and older from 18 municipalities/cities with consistently high numbers of potential hate crimes recorded by the OSCE Mission to Bosnia and Herzegovina hate crimes database. A nonprobability sampling design was used with quotas based on respondents’ ethnoreligious identity, gender, and age.

This type of survey design is commonly used in market and opinion research as it is resource and cost efficient. Self-completion interviews were conducted via an online panel and direct recruitment by interviewers from July to October 2023.

The non-probability sampling design makes it impossible to estimate the likely accuracy of the survey findings since such estimates are based on statistical principles associated with probability, or random, sampling. Nevertheless, given the level of accuracy often produced in practice by surveys of this type, it is possible to consider the survey results as strongly indicative of the experience of the general population in the selected municipalities/cities.

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 OSCE Office for Democratic Institutions and Human Rights (ODIHR) (2021) [Gender-Based Hate Crime](#). Warsaw: OSCE ODIHR.

Key findings

Female respondents' experience of any potential crime

As hate crime combines two elements—a criminal offence and bias motivation—it is instructive to first outline female survey respondents' experience of any potential crime in the previous 12 months with and without perceived bias motivation, and then examine those incidents for which gender-bias motivation was perceived.

- **Overall, a smaller proportion (16 per cent) of female respondents than males (20 per cent) in the survey experienced any potential crime victimization (excluding insults in person or online) at least once in the previous 12 months.**

If insults in-person³ and online⁴ are added, the difference between the victimization rates for females (25 per cent) and males (28 per cent) narrows slightly, but it would not be considered a reliable population estimate of difference if the sample was a probability sample.

When considering the types of potential crime experienced:

- **The same proportions of females and males noted that they had been insulted, verbally assaulted, called names, had offensive gestures made to them, or were pestered or intimidated in any way in person (but not including threats of violence) in a public place in the previous 12 months.**
- **A higher proportion of males had been insulted online in the previous 12 months—either directly receiving an insulting email, text message (SMS), or direct message on social media, or had insulting comments posted about them on social media, such as on Facebook, Twitter, WhatsApp, and Instagram.**
- **Males were more likely to experience some form of physical violence.**

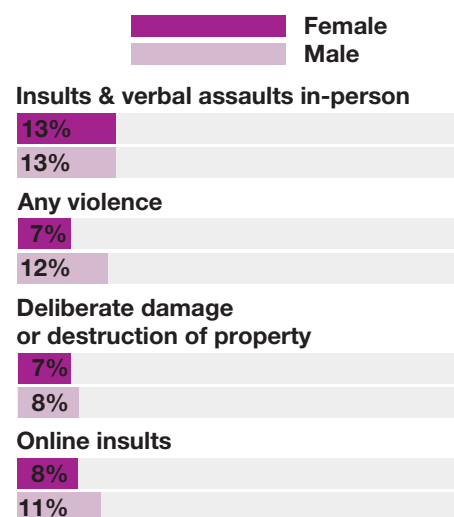
There was essentially no difference between females and males in the experience of criminal damage to property.

Experience of potential gender-based hate crime by female respondents

- **A slightly larger proportion (16 per cent) of female respondents than males (13 per cent) perceived some type of bias motivation involved in the potential crimes they experienced in the previous 12 months.**
- **Overall, just 4 per cent of female respondents in the survey experienced potential crime victimization (excluding insults in person or online) that they believed happened partly or completely because they are female, at least once in the previous 12 months.**
- **If insults in-person and online are included, 10 per cent of all female respondents experienced potential crime victimization that they believed happened partly or completely because they are female at least once in the previous 12 months.**
- **There is clear association between age and the experience of gender-based hate crime: younger female respondents were the most likely to experience potential victimization.**
- **When controlling for age, there was no evident association between the rates of potential gender-based victimization and ethnic or religious background of respondents.**

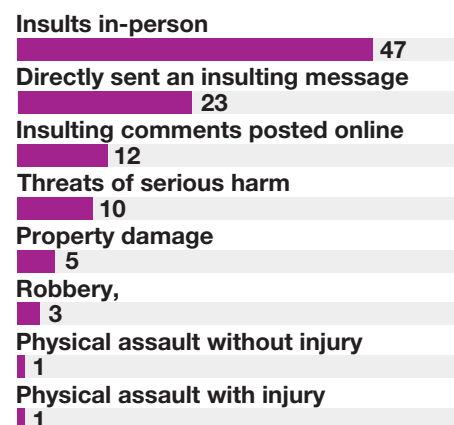
The use in this fact sheet of the terms 'potential crimes' and 'potential hate crimes' recognizes that from the survey data alone it is not possible to legally verify whether the incidents noted by respondents qualify as crimes according to the Criminal Codes in BiH. In practice, verification is ultimately 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.

Percentages of female and male respondents who experienced potential crimes in the last 12 months by crime type



Number of survey respondents:
Female = 1,274, Male = 1,160

Number of gender-based incidents by potential crime type experienced at least once by female respondents in the previous 12 months



3 Respondents were asked: "In the last 12 months, in a public place, have you been insulted, verbally assaulted, called names, had offensive gestures made to you, or been pestered or intimidated in any way in person (but not including threats of violence)?"

4 Respondents were asked: "In the last 12 months, have you been directly sent an insulting email, text message (SMS), or direct message on social media, (but not including threats of violence)?" and "In the last 12 months, have insulting comments been posted about you on social media, such as on Facebook, Twitter, WhatsApp, Instagram, etc., (but not including threats of violence)?"

Potential hate crime perceived by female respondents to be motivated solely by gender-bias

In total, 102 incidents perceived to be motivated solely by gender-bias were experienced by female respondents.

- **The majority of incidents involved insults, other abusive behaviour, or harassment. Insults delivered in-person accounted for almost half of the 102 incidents.**

Barely any physical assaults were experienced that were perceived to be solely motivated by gender bias.

Perpetrators of gender-based hate crime against women

Questions were asked about the perpetrators where offenders were likely to be seen by victims concerning insults or verbal abuse or harassment in person, physical violence with or without injury, and robbery. Caution needs to be exercised because of the smaller number of incidents, but the findings are nevertheless indicative of patterns in the wider population:

- **In well over half of the incidents of potential gender-based hate crimes against female respondents where offenders were likely to be seen by victims, the perpetrator acted alone (37 out of 62 incidents).**

In under one-third of incidents, there was more than one perpetrator (in 21 out of 62), and four respondents said they did not know.

Respondents were further asked: "Still thinking about the perpetrator(s)...who was involved?" Multiple choices from a list were possible.

People unknown to the victim, or strangers, accounted for the largest number of incidents. A spouse or partner was involved in only a few. However, the perpetrators in a substantial number of incidents were persons recognised by, or known by the victim in some way, such as a customer, client, or patient, somebody they work with, or someone from school or college, a neighbour, or somebody else from their neighbourhood.

Locations of gender-based hate crime against women

For all potential crimes where offenders were likely to be seen by victims, a question was asked about the location of the incident.

- **It is notable that in addition to outdoors public places, incidents of potential gender-based hate crime also occurred in the workplace, in a café, restaurant, pub or club, a shopping mall, and at school, college or university.**

Psychological impact of gender-based hate crime against women

To try to determine the psychological impact of victimization, for each potential crime respondents experienced in the last 12 months, questions were asked about the level of distress felt and the depth of any emotional reaction following victimization.

- **In approximately two-thirds of potential hate crime where gender-bias was believed to be the sole bias motivation involved, respondents said that they found the experience either 'moderately' or 'severely' distressing.**
- **Most said that they were emotionally affected either 'quite a lot' or 'very much'.**

Reporting incidents of potential gender-based hate crime to the police and other organizations

In all incidents of potential interpersonal hate crimes, insults or verbal abuse or harassment in person, physical violence with or without injury, and robbery—respondents were asked: "Did you or anyone else report or make a complaint about it to the police?" Respondents were additionally asked: "Did you or anyone else report or make a complaint about the incident to any of the following organizations/institutions: Ombudsperson; NGO / civil society / community organization; Victim support organization; Hospital or other medical service; Someone in the

Perpetrators of incidents of potential gender-based hate crimes experienced by female respondents



Multiple selection possible

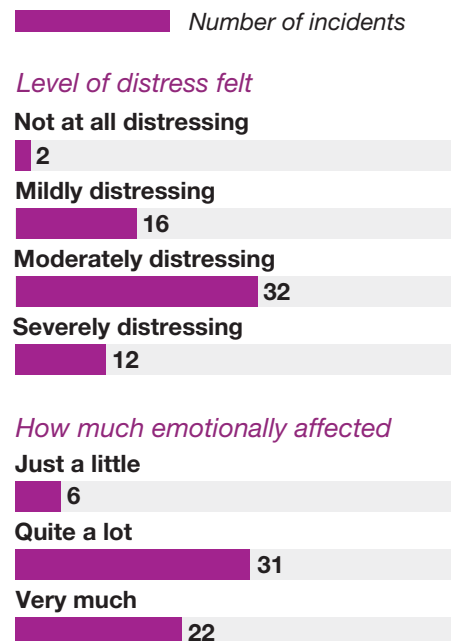
Locations of incidents of potential gender-based hate crimes experienced by female respondents



organization/institution where it happened (at school, college, work, or service provider); the media; other organization”?

- **Notably, less than one-sixth of the incidents of potential gender-based hate crime (10 out of 62 incidents) were reported to the police.**
- **Five incidents were reported to the organization where it happened (school, college, work, or service provider); three were reported to the ombudsperson; three reported to an NGO, civil society, or community organization; two reported to a victim support organization; two reported to the media, and two reported to a hospital or other medical facility.**

Mental impact of incidents of potential gender-based hate crime



Recommendations

The findings from the *2023 Hate Crime Underreporting Survey for Bosnia and Herzegovina* presented in this fact sheet provide a step forward in understanding the problem of gender-based hate crime in public places and online. The findings strongly indicate that potential gender-based hate crime primarily involves insults and other abusive behaviour in person, and also online. Physical assaults are comparatively few. The impact of gender-based hate crime can be significant as indicated in this fact sheet. Yet, notably few incidents come to the attention of the police or other authorities in Bosnia and Herzegovina. It is important, therefore, for criminal justice authorities to:

- Support and undertake, along with other public authorities, public relations and media campaigns to raise awareness about available assistance and support for victims of gender-based hate crime. To encourage reporting, this can include publicizing successful prosecutions of gender-based hate crime to encourage other victims to come forward, demonstrating that reporting hate crimes can lead to facing justice for the perpetrators.
- Establish a harmonised system of data recording for police, prosecutorial, and judicial institutions for gender-based hate crime as a separate recording category, which would include a record of the gender-bias indicators. Where multiple bias motives are involved, each must be recorded and addressed during investigation and prosecution.
- Implement regular training and guidance for police officers and other criminal justice professionals on recognising potential bias indicators of gender-based hate crime.
- Provide regular training and establish guidance for police officers and other criminal justice professionals on the sensitive and respectful treatment of victims of gender-based hate crime informed by recognition of the post-victimization impact likely to be felt by those victims who report it to the police.
- Make provisions for victims of gender-based hate crime 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 gender-based hate crime upon the victim is taken into account by courts in sentencing.

Going further—some key reading with recommendations concerning gender-based hate crime:

OSCE Office for Democratic Institutions and Human Rights (ODIHR) (2021), [Gender-Based Hate Crime](#), Warsaw: OSCE ODIHR.



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