

PASSIVE SUBJECT OF A CRIMINAL OFFENCE (THE VICTIM) IN BOSNIA AND HERZEGOVINA: POORLY PROTECTED AND UNDER-RESEARCHED

Sandra KOBAJICA

Almir MALJEVIĆ

Abstract

Development of Victimology, as a new research field, began in Bosnia and Herzegovina at the end of the 20th century. This paper provides an overview of the state of Victimology in Bosnia and Herzegovina, emphasizing legal position of victims and access to justice mechanisms over the years. There is an evident lack in victimology-related research and education in attempting to engage systematically with political and public attitudes toward understanding of the victim status and victim protection measures. However, the role and position of Victimology at universities will be explored. Research on crime victimisation, mostly limited to the fear of crime and self-reported delinquency surveys, will be presented as well. The overview concludes with proposals for strengthening victim-related legislation and policies aimed to improve position of victim, as well as victimological research efforts in Bosnia and Herzegovina.

Key words

criminal legislation, injured party, victim, victimology

1. Bosnia and Herzegovina – the background

Bosnia and Herzegovina [BiH] is an independent, sovereign and democratic country located in the western part of the Balkan Peninsula. With a total surface of 51,209 square kilometres, it is bordering Croatia to the north and south-west, Serbia to the east, and Montenegro to the southeast.

According to the 2013 Census of population, households and dwellings in BiH, it has a population of 3,531,159 inhabitants with density of 68.9 inhabitants per square kilometre.¹ Distribu-

¹ Agency for Statistics of BiH 2016, p. 25.

tion of the population according to sex included 50.94% of women and 49.06% of men. With respect to the age structure, the 2013 data shows that the children as well as older persons made up 30% of the BiH population, while persons considered to be of working age (15 to 64 years old) accounted for 70%. The average age was 39.5 in 2013 which places BiH among older nations in Europe. Estimated life expectancy at birth was 76.9 years (74.4 years for men and 79.4 years for women), which is under the average life expectancy in European Union [EU] of 80.6 years for both female and male in 2015.²

Among population aged 15 and over, 14% have incomplete primary education or no education.³ Moreover, 21% of the population completed primary school, 52% secondary school or post-secondary school specialization, while 3% obtained high school and first grade of faculty degree and 10% university degree.⁴ Share of illiterate⁵ persons aged 10 and over in the total population in 2013 was 2.82%. The breakdown by gender is 4.76% female, 0.79% male (difference of -3.97%).⁶

BiH is one of the most rural countries in Europe. Around 60% of the population live in rural areas.⁷ Around 25% of the population lives in the six major cities: Sarajevo, Banja Luka, Tuzla, Zenica, Mostar and Bijeljina. In four municipalities⁸ the capital Sarajevo has an urban population of 275,524, while the Sarajevo metropolitan area has a population of 413,593.⁹

BiH has historically been a multi-ethnic state. The key characteristic of multi-ethnicity is inherited from former Yugoslavia. In accordance with the Dayton Peace Accords its structure rests on the principle of the balance and equality of the three “constituent peoples” – Bosniaks, Serbs and Croats. The 2013 census results showed that Bosniaks constitute 50.11% of the population (difference of 7% in comparison to 1991), Serbs 30.78% (difference of -1% in comparison to 1991), Croats 15.43% (difference of 2% in comparison to 1991). Some 2.73% of the population are categorised as “others”, the official term for national minorities and people who do not identify with any of the three constitutive peoples.¹⁰ The official languages are Bosnian, Croatian and Serbian and two alphabets (Latin and Cyrillic) are used. In BiH, religion is often linked to ethnicity. Census results showed that 50.7% of the population identify religiously as Muslim, 30.75% as Orthodox Christian, 15.19% as Roman Catholic, 1.15% as other, 1.1% as agnostic or atheist, with the remainder not declaring their religion or not answering.¹¹

In the past two decades BiH has lost around 19.32% of its population since 1991 when the previous census was conducted, both as an effect of the war and of massive emigration which has drained the country. After the breakup of former Yugoslavia, the war in BiH was at the same time an inter-state and inter-ethnic armed conflict that took place from 1992 to 1995. Signing of the Dayton General Framework Peace Agreement brought the end of war for three rival factions – Bosniaks, Serbs and Croats. As *Nettelfield* stated (2010) calculating the number of deaths resulting from the conflict has been subject to considerable, highly politicised debate sometimes “fused with narratives about victimhood”, from the political elites of various groups. Considered today the most devastating warfare in Europe after the War World II, the three-year conflict resulted in more than 100,000 deaths that included combatants and

¹⁰ Agency for Statistics of BiH 2016, p. 54.

¹¹ Agency for Statistics of BiH 2016, p. 68.

civilians of all ethnicities.¹² In addition, it is estimated that about 113,000 people have been displaced and 4,500 persons have become stateless as a consequence of the war (*Andreescu, 2015*).

In the period of post-war rehabilitation and reconstruction BiH faced acute social and economic challenges. In 2015, GDP per capita in BiH was around 70% below the EU-28 average,¹³ unemployment rate in 2016¹⁴ was one of the highest in the region, while youth unemployment rate¹⁵ one of the highest in the world.¹⁶ Influenced by a combination of economic, environmental, political and social factors, BiH net migration rate was at level of -5 migrants per thousand population in the period 2010–2015.¹⁷

BiH has not yet been affected by the recent refugee crisis. Although it is not exposed to massive migration influx, the large number of migrants reside in the countries of region and they are stopped at the Balkan's route, trying to find alternative routes of movement toward EU countries, which includes also transit over the BiH territory.¹⁸

BiH is a federal state with multi-level governance, as stipulated in its Constitution.¹⁹ A complicated and expensive²⁰ governmental structure is composed of two entities, the Federation of BiH and the Republika Srpska, which have shared sovereignty over the Brčko District of BiH. Each level of government has its own legislative, executive, administrative and judicial institutions. Until

¹² The Bosnian Book of the Dead represents the most comprehensive statistical analysis of human losses in the War. The 2012 figures recorded a total of 101,040 dead or disappeared, of which civilian deaths represented 37.9%. See *Čalić 2012; Sito-Sučić & Robinson 2013*. According to the report produced in 2010, after 12 years of data collection by the International Criminal Tribunal for the former Yugoslavia [ICTY] Demographic Unit, final estimate rests at 104,732 individuals killed during the 1992–1995 period. See *Zwierzchowski & Tabeau 2010*.

¹³ GDP based on production approach at current prices is estimated at 28.522 million of BAM in 2015 or EUR 14.583 or USD 16.182. The nominal increase of GDP in relation with 2014 was 4.46%. The GDP per capita is estimated BAM 8.107 or USD 4.600 or EUR 4.145 in 2015. The average GDP per capita at current prices within the EU-28 in 2016 was EUR 29 thousand. See Eurostat, 2017, p. 115.

¹⁴ The unemployment rate in 2016 was 25.4%. See Agency for Statistics of BiH 2017.

¹⁵ Youth unemployment refers to the share of the labour force ages 15–24 without work but available for and seeking employment.

¹⁶ Agency for Statistics of BiH 2017, p. 39. For instance, the share of young people in the EU-28 in 2016 who were neither in employment nor in education or training, expressed in relation to the population of the same age, stood at 15.2% (Eurostat 2017, p. 84).

¹⁷ See UN Department of Economic and Social Affairs, Population Division 2013.

¹⁸ In the first 11 months in 2017, the total number of illegal migrants were placed under surveillance or directly returned to country from which entered in BiH, is increased for 380%. From beginning of 2018, it has been detected in BiH in total 440 illegal migrants from countries of high migration risk, who are in individual cases or smaller groups trying to use the BiH territory as a transit area on the way toward EU countries. See Service for Foreigners' Affairs. Available at: <http://sps.gov.ba/saopstenja-en/complex-situation-in-bih-regarding-issue-of-illegal-migration/?lang=en> [10.03.2018]

¹⁹ Annex IV on Dayton Peace Accords. Available at: http://www.ccbh.ba/public/down/USTAV_BOSNE_I_HERCEGOVINE_engl.pdf [10.03.2018]

²⁰ BiH's complex state structure incurs high administrative costs, estimated at 50% of its GDP. See *Lilyanova 2015*.

2003 the criminal legislation of BiH was fragmented and to a large extent not harmonized between the Entities. However, in 2003, the Office of the High Representative imposed the Criminal Code of BiH [CC of BiH]²¹ and the Criminal Procedure Code of BiH [CPC of BiH]²² and required lower administrative units of the country to harmonize their respective codes with these. As a result, as of 2003, four new criminal and criminal procedure codes exist in BiH. Today, although some differences do exist between the laws, the criminal legislation in BiH can be said to show a considerable degree of internal harmonization (United Nations Office on Drugs and Crime [UNODC], 2010, p. 68).

The accession of BiH to the EU is the stated aim of the present relations between the two entities. BiH participates to the Stabilisation and Association Process and is a potential candidate for EU membership. The country submitted its application for EU membership in February 2016. Following the recognition of meaningful progress in the implementation of the Reform Agenda, in September 2016 the EU Council invited the European Commission to submit its opinion on BiH's application for EU membership.²³

2. Victimology – in search for independence

Development of victimology in BiH over the past 30 years was inevitably linked to the overall functioning of higher education system, and more specifically evolution of the legal and criminological scientific research. Additionally, victim's protection legislation in accordance with international standards was intensified in line with development of the criminal justice system in post-Dayton period. This section will present victimology's position in BiH while identifying the law and criminal justice, criminology and security studies as primary areas victimology is affiliated with. Moreover, discussion will include the brief overview of victimological education provided in BiH, victimology related research, publications and its major actors.

Victimology is not an independent science in BiH. As essential segment of criminological thought it is a part of the area of social sciences. The major institutions providing victimological education in BiH are faculties of law and the Faculty for Criminal Justice, Criminology and Security Studies at the University of Sarajevo. Victimology was initially studied at the University of Sarajevo Faculty of Law.²⁴ According to its latest curricula, students on the third year of undergraduate studies are provided with basic victimological education within an elective one-semester course of Victimology as well as within an elective one-semester course of Criminology. Meanwhile, more advanced knowledge on juvenile crime victims and juvenile's restorative justice is provided within postgraduate study programme of Criminal Law/Juvenile Delinquency.

Development of higher education system in BiH included establishment of law faculties in all

²¹ Criminal Code of BiH: Official Gazette of BiH, Nos. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8/10, 47/14, 22/15, and 40/15.

²² Criminal Procedure Code of BiH: Official Gazette of Bosnia and Herzegovina, Nos. 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09, and 72/13.

²³ See European Commission 2016.

²⁴ The University of Sarajevo Faculty of Law is the oldest such educational institution in BiH (founded in 1946).

major urban centres, primarily in Banja Luka and Mostar and over the past 20 years also in Bihać, Zenica, Tuzla and East Sarajevo with quite similar curriculums. Within undergraduate study programmes of Law, Victimology is only mandatory course at the Mostar Faculty of Law, Criminal Justice and Security Management Department. At Tuzla, Bihać and Zenica Faculties of Law Victimology is an elective course. At Banja Luka and East Sarajevo Law Faculties victimological topics have been explored within the mandatory Criminology course. Among postgraduate study programmes of Criminal Law predominantly, Victimology is or elective course or integral part of Juvenile Restorative Justice course, Juvenile Criminal Law or Criminology with Penology courses.

Beside the educational activities going on at the law faculties, victimology had also been introduced at the University of Sarajevo Faculty of Criminal Justice Sciences. Due to the enthusiasm of professor Alija Ramljak, forensic pathologist by profession, even before 2000 victimology was studied equally with sociology of deviance, psychology, criminal law, criminal procedure law, criminology, penology, forensic science in general etc. In 2007 the Faculty had been re-named, and its curriculum was transformed into three new departments – Criminal Justice Department, Criminology Department and Security Studies Department. Both as a theoretical and empirical discipline during past decade victimology was developing under independent Criminology department. Therefore, victimological education is broadened by four inter-related mandatory courses: Victimology 1 – General Theory of Victimology and Victimology 2 – Restorative Justice (undergraduate study programme), Victimology 3 – Special Victimology (postgraduate study programme) and Applied Victimology (doctoral programme).

Table 1. Development of victimology at the Faculty for Criminal Justice, Criminology and Security Studies, University of Sarajevo

YEAR	IMPORTANT VENUES
1993	Established Faculty of Criminal Justice Sciences, University of Sarajevo
1994	“Victimology with Restorative Justice” became a mandatory course for undergraduate students
2001	Hasan Balić, Ph.D. became the first professor of “Victimology with Restorative Justice” at the Faculty
2004	The first Chrestomathy of Victimology prepared by professors Balić, H., & Adžajlić-Dedović, A.
2004	The first BiH victimological textbook published by professors Ramljak, A., & Halilović, H.
2007–2008	Faculty recharged curriculum and introduced independent departments – Criminal Justice Department, Criminology Department and Security Studies Department
2008–	Development of victimology both as theoretical and empirical discipline within undergraduate, postgraduate and doctoral study programmes

It is important to state that BiH do not offer specialized master or doctoral programme in victimology. There is a possibility for students to write their thesis on a victimological subject, but usually in the framework of related field of study, i.e. criminology or law. In 2010 first Ph.D. thesis has been defended in BiH entitled “The legal position of the victim in the Constitution and International law - BiH paradigm” at the Faculty of Law, University of Bihać. At this point, a lot of Master thesis prepared and defended at the Faculty for Criminal Justice, Criminology and Security Studies of the University of Sarajevo represent a modest contribution to development of victimology in BiH.

In that manner, the Victimology Society of BiH should be also mentioned. It was jointly founded in 1996 by members of the Academy of Sciences and Arts of BiH, the Council of Displaced Persons and Refugees of BiH as well as the Institute for Research of Crimes Against Humanity and International Law from Sarajevo. As a non-government organisation [NGO] its aim was to explore and advocate policies against human right violations and war for all victims regardless of their gender, religion, ethnicity, etc. Victimology Society of BiH made significant contribution in bringing victimization to public attention through translation of the UN Handbook on Justice for Victims on the use and application of the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power into Bosnian language in 2001. Due to the financial reasons and new regulations Society has been closed in 2001.

In the aftermath of the war, scholars in BiH have not been paying the needed attention to crime and its related issues, such as victims of crime and victimisation. In that period, victimological research attention was directed to the victims of war, especially victims of mass sexual violence and torture. Soon after, evident growing trend of socio-pathological phenomena linked to social, political and economic transformation of the country influenced a change in the research agenda. From 1997 to 2003, BiH faced, among others, with a growing problem of trafficking in human beings, especially sexual exploitation of women. The very first project in this field conducted researchers from the Faculty of Criminal Justice Sciences at the University of Sarajevo. Following the needs of society other victimological relevant interests were in domestic violence, intimate partner violence, self-reported juvenile delinquency, fear of crime and restorative justice. It is important to state that a core of the research was supported from international funds. Governmental response in terms of investing funds in research of crime issues in general, has been lacking so far. Consequently, that is one of the reasons why BiH has not been involved in any of the major international studies, primary International Crime Victim Survey [ICVS]. To date, there is no accurate data on crime victimisation rates or dark figures of adult crime and victimisation by the Agency for Statistics of BiH or the statistical agencies of Entities. There is an evident need to conduct an empirical research in order to get a better idea on victims and the (individual and collective) impact of victimisation in BiH.

In BiH there is no specialized victimological scientific journal. Papers of victimological substance are published in domestic journals from the related fields, primarily criminal justice journals. So far there have been published six university textbooks in victimology and victimology related topics:

- *Ramljak, A., & Halilović, H.* (2004): *Victimology [Viktimologija]*. Faculty of Criminal Justice Sciences, Sarajevo, 410 pages;
- *Ramljak, A., & Petrović, B.* (2005): *Dictionary of Victimology [Viktimološki pojmovnik]*. Association of Criminal Justice Practitioners in BiH, Sarajevo, 211 pages;
- *Ramljak, A., & Simović, M.* (2006): *Victimology (2nd ed.) [Viktimologija 2. izmijenjeno i dopunjeno izdanje]*. University Apeiron, Banja Luka, 554 pages;
- *Ramljak, A., & Simović, M.* (2011): *Victimology (3rd ed.) [Viktimologija 3. izmijenjeno i dopunjeno izdanje]*. Faculty of Law, Bihać, 307 pages;
- *Adžajlić-Dedović, A.* (2015): *Victimology [Viktimologija]*. Logico, Sarajevo, 231 pages;
- *Adžajlić-Dedović, A.* (2015): *Restorative Justice [Restorativna pravda]*. Logico, Sarajevo, 123 pages.

Logical continuation in development of victimology, both in theoretical and practical terms, was the very first international scientific and professional conference of victimology in BiH organised in 2015, in Sarajevo. For the first time, “victimologist”, criminologist, jurists, government and law enforcement representatives from the country, region and wider established scientific basis for further cooperation with the aim to advocate improvement of social, economic and procedural policies for victims in BiH.²⁵

3. Passive subject of a criminal offence (i.e. the injured party) – legal framework

In the contemporary law of BiH, by bearing in mind the fact that prosecution is conducted *ex officio* by the prosecutor, position of the victim of criminal offense concerning its functional role in criminal proceedings is quite marginalized and reduced to the role of a witness.²⁶ Consequently, one of the main features of BiH criminal policy, at the level of legal regulation and in particular in practice is insufficient protection of the victims’ rights and interests.

The general term “victim” is not defined or regulated in the criminal legislation of BiH, including State and Entity CPCs.²⁷ The criminal procedure codes only define the general term “injured party”. According to the CPC of BiH, the injured party is a person whose personal or property rights have been threatened or violated by a criminal offense.²⁸ The term victim is used twice in the CPC of BiH, in Articles 213, paragraph 2 and 264, paragraph 3.²⁹ The CC of BiH also does not provide definition of the victim, but from the definition of criminal offense of international trafficking in human beings, it is evident that the victim is a person who has been used to carry out this criminal offense by using force or other forms of coercion.³⁰ It is important to state that the terms, victim of crime and injured party in legal discussions and the general public are largely used as synonyms.

In the period between 2002 and 2003 a significant reform of the criminal justice system was conducted and some laws stipulated a legal framework for protection of victims/witnesses were enacted at the State level, namely: the CC of BiH³¹, the CPC of BiH, the Law on Protection of Witnesses under Threat and Vulnerable Witnesses,³² and the Law on Witness Protection

²⁵ Conference contribution was in publishing of *Hasković, E.* (ed.). (2015): *International Review of Victimology “Ambassadors of Peace in Bosnia and Herzegovina”*. Sarajevo.

²⁶ For instance, the victim of a criminal offense may not participate in criminal proceedings as a subsidiary prosecutor, or a private prosecutor.

²⁷ Criminal Procedure Code of the Federation of BiH: Official Gazette of the Federation of BiH, Nos. 35/03, 37/03, 56/03, 78/04, 28/05, 55/06, 27/07, 53/07, 09/09, 12/10, 08/13, and 59/14; Criminal Procedure Code of Republika Srpska: Official Gazette of Republika Srpska, No. 53/12; Criminal Procedure Code of Brčko District of BiH: Official Gazette of Brčko District of BiH, Nos. 10/03, 48/04, 06/05, 12/07, 14/07, 21/07, and 27/14.

²⁸ See Annex BiH, Criminal Procedure Code of BiH, Article 20, in the first paragraph, point (h).

²⁹ See Annex BiH, Criminal Procedure Code of BiH, Articles 213, paragraph 2 and 264, paragraph 3.

³⁰ See Annex BiH, Criminal Code of BiH, Article 186.

³¹ The CC of BiH provides culpability for disclosure of identity of protected witnesses by any party in the proceedings including third parties. See Annex BiH, Criminal Code of BiH, Article 240.

³² Official Gazette of BiH, Nos. 3/03, 21/03, 61/04, and 55/05.

Program of BiH³³. At the Entity levels, legal framework included: the CC of the Federation of BiH,³⁴ the CPC of the Federation of BiH,³⁵ the Law on Protection of Witnesses under Threat and Vulnerable Witnesses of the Federation of BiH,³⁶ the CC of Republika Srpska,³⁷ the CPC of Republika Srpska,³⁸ and the Law on Witness Protection of Republika Srpska.³⁹ At the level of Brčko District of BiH legal framework encompasses following: the CC of Brčko District of BiH,⁴⁰ the CPC of Brčko District of BiH,⁴¹ and the Law on Protection of Witnesses under Threat and Vulnerable Witnesses of Brčko District of BiH.⁴² As a result of a reform, the position of victims in criminal proceedings has been significantly weakened in BiH (*Filipović*, 2009, p. 295). The rights of victim as an injured party through the different stages of criminal proceedings are to be briefly observed in the following lines.

At the investigation phase, the injured party, as any other citizen, has the right to file charges regarding the criminal offense which has been committed,⁴³ to be informed if the investigation is not going to be conducted or if it is being suspended, and thus to appeal such a decision.⁴⁴ During the examination as witness, it has the right to be asked whether it wish to file a property claim,⁴⁵ and to be informed of the reasons for application of the principle of opportunity in juvenile proceedings.⁴⁶ In the indictment phase, the injured party has the right to be informed about the results of the plea bargaining⁴⁷ and about the indictment withdrawing, by the decision of the prosecutor.⁴⁸ There is no provision in criminal legislation of BiH which obligates the court to notify the injured party about the main hearing. The injured party will be summoned to the main hearing only if it has the witness status. However, the right of the injured party to be present at the main hearing could be concluded indirectly from some provisions of the CPC of BiH.⁴⁹ Consequently, the injured party does not have the right to file evidence, which is urged

³³ Official Gazette of BiH, No. 36/14.

³⁴ Official Gazette of the Federation of BiH, 36/03, 37/03, 21/04, 69/04, 18/05, 42/10, 42/11, 59/14 and 76/14.

³⁵ Official Gazette of the Federation of BiH, Nos. 35/03, 37/03, 56/03, 78/04, 28/05, 55/06, 27/07, 53/07, 09/09, 12/10, 08/13, and 59/14.

³⁶ Official Gazette of the Federation of BiH, No. 36/03.

³⁷ Official Gazette of Republika Srpska, No. 64/17.

³⁸ Official Gazette of Republika Srpska, No. 53/12.

³⁹ Official Gazette of Republika Srpska, Nos. 21/03, 61/04, and 55/05.

⁴⁰ Official Gazette of Brčko District, Nos. 10/03, 45/04, 06/05, 21/10, and 52/11.

⁴¹ Official Gazette of Brčko District of BiH, Nos. 10/03, 48/04, 06/05, 12/07, 14/07, 21/07, and 27/14.

⁴² Official Gazette of Brčko District of BiH, Nos. 11/03, and 8/07.

⁴³ See Annex BiH, Criminal Procedure Code of BiH, Article 214.

⁴⁴ See Annex BiH, Criminal Procedure Code of BiH, Article 216, paragraph 4 and Article 224, paragraph 2.

⁴⁵ See Annex BiH, Criminal Procedure Code of BiH, Article 86, paragraph 10.

⁴⁶ See Annex BiH, Criminal Procedure Code of BiH, Article 352.

⁴⁷ See Annex BiH, Criminal Procedure Code of BiH, Article 231, paragraph 9.

⁴⁸ See Annex BiH, Criminal Procedure Code of BiH, Article 232.

⁴⁹ See Annex BiH, Criminal Procedure Code of BiH, Article 258, paragraph 4, Article 195, paragraph 2, Article. 277, paragraph 1, and Article 288, paragraph 1.

by the European Council Framework Decision 2001/220/JHA of 15 March 2001 on the standing of victims in criminal proceedings. As *Filipović* stated (2009, p. 310) delivery of a certified copy of the verdict to injured party, with the right to appeal,⁵⁰ which the CPC of BiH obliges the court, cannot replace the victims right to be informed of the conduct of the criminal proceedings. No later than the end of the main or sentencing hearing before the court, the injured party has the right to submit a request for a property claim.⁵¹ In addition, the injured party has a right to initiate a proposal for mediation before the conclusion of the main hearing.⁵² As an important source of information for the prosecutor about the criminal offense and its perpetrator, the injured party has the right to both during the investigation phase and at the main hearing to be questioned as a witness.⁵³

However, it is important to mention that a number of good provisions about the protection of especially vulnerable victims from a secondary victimization. For example, the judge and the prosecutor are legally obliged to protect the victim/witness from insults, threats or any other assault from the part of the defendant, their associates or family members,⁵⁴ when a minor is being questioned, and especially if the said minor is the injured party, it is necessary to proceed with caution and with the assistance of a psychologist, educator or some other type of expert.⁵⁵ Also, given age, physical and mental condition, or other justified reasons the witness may be examined using technical means for transferring image and sound in such manner as to permit the parties and the defence attorney to ask questions although not in the same room as the witness.⁵⁶ Examinations of witness may be audio or audio-visual recorded at any stage of the criminal proceedings. Such recordings are mandatory for minors under the age of 16 or if it is possible that a witness may not be available for testimony at the main hearing.⁵⁷ If a sexual offense is committed, the injured party must not be asked questions about their sex life prior to the incident in question, nor is the evidence on the past sexual experience, behaviour or sexual orientation of the injured party admissible.⁵⁸

Except for the above-mentioned provisions relating to underage victims and victims of so-called sexual offences, criminal procedure codes of BiH do not contain special provisions on other categories of particularly vulnerable victims of criminal offenses. Protection of victims/witnesses in criminal proceedings regardless of type of crime in case is indirectly regulated by the Law on Protection of Witnesses under Threat and Vulnerable Witnesses.⁵⁹ The Law

⁵⁰ See Annex BiH, Criminal Procedure Code of BiH, Article 289, paragraphs 3 and 4.

⁵¹ See Annex BiH, Criminal Procedure Code of BiH, Articles 194 and 195.

⁵² See Annex BiH, Criminal Procedure Code of BiH, Article 198.

⁵³ Articles 81–91 of the CPC of BiH regulate the hearing and examination of witnesses in court proceedings.

⁵⁴ See Annex BiH, Criminal Procedure Code of BiH, Article 267.

⁵⁵ See Annex BiH, Criminal Procedure Code of BiH, Article 86, paragraph 4.

⁵⁶ See Annex BiH, Criminal Procedure Code of BiH, Article 86, paragraph 6.

⁵⁷ See Annex BiH, Criminal Procedure Code of BiH, Article 90.

⁵⁸ See Annex BiH, Criminal Procedure Code of BiH, Article 86, paragraph 5 and Article 264.

⁵⁹ This paragraph is based on the presentation of the first Chief Prosecutor of BiH, Mr Marinko Jurčević entitled “Witness Protection in Criminal Proceedings, Past Experience and Identified Problems”, 2008.

was enacted in mid-2003 and it stipulates measures ensuring protection of witnesses under threat and vulnerable witnesses in criminal proceedings conducted in judicial institutions at the State level.⁶⁰ Therefore, the Law provides two categories of witnesses who can be granted protection, a witness under threat and a vulnerable witness.⁶¹ Therefore, the purpose of the measures is to protect identity and other information that may indicate witness's identity as well as protection of vulnerable witnesses (most often children, women, the elderly, the disabled, as well as crime victims) from their intimidation, confusion and a negative psychological influence. This Law also provides the measures which ensure psychological, social and professional protection to witnesses under threat and vulnerable witnesses. The court, prosecutors and other bodies participating in the criminal proceedings have to inform witnesses on the measures of protection, assistance and support. The prosecutor provides this information in the course of an investigation whereas the court does it after an indictment is filed. The Law recognises two types of the protective measures ensuring protection of the identity of witnesses: procedural protective measures⁶² and additional protective measures.⁶³ Both of the measures are granted by the court upon the prosecutors reasoned motion. In its decision the court defines the measures to be applied to the witness testifying before the court. In exceptional circumstances, where there is a manifest risk to the personal security of a witness or the family of the witness, and the risk is so severe that there are justified reasons to believe that the risk is unlikely to be mitigated after the testimony is given, or is likely to be aggravated by the testimony, the court may conduct a hearing of a protected witness granting him/her the status of the protected witness.⁶⁴ This is particularly important because of the large number of witnesses in war crimes cases⁶⁵ as well as in organized crimes, including human trafficking cases⁶⁶ and most of the witnesses to which the protection measures prescribed by law apply are specifically this kind of witness.

The Law on Witness Protection Program of BiH was passed in 2004. It provides operational-tactical and technical measures and actions that ensure the physical protection of life and

⁶⁰ It is thus clear that the Law does not regulate protection before and after criminal proceedings, which can be problematic.

⁶¹ See Annex BiH, Law on Protection of Witnesses under Threat and Vulnerable Witnesses, Article 3.

⁶² See Annex BiH, Law on Protection of Witnesses under Threat and Vulnerable Witnesses, Articles 7–12.

⁶³ See Annex BiH, Law on Protection of Witnesses under Threat and Vulnerable Witnesses, Article 13.

⁶⁴ See Annex BiH, Law on Protection of Witnesses under Threat and Vulnerable Witnesses, Articles 15–23.

⁶⁵ BiH has adopted the National War Crimes Strategy, which also contains a section called: Support and Protection of Victims and Witnesses, which, among other things, points out the need for some aspect of psychological support for witnesses and victims already during the investigation phase and giving statements.

⁶⁶ In addition, the system of providing assistance to victims of human trafficking is regulated by the Rules on the Protection of Victims and Victim-Witnesses of Trafficking who are Nationals of BiH and the Rulebook on the Protection of Foreign Victims of Trafficking in Persons. These bylaws apply to the entire territory of BiH. Victims are entitled to safe accommodation, medical assistance, access to information about their rights, and legal assistance during criminal proceedings.

integrity of witnesses who are faced with threats to their life, health or freedom.⁶⁷ The law prescribes the manner of conduct in the witness protection program, and types of care and support that can be given to a witness. The Law also provides opportunity for a protection of a family of a witness,⁶⁸ as well as other persons that have close relationship with a witness. The Law prescribes in which manner a witness could be included in witness protection program, and kinds of protection and support that could be given to a witness, including protection and support measures.⁶⁹ It is important to state that there is no mirror image of the State Law on the Witness Protection Programme at Entity levels. This means that victims who are involved in cases in Entity level courts simply cannot benefit from the law. The Law on Witness Protection Programme is applied only in extraordinary circumstances, and therefore in practice this may not present much of a problem, but the Witness Support Office at the state level is much more advanced and better resourced than anything at the Entity level.⁷⁰

The Witness Support Office, established in 2005, provides support to witnesses at the Court of BiH. The Office takes care that all witnesses appear before the Court, that the witnesses are informed of their rights before the testimony and that anxiety caused by the testimony is minimized through psychological support, making sure that the testimony does not leave consequences on the mental health of the witness. It should be mentioned that within the project "Victim/Witness Support Services" the UNDP in BiH works on the expansion of Victim and Witness Support Offices to ensure equal treatment and access to support and protection of victims/witnesses in criminal cases before, during and after court proceedings throughout other three jurisdiction in the country. From 2010 it has been established and equipped sixteen such offices in the Cantonal/District courts and Prosecutors' Offices in Sarajevo, Banja Luka, East Sarajevo, Bihać, Novi Travnik, Travnik, Mostar, as well as in Brčko District of BiH.⁷¹

As previously mentioned, any injured party in BiH can make a property claim related to pecuniary or non-pecuniary damages, return of items, or annulment of a particular legal transaction during the criminal proceedings.⁷² Injured parties may file a petition to pursue a property claim with the prosecutor or the court.⁷³ When examined as witnesses, they have to be asked

⁶⁷ In order to provide physical protection, the Court of BiH uses the capacities of the State Investigation and Protection Agency [SIPA]. The Department for Witness Protection within the SIPA brings decisions and implements all the measures taken in conjunction with foreign witnesses in BiH, in accordance with an agreement or commitment concluded between BiH and a foreign state in relation to witness protection, promotes cooperation and exchanges information with certain NGOs, government bodies, as well as with foreign government bodies and international organizations responsible for protection of witnesses.

⁶⁸ See Annex BiH, Criminal Procedure Code of BiH, Article 83, paragraph 1.

⁶⁹ As support measures the Law prescribes: legal assistance, financial help, medical and psychological support, as well as social support. See Article 12.

⁷⁰ International Forum of Solidarity – EMMAUS [IFS-EMMAUS] 2015, p. 40.

⁷¹ For more information about the Victim/Witness Support Services Project visit: http://www.ba.undp.org/content/bosnia_and_herzegovina/en/home/operations/projects/crisis_prevention_and_recovery/introduction-of-victim-witness-support-services-project.html [04.03.2018]

⁷² See Annex BiH, Criminal Procedure Code of BiH, Article 193.

⁷³ See Annex BiH, Criminal Procedure Code of BiH, Article 195, paragraph 1.

whether they wish to file a property claim. This is applicable to statements made during investigations, as well as to giving testimony during main hearings.⁷⁴ The primary obligation thus rests upon a prosecutor, whereas a court may meet this obligation in a subsidiary manner. An injured party may submit a petition to pursue a claim no later than the completion of the main hearing or sentencing hearing⁷⁵ (*Hanušić*, 2015, p. 9).

Complete adjudication of a property claim is possible if two conditions are met: that the court renders the verdict finding the accused guilty and that the data provide sufficient grounds for the adjudication of the property claim.⁷⁶ When pronouncing the accused guilty, the court may award the entire claim or only part of the claim and refer the victim to civil court for further action.⁷⁷ If the court decides to acquit the accused or reject the charge, then the victim will also be referred to civil courts for further action.⁷⁸ The court may refuse to examine a claim, if this would considerably prolong criminal proceedings.⁷⁹ In addition to this, the court, may propose the injured party and the accused, or his/her defence, to conduct a mediation procedure through a mediator in compliance with law, if it is assessed that the property claim may be settled through mediation.⁸⁰

Finally, it should be mentioned that injured parties also have to be given a possibility to present their closing arguments⁸¹ during which they may, among others, pronounce themselves on the property claim, i.e. the harm they suffered, and they have the right to appeal against the judgment with respect to the decision on the property claim⁸² (*Hanušić*, 2015, p. 10).

Damages for pain and suffering, both pecuniary and non-pecuniary, among others, can be claimed in Entity and District courts in civil proceedings. At the same time, due to political and financial problems a fund for compensation of victims of (serious) crimes does not exist in BiH. Related to a State compensation fund, a system of mandatory compensation of victims should be established within the criminal proceedings, where the payment is made upon the judgment being passed, instead of the practice that the victim is referred to civil litigation to claim the compensation (IFS–EMMAUS, p. 77).

BiH has joined that circle of countries which by means of a unified law regulated the issue of dispute resolution through mediation. Thereby BiH acknowledged the importance of alternative dispute resolution for appropriate and efficient functioning of national legal protection

⁷⁴ See Annex BiH, Criminal Procedure Code of BiH, Article 86, paragraph 10 and Article 258, paragraph 4.

⁷⁵ See Annex BiH, Criminal Procedure Code of BiH, Article 195, paragraph 2.

⁷⁶ The legal procedural obligations put before prosecutors are therefore extremely important: to collect evidence that is relevant for the property claim of an injured party or to establish facts needed for decision making on such a claim. See Annex BiH, Criminal Procedure Code of BiH, Article 35, paragraph 2, point (g) and Article 197, paragraph 1.

⁷⁷ See Annex BiH, Criminal Procedure Code of BiH, Article 198, paragraph 2.

⁷⁸ See Annex BiH, Criminal Procedure Code of BiH, Article 198, paragraph 3.

⁷⁹ See Annex BiH, Criminal Procedure Code of BiH, Article 193, paragraph 1.

⁸⁰ See Annex BiH, Criminal Procedure Code of BiH, Article 198, paragraph 1.

⁸¹ See Annex BiH, Criminal Procedure Code of BiH, Article 277, paragraph 1.

⁸² See Annex BiH, Criminal Procedure Code of BiH, Article 293, paragraph 4.

mechanisms.⁸³ The establishment of the Association of Mediators of BiH was of a crucial importance for the introduction of mediation, creation of a legal framework and promotion of the mediation in legal and public discourse. In accordance with the legislation on civil procedure,⁸⁴ at the preparatory hearing at the latest, the court may, if it deems it appropriate given the nature of the dispute and other circumstances, suggest to the parties to resolve the dispute through mediation proceedings as provided by separate law. Such proposal may be jointly put forward by both parties until the conclusion of the main hearing. The institute of mediation was formally established in 2004 by adoption of the Law on Mediation Procedure.⁸⁵ The law provides that the parties to mediation procedure, upon the resolution of the dispute, with the help of the mediator, shall make a written settlement agreement and sign it immediately.⁸⁶ The filled settlement agreement has the force of a final and enforceable document.⁸⁷ Thus, as *Austermiller* stated (2006, p. 156), a mediated settlement can be enforced in the same way as a judgment or a judicial settlement, which represent the most significant aspect of the Law on Mediation Procedure. Mediation in criminal matters or other alternative methods have not been introduced in BiH.

The activities have been continuing though, because further popularization of this institute. In 2015, three mediations took place in a regular procedure, but in 2016, this figure was decreased to just one mediation. Simultaneously, number of parties seeking to resolve disputes prior institution of a court procedure had appeared. In 2015, 1,297 cases were mediated, and in 2016 1,931, which is an increase of 48,9%.⁸⁸ In achieving these results, the Association of Mediators of BiH has played a crucial role.

4. Infancy of the victimization research

Victimological research on prevalence and incidence of victimisation is rather scarce in Bosnia and Herzegovina. The International Crime Victim Survey (ICVS) was carried out in BiH in 2001 (Keller, Villettaz & Killias, 2002). A total of 1,950 respondents were interviewed in the Federation of BiH and the Republika Srpska. The fieldwork was carried out by telephone by PRISM Research, a Sarajevo-based research company. The overall victimisation rate was found to be 13.7% for the previous year (2000) and 29.4% for the past 5 years (1996–2000) (Keller, Villettaz & Killias, 2002, p. 9). In terms of satisfaction with the police, 67% of nonvictims and 60% of victims of crime considered that the police do a good job. It is noteworthy that the level of

⁸³ *Uzelac et al.* 2009, p. 19.

⁸⁴ Mediation in BiH was introduced for the first time through the Civil Procedure Code of the Federation of BiH: Official Gazette of Federation of BiH, Nos. 53/03, 73/05, 19/06, and 98/15, Civil Procedure Code of Republika Srpska: Official Gazette of Republika Srpska, Nos. 58/03, 85/03, 74/05, 63/07, 49/09, and 61/13, Civil Procedure Code of Brčko District of BiH: Official Gazette of Brčko District of BiH, Nos. 08/09, 52/10, and 27/14.

⁸⁵ Official Gazette of BiH, No. 37/04.

⁸⁶ See Annex BiH, Law on Mediation Procedure, Article 24.

⁸⁷ See Annex BiH, Law on Mediation Procedure, Article 25.

⁸⁸ The Federal News Agency [FENA] (July 10, 2017). Available at: <http://www.fena.ba/article/955994/avdagic-broj-predmeta-upucenih-na-medijaciju-mogao-bi-biti-znatno-veci> [11.03.2018].

satisfaction was generally lower in the Republika Srpska than in the Federation of BiH. (Keller, Villettaz & Killias, 2001, p. 29).

More recently, within the International Self-Reported Delinquency Study (ISRD - Round 2) in Bosnia and Herzegovina, it was found that the most prevalent type of victimization was theft (17,5%), followed by Robbery / Extortion (7,1%), Bullying (5,1%) and Assaults / Threats (5,0%) (Killias, Maljević & Lucia, 2010).

The third round of the same study (ISRD), Maljević et al. (2017) expanded the number of victimization questions so as to include the ICT victimization (cyber bullying), Physical punishment by parents and hate crime. Somewhat surprisingly, the most prevalent type of victimisation is by parents (31,4% in the Federation of Bosnia and Herzegovina and 29,2% in Republika Srpska). The second most prevalent type of victimization in the Federation of Bosnia and Herzegovina is that by Theft (21,3%), followed by cyber bullying (18,8%). In the Republika Srpska, similarly, the second most prevalent is again Theft (15,0%), followed by cyber bullying (9,0%).

5. Conclusions

In BiH victimology is not an independent science. Criminal justice, criminology and security studies as well as the law are primary areas victimology is affiliated with. Victimological courses are offered much more frequently by law faculties commonly as electives or as part of criminal law modules in postgraduate study programmes. One exception is the Faculty for Criminal Justice, Criminology and Security Studies at the University of Sarajevo where victimology is a mandatory course for students in their undergraduate, postgraduate and doctoral studies. Therefore, it is possible for students to write their final thesis on a victimological subject, but they do not graduate as “victimologists”, but as criminal justice specialist, criminologists, security managers or jurists. Victimological scientific research is still undeveloped in BiH. The country has not been involved in any of the major international studies, primary ICVS. There is an evident need to conduct an empirical research in order to get a better idea on victims and the (individual and collective) impact of victimisation in BiH.

Criminal legislation of BiH recognizes the notion “injured party” as a subsidiary party in criminal proceedings, while the notion “victim of a criminal offense” is not determined by positive regulations. The most important legal and policy changes regarding protection of victim’s rights in BiH were initiated and advocated by NGOs in post-Dayton period, which also had the support of international organisations and donors. Their significant efforts included legal changes related to domestic violence, trafficking and smuggling of persons, organised crime, war crimes, antidiscrimination and gender equality, protection and treatment of children and juveniles in criminal proceedings, introduction of restorative justice measures etc. But still, there is no relevant legislation, i.e. *lex specialis* on the standing of crime victims in BiH. Legal changes for the position improvement of victims/injured parties before the court are mostly relevant for several most vulnerable categories, such as victims of organised crime and war crimes, as well as for underage victims. Those categories are in legal and public focus over years, while other victims are largely invisible and unrecognised. Moreover, apart from the legislative changes and their effective application, it is necessary to meet other conditions which would guarantee protection for of all victims from secondary victimization. This includes the victim/witness support services available in most of courts or prosecutor offices, as well as appropriate education of

police, judges, prosecutors and lawyers, and moreover, establishment of a State compensation fund for victims within the criminal proceedings.

From the research point of view, victimisation is under-researched topic and comprehensive research is well over due.

References

- Agency for Statistic of Bosnia and Herzegovina (2016): Census of population, households and dwellings in Bosnia and Herzegovina, 2013; <http://www.popis.gov.ba/popis2013/knjige.php?id=1> [06.01.2018].
- Agency for Statistic of Bosnia and Herzegovina (2017): Gross Domestic Product by Production, Income and Expenditure Approach 2015; http://www.bhas.ba/tematskibilteni/TB%20BDP%202007-2015%20HR_ENG_www.pdf [11.01.2018].
- *Andreescu, V.* (2015): Crime and Punishment in Bosnia and Herzegovina. The Encyclopedia of Crime and Punishment, pp. 1–4.
- Annex IV on Dayton Peace Accords; http://www.ccbh.ba/public/down/USTAV_BOSNE_I_HERCEGOVINE_engl.pdf [10.03.2018].
- *Austermiller, S.* (2006): Mediation in Bosnia and Herzegovina: A Second Application. Yale Human Rights and Development Journal 9/1; <http://digitalcommons.law.yale.edu/yhrdlj/vol9/iss1/4> [10.03.2018].
- *Čalić, M.–J.* (2012): Ethnic Cleansing and War Crimes, 1991–1995, in: C.W. Ingraio & T.A. Emmert (eds.), *Confronting the Yugoslav Controversies: A Scholars' Initiative*. West Lafayette, pp. 139–140.
- Civil Procedure Code of Brčko District of BiH: Official Gazette of Brčko District of BiH, Nos. 08/09, 52/10, and 27/14.
- Civil Procedure Code of Republika Srpska: Official Gazette of Republika Srpska, Nos. 58/03, 85/03, 74/05, 63/07, 49/09, and 61/13.
- Civil Procedure Code of the Federation of BiH: Official Gazette of Federation of BiH, Nos. 53/03, 73/05, 19/06, and 98/15.
- Criminal Code of BiH: Official Gazette of BiH, Nos. 3/03, 32/03, 37/03, 54/04, 61/04, 30/05, 53/06, 55/06, 32/07, 8/10, 47/14, 22/15, and 40/15.
- Criminal Code of Brčko District of BiH: Official Gazette of Brčko District, Nos. 10/03, 45/04, 06/05, 21/10, 52/11, 33/13, 26/16, 13/17, and 50/18.
- Criminal Code of Federation of BiH: Official Gazette of Federation of BiH, Nos. 36/03, 37/03, 21/04, 69/04, 18/05, 42/10, 42/11, 59/14, 76/14, 46/16, and 75/17.
- Criminal Code of Republika Srpska: Official Gazette of the Republic of Srpska, No. 64/17.
- Criminal Procedure Code of BiH: Official Gazette of Bosnia and Herzegovina, Nos. 3/03, 32/03, 36/03, 26/04, 63/04, 13/05, 48/05, 46/06, 76/06, 29/07, 32/07, 53/07, 76/07, 15/08, 58/08, 12/09, 16/09, 93/09, and 72/13.

- Criminal Procedure Code of Brčko District of BiH: Official Gazette of Brčko District of BiH, Nos. 10/03, 48/04, 06/05, 12/07, 14/07, 21/07, and 27/14.
- Criminal Procedure Code of Federation of BiH: Official Gazette of Federation of BiH, Nos. 35/03, 37/03, 56/03, 78/04, 28/05, 55/06, 27/07, 53/07, 09/09, 12/10, 08/13, and 59/14.
- Criminal Procedure Code of Republika Srpska: Official Gazette of the Republic of Srpska, No. 53/12.
- European Commission (2016): Bosnia and Herzegovina 2016 Report (SWD(2016) 365 final); https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2016/20161109_report_bosnia_and_herzegovina.pdf [14.01.2018].
- Eurostat (2017): Eurostat regional yearbook 2017 edition. Luxembourg; http://ec.europa.eu/eurostat/statistics-explained/index.php/Eurostat_regional_yearbook [09.01.2018].
- Filipović, Lj. (2009): Position of an Injured Party in Criminal Proceedings [Položaj oštećenog u krivičnom postupku]. *Pravo i pravda* 8/1, pp. 295–329.
- Hanušić, A. (2015): Enforcement of damage compensation claims of victims of war crimes in criminal proceedings in Bosnia and Herzegovina – situation, challenges and perspectives. Sarajevo.
- International Forum of Solidarity – EMMAUS [IFS-EMMAUS] (2015): Promoting a victim centered approach in trafficking in human beings cases: Legal analysis in Bosnia and Herzegovina. Sarajevo.
- Jurčević, M. (2008): Witness Protection in Criminal Proceedings, Past Experience and Identified Problems; http://www.tuzilastvobih.gov.ba/files/docs/presentation_of_Mr._Jurcevic_Chief_prosecutor_of_BIH.pdf [04.03.2018].
- Keller, J., Villettaz, P. & Killias, M. (2002): Enquête de victimisation en Bosnie-Herzégovine 2001. Rapport de recherche. Institut de police scientifique et de criminology. Université de Lausanne.
- Killias, M., Maljević, A. & Lucia, S. (2010) Imported Violence? Juvenile Delinquency Among Balkan Youths in Switzerland and in Bosnia-Herzegovina. *Eur J Crim Policy Res* (2010) 16:183–189.
- Law on Mediation Procedure: Official Gazette of BiH, No. 37/04.
- Law on Protection of Witnesses under Threat and Vulnerable Witnesses: Official Gazette of BiH, Nos. 3/03, 21/03, 61/04, and 55/05.
- Law on Protection of Witnesses under Threat and Vulnerable Witnesses of the Federation of BiH: Official Gazette of the Federation of BiH, No. 36/03.
- Law on Protection of Witnesses under Threat and Vulnerable Witnesses of Brčko District of BiH: Official Gazette of Brčko District of BiH, Nos. 11/03, and 8/07.
- Law on Witness Protection of Republika Srpska: Official Gazette of Republika Srpska, Nos. 21/03, 61/04, and 55/05.
- Law on Witness Protection Program of BiH: Official Gazette of BiH, No. 36/14.
- Lilyanova, V. (2015): Bosnia and Herzegovina: Political parties. European Parliamentary Research Service; [http://www.europarl.europa.eu/RegData/etudes/ATAG/2015/568324/EPRS_ATA\(2015\)568324_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/ATAG/2015/568324/EPRS_ATA(2015)568324_EN.pdf) [12.01.2018].

- Maljević, A., Šučur Janjetović, V., Budimlić, M., Jović, N., Miodragović, N., & Vujović, S. (2017) Međunarodna studija o samoprijavljenom prestupništvu djece u Bosni i Hercegovini: Izvještaj za stručne radnike iz oblasti zaštite djece. CPRC, Sarajevo.
- Nettelfield, L.J. (2010): Research and repercussions of death tolls: The case of the Bosnian Book of the Dead, in: P. Andreas & K.M. Greenhill (eds.), Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict, Ithacas, pp. 159–187.
- Pašić Kreso, A. (2017): Education of the population in BiH [Obrazovanost stanovništva u BiH], in: I. Cvitković (ed.), Demographic and ethnic changes in BiH, Academy of Sciences and Arts of Bosnia and Herzegovina, pp. 93–125.
- Service for Foreigners' Affairs (February 7, 2018). Complex Situation in BiH Regarding Issue of Illegal Migration; <http://sps.gov.ba/saopstenja-en/complex-situation-in-bih-regarding-issue-of-illegal-migration/?lang=en> [10.03.2018].
- Sito-Sučić, D. & Robinson, M. (February 15, 2013): After years of toil, book names Bosnian war dead; <https://www.reuters.com/article/us-bosnia-dead/after-years-of-toil-book-names-bosnian-war-dead-idUSBRE91E0J220130215> [27.2.2018].
- The Federal News Agency [FENA] (July 10, 2017): Avdagić: Broj predmeta upućenih na medijaciju mogao bi biti znatno veći; <http://www.fena.ba/article/955994/avdagic-broj-predmeta-upucenih-na-medijaciju-mogao-bi-biti-znatno-veci> [11.03.2018].
- United Nations Department of Economic and Social Affairs, Population Division (2013): World Population Prospects: The 2012 Revision. https://esa.un.org/unpd/wpp/publications/Files/WPP2012_HIGHLIGHTS.pdf [28.2.2018].
- United Nations Development Programme [UNDP] in BiH (2013): *National Human Development Report 2013*; http://www.ba.undp.org/content/bosnia_and_herzegovina/en/home/library/poverty/rural-development-in-bosnia-and-herzegovina--myth-and-reality.html [11.01.2018].
- United Nations Development Programme [UNDP] in BiH. Introduction of Victim/Witness Support Services Project - Function of the project; http://www.ba.undp.org/content/bosnia_and_herzegovina/en/home/operations/projects/crisis_prevention_and_recovery/introduction-of-victim-witness-support-services-project.html [04.03.2018].
- United Nations Office on Drugs and Crime [UNODC] (2010): Background Research on Systems and Context: Justice and Home Affairs Statistics in the Western Balkans. https://www.unodc.org/documents/southeasterneurope/CARDS_Background_Study_final.pdf [01.03.2018].
- Uzelac A., Knežević, G., Austermiller, S., Hadžić, M., Ribica, J., Živanović, A., Mrdović, F., Skoko, B. & Buševac, L. (2009): Paths of Mediation in BiH. Sarajevo.
- Zwierzchowski, J. & Tabeau, E. (February 1, 2010): The 1992–95 War in Bosnia and Herzegovina: Census-based multiple system estimation of casualties undercount; http://www.icty.org/x/file/About/OTP/War_Demographics/en/bih_casualty_undercount_conf_paper_100201.pdf [27.2.2018].