



UN Special Rapporteur on violence against women and girls

Input to the report of the Special Rapporteur on violence against women and girls to the 62nd session of the United Nations Human Rights Council on Violence against mothers

The preparation of this submission involved representatives of the Sarajevo Open Centre (SOC), Centre of Women's Rights from Zenica, Bolja Budućnost Tuzla, the CURE Foundation, Baby Steps, Professor Amila Ždralović (University of Sarajevo), Professor Marijana Šećibović (College of Tourism and Management), as well as Maida Zagorac and Rubina Čengić. The document is submitted on behalf of the informal network Women's Network of Bosnia and Herzegovina.

1.1. Manifestations, causes and perpetrators of violence

1.1.1. What are some of the most prominent forms of violence and extreme discrimination to which women are subjected because of their status as mothers? E.g. Economic psychological, physical and reproductive violence.

One of the most prevalent yet under-recognised forms of violence against women arising from their status as mothers is obstetric violence. This form of violence occurs during pregnancy, childbirth and the postpartum period and is deeply institutionalised within healthcare systems. Women are frequently subjected to humiliation, threats and intimidation during childbirth, and documented cases of physical violence have also been reported. This violence targets women's reproductive role and bodily autonomy. Systemic violations of patients' rights include the denial of information and the absence of free and informed consent.

Economic violence and corruption are also highly prevalent. Research¹ conducted by Baby Steps indicates that that informal payments or expectations of "gratitude" are present in approximately 50% of births. In extreme cases, women's health or lives are reportedly conditioned on the payment of bribes, including through delays in, or denial of, medically indicated caesarean sections.

A critical manifestation of violence against mothers is the systematic denial of the right to a birth companion. In practice, the absence of a companion leaves women isolated, unprotected and fully exposed to abuse, while reinforcing institutional control over their bodies and decision-making.

More severe manifestations include maternal deaths and serious injuries during childbirth, frequently followed by institutional denial, lack of accountability and weak complaint mechanisms that reinforce impunity.

The European Commission, in its 2022 report², highlighted the need for Bosnia and Herzegovina to improve conditions in maternity wards and hospitals and to prohibit violence

¹ *Borba protiv korupcije u porodilištima*, Baby Steps, Sarajevo 2021. Available at: <https://www.babysteps.ba/wp-content/uploads/2021/03/PUBLIKACIJA-FINAL.pdf>

² *Bosnia and Herzegovina Report 2022*, European Commission, October 2022. Available at: <https://enlargement.ec.europa.eu/system/files/2022-10/Bosnia%20and%20Herzegovina%20Report%202022.pdf>

in childbirth settings in line with the Istanbul Convention. Similar recommendations were issued by the UN Committee on the Elimination of Discrimination Against Women (CEDAW) in its 2019 General Recommendations.³ At present, civil society initiatives aimed at ensuring the right to a birth companion are in place, however, the legislative authorities have yet to place this issue on the agenda or initiate the necessary legislative reforms.

In Bosnia and Herzegovina, it remains a common practice for employers to ask women during job interviews whether they plan to have children. Cases of dismissal due to pregnancy or during maternity leave have also been documented. Single mothers are frequently exposed to a lack of understanding on the part of employers and face an increased risk of dismissal when requesting leave to care for a sick child. They are also subjected to social stigma, including narratives questioning why they had children if they are unable to care for them, while child benefits do not constitute adequate or effective social protection.

1.1.2. Is there a correlation between femicide and intimate partner violence and women's status as mothers?

An analysis of criminal cases related to violence against women in BiH for the period 2024-2025⁴, conducted by the Centre of Women's Rights, reveals serious shortcomings in the legal and institutional framework for protection, despite the State's formal obligation to align its laws and practices with international standards, including Istanbul Convention. In BiH, femicide most often represents the final stage of prolonged intimate partner violence that institutions fail to recognise and fail to address in an adequate, timely and effective manner.

In the majority of femicide cases occurring within marital or non-marital communities, a documented history of psychological, physical and economic violence was present, characterised by pronounced patterns of control and possessiveness, particularly following attempts by women to leave the abusive relationship. The analysis demonstrates a strong correlation between motherhood and prolonged exposure to violence, including lethal outcomes, as the majority of femicide victims are mothers, often of minor children, whose ability to leave violent relationships is constrained by economic dependency, fears for their children's safety and institutional pressures to "preserve the family". Institutions often prioritise family preservation over women's safety, placing mothers under pressure to remain in violent relationships in the name of children's "best interests".

Violence frequently occurred in the presence of children; however, this circumstance is rarely recognised as an aggravating factor. Children who witness brutal assaults, threats or femicide are routinely treated by the judicial system as witnesses rather than as victims of violence, thereby disregarding the profound psychological and developmental harm to which they are exposed. **In some cases, even following femicide, courts have ordered regular contact between children and their fathers who perpetrated the killings, despite the expressed wishes of the children themselves.**

³ *Concluding observations on the sixth periodic report of Bosnia and Herzegovina*, Committee on the Elimination of Discrimination against Women, November 2019. Available at: <https://docs.un.org/en/CEDAW/C/BIH/CO/6>

⁴ Radončić, A (2025), *Praćenje suđenja u krivičnim predmetima femicida i nasilja nad ženama (nasilje u porodici i druge vrste rodno zasnovanog nasilja nad ženama)*. Centar ženskih prava Zenica. Available at: https://cenppz.org.ba/wp-content/uploads/2026/02/Praćenje-sudjenja-u-krivicnim-predmetima-femicida-i-nasilja-nad-zenama_Izvjestaj-za-BiH.pdf

1.1.3. What is the linkage between violence against mothers and violence against their children, including girls—and vice versa?

Research indicates that violence against mothers and violence against children frequently co-occur and mutually reinforce one another.⁵ Studies further confirm that children’s exposure to parental violence constitutes one of the most significant risk factors for the intergenerational transmission of violent behaviour.⁶ Available research consistently identifies violence against women and children, including domestic violence, as one of the most serious and persistent challenges facing BiH’s society.⁷

1.1.4. What are the causes of violence against mothers, and which social, economic, legal and cultural factors increase mothers’ vulnerability to violence?

Violence against mothers in BiH is embedded within a continuum ranging from conflict-related sexual violence to post-war domestic violence, and is exacerbated by entrenched patriarchy, poverty and weak institutional protection.⁸

Research indicates that adverse changes in the sphere of labour, together with the dismantling of the socialist welfare state, combined with the redefinition of women’s social roles under the influence of patriarchal and conservative ideologies, have rendered women in Bosnia and Herzegovina among the primary losers of the transition process.⁹

The maintenance of the status quo is further reinforced by the traditional division of gender roles within households. Transforming these sociocultural patterns would require targeted interventions in education, which have not been implemented, despite being envisaged under the Law on Gender Equality of Bosnia and Herzegovina, adopted as early as 2003.

The strengthening of anti-gender organisations and their institutional and political influence, including their links with religious communities and political parties, contributes to the blocking of legislative solutions aimed at protecting women and children. One such example is the failure to adopt a law in Republika Srpska that envisaged rapid police intervention, which was withdrawn on the grounds that it allegedly “expanded rights” for LGBTIQ+ persons.

1.1.5. Who are the perpetrators of violence against mothers, and under what circumstances enable these perpetrators to inflict such violence? Are there patterns of institutional complicity or impunity?

Monitored and analysed criminal cases before courts in BiH in the period 2024-2025¹⁰ demonstrate that perpetrators of violence against mothers are almost exclusively adult men,

⁵ Brühl, A., Ward, C., Lachman, J., Foran, H., Raleva, M., Băban, A., & Heinrichs, N. (2023). Co-Occurrence of Intimate Partner Violence Against Mothers and Maltreatment of Their Children With Behavioral Problems in Eastern Europe. *Violence against Women*, 29, 2439 - 2463. <https://doi.org/10.1177/10778012231188090>.

⁶ Mandić, D. (2025). Uzroci i posljedice nasilja u obitelji i nasilja nad ženama na području SBK/KSB. *Kriminalističke, kriminološke i pravne teme*, 4, str. 157-175.

⁷ Mušić, S. (2018). Nasilje u porodici kroz pravni okvir u Bosni i Hercegovini. *Zbornik radova Pravnog fakulteta Sveučilišta u Mostaru* br. XXVI., 2018., str. 168. - 189; Šadić, S. i Hajrović, A. (2025). Visokokonfliktni razvodni braka i zaštita prava djece u BiH: pravni i institucionalni izazovi. *Društvena kriza i socijalni rad*, 1, str. 79-99.

⁸ Mandić, D. (2025). Uzroci i posljedice nasilja u obitelji i nasilja nad ženama na području SBK/KSB. *Kriminalističke, kriminološke i pravne teme*, 4, str. 157-175.

⁹ Bašić, S., Miković, M. (2012). Rodne (ne)jednakosti na tržištu rada u BiH – Ženska strana priče. Sarajevo: Udruženje žene ženama I Friedrich Ebert Fondacija; Bašić, S. (2025). Nasilje nad ženama u intimnim partnerskim odnosima: ka koordiniranom multisektorskom pristupu zaštiti i prevenciji. *Društvena kriza I socijalni rad*, 1, str. 40-71.

¹⁰ Radončić, A (2025), *Praćenje suđenja u krivičnim predmetima femicida i nasilja nad ženama (nasilje u porodici i druge vrste rodno zasnovanog nasilja nad ženama)*. Centar ženskih prava Zenica. Available at: https://cenppz.org.ba/wp-content/uploads/2026/02/Praćenje-sudjenja-u-krivicnim-predmetima-femicida-i-nasilja-nad-zenama_Izvjestaj-za-BiH.pdf

current or former intimate partners, including spouses, former spouses or non-marital partners, who often share children with the victims. Perpetrators typically have a documented history of continuous and escalating violence, including psychological, physical and economic abuse, death threats, controlling and possessive behaviour, and, in several cases, the use of firearms or bladed weapons. Violence most frequently occurs within family and intimate partner relationships and escalates at moments when women, as mothers, attempt to leave the abusive relationship, terminate the partnership or assert autonomy over their own lives and the care of their children. Aggravating factors include alcohol use, prior convictions for domestic violence and repeated breaches of protective measures. Escalation of violence is often facilitated by institutional failures. Although violence often takes place in the presence of children, they are not treated as victims of violence. Institutions frequently fail to conduct timely risk assessments, effectively monitor protective measures or apply proportionate sanctions, while law enforcement, social welfare centres and courts often underestimate escalation risks, resulting in systemic failures to act with due diligence at critical moments. This creates predictable window of heightened risk for mothers attempting to leave violent relationships.

1.2. Groups of women and girls particularly affected

1.2.1. Which groups of mothers are particularly affected by extreme forms of discrimination and violence, and what are the principal challenges and forms of violence they face?

In BiH, single-parent households are particularly at risk, including single solo mothers, unemployed mothers who are often economically dependent on their spouses or non-marital partners, and mothers with multiple children. These groups of mothers face intersecting forms of economic, legal and institutional discrimination that significantly increase their exposure to violence and social inclusion.

Domestic violence legislation in both entities of BiH still fails to recognise single-parent households, which directly impedes access to social services. Single mothers are recognised as a social category in law only in cases where the partner or child's father is unknown or deceased. This practice effectively prevents access to direct social support for single-parent households living below the minimum economic threshold, as they are unable to provide formal certification of "single motherhood".

There is no effective system for monitoring the enforcement of court-ordered child maintenance, exposing mothers who head single-parent households to additional forms of economic violence, prolonged stress and insecurity regarding their future and that of their children.

Unemployed mothers are exposed to domestic violence perpetrated by husbands or partners, frequently also by members of their extended families, as well as to violence and abuse by police officers and social welfare professionals.

In 2025, the SOC initiated two strategic litigation cases demonstrating that the lack of legal recognition of same-sex families in Bosnia and Herzegovina constitutes systemic discrimination against lesbian and bisexual mothers and their children. This legal vacuum undermines mothers' ability to exercise motherhood on equal terms and results in legal insecurity and unequal treatment before the law.

1.2.2. Are any groups of mothers particularly vulnerable to violence, exploitation or abuse on the intersection of their status as mothers intersecting with other grounds?

Mother with disabilities, mothers of children with disabilities, Roma mothers and migrant women are particularly vulnerable.

In BiH, there is no comprehensive and coordinated system of social support for parents of children with disabilities. These mothers face social stigma, while access to social services often depends on the individual commitment of local activists rather than on institutionalised support, resulting in fragmented and unsustainable assistance. Legal aid provided by some organisations is frequently focused on divorce proceedings rather than on the enforcement of the rights of families of persons with disabilities. Mothers are exposed to heightened stress due to fears about the future, economic deprivation and social stigmatisation. In practice, the burden of care, nursing and administrative obligations is systematically shifted onto mothers, effectively resulting in the exploitation of their unpaid labour by institutions.

Roma women, as members of the largest national minority in Bosnia and Herzegovina, are particularly affected. Because of entrenched stereotypes, they experience discrimination, verbal abuse and, in some cases, denial of access to healthcare services if they are unable to pay, despite the existence of legal provisions in the Federation of BiH guaranteeing certain healthcare rights to uninsured persons. Roma mothers often lack permanent residence, formal employment and health insurance and are left without effective institutional support. Access to assistance frequently depends on the discretion of individual officials, while Roma mothers are often subjected to stigmatisation and hate speech by local authorities, healthcare providers and law enforcement officials, further increasing their vulnerability. The lack of personal documentation and registered residence frequently prevents access to healthcare and social benefits.

Migrant women are exposed to widespread violations of their rights. Available information from women's non-governmental organisations indicates that healthcare provision in reception and collective centres is inadequate, while programmes aimed at social integration are largely absent. Responsibility for protection and care remains unclear or is effectively shifted onto the mothers themselves.

3.3. Targeted Policies

3.3.1. How do social-protection systems (e.g. cash transfers, family benefits, pensions) include or exclude mothers?

Maternity benefits

Maternity benefits in BiH are regulated through multiple legal frameworks, including labour laws of FBiH, Republika Srpska and the Brčko District of BiH, as well as laws on social protection, protection of civilian victims of war, and protection of families with children at the cantonal level. This fragmented legal landscape results in inconsistent regulation of maternity benefits, leading to significant disparities in mothers' rights across different parts of the country.¹¹ Maternity allowances vary considerably between administrative units in terms of both amount and duration, ranging approximately from EUR 300 to EUR 500 and from six to twelve months, depending on mother's place of residence, employment status (employed or unemployed), and, in some cases, the sector of employment. Such fragmentation leads to

¹¹ ORANGE REPORT 8: Report on the State of Human Rights of Women in Bosnia and Herzegovina in the Period 2022-2024 (Sarajevo Open Centre, Sarajevo, 2025). Available at: <https://soc.ba/en/orange-report-8-report-on-the-state-of-human-rights-of-women-in-bosnia-and-herzegovina-in-the-period-2022-2024/>

unequal access to maternity benefits and constitutes a form of structural discrimination, as mother's entitlements are determined by their place of residence rather than by need.

Disparities are also evident with regards to additional rights and forms of support for families with children, which are often subject to property or income thresholds that further deepen economic inequalities and fail to take into account changes in families' living circumstances.

Moreover, the protection of vulnerable groups is not harmonised. For example, women with disabilities in the BD BiH are entitled to 18 months of maternity leave, a right that is not guaranteed in the FBiH.

More broadly, BiH lacks a unified legal definition of vulnerable and/or marginalised groups. This absence significantly hampers the identification of persons in need of protection and those exposed to violence and discrimination, as well as the development and implementation of targeted support programmes.

Alimony Fund

The absence of an operational Alimony Fund effectively shifts the consequences of non-payment of child maintenance onto mothers, exposing them and their children to long-term economic insecurity and heightened vulnerability to abuse. Available estimates indicate that in nearly 70% of cases¹², court-ordered child maintenance is not enforced, while no effective system exists to monitor the execution of such judgements.

3.3.3. What factual barriers do mothers face when seeking protection and assistance, justice or reparations?

Mothers in BiH face multiple barriers when seeking protection, assistance, justice or reparations. The primary institutions to which they may turn, centres for social welfare, are severely under-resourced and lack adequate mandates,¹³ authority and funding, which significantly limits their ability to respond effectively to the needs of survivors of violence, particularly mothers.

The justice system demonstrates significant inefficiencies, as court decisions are often not enforced despite being issued. This is due to insufficient enforcement mechanisms, excessive delays in urgent cases, and a lack of institutional commitment and prioritisation.

No institution in BiH has adopted a systemic approach to addressing the status of marginalised groups in a manner that promotes education, economic independence and long-term empowerment. Structural measures to strengthen childcare and care systems, which would enable mothers to pursue education and employment, remain largely absent. There is also no comprehensive registry of the Roma population, with disaggregated data on Roma women and their levels of education, further hindering targeted policy interventions.

Education remains a key pathway to employment and economic independence. Since 2021, the College of Tourism and Management in Konjic¹⁴ has implemented the project "Education of Marginalised Women and Girls in BiH", targeting survivors of violence, single mothers, Roma women, women with disabilities and women from rural areas. Despite measurable positive outcomes, the project operates without systematic state support.

¹² Džekman V, Frašto V, Mujić M, *Ljudska prava majki i razvoj roditeljstva u Bosni i Hercegovini*. Sarajevo: Agency for Gender Equality of Bosnia and Herzegovina, 2021. Available at: <https://arsbih.gov.ba/wp-content/uploads/2022/10/220816-Istrazivanje-ljudska-prava-majki-i-razvoj-roditeljstva-u-BiH.pdf>

¹³ chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://www.vrifbih.ba/wp-content/uploads/2023/10/Rodna_ravnopravnost_i_sprecavanje_nasilja_nad_zenama.pdf

¹⁴ www.vstim-konjic.ba

Women's economic independence in Bosnia and Herzegovina is further undermined by the fact that men are significantly more likely than women to own land, housing units, business premises and movable property.¹⁵ Although the legal framework in Bosnia and Herzegovina formally guarantees the right to property for all rights holders, equality between women and men in inheritance, as well as equal legal treatment of marital and non-marital unions with regard to property relations, is frequently not realised in practice. Property is often registered in the name of only one spouse, and women are, as a rule, not registered as owners of property acquired during marriage.¹⁶ These circumstances have a particularly severe impact on women belonging to vulnerable groups. Research indicates that access to adequate housing represents one of the most serious challenges faced by single-parent families.¹⁷

Beyond legal barriers, deeply rooted social stereotypes and prejudices against women continue to exert a powerful influence and, in some cases, directly harm women's enjoyment of social and civil rights.

Work-life balance

Research published in 2022 found that 57,8% of men were not aware they had right to take maternity leave¹⁸, while 73,4% stated they would have made use of this right had they been informed of its existence. The existing system continues to treat mothers as primary and often sole caregivers who do not require their partner's support in caring for the child, particularly when the mother is unemployed¹⁹. This approach reinforces entrenched gender stereotypes and further complicates mothers' return to the labour market²⁰. It also fails to recognise that mothers require not only economic but also emotional support from their partners, particularly in the period following childbirth or the loss of a child., mothers also need the emotional support of their partners in the period following childbirth or the loss of a child.

Conclusion

Despite certain areas of progress, official data fail to reflect the realities experienced on the ground. **This brief submission does not encompass the experiences of mothers of children born due to war, mothers of missing and killed persons (1991-1995), mothers with severe illnesses, or mothers in detention.** We urge the UN Special Rapporteur to recommend that BiH undertake a comprehensive social analysis of the situation of women and girls.

Sarajevo, February 2026

¹⁵ <http://www.centaronline.org/userfiles/files/publikacije/SMELT-FCD-Ksenija-Petovar-Poboljsanje-zivota-marginalizovanih-drustvenih-grupa.pdf>

¹⁶ Povlakić, M. i Mezetović Međić, S. Uređenje imovinskih odnosa bračnih i vanbračnih partnera na nekretninama i rodna ravnopravnost. *Zbornik radova sa Šestog međunarodnog skupa „Dani porodičnog prava“*. Mostar, 2018.

¹⁷ Šadić, S., Ždralović, A. i Emirhafizović, M. *Jednoroditeljske porodice – Mapiranje prava i potreba samostalnih roditelja/ki na području općine Centar Sarajevo*, Fondacija CURE, Sarajevo, 2020.

¹⁸ All relevant laws use term *maternity leave* even though fathers can enjoy it too, which contributes to the stereotype that women are the only ones who should take care of the children. That is why we will be using the same term in the text to point out the absurdity of this terminology.

¹⁹ Currently, in most parts of BiH, working fathers cannot take maternity leave if the mother is unemployed.

²⁰ *Father on Maternity Leave: Research on Legislative and Administrative Barriers to the Use of Maternity Leave in Bosnia and Herzegovina* (Sarajevo Open Centre, Sarajevo, 2022). Available at: <https://soc.ba/en/father-on-maternity-leave-research-on-legislative-and-administrative-barriers-to-the-use-of-maternity-leave-in-bosnia-and-herzegovina/>