

WHEN THE LAWS ARE NOT EQUALLY JUST: GENDER-BASED VIOLENCE AGAINST ROMANI WOMEN

Romani women are being discriminated in wider society for being members of the Romani ethnic group, and in the Romani community for being women. This double discrimination has been additionally made difficult by Romani women being exposed to social exclusion seen through a very low access to education, employment and health care, which makes them especially vulnerable to various forms of gender-based violence. It is very important to put domestic violence as a topic in Romani communities, which are often excluded from prevention, protection and rehabilitation programmes. Romani women experiencing domestic violence are faced with a number of difficulties, due to poverty, social exclusion, and lack of social services where they live. Romani women, who report their husbands or partners, but continue sharing household with them, become faced with even harder violence. Not negligible: As a result of all these factors, there is still a strong feeling of shame and stigmatisation of victims, but also distrust towards mechanisms of protection, discouraging them to seek any assistance. Full support service must be provided and made widely available for full fight against gender-based violence, and especially against inter-sectional discrimination. This includes special measures of support that should be created and financially supported by the state and local institutions.

Invisible Violence

Domestic violence has significant presence in Romani communities, and it is manifested through psychological, physical, sexual and economic violence. Still, Romani women largely do not see past the physical violence, and just a handful of them dares to report violence fearing new violence, shame and distrust in the institutions to provide them with protection. There are no official data on gender-based violence against Romani women, because the data is neither collected or categorised. This seriously violates the possibility to address the problem through measures and strategies, not considering the specificities Romani women are faced with. According to the available research, implemented by Romani women's associations: 45.1% of the Romani women was exposed to violence, including multiple forms, 47% Romani women believes they should stay in marriage with an abusive husband, 34% of Romani children witnessed physical violence by father or mother's partner against their mother, 50% of Romani women are limited in movement, i.e. conditioned by the permit of their partner/husband.¹

"The institutions do not take problems Romani women mention in our association seriously and the institutions shift the burden of working with clients to non-governmental organisations."

Distrust in Institutions and Absence of Law Implementation

Despite the given data, prejudices about Romani women in Bosnia and Herzegovina's society are often taken as valid and justified opinion on the Romani life, culture and tradition. Prejudices are seen also through violation of the rights of Romani women including tolerance for domestic violence, early marriages, human trafficking and children's labour; in Romani communities, it is observed as *a part of the Romani tradition*, and not as serious violation of the law and human rights and freedoms. The research shows that the municipal protocols for actions in cases of domestic violence have not included perspective or experiences of Romani women.

Key points

- ❖ It is not possible to determine the exact number of Romani women exposed to violence, because no statistics are being maintained in the institutions and safe houses providing support to women victims of violence.
- ❖ Although domestic violence presents serious violation of human rights, prevailing opinions belong to those who justify violence against women in the Romani population - this prevents reporting and processing of gender-based violence against Romani women.
- ❖ Romani women stay imprisoned in tyrannous environment, because of lack of protection and adequate support. Children are often victims of violence, too.
- ❖ The problem of vulnerable categories, including Romani women, has been treated as transversal problem in the gender-equality policies without any special measures to provide them with equal participation in all sectors.
- ❖ It is necessary to create specific measures for prevention of domestic violence in Romani communities and especially for prevention of violence against Romani women within the existing policies, strategies and plans.

¹ Research on Gender-based Violence against Romani Women in BiH, <https://www.bolja-buducnost.org/index.php/bs/o-nama/dokumenti/summary/3-istrazivanje/5-istrazivanje-o-rodno-zasnovanom-nasilju-nad-romkinjama-u-bih>.

Romani women's associations warn about this and believe that professional assistance is required for men doing violence, as well as precise data about Romani women in safe houses.²

The existing legal provisions are insufficiently implemented, such as rare pronouncing of protective and emergency measures, which is additionally discouraging for the victims. Lack of supervision and coordinated actions between the institutions (jurisdiction, police, social welfare centres), presents a serious problem. Combined with prejudices and low rate of convictions for domestic violence perpetrators, and gender-based violence, contribute to normalisation of gender-based violence against Romani women.

Lack of Institutional Support for Romani Women Victims of Gender-based Violence

Romani women who address the institutions and safe houses are faced with difficulties in getting the support and/or services usually available to the victims of domestic violence. Romani women, victims of gender-based violence, are faced with a number of challenges: They have no where to go and safe houses are a very short and non-efficient solution; male children older than 15 cannot be accommodated with mothers in safe houses, while victims do not want to leave children with an abuser; change of residence impacts entitlements to social benefits leaving Romani women with no income, and finally directs them back to the abuser where many suffer even greater violence than before. This creates situation of dependence on system that is not working. By this, the cycle of violence continues, because victims are conditioned to chose between children/survival and return to abuser, without safe accommodation, no adequate support and possibility to live independently.

*"They only advised me to calm down and did nothing more."
"I was 12 days without accommodation, with five children on the street, after I had reported violence. My husband stayed in the house."*

RECOMMENDATIONS

- Establish a unique mechanism to register gender-based violence against Romani women for all institutions, including classification based on the form of violence. Make the given data available and use them for creation of adequate policies and strategies.
- Motivate change of attitudes for experts working on violence protection, including police in the community, health, social welfare centres, non-governmental organisations, courts and prosecution offices, paying special attention to sensitising marginalised victims of violence.
- Educate Romani women and girls, victims and possible victims of violence on the available ways to report the officials who do not act in accordance with the law and do not react in adequate manner in the cases of reported violence.
- Provide consistent implementation of protective measure of psychosocial treatment with perpetrators of violence and ensure preventive work with individuals / families at risk.
- Ensure equal approach and treatment for use of services / mechanisms for violence protection for Romani women and girls.
- Provide programmes of economic strengthening, sustainable employment and self-employment programmes for Romani women victims of violence to provide for their economic independence.
- Ensure systemic and continue prevention programmes for Romani women and girls and Romani men and boys on domestic violence and protection measures through school, women's associations and community, as well as media.
- Ensure participation of Romani women's associations in municipal, multi-sector teams and cantonal coordination bodies for prevention, combating and protection from domestic violence and provide active and efficient work of these bodies.

² Platform for improvement of position and rights of Romani Women in Bosnia and Herzegovina, <https://www.bolja-buducnost.org/index.php/bs/o-nama/dokumenti/send/2-dokumenti/36-platforma-za-unapredenje-prava-i-polozaja-romkinja-u-bosni-i-hercegovini>.