

ETHNORELIGIOUS HATE CRIME IN BOSNIA AND HERZEGOVINA (BiH): IMPLICATIONS FOR HATE CRIME RECORDING

Findings and recommendations from the
2023 BiH Hate Crime Underreporting Survey¹



Ethnoreligious identity and hate crime

Crimes involving the targeting of victims' ethnic identity account for substantial proportions of hate crimes recorded by authorities internationally. Hate crimes involving religious bias are usually much fewer in number. However, there is a close association in Bosnia and Herzegovina between persons' ethnic origins and their religious background. Bosniaks are predominantly Muslim, Serbs are mostly Christian Orthodox, and Croats mainly Christian Catholic. The vast majority of the BiH population originate from one of these ethnoreligious backgrounds.

Accordingly, to be sensitive to the particular context of potential hate crime bias motivations in Bosnia and Herzegovina, the *2023 BiH Hate Crime Underreporting Survey* asked all respondents who indicated that they had experienced a potential crime: "Do you think it happened partly or completely because of your ethnic or religious background?"

For those countries where data are available, it is evident that persons from a minority ethnic background in the territory in which they reside are usually disproportionately targeted in hate crimes compared with persons with a numerically dominant majority ethnic identity. However, the situation in Bosnia and Herzegovina is more complex than the common pattern of hate crimes found elsewhere. First, when considering Bosnia and Herzegovina as a single territorial entity, there is no one numerically dominant group on the basis of ethnic background. The 2013 population census in Bosnia and Herzegovina showed that persons with a Bosniak ethnic identity accounted for approximately half (50 per cent) of the population, Serbs almost a third (31 per cent), and Croats 15 per cent of the population, with other ethnic groups accounting for the remainder.

However, this pattern changes when the population of Bosnia and Herzegovina is viewed on the basis of its separate entities. Bosniaks are numerically dominant in the Federation of Bosnia and Herzegovina, Serbs are numerically dominant in Republika Srpska, and there is no single numerically dominant group on the basis of ethnic background in the Brčko District BiH.

A further dimension of crimes with an ethnoreligious bias motivation in BiH relates to persons sometimes labelled as "returnees": those displaced internally or to other countries during the 1992-95 war, and their descendants, who have since returned. Shortly after the war, in a 1999 report, the Ombudsperson for Bosnia and Herzegovina noted the problem of violence against returnees.²

The 2023 BiH Hate Crime Underreporting Survey sampled 2,438 respondents 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 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 Human Rights Ombudsperson for Bosnia-Herzegovina, *Special Report on Discrimination in the Effective Protection of Human Rights of Returnees in Both Entities of Bosnia-Herzegovina*, No. 3275/99, 29 September 1999, as cited in Amnesty International (2000) *BOSNIA-HERZEGOVINA Waiting on the doorstep: minority returns to eastern Republika Srpska*, Page 20: [Bosnia-Herzegovina: Waiting on the doorstep: Minority returns to eastern Republika Srpska - Amnesty International](#)

Two decades on, the U.S. State Department noted the persistence of “isolated attacks against minority returnees”³. Therefore, to enable exploration of this particular dimension to potential hate crimes, the 2023 BiH Hate Crime Underreporting Survey determined in a set of questions whether respondents were potentially “returnees”.^{4,5}

Lastly, in terms of the particular context for ethnoreligious hate crime in Bosnia and Herzegovina, a view voiced in consultation meetings about the design and implementation of the survey, was that bias motivated vandalism against the built environment, including the road infrastructure such as road signs and bridges, is a particular problem. Conventionally, this type of problem has been excluded from crime surveys that have traditionally focused on inter-personal crime victimization.

However, again to be sensitive to the particular context of hate crime in Bosnia and Herzegovina the survey included questions designed to illuminate the problem and its impact, as will be detailed below.

In sum, the 2023 BiH Hate Crime Underreporting Survey applied a set of interview questions designed to be sensitive to the specific context of ethnoreligious hate crime in Bosnia and Herzegovina. This fact sheet summarizes the key survey findings, providing recommendations for criminal justice authorities informed by the survey findings.

“Hate crime” is defined by the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR)⁶ as “criminal acts motivated by bias or prejudice towards particular groups of people. Hate crimes comprise two elements: a criminal offence and a bias motivation. A hate crime has taken place when a perpetrator has intentionally targeted an individual or property because of one or more identity traits or expressed hostility towards these identity traits during the crime.” This definition aligns with hate crime definitions in Bosnia and Herzegovina’s criminal laws.

Key findings

Experience of potential ethnoreligious hate crime

■ **Just over one in ten respondents had experienced potential ethnoreligious hate crimes in the previous 12 months.**

Eleven per cent, or 260 respondents in total, indicated that they perceived ethnoreligious bias motivation for at least one potential crime or incident they personally experienced in the previous 12 months. A slightly higher proportion of males (12 per cent) than females (9 per cent) experienced potential hate crime victimization. In total, the 260 respondents noted experiencing 455 potential ethnoreligious hate crimes in the previous 12 months.

■ **Roma respondents as a group noted the highest rate of potential hate crime victimization.**

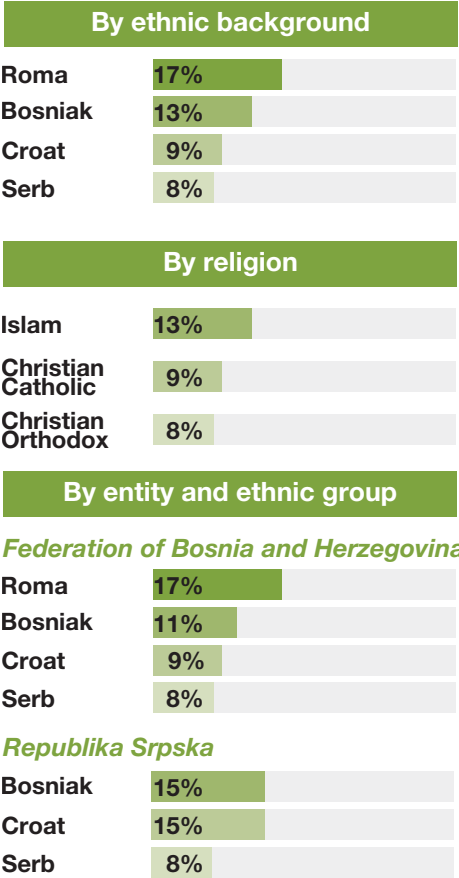
There is a clear difference between the potential hate crime victimization rates for Roma respondents compared with Croat and Serb respondents. While there appears to be a smaller difference between Roma and Bosniak respondents, this would not be considered to be a reliable population estimate of actual difference if determined by probability sampling.

■ **Only small differences in potential hate crime victimization rates were evident between Bosniak, Croat and Serb respondents as groups for BiH as a whole, and for the Federation of Bosnia and Herzegovina.**

The observed small differences between Bosniak and Serb respondents, and between Serb and Croat respondents, would not be considered to be reliable population estimates of difference if determined by probability sampling.

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 incidents noted by respondents qualify as crimes under BiH Criminal Codes. Verification is ultimately provided by the courts. This limitation also applies to 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.

Proportions of respondents who experienced potential ethnoreligious hate crime in the last 12 months



Number of respondents

Federation of Bosnia and Herzegovina
Roma = 127, Bosniak = 553, Croat = 346, Serb = 218

Republika Srpska
Roma = 43, Bosniak = 298, Croat = 69, Serb = 584

Brčko District BiH
Roma = 19, Bosniak = 53, Croat = 41, Serb = 52

The number of respondents are too few to provide reliable comparisons for the Brčko District BiH, and for Roma respondents in Republika Srpska

3 U.S. Department of State, *Bosnia and Herzegovina 2021 Human Rights Report Executive Summary*, page 22: [BOSNIA AND HERZEGOVINA 2021 HUMAN RIGHTS REPORT \(state.gov\)](#)

4 All survey respondents aged 31 years and upwards were asked: “Were you displaced internally, or to another country during the 1992-95 war?”. All those who were not themselves displaced were asked: “Are you a descendant of a family that was displaced internally, or to another country during the 1992-95 war?” Respondents who indicated either that they were displaced themselves or they are descended from a displaced family were further asked: “Have you since returned to live in your pre-war home or area of residence?” and “Do you yourself reside in that home?”.

5 It should be noted that the notion of “returnee” used in the survey intentionally adopted a social categorisation of returnees which is more far-reaching than the definition used in Bosnia and Herzegovina and its entities which specify that the returnee’s status expires after a period of six months.

6 “What is hate crime?” <https://hatecrime.osce.org/>

- **There is a slightly larger difference in potential hate crime victimization rates between Bosniak and Serb respondents as groups residing in Republika Srpska.**

A similar observed difference between Croat and Serb respondents residing in Republika Srpska would not be considered to be a reliable population estimate of actual difference if determined by probability sampling.

“Returnees”

- **Almost half (47 per cent) of the respondents who were asked (respondents at least 31 years old), indicated that they themselves had been displaced internally, or to another country, during the 1992-95 war. They account for 28 per cent of all of the survey respondents of all ages.**

Among those displaced, almost seven in ten (68 per cent) had returned to live in their pre-war home or area of residence.

- **Respondents who had been displaced indicated a slightly higher rate of potential ethnoreligious bias motivated victimization than those who had not been displaced (11 per cent versus 9 per cent).**

However, this difference would not be considered to be a reliable population estimate of actual difference if determined by probability sampling.

- **Of the remaining respondents (of all ages) who had not been displaced themselves, almost one third (29 per cent) indicated that they were descended from a family that had been displaced. They account for 21 per cent of all of the survey respondents of all ages.**

Notably, 16 per cent of respondents who were descended from a family that had been displaced indicated that they had experienced at least one potential crime or incident in the previous 12 months that they perceived to be motivated by ethnoreligious bias, compared with 8 per cent of respondents who were not a descendant of a displaced family.

Indicators of ethnoreligious bias motivation

- **In most incidents of potential hate crimes experienced by survey respondents in person, words used by offenders—things they said—indicated that ethnic or religious bias was involved.**

Respondents could select multiple reasons why they believed the crimes they experienced were motivated by ethnic or religious bias. While words used by offenders were by far the primary indicator, other reasons selected included gestures made by offenders, the offenders’ ethnic origin, the date on which it happened, the place it happened, and the fact that it had happened before.

Bias motivated graffiti and vandalism

All survey respondents were asked how much of a problem is vandalism, graffiti and other deliberate damage to property or vehicles in their neighbourhood (within a five-minute walk from their home). They were also asked whether in the previous 12 months they had noticed any nationalistic or ethnically or religiously offensive graffiti or symbols on walls, bus shelters, road signs, or other structures, in public streets and areas, within and beyond their neighbourhood.

- **A small but not insubstantial minority of respondents (18 per cent) said that vandalism, graffiti and other deliberate damage to property or vehicles in their neighbourhood was either a fairly big, or very big, problem.**

One third (33 per cent) of respondents said that it was not a problem at all.

- **Almost a quarter (24 per cent) of respondents had noticed nationalistic or ethnically or religiously offensive graffiti in their neighbourhood in the previous 12 months.**

A higher proportion (31 per cent) had noticed such graffiti beyond their neighbourhood.

Indicators of bias motivation in potential ethnoreligious hate crimes – insults, verbal assaults, violence & robbery

Words used by offenders

75% of incidents

Gestures made by offenders

7% of incidents

Offenders' ethnic background

7% of incidents

The place it happened

7% of incidents

It happened before

7% of incidents

Total percentage more than 100% as multiple response question

Impact of nationalistic or ethnically or religiously offensive graffiti or symbols within and beyond the neighbourhood in the last 12 months

Within the neighbourhood (Number of survey respondents = 574)

More aware of risks to my personal security

18%

Sensitive about my ethnic or religious identity

37%

More vulnerable or insecure

24%

About the same or no different if I hadn't seen the graffiti

36%

Beyond the neighbourhood (Number of survey respondents = 747)

More aware of risks to my personal security

22%

Sensitive about my ethnic or religious identity

38%

More vulnerable or insecure

22%

About the same or no different if I hadn't seen the graffiti

33%

Total percentages more than 100% as multiple response questions

- **There was an evident impact for many of those who observed nationalistic or ethnically or religiously offensive graffiti within and beyond their neighbourhood.**

While approximately one third of respondents said they felt the same or no different had they not seen the graffiti, just over a third said it made them feel sensitive about their ethnic or religious identity, and around a fifth said they felt more vulnerable or insecure, with smaller proportions saying they were more aware of risks to their personal security.

Recommendations

To most effectively combat hate crimes, police and other authorities need to identify and systematically record them as a specific category of crime. Correct recording is fundamental to collecting the evidence required for the prosecution of hate crimes under the relevant criminal codes in Bosnia and Herzegovina. It is also essential to identifying those victims who might need specialized hate crime victim support. Accurate recording is also necessary for understanding patterns of hate crime occurring across communities to inform targeted interventions.

Yet, despite the value of distinct hate crime recording, there is no systematic process for the hate or bias element of crimes to be recorded by the police, prosecution, or judicial authorities in Bosnia and Herzegovina.

Official data provided by the BiH authorities to the OSCE/ODIHR annual hate crime reporting programme show just a small number (42 hate crimes) recorded by the police for 2022 (the most recent data available): a majority with an ethnoreligious bias motivation. However, this number, as is common with official hate crime data internationally, is likely to be a considerable undercount. Accordingly, monitoring by the OSCE Mission to Bosnia and Herzegovina indicates a higher annual total.

According to the Mission's hate crimes database—which relies primarily on information about incidents reported to the police available in the Police Daily Occurrence Reports (DOR) and other incidents widely publicised in the media, for instance, but not formally reported to the police—there were 139 bias-motivated incidents in total recorded for 2023, most with an ethnoreligious bias motivation. Almost all were recorded by the police as incidents, although some would probably not pass the crime threshold.

But the hate crimes database total is also likely to provide a considerable undercount. This is shown by the numbers of potential crimes with perceived ethnoreligious bias motivation captured by the *2023 BiH Hate Crime Underreporting Survey*. In total, 455 potential ethnoreligious hate crimes were experienced by respondents at least once in the previous 12 months. **The difference from the official records and the hate crimes database becomes stark when it is considered that the number captured by the survey is based on the experience of only 2,438 respondent members of the BiH population. If the whole population is considered, there would be a much higher number of potential ethnoreligious hate crimes.**

It is therefore recommended that the authorities in Bosnia and Herzegovina should establish a harmonised system of data recording for all bias motivated incidents and crimes, which include a record of the bias indicators, for police, prosecutorial, and judicial institutions. As well as enabling appropriate identification of hate crimes for their passage through criminal justice processes and for delivering hate crime victim support, the data should also be used for informing preventative measures and other interventions.

It is further recommended that a regular crime victimization survey should be established to complement the institutional data recording to illuminate the extent of underreported crime and inform policy and practice to increase the reporting of crimes in general and bias motivated incidents and crimes more specifically.

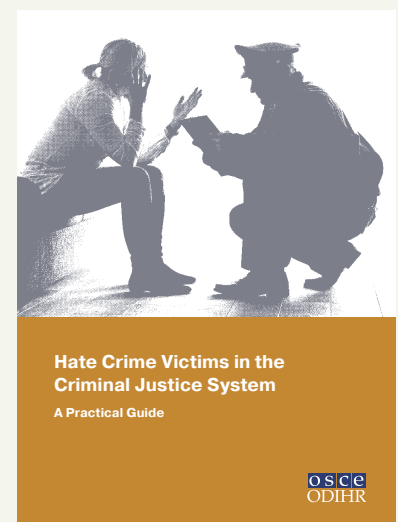
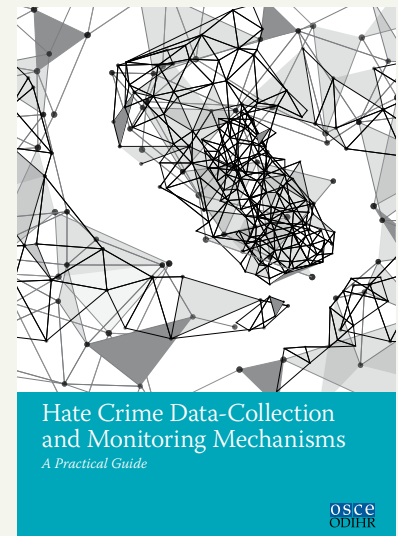
In the case of bias motivated graffiti and vandalism, information should be widely published at the local level by the responsible authorities about how the public can report incidents. As soon as bias motivated graffiti and vandalism is reported, the responsible authorities should take immediate action to remove it. Bias motivated graffiti and vandalism sends an intimidatory message which can generate a sense of insecurity, vulnerability, and sensitivity about ethnic identity. Speedy removal will reduce its social impact. The shorter the time it is visible, the less impact it will have. Vandalism and graffiti 'hotspot' locations should be targeted for preventative measures.

Furthermore, in the case of incidents of bias motivated graffiti and vandalism targeting the property of religious communities, criminal justice authorities should ensure that they are treated as seriously as interpersonal hate crimes in terms of recording, investigation, prosecution, and the sentencing of persons convicted.

Going further—some key reading on hate crime victim support with recommendations for recording hate crime:

OSCE Office for Democratic Institutions and Human Rights (ODIHR) (2014), [*Hate Crime Data-Collection and Monitoring Mechanisms: A Practical Guide*](#). Warsaw: OSCE ODIHR.

OSCE Office for Democratic Institutions and Human Rights (ODIHR) (2020), [*Hate Crime Victims in the Criminal Justice System. A Practical Guide*](#). Warsaw: OSCE ODIHR.



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