



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Fifty-fifth session

Summary record (partial)* of the 1147th meeting

Held at the Palais des Nations, Geneva, on Friday, 19 July 2013, at 3 p.m.

Chairperson: Ms. Ameline

later: Ms. Jahan (Vice-Chairperson)

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(*continued*)

Combined fourth and fifth periodic reports of Bosnia and Herzegovina (continued)

* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined fourth and fifth periodic reports of Bosnia and Herzegovina (continued) (CEDAW/C/BIH/4-5, CEDAW/C/BIH/Q/4-5 and Add.1).

1. *At the invitation of the Chairperson, the delegation of Bosnia and Herzegovina took places at the Committee table.*

Articles 10 to 14

2. **Ms. Al-Jehani** said that the segregated “two schools under one roof” system had been criticized by several human rights treaty bodies for reinforcing divisions along ethnic and religious lines, and she wished to know whether there had been an independent and objective assessment of its impact on children and whether there were any plans to abolish the system. She also asked if teacher training was similarly segregated and whether it included gender and human rights education.

3. **Ms. Filipović-Hadžiabdić** (Bosnia and Herzegovina) said that the observation made by the Committee that the new provisions on equal representation in the media were applicable to pre-election campaigns was much appreciated. The parliamentary commission with which the Agency for Gender Equality had been developing new election laws would soon be holding a thematic discussion on their implementation and the observation would be passed on as a useful tool for furthering equality in political representation.

4. Horizontal and vertical segregation along gender lines in education was a concern. Half of university research scholarships were awarded to women, but that was yet another indication of gender disparities in higher education since women accounted for far more than half the applicants. Now that increasing numbers of women had Master’s degrees and PhDs, however, it was hoped that more women would be appointed to senior academic posts in the near future. Owing to cultural stereotypes, many university-educated women still had problems reconciling their professional lives with their family responsibilities, especially when they got married, and they often left the labour market. Among the younger generation, however, men were increasingly sharing those responsibilities, and the situation was expected to improve.

5. The Agency for Gender Equality had drawn up guidelines and provided training on how to identify gender stereotypes and remove them from school textbooks, but the Ministry of Education did not systematically apply the Agency’s recommendations, and more work needed to be done to ensure that the gender perspective was mainstreamed in the education sector. It should be noted that the main equality issue in Bosnia and Herzegovina, as far as politicians and the population were concerned, was equality between ethnic groups rather than equality between the sexes, although the Agency was working to raise awareness of gender issues.

6. The “two schools under one roof” policy was a political issue beyond the Agency’s remit. A road map for abolishing the policy had been published by the Government of the Federation of Bosnia and Herzegovina, which was at least a first step. She had no information that student teachers were segregated by ethnicity. Human rights education was part of the curriculum. It included gender and minority rights but was not formally assessed. The data on the Roma presented by the State party was obtained from a United Nations Children’s Fund (UNICEF) survey of 1,800 Roma families.

7. **Mr. Bruun** said that the employment rate for women was almost half that for men and the labour market was noticeably segregated, with women still working predominantly

in the education, health and social services sectors. He wished to know whether the effectiveness of the various programmes to increase women's employment had been evaluated and what plans the Government had for improving the situation. The Committee was concerned that laws to protect labour rights, such as the laws on mobbing and sexual harassment, were not being properly enforced and that, according to the Human Rights Ombudsman, women still faced many problems in the workplace associated with pregnancy and maternity, especially women on fixed-term contracts. Since 2010, women had been entitled to compensation during maternity leave, as set forth in the Convention, but that right was apparently not evenly implemented throughout the country. Information on how the Government was guaranteeing that right in all 12 cantons would be appreciated.

8. The delegation had said that, among younger couples, men were taking on more family responsibilities and household chores. He asked if the right to paternal leave, which would help combat gender stereotypes, was a legal entitlement and, if so, to what extent fathers exercised that right. He also wished to know what the Government considered could be done, other than awareness-raising, to address the almost total exclusion of Roma women from the formal labour market.

9. **Ms. Nwankwo** asked the State party to provide information on the steps taken since its last report to ensure equal access to health care for women considering the huge urban-rural divide in health facilities and services and the fact that almost 60 per cent of households resided in rural areas. She also enquired after the status of the reproductive and sexual health strategy for the Federation of Bosnia and Herzegovina that was reportedly being developed in 2011 and whether similar strategies would be drafted for Republika Srpska and Brčko District. A recent UNICEF survey had shown that 40 per cent of women used contraceptives, but only 9 per cent used modern methods, and lack of access to modern methods was behind the high abortion and teenage pregnancy rates. She asked what action the Government was taking to increase the availability, affordability and accessibility of modern contraceptive methods and family planning services.

10. According to paragraph 323 of the State party's report, the number of registered persons infected with HIV/AIDS was rising as a result of increased risky behaviour and improved monitoring and diagnostics. She therefore requested information on the content, status and impact of the Government's strategy to prevent and combat HIV/AIDS in terms of reducing that behaviour and the stigma and discrimination faced by women living with HIV, including sex workers, whose access to health care was impeded by their complicated situation.

11. **Ms. Gbedemah** said that the Committee wished to know about the impact of the Young People's Health Policy of Republika Srpska (2008–2012), how many schools and students it had reached, whether school curriculums had been adjusted as a result and whether it had lowered the abortion rate. The Committee also wished to have more information on the improvements that the Policy for the Promotion of Sexual and Reproductive Health of Republika Srpska (2012–2017) aimed to bring about and whether the State party would be willing to introduce rights-based education on sexual and reproductive health that included education on sexuality, as opposed to the healthy lifestyles curriculum that it had adopted. In the light of the recommendation made by the Committee on the Rights of the Child that the 2010 Law on Health Care (CRC/C/BIH/CO/2-4) should ensure that all Roma women had health insurance, information on the measures taken in that regard and data on the proportion of Roma women who were effectively covered would be appreciated. Data on the internally displaced women and other female returnees who had sought access to psychological services and actually received support, disaggregated by age and type of trauma, would also be appreciated. Lesbian, gay, bisexual and transgender women reported facing barriers when accessing medical services, especially medically assisted reproductive treatment, and

she asked whether the State party was amenable to including that group of women in its new laws.

12. **Ms. Filipović-Hadžiabdić** (Bosnia and Herzegovina) said that it was difficult to enforce labour laws in the current economic climate since workers were reluctant to claim their rights for fear of losing their jobs. The Government had succeeded in raising public awareness of mobbing, which was a new concept in the law, and of sexual harassment, and 11 new cases of sexual harassment had been reported in 2011. Women in general, and Roma women and women with disabilities in particular, had been acknowledged as vulnerable groups in the Government's employment strategy, which was a prerequisite for obtaining more funding for special programmes for them. Gender action plans also included projects to increase the employment of women with disabilities. The Government was addressing the low percentage of Roma women in the formal labour market by tackling the root cause of the problem: their lack of education. Multiple discrimination and poor terms of employment were a problem, and the Government was providing human rights training to staff at the bodies responsible for monitoring the implementation of labour law. Parental leave for both parents had recently been established in the labour law, and the Agency for Gender Equality would launch a campaign to encourage fathers to avail themselves of that benefit, since only a few were doing so at present.

13. Amendments had been introduced to the law to ensure that paid maternity leave was fully and uniformly covered by a public fund nationwide. In the Federation of Bosnia and Herzegovina social services were administered at the cantonal level, and maternity leave payments varied from canton to canton, depending on the canton's wealth; in the Republika Srpska, maternity leave was covered by a State fund. The new law sought to improve and harmonize maternity protection throughout the country. In addition, the Action Plan for the Advancement of the Position of Rural Women in Republika Srpska and the Rural Development Strategy of Republika Srpska 2009–2015 was designed to improve access to health and other services in rural areas and included measures to raise awareness of reproductive health and contraceptive methods. LGBT groups were not recognized in the health system as such, and there had been no specific calls for meeting their special health and reproductive health needs. Lastly, although there was a low prevalence of HIV/AIDS in Bosnia and Herzegovina, her Government was working closely with United Nations agencies and non-governmental organizations to raise public awareness and train health workers in that area.

14. **Ms. Gbedemah** asked whether the policy for young people's health had helped to reduce the high rate of abortion. She wished to know the proportion of Roma women covered by health insurance. Further information was also needed regarding the available psychological support for groups of women who had suffered traumas.

15. **Ms. Leinarte** said that there were reports of employers who did not comply with legislation on maternity and child protection, including denying women maternity leave and employing women temporarily. What measures were in place to prevent such abuse? Further information would be appreciated on health insurance provisions for women who worked in the informal economy.

16. **Ms. Jahan** would appreciate clarification of the phrase "salesgirl of love", which was included under the labour law as a standard classification of occupations, along the lines of the International Standard Classification of Occupations. Such persons appeared to correspond to commercial sex workers, who were not recognized in the labour legislation.

17. **Ms. Nwankwo** asked about the availability of modern contraceptives and the impact of the existing policies on sexual and reproductive health.

18. **Ms. Pimentel** asked whether health policies for marginalized groups of women, including prostitutes and LGBT persons, were in place.

19. **Ms. Kotorić** (Bosnia and Herzegovina) said that sex workers were categorized as a vulnerable group and treated as unemployed persons. Statistical information on HIV/AIDS was confidential and not disaggregated by sex. Conferences, awareness-raising campaigns and educational initiatives had nevertheless been launched at the national and regional level and work to prevent the spread of HIV/AIDS had been carried out by the gender centres in both entities, with the support of UNICEF and the United Nations Development Programme (UNDP). No data were currently available on teenage pregnancy. However, the school curriculum did cover methods of contraception and UNDP and the United Nations Population Fund (UNFPA) were working directly with non-governmental organizations, including Roma NGOs, to provide information on birth control.

20. **Ms. Filipović-Hadžiabdić** (Bosnia and Herzegovina) said that efforts were being made to raise awareness about the importance of labour inspection and available legal remedies to help women to escape irregular and informal employment. In addition, a basic health insurance package was provided to all workers, including Roma workers and workers in the informal market.

21. **Mr. Bruun** asked what provisions existed to facilitate women's entrepreneurship, including bank loans and training. What was being done to ensure that single mothers, particularly those in the informal sector, had access to health-care services, and to address the serious poverty and social exclusion that they often faced?

22. **Ms. Gabr** would appreciate further details of the extent to which rural women were covered under the national basic strategies for rural development, including such matters as education, health care, loans, property, land and unemployment. What efforts were being made to remove obstacles to women's employment and to assist rural women in selling local products? Could more information be provided in respect of elderly persons who had been left in isolation as a result of rural flight to urban areas? What actions had been taken to implement the legislation on internally displaced persons and to streamline procedures for return or resettlement? Lastly, further information would be appreciated on the training services available for persons with disabilities, in particular women with disabilities, and any special temporary measures for minority women.

23. **Ms. Al-Jehani** asked whether the State party had taken steps to address the issues faced by older women pursuant to the Committee's general recommendation No. 27 on older women and the protection of their human rights (CEDAW/C/GC/27), particularly in terms of access to health care for rural or older women with disabilities.

24. **Ms. Filipović-Hadžiabdić** (Bosnia and Herzegovina) said that women victims of the armed conflict received psychological support as part of a new support programme. The national gender action plan encouraged women to set up their own businesses and provided for access to government loans at favourable interest rates. Special provision had been made for rural women and basic health care was provided free of charge for all unemployed and vulnerable persons. The Republika Srpska and the Federation of Bosnia had each devised specific action plans to address the issues faced by rural women.

25. **Ms. Milinović** (Bosnia and Herzegovina) said that the Government of the Republika Srpska had established special temporary measures to assist rural women. Its rural women action plan aimed to improve the economic status, living conditions and social position of women in rural areas and increase their access to health care. Rural women working in agriculture received assistance through a subsidy programme and could benefit from loans at favourable rates. A rural women's NGO network had been set up and its 45 members participated in consultations on women's issues with the Government. All municipalities in the Republika Srpska communicated regularly with the Ministry of Agriculture, Forestry and Water Management about their gender projects and many had taken steps at the local level to implement the Government's action plan. Every year a trade fair was organized for

women living in rural areas and an awareness-raising campaign on rural women had been held annually since 2009. The Ministry of Transport had also analysed rural women's mobility in the Republika Srpska and had developed measures to increase rural women's access to public transport.

26. **Ms. Kotorić** (Bosnia and Herzegovina) said that the Government of the Federation of Bosnia and Herzegovina had taken a number of steps at the cantonal and municipal levels to address the needs of rural women, including the establishment of gender action plans, the provision of financial support and the amendment of cantonal and municipal legislation. It had also been awarded funding from the United Nations Women's Fund for Gender Equality to strengthen its work on gender issues. Despite an economic downturn, around 2,000 rural women to date had benefited from its actions and had entered the labour market.

27. **Ms. Filipović-Hadžiabdić** (Bosnia and Herzegovina) said that the State party, in partnership with women's NGOs, had established a strategy to address the specific health-care needs of older women in accordance with the Committee's general recommendation No. 27. She did not have information on women with disabilities being denied custody of their children. Certain psychological criteria and other factors were taken into account in deciding such matters. Custody was not denied on the basis of disabilities.

Articles 15 and 16

28. **Ms. Leinarte** asked whether the State party intended to carry out consultations with NGOs on same sex partnerships and whether there were any plans to legalize gay marriage. She sought clarification on whether couples in de facto unions faced any difficulties when dividing property in the event of separation and asked whether single women could adopt children.

29. **Ms. Filipović-Hadžiabdić** (Bosnia and Herzegovina) said that same sex couples could not legally marry and no national consultations had been requested by, or held with, lesbian, gay, bisexual and transgender NGOs on the subject. Provision had been made for property to be divided between couples in de facto unions who could prove they had been living together for a period of at least a year. Single women could adopt children, although such adoptions entailed a longer and more complex assessment procedure than for married couples.

30. **Ms. Jahan** asked whether women victims of violence, in particular those affected by the armed conflict, received any specific social assistance. She also wished to know how the State party supported war widows.

31. **Ms. Leinarte** noted that some confusion existed about the exact number of girls in the Roma community who entered into early marriages. She asked whether measures had been taken to prevent Roma girls from being forced to marry at a very young age. Turning to the issue of domestic violence, she asked whether the State party intended to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

32. **Ms. Filipović-Hadžiabdić** (Bosnia and Herzegovina) said that the State party had very recently ratified the Convention. Guidelines for the implementation of the Convention had already been published and disseminated to both the Federation of Bosnia and Herzegovina and the Republika Srpska.

33. **Mr. Kadribašić** (Bosnia and Herzegovina) said that women victims of the armed conflict could qualify for free health care and financial benefits, and war widows received a lifelong pension, which also covered any of their children who were unemployed and under the age of 26. The State party had faced difficulties in obtaining data on the exact number

of early marriages taking place in the Roma community and relied on surveys carried out by UNICEF. The surveys carried out to date had shown that, out of 1,700 households surveyed, 49 per cent of Roma girls had married before the age of 18.

34. *Ms. Jahan (Vice-Chairperson) took the Chair.*

35. **Ms. Filipović-Hadžiabdić** (Bosnia and Herzegovina) said that the Government had devised an action plan to reduce the number of early marriages but that it would take time to change cultural norms within the Roma community. In the meantime, it was hoped that providing Roma girls with better access to the education system would help to address the problem.

36. **The Chairperson** thanked the delegation for their participation in the constructive dialogue and commended its efforts to promote the Convention in Bosnia and Herzegovina.

37. **Ms. Filipović-Hadžiabdić** (Bosnia and Herzegovina) thanked the Committee members for their valuable comments and said that the State party would use the Committee's recommendations to guide its future steps. She reiterated the State party's commitment to the implementation of the Convention and expressed the hope that gender mainstreaming would soon be recognized as a cross-cutting issue at the European level.

The discussion covered in the summary record ended at 4.35 p.m.