



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

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**Committee on the Elimination of Discrimination  
against Women**  
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8-26 July 2013

## **Responses to the list of issues and questions with regard to the consideration of the fourth and fifth periodic reports**

### **Bosnia and Herzegovina\***

#### **General**

**1. Please provide information on the process of preparation and adoption of the report and the extent of related consultations with non-governmental organizations and other main stakeholders.**

The final version of the Report was compiled by the Gender Equality Agency on the basis of reports prepared by the Entity Gender Centres. The Council of Ministers adopted the Report at the 152nd meeting held on 1 June 2011. At the 14th session held on 24 November 2011 the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina considered and adopted the fourth and fifth CEDAW periodic report of Bosnia and Herzegovina.

The Republika Srpska report for the period 2006-2010 was made in regular consultations with all relevant ministries that were taking place on a monthly basis, regular communication with local authorities and on the basis of regular exchange of information and reports with non-governmental organizations. At the 8th regular meeting held on 24 March 2011 the RS Government adopted the report, after which it was sent to the Gender Equality Agency for preparation of the fourth and fifth combined report of Bosnia and Herzegovina.

The report on the Federation was made on the basis of previous activities of the Gender Centre of the Federation of Bosnia and Herzegovina in cooperation with all relevant actors in the executive, legislative and judicial authorities of the Federation of Bosnia and Herzegovina; answers to specific questionnaires and reviews of reports and studies of international and national institutions and non-governmental organizations by processing qualitative and quantitative data. In addition, there were two preparatory meetings held in Sarajevo and Mostar and

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\* The present report is issued without formal editing.



attended by representatives of all relevant governmental institutions and representatives of the media and NGOs.

**2. The report contains limited sex-disaggregated data pertaining to all areas covered by the Convention. Please provide information on the status of data collection and analysis in the country in general, and to what extent such data collection takes place, on the basis of sex, age, urban and rural areas and other relevant factors. Please indicate how the State party intends to improve the collection of sex-disaggregated data pertaining to the areas covered by the Convention, as required under article 22 of its Law on Gender Equality, and when the census of the population will be conducted (para. 26).**

According to the Agency for Statistics of BiH and entity institutes for statistics, all statistics in which a citizen is the subject are disaggregated by sex and statistics segregated by education and age are produced, too. The Statistics Agency of Bosnia and Herzegovina publishes on an on-going basis “Women and Men in BiH” publication, which contains data from various statistical and other areas disaggregated by gender. The publication consists of the following chapters: population and vital statistics, education, employment, social security, living conditions, political power, election results and judiciary. When it comes to businesses, wherever possible, care is taken to include questions about sex, age and educational background. In addition, the Agency for Statistics of BiH and entity institutes for statistics conduct extensive researches (the Household Survey and the Labour Force Survey) to collect the data. The statistical programmes in Bosnia and Herzegovina are consistent with the programmes of EUROSTAT statistical surveys. Statistical activities important for human rights and gender equality are developed in this way, too.

Census is planned to be carried out in the period 1-15 April 2013 in Bosnia and Herzegovina, as provided for in Article 3 of the Law on 2013 Census of Population and Households in Bosnia and Herzegovina.

**3. Given that the Convention is directly applicable in the State party, please provide information on cases in which it has been invoked or referred to by domestic courts, in addition to the outcomes of such cases. Please also provide information on the number of complaints of discrimination against women that have been brought before the domestic courts and before the Institution of Human Rights Ombudsmen of Bosnia and Herzegovina, in addition to the grounds invoked and the outcomes of those cases, since the entry into force of the Law on Prohibition of Discrimination (para. 46).**

There are no official figures on the number of discrimination cases before national courts. No rules of collecting information on the number of discrimination cases have been enacted yet. Some progress has been made in the collection of data on all criminal cases and the gender-disaggregated information about particular crimes with elements of sexual violence are available.

According to the information available, the Constitutional Court has found in its decision Article 35 of the Law on Salaries and Allowances Paid in BiH Institutions to be discriminatory and contrary to Article II/4 of the Constitution. The Constitutional Court has invoked CEDAW and the Law on Gender Equality in the case.

In the period 2006-2010 a total of 31 cases involving violations of equality of citizens were prosecuted. According to data from the courts, in the reporting period, 10 cases were prosecuted for crimes under the Law on Gender Equality of BiH (sexual harassment and gender-based violence and sexual harassment).

In January 2009, prior to the enactment of the Anti-Discrimination Law, the BiH Ombudsmen reached a decision on the establishment of the Department for the Elimination of All Forms of Discrimination. In 2011, the Ombudsman for Human Rights received a total of 191 discrimination cases of which 5 ones involved gender-based discrimination and one case involved gender-based harassment. The Ombudsmen report that complaints of gender-based discrimination mostly involved sexual harassment and gender-based violence, particularly in terms of insufficient protection of victims.

#### **Women in post-conflict situations**

**4. Please indicate what steps have been taken by the State party to amend the definition of rape and other forms of sexual violence as war crimes and crimes against humanity, in order to bring it in line with international jurisprudence, as recommended by the Committee against Torture in its concluding observations (CAT/C/BIH/CO/2-5, para. 9). Please provide updated information on the implementation of the National Strategy for War Crimes Processing, on the prosecution of war crimes perpetrated against women, in particular sexual violence, and on protective measures for victims and witnesses. Please indicate whether any evaluation mechanisms have been established to assess and measure the impact of the action plan for the implementation of Security Council resolution 1325 (2000), adopted in July 2010 (p. 10), and describe the specific activities developed to date through its implementation, in particular with regard to measures taken to ensure women's full participation in the political process and to provide assistance and compensation to women victims of war. Please provide information on the status of the National Strategy for Transitional Justice (para. 303) and updated information on reparations programmes for women victims of enforced or involuntary disappearances.**

The Criminal Code of BiH, which applies to the prosecution of war crimes before the Court of BiH, has two articles defining rape as a war crime against humanity (Article 172) and as a war crime against civilians (Article 173). Although the definitions in the Criminal Code of Bosnia and Herzegovina have not been amended yet in accordance with recommendations of the Committee against Torture, the Court has defined the element of force or and expended threat of force in its jurisprudence. In the first case involving sexual violence, the Court of BiH has defined rape and sexual crimes in a way that it added "coercion" and "without consent of the victim" elements as an element of commission in the concept of "force or threat of immediate attack".

It is important to emphasize, however, that this interpretation applies only to the case law of the Court of BiH, while there is no information about case law of the appropriate courts in BiH Entities and Brčko District. Since 1 March 2003 war crimes cases have been under exclusive jurisdiction of the Court of BiH. Since the 2003 criminal justice reform the matter of war crimes has been regulated exclusively in the Criminal Code of Bosnia and Herzegovina while entity criminal

laws and criminal law of Brčko District do not contain provisions dealing with this group of criminal offences.

However, at the time of the entry into force of the 2003 criminal laws, a large number of cases (estimated at 1070) had already been filed with the Prosecutor's Offices or had been already pending before courts in the Entities. According to Article 449 of the Criminal Procedure Code of BiH these cases shall be finalized by these courts if the indictment in these cases has been confirmed/has taken legal effects.

There is a possibility of application of the SFRY Criminal Code in these cases since the SFRY CC was taken over as criminal laws of the then Republic of Bosnia and Herzegovina, Republika Srpska and later the Federation. Although these laws define rape as a war crime, there is no data available that these definitions are not fully consistent with the definition that was developed in jurisprudence of the Court of BiH.

In order to identify systemic remedies to the deficiencies noted, in September 2007, the Ministry of Justice, in cooperation with the Court of BiH, the Prosecutor's Office of BiH and HJPC established a working group to design a national strategy for prosecution of war crimes cases and disposition of issues related to war crimes.

Data on the number of prosecutions of war crimes of sexual violence against women is not statistically processed separately from other war crimes cases. Aggregate data on the number of prosecuted cases of war crimes of sexual violence against women is difficult to obtain because these crimes are mostly committed in conjunction with other war crimes. According to information obtained through an analysis of judgments posted on the web site of the Court of BiH in the period until 2011 a total of 75 cases was closed with final verdicts, of which 29 or 38.6 per cent verdicts were rendered for war crimes including acts of sexual violence against women. Still, however, the problem is that the data on the number of cases of sexual violence against women prosecuted at lower levels of administrative units is not collected or published.

In BiH the protection and support of witnesses/victims is governed by laws at the state and entity levels. At the state level the legal framework governing the protection of witnesses are: the Criminal Code, the Criminal Procedure Code, the Law on Protection of Witnesses under Threat and Vulnerable Witnesses and the Law on Witness Protection Program of BiH.

The National Strategy for War Crimes Prosecution contains recommendations for strengthening support of witnesses in proceedings before district and cantonal courts and prosecutor's offices. The Strategy envisages measures to improve the protection and support of witnesses, as well as long-term projections and a financial framework for the implementation of witness protection measures.

The Law on Protection of Witnesses under Threat and Vulnerable Witnesses provides for physical and procedural measures to ensure protection of witnesses under threat, sensitive (traumatized) witnesses and protected witnesses in criminal proceedings conducted by the Court of BiH or the Chief Prosecutor of BiH for crimes under jurisdiction of the Court of BiH.

The Law on Witness Protection Program, which has been adopted and is implemented at the state level, provides for operational, tactical and technical

measures and actions to ensure the physical protection and bodily integrity of witnesses who face a threat to life, health or freedom. The Law prescribes procedures in the witness protection program and what kind of care and support can be given to a witness. Witness support means psychological, social and technical assistance, after confirmation of the indictment, during and after testimony, especially witnesses in war crimes cases.

Witness support in the Court of BiH and the Prosecutor's Office of BiH is provided by the Witness Support Departments. They ensure that all witnesses appear before the Court, that the witnesses testifying are advised about their rights before coming to court and, by psychological support, they help reduce anxiety and discomfort caused by taking the stand to a minimum and that the testimony leaves no consequences on the mental health of the witness, especially because the Court of BiH prosecutes a great number of war crimes cases and because it is a majority of protected witnesses in BiH that appear before court just in war crimes cases.

With the support by UN Development Agency, Witness Support Departments have been established in the Cantonal Court and Prosecutor's Office of Sarajevo, the District Court and Prosecutor's Office of Banja Luka and the District Court and Prosecutor's Office of East Sarajevo. There is no information if and how support to witnesses and victims is provided in other courts in BiH.

The implementation of the Action Plan is monitored by the Coordinating Committee for Monitoring the Implementation of the Action Plan for the Implementation of UNSCR 1325 in Bosnia and Herzegovina. The Coordinating Committee was established by the Council of Ministers of Bosnia and Herzegovina at the 154th meeting of the Council of Ministers of Bosnia and Herzegovina, held on 29 June 2011. The Coordinating Committee consists of twenty members, who were appointed for the duration of the Action Plan, March 2010-December 2013.

The members of the Coordination Committee are representatives of institutions that are responsible for the implementation of the Action Plan and they coordinate the implementation of activities within their respective institution. On the basis of a report on the implementation of activities that is contributed by each relevant institution, the Coordinating Committee put together a report on the implementation of Action Plan for the Implementation of UN Resolution 1325 "Women, Peace and Security in BiH". These reports are submitted to the Council of Ministers for approval after which the reports are submitted to the Parliamentary Assembly for consideration.

One of objectives under the Action Plan for the Implementation of United Nations Resolution 1325 (2010-2013) is "Improving support and assistance networks to women and girls who were victims during the conflict" with defined activities, responsible institutions, deadlines and indicators for monitoring. The FIGAP-funded "Women Victims of War" project, which aims at identifying health needs of women victims of war, which was implemented in 2011 and 2012, while in late 2012 a project relating to training in communication skills and psychological empowerment of sexually abused women in the war to be able to socially function in the community was approved.

With the aim of improving the overall situation of women victims of rape the Ministry for Human Rights and Refugees, in cooperation with representatives of the institutions of BiH, its entities, cantons, Brčko District and NGOs, is finalizing

drafting of the document “Program for victims of rape, sexual abuse and torture in BiH 2013-2016”, which will seek to improve the position of all the victims. One of the program goals within this Program emphasizes the obligation of the state to provide access to programs for victims of war reparations and the need to provide legal and psychological support to victims and/or witnesses in court proceedings and after them. The draft Strategy of transitional justice was prepared and is currently in the in the process of obtaining the opinions of all levels of government, which is a prerequisite for the adoption by the Council of Ministers.

#### **Constitutional and legal framework**

**5. Please provide information on the status of the harmonization process undertaken to bring all State and entity laws and other relevant regulations into conformity with the provisions of the Law on Gender Equality, as recommended by the Committee in its previous concluding observations (CEDAW/C/BIH/CO/3, para. 16). Please indicate the current status of the proposed amendments to the rules of procedure of the Council of Ministers initiated by the Gender Equality Agency to enable it to provide its opinion on legal documents before they are adopted by the Council (para. 17). While it is indicated in the report only that a law on free legal aid was adopted in Republika Srpska (para. 43), information before the Committee mentions that a draft law on legal aid was submitted to the Council of Ministers in April 2012. Please provide information on the status of this draft law, elaborate on its content and provide a timeline for its adoption.**

A progress in the institutionalization of gender equality standards in the legal framework of Bosnia and Herzegovina is obvious and today a great number of systemic laws contain standards that prohibit discrimination and gender-based violence. This progress means that gender equality standards have been introduced in legislative processes, including policies and strategies designing, as well as in the planning and measure designing in various areas. This primarily includes: adoption of policies and strategies which include the principles of gender equality, keeping sex-disaggregated statistics, use of affirmative action and the like. The harmonization of regulations on labour, health and social care as well as the laws that are harmonized in order to provide protection to victims of sexual violence, including domestic violence are considered a notable progress.

At the 169th meeting held on 21 December 2011 the Council of Ministers of Bosnia and Herzegovina issued a special conclusion that the institutions proposing laws and regulations had to obtain such opinions before submitting them to the Council of Ministers for consideration. Again in March 2012 the Gender Equality Agency initiated amending of the Rules of Procedure of the Council of Ministers so that all legal documents, proposed for adoption by the Council of Ministers, would be sent to the Agency of Gender Equality to give its opinion. However, the proposal has not been considered by the Council of Ministers yet. A manual for the harmonization of laws with the Law on Gender Equality of BiH, which was promoted and distributed to relevant institutions, was prepared and it presents the approach to be taken to legislative alignment with the Law on Gender Equality. In 2012 opinions were requested for 5 laws.

Thanks to its collaboration with the Commission for Gender Equality of the House of Representatives of the Parliamentary Assembly of Bosnia and

Herzegovina, the Gender Equality Agency of Bosnia and Herzegovina proposed amendments to legal texts that were before Parliament or initiated amending of laws in cooperation with the Commission.

The Rules of Procedure of the RS Government requires authorities to deliver to the RS Gender Centre legal documents before submitting them to the Government for consideration. So, in accordance with the 2011 activity program, this Gender Centre gave a total of 63 opinions (of 42 laws, 2 strategies, 2 by-laws and 17 enactments of local authorities) of compliance with the Law on Gender Equality. In 52 cases the opinions were completely accepted, in 2 cases the opinions were partly accepted, while in 9 cases the proponent did not accept proposals and suggestions for compliance.

The Federation of Bosnia and Herzegovina has committed in its “Policies and Basic Strategies of the Government of the Federation of Bosnia and Herzegovina in the 2007-2010 Term of Office” to consistently implement the Law on Gender Equality in Bosnia and Herzegovina. In 2011 the Gender Centre of the Federation gave 35 opinions and suggestions on legislation, strategies and development policies in various areas of social life in order to make them compliant with the Law on Gender Equality. Of those opinions 11 ones and 24 ones were given to the proponents and the Parliamentary Committees for Gender Equality of the Federation, respectively. Given the above-mentioned activities, improvements are evident in institutions that harmonize their legislation with the Law on Gender Equality. The FBiH Gender Centre gave 25 opinions of action plans that were adopted by municipal councils and mayors finding them to be in line with Article 14 of the Law on Gender Equality.

The Draft Law on Legal Aid has been introduced into the BiH Parliamentary Assembly on 23 July 2012. This Law regulates the issues of effective and equal access to justice in order to ensure the rule of law and equality of citizens before the court, administrative authorities and other authorities before which individual rights, obligations and interests are exercised/protected. The Draft Law has a general provision prohibiting discrimination of beneficiaries of legal aid on any grounds. It is particularly important that victims of domestic violence or sexual violence are defined as beneficiaries of legal aid.

#### **National mechanism for women’s status improvement**

**6. Please provide information on the human and financial resources of the Gender Equality Agency and the entity gender centres, which are central authorities for the advancement of women. Please explain which measures have been put in place to strengthen coordination between the Gender Equality Agency, the ministries and the Council of Ministers. Please also indicate which measures have been taken to ensure continued coordination between the Gender Equality Agency, the gender centres and the gender equality committees established in the legislature at the State, entity, cantonal and municipal levels. Please also provide information on the main achievements and challenges in the implementation of the Gender Action Plan of Bosnia and Herzegovina to date.**

By nature of their mandate the Agency and Gender Centres have responsibility to take necessary actions in all areas, so it is important to stress that they have financial and human resources constraints. The lack of human resources is still a

major obstacle, which is a major problem for the implementation of the Law on Gender Equality of BiH and BiH Gender Action Plan.

Funds for operating costs (staff costs, rental of premises and utility costs) of the Gender Equality Agency are appropriated in the budget of the Ministry of Human Rights and Refugees. Funds for the implementation of the Agency's activities were not appropriated in the 2011 and 2012 budgets. Budgets of Entity Gender Centres amount to around BAM 400,000 each and three fourths are spent on operating costs of Gender Centres.

The valid Rulebook on the Internal Structure of the Gender Equality Agency of Bosnia and Herzegovina provides for one position of director, three positions of civil servants and two positions of employees with secondary school. The Agency has recruited two civil servants and two employees with secondary school. Three officers are hired under special service agreements for jobs that correspond to positions of civil servants by the level of complexity of tasks.

The new draft Rulebook on the Internal Structure provides for an increase of positions by one civil servant. Although the number of staff members in Gender Centres is higher than in the Gender Equality Agency the positions provided for in the Rulebook have not been filled yet, which is still a major problem for the implementation of the Law on Gender Equality of BiH and the BiH Gender Action Plan.

The Gender Equality Agency, the Gender Centre of the Federation of Bosnia and Herzegovina and the Gender Centre of the Republika Srpska have continuous and very successful cooperation. They are coordinated through regular meetings and activities of the Coordinating Board of Gender Institutional Mechanisms made up of directors of the BiH Agency and Entity Gender Centres. This cooperation has been significantly strengthened by joint implementation of FIGAP. Cooperation and joint planning contribute to smooth implementation of programme and strategic activities and coordinated monitoring and reporting. Strengthening cooperation and capacity building is a continuous process that includes improvement of expertise of both the gender institutions and other institutions at all levels of governance, with the aim of further developing and implementing the systems, mechanisms and tools for gender analysis, assessing the impact of gender equality and gender-responsive budgeting. In addition, in accordance with individual sectoral strategies in the field of gender equality, bodies have been established to monitor the implementation of these documents. The Agency and Gender Centres usually manage and coordinate the work of these bodies.

In order to enhance cooperation with institutions the Gender Equality Agency of BiH and Entity Gender Centres have organized a number of courses of training for gender focal points in ministries at all levels of governance. It is particularly important to emphasize cooperation of the Agency and Gender Centres with state and entity parliamentary Gender Commissions through regular joint planning and implementation of various activities (drafting laws, strategies, conducting courses of training or organizing joint thematic sessions, public consultations and promotional activities). These activities have resulted in the adoption of specific conclusions and recommendations, which has given parliamentary support to the work of gender institutional mechanisms, and in the adoption and implementation of sectoral strategies and action plans.

Some municipal gender commissions were very active in the development of municipal gender action plans, implementing number of activities in the field of gender equality. However, a major problem in their work was personnel shifting and shuffling after local elections, which are held every four years. Therefore, it is necessary to further strengthen the capacity of municipal and cantonal commissions so they can carry out their activities as mandated.

Every year Gender Centres carry out programmes of training and capacity building of municipal/cantonal commissions. While this process is going very slowly, it can be concluded that in some municipalities there are good and functional models of work and that the number of municipalities that have developed local plans to improve gender standards, including in budgets, have been increasing. What is especially encouraging is that the adopted local plans become sustainable in the long run because this method provides an institutional response to the issue of gender equality.

The main contribution of the 2006 -2011 Gender Action Plan (GAP) was the introduction of a strategic approach to the implementation of activities in the field of gender equality with the aim of introducing the principle of gender equality in the work of relevant governmental institutions. Existing mechanisms for gender equality in the executive and legislative branches were strengthened and new ones were set up while a network of contact persons in different institutions was expanded.

Objectives of the BiH Gender Action Plan provide a framework for development of activities of gender institutional mechanisms in BiH, which contributed to the introduction of strategic and coordinated approach to the implementation of activities in the field of gender equality. In addition, in order to carry out activities in those areas, specific action plans and strategies were adopted. They are primarily strategies and action plans in the area of domestic violence, the Action Plan for the Implementation of UN Resolution 1325 on “Women, Peace and Security” in Bosnia and Herzegovina, action plans in the field of gender-responsive budgeting and implementation of activities to introduce gender equality in other strategic documents adopted by governments at various levels of governance.

GAP was a very ambitious document which included 15 sections. In addition, GAP identified the gender institutional mechanisms as main stakeholders in the first place and then the relevant ministries and other governmental bodies at all levels of governance. Therefore, it can be concluded that this led to a lack of understanding of the responsibility on the part of competent ministries. Therefore, it were just gender institutional mechanisms that were initiators and promoters of activities while institutions as the main authorities responsible for the activities did not have a sense of responsibility. The FIGAP program with four goals introduced a clear division of roles and responsibilities. Institutional partners have become initiators and implementers of activities aimed at introducing standards for gender equality within their competences. In this sense the FIGAP program represents an innovative mechanism for the implementation of activities in BiH and the region and this approach has been recognized and accepted in formulation of the new BiH Gender Action Plan for the period 2013-2017.

With the aim of improving coordination of the implementation and monitoring of the implementation of the Gender Action Plan of Bosnia and Herzegovina in 2013, a Steering Committee will be established to coordinate and monitor the

implementation of the BiH Gender Action Plan and to be made up of Directors of the Gender Equality Agency, Gender Centre of RS and FBiH Gender Centre. The Steering Committee will be responsible for the adoption of guidelines for the preparation of annual operating plans, approval of the annual operating plans and reporting to the Council of Ministers and the Parliamentary Assembly. In addition, coordination committees will be established by the Council of Ministers, the Government of the Federation and the RS Government and will be responsible for the development and adoption of annual operating plans and for reporting to the Coordinating Committee of BIH GAP.

**7. Furthermore, in the light of its mandate under article 26 of the Law on Gender Equality, which includes the conduct of investigations regarding alleged violations of that law, please provide information on the number of complaints received by the Gender Equality Agency, the number of investigations carried out and their outcomes.**

The Gender Equality Agency of BiH and Gender Centres examine violations of the Law on Gender Equality in Bosnia and Herzegovina at the request of individuals, citizens' groups or on their own initiative. In this regard, the Uniform Rules for Receiving and Processing Requests, Complaints and Petitions have been adopted. After completing the examination procedure, recommendations for action to address the causes of violations of the Law are issued. The recommendations invoke international commitments of BiH in the field of gender equality (especially CEDAW) and articles related to gender equality in BiH and propose measures to eliminate violations of the Law on Gender Equality. The measures mainly include proposals for amendments to the Law, ending of violations of the provisions of the Law/adherence to the Law and adoption of interim measures. These recommendations, although not legally binding, have an effect on the protection of rights and also educational, preventive and awareness raising effect.

In 2011 the Gender Equality Agency of BiH and Entity Gender Centres received a total of 27 applications and in 2012 they received 35 applications for examination of violations of the Law on Gender Equality in BiH and they took all necessary actions under the Uniform Rules. The submitted applications were related to: labour and family relationships, domestic violence and sex-based violence, trafficking in persons, discrimination in the provision of health and social care and in public life and sport, and discrimination in the language.

The new Uniform Rules for Receiving and Processing Applications for Examination of Violations of the Law on Gender Equality in Bosnia and Herzegovina ("Official Gazette of Bosnia and Herzegovina" No. 72/12) took effect in 2012 and they will be applied in cases examined in 2013.

#### **Temporary special measures**

**8. In the light of the State party's comprehensive legal framework providing for the adoption and implementation of temporary special measures (paras. 51-53), namely articles 8 and 24 of the Law on Gender Equality and article 5 of the Law on Prohibition of Discrimination, please indicate whether the State party has adopted such measures to accelerate the realization of women's substantive equality with men and provide examples thereof.**

Bosnia and Herzegovina has adopted and has been implementing the Gender Action Plan as a strategy for the promotion of gender equality in all spheres of life and work, implemented within regular activity plans and programmes of institutional mechanisms for gender equality at all levels. In 2009, a specific Financial Mechanism for the Implementation of this Action Plan in BiH (2010-2014), which envisages institutional capacity building for gender equality to fulfil the obligations under mandate; institutional capacity building at all levels to implement the relevant gender-responsive policy; strengthening cooperation of non-governmental organizations and institutions in the implementation of activities aimed at the target groups of users; and strengthening the monitoring and evaluating mechanisms of gender mainstreaming progress.

Besides BiH GAP, in order to promote gender equality at the state level the following documents have been adopted and implemented:

- A strategy to combat violence against women, domestic violence, harassment, sexual harassment and trafficking in human beings and designing of the Strategy in accordance with the Convention on preventing and combating violence against women and domestic violence (CAHVIO) is in progress
- Action Plan for the Implementation of UN Resolution 1325 “Women, Peace and Security in BiH”
- Action Plan to Combat Domestic Violence in Republika Srpska, 2007-2008, which expired and
- Strategy for Combating Domestic Violence in Republika Srpska, 2009-2013, was designed
- Action Plan for Improving the Status of Rural Women until 2015, as part of the Strategic Plan for Rural Development of the Republika Srpska, 2010-2015
- Action Plan for the Introduction of Gender-Responsible Budget in the Federation, 2010-2012, in the pilot area of “Work and Employment”
- Strategic Plan for the Prevention of Domestic Violence of the Federation, 2009-2010, and development of the Strategy for the Prevention of and Fight against Domestic Violence, 2013-2017, is in progress.

When it comes to the protection of women at work, particularly the protection of pregnant women and mothers, BiH legislation in the area of labour and employment is mostly brought in line with standards for gender equality and also with all conventions of the ILO that deals with the protection of women and motherhood in labour and employment.

The Law on Financing of Political Parties has introduced a new provision determining that financing of parliamentary groups represented in the Parliamentary Assembly is done in a way that 10 per cent of the total amount is allocated to parliamentary groups in proportion to the number of seats belonging to the less represented gender.

***The Law on the High Judicial and Prosecutorial Council (HJPC) (“Official Gazette” No. 25/04, 32/07, 48/07, 15/08) contains provisions prohibiting gender-based discrimination and introduces the requirement of equal representation of the sexes in appointment to all judicial functions at all levels of the judiciary. In addition to the statutory criteria, the High Judicial and Prosecutorial Council***

*appointment to judicial positions also takes into account gender equality, as can be seen from the statistics provided in responses to questions in the “Participation in political and public life and decision-making.”*

#### **Stereotypes**

**9. In the light of the results of the research into reconciling the professional and private spheres of life (para. 391), please indicate which measures the State party has taken to encourage equal sharing of family responsibilities between women and men in the family and to eliminate traditional stereotypes regarding the roles and responsibilities of women and men. Please indicate whether the State party envisages adopting a comprehensive strategy in this area, applicable throughout the State party.**

Pursuant to Article 16 of the Law on Gender Equality in Bosnia and Herzegovina — consolidated text (“Official Gazette of BiH” No. 32/10) prohibits gender-based discrimination in the exercise of any form of social rights set forth in valid legislation, in particular when an application for the exercise of any social welfare right is filed. Article 16 prohibits gender-based discrimination at work and in employment and any unfavourable treatment of a parent or guardian in balancing their commitments in family and professional life.

For the time being maternity leave or parental leave is only regulated by the Labour Law of the Republika Srpska, under which the child’s parents may agree that the child’s father should continue using the maternity leave after 60 days from the date of birth of the child rather than the mother. The intention of the legislator is to ensure this model of approach to this entitlement for all employees in BiH, regardless of the law that is applied to their contract of employment in order to avoid any problems in practice.

Draft Laws on Amendments to the Law on Labour in Institutions of Bosnia and Herzegovina and to the FBiH Labour Law also provide for the introduction of the right to parental leave in order to exercise this entitlement by the father of the child in accordance with the above-stated model.

*The Draft Gender Action Plan of BiH for the period 2013-2017 envisages activities that are aimed at improving measures for balancing commitments in family and professional life, including the protection of motherhood and fatherhood, improving the provisions governing paid maternity leave and paid parental leave for both parents, as well as specific measures to facilitate employees’ balancing professional and family obligations.*

#### **Violence against women**

**10. Noting the adoption of amendments to the entity laws on domestic violence, please clarify the content of those amendments and indicate the legislative action taken to harmonize all criminal and civil provisions on domestic violence in the State party. Please inform the Committee about the evaluation of the implementation of the National Strategy for Preventing and Combating Domestic Violence in Bosnia and Herzegovina (2009-2011) and describe the progress in creating a unified methodology for collecting statistical data on domestic violence (para. 72).**

The new Law on Protection against Domestic Violence in the Federation of Bosnia and Herzegovina was passed in December 2012. The law was initiated in 2009. Novelties in this Law are seen in the following: a precise definition of domestic violence, an urgent special procedure for imposition of protective measures is provided for because of their purpose to protect victims of domestic violence and different forms of protection of victims of violence, in addition to protective measures, are also provided for and they are: determination of sources of funding of shelters, adoption of measures at the Federation and cantonal levels for prevention, protection and fight against domestic violence and the like.

The Law also provides for a duty to establish referral mechanisms for dealing with victims of violence for their protection in every local community and an obligation to take a multidisciplinary approach to providing care to victims of violence, including an obligation to keep statistics on reported cases of violence.

The Criminal Code of the Federation of Bosnia and Herzegovina criminalizes each act of domestic violence and the purpose of the Law on Protection against Domestic Violence is to protect victims of violence by imposing protective measures.

In 2012, the Republika Srpska adopted a new Law on Protection against Domestic Violence, which is mostly in line with the new Council of Europe Convention on preventing and combating violence against women and domestic violence. The Law on Amendments to the Criminal Code of the Republika Srpska, which is also in conformity with this Convention, is in the legislative process. Comparing the new Law on Protection from Domestic Violence with the one which was in force until the entry into force of the new law we can see a new concept because the definition of violence has been expanded from domestic violence to violence in the family or extended family. In this regard, the circle of family members or extended family members whose serenity, mental, physical, sexual or economic integrity is protected has been expanded.

The adoption of a new Criminal Code, which will also include other necessary standards under the Convention, for technical reasons not included in the amendments, is planned for 2013.

While developing the objectives, the Strategy for Prevention and Fight Against Domestic Violence in Bosnia and Herzegovina for the period 2009-2011 included, besides activities that are planned for the state level, activities under entity strategic documents in this area and therefore successful strategy implementation can be seen from the implementation of activities at the state level and activities arising from the Action plan to Combat Domestic Violence in the Republika Srpska, 2007-2008, and the Strategy for Combating Domestic Violence in the Republika Srpska, 2009-2013, and the Strategic Plan for the Prevention of Domestic Violence of the Federation, 2009-2010.

One of the main results of the Strategy is that domestic violence, one of the biggest challenges of BiH society, has emerged from the private into the public sphere. This progress is primarily achieved by numerous activities aimed at preventing domestic violence. The Gender Equality Agency of BiH, Entity Gender Centres and a number of authorities and non-governmental organizations launched a series of promotional activities (promotion of certain materials, videos, distribution of educational promotional materials, television and radio shows, publication of

brochures, workshops with professionals, children, parents and others) whose aim was to promote non-violent behaviour.

Victims of domestic violence have made it into the centre of interest and the protection of society, due to changes in legislation, education, capacity building and promotion of effective law enforcement practices in institutions and improvement of cooperation between institutions and NGOs. Victims are increasingly encouraged to report violence to the relevant institutions and protection entities and to ask for help from non-governmental organizations dealing with domestic violence issues. In Bosnia and Herzegovina, we have 10 safe houses and two apartments and 2 hotlines (1265 — Federation and 1264 — Republika Srpska).

In addition, the Strategy contributed to the establishment of a multidisciplinary approach to the fight against domestic violence, which includes joint interventions of various institutions and professions in addressing domestic violence. Coordination of multidisciplinary work is regulated by cooperation protocols. Establishing referral mechanisms (by protocols) defines in detail the legal basis for action, principles of actions, actions to be taken and the manner of their taking, the way of achieving mutual cooperation, how and when together to treat victims and perpetrators of violence and when and how separately treat them, how to keep records, how to communicate with the media, to monitor the effects of referral mechanisms and to report on them. In recent years, Bosnia and Herzegovina has worked to introduce a multi-sectoral approach to the problem of violence, so that in most municipalities protocols on cooperation are signed by institutions for protection from violence.

Implementing the Strategy had a great impact on performance enhancement of all relevant authorities, institutions and organizations in preventing and combating domestic violence. In addition to significant amending of the laws, data collection on domestic violence has been improved, a greater degree of coordination and connection of protection entities have been achieved at the local level by establishing mobile multi-sectoral teams composed of representatives of the police, social services, health care, judiciary, educational institutions, municipal authorities and non-governmental organizations. The implementation of campaigns has increased awareness of professionals and people on the harmful effects of domestic violence, its consequences and the ways and possibilities of effective support and protection of victims.

However, despite the progress it is necessary to further support the implementation of laws, regulations and strategic plans for prevention and protection from domestic violence against women, to ensure sustainable functioning of shelters and other services that help victims of domestic violence, to continue the establishment of referral mechanisms, to carry out researches and to set up a unified database on domestic violence cases. Further, it is necessary to continue working with perpetrators of violence, as well as conducting information campaigns, including sending specific messages to boys and men about their responsibilities in regard to the prevention and elimination of violence against girls and women.

The Gender Equality Agency has initiated development of a uniform methodology for collecting data on domestic violence. The activities have begun with a comparative analysis of data collection models in 5 countries in the world and with a review of the current situation in the area of data collection in the

country. The analysis will serve as the basis for further development of data collection mechanisms.

In cooperation with the Agency for Statistics of BiH, Entity Gender Centres and Entity Statistical Institutes, the Gender Equality Agency will coordinate a research in the prevalence of violence against women in Bosnia and Herzegovina. In 2011 a plan and modalities of the research were designed.

**11. Please inform the Committee of the status of the study on the prevalence of violence against women (para. 79). Please provide statistical data for the period under review on complaints relating to all forms of violence against women and on the related investigations, prosecutions and penal sanctions, as well as on any reparations made to victims. Please provide updated information on the activities and programmes offered by the judicial and prosecutorial training centres.**

The Gender Equality Agency coordinates a survey on the prevalence of violence against women in Bosnia and Herzegovina. The survey was carried out in cooperation with the Agency for Statistics of BiH, Entity Gender Centres and Entity Statistical Institutes and funded by FIGAP, UNFPA and UN WOMEN. The aim of the survey was to determine the prevalence of violence and its different forms among women in Bosnia and Herzegovina.

The survey was carried out on a representative sample of 3.300 women over 18 across the country (except for the Brčko District). During the reporting period, training was held for 120 interviewers and supervisors, field work was completed and processing and analysing of data are in progress.

From the data of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, which was compiled from all courts in BiH and segregates the total number of cases of gender-based violence that were prosecuted and completed as of 2012, we can see that the number was 11,992. This data was obtained from the CMS (Case Management System) operated by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina as well as those that depend on input from the courts and prosecutors' offices and this data are not completely reliable.

Statistics submitted to the Gender Equality Agency indicate that domestic violence was the most common offence of all crimes with an element of violence against women prosecuted by courts in Bosnia and Herzegovina in 2012. Although amounting to almost half of the number of domestic violence, cases of domestic violence involving endangering safety follow them, while the third place was taken by rape cases which were three times less in numbers. They were followed by the crime of lewd conduct, sexual violence against a child/sexual intercourse with a child and solicitation of prostitution. Although not as numerous, other crimes were recorded as well and they were: sexual intercourse with a helpless person, exploitation of children and minors for pornography, trafficking and trafficking for prostitution, sexual intercourse by abuse of position, incest and unlawful termination of pregnancy.

Laws regulating violence in family and extended family are: the Criminal Code of the Federation of Bosnia and Herzegovina in art. 222, the Criminal Code of the Republika Srpska in art. 208, the Criminal Code of Brčko District and the Law on Protection against Domestic Violence of the Republika Srpska, the Law on Protection from Domestic Violence of the Federation of Bosnia and Herzegovina.

The 2011 data provided by the competent courts in the Federation shows that of the total number of suspect perpetrators of acts of domestic violence, 96 per cent were male and 4 per cent female. Of the total number of victims of these crimes, 86 per cent were female and 14 per cent male. There were 53 children victims of domestic violence, of which 55 per cent were girls and 45 per cent were boys.

In pursuance of Article 222 of the Federation CC, in 2011 suspended sentences were handed down in most cases, i.e. in 75 per cent cases, then prison sentences in 16 per cent cases and fines in 6 per cent cases and other in 3 per cent cases. The number of prison sentences increased compared to 2010, when this sentence was imposed in 11 per cent of cases, while the imposition of fines decreased from 12 per cent to 6 per cent cases.

**Table: Victims (female and male)**

<i>Year</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>
2010	324	90%	10%
2011	443	86%	14%

**Table: Children victims (girls and boys)**

<i>Year</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>
2010	63	51%	49%
2011	53	55%	45%

**Table: Perpetrators of domestic violence**

<i>Year</i>	<i>Total</i>	<i>Female</i>	<i>Male</i>
2010	325	3%	97%
2011	424	4%	96%

**Table: Convictions under Article 222 of the Federation of BiH (in %)**

<i>Year</i>	<i>Total number of convictions</i>	<i>Prison sentence</i>	<i>Fine</i>	<i>Suspended sentence</i>	<i>Other</i>
2010	337 (100%)	11%	12%	74%	3%
2011	343 (100%)	16%	6%	75%	3%

Tabular presentation of statistics in percentages of victims of domestic violence and perpetrators of domestic violence and the number of convictions in pursuance of Article 222 of the Federation CC sorted by type of sentences in 2010 and 2011.

The 2011 Republika Srpska available data provided by the police, basic and district courts and district prosecutor's offices shows that the number of charges and the number of prosecuted cases involving criminal offences under Art. 208 of the RS Criminal Code and criminal offences under Article 6 of the Law on Protection from

Domestic Violence were relatively the same as compared to the same period of monitoring in 2010.

Based on an analysis of data from verdicts rendered in criminal proceedings relating to the offence under Article 208 of the RS CC (Domestic Violence) in 2010, we can see that the following sentences were handed down:

- 15 prison sentences
- 14 fines
- 58 suspended sentences
- 1 judicial caution
- 7 protective measures

**Table: Judicial data on the offence under Article 208 of the RS Criminal Code**

<i>No.</i>	<i>Authority</i>	<i>2010</i>	<i>2011</i>	<i>Total</i>
1.	Basic courts	190	170	899
2.	District prosecutors	268	219	1 305
3.	District courts	1	1	3

**Table: Judicial data on offence under Article 6 of the Law on Protection from Domestic Violence**

<i>No.</i>	<i>Authority</i>	<i>2010</i>	<i>2011</i>	<i>Total</i>
1.	Basic courts	536	546	2 744
2.	District courts	0		28

**Table: Data provided by the Ministry of the Interior**

<i>No.</i>	<i>Offence</i>	<i>2010</i>	<i>2011</i>	<i>Ukupno</i>
1.	Article 208 of CC	254	255	2 129
2.	Petty offence — Article 6 of LoPfDV	987	1 190	4 054

The regular programmes of the Judicial and Prosecutorial Training Centres of both entities included training for judges and prosecutors in the application of national and international standards on gender equality and preventing and combating violence against women and domestic violence.

With a view to continuing training of all professional staff, manuals for training of professionals in the health, safety, education and social protection have been prepared or are in the process of preparation. Apart from the manuals, programmes for continuous professional development of all protection entities in preventing and combating domestic violence have been prepared and training of these groups have started.

### Trafficking in human beings and exploitation for prostitution

12. Please indicate the steps taken by the State party to harmonize the criminal codes of both entities and of Brčko District with the amended provisions of the State Criminal Code, including the new definition of trafficking given in article 186 (paras. 118-119). Please provide data, at the State and entity levels, on the number of victims of trafficking identified since 2009, the number of investigations and prosecutions carried out and the sentences imposed on perpetrators. Please provide statistics, if available, on the number of women and young girls, including Roma, who are victims of exploitation of prostitution, in particular in urban areas. Please indicate the number of shelter facilities providing assistance and protection to victims of trafficking and exploitation of prostitution. Please also inform the Committee about the measures taken to tackle the main causes of trafficking and prostitution (para. 133).

The working group made up of prosecutors from among all prosecutors in Bosnia and Herzegovina made a proposal of possible amendments to criminal codes that would harmonize criminal codes in this area with each other and with international standards, in particular with the United Nations Protocol to Prevent and Punish Trafficking, Council of Europe Convention on Action against Trafficking in Human Beings, as well as the European Union Directive on preventing and combating trafficking in human beings. The overall activity was conducted in cooperation with the OSCE Mission to Bosnia and Herzegovina. The text of the amendments to these laws was agreed and sent to state and entity parliaments for passage, as well as to the Judicial Commission of Brčko District.

Data on possible victims of trafficking in human beings are collected by prosecutor's offices, law enforcement agencies and non-governmental organizations. The data in the tables below are data collected in the period 2009-2011.

**Table: Data on possible victims of trafficking in human beings**

<i>Possible victims of trafficking in human beings</i>		<i>2009</i>	<i>2010</i>	<i>2011</i>
Male	Juveniles	4	2	7
	Adults	1	2	0
	Total	5	4	7
Female	Juveniles	23	3	12
	Adults	41	18	16
	Total	58	21	28
<b>Total</b>		<b>69</b>	<b>25</b>	<b>35</b>

In the total number of possible victims of trafficking there were 11 (2009), 4 (2010) and 8 (2011) or a total of 23 foreigners. The countries of origin of these victims were: Serbia, Croatia, Moldova (1), Romania, Germany, United States of America, Kosovo (Serbia) and Bulgaria.

Data on possible victims of trafficking in human beings are collected by the Strike Group of the Prosecutor's Office of BiH. The table below shows statistics collected in the period 2009-2011.

**Table: Statistics on prosecution of trafficking cases**

<i>Prosecution</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>
Charges	23	22	19 with 38 persons
Investigations	20	15	10 with 9 persons
Indictments	10 with 20 persons	16	6 with 9 persons
Convictions	10 persons	19 persons	4 with 7 persons
Acquittals	5 persons	4 persons	1 person
Outstanding indictments	12	9	13 with 36 persons

The Ministry of Security of BiH has designed a new Strategy for Combating Trafficking in Human Beings and Action Plan which accompanies the implementation of the Strategy with clearly defined deadlines for the objectives envisaged by the Strategy. After taking all the necessary actions that were necessary to produce these documents (opinions given by all relevant institutions dealing with trafficking in BiH on the draft Strategy and draft Action Plan and public consultations) the document was finalized and submitted to the Legislative Office of the Council Ministers for consideration, after which it should be forwarded to the Council of Ministers for adoption. The new Strategy and Action Plan provides for the activities planned in these documents to be brought in line with the Council of Europe Convention on Action against Trafficking in Human Beings.

The Ministry of Security has signed a protocol with two non-governmental organizations that provide assistance and accommodation to foreign victims of human trafficking, while the Ministry of Human Rights and Refugees has signed a protocol with three non-governmental organizations that provide support and accommodation to domestic victims of human trafficking.

Bosnia and Herzegovina has a few shelters and safe houses. The Republika Srpska has a shelter for victims of human trafficking, operated by "Lara" WO of Bijeljina. In the territory of the Federation of BiH there are six safe houses operated by non-governmental organisations (Foundation for Local Democracy-Sarajevo, Vive Žene-Tuzla, Medica-Zenica, Žena BiH, Mirjam Caritas-Mostar and Žene sa Une-Bihać) that primarily take care of women and children victims of domestic violence and, if necessary, provide shelter to victims of trafficking and prostitution. FIGAP supports special projects of the "Derventa" Women's Association, which specifically aim at removing the causes of trafficking and at prevention programs in the areas of the municipality where cases of human trafficking are found.

### **Participation in political and public life and decision-making**

13. In the report, it is indicated that initiatives to amend the Election Law to bring it in line with the Law on Gender Equality have been rejected (para. 151), while research conducted in 2009 has shown that the existing open electoral list system, combined with quotas for such lists, is not satisfactory in terms of increasing women representation in political and public life (para. 162). In the light of the upcoming general elections in 2014, please indicate whether the State party envisages adopting the temporary special measures necessary to implement article 20 of the Law on Gender Equality in order to achieve substantive equality between men and women. Please provide updated data on

**the number of women in decision-making positions and international service, the number of female candidates in the recent municipal elections and the number of women elected as municipal councillors and mayors.**

The Amendments to the Election Law, which was adopted during second reading in the House of Representatives of Bosnia and Herzegovina, provides for an increase of mandatory quotas for candidate lists at 40 per cent. This Election Law is brought in line with Article 20 of the Law on Gender Equality, which regulates the matter of equal representation of men and women on the candidate lists.

The new parliamentary coalition announced amendments to the Election Law of BiH that will provide for closed lists, which was one of the goals of amendments that were proposed in 2009. An analysis of this model indicates a possible increase in the number of women elected by 5-15 per cent, which would make a significant step forward.

Awareness-raising campaigns are conducted continuously, usually on the occasion of International Human Rights Day. Activities aimed at promoting gender equality are general or in particular areas. Every year the Gender Centre promotes standards of gender equality through public media campaigns and regular relationships with different target groups and the media. Depending on the election cycle for local and general elections, awareness about the need and importance of greater representation of women in public and political life is raised through campaigns and promotional events.

As for the local 2012 elections, in the process of checking and verifying candidates' list of candidates who stood for local elections scheduled for 10 July 2012, the Central Election Commission certified a total of 2251 candidates' lists. A total of 30,352 candidates were certified, of which 29,801 female candidates stood for councillors and 551 for mayors. The candidates' lists in the 2012 local elections included 35.5 per cent or 10,759 female and 64.5 per cent or 19,593 male standing for councillors, while only 7.2 per cent of candidates were women standing for election as mayors.

An analysis was made on the basis of results of 2012 local elections published by the Central Election Commission. The results of 2012 local elections are indicative of the fact that women are still less represented gender in most of the local legislative body. The analysis shows that 507 women were elected and, compared to the 2008 local elections when 15 per cent of women were elected on average in municipal councils, it was an increase of 1.5-2 per cent. According to data by municipalities it can be seen that there were variations in relation to the representation of women compared to the 2008 elections.

Women were generally less represented gender on the lists and in that sense most of the political parties were obliged to respect Article 4.19 of the Election Law of BiH. Therefore, the female candidates were on the every fifth, eighth, eleventh and so on place on the lists of candidates. In addition, voters effected with their votes the order of all candidates. However, as a rule, in accordance with the votes male candidates moved to the top of the lists leaving the female candidates behind and because of this there was a difference between the number of female candidates and the number of elected women.

### Courts and Prosecutor's Offices

An analysis of the Law on the High Judicial and Prosecutorial Council of Bosnia and Herzegovina ("Official Gazette" No. 25/04, 32/07, 48/07, 15/08) found that the Law contains provisions prohibiting gender-based discrimination and requiring striking a gender balance in the appointment to any judicial office at all levels of judiciary. In addition to the statutory criteria, the High Judicial and Prosecutorial Council appointments to judicial positions also take into account gender equality, as can be seen from the statistics below.

The High Judicial and Prosecutorial Council consists of five or 45.45 per cent women and six men. Data from the July 2011 Annual Report of the High Judicial and Prosecutorial Council shows that the number of women and men sitting on prosecutor's offices and courts is in line with the standards defined by the Law on Gender Equality. HJPC's appointments to judicial positions take into account equal representation of the sexes, as can be seen from the statistics below.

The overall percentage of female judges in BiH is 56.25 per cent and the percentage at the levels of governance is as follows:

- Court of BiH: 44 per cent,
- FBiH courts: 66 per cent,
- RS courts: 61 per cent,
- BD courts: 56 per cent.

The overall percentage of female prosecutors in BiH is 48.5 per cent and the percentage at the levels of governance is as follows:

- Prosecutor's Office of BiH: 52 per cent,
- FBiH prosecutor's offices: 47 per cent,
- RS prosecutor's offices: 45 per cent,
- BD Prosecutor's Office: 50 per cent.

Data on gender representation in senior positions, i.e. presidents and chief prosecutors, shows smaller percentage of women (35 per cent) than the overall percentage of women. The president of the Court of BiH is a woman. Women, as presidents, were dominant in the cantonal courts (80 per cent). Only two women have been appointed as chief prosecutor at the entity level: one in the cantonal prosecutor's office (of 9 appointed) in the Federation of BiH and one in the District and Special Prosecutor's Office of Banja Luka (of 6 appointed) in the Republika Srpska.

**Table: Number of female and male court presidents in BiH**

<i>Court</i>	<i>President</i>		<i>Total</i>	<i>%</i>
	<i>M</i>	<i>F</i>		
Court of BiH	0	1	1	100
Supreme courts	2	0	2	0.00
Cantonal courts	2	8	10	80.00

<i>Court</i>	<i>President</i>		<i>Total</i>	<i>%</i>
	<i>M</i>	<i>F</i>		
District courts	4	1	5	20.00
Appellate Court of Brčko District	1	0	1	0.00
Municipal courts	15	13	28	46.43
Basic courts	13	5	18	27.78
Basic courts of Brčko District	1	0	1	0.00
<b>Total</b>	<b>38</b>	<b>28</b>	<b>66</b>	<b>42.42</b>

**Table: Number of female and male chief prosecutors in BiH**

<i>Court</i>	<i>President</i>		<i>Total</i>	<i>%</i>
	<i>M</i>	<i>F</i>		
Court of BiH	1	0	1	0.00
Prosecutor's Office of BiH	1	0	1	0.00
Prosecutor's Office of FBiH	1	0	1	0.00
Prosecutor's Office of RS	8	1	9	11.11
Cantonal prosecutor's offices	5	1	6	16.67
District and Special Prosecutor's Office of RS	1	0	1	0.00
Prosecutor's Office of Brčko District	1	0	1	0.00
<b>Total</b>	<b>17</b>	<b>2</b>	<b>19</b>	<b>10.53</b>

### Representation of women in diplomacy and peacekeeping missions

According to the Ministry of Foreign Affairs, the diplomatic and consular missions of Bosnia and Herzegovina (DCM) currently have 78 women and 73 men, which indicates that the representation of women is higher by 20 per cent compared to 2009 statistics, when there were 56 women and 122 men. Currently there are 6 female ambassadors and one consul general. BiH female experts participate in all activities at the international level, including participation in international meetings at all levels and of all types. Female members of the Armed Forces and police were engaged in peace-keeping missions in Ethiopia, Eritrea, Iraq, Liberia, East Timor and Cyprus.

### Education

14. Referring to the analysis conducted to facilitate the harmonization of textbooks and teaching practices (para. 195), please indicate whether stereotypical content on the roles of men and women has been removed from teaching materials and practices. Please indicate whether efforts have been made to reform the existing system of mono-ethnic schools with a view to eliminating discrimination against girls in the education system on the basis of their ethnicity. In the report, it is stated that the Action Plan on Educational Needs of Roma and Other Minorities adopted in 2004 yielded limited results in practice owing to the lack of mechanisms for implementation and monitoring

**(para. 203). Please indicate what measures have since been taken to increase the inclusion of Roma girls in the educational process. Please also provide detailed data on the enrolment and dropout rates for Roma girls at the primary and secondary levels of education and on the participation of Roma women and girls in higher education.**

Although the Law on Gender Equality in BiH requires alignment of curricula and syllabi at all levels of education and the elimination of discriminatory and stereotypical content of the roles of women and men, as well as promotion of gender equality at all levels of education, it must be noted that this process has not progressed much, and that in this area, although it is important to raise awareness of gender equality, positive changes in this respect are very slow and hard to take effect. This is partly because this area is very complex, involves many levels of education, including lifelong learning, vocational training and retraining. In this area it is necessary to raise awareness and increase knowledge of teaching staff and primary and secondary school students and university students in the field of gender equality and to create sustainable mechanisms for constant action of this kind.

When approving textbooks for elementary and secondary school, any gender sensitive content is particularly taken in account, which is confirmed in the Instructions for expert review of textbooks, which *inter alia* prescribes that it should be evaluated whether the textbook supports gender equality in an appropriate manner using nouns of both genders, especially in reference to professions and occupations.

The Federation Ministry of Education, in collaboration with the Coordination of Education Ministers in the Federation, has developed recommendations for the elimination of segregating and separation of structures in educational institutions in FBiH with necessary steps to be taken in this regard. These are the steps that the competent educational authorities in the cantons should begin simultaneously with the beginning of the school year and implement them in the next two years at the latest which will depend solely on their willingness to accept and implement them.

The steps to eliminate segregating and separated structures in educational institutions in the Federation include administrative and legal unification of the divided educational institutions, a unique approach to education and equal requirements for all students and full integration of segregated schools, i.e. the establishment of multi-ethnic classes.

Bosnia and Herzegovina joined the Decade of Roma Inclusion in September 2008. As part of efforts made in the Decade of Roma Inclusion, in 2004 “Action Plan on the Educational Needs of Roma and Members of Other National Minorities in Bosnia and Herzegovina” was adopted, which serves as a national action plan for education. Since the official information is not available, popular opinion is that a large number of Roma children drop out of primary school. A percentage as high as 46.2 per cent of Roma children drop out of school, which was obtained in this study, confirms this fact. Since the education of Roma has been identified as one of prerequisites for the successful resolution of problems of this ethnic group, it is necessary to work to resolve the problem of integration of Roma children into mainstream schools, not making discrimination whether they are domicile or displaced Roma. Roma education, encouraging public opinion to respect diversity, providing support to these communities and the like should be guidelines for activities to be taken by our society.

In order to improve the access and increase the number of Roma in mainstream education system the Council of Ministers of Bosnia and Herzegovina has adopted the Revised Action Plan of Bosnia and Herzegovina (RAP) on the educational needs of Roma in 2010. An Expert monitoring team was formed to monitor the implementation of the RAP. Revised Action Plan has defined four goals and forty-seven measures to ensure that Roma children have equal rights in terms of access to quality education and to be able to acquire the necessary skills for later better integration into society.

The Report on the Implementation of the Revised Action Plan of Bosnia and Herzegovina on the educational needs of Roma in 2011, was adopted by the Council of Ministers in August 2012, and has showed some progress.

In 2011/2012, compared to the previous school year, an increase of participation of Roma children in mainstream education was reported (6.41 per cent). This is a result of project activities of the Ministry of Human Rights through the realization of short daily programs for Roma children before going to school, which has increased the enrolment in the first grade, as well as the activities conducted by schools with the aim to prevent children from leaving primary education. The drop-out of primary education for Roma children in 2011/2012 is 49 children which is 1.6 per cent and presents an improvement compared to previous years.

In order to prevent dropout of Roma children, some schools have developed customized curriculum for children who have had a long break in attendance. However, most schools implement only the regular curriculum. Only through project activities of some NGOs remedial classes to help children in learning were organized (e.g. Caritas Switzerland in the Canton Sarajevo, Association "Otaharin" in Bijeljina and Tuzla Canton). Through these projects Roma children are provided with teaching assistants who help children in learning and visit their families.

No progress was made on a continuous increase in the number of Roma children enrolled in preschool, or in the inclusion of Roma children in compulsory pre-school education. Cooperation between centres for social welfare and the Roma associations with schools is unsatisfactory because it does not provide data to schools for children who need to be included in the preschool programs.

According to the Report, the total number of Roma children enrolled in regular primary school education in 2011/2012 the year was 3024. The actual number of Roma living in BiH, and consequently, the number of Roma children is not known, since the last census in Bosnia and Herzegovina was conducted in 1991. Estimates of local and foreign NGOs differ in many tens of thousands of Roma. According to the Analysis of the need of Roma conducted by the Ministry for Human Rights and Refugees in 2009 and 2010 the number of Roma children is 7.077 out of which 3.963 are children of the age for primary education. Compared to the number of children enrolled in 2011/2012 the percentage of Roma children included in the primary education is 76,30 per cent.

In the 2011/2012 school year, the total number of Roma students in secondary education was 243. The total number of students who left secondary school education in 2011/2012 was 43 of which 34 dropped out in the first year of secondary school (or 28 per cent of all enrolled in the first class of secondary education).

The total number of Roma students is 17 and 6 students received additional points in their applications to the universities (as foreseen by RAP) to ensure the enrolment of Roma students and to fulfil the quotas for Roma students in higher education institutions. 6 scholarships were awarded for Roma students (4 scholarships awarded by the City of Banja Luka and 2 scholarships for students of the Faculty of Education through the Ministry of Human Rights and UNICEF project for one male and one female student). This report could not ensure data desegregated by sex, as required by the methodology, because ministries from other levels of government didn't provide full data.

However, the data collected has showed that there are equal numbers of Roma boys and girls involved in the regular primary and secondary education. When it comes to the drop-out reasons of primary education it can be concluded that girls leave primary education in one of the last grades and boys are leaving secondary education more frequently.

### **Employment**

**15. Please inform the Committee about the inclusion of the principle of equal pay for work of equal value in the legislation of the entities and of Brčko District, in line with International Labour Organization standards, and about the progress made by the State party in adopting the new Labour Law of the Federation of Bosnia and Herzegovina (para. 237). Please provide information on steps taken to narrow the gender pay gap and address occupational segregation in the State party. Referring to paragraph 239 of the report, please describe the measures taken to strengthen the existing regulatory and inspection framework, including in the informal labour market, so as to ensure the adequate protection of domestic workers and women working in trade and agriculture.**

The laws concerning labour and employment prohibit discrimination on any grounds, including on the basis of sex. The Law on Gender Equality in Bosnia and Herzegovina defines denial of equal pay and other benefits for the same work or work of equal value as a form of discrimination.

The laws concerning labour and employment clarify the forms of gender discrimination, sexual harassment and gender-based harassment. The Labour Laws (of FBiH, RS and BD) provides for fines to be imposed on the employer if it puts a person seeking employment or an employee at a disadvantage. It is very important that these laws have introduced provisions relating to violations of gender equality as these laws provide a framework for the competent inspectors' acting.

The FBiH Gender Centre has proposed new amendments to the Labour Law of the Federation, which include the prohibition of direct and indirect discrimination, harassment and sexual harassment and other provisions ensuring equal rights and equal representation in labour and employment. These proposals have been integrated into the Draft Amendments to the Labour Law of the Federation, which will be sent to the Federation Government for approval.

A significant progress in the protection of rights in the field of non-discrimination on grounds of sex is made by amending the Law on Gender Equality in Bosnia and Herzegovina, which determines that rights can be protected through the application of the Anti-Discrimination Law. The Law on Gender

Equality in Bosnia and Herzegovina and the Anti-Discrimination Law of Bosnia and Herzegovina are mutually consistent in the part where victims of discrimination are accorded the possibility of recourse to legal mechanisms for the protection of the rights provided for in that legislation (types of lawsuits, jurisdiction, deadlines, the burden of proof, victimization and others). This ensured a legal protection mechanism that provides protection against gender-based discrimination.

The “Centre for Legal Assistance to Women” Association of Zenica has developed “Legal Guide for Every Woman” which provides practical examples of how it is possible to protect against rights violations and the “Labour and Social Law” Association has developed a series of practical guides for the exercise of rights under labour and social law.

**16. Please provide updated information on the status of the amendments to the Law on Salaries and Allowances in the Institutions of Bosnia and Herzegovina proposed by the Gender Equality Agency in order to ensure the equal provision of maternity leave benefits in the State party, irrespective of the place of residence, especially in the light of the judgement issued by the Constitutional Court in this regard in September 2010.**

At the 136th meeting held on 2 November 2010, after the Constitutional Court’s Decision, the Council of Ministers issued the Decision on the Manner and Procedure of Exercising the Right to Maternity Leave in the Institutions of Bosnia and Herzegovina (“Official Gazette” No. 95/10). That decision determines that employees in the institutions of Bosnia and Herzegovina on maternity leave are entitled to a monthly benefit equal to the average net salary earned in the three months preceding the commencement of maternity leave. This decision equalised the right to salary compensation for the period of maternity leave for all employees in the institutions of BiH and took effect as of 29 September 2010.

According to this decision all employees who have been on maternity leave since 29 September 2010 exercise their rights in accordance with this decision, which means that they are entitled to monthly salary compensation in the amount of average salary. Data for employees with employment contracts under laws of the Federation and the Republika Srpska remained unchanged, as shown in the 4th and 5th periodic report.

## **Health**

**17. Please indicate the steps taken by the State party to ensure women’s equal access to health-care services, considering the variations between urban and rural areas (para. 329). Please also inform the Committee about the status of the drafting of the strategy on sexual and reproductive health in the Federation of Bosnia and Herzegovina (para. 314) and indicate whether the development of such strategies is foreseen in Republika Srpska and Brčko District. Noting the adoption of harmonized legislation on reproductive and sexual health and rights, please provide information on awareness-raising programmes conducted in this regard and on the availability and accessibility of modern contraceptive methods and family planning services. Please indicate whether the State party envisages including education on reproductive and sexual health and rights in school curricula.**

In response to the global epidemic of HIV/AIDS and in accordance with the United Nations Declaration of Commitment on HIV/AIDS and other international documents, in 2002 the Council of Ministers established the Advisory Committee on HIV/AIDS for BiH. The First Strategy for Prevention and Fight against HIV/AIDS in BiH, 2004-2009 (Council of Ministers, February 2004) allowed the government and civil society at all levels to plan and implement programs derived from objectives set forth in the document. Since 2006 BiH has been able to use funds of the Global Fund to Fight AIDS, Tuberculosis and Malaria (GFATM) and, thanks to grants approved under Round 5 and Round 9, a significant progress in all aspects of the fight against HIV/AIDS has been made in BiH. In September 2011 the Council of Ministers adopted the strategy for responding to HIV and AIDS in Bosnia and Herzegovina for the period 2011-2016. The Strategy's key vision is that the state of Bosnia and Herzegovina will become a country that will gradually reduce the number of people newly infected with HIV and create an environment to enable all people living with HIV long and productive life. Currently, the adoption of the Action Plan for the Implementation of Strategy for Prevention and Fight against HIV/AIDS in BiH, 2011-2016, is in progress.

Achievement of the goals will be greatly facilitated by the implementation of "Enhancing universal access by the most vulnerable groups of the population in Bosnia and Herzegovina" project, funded by the Global Fund to Fight HIV/AIDS, Tuberculosis and Malaria, the implementation of which is in charge of the BiH UNDP.

The Young People's Health Policy of Republika Srpska, 2008-2012, contains inter alia objectives and measures related to sexual and reproductive health and an obligation of all programs to take particular account of gender equality. Further, in 2012 the RS Government adopted the Policy for the Promotion of Sexual and Reproductive Health of Republika Srpska (2012-2017), which provides comprehensive improvements in the area of sexual and reproductive health in line with goals defined in the Programme of Health Policy and Strategy of Republika Srpska until 2010 ("Official Gazette of Republika Srpska" No. 56/02), adopted by the National Assembly of Republika Srpska. The goals are:

- Goal 1: A healthy start in life, which relates to the improvement of health care for pregnant women, new mothers, infants and children and
- Goal 2: Healthy young people, which relates to the improvement of health of young people 16 to 30 years old.

The policy covers the following fields of activity: sexual and reproductive rights, sexual and reproductive health of adolescents, sexual and reproductive health of the general population, wanted and safe motherhood, the control of malignant disease, research, monitoring and evaluation. The policy was developed in accordance with the standards of the World Health Organization and all goals include specific measures aimed at women and girls as a target group.

The Republika Srpska has national coordinators for health, including the national coordinator for reproductive health, who led the "Reproductive Health in Republika Srpska" Project. A survey of knowledge, behaviour and habits of adolescents at the beginning of reproductive life was carried out in the Republika Srpska, "The Labyrinth of Puberty 1", "The Labyrinth of Puberty 2" and "How to deliver a healthy baby" guides were produced and disseminated to the target groups

and courses of training were held in schools in the Republika Srpska. The project was promoted in the media and regionally.

When it comes to rural women and girls, the Action Plan for Improving the Status of Rural Women in Republika Srpska until 2015 (adopted in December 2010) under objective 3: "Improved access to public services by rural women" provides specific measures for the construction of new and rehabilitation of existing clinics and measures to improve reproductive health in rural areas. Relevant competent national and local institutions are responsible for these measures.

The Strategy for Improvement of Sexual and Reproductive Health and Rights in the Federation of BiH (which the Government of the Federation adopted by issuing the Decision on Approval at the 157 meeting held on 21 September 2010) is based on the following priorities in the area of sexual and reproductive health and rights: (1) prenatal, birth-giving and postpartum care; (2) family planning, including infertility services; (3) abortions; (4) preventing the spread of sexually transmitted infections, including HIV; (5) malignant diseases of the reproductive organs; (6) promoting sexual health and rights; (7) promotion of reproductive rights; (8) continuing education; and (9) the role of NGOs.

According to the Strategy, programs to raise awareness about reproductive and sexual health include regular and continuous activities of the Ministry of Health, the Institute of Public Health, health care institutions, chambers and associations of health workers. The Strategy recognizes in this segment an important role of the media and NGOs.

One of the key indicators related to women's reproductive health is the use and type of contraceptives. According to data of public health institutions, the percentage of women of childbearing age who were using contraceptives was very low and amounted to only 1 per cent. According to research on women and children in the Federation of BiH (MICS 3), one in three women aged 15-49 said they used a method of contraception (33.6 per cent). However, a concerning fact is that young women use contraception far less frequently than older ones. The most commonly used method is the withdrawal, which is used by 19 per cent of married women/women living with a man, then the use of condoms followed, while only 4 per cent of women use oral contraceptives (12).

Without any intention or tendency to introduce a new subject in primary and secondary schools because the existing curricula are too large, the multi-sectoral working group consisting of representatives of health and educational institutions designed a curriculum titled "Healthy Lifestyles".

#### **Disadvantaged groups of women**

**18. It is stated in the report that more than half of the households in the State party (58.5 per cent) are in rural areas (para. 382) and that women in rural areas are more exposed to poverty and economic hardship (para. 366). Please provide information on programmes carried out by the State party to improve the economic empowerment of rural women, in particular female heads of household, and their access to land and credit. In this regard, please also provide information on specific steps taken to implement the Action Plan for the Advancement of the Position of Rural Women in Republika Srpska**

**(2009-2015) and the basic strategies for rural development adopted by the Federation of Bosnia and Herzegovina.**

Three competent institutions and two NGOs, supported by the Gender Centre of RS developed and implemented FIGAP-funded programmes for economic empowerment of rural women by strengthening their capacity for employment and self-employment. This can be seen as progress, because in the past there were no special programs for agriculture and rural development specifically tailored and targeted at women.

Capacities for project writing and management of women's associations in the countryside were built with the aim of opening up opportunities, motivation and interconnection of rural women in order to use various incentives and other types of support from different funds. Twenty-three projects were implemented by women's associations, which was an improvement compared to 2010, when 10 project proposals were received and 7 projects were completed.

In 2011 two competent institutions developed a programme to improve the mobility of rural women (Ministry of Transport and Communications) and a programme for mapping the needs of young people living in rural areas (Ministry of Family, Youth and Sports), with respect to key factors that would influence them to stay in the countryside. These programs were supported with BiH FIGAP funds. The Ministry of Transport and Communications made the First Analysis of the Needs of Women In Rural Areas of the Republika Srpska in terms of traffic and transport infrastructure. The Ministry of Family, Youth and Sports carried out a study on the status and needs of young people in rural areas of the Republika Srpska.

As a result of the support by Gender Centres and UN WOMEN, a network of associations of rural women in Republika Srpska was established. It is in the process of enacting by-laws and will be coordinated on the annual rotation principle.

A great number of activities has been carried out by municipalities and municipal gender commissions in the Republika Srpska and non-governmental organizations, which contribute to the implementation of the "EQUAL women in the countryside! 2011" campaign and marking of 15 October — the World Day of Rural Women.

**FBiH Rural Development Strategy**

The competent Federation Ministry of Agriculture, Water and Forestry has made a gender-based analysis of the Mid-Term Development Strategy for the Agricultural Sector in the Federation of BiH and the Action Plan of the Mid-Term Development Strategy of the Agricultural Sector in the Federation of BiH that were made for the period 2006-2010. Their shortcomings in terms of non-compliance with provisions of the Law on Gender Equality in BiH were clearly identified and they still bring about the retention and deepening of existing gender inequalities in this area. The Decision of the Federation Minister of Agriculture, Water and Forestry No. 01-02/1-1718/12 dated 28 August 2012 appointed a Working Group for Mid-Term Development Strategy for the Agricultural Sector, 2014-2018, mandated: to prepare the terms of reference, to monitor the process of strategy designing, to report to the Minister on activities, to ensure the dialogue with stakeholders, to assess the course of process, to provide feedback and recommendations of the Expert Committee.

**19. In the report, it is said that women returnees and internally displaced women face numerous obstacles in ensuring sustainable return (paras. 351-354). Please provide information on specific measures taken by the State party to facilitate the lasting socioeconomic integration of women returnees and internally displaced women, including through access to adequate housing.**

The Law on Displaced Persons, Returnees and Refugees of Republika Srpska ("Official Gazette of Republika Srpska" No. 42/05) contains the general principles of non-discrimination, but there are no provisions for temporary special measures to promote gender equality. The Law governs rights of displaced persons, refugees and returnees in the Republika Srpska, refugees from Bosnia and Herzegovina, determination and termination of the status of displaced persons and returnees, social rehabilitation and the return of those persons, agencies and organizations of law enforcement, funding and provision of funds for the implementation of these rights and other issues of importance for the protection of these persons in the Republika Srpska. Displaced persons and returnees are entitled to freedom of movement and freedom to choose residence. All displaced persons and returnees have the right to an adequate standard of living, the right to basic temporary shelter, health care, social care, education and vocational training, freedom of religious expression and political activity. Apart from the rights mentioned in the preceding paragraph, displaced persons and returnees are entitled to: help with necessary reconstruction of their houses and apartments, loans to start businesses in order to generate income for themselves and their families, adequate cash assistance, basic health care, primary education and social security benefits, provided they are not employed.

Any person who had permanent residence registered in any municipality prior to the conflict is entitled to re-settle in their place of residence in the municipality and get all the necessary documents. In 2012 the FBiH Gender Centre was financially supported by the Red Cross of Tuzla Canton with a view to implementing the program of measures for women living in collective centres. The target groups were unemployed woman placed in 4 collective centres in Tuzla and unemployed women registered with the Tuzla Canton Employment Office. In addition to economic empowerment by finding a job, unemployed women will undergo a two-and-half-month course of training and two-month practice where they will have an opportunity to socialize with other women, to make statements to the media and to communicate with women working in the Retirement Home of Tuzla, which will empower them mentally. All this will contribute to reducing the risk of feeling inferior and of domestic violence.

**20. It is stated in the report that, while Roma constitute the largest minority in the State party, about 90 per cent of Roma women have no access to health care, social welfare or employment (paras. 346-347). Following the adoption in 2008 of an action plan to implement the Decade of Roma Inclusion (para. 346), please provide detailed information on measures, including temporary special measures, taken to eliminate multiple forms of discrimination against Roma women and girls, in particular in the areas of education, employment and health, and to prevent early marriages and ensure access to birth registration.**

By adoption of Action Plans for Roma in the areas of employment, housing and health care, and by previously adopted Plan of Action of the educational needs of Roma, as well as joining the Decade of Roma Social Inclusion 2005-2015,

Bosnia and Herzegovina has committed itself to work on the problems of the Roma population, which is the largest and, by all parameters, poorest and most vulnerable minority in Bosnia and Herzegovina.

When it comes to protecting the rights in a form of an institutional framework, Roma women actively participate as members in the work of the Roma Committee of the Council of Ministers of Bosnia and Herzegovina. The Committee is an advisory body of the Council of Ministers and is mandated to consider the most important issues to resolve the status of Roma in BiH. Particularly distinctive was the involvement of Roma women in the design and implementation of the Action plan for health care for Roma as well as preparing the revised Action Plan of Bosnia and Herzegovina on the educational needs of Roma.

Education, as the key to overcoming Roma poverty, is necessary to ensure the social inclusion of Roma and is closely linked with employment, health care and housing of the Roma population. In the revised Action plan, the role of Roma mothers is specifically emphasized in the preparation for the inclusion of Roma children in the education system.

In previous years the Action plan for employment of Roma was implemented, and the funds were provided in the budget of the state of Bosnia and Herzegovina. The competent employment services and employment agencies have implemented programs such as: co-financing of employment and self-employment of Roma which has led to 212 Roma employed, out of which a significant number of Roma women were employed.

There are three strategic objectives in the framework of the implementation of the Action Plan for health care:

- Ensuring the right to health of the Roma population
- Raising awareness of health-related services
- Implementation of preventive measures to improve the health status of Roma

A concrete result of this activity, when it comes to Roma women, was the adoption of the Decision on the basic package of health care that regulates health care during pregnancy and childbirth complications during a period of 6 months. Part of budget funds intended for the implementation of the Action plan for health care of Roma will be used for the realization of priority programs of preventive health care in the field of reproductive health and maternity of young Roma women and girls who are not insured on another basis.

Bosnia and Herzegovina has done a major positive step forward in the implementation of the Action Plan for Roma housing. Budgetary funds and fund provided by the Swedish development organization SIDA has led to the construction or reconstruction of 364 housing units and 210 Roma families are beneficiaries of the projects of infrastructure and improvement of living conditions in BiH. When scoring the application for these funds the responsible committees have established special criteria for Roma women, single mothers, which have a priority in solving their housing problem, which an assumption that kids are involved and integrated into an overall socio-economic system in Bosnia and Herzegovina.