

**Written submission by Sarajevo Open Centre
on the state of human rights of LGBT people
in Bosnia and Herzegovina to the 2015 Progress Report**

Period covered by the submission: October 2014-March 2015

Elections: The election campaign for the General Elections in October 2014, but also the post-election negotiations confirmed that the human rights of LGBT people in Bosnia and Herzegovina are still politically irrelevant and ignored by almost all political parties. No political party tackled LGBT rights in any way in their election programmes.

Hate crimes: Violence, attacks and threats towards LGBT people and human rights defenders have increased since October 2014. Although BiH Constitutional Court ruled in September 2014 that the freedom of assembly has been violated in the case of the Queer Sarajevo Festival from October 2008, there were no criminal prosecution in this case. There has been also no criminal prosecution of the attack on the Merlinka Queer Film Festival from February of 2014.

FBIH Parliament did not adopt amendments to the Criminal Law related to hate crimes, based on i.a. sexual orientation and gender identity. Adoption of these amendments has been requested on annual basis since 2010 by both OSCE and the Coalition for Combat against Hate Speech and Hate Crime, in accordance to the international obligations of BiH.

Discrimination: Systematic discrimination based on sexual orientation and gender identity is still omnipresent. Institutions fail to recognize violations of human rights of LGBT people as a relevant issue. There is still not a single policy document (i.e. strategy or action plan on state, entity or cantonal level) that defines any kind of specific measures to fight discrimination and promote social inclusion of LGBT people. Improvement of the state of LGBT human rights depends only on the initiative and lobbying work of human rights advocates and the good will of individuals in institutions.

BiH Ministry of Human Rights and Refugees did not propose amendments to the BiH Anti-discrimination Law, related to the explicit definition of sexual orientation and gender identity as prohibited ground of discrimination, despite the recommendations of the European Commission. The BiH Ombudsman Institution ignored the initiative of civil society organisations to produce a Special Report on the state of LGBT human rights. In this period, there was no initiative to legally regulate the rights and obligations derived from existing same-sex unions.

Trans* rights: Trans* people are completely marginalised within the BH society which is also reflected by the institutional policies. There are no established medical support and procedures for the gender reassignment process in BiH. The official social security system does not cover any costs related to gender reassignment surgeries that are taking place abroad.

This submission is short summary of the current developments, but also of the very detailed "Pink Report. Annual Report on the State of Human Rights of LGBT People in Bosnia and Herzegovina in 2014", published by the Sarajevo Open Centre: <http://soc.ba/en/pink-report-annual-report-on-the-state-of-the-human-rights-of-lgbt-people-in-bosnia-and-herzegovina-in-2014/>