

**Written submission by Sarajevo Open Centre  
on the state of women's rights  
in Bosnia and Herzegovina to the 2015 Progress Report**

Period covered by the submission: October 2014-March 2015

**Overall:** 2014 can't be characterized by significant progress in regards to women's rights. The general elections, flooding, and the issue of maternity leave benefits are indicators of the relationship between the state, society, and women. In 2015, it will be necessary to systematically work towards improving the position of women in society. This is particularly true of marginalized groups of women, such as returnees, women victims of war, Roma women, women with disabilities, single mothers, victims of domestic violence, and lesbian, bisexual and trans\* women. Each of these groups face serious discrimination, marginalization and – to a certain extent – complete social exclusion.

**Political participation and public life:** BiH took a huge step forward in 2013 in terms of harmonizing the BiH Gender Equality Law with the Election Law - amendments to the Election Law were adopted<sup>1</sup>, which foresee provisions governing the work of bodies carrying out elections, as well as provisions that regulate the certification and proposal of candidates for elections. Modifications occurred, allowing for the introduction of a 40% quota of representatives of the under-represented sex. In relation to the position of women on candidates lists, where the ratio was increased from 30% to 40%, the law now reads "equal representation of both genders exists in the case when one of the sexes is represented with a minimum of 40% of the total number of candidates on the list." Over the course of 2014, there was an opportunity to implement this law for the first time, which occurred during the general elections in October 2014.

Nonetheless, only a symbolic place is reserved for women in the fundamental acts of BiH's largest political parties. These findings are particularly valuable due to the fact that political parties have the majority of power in BiH, because the most important political decisions are made by party leaders, and not by particular state/entity bodies, parliaments, or ministries.

Apropos women's representation in the legislative bodies, 40.96% of the total number of candidates for the House of Representatives of the Parliamentary Assembly of BiH were women, and only 10.57% of candidate lists put women in the first position. 10 women (23.81%) were elected to the Parliamentary Assembly of BiH, of which six women were directly elected, and four received their positions as a result of party mandates. 43.60% of the candidates for the Parliament of the FBiH were women, and only 16.04% of the candidate lists had women in the first position. 21 women were elected to the FBiH Parliament (21.43%), of which 12 women were elected directly and nine received their positions via party mandates. 42.42% of the candidates for the National Assembly of the Republika Srpska were women, and only 10.30% of the lists had women in the top position. 13 women (15.66%) were elected to the National Assembly of the Republika Srpska – five directly and seven via party mandates. One received her position as a result of a redistributed mandate. In terms of women's representation in Cantonal Assemblies, the largest number of women were elected to

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<sup>1</sup> Law on Amendments to the Election Law of Bosnia and Herzegovina was proposed by the representative Ismeta Dervoz in 2012. It was adopted in the House of Representatives on 22.11.2012, on its 36th session, and in the House of Peoples on 26.02.2013 on its 27th session (Službeni glasnik BiH: 18/13). Available at: <https://www.parlament.ba/sadrzaj/zakonodavstvo/usvojeni/default.aspx?id=44561&langTag=bs-BA&pril=b>

the West Herzegovina Canton's Assembly (seven of 23 or 30.43%). The smallest number – 1 woman – was elected to the Livno Canton Assembly (one of 25 or 4%).

The second problem is the lack of representation of women in governments. The BiH Gender Equality Law (Article 20), as well as international documents that BiH has signed and ratified, call for the equal representation of genders as a mandatory norm. In terms of equality, the less represented gender is to be represented at a minimum of 40%. Women face discrimination at different levels. Zenica Dobož Canton, even after prompt reaction of the Center for Legal Assistance for Women Zenica, Infoteka Zenica and Sarajevo Open Centre to submit proposals for candidates in government in a manner that will respect the equal representation of both sexes, not a single woman was nominated and elected. In Sarajevo Canton only two women were elected in Cantonal government which is a direct violation of the Gender Equality Law, that clearly provides for the representation of both genders in the executive power, or at least 40% of the under-represented sex.

With the formation of the Republika Srpska government in December 2014, Željka Cvijanović was confirmed as Prime Minister. However, in examining the number of female ministers, no progress was visible. To the contrary, the RS government had five female ministers during its previous mandate and the new government has only three. Although the FBiH government and Council of Ministers BiH are still not elected, the Federation government nominated only 4 of 16 women on candidate positions and the Council of Ministers of BiH nominated 2 of 9 women in minister positions, which represents a serious step backwards in terms of gender equality.

### ***Women in flood-affected areas:***

The May 2014 floods had catastrophic consequences for agriculture, industry, and the rural and urban areas of our country. The flooding directly or indirectly impacted over one million people in BiH.<sup>2</sup> Of these one million persons, at least half are women. UN Women conducted qualitative research on the needs of women in 15 locations affected by the floods in May. Its analysis and recommendations are based on the answers received during the interviews. In their findings they state that, at the outset when lives were being saved, there was no gender-based discrimination. There was also not an increase in violence against women despite concern on the part of civil society organizations that the flooding could bring about an increase in the risk of exploitation of labor, trafficking in human beings, women's forced migration, and internal displacement. The greatest losses and damages were suffered by property owners and farmers, given that about 27% of the homes in the FBiH and almost 40% in the Republika Srpska are registered under women's names. Furthermore, more women than men work in agriculture.<sup>3</sup> These farms were often a family's only source of income, and it is necessary to establish the same criteria for restitution for both men and women.

It is important to note that the flooding caused great damage to the safe house for women and child victims of domestic violence maintained by the women's organization/foundation 'Lara.' All of the individuals accommodated in the safe house had to move and were temporarily accommodated in private homes.

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<sup>2</sup> UN Women: *Gender Equality in Post-Disaster Needs Assessment in Bosnia and Herzegovina*, p.2, 2014. Available online at: <http://www.mreza-mira.net/10472-floods-bih-reports-gender-aspects/>

<sup>3</sup> Ibid.

As indicated by UN Women's research on the needs of women from flood-affected areas in BiH, it is clear that – at the local level – women and women's civil society organizations face the challenge of ensuring their inclusion and being accepted as equal partners in decision-making processes about renovation and assistance. It's unlikely that the assistance and benefits intended for the populations in these areas will be equally accessible to men and women, given that there is a masculine-dominant system in place when it comes to the distribution of funds. There is a real danger that the majority of financial assistance, small grants for businesses and renovation, and the funds for employment that were collected during the period following the flooding will be distributed to men, despite the fact women's economic needs – particularly for those who head their households – are enormous.<sup>4</sup>

When it comes to the measures that have been taken by the authorized institutions after the floods, the Gender Centre of RS has made *Action Plan for Gender Equality in disaster conditions in the Republika Srpska for the period May-December 2014*<sup>5</sup>. Bearing all this in mind, the Gender Centre of RS was prompt to launch an initiative for networking with local institutions, organizations, and women associations. According to available data, the Gender Centre of the Federation of BiH has not made a similar action plan in 2014. Unfortunately, there are no statistics on the current situation of women from flood-affected areas, or information about what happened to them during the second half of 2014.

*This submission is short summary of the current developments, for more information, read a detailed **Annual Report On The Human Rights Of Women In Bosnia And Herzegovina In 2014**, published by Sarajevo Open Centre and CURE Foundation on behalf of Women's Network BiH (available here: <http://soc.ba/en/publications/human-rights-papers/>).*

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<sup>4</sup> Ibid.

<sup>5</sup> For more information, please see: <http://ravnopravnors.com/>