



# Bosnia and Herzegovina



LGBTI activists gained more visibility, which led to an increase in attacks and threats. Masked men attacked a Sarajevo LGBTI film festival which the police failed to protect, and by the end of the year no perpetrators had been found – confirming a general trend of weak judicial responses to hate crime. Positively, the Constitutional Court ruled that authorities had failed to uphold LGBTI activists’ right to freedom of assembly in a landmark 2008 case. Finally, police officers in the Sarajevo canton (district) started receiving training on homophobic and transphobic hate crime, and established contact points for sexual orientation and gender identity issues in four precincts.

## Bias-motivated speech

- The NGO Sarajevo Open Centre documented 44 incidents of hate speech against LGBTI people during the year. Most incidents took place online, including comments, Facebook pages, or articles on the xenophobic online portal *Saff*. Although almost all of these cases were reported to the police, no perpetrators had been sanctioned by the end of the year.

## Bias-motivated violence

- In February, 14 masked attackers broke into a panel discussion at the annual Merlinka LGBTI movie festival. They chanted homophobic insults and injured three audience members. Organisers continued the screenings. The following day, newspaper *Balkan Insight* reported that “several dozen people” had gathered at the cinema in support of the festival. Two men were arrested, but organisers complained the police had failed to protect the venue, despite being warned about threats (no officers were on site at the time of the attack). Earlier, a Facebook page entitled “Let’s stop the Parade of Faggots on 1 May 2014”, set up by a group of football fans from Sarajevo, had encouraged people to attack the festival. In its February resolution on progress towards EU accession for Bosnia and Herzegovina, the European Parliament condemned the attack and called for better police protection in future. By the end of the year, no one had been arrested.

- The NGO Sarajevo Open Centre documented 20 incidents of hate crimes. 11 of these had targeted activists and members of LGBTI NGOs. 13 of these cases were reported to authorities, but no response had been given by the end of the year.

## Education

- In June, the Sarajevo Open Centre, Foundation CURE, and the Heinrich Böll Foundation trained secondary school staff in the Unsko-sanski canton. The cantonal ministry of education supported the training, which raised awareness of LGBTI issues among 17 staff members – teachers, teaching assistants, and psychologists – from different high schools.

## Enlargement

- Bosnia and Herzegovina is considered a potential candidate to join the European Union since 2003. In its annual report on progress towards EU accession, the European Commission noted in October that “hate speech, hate crimes and violent attacks against LGBTI people and human rights defenders ha[d] increased” proportionately to the LGBTI community’s increased visibility. The Commission regretted the lack of hate crime legislation, as well as that “the judiciary, law enforcement agencies and the general public” remained mostly unaware of the issues LGBTI people face.

## Equality and non-discrimination

- NGO Sarajevo Open Centre documented six cases of discrimination. Three of these were incitement to discrimination in a secondary school or universities. Other cases consisted of a ban on blood donation for gay men in Republika Srpska; permanent incitement to discriminate against LGBTI people in magazine *Saff*; and refusals to issue civil status certificates (see **Family**).

## Family

- Following the adoption of the Croatian same-sex partnership act (see **Croatia**), the number of LGBT individuals from Bosnia and Herzegovina wanting to enter registered partnerships in Croatia has increased. This has proven problematic because one document needed is the certificate of free marital status, on which the name of the intended partner, who according to the laws of Bosnia and Herzegovina must be of the opposite sex, needs to be provided. Certificates naming a same-sex partner would not be issued. LGBT couples have resorted to other methods of obtaining these certificates, stating they were needed for scholarship or job applications.

## Freedom of assembly

- After the Queer Sarajevo Festival was attacked in 2008, the Constitutional Court confirmed in September that the organisers’ right to freedom of assembly had been violated. The court ordered the federal government and the government of the Sarajevo canton to each pay

Association Q BAM 3,000 (EUR 1,500) for failing to protect their rights adequately.

## Freedom of association

- A new LGBTI organisation, the Banja Luka Queer Association of Queer Activists (BUKA), registered in 2014. The organisation ran several different events, met with representatives of Republika Srpska's Ministry of Interior and Gender Centre, and plans increased advocacy work towards the institutions in the future.

## Police and law enforcement

- In May, the Ministry of Interior of the Sarajevo canton established contact points for LGBTI crime victims in four police precincts. In its report on progress towards EU accession (see **Enlargement**), the European Commission noted that 19 police officers had been trained on LGBTI rights in Sarajevo.
- With the assistance of the Sarajevo Open Centre, the cantonal ministry also started training its officers about homophobic and transphobic hate crimes. More than 1,000 officers were trained during 2014.
- While on holiday, a gay couple from the Netherlands was intimidated by border officers as they drove from Croatia into Bosnia and Herzegovina. The officers intimidatingly asked if they were boyfriends, which led the men to pretend they were friends; rummaged through their shared suitcase; and showed personal items including a bottle of lubricant to colleagues while laughing. The couple several weeks later complained to the Bosnian embassy in the Netherlands. The ambassador offered his sincere apologies, and wrote that he had passed on their complaint. NGO Sarajevo Open Centre also filed a complaint to the Ombudsperson for Human Rights in relation to this case.