

**Written submission to Bosnia and Herzegovina 2016 Report  
Political criteria: Human rights and protection of minorities - Equality between Women  
and Men**

Although BiH was one of the first countries to adopt a Framework Strategy for the Implementation of the Istanbul Convention, its implementation lagging behind. Republika Srpska is not implementing the Framework Strategy, but has appointed the Gender Center to be the implementing body for implementing for the Istanbul Convention.

Although the FBiH Law on Combating Domestic Violence (2013) makes provisions for funding of safe houses in Article 35, FBiH has not yet fulfilled its legal obligation to fund 70% of the safe houses' expenses. In December 2015, two safe houses in Mostar are already closed because of no public funding. The Government proposed a Law on Changes of the Law on Combating Domestic Violence. This Proposal predicts that safe houses have to be registered as institutions and so that their funding would be approved according to each victim they house in the amount that only covers accommodation. By insisting that safe houses be institutions, an additional burden is imposed on the NGOs – to have twice as much bureaucratic work, without any promises that the Government will in fact secure funding. From 2008 until 2015, the Government of FBiH provided 10-15% instead of the legally prescribed 70% of the annual budget for the six safe houses.

The Government of FBiH started working on changing and amending the existing FBiH Law on the Basics of Social Protection, Protection of Civilian Victims of War and the Protection of Families with Children. The Draft Law envisages the formation of a special Commission by the Federal Ministry for Work and Social Policy, which would issue opinions on whether the claimant is a victim of sexual violence. This serves to introduce a new, unnecessary body, into the procedure, rather than using the existing mechanisms – the official Institute for Medical Assessment of Health in the Federation of BiH. Expert organisation are concerned that the victims of sexual violence would be re-traumatized by the additional Commission. In addition to this, the entire process of reform of the Social Services Sector has been conducted behind closed doors.

The PABiH appointed an inter-ministerial working group for the revision of the electoral legislation of BiH in 2015. One of the changes which the working group suggests clearly undermines the existing gender quota that envisioned participation of both genders of minimum 40%, with mandatory positioning of female candidates in the first three, five and eight places. As a respond to this proposal, NGO Sarajevo Open Centre initiated the Law on the Changes and Amendments of the BiH Electoral Law which is forwarded in further parliamentary procedure of the House of Representatives of the Parliament of BiH by the Gender Equality Committee of the House of Representatives of the Parliament of BiH. The BiH Law on Changes and Amendments of the Electoral Law predicts that there needs to be a 50% electoral gender quota, with male and female candidates listed interchangeably. The Commission for Gender Equality of the House of Representatives PABiH proposed the Law on Changes and Amendments of the Law on the Council of Ministers BiH, on the initiative of the Gender Equality Agency and the Sarajevo Open Centre. The proposal envisages the introduction of the 40% quota into the law itself, which will be a positive example if adopted in parliamentary procedure.

*More information on the state of women's rights can be found in [The Orange Report 2016. Annual Report on the State of Women's Rights in Bosnia and Herzegovina](#)*