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report

Annual Report on the State of Human
Rights of LGBTI People in Bosnia and
Herzegovina

2026 PINK REPORT

Annual Report on the State of Human Rights of
LGBTI People in Bosnia and Herzegovina

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EXECUTIVE SUMMARY

The state of human rights of LGBTI people in Bosnia and Herzegovina in 2025 and early 2026 was marked by stark contrasts between the normative framework, limited institutional progress, and the everyday reality in which discrimination, violence, and exclusion remain prevalent. Although the legal and strategic framework formally recognises the prohibition of discrimination and lays the foundations for advancing equality, its implementation remains fragmented, slow, and often inconsistent.

Of particular concern is the continuity of political and institutional decisions that directly or indirectly contribute to the marginalisation of LGBTI people. Examples such as amendments to the Criminal Code of the Federation of Bosnia and Herzegovina that have narrowed the scope of protection, the blocking of public policies for mentioning LGBTI issues, and the absence of an adequate institutional response to violence and hate speech indicate the existence of strong resistance within the system. At the same time, the activities of anti-gender actors are increasingly taking on institutional and financial dimensions, thereby further shrinking the space for the promotion of human rights and a fact-based public dialogue.

On the other hand, certain positive developments confirm that change is indeed possible. Final court judgements recognising discrimination, the establishment of a working group to draft legislation on same-sex partnership and the development of certain support services, including a safe house for LGBTI people, represent important but still isolated steps forward. These advances are most often the result of the long-term work of civil society organisations and individual institutional initiatives, rather than a systemic approach.

One of the key findings of this report is the pronounced gap between formally guaranteed rights and their actual availability. This gap manifests itself through an inefficient judiciary, a lack of reliable data, a low level of institutional accountability and the deep mistrust that LGBTI people have towards institutions. The high rate of non-reporting of discrimination and violence clearly indicates that existing protection mechanisms are not perceived as safe, accessible or effective. neophodnog djelovanja kako bi se izbjegao potpuni zastoj u ovoj oblasti.

Furthermore, local contexts reveal significant territorial inequalities. While in some areas there are certain forms of support and visibility, in other parts of the country LGBTI people remain almost entirely invisible and without access to basic services. Such inequality further deepens social isolation and influences migration decisions, thereby weakening the long-term potential for the development of local communities and initiatives.

In this context, the question of public policies and strategic action is particularly important. The expiry of the Action Plan to Improve the State of Human Rights of LGBTI People further emphasises the need for an urgent and coordinated institutional response. Extending the existing plan as an interim measure, while simultaneously initiating the process of drafting a new, comprehensive and implementable document, represents the minimum necessary action to avoid a complete standstill in this area.

Overall, Bosnia and Herzegovina is at a stage where formal standards exist, but their transformation into genuine equality requires significantly stronger political, institutional, and social engagement. The key challenge in the coming period will not be just the adoption of new laws and policies, but their consistent and effective implementation, with the active involvement of the LGBTI community in decision-making processes.

Without such an approach, existing progress will remain partial and reversible, while existing inequalities will deepen further. In contrast, a systemic, coordinated and inclusive approach can contribute to creating a society in which the rights of LGBTI people are genuinely attainable, rather than merely formally recognised.

NEGATIVE PRACTICES

Amendments to the FBiH Criminal Code pertaining to protection from violence and discrimination

UIn May 2025, the House of Representatives of the FBiH Parliament adopted the Proposal of the Law on Amendments to the FBiH Criminal Code. These amendments aimed to harmonise the legal framework for the protection from violence against women and domestic violence with the Istanbul Convention. The adopted Proposal represented a significant improvement of the code, including a comprehensive definition of family. Women’s NGOs submitted proposals which were partially accepted and incorporated into the legislative proposal. In June 2025, the Proposal was debated in the House of Peoples of the FBiH Parliament. One of the delegates, a member of a conservative party in BiH and the chairman of the Legislative-Legal Committee of the House of Peoples of the FBiH Parliament, objected to the definition of a ‘life partner’ – defined as ‘a person who lives with another person in a union that has a more permanent character’. He said that the definition was an attempt to legalise same-sex partnership under the guise of protecting women from domestic violence and femicide. He therefore proposed that amendments be made to clarify that it refers to a partnership between people of the opposite sex.¹ The House of Representatives of the FBiH Parliament adopted his proposal, the FBiH Government promptly accepted the amendment, and the new FBiH Criminal Code came into force on 9 August 2025. This action constitutes a serious undermining of the standards set out in the Istanbul Convention. According to the Convention, domestic violence is defined as all acts of “physical, sexual, psychological or economic violence that occur within the family or domestic unit or between former or current spouses or partners, **whether or not the perpetrator shares or has shared the same residence with the victim**”.² Each State Party is obliged to ensure the protection of victims without discrimination on any grounds, including sexual orientation and gender identity.³ The importance of this amendment was particularly highlighted in a case that occurred shortly afterwards. In Tuzla, a policewoman threatened her former partner with murder. The criminal offence she was charged with was endangering safety, not domestic violence, even though the individuals had been in an intimate relationship.⁴

Furthermore, proposals from civil society organisations to introduce a criminal offence of public incitement and encouragement of violence and hatred, which would cover a broader spectrum of protected characteristics including sex, sexual orientation and gender identity, were not accepted. According to the FBiH Ministry of Justice, such amendments are not considered necessary when aligning criminal legislation with the Istanbul Convention. This stance is concerning as it fails to recognise hate speech and incitement to violence as forms of gender-based violence affecting women and LGBTI people.

1. *Legislative-Legal Committee of the House of Representatives of the Parliament of the Federation of Bosnia and Herzegovina, Amendment to the Proposal of the Law on Amendments to the Criminal Code of the Federation of Bosnia and Herzegovina, no. 02-02-882/25, 10 June 2025, amendment to Article 2(17).*

https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri_2025/Amandman_zpk_na%20krivicni.pdf

2. *Council of Europe, Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), Istanbul, 11 May 2011, Art. 3(b),*

<https://rm.coe.int/168046246e>

3. *Ibid.*, Art. 4(3).

4. *“Policajka iz Tuzle završila u pritvoru, terete je da je bivšoj partnerici prijetila ubistvom”*

□ *Tuzla policewoman ends up in custody, accused of threatening her former partner with murder* □, *Klix.ba*, 28 August 2025, *Policajka iz Tuzle završila u pritvoru, terete je da je bivšoj partnerici prijetila ubistvom*”, *Klix.ba*, 28. august 2025,

<https://www.klix.ba/vijesti/crna-hronika/policajka-iz-tuzle-završila-u-pritvoru-terete-je-da-je-bivsoj-partnerici-prijetila-ubistvom/250828086>

Continuity of inaction by the institutions of the Republika Srpska in response to the attack on LGBTIQ activists in Banja Luka in March 2023

Although three years have passed since the attack on LGBTIQ activists in Banja Luka, no one has yet been held accountable.¹ The constitutional appeal (AP-2365/23), filed by activists of the BiH Pride March with the Constitutional Court of Bosnia and Herzegovina, is still pending. The appeal concerns the failure of the public authorities in the Republika Srpska to ensure effective protection and conduct an effective investigation following attacks on LGBTIQ people and their supporters. Regarding the criminal proceedings, the Republika Srpska Public Prosecutor's Office has issued a decision ordering that the investigation against the police officer continue. Furthermore, two previously separate cases have been merged into one. The cases are still under investigation.

Failure to adopt a youth strategy because of the acronym LGBTQ+

In February 2025, the FBiH Government adopted the Proposal of the 2025-2034 FBiH Youth Strategy,¹ which was then referred to the parliamentary procedure. The Proposal was included on the agenda for the session of the House of Representatives of the FBiH Parliament, which was held in April 2025. However, the agenda was rejected and, according to media reports,² one of the reasons was the text of the Youth Strategy Proposal. Namely, in the SWOT analysis of the proposed Strategy several opportunities are listed in various areas. In the field of education, one of the opportunities is:

“Development/improvement of programmes such as: support for students from lower-income backgrounds, procurement of study literature, support for the implementation of projects for the arrangement of student living, recreation and work spaces, support for healthy lifestyle projects in educational institutions in FBiH, support for competitions and events, support for projects to eliminate prejudice against the LGBTQ+ population, support for students of the Roma national minority.”

1. Mary Lawlor, *Report of the Special Rapporteur on the situation of human rights defenders*, (Geneva, Human Rights Council, 2026), pp. 12-13, retrieved from: <https://docs.un.org/en/A/HRC/61/40/Add.1> [accessed: 10 March 2026]

2. *Government of the Federation of Bosnia and Herzegovina, Decision on the Adoption of the Youth Strategy of the Federation of Bosnia and Herzegovina for the Period 2025–2034 and the Youth Strategy of the Federation of Bosnia and Herzegovina for the Period 2025–2034* (Sarajevo, 2025), retrieved from: *Council of Europe, Convention on preventing and combating violence against women and domestic violence (Istanbul Convention)*, Istanbul, 11 May 2011, Art. 3(b), <https://rm.coe.int/168046246e> [accessed: 19 March 2026]

Because of a single mention of the LGBTI community, the entire document was rejected. This is confirmed by the statement from the HDZ 1990 – HNP MPs’ Caucus, in which they explain that they decided to withhold support for the session’s agenda:

“[...] primarily because the Youth Strategy proposed by the FBiH Government was on the agenda, which we found problematic as in certain parts it promotes LGBT culture and encourages LGBT programmes [...] we did not want to risk the introduction of LGBT ideology through the sphere of culture and the derogation of the competences of the Cantons, and we decided to withhold our support for today’s agenda.”¹

In this way, the authorities of FBiH have sent a clear message that a society in which violence and discrimination against marginalised groups are prohibited is not desirable.

In January 2025, the High Judicial and Prosecutorial Council sent an instruction to all judicial institutions in BiH on the obligation and method for keeping records of hate crimes. This means that every institution, if it determines that a certain criminal offence was committed under an aggravating circumstance, i.e. out of hatred, is obliged to record that offence in the CMS as a hate crime. However, when collecting data for the purposes of this report, some of the prosecutors’ offices stated in their response that the electronic case management system used by the judiciary does not have the capability to process data on hate crimes. According to their statement, the prosecutor’s office only keeps records by the first and last name of the reported individuals/criminal complainants. Following the received response, SOC informed the HJPC of the inconsistent compliance with the instruction, and the HJPC sent a letter to all relevant institutions, reminding them of the update to the TCMS and CMS systems.

1. “Čamdžić: U Strategiji za mlade je ‘sporan’ bio termin LGBT, nekome je to zasmetalo” [Čamdžić: The acronym LGBT was ‘disputable’ in the Youth Strategy, someone had a problem with it], NI, 27 May 2025, <https://n1info.ba/vijesti/camdzic-u-strategiji-za-mlade-je-sporan-bio-termin-lgbt-nekome-je-to-zasmetalo/>

2. “Predsjednik Kluba HDZ 1990 – HNP u Parlamentu FBiH Stipe Tokić: Strategiju za mlade treba doraditi” President of the HDZ 1990 – HNP Club in the Parliament of the Federation of Bosnia and Herzegovina, Stipe Tokić: The Youth Strategy Needs to be Refined, HDZ 1990, 2025, <https://hdz1990.ba/predsjednik-kluba-hdz-1990-hnp-u-parlamentu-fbih-stipe-tokic-strategiju-za-mlade-treba-doraditi/>

POSITIVE PRACTICES

First final judgment for discrimination on the grounds of sexual orientation/gender identity

After over six years of litigation, the Cantonal Court in Sarajevo has delivered the first final judgment establishing discrimination on the grounds of sexual orientation, gender identity and sex characteristics. The judgment relates to a public statement by the then-deputy in the Assembly of the Canton of Sarajevo, Samra Čosović-Hajdarević. On Facebook, following the announcement of the first BiH Pride March in 2019, she published a status which, among other things, contained calls for the segregation, isolation and discrimination of LGBTI people: “Everyone has the right to the life they want, and likewise we have our right to choose who we want to live with. I want people like this to be isolated and kept as far away from our children and society as possible. Let them go somewhere else and make themselves a city, a state, laws and their own rights that no one will challenge. But NOT here!” In October 2019, SOC filed a lawsuit against the deputy, claiming that her public statements discriminated against LGBTI people and incited hatred. In 2022, a first-instance judgement was delivered in this case by the Municipal Court in Sarajevo, after which the defendant exercised her right to appeal, which was dismissed as unfounded. The judgement represents a turning point for the protection of human rights in BiH. For the first time, it has been confirmed by a final court decision that sexual orientation, gender identity and sex characteristics are real and applicable grounds for protection from discrimination.¹

Also, in early 2026, the Basic Court in Banja Luka delivered a first instance judgment against Milorad Dodik for incitement to discrimination.¹ See more in Chapter I Equality and Anti-Discrimination – Documented Cases.

1. Sarajevo Open Centre, <https://soc.ba/donesena-prva-pravnosnazna-presuda-u-bih-za-diskriminaciju-prema-lgbti-osobama/> [accessed: 10 March 2026]

2. Detektor, “Sud u Banjaluci utvrdio da je Milorad Dodik diskriminisao LGBT osobe”, [Court in Banja Luka finds that Milorad Dodik discriminated against LGBT people], 16 March 2026. Available at: <https://detektor.ba/2026/03/16/sud-u-banjaluci-utvrdio-da-je-milorad-dodik-diskriminisao-lgbt-osobe/> [accessed: 16 March 2026]

Working group for same-sex partnership in FBiH

After a two-year blockage on the appointment of a member of the working group on behalf of the FBiH Ministry of Health, on 4 June 2025 the FBiH Government adopted a Decision to establish an expert working group which will draft a *lex specialis* regulation – Law on Same-Sex Life Partnerships in the Federation of Bosnia and Herzegovina.¹ The Decision reads: “The task of the Expert Working Group referred to in point I of this Decision is to draft the text of the *lex specialis* regulation – the Law on Same-Sex Life Partnerships in the Federation of Bosnia and Herzegovina – and submit it to the Government of the Federation of Bosnia and Herzegovina. The Expert Working Group, when drafting the text of the Law, is required to be guided by the Report from the public hearing held on 9 December 2022, the Report on the work of the Inter-ministerial Working Group for the analysis of regulations under which same-sex couples in a life partnership can exercise rights arising from the European Convention on Human Rights and Fundamental Freedoms, the Information of the FBiH Ministry of the Interior, no. 01-03-02-1/21 of 10 October 2022, the 2021-2024 Action Plan to Improve the State of Human Rights and Fundamental Freedoms of LGBT People in Bosnia and Herzegovina, and all other relevant documents in this area, with the aim of covering the widest possible scope of rights for LGBT persons, with corresponding records and a register.” In October 2025, the working group began drafting the Law on Same-Sex Life Partnerships of in the Federation of Bosnia and Herzegovina and, at the time of writing this report, had not yet completed its work. SOC participates in the working group as an active observer.

Definition of ‘close person’ in the FBiH Criminal Code

Although the initiative of the delegates of the House of Peoples of the FBiH Parliament to define a ‘life partner’ as “a person who lives with another person of the opposite sex in a union that has a more permanent character” was adopted, the new FBiH Criminal Code retained the definition of ‘close person’. According to that definition, close persons include, among others, “a current or former partner in an emotional or intimate relationship, regardless of whether the perpetrator shares or has shared a household with the victim”.² Accordingly, violence committed within a same-sex partnership should be treated as domestic violence. However, the case from Tuzla in which a policewoman threatened to kill her former partner shows that in practice this is not the case. Due to a lack of information about the specific case, we cannot claim that the Tuzla Canton Prosecutor’s Office could have classified such conduct differently.

Stopping the distribution and promotion of an anti-gender handbook in schools

In 2025, the organisation Roditelji za prava djece (Parents for Children's Rights) published a handbook entitled *Fostering Virtues: A Handbook for Combating Violence by Encouraging Virtues in Students*, stating that the publication had been approved and funded by the Ministry of Education and Culture of the Republika Srpska. The handbook is rife with inaccurate information, harmful narratives and stereotypes aimed at LGTBI people and women. We will share just some of the problematic parts.

“Even cartoons for children are full of perversity and violence, and in Disney cartoons half of the characters are members of the LGBTIQ+ community. People who change their sex are presented as a ‘normal’ phenomenon, while ‘attractive’ non-binary children of celebrities are becoming increasingly common. [...] All of this contributes to the disorientation of a mature person, let alone a child. How, then, can a young person today resist the temptations of modern times and grow into a healthy and stable individual?! [...] Space has been opened for feminism, thereby launching a war against male nature and even encouraging young men to feel ashamed of being natural and normal men. [...] An effeminate man is the downfall of society, because there is no one left to protect the family. If men recover, there is hope for women as well, and thus for the entire nation.”³

Nevertheless, the response of the Ministry of Education and Culture of Republika Srpska is encouraging. In response to an inquiry submitted by the Helsinki Citizens' Assembly Banja Luka, the Ministry stated that the handbook had not been approved for use in educational institutions in RS and that the Ministry had neither approved the content of the publication nor authorised its distribution or use in schools, although it had financed its printing.

1. Decision published in the Official Gazette of FBiH, no. 43/2025 [accessed: 5 March 2026]

2. Criminal Code of the Federation of Bosnia and Herzegovina (Official Gazette of FBiH, 36/03, 37/03, 21/04, 69/04, 18/05, 42/10, 42/11, 59/14, 76/14, 46/16, 75/17, 31/20, 44/22, 42/23), Art. 2(16), <https://www.paragraf.ba/propisi/fbih/krivicni-zakon-federacije-bosne-i-hercegovine.html>

3. Association of Citizens Roditelji ZA prava djece, *Podsticanje vrlina: priručnik za borbu protiv nasilja kroz podsticanje vrlina kod učenika, Banja Luka: Srbecko sabranje Baštinik, 2025.*

After learning that the handbook was allegedly being distributed in schools, the Ministry sent a notice to primary and secondary schools requesting that they inform the Ministry if materials lacking approval from the competent institutions appeared or were distributed. The handbook, together with the submitted explanatory memorandum and reviews, was forwarded to the RS Pedagogical Institute for expert assessment and analysis within the approval procedure. The Institute subsequently issued an opinion stating that the publication does not meet the professional and ethical standards prescribed by the applicable rulebooks and that, in its current form, it cannot receive a positive opinion for use in the educational process.¹

1. Letter from the RS Ministry of Education and Culture to the Helsinki Citizens' Assembly, Banja Luka, 30 January 2026.

PRIORITY MEASURES TO BE TAKEN

Extension of the existing Action Plan

Given that the current LGBTI Action Plan expires at the end of 2025, the BiH Gender Equality Agency needs to proceed with the preparation of a new report that would focus on all activities that have not been implemented by the end of 2025. However, as the preparation of such a document involves complex coordination of all levels of government and bearing in mind the increasingly pronounced anti-gender initiatives, particularly in the RS, extending the validity of the current action plan is also an option that should be considered.¹

Preparing a new Special Report on the rights of LGBTI people

In 2026, it will be ten years since the BiH Institution of the Human Rights Ombudsman published the first official state report on the human rights of LGBT people in BiH.² Bearing in mind that, over such a long period, we have documented numerous examples of both positive and negative practice, we consider it necessary to prepare a new version of this report to present, among other things, the level of implementation of the Ombudsman's recommendations from 2016.

Adoption of the Law on Same-Sex Life Partnerships in FBiH

The working group drafting the Law on Same-Sex Life Partnerships in FBiH should, with the 2026 General Election in mind, submit a preliminary draft to the FBiH Government as soon as possible, for it to be forwarded to the parliamentary procedure. Of the 46 member states of the Council of Europe, 22 have legally permitted the conclusion of same-sex marriages.³ Additionally, ten states have legally recognised the registration of civil unions/partnerships.⁴ Bosnia and Herzegovina falls into the group of member states that have not legally recognised the family life of same-sex partners at all. Given the position of the European Convention on Human Rights in the domestic legal system,⁵ the case-law of the European Court of Human Rights has, through its interpretation of Article 8 of the Convention, established a positive obligation on States to recognise same-sex partners in their legal systems.⁶

Legal recognition of gender identity and coverage of gender reassignment costs by health insurance

It is not clear from the current legislation in BiH whether a legal change of gender marker is conditioned on undergoing a ‘complete’ or a ‘partial’ (medical) gender reassignment. Therefore, it is necessary for BiH, its entities and the Brčko District to regulate the legal change of gender by adopting laws and other regulations that will systematically and comprehensively regulate the procedure for changing the gender marker and the unique personal number in personal documents. The procedure should be based on medical documentation confirming that the person lives in a different gender identity, proving the stage of their transition. Even more important is the trans person’s own request and the right to self-determination, without a requirement for any prior medical intervention, in cases where individuals do not wish to undergo it.

This means that it is necessary to define by law or by secondary legislation in the entities and the District what constitutes a ‘sex change’ performed by a healthcare institution, what constitutes the medical documentation proving the sex reassignment, and which healthcare institution is competent to provide the interpretation. Furthermore, it is necessary to recognise living in a different gender identity as the basis for administrative gender change procedures.

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1. Admir Adilović et al., *2025 Pink Report: Annual Report on the State of Human Rights of LGBTI People in Bosnia and Herzegovina*, Sarajevo: Sarajevo Open Centre, 2025, pp. 11-12, retrieved from: https://soc.ba/site/wp-content/uploads/2025/05/Rozi-izvjestaj-2025_1105_web.pdf [accessed: 10 March 2026]
 2. Jasminka Džumhur, Nives Jukić and Ljubinko Mitrović, *Special Report on the Rights of LGBT Persons in Bosnia and Herzegovina*, Banja Luka: Office of the Human Rights Ombudsman of Bosnia and Herzegovina, 2016, retrieved from: https://ombudsmen.gov.ba/documents/obmudsmen_doc2016110413333704eng.pdf [accessed: 10 March 2026]
 3. Andorra, Austria, Belgium, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Liechtenstein, Luxembourg, Malta, the Netherlands, Norway, Portugal, Slovenia, Spain, Sweden, Switzerland and the United Kingdom.
 4. Croatia (life partnership), Cyprus (civil cohabitation/partnership), Czech Republic (registered partnership), Hungary (civil partnerships – certain legal recognition), Latvia (civil unions since 1 July 2024), Lithuania (civil partnerships from 2025), Monaco (cohabitation agreements – limited recognition), Montenegro (life partnerships), Italy (civil partnerships) and San Marino (civil partnerships).
 5. *Constitution of Bosnia and Herzegovina, Article II/2 and II/6, Annex IV of the General Framework Agreement for Peace in Bosnia and Herzegovina*, https://www.ustavnisud.ba/public/down/USTAV_BOSNE_I_HERCEGOVINE_engl.pdf [accessed: 10 March 2026].
 6. European Court of Human Rights, *Schalk and Kopf v. Austria*, no. 30141/04, paras. 94–95, 24 June 2010; *Oliari and others v. Italy*, nos. 18766/11 and 36030/11, 21 July 2015; *Orlandi and others v. Italy*, no. 26431/12, 26742/12, 44057/12 et al., 13 December 2017; *Fedotova and others v. Russia*, nos. 40792/10, 30538/14 and 43439/14, 17 January 2023; *Maymulakhin and Markiv v. Ukraine*, no. 75135/14, 1 September 2023; *Buhuceanu and others v. Romania*, no. 20081/19 and 20 others, 25 September 2023; *Przybyšewska and others v. Poland*, no. 11454/17 and 9 others, 12 March 2024.

Gender reassignment (hormone therapy, surgical procedures) for trans people can only be carried out abroad, as medical facilities in BiH do not have enough staff trained to support individuals in the transition process. The costs of the medical transition process, which trans people bear themselves, are not reimbursed by the official health insurance system, which further prolongs the transition process and increases the overall financial costs.

In addition to legal gender recognition, it is also necessary to enable gender reassignment (hormone therapy, surgical procedures) for trans people in Bosnia and Herzegovina, by defining the duty of medical institutions to establish teams, equip health institutions and train professionals who could monitor the process and lead medical gender reassignment procedures in BiH, as well as an obligation for health insurance funds to cover the costs of these procedures.

These steps involve continuous and systematic education of BiH medical specialists and healthcare professionals in the fields of psychology, psychiatry, endocrinology, gynaecology, paediatrics, urology, and plastic, reconstructive and aesthetic surgery on the provision of adequate, trans-inclusive and trans-specific services and support to trans people in the transition process.

Reform the social welfare system to provide comprehensive support for LGBTI victims of domestic violence

Following the conclusion of the project, which, with the financial support of the Council of Europe, enabled the establishment of the first safe house for LGBTI victims of domestic violence under the leadership of the Wings of Hope Foundation, its continued existence has been called into question. There are several reasons for the unstable financial situation, which means that the problem needs to be approached from multiple angles to cover all aspects.

First, there is only one safe house for LGBTI victims of domestic violence, which means it is open to people from all over BiH. This presents a problem because funding for safe houses is provided, inter alia, from the cantonal budget. If the victim comes from another canton, inter-cantonal cooperation agreements must exist between the relevant authorities. For the safe house for LGBTI victims of domestic violence, this means that cooperation agreements need to be signed with all cantons and the relevant institutions in the Republika Srpska.

For this solution to be effective, another obstacle in providing protection must also be overcome. Under the FBiH Law on Protection from Domestic Violence and Violence against Women, the decision to place someone in a safe house is made by the competent authority for guardianship, namely the social welfare centre.¹ Without that decision, the victim's stay cannot be covered by public funds. This means the victim must notify the police or the competent guardianship authority, and this is precisely where the obstacle lies, because the LGBTI community has a low level of trust in the institutions that make up the protection system.² It is necessary to continuously conduct training for the police and social welfare centres, to appoint contact points in these institutions to work with LGBTI victims of domestic violence, and to provide easy access to safe houses³ without requiring reporting to the competent authorities.

1. *Law on the Protection from Domestic Violence and Violence against Women in the Federation of Bosnia and Herzegovina, Official Gazette of the FBiH no. 19/25, Art. 57(4), <https://www.paragraf.ba/propisi/fbih/zakon-o-zastiti-od-nasilja-u-porodici.html>*

2. *Amina Dizdar, LGBTI osobe u sistemu zaštite od nasilja u porodici. Sarajevo: Sarajevo Open Centre, 2024.*

3. *Council of Europe Convention on preventing and combating violence against women and domestic violence, Art. 23, <https://rm.coe.int/168008482e>*

International legal standards and obligations of Bosnia and Herzegovina

The documents presented below are the foundation upon which legislation and public policies in BiH are designed or amended, and a standard that should lead to equality and reduce discrimination against LGBTI people in BiH. Their significance arises from Bosnia and Herzegovina's membership in international and regional organisations, as well as from their position in the BiH legal order. The principle of non-discrimination defined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the United Nations' International Covenant on Economic, Social and Cultural Rights, Charter of Fundamental Rights of the European Union,¹ the European Convention on Human Rights,² refers to LGBTI people as well. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) is particularly relevant for the protection of lesbian, bisexual and transgender women. The Committee on the Elimination of Discrimination against Women (CEDAW) in its Concluding Observations on the Sixth Periodic Report of BiH recommends that Member States ensure the respect of the human rights of lesbian, bisexual and transgender women and ensure that national action plans on gender equality address stigma and discrimination against them in all spheres of life.³ The Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) obliges the signatory states to provide victims of violence with protection without discrimination on any ground, including sexual orientation and gender identity.⁴

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1. Article 21 of the Charter of Fundamental Rights of the European Union (2016/C 202/02), Official Journal of the European Union C 202/389 of 7 June 2016, [https://eur-lex.europa.eu/legal-content/HR/TXT/](https://eur-lex.europa.eu/legal-content/HR/TXT/?pristupljeno: 5. mart 2026) [pristupljeno: 5. mart 2026]
 2. Although sexual orientation, gender identity and sex characteristics are not explicitly recognised in Article 14 ECHR and Article 1 of Protocol No. 12 to the ECHR, the ESLJP has, through its case-law, recognised these protected characteristics as well (see decisions *Salgueiro da Silva Mouta v. Portugal*, no. 33290/96, paragraph 28, 21 December 1999; *Fretté v. France*, no. 36515/97, para. 32, 26 February 2002; *A.M. and Others v. Russia*, no. 47220/19, para. 73, 22 November 2021; *Semenya v. Switzerland*, no. 10934/21, para. 169, 11 July 2023).
 3. Recommendation 44, Concluding Observations on the Sixth Periodic Report of Bosnia and Herzegovina of the Committee on the Elimination of Discrimination against Women of 8 November 2019, https://arsbih.gov.ba/wp-content/uploads/2020/06/CEDAW-C-BIH-Concluding-Observations-6_AsAdopted.pdf [accessed: 5 March 2026]
 4. Article 4, paragraph 3 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence CM(2011)49 of 7 April 2011, <https://rm.coe.int/168008482e> [accessed: 5 March 2026]

National legal framework

The prohibition of discrimination against LGBTI people is regulated by two systemic laws: Law on Gender Equality in BiH (LoGE) from 2003 and Anti-Discrimination Law (ADL) from 2009. While LoGE, which prohibits discrimination based on “sexual expression and/or orientation”, is declarative in nature in the context of protecting LGBTI people against discrimination,¹ ADL offers comprehensive protection against discrimination in all aspects of public life, including education, employment, healthcare, access to services, etc. ADL explicitly protects LGBTI people from discrimination by listing sexual orientation, gender identity and sex characteristics (SOGISC) among prohibited grounds for discrimination. Although the ADL stipulates the obligation to harmonise laws at the state, entity and cantonal levels with it, there are still many laws that do not include SOGISC as grounds on which discrimination is prohibited.

Institutional anti-discrimination action

For the purposes of reporting on institutional action, SOC sent four requests for access to information to the BiH Gender Equality Agency, the BiH Human Rights Ombudsman Institution, the Gender Centre of the FBiH Government and the RS Centre for Equity and Equality of Women and Men.

The BiH Gender Equality Agency (GEA BiH) informed us that during 2025 it did not receive a single request to examine violations of the Law on Gender Equality in Bosnia and Herzegovina that would relate to a breach of Article 2(3) of the Law on Prohibition of Discrimination on the ground of “sex and sexual orientation”.

The Council of Ministers of Bosnia and Herzegovina, at its 101st session held on 9 February 2026, adopted the Second Report on the Implementation of the Action Plan to Improve the State of Human Rights and Fundamental Freedoms of LGBTI People in Bosnia and Herzegovina, for the reporting period January – December 2024. The report noted stagnation in the implementation of the Action Plan. The competent institutions have carried out a very limited number of activities that contribute to achieving the legal, institutional and societal prerequisites for greater equality for LGBTI people in Bosnia and Herzegovina.

1. Although the Law on Gender Equality in BiH (Official Gazette of BiH 16/03, 102/09, 32/10), mentions “sexual expression and/or orientation”, it does not set forth the mechanisms for the protection of LGBTI people from unequal treatment, while the ADL through the protection against discrimination covers all areas of the public and some areas of the private life, and also defines different forms of discrimination, in addition to clear mechanisms of protection.

Bosnia and Herzegovina. The Information proposes extending the validity of the Action Plan until 2030, given that monitoring during 2025 did not show an acceleration in the implementation of measures, and that it is certain that most of the general and strategic objectives will not be met by the deadline (end of 2025). The Information has not yet been submitted to the Council of Ministers of BiH as it is awaiting the opinions of the Republika Srpska institutions.

Representatives of the Gender Equality Agency of the BiH Ministry for Human Rights and Refugees, as members of the Council of Europe's Committee of Experts on sexual orientation, gender identity and expression, and sex characteristics, participated in the drafting of the Recommendation to Member States on equal rights for intersex persons (CM/Rec(2025)7), which was adopted by the Council of Europe's Committee of Ministers in early October 2025.

The BiH Ministry for Human Rights and Refugees has proposed a grant in the draft 2026 budget of the BiH Council of Ministers to finance the operating costs of a safe house for LGBTI people, as has been the practice for years in the case of safe houses for women victims of domestic violence. Furthermore, activities have been undertaken to secure temporary donor support for the operation of the safe house for LGBTI people. As a transitional solution, the Gender Equality Agency connected the NGO running the safe house with relevant international actors, and financial assistance to the safe house has already been provided.

The Agency issued public releases to draw attention to the need to improve the position of LGBTI persons in Bosnia and Herzegovina, on the occasion of IDAHOT, the publication of the Council of Europe's Recommendation on intersex persons, the 16 Days of Activism against violence campaign, access to LGBTI healthcare and the Pride March.

Furthermore, the Agency maintains constant communication with the relevant institutions of BiH, as well as with the coordination points for implementation at the entity level, to gather information on the implementation of the Action Plan. One of the challenges identified during monitoring and reporting is the collection of empirical data on implementation by performance indicators.

In this regard, meetings were held with the relevant institutions of BiH, the Federation of Bosnia and Herzegovina, the Republika Srpska and the Brčko District of BiH, at which progress in the implementation of the Action Plan was discussed, and the institutions' capacity for results-based reporting was also built.

The BiH Institution of the Human Rights Ombudsman informed us that during 2025 it received two complaints of discrimination on the grounds of sexual orientation. No recommendations have yet been issued as the complaints are still with the handling lawyers. Regarding other activities, the ombudsmen were engaged in completing the Questionnaire of the Ministry for Human Rights and Refugees of BiH: Mapping Responses to Hate Speech and the Questionnaire of the UN Independent Expert on the protection against violence and discrimination based on sexual orientation and gender identity in relation to the human right to education. In addition, the institution attended the conference Human Rights in the Age of Uncertainty, organised by Sarajevo Open Centre.

In June 2025, SOC initiated a revised Special Report on the Rights of LGBT Persons in BiH, given that 2026 marks ten years since the initial report was published. We received a response from the ombudsmen stating that work on this report was not planned for 2025; following our subsequent letter requesting that the report be revised during 2026, we received a negative response due to the institution's lack of capacity.

The Gender Centre of the FBiH Government reported that during 2025 it had not received any submissions from citizens regarding discrimination on the grounds of sexual orientation, gender identity or sex characteristics. The Centre coordinated the FBiH reporting process within the framework of the LGBTI Action Plan and held a meeting at the FBiH Government with representatives of thirteen institutions to agree on the methodology for reporting on progress. The report was submitted to the BiH Gender Equality Agency. Members of the FBiH Gender Centre participated in the working groups for the LGBTI Action Plan and the Inter-ministerial Group for the analysis of regulations related to realisation of rights under same-sex life partnerships.

Centre for Equity and Equality of Women and Men of the Republika Srpska did not receive any complaints from citizens on the grounds of sexual orientation, gender identity or sex characteristics during 2025, nor did it participate in any training, working groups or campaigns related to the human rights of LGBTI people. This is the third year in which this centre has informed us that it has had absolutely no activities in the field of human rights for LGBTI people in the Republika Srpska, even though we have recorded flagrant human rights violations in this entity through previous Pink Reports.

Judicial and Prosecutorial Training Centre in FBiH¹ and Judicial and Prosecutorial Training Centre in the Republika Srpska² have included four training courses on the topic of human rights of LGBTI people in BiH in their 2025 training programme, namely the seminar Specific aspects of access to justice from the perspective of members of vulnerable groups (children, persons with disabilities, Roma, LGBTI people, marginalised categories of women), the seminar Human Rights of LGBTI People in BiH and Legal Mechanisms for Their Protection – Experiences from BiH and the Region, the seminar Members of Vulnerable Groups as Witnesses in Proceedings and the training Equality and Prohibition of Discrimination.

Of the above training courses, only the seminar Human Rights of LGBTI People in BiH and Legal Mechanisms for Their Protection – Experiences from BiH and the Region focuses exclusively on LGBTI human rights and was implemented in cooperation with SOC and the EU4Inclusion project in BiH. Eighteen participants attended these training sessions, where they were introduced to the criminal and civil law aspects of protecting LGBTI human rights in BiH. The remaining three training sessions only indirectly addressed the topic of LGBTI human rights.

In October 2025, the FBiH Civil Service Agency, in cooperation with SOC and the EU4Inclusion project in BiH, held a training session entitled Protection from Discrimination on the Ground of Sexual Orientation, Gender Identity and Sex Characteristics, attended by 35 civil servants from FBiH.³

1. 2025 Training Programme, JPTC FBiH, pp. 40, 49, 62 and 63 [accessed: 12 March 2026]

2. 2025 Training Programme, JPTC RS, pp. 47, 51, 65 and 69 [accessed: 12 March 2026]

3. Sarajevo Open Centre, press release of 28 October 2025, <https://soc.ba/u-saradnji-s-agencijom-za-drzavnu-sluzbu-fbih-odrzana-edukacija-za-drzavne-sluzbenike-ce-o-zastiti-od-diskriminacije/> [accessed: 12 March 2026]

Public policies to combat discrimination of LGBTI people

The most significant document in this context is the LGBTI Action Plan,¹ adopted in July 2022. This Action Plan is valid until the end of 2025.² Of the activities, it is particularly important to note that the BiH Council of Ministers, at its 101st session held on 9 February 2026, adopted the Second Report on the Implementation of the LGBTI Action Plan for the period January–December 2024.³

The second report on the implementation of the LGBTI Action Plan is methodologically well-structured and provides a clear overview of the extent to which the planned measures have been implemented. A positive aspect of the report is that it openly points to limited progress and stagnation in the implementation of certain measures, thereby maintaining its analytical credibility.

The report noted certain positive developments. Particularly noteworthy is the amendment to the Criminal Code of the Brčko District, which recognises sexual orientation and gender identity as protected characteristics. It is also significant that the fifth BiH Pride March was held without incident, with institutional support and coordination of security structures. Further progress is evident in the organisation of training for representatives of the judiciary, police and civil service, as well as in the establishment of the first safe house for LGBTI people.

However, the overall implementation of the Action Plan by the end of 2025 remains limited and uneven. In almost half of the planned measures, no significant progress has been recorded, and the complete absence of implementation of measures relating to the guarantee of equal rights in public and private life, including issues concerning same-sex partnership, legal gender recognition and free legal aid, is particularly worrying.

1. Ministry of Human Rights and Refugees of BiH, *2021-2024 Action Plan to Improve the State of Human Rights and Fundamental Freedoms of LGBTI People in Bosnia and Herzegovina*, <https://arsbih.gov.ba/project/akcioni-plan-za-unapredjenje-ljudskih-prava-i-osnovnih-sloboda-lgbtiosoba-u-bosni-i-hercegovini-za-period-2021-2024-godine/> [accessed: 12 March 2026]

2. Council of Ministers of Bosnia and Herzegovina, *Release from the 37th Session, 28 February 2025*, https://vijeceministara.gov.ba/saopstenja/sjednice/saopstenja_sa_sjednica/default.aspx?id=42398&langTag=hr-HR [accessed: 12 March 2026]

3. Agency for Gender Equality of Bosnia and Herzegovina, *Second Report on the Implementation of the LGBTI Action Plan in BiH Adopted*, <https://arsbih.gov.ba/usvojen-drugi-izvjestaj-o-provodjenju-akcionog-plana-lgbti-u-bih/> [accessed: 12 March 2026]

The report also shows that a significant portion of the activities on the ground are carried out by civil society, while institutional involvement is often limited. Therefore, there is a need to improve the monitoring and reporting system, with clearer indicators and a stronger focus on measures that ensure the concrete realisation of the rights of LGBTI people. Overall, the report indicates certain progress, but also the need for significantly stronger institutional engagement in the coming period.

During 2025, no new gender action plan was adopted at the level of any canton that would have included, among other things, the human rights of LGBTI people.

Documented cases

According to SOC's 2023 research on the LGBTI community, 193 out of 401 respondents stated that they experienced discrimination, accounting for 48.13%. Of the 48.13% of respondents who reported experiencing some type of discrimination, 91.16% were discriminated against because of their sexual orientation, and 7.73% because of their gender identity/expression. The most common type of discrimination faced by respondents was harassment based on LGBTIQ identity, which occurred in 43.88% of cases. According to the findings of this research, the majority of respondents faced discrimination at school (29.33%), with many also experiencing discrimination at work (8.21%), police stations (4.69%), health institutions (4.99%), universities (12.02%), and hospitality establishments (13.20%). 12.61% of respondents reported discrimination in the LGBTI community. Furthermore, some people faced discrimination during the employment process. Others highlighted discrimination in society, online, within the family, and in their local community. The research discovered that up to 90.63% of respondents decided not to report discrimination. The answers to the question of why respondents did not report discrimination indicate deep fears and obstacles faced by the LGBTIQ community. Some of the key factors include distrust in officials involved in the proceedings, fear of identity exposure, and a lack of information about available assistance and reporting procedures. The length of court proceedings, potential financial costs, fear of retaliation, and concern about the reaction of family and friends are among reasons for not reporting discrimination.

In 9.38% of cases when respondents decided to report discrimination, they mostly decided to seek support from civil society organisations (35%) and from the Human Rights Ombudsman Institution (15%), indicating a low level of trust in judicial institutions and bypassing civil proceedings as a mechanism for proving and combating discrimination. Out of 20 reported cases of discrimination, only six were considered by the court. Of these, one process has been completed, and five are still ongoing, which points to the inefficiency and sluggishness of the judicial system in BiH in implementing anti-discrimination legislation and ensuring protection for LGBTI people.¹

SOC's legal counselling service documented seven complaints of discrimination on the grounds of sexual orientation and gender identity during 2025. One case concerned discrimination on the grounds of gender identity in the provision of healthcare. In this case, a transgender woman, with the help of SOC, appealed to the director of the health centre who had issued a warning to the workers who committed the discrimination. The second case concerns the dismissal of a female employee due to her sexual orientation. The third case is a complaint from a lesbian couple who were thrown out of a hospitality establishment for kissing. The appeal in this case was submitted with the help of SOC to the BiH Human Rights Ombudsman Institution and is still awaiting a decision. The fourth case concerns the discrimination of a gay man in employment due to his HIV-positive status. In this case, an appeal was sent to the BiH Human Rights Ombudsman Institution, and a decision has not yet been made. The fifth case concerns the discrimination of a transgender man in the provision of healthcare. In this case, the party, with the help of SOC, prepared an appeal to the BiH Human Rights Ombudsman Institution. The sixth case concerns the harassment of a gay man via a WhatsApp group. The seventh case concerns the discrimination of a gay man in a healthcare facility due to his HIV-positive status.

1. Emina Bošnjak and Darko Pandurević, *Numbers of Equality 3, Research on Problems and Needs of LGBTI Persons in Bosnia and Herzegovina in 2023 – Analysis of Findings*, (Sarajevo: Sarajevo Open Centre, 2023), p. 16-21, <https://soc.ba/site/wp-content/uploads/2023/12/Brojevi-koji-ravnopravnost-znace-ENG-web-.pdf> [accessed: 12 March 2026]

At the time of writing this report, SOC is pursuing four cases before the competent courts to establish discrimination on the grounds of sexual orientation, gender identity and sex characteristics.

In May 2025, the Municipal Court in Sarajevo issued a judgment finding that a private company had discriminated against SOC in the provision of services. The judgment was passed after SOC's legal representatives appealed against a first instance ruling which had dismissed the claim. The Cantonal Court upheld the appeal and remitted the case to the Municipal Court for a new decision. SOC has been pursuing this case since 2016, and it is still not finalised as the defendant has filed an appeal.

In June 2025, SOC appealed to the first-instance court, which ruled that the Municipal Court in Sarajevo held it was not discrimination for a private shopping centre to deny SOC the right to use a private square that is otherwise used in the public interest. SOC has appealed this decision and is currently awaiting the decision of the court of appeal.

At the end of 2025, the Cantonal Court in Sarajevo delivered a final judgment which found discrimination on the grounds of sexual orientation, gender identity and sex characteristics. The judgment concerned a public statement by the then-deputy in the Assembly of the Canton of Sarajevo, Samra Ćosović-Hajdarević. Following the announcement of the first BiH Pride March in 2019, she posted a status on Facebook which, among other things, contained calls for the segregation, isolation and discrimination of LGBTIQ people: "Everyone has the right to the life they want, and likewise we have our right to choose who we want to live with. I want people like this to be isolated and kept as far away from our children and society as possible. Let them go somewhere else and make themselves a city, a state, laws and their own rights that no one will challenge. But NOT here!"¹

In February 2026, the Basic Court in Banja Luka found that politician Milorad Dodik had committed discrimination on the grounds of sexual orientation, gender identity and sex characteristics in statements he made to the media on several occasions in March 2023, resulting in the creation of a hostile and offensive environment.

1. Sarajevo Open Centre, <https://soc.ba/donesena-prva-pravnosnazna-presuda-u-bih-za-diskriminaciju-prema-lgbti-osobama/> [accessed: 5 March 2025]

The then-President of the Republika Srpska publicly made discriminatory statements against LGBTI people both before and after the event that the BiH Pride March had planned to hold in Banja Luka. Namely, on 18 March 2023, hooligans attacked LGBTI activists in Banja Luka. Among other things, Dodik stated: “All activists of that group should be banned from accessing schools in order to propagate such things, such content should be removed from textbooks, and we should even try to see how to regulate this through networks because the presence of such content is becoming increasingly widespread, and I believe that it pollutes the public sphere, the social sphere, and I think it should be eliminated.” He also stated: “I remain opposed to those people, or rather to what they promote. I have nothing against those people; they are free to practise whatever they want in their private lives — sue me, that is no problem at all”, as well as “There are places, islands around the world where this is considered normal – feel free to move there and live there.” Sarajevo Open Centre believes this judgment is important because it confirms that public speech by politicians calling for the exclusion and stigmatisation of LGBTI people is unacceptable and can have serious consequences.¹

In addition to the cases handled by SOC, the BH Journalists’ Association provided SOC with a judgement that established discrimination against journalists on the basis of presumed sexual orientation. Specifically, a male journalist and a female journalist from the portal Naratorium filed a lawsuit against Mayor of the Šipovo Municipality for discrimination and harassment. The dispute arose following a telephone conversation in September 2023, which took place after the publication of an investigative article on forest management in the Republika Srpska. During the conversation, the defendant directed a series of insults, threats and humiliating statements at the two journalists, including sexist and homophobic comments. The court partially upheld the claim and found that the defendant had committed direct discrimination in the form of harassment, thereby infringing on the claimants’ dignity by creating an intimidating, hostile and humiliating environment.

1. Sarajevo Open Centre, *Sarajevski otvoreni centar, Sarajevski otvoreni centar*, <https://soc.ba/donesena-prva-pravnosnazna-presuda-u-bih-za-diskriminaciju-prema-lgbti-osobama/> [pristupljeno: 5. mart 2025] [pristupljeno: 16. mart 2026] [accessed: 16 March 2026]

The BiH Pride March won a discrimination case against Adnan Delić, a former minister in the Government of Sarajevo Canton, at the end of November 2025. Although it recognised harassment as a form of discrimination and ordered the defendant to issue a public apology through the media, the first-instance court, on the other hand, adopted a restrictive approach to the interpretation of anti-discrimination law. The court linked discrimination to the proof of specific damage or measurable consequences (e.g. security incidents or bans on gatherings), even though the Anti-Discrimination Law and the case-law of the European Court of Human Rights are based on a standard of proving a likelihood of discrimination and the objective effect of the conduct. This effectively places the burden of proof back on the claimants, instead of shifting it to the defendant once discrimination has been made out. The judgment also disregards the standard according to which a violation of the right to freedom of assembly can exist even without the occurrence of concrete harm, if the conduct of public authorities or their representatives creates a chilling effect on members of vulnerable groups. This approach indicates a persistent tendency to link protection from discrimination to the proof of harm, rather than to safeguarding the equal enjoyment of rights.

The table below shows the cases of discrimination recorded by SOC over the past three years. The figures represent cases observed by SOC in public or reported by LGBTI individuals to SOC's legal counselling service. LGBTI people's trust in institutions remains very low, given that at present there is only one final court judgment against a politician from Sarajevo Canton. Although it is not possible to determine the frequency of discrimination over the years from the table, it can be concluded that discrimination is present and has been recorded in most of the areas mentioned by the law.

Year	2023	2024	2025	TOTAL
GROUND				
Sexual orientation	4	3	5	12
Gender identity	1	0	2	3
Sex characteristics	0	0	0	0
AREA				
Education	0	0	0	0
Access to goods and services	2	2	1	5
Employment and labour relations	0	1	2	3
Health	0	0	3	3
Other	3	0	1	5
TOTAL FOR THE YEAR	5	3	7	15

Table 1. SOC Data on SOGI-based Discrimination

Guidelines for further action

1. Ensure a short-term extension of the 2021–2024 Action Plan to Improve the State of Human Rights and Fundamental Freedoms of LGBTI People in BiH for an additional year, while simultaneously initiating an inclusive and timely process for the development of a new action plan that will address current needs and challenges.
2. Implement the relevant recommendations in international and national documents by improving laws and secondary legislation and include the rights and needs of LGBTI people in all public policies at all levels of government.¹
3. Introduce LGBTI-specific modules into the training of judges, prosecutors and civil servants.
4. In addition to legislative and policy solutions, it is necessary to adopt internal acts and develop internal mechanisms for all legal entities to address cases of discrimination based on sexual orientation, gender identity or sex characteristics.
5. Establish a system of accountability for the judiciary and other bodies that fail to apply the principle of urgency in all proceedings examining allegations of discrimination, including cases based on sexual orientation, gender identity or sex characteristics.

1. Committee of Ministers of the Council of Europe, Recommendation CM/Rec(2010)5 to member states on measures to combat discrimination on grounds of sexual orientation or gender identity, 31 March 2010; BiH Human Rights Ombudsman Institution, Special Report on the Rights of LGBTI Persons in Bosnia and Herzegovina, Banja Luka: BiH Ombudsman Institution, 2016; Law on Prohibition of Discrimination of Bosnia and Herzegovina, Official Gazette of BiH, 59/09 and 66/16.

II HATE CRIME AND INCITEMENT TO HATRED

Legal framework

In August 2025, amendments to the FBiH Criminal Code entered into force, introducing certain normative improvements. Unfortunately, these amendments did not include changes to the provisions regulating the public incitement and provocation of violence and hatred. As a result, sex, sexual orientation, gender identity, and sex characteristics remain unprotected grounds in the context of hate speech. Gender identity was removed as a protected characteristic from the RS Criminal Code, meaning that, following its 2024 amendments, the Criminal Code of the Brčko District of BiH remains the only criminal code in the country that provides protection against hatred motivated by sexual orientation and/or gender identity.

Institutional action

In cooperation with the Judicial and Prosecutorial Training Centres of FBiH and the RS, workshops were organised for twelve prosecutors and judges from FBiH and eleven from the RS. A total of 23 participants completed training on Human Rights of LGBTI People in BiH and Legal Mechanisms for Their Protection – Experiences from BiH and the Region.

In 2025, we implemented a 49-hour training programme for cadets and junior inspectors at the Police Academy. A total of 296 participants completed training on hate crimes and hate speech, including 23 participants enrolled in the junior inspector training programme and 273 participants enrolled in the basic police training programme.

For the adequate handling of hate crime offences, it is essential to have access to statistical data to gain insight into the prevalence of such offences and their impact on society. It is important to recognise that these offences do not affect only the individual victim, but also the entire group of persons sharing the relevant protected characteristic, which makes this a systemic issue.

To maintain reliable statistics, it is necessary to conduct appropriate and thorough investigations, understand the constituent elements of hate crimes, and correctly classify specific conduct as hate-motivated criminal offences. Another important aspect is the appropriate and consistent use of the TCMS and CMS systems in line with the instructions of the HJPC, as discussed in previous chapters of the Pink Report.

Documented cases with the Prosecutor's Offices and the Police

Sixteen prosecutor's offices stated in their responses that they had not recorded a single case of hate speech, violation of equality of citizens, or hate crime between 1 January and 31 December 2025. The Herzegovina-Neretva Canton Prosecutor's Office did not respond to SOC's request for access to information.

Prominent cases of hate speech

In 2025, Sarajevo Open Centre documented 14 hate crime cases involving domestic violence and attacks against LGBTI people prior to the sixth BiH Pride March, as well as five cases of hate speech. Six hate crime cases were reported to the police or prosecutor's offices, while three documented cases of hate speech were reported to the police, prosecutor's offices, or the Communications Regulatory Agency.

During 2025, SOC received a response from the Sarajevo Canton Prosecutor's Office regarding the criminal complaint filed over threats and insults directed at SOC due to the organisation of an iftar for the LGBTI community in 2023. In its response, the Prosecutor's Office informed SOC that no investigation would be conducted "because it is evident from the complaint and accompanying files that the reported act does not constitute a criminal offence". The Prosecutor's Office assessed the threats as "unspecified" and stated that "it is not clear to whom they were directed", further concluding that the case did not constitute a hate crime because the offence of endangering security under Article 183 is not legally defined as an offence that may be committed out of hatred. SOC appealed the Prosecutor's Office decision, citing specific threats demonstrating that they had not been directed at "the abstract LGBTI community living in BiH", but rather directly at SOC and all participants of the event. SOC also pointed to the Prosecutor's Office's failure to assess the conduct as a hate crime in accordance with Article 2(11) of the FBiH Criminal Code. Following the appeal, the Sarajevo Canton Prosecutor's Office informed SOC that the complaint had been upheld as well-founded, that the previous order not to conduct an investigation had been revoked, and that the acting prosecutor had been instructed to undertake evidentiary actions.

At the end of 2024, BiH artist Božo Vrećo was targeted by insults during a speech delivered by a Sarajevo imam. In response, Božo Vrećo addressed Reis-ul-Ulema Husein Kavazović and called on him to distance himself from the hate speech delivered by the imam to those present in the mosque. In February 2025, the Reis-ul-Ulema issued a statement describing the imam’s remarks as inappropriate, noting that everyone “must refrain from anything that could hurt others” and that “Bosnia is broad enough to accept all those who seek their own happiness, respect differences, and show respect for what others consider sacred”.¹

The following table shows the hate crime cases documented by SOC over the last three years.

Year	2023.	2024.	2025	TOTAL
GROUND				
Sexual orientation	14	12	13	39
Gender identity	2	0	4	6
Sexual orientation and gender identity	4	0	1	5
TOTAL	20	12	18	50
TYPE OF HATE CRIME				
Domestic violence	2	3	5	10
Peer violence	0	2	0	2
Threats	6	4	1	11
Other	12	3	8	23
TOTAL	20	12	14	46

1. “Reis Kavazović pisao Boži Vreći nakon što je bio meta uvreda” Reis Kavazović wrote to Božo Vrećo after being the target of insults, N1, 3 February 2025, <https://n1info.ba/showbiz/reis-kavazovic-pisao-bozi-vreci-nakon-sto-je-bio-meta-uvreda>

Guidelines for further action

1. Expand the provisions of the FBiH Criminal Code on incitement to hatred and violence to include sexual orientation, gender identity, and sex characteristics as protected grounds.
2. Adopt new or amend existing laws and regulations to clearly define forms of online violence and hate speech and provide for adequate sanctions against perpetrators. The legislative framework should also include data protection, privacy safeguards, and measures enabling rapid response and removal of harmful content from digital platforms.
3. With the goal of combating homophobia and prejudice within institutions, continuously educate and inform prosecutors, judges, police officers, and civil servants about hate crimes and incitement to hatred and violence against LGBTI people.
4. Improve cooperation between the police and judiciary in the prosecution of hate crimes against LGBTI people and systematically collect data on hate crimes committed on the grounds of sexual orientation, gender identity, and sex characteristics, in line with the HJPC BiH instruction of 27 January 2025
5. Introduce LGBTI-inclusive modules into the curricula of law faculties and police academies, as well as into permanent and specialised training programmes for police officers and civil service examinations.
6. Develop programmes to combat peer violence in primary and secondary schools, including homophobic and transphobic violence, as well as programmes promoting tolerance and the creation of an inclusive education system.
7. Train higher education and academia staff to increase their sensitivity in working with LGBTI people and enable them to recognise, condemn, and avoid hate speech against LGBTI people.

8. Strengthen the capacities of regulatory and self-regulatory bodies responsible for responding to hate speech in the online sphere. This should include ensuring greater resources and training for employees.

9. Establish cooperation with social media companies and other digital platforms to ensure rapid responses to reports and the removal of harmful content.

III

FREEDOM OF ASSEMBLY AND ASSOCIATION

Legal framework

The legal framework governing the right to freedom of assembly remains fragmented. Laws in individual cantons and entities differ from one another and are not harmonised with international standards. The drafting of the Law on Public Assembly of FBiH was included in the work programme of the FBiH Government, but no further steps were taken. This continues to restrict the exercise of the constitutionally guaranteed right to freedom of assembly through excessive financial and administrative burdens placed on organisers of assemblies. We recall that organisers are required to cover the costs of emergency medical services, event security, including the presence of a private security agency based on an assessment by the ministry of the interior, while organisers and stewards bear responsibility for disturbances of public order and peace during protests and are obliged to hand over to the police any person disrupting public order and peace.

Challenges in practice

Sarajevo Canton Ministry of Transport did not undertake activities aimed at facilitating the procedure for organisers to apply for temporary changes to the traffic regime, such as assuming responsibility for preparing traffic regulation plans or drafting and publicly publishing clear guidelines for organisers on how to independently prepare such plans without incurring additional costs.

With the aim of facilitating the enjoyment of the right to freedom of assembly, SOC published a practical guide for organising protests in BiH, including concrete examples of challenges organisers of public assemblies face in practice, as well as guidance on overcoming administrative obstacles.¹

The Municipal Court in Sarajevo delivered a first-instance judgment rejecting the claim filed by SOC seeking a finding of discrimination and violation of the right to freedom of assembly. The lawsuit was filed against the legal entity Aria Mall after SOC was denied temporary use of part of Trg djece Sarajeva location for the purpose of holding a public gathering.

1. Lejla Huremović, *Mirno, sigurno, organizovano: Praktični vodič za organizovanje protesta u Bosni i Hercegovini*, Sarajevo: Sarajevo Open Centre, 2026, <https://soc.ba/mirno-sigurno-organizovano-prakticni-vodic-za-organizovanje-protesta-u-bosni-i-hercegovini/>

In the proceedings, SOC argued that Trg djece Sarajeva, although privately owned, has the character of a publicly accessible space regularly used for public gatherings, and that restricting access to such a space may constitute a limitation of the right to freedom of assembly. In this context, SOC also referred to international standards, including the OSCE/ODIHR guidelines, which recognise that the right to peaceful assembly may also be exercised in privately owned spaces open to the public, subject to an appropriate balancing with property rights.

However, the Court held that SOC had not been placed in a less favourable position compared to other persons, nor that the denial of consent had resulted in a restriction of the right to freedom of assembly. In the reasoning of the judgment, the Court emphasised that the space in question is privately owned and that the owner has the right to dispose of it freely.

Such an interpretation raises questions regarding the relationship between property rights and the right to freedom of assembly in situations where privately owned spaces serve a public function. Particularly relevant is the question of the extent to which private actors, in accordance with the BiH Law on Prohibition of Discrimination, are obliged to refrain from conduct that may lead to restricting access to rights in the public sphere.

SOC filed an appeal against this judgment.

Guidelines for further action

1. Improve existing cantonal legislation to clearly define the distinction between the protection of the right to freedom of assembly of citizens and commercial public gatherings and events, and prevent the transfer of responsibility for event security from the competent ministries of the interior to private security agencies, whose engagement constitutes an additional financial burden for organisers of non-profit gatherings.
2. Adopt a single law at the level of FBiH regulating the area of public assembly equally across all cantons, as there are no constitutional obstacles to doing so, and harmonise legal solutions at all levels of government to ensure equal enjoyment of the constitutional right throughout BiH.

3. Decisions regarding the holding of public assemblies should be issued in a timely manner so that organisers have sufficient time to file an appeal in the event of a prohibition. Appeals should be decided by an independent body, rather than the authority that prohibited the assembly.

4. Decisions on granting temporary use of public space for the duration of a public assembly must not be left solely to the discretion of a private business entity, regardless of ownership over the public space.

IV FAMILY LIFE AND SAME-SEX PARTNERSHIP

Legal framework

The relationships between same-sex partners and their partnerships are not regulated in any administrative unit in BiH (FBiH, RS, BD). In this way, LGBTI people are unable to claim their constitutionally guaranteed rights to personal freedom and safety, private and family life and home, to starting a family, protection of property, or freedom of movement and residence. The obligation of BiH to regulate same-sex partnership arises from BiH membership in the Council of Europe and the decisions of the European Court for Human Rights.¹ Several recommendations of the Council of Europe require member states to respect the private and family life of every person and enable the establishment of same-sex partnerships by ensuring that their rights and obligations are at least equal to those of unmarried heterosexual couples.²

Institutional action

The process of analysing and proposing legislation aimed at improving the legal status of same-sex partners in FBiH has been ongoing since 2018. The process itself, along with its activities and results, has been reported on chronologically in previous editions of the Pink Report.³

On 4 June 2025, at its 56th session, the FBiH Government adopted a Decision establishing an expert working group tasked with drafting a lex specialis law – the Law on Same-Sex Life Partnerships in the Federation of Bosnia and Herzegovina.⁴ The working group began drafting the preliminary text of the Law on Same-Sex Life Partnerships in the Federation of Bosnia and Herzegovina in October 2025 and, at the time of writing this report, had not yet completed its work (see the Good Practices chapter of this report).

1. ECtHR, judgments on the rights of same-sex couples (2010–2024).

2. Recommendation CM/Rec(2010)5 of the Committee of Ministers to member states on measures to combat discrimination on grounds of sexual orientation or gender identity, Strasbourg: Council of Europe, 2010, <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016804b882e> [accessed: 13 March 2026];

Parliamentary Assembly of the Council of Europe, Resolution 2239 (2018) Private and family life: achieving equality regardless of sexual orientation, Strasbourg: Council of Europe, 2018, <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=25166&lang=en> [accessed: 13 March 2026];

European Commission against Racism and Intolerance (ECRI), General Policy Recommendation No. 17 on preventing and combating intolerance and discrimination against LGBTI persons, Strasbourg: Council of Europe, 2023, <https://rm.coe.int/general-policy-recommendation-no-17-on-preventing-and-combating-intole/1680acb66f> [accessed: 13 March 2026];

ECRI, Report on Bosnia and Herzegovina (sixth monitoring cycle), Strasbourg: Council of Europe, 2024, 11 <https://rm.coe.int/fourth-ecri-report-on-bosnia-and-herzegovina/1680b0661f> [accessed: 13 March 2026].

3. SOC, 2019–2025 Pink Reports.

4. Decision published in the Official Gazette of the FBiH no. 43/2025 [accessed: 13 March 2026]

According to SOC's 2023 research, out of 401 respondents, 24.69% reported being in a long-term, stable emotional relationship with a same-sex partner, while the majority stated that they were not currently in such a relationship. Of the total number of respondents who were in a long-term and stable emotional relationship, 33.86% already lived with their partner, while 39.37% planned to begin living together soon. More than half of respondents, 59.12%, stated that they did not wish to have children, while a significant percentage, 38.36%, stated that they would nevertheless like to have children in their same-sex partnership. When asked whether they would enter into a civil partnership or union in BiH if given the opportunity, more than half of respondents (53.31%) stated that they would. Interestingly, 33.73% of respondents were unsure whether they would enter into such a partnership, which raises questions regarding the level of awareness and understanding within the community itself about the rights associated with the legal regulation of civil partnerships. Given the legal and social invisibility of same-sex partnerships, there remains a need, both in society and within the LGBTI community, for additional information on this topic, as well as for opportunities for LGBTI people to meet same-sex couples in their surroundings and in safe spaces who can speak about their experiences and the concrete consequences that the lack of legal regulation has on their everyday lives. As expected, given the absence of legal regulation and the inability to recognise same-sex partnerships concluded abroad in BiH, 81.23% of respondents had not entered into this form of partnership outside BiH. However, six respondents stated that they had concluded a civil partnership. Regardless of their personal views on particular aspects of such unions, most respondents (88.06%) believe that same-sex partnerships should be legally regulated in BiH.¹

1. Emina Bošnjak and Darko Pandurević, *Numbers of Equality* 3, 39–42. [accessed: 13 March 2026]

Documented cases

During 2025, SOC received eight inquiries related to same-sex partnerships/marriage. The first case concerned BiH citizens living in Germany who sought information on how to enter into a same-sex marriage in Germany. The second case concerned gay partners living in BiH who had entered into a life partnership in Montenegro. One of the partners wanted to know whether he could change his surname in BiH to take his partner's surname. The third case concerned an inquiry from a lesbian couple who are BiH citizens regarding the recognition of foreign public documents issued in the United States. The fourth case involved a request for support in testamentary inheritance proceedings following the death of a testator who had lived in a life partnership with her partner. The fifth case concerned BiH citizens living in Germany, one of whom was in the process of renewing her visa. The issue arose because the couple had entered into a same-sex marriage in Germany and subsequently changed their surnames, but the new surname had not been registered in the old passport of the person applying for visa renewal. The sixth case concerned a lesbian couple from BiH who had a child through medically assisted reproduction. However, in the child's BiH birth certificate, only the woman who gave birth to the child was listed as the mother, while her partner was not, creating difficulties in the day-to-day exercise of parental care over the minor child. The seventh case concerned a lesbian couple from BiH who had entered into a same-sex marriage in Germany and were seeking assistance in the visa application process. The eighth case concerned a married gay couple living in Mexico. One of the partners is a BiH citizen and wishes for his partner to obtain a residence permit in BiH, as they plan to relocate there.

Guidelines for further action

1. Accelerating the ongoing legislative procedures in FBiH, while expanding the scope of rights to include matters relating to children in same-sex partnerships.
2. Initiate legislative processes for the adoption of a legal solution on same-sex partnerships in the RS and BD, so that same-sex couples receive equal treatment throughout BiH (in line with Activity 2.1 of the LGBTI Action Plan).

V HUMAN RIGHTS OF TRANSGENDER PEOPLE

Legal framework

The procedure for registering gender marker changes in civil registries and personal documents in the administrative-territorial units of Bosnia and Herzegovina (entities, cantons, district) remains inefficient, insufficiently defined, potentially degrading for transgender people, and inconsistent with the rights to self-determination, privacy, and bodily integrity.

Current legislation in BiH does not clearly specify whether legal gender marker change is conditional upon undergoing ‘complete’ or ‘partial’ (medical) gender reassignment.¹ Namely, no law or by-law in the entities or district defines what constitutes a ‘gender reassignment’ performed by a healthcare institution, what medical documentation is required to prove it, nor which healthcare institution is authorised to provide such interpretation. Furthermore, living in another gender identity is not recognised as grounds for administrative gender marker change procedures.

Based on existing practice and the lack of legal regulation governing gender marker change, it may be concluded that procedures for changing gender markers in personal documents can only be carried out following ‘complete’ medical gender reassignment, i.e. reassignment of primary and secondary sex characteristics, which often includes sterilisation of trans persons, namely the loss of reproductive functions.

Gender reassignment procedures (hormone therapy, surgical interventions), i.e., gender-affirming healthcare services, are generally accessible to trans people only abroad, since medical institutions in BiH do not have sufficient trained staff to provide support to persons undergoing transition. The costs of medical transition, which are borne by trans people themselves, are not reimbursed by the official healthcare insurance system, which further prolongs the process and increases the overall financial burden.

1. Nedim Seferović, *Mapiranje i analiza pravnih propisa i praksi o promjeni oznake spola u dokumentima*, Sarajevo: Sarajevo Open Centre, 2022, <https://soc.ba/prirucnik-mapiranje-i-analiza-pravnih-propisa-i-praksi-o-promjeni-oznake-spola-u-dokumentima/> [accessed: 11 March 2026]

At the international level, an important development is the announcement by the World Health Organization (WHO) that it will work on developing guidelines on the health of transgender and gender diverse people.¹ Work on the guidelines was announced in 2023 but had still not been finalised by 2025. The guidelines are expected to address current challenges and barriers and provide clear and implementable recommendations to EU member states. The guidelines will serve as a useful tool for national healthcare sectors, alongside the existing professional guidelines and protocols developed by the World Professional Association for Transgender Health (WPATH).

Institutional action

During March 2025, the General Secretariat of the FBiH Government and the FBiH Ministry of the Interior sent reminders to the FBiH Ministry of Health requesting the development of regulations in this area. Given that the FBiH Ministry of Health failed to respond to as many as nine reminders, the FBiH Ministry of the Interior requested that the General Secretariat of the FBiH Government place this issue on the agenda of the FBiH Government. The FBiH Ministry of the Interior stated that it remains ready for further cooperation and activities within its competencies to resolve this issue.

During 2025, no GAP containing measures relating to the rights of LGBTI people in BiH was adopted.

At the end of 2025, SOC contacted the FBiH Public Health Institute and the RS Ministry of Health to inquire when they planned to introduce the latest edition of the International Classification of Diseases 11 (ICD-11). The responses of the institutions in the RS and FBiH demonstrate different approaches to the introduction of ICD-11. The RS Ministry of Health and Social Welfare stated that the healthcare system still uses ICD-10 and that a transition to ICD-11 is currently not being considered, explaining that such a change would require significant adjustments to the legislative framework, information systems, and additional training for healthcare workers. In contrast, the FBiH Public Health Institute emphasised that it had already repeatedly initiated the process of translating and preparing the implementation of ICD-11, recalling that the classification entered into force in 2023, and proposing that the FBiH Ministry of Health initiate the procedure for obtaining translation rights, determine a timeline for implementation, and establish an expert body for coordination.

1. World Health Organization, "WHO announces the development of the guideline on the health of trans and gender diverse people", 28 June 2023, <https://www.who.int/news/item/28-06-2023-who-announces-the-development-of-the-guideline-on-the-health-of-trans-and-gender-diverse-people> [accessed: 11 March 2026]

These responses indicate differing levels of institutional preparedness and prioritisation regarding the harmonisation of the healthcare system with the new international classification of diseases.

Social reality

In 2023, Sarajevo Open Centre conducted research on the needs and challenges faced by LGBTI people in everyday life in BiH. The research showed that trans persons remain legally and socially invisible and continue to face limited access to healthcare, education, employment, legal gender recognition, and other fundamental rights. The research provides insight into their needs related to gender reassignment procedures (gender-affirming healthcare) and changes of gender markers in personal documents. A significant finding is that 58.33% of respondents believe that a third sex/gender category should be introduced in personal documents in BiH.¹ The findings clearly indicate the need for broader education and public awareness-raising in order to ensure support for and protection of the rights of persons who identify as trans, gender-diverse, or non-binary.

On the other hand, research on public attitudes towards the position and rights of LGBTI people shows that 27.5% of respondents believe that transgender persons should not have the right to legal gender recognition in accordance with their gender identity, 43% of respondents consider it unacceptable for a trans person to access gender-affirming healthcare, 20.7% of respondents support the right to self-determination – legal gender recognition without mandatory surgical transition – while 61.3% of respondents do not believe that the costs of gender-affirming healthcare should be financed through mandatory health insurance.²

Documented cases

During 2025, nine transgender persons contacted SOC with inquiries related to legal gender recognition. Six cases concerned trans women and three concerned trans men. Of these cases, particularly noteworthy was an inquiry from a secondary school in the Republika Srpska asking whether it could issue a certificate to a former student, who is a trans man, using his new personal data, given that the school's official records listed the person as female because he attended the school prior to gender reassignment.

1. Emina Bošnjak and Darko Pandurević, *Numbers of Equality* 3, 46.

2. Emina Bošnjak, *Acceptance from a Distance: Attitudes towards Homosexual, Bisexual, Trans and Intersex People in BiH*, Sarajevo: Sarajevo Open Centre, 2023, <https://soc.ba/site/wp-content/uploads/2023/10/Prihvatanje-s-distance-BOS-WEB-FIN.pdf> [accessed: 11 March 2025]

In May 2025, the Cantonal Court in Sarajevo delivered a judgment upholding the claim of a trans woman whose legal gender recognition had been conditioned by administrative authorities on the prior dissolution of her marriage. Despite this judgment, and after the case was returned for reconsideration, the administrative authorities rejected the request for a second time to change her name and gender marker, thereby forcing the person to initiate a second administrative dispute, which is currently ongoing.

In February 2025, the Supreme Court of FBiH issued a decision rejecting the request of a trans man from BiH seeking recognition of a foreign administrative decision from the Republic of Croatia concerning gender reassignment. The reasoning of the decision was based on the understanding that only judicial decisions, and not administrative decisions, may be recognised, which, according to professors of private international law, is incorrect.¹ In this case, the applicant submitted an appeal to the Constitutional Court of BiH and is currently awaiting a decision.

Guidelines for further action

1. It is necessary for BiH, its entities, and Brčko District to regulate legal gender recognition by adopting laws and other regulations that will systematically and comprehensively regulate the procedure for changing gender markers in personal documents and personal identification numbers on the basis of a trans person's own request and self-determination, without requiring any prior medical intervention, i.e., by abolishing sterilisation requirements in line with established human rights standards.
2. Cantons that have adopted GAPs should implement activities and objectives relating to transgender and intersex persons, including the development of guidelines for healthcare workers on best practices in working with transgender people.

1. Anita Duraković and Jasmina Alihodžić, Pravna neusklađenost versus pravna sigurnost – Ime i spol u međunarodnom privatnom pravu BiH, <https://hrcak.srce.hr/file/477350> [accessed: 11 March 2025]

1. BiH should implement the measures defined by the 2021–2024 Action Plan to Improve the State of Human Rights and Fundamental Freedoms of LGBTI People in Bosnia and Herzegovina relating to the medical and legal aspects of gender-affirming care/procedures, including: “analysis and promotion of existing modalities of gender reassignment for BiH nationals (medical and administrative aspects), and training of professionals in healthcare, education, social welfare, labour and employment on the rights and freedoms of LGBTI people”.

2. Adopt and implement laws and/or by-laws defining the obligations of healthcare institutions to establish teams, equip healthcare facilities, and train professionals capable of monitoring the process and conducting medical procedures related to gender-affirming care in BiH, as well as the obligations of health insurance institutes to cover the costs of such procedures through health insurance.

3. Healthcare professionals should provide gender-sensitive healthcare services and services promoting the sexual and reproductive health of trans and gender-diverse people.

4. Apply the latest edition of ICD-11 within the BiH healthcare system and abolish the pathologisation, i.e. diagnosis of mental disorders and psychiatric evaluation requirements for initiating hormone therapy, in line with the definition of gender incongruence and all conditions related to transgender identity (ICD chapter – Conditions Related to Sexual Health).

5. Access to all healthcare services and rights should be based on the principles of bodily integrity, self-determination, and informed consent, through an individualised and flexible approach based on the specific needs and circumstances of each person, while ensuring protection of the right to privacy (e.g. not maintaining registries of trans persons, not requesting data unnecessary for access to services, care, rights, etc.).

VI HUMAN RIGHTS OF INTERSEX PEOPLE

Legal framework

BiH has explicitly protected intersex persons in its anti-discrimination legislation through the prohibition of discrimination on the grounds of sex characteristics. However, there is still a lack of clear medical guidelines and procedures concerning the management of intersex variations across healthcare institutions in BiH. This gap includes the absence of protocols aimed at preventing ‘sex normalisation’, ‘sex assignment’, or surgical and other interventions on the sex characteristics of newborns/children carried out solely for the purpose of aligning their appearance with normative definitions of male or female sex, even where the child’s health is not at risk.

A major development at the United Nations level occurred with the adoption of the Resolution of the UN Human Rights Council (HRC) in April 2024.¹ The Resolution encourages states to work towards achieving the highest attainable standard of physical and mental health for intersex persons. Based on this Resolution, the Office of the United Nations High Commissioner for Human Rights published the report *Discriminatory laws and policies, acts of violence and harmful practices against intersex persons* in August.² The report analyses the global situation of intersex persons, including discriminatory laws and policies, acts of violence, and harmful practices affecting them in different regions of the world. It highlights that intersex persons are frequently exposed to stigmatisation, discrimination, and medically unnecessary or deferrable medical interventions performed without their free and informed consent, particularly in the case of children. The document also examines existing international human rights standards, identifies examples of good state practice in protecting the rights of intersex persons, and provides recommendations for improving legal protection, including ensuring bodily integrity, access to healthcare, and effective protection against discrimination and violence.

1. United Nations, “UN addresses the human rights of intersex persons in ground-breaking resolution”, OII Europe, <https://www.oiiurope.org/united-nations-addresses-the-human-rights-of-intersex-persons-in-ground-breaking-resolution/> [accessed: 13 March 2026]

2. Office of the UN High Commissioner for Human Rights, https://www.ohchr.org/en/documents/thematic-reports/ahrc6050-discriminatory-laws-and-policies-acts-violence-and-harmful?utm_source=chatgpt.com [accessed: 13 March 2026]

In October 2025, the Parliamentary Assembly of the Council of Europe adopted the Recommendation on Equal Rights for Intersex Persons.¹ The Recommendation addresses the prevention of harmful practices and human rights violations against intersex persons. The document emphasises that such practices, particularly medically unnecessary interventions on children without free and informed consent, constitute serious violations of the rights to bodily integrity, dignity, and autonomy. The Assembly calls on member states to adopt legislation and public policies aimed at preventing such practices, ensuring access to adequate healthcare and psychosocial support, and providing effective protection against discrimination and violence. It also highlights the importance of educating healthcare professionals, collecting data, and involving intersex persons in policymaking processes concerning their rights and wellbeing.

Institutional action

At the time of writing this report, no steps had been taken towards regulating medical and legal procedures relating to intersex persons. These measures should be defined through cantonal gender action plans. BiH lacks data on the number of intersex children born, both within municipal civil registry offices and healthcare institutions. Public health institutes collect and publish data on certain intersex conditions/variations, but such data remain incomplete and do not cover all variations/medical diagnoses.

Guidelines for further action

1. Establish cooperation between civil society organisations, healthcare institutions, and experts, and continue work on awareness-raising and sensitisation regarding the issues faced by intersex persons, including revising medical classifications and discontinuing the use of outdated and offensive terms such as ‘hermaphrodite’ and ‘pseudohermaphrodite’.
2. Cantons that have adopted GAPs containing measures relating to intersex persons should establish clear guidelines for healthcare professionals on appropriate treatment of transgender and intersex persons in BiH and implement legal regulation of medical and legal procedures relating to intersex persons.

1. Recommendation CM/Rec(2025)/7, Council of Europe, <https://www.coe.int/en/web/sogi/intersexrecommendation> [accessed: 13 March 2026]

3. Administrative and political units in BiH should ensure that healthcare workers provide gender-sensitive healthcare services and services promoting the sexual and reproductive health of intersex persons, as well as all other groups/persons.
4. It is necessary to ensure transparent and accessible information on procedures and medical treatment in cases involving the birth of intersex persons and to prohibit medically unnecessary surgical interventions and medical 'sex normalisation' treatments performed on intersex persons in healthcare institutions without the full and informed consent of the person concerned, until such time as they are able to understand their significance and consequences, except in situations where objective circumstances require urgent medical interventions, which should be clearly defined in procedures.
5. Ministries of health should develop procedures/guidelines that healthcare professionals will be obliged to apply.
6. In cooperation with non-governmental organisations working on these issues, ministries of health should develop training plans for healthcare professionals on the protection of intersex human rights within the healthcare system and implement training in line with the highest international standards in healthcare for trans, intersex, and gender-variant persons.
7. Clinical centres in BiH should systematically and continuously provide education and sensitisation training for medical staff involved in the medical treatment of intersex children.
8. Ensure the continuous involvement of public authorities (ministries of health) and bodies responsible for the protection of human rights (ombudsperson institutions) in safeguarding the human rights, self-determination, and bodily integrity of intersex persons.

Legal framework and institutional action

The legal framework is largely harmonised with European Union standards. The Law on Asylum and the Law on Foreigners, adopted in 2015 and 2016 respectively, have largely incorporated the provisions of relevant EU directives. However, the provision identifying sexual orientation and gender identity as characteristics of a particular social group, and as grounds for persecution and seeking asylum, was omitted. Same-sex partnerships are also not recognised as grounds for obtaining temporary residence in BiH, nor are they 'recognised in provisions relating to family reunification.¹ However, the Rulebook Amending the Rulebook on Asylum (Official Gazette of BiH, 75/21) stipulates in Article 5:

“An authorised official of the Ministry is trained to take into account the personal and general circumstances of the asylum seeker, cultural background, sex, sexual affiliation, gender identity, and other elements of vulnerability of the asylum seeker.”

Officials working with asylum seekers in BiH enhanced their knowledge on the protection of the rights of LGBTI people through a two-day workshop held on 16 and 17 September 2025 in Delijaš. The workshop brought together 17 representatives of institutions, who acquired practical tools for recognising and assessing asylum claims based on sexual orientation, gender identity, gender expression, and sex characteristics, as well as for adequately responding to the specific needs of this vulnerable group. The activity aimed to improve the implementation of international and European standards in asylum procedures in Bosnia and Herzegovina and to ensure more effective protection of LGBTI asylum seekers. During the workshop, the Council of Europe HELP online course LGBTI Persons in the Asylum Procedure, which recently became available in the Bosnian language, was also presented. The workshop was organised by the Office of the Council of Europe in BiH, and a representative of SOC was one of the lecturers.²

1. SOC, 2018 Pink Report, Chapter VII.

2. Office of the Council of Europe in BiH, <https://www.coe.int/bs/web/sarajevo/-/new-skills-available-for-bosnian-herzegovinian-civil-servants-to-protect-rights-of-lgbti-asylum-seekers> [pristupljeno: 11. mart 2025]

[accessed: 11 March 2025]

Social reality

Although, under the regulations of many EU states, BiH is designated as a ‘safe third country of origin’, LGBTI people continue to leave BiH and seek protection from persecution based on sexual orientation and gender identity in EU countries and North America. The concept of a safe third country of origin constitutes a legal presumption that a certain level of institutional functionality, rule of law, and legal protection mechanisms exists to protect citizens from all forms of persecution, including persecution based on sexual orientation, gender identity, and sex characteristics. LGBTI people from BiH decide to seek asylum due to psychological difficulties, psychological and physical violence, employment discrimination, and social rejection experienced because of their sexual orientation or gender identity.

In addition, over recent years BiH has represented a transit route for people on the move from countries in the Middle East, parts of North Africa, Pakistan, Afghanistan, and other states travelling towards EU countries. Among the migrant population, there are also LGBTI persons. Cases of people on the move belonging to the LGBTI population have already been recorded in BiH. Most of them transit through BiH, while only a small number decide to stay. The problems they face relate to accommodation, legal support and access to information, as well as stigmatisation and violence experienced from other people on the move due to their heightened vulnerability as a group. It is precisely for these reasons that LGBTI people on the move have contacted SOC seeking assistance primarily with accommodation, wishing to avoid placement in camp facilities.

Russia’s aggression against Ukraine in February 2022 also affected the Balkan migration route, resulting in the arrival of LGBTI asylum seekers from Russia and Ukraine. These persons, particularly Russian nationals, have predominantly been present in neighbouring Serbia due to the absence of entry restrictions into that country. In recent times, a certain number of persons seeking asylum on the grounds of sexual orientation, gender identity, and sex characteristics from Russia have also appeared in BiH, as further discussed in this chapter.

Documented cases

Given that official institutions responsible for asylum in BiH do not disaggregate data based on sexual orientation and gender identity, SOC contacted the Association *Vaša prava BiH*, which has a contract with the BiH Ministry of Security for the provision of free legal aid to persons seeking asylum in BiH.

During 2025, as well as in previous years, *Vaša prava BiH* handled several cases involving beneficiaries who linked their asylum claims to sexual orientation, gender identity, and sex characteristics. These included persons from Palestine, the Russian Federation, Iran, Sierra Leone, and Cuba, with the note that the persons from Sierra Leone and Cuba contacted *Vaša prava BiH* before 2025. Two persons from Cuba identified as LGBT but ultimately decided not to initiate asylum proceedings and instead left BiH, while one person from Sierra Leone who had stayed in the territory of Una-Sana Canton was involved in asylum proceedings that concluded with a negative decision, i.e., the asylum application was rejected.

As regards 2025, the Association represented a person from the Russian Federation who was ultimately granted asylum in BiH and recognised as having subsidiary protection status. Although there were grounds for initiating an administrative dispute based on membership in a particular social group, i.e., there were grounds to seek refugee status, the person himself was not interested in filing a lawsuit.

Since the beginning of 2026, three persons have approached the Association seeking free legal aid and legal counselling. These persons are from Palestine, the Russian Federation, and Iran. Of these, the person from Palestine has currently decided to initiate asylum proceedings. The outcome of the proceedings is still unknown, as the case remains pending. Taking into account the above, as well as experiences from 2025 and previous years, it may be concluded that there is a certain (albeit not large) number of LGBTI persons who express an interest in and need for asylum in Bosnia and Herzegovina on the grounds of sexual orientation, gender identity, and sex characteristics, at least among the persons known to the Association. On the other hand, one possible reason for the relatively low number may lie in the fact that most people on the move along this migration route perceive Bosnia and Herzegovina as a transit country rather than a destination country, and therefore their short stay affects the possibility of early identification.

It is also important to emphasise that, to date, no case has been recorded in which the highest level of protection, namely refugee status, has been granted, while the granting of subsidiary protection status, in addition to the personal circumstances of the applicant, appears, according to our assessment, to have depended on the applicant’s country of origin. Thus, according to current practice, subsidiary protection status has been granted to persons from the Russian Federation and Iran, while asylum applications submitted by applicants from African countries, specifically Sierra Leone, have been rejected.

Year of advice sought and ground for seeking asylum	2023.	2024.	2025.	TOTAL
Sexual orientation	10	1	1	12
Gender identity	2	0	0	2
Total number of cases	12	1	1	14

Table 4. SOC data on cases of seeking help in the asylum process

Guidelines for further action

1. Amend the Law on Asylum of BiH so that sex, sexual orientation, gender identity, and sex characteristics are explicitly recognised as grounds for seeking asylum and possible grounds of persecution.
2. Amend the Law on Foreigners to recognise same-sex partnerships, i.e. family reunification, as grounds for granting temporary residence permits to partners of BiH citizens.
3. Implement Activity 2.3 “Adopt guidelines for cases of LGBTI people as asylum seekers and train officials” from the 2021-2024 Action Plan to Improve the State of Human Rights of LGBTI People in BiH.

4. Ensure dignified and efficient treatment and safe accommodation for LGBTI asylum seekers in BiH, particularly taking into account the fact that they belong to an extremely vulnerable group exposed to violence in reception centres.

5. Amend the Rulebook on the Content, Method of Keeping and Use of Official Records on Foreigners (Official Gazette of BiH, 51/16) so that the Asylum Sector of the BiH Ministry of Security maintains records of asylum seekers also on the basis of sexual orientation and gender identity.

VIII ANTI-GENDER MOBILISATIONS IN THE CONTEXT OF LGBTI RIGHTS

During 2025, Detektor conducted research into the activities and financing of anti-gender actors, resulting in a series of articles exposing the strong ties between these organisations, the Serbian Orthodox Church, and the authorities in the Republika Srpska. During the investigation, Detektor infiltrated the Viber group of the association Roditelji za prava djece,¹ one of the organisations responsible for the withdrawal of the Law on Protection against Domestic Violence and Violence against Women in the Republika Srpska. Members of the group exchanged information on how to avoid vaccinating children and shared messages directed against the rights of women and LGBTI people. In addition to spreading inaccurate and harmful information, it is particularly concerning that these organisations receive financial support from the Republika Srpska budget. While the survival of the safe house for LGBTI victims of domestic violence remains uncertain, and safe houses for women receive delayed and limited funding for support services for victims of violence, these organisations have received more than BAM 2 million from the authorities of the Republika Srpska over the past five years.² Some organisations have conducted activities that fall within the scope of the criminal offence of glorifying persons convicted of war crimes. Such findings demonstrate that the activities of anti-gender actors are reflected through institutional decisions and the allocation of public funds. In this sense, anti-gender organisations do not act solely as opponents of certain rights, but rather as broader socio-political actors whose activities, as noted by Roman Kuhar, represent “an attack on democracy”.³ Their influence is also visible through the blocking of public policies, as demonstrated by the contestation and failure to adopt the Youth Strategy of FBiH due to the use of the term LGBTQ+.

1. Azra Husarić Omerović, “Milioni iz budžeta Republike Srpske za antirodna udruženja” Millions from the Republika Srpska budget for anti-gender associations, Detektor, 2 February 2026, <https://detektor.ba/2026/02/02/milioni-iz-budzeta-republike-srpske-za-antirodna-udruzenja/>

2. Ibid.

3. Azra Husarić Omerović, “Roman Kuhar o djelovanju antirodnih pokreta u BiH: Napad na demokratiju” Roman Kuhar on the activities of anti-gender movements in BiH: An attack on democracy, Detektor, 6 February 2026, <https://detektor.ba/2026/02/06/roman-kuhar-o-djelovanju-antirodnih-pokreta-u-bih-napad-na-demokratiju/>

Guidelines for further action

1. Establish and consistently apply clear criteria for the allocation of budget funds to civil society organisations, including prohibiting the financing of organisations that spread disinformation, incite discrimination, or act contrary to the principles of human rights protection.
2. Ensure adequate and regular funding for safe houses and support services for victims of violence, including LGBTI victims of violence.
3. Develop mechanisms for sanctioning and suppressing the spread of harmful narratives and disinformation.
4. Continuously implement training aimed at strengthening the capacities of public institutions and public officials in the areas of gender equality and human rights.

IX ACTIVITIES IN LOCAL COMMUNITIES AIMED AT PROMOTING THE RIGHTS OF LGBTI PEOPLE

Banjaluka (UNSA Geto)

Local context

In the Republika Srpska, the space for the work of civil society organisations, including LGBTIQ+ initiatives, remains limited due to political pressure and entrenched institutional practices. Although certain legislative and policy proposals directly aimed at narrowing the space for civil society action – including the Draft Law on the Special Register and Publicity of the Work of Non-Profit Organisations, amendments to the Criminal Code of the Republika Srpska relating to defamation, as well as previously announced initiatives for additional regulation of associations – were withdrawn or amended following reactions from the public and international actors, their effects continue to be felt through the selective application of regulations, the absence of institutional support, and the general insecurity affecting the work of local organisations and groups.¹

In such a context, the activities of the LGBTIQ+ community in Banja Luka take place almost exclusively through closed and strictly controlled events. Organising such activities entails heightened security measures, including mandatory notification of the police, engagement of private security companies, and internal access control procedures, all of which indicate the limited space available for free and public assembly.

Banja Luka currently remains the only local community in the Republika Srpska in which, even under such conditions, educational and cultural activities for LGBTIQ+ people are organised, while in other places there are almost no visible activities, public gatherings, or organised community work. Such territorial inequality further deepens the isolation of LGBTIQ+ people outside larger urban centres.

1. Constitutional Court of Bosnia and Herzegovina, Decision U-6/25 on the Law on the Special Register and Publicity of the Work of Non-profit Organisations, 30 May 2025, <https://kucaljudskihprava.org/ustavni-sud-bih-stavio-van-snage-zakon-o-posebnom-registru-i-javnosti-rada-neprofitnih-organizacija-rs/> [accessed: 17 April 2026]

Relations between the community and institutions, particularly the police, continue to be marked by distrust stemming from the attacks on activists of the BiH Pride March and the premises of several associations in 2023. These attacks, which to date have not resulted in judicial outcomes, further contribute to feelings of insecurity and limit willingness to engage publicly. Although activities continue, including those held in spaces such as the Social and Cultural Centre Incel, they are implemented under significantly heightened security measures.¹

On the other hand, in court proceedings before the Basic Court in Banja Luka initiated by Sarajevo Open Centre against the then President of the Republika Srpska Milorad Dodik, it was established in March 2026 that his public statements from March 2023 constituted discrimination against LGBTI people. While this case relates to the broader institutional and political context, it simultaneously highlights the limitations in identifying and prosecuting the direct perpetrators of physical incidents.²

Key challenges

The activities of the LGBTIQ+ community in Banja Luka continue to be predominantly limited to closed and controlled formats accompanied by significant security measures, indicating a restricted exercise of the right to freedom of assembly in practice. Such conditions, together with long-standing distrust towards institutions, further reduce the willingness of community members to engage publicly, report incidents, or cooperate with competent authorities. At the same time, pronounced territorial inequality – whereby organised activities and visible forms of support for the LGBTIQ+ community are almost entirely absent outside Banja Luka – particularly affects smaller communities. At the systemic level, the lack of organisations engaged in continuous and strategic work aimed at changing institutional policies, as well as the absence of stable local infrastructure for long-term community work, further limits the development of the movement and access to rights.

1. “Napadnuti aktivisti Bh. povorke ponosa u Banjaluci” *Activists attacked at BiH Pride march in Banja Luka*, Radio Free Europe, 18 March 2023. <https://www.slobodnaevropa.org/a/napad-aktivisti-bh-povorka-ponosa-banja-luka/32324323.html> [accessed: 17 April 2026]

2. *Sarajevo Open Centre, Lawsuit Against Milorad Dodik: Basic Court in Banja Luka Finds Discrimination Against LGBTI Persons*, 16. mart 2026, <https://soc.ba/en/lawsuit-by-sarajevo-open-centre-against-milorad-dodik-basic-court-in-banja-luka-finds-discrimination-against-lgbti-persons/> [accessed: 17 April 2026]

Positive practices

Despite these challenges, there are examples of continuous community work and development in Banja Luka. The activities of the Association of Independent Creators and Activists GETO, which through the Social and Cultural Centre Incel provides a safe space for educational, cultural, and psychological support programmes, represent an important resource for the local community.

The development of the drag scene in Banja Luka, as well as the increasing visibility of performers across Bosnia and Herzegovina and the region, indicates the gradual strengthening of cultural production and spaces for expression, as well as the connection of the local scene with broader regional trends.¹

An increase has been observed in the participation of persons from Banja Luka within the organisational structures of the BiH Pride March, indicating stronger local engagement. At the same time, although there has been a decline in the number of participants from the Republika Srpska attending the Pride March, continuous efforts are being made to mobilise the community through local activities and awareness-raising.

In a broader context, despite pronounced territorial divisions and difficult mobility between cities, including weak public transport and infrastructure, the LGBTIQ+ community continues to function as a connected space of solidarity. Through formal and informal networks, cooperation and monitoring of regional trends are maintained, contributing to the community's resilience despite existing limitations.

Gap between policy and practice

Although the formal legal framework in Bosnia and Herzegovina recognises the prohibition of discrimination, its implementation in the Republika Srpska remains limited. Court proceedings establishing discrimination, including those related to public statements by political officials, demonstrate the existence of protection mechanisms, but do not necessarily result in improvements to the safety and position of LGBTIQ+ people in practice.

1. LGBTI.ba, "Stvaranje drag scene u BiH" *Creating a drag scene in BiH*, 21 January 2025
<https://lgbti.ba/stvaranje-drag-scene-u-bih/> [pristupljeno: 17. april 2026 [accessed: 17 April 2026]]

The criminal legislation of the Republika Srpska recognises hate crimes and hate speech, but its implementation in practice remains limited. Hate speech against LGBTIQ+ people is present in both public and online spaces, while the number of reported and prosecuted cases remains low, indicating insufficient recognition and institutional response.

The failure to prosecute direct perpetrators of violence points to a gap between the normative framework and its implementation. Despite formal rights, LGBTIQ+ people and organisations continue to operate in limited and unsafe conditions.

An additional structural problem is the absence of an organisation or coordination body in the Republika Srpska that would systematically collect the experiences of LGBTIQ+ people and advocate on their behalf before institutions. This makes it more difficult to articulate common demands and conduct coordinated advocacy for rights at the entity level.

Consequently, members of the LGBTIQ+ community continue to leave Banja Luka and the Republika Srpska. Although periods of increased organising and visibility do occur, they are often interrupted due to security and institutional obstacles, influencing individuals' decisions to seek safer environments in the region or the EU. This trend further weakens the sustainability of local initiatives and the continuity of community development.

Recommendations

Local authorities and police (Banja Luka and other local communities in the RS):

- Ensure effective prosecution of all cases of violence and threats against LGBTIQ+ people, including the consistent application of legal provisions relating to hate crimes and hate speech.
- Improve cooperation with civil society organisations through regular consultations and transparent communication.
- Ensure the safe organisation of public events without excessive administrative and security burdens, while protecting the right to freedom of assembly.

Institutions of the Republika Srpska:

- Develop and adopt policies that explicitly include the protection of the rights of LGBTIQ+ persons.
- Ensure the consistent implementation of existing laws relating to the prohibition of discrimination, including mechanisms for protection against hate speech and hate crimes.

- End the practice of political discourse that contributes to the stigmatisation of the LGBTIQ+ community and the public normalisation of discrimination.

International actors and donors:

- Support long-term initiatives in the Republika Srpska, rather than exclusively project-based activities.
- Strengthen local capacities for advocacy and community work
- Provide support for initiatives contributing to the decentralisation of activities beyond larger urban centres.
- Support programmes facilitating the mobility and networking of LGBTIQ+ people between cities, taking into account the limitations of infrastructure and public transport in Bosnia and Herzegovina.

Civil society organisations:

- Develop strategies for long-term presence and local-level work in the Republika Srpska.
- Strengthen cooperation and coordination among organisations from different parts of Bosnia and Herzegovina, including stronger cooperation between Sarajevo, Banja Luka, and other communities through decentralised programmes and field activities.
- Work on empowering local leaders and community initiatives, while encouraging greater initiative-taking within the community itself through the development of informal groups and local initiatives.
- Recognise that existing organisations currently cannot independently carry the entire long-term burden of community work and strengthen collective and distributed models of action.

Tuzla (Tuzla Open Centre)

Local context

Tuzla Canton, as the most populous canton in BiH,¹ represents one of the more specific local contexts in BiH when it comes to the position of LGBTI+ persons. Compared to other local communities in BiH, Tuzla is often perceived as a more open and inclusive space for diversity,² partly due to its tradition of civic activism and resistance, a strong academic community, and the continuous work of non-governmental organisations. Nevertheless, a formally more open environment does not automatically mean full social safety or equal access for everyone. This is reflected in the lack of safe spaces for the community, as well as in insufficiently developed support systems for LGBTI+ persons. Stigma, violence, hate speech, and discrimination remain present, particularly affecting persons living outside the urban centre.³

Based on the documentation of the Tuzla Open Centre, a greater willingness of the community to seek support and use existing protection mechanisms is visible.⁴ Although trust in institutions remains low, non-governmental organisations such as Tuzla Open Centre have become important allies in providing cooperation and support. Field experience shows that an increasing number of persons are contacting TOC in cases involving domestic violence, experiences of conversion therapy, discrimination, or exposure to other forms of violence and exclusion.⁵ At the same time, a clear difference remains between Tuzla and other cities and municipalities within the canton, particularly in terms of the availability of support, institutional cooperation, and the visibility of LGBTI+ issues.

1. FBiH Institute for Development Programming, *Socio-economic indicators by cantons in the Federation of BiH*, <https://fzpr.gov.ba/files/Socioekonomski%20pokazatelj%20po%20op%C4%87inama/Socioekonomski%20pokazatelj%20po%20op%C4%87inama%20FBiH%202024.pdf>, p108 [accessed: 15 April 2026]

2. Tuzla Open Centre, *Report on the State of Human Rights and Needs of LGBTI+ Community in Tuzla Canton in 2025*, Tuzla, 2025, p. 18, <https://www.toc.ba/post/izvje%C5%A1taj-o-stanju-ljudskih-prava-i-potreba-lgbti-zajednice-u-tuzlanskom-kantonu-2025-godine> [accessed: 15 April 2026]

3. Tuzla Open Centre, *internal documentation – Record of the number of users in 2025 (Internal document)*

4. Tuzla Open Centre, *Report on the State of Human Rights and Needs of LGBTI+ Community in Tuzla Canton in 2025*, Tuzla, 2025, p. 34, <https://www.toc.ba/post/izvje%C5%A1taj-o-stanju-ljudskih-prava-i-potreba-lgbti-zajednice-u-tuzlanskom-kantonu-2025-godine> [accessed: 15 April 2026]; Internal TOC documents on services provided.

Key challenges

The key challenges in Tuzla Canton, according to field experience, are:

- Complete absence or lack of trust in institutions and institutional protection mechanisms,
- Pronounced hate speech within the political sphere,
- Increased number of cases of domestic violence,
- Fear of coming out and visibility,
- Gap between communities and rural isolation.

The legal framework formally recognises the prohibition of discrimination,¹ but in practice this does not automatically translate into community trust in institutional work. A large part of the community still believes that institutions will not respond to problems in a timely and effective manner, and that slow and inadequate responses may instead lead to the escalation of existing problems. An additional concern is the increasingly frequent hate speech within the political sphere,² both in Tuzla Canton and across BiH. Discriminatory political rhetoric creates clear challenges for trust in the system and in systemic support mechanisms. For some LGBTI+ persons, the family environment itself becomes a place of rejection, emotional pressure, or control. Fear of coming out and visibility is particularly pronounced, and the community itself often avoids spaces and events associated with LGBTI+ identity or any form of recognisability. At the same time, persons from smaller towns and rural areas face greater social control, reduced anonymity, and an almost complete absence of local support services, which is why Tuzla remains the primary place where safer spaces and resources are sought.

1. *Parliamentary Assembly of Bosnia and Herzegovina, Law on Prohibition of Discrimination in Bosnia and Herzegovina, Official Gazette of BiH, 59/09, 66/16, <https://advokat-prnjavorac.com/zakoni/Zakon-o-zabrani-diskriminacije-u-BiH.pdf> [accessed: 16 April 2026]*

2. *Centre for Investigative Reporting, Monitoring Report on Hate Speech in Bosnia and Herzegovina, <https://cin.ba/storage/2024/02/Govor-mrznje-ENG.pdf> [pristupljeno: 16. april 2026] [accessed: 16 April 2026]*

Positive practices and development

Tuzla Canton demonstrates that the local level can also become a space for meaningful social change. While, on the one hand, we are witnessing the expansion of support services for LGBTI+ persons provided by the Tuzla Open Centre – including free legal counselling, psychological support, and peer counselling – 2025 was particularly marked by the opening of safe spaces for LGBTI+ persons.¹ Cultural institutions have provided venues for events, while hospitality venues and informal safe spaces have enabled the community to experience everyday visibility and a sense of belonging. It is precisely this network of formal and informal alliances that demonstrates how local change emerges through cooperation among multiple actors, rather than exclusively through institutional decisions.

Gap between policy and practice

Nevertheless, one of the key insights arising from local experience is the existence of a gap between formally recognised rights and their implementation in everyday life.² A normative framework exists, but the mere existence of rights does not mean that they are accessible, understandable, and effective in practice. At the local level, this gap is most often reflected in difficulties in proving discrimination, insufficiently clear procedures, limited visibility of protection mechanisms, and the absence of proactive institutional action. The causes of such a situation cannot be reduced to a single factor; in practice, it results from a combination of a lack of political will and insufficient specialised knowledge within institutions.

1. Tuzla Open Centre, *Report on the State of Human Rights and Needs of LGBTI+ Community in Tuzla Canton in 2025*, Tuzla, 2025, p. 20, <https://www.toc.ba/post/izvje%C5%A1taj-o-stanju-ljudskih-prava-i-potreba-lgbti-zajednice-u-tuzlanskom-kantonu-2025-godine> [accessed: 16. april 2026]

2. LGA-Europe, *Annual Review of the Human Rights Situation of LGBTI People in Europe and Central Asia: Bosnia and Herzegovina, 2024*, https://enlargement.ec.europa.eu/document/download/451db011-6779-40ea-b34b-a0eeda451746_en?filename=Bosnia%20and%20Herzegovina%20Report%202024.pdf [accessed: 16 April 2026]; European Commission, *Bosnia and Herzegovina Report 2024*, https://enlargement.ec.europa.eu/document/download/451db011-6779-40ea-b34b-a0eeda451746_en?filename=Bosnia%20and%20Herzegovina%20Report%202024.pdf [accessed: 16. april 2026]

Recommendations

- Develop a cantonal strategic framework for the protection of the rights of LGBTI+ persons.
- Appoint focal points for LGBTI+ issues within relevant institutions.
- Ensure systematic training for employees in the healthcare, education, social protection, and security sectors.
- Strengthen public funding for support services and discrimination prevention programmes.
- Regularly involve LGBTI+ persons and civil society organisations in decision-making processes.
- Continue supporting the work of local organisations and activities in smaller communities.
- Develop local safe spaces and support mechanisms outside urban centres.

Conclusion

The experience of Tuzla Canton demonstrates that the local level can simultaneously be a space of limitation and a space of change. Although stigma, distrust in institutions, and uneven implementation of rights remain present, there are also clear examples of cooperation, development of support services, and strengthening of alliances. Precisely for this reason, local experiences remain important for the broader context of Bosnia and Herzegovina, as they demonstrate that the advancement of the rights of LGBTI+ people depends not only on laws, but also on the capacity of communities to transform those rights into genuine safety and equality.

GLOSSARY OF LGBTI TERMS

BISEXUAL PERSON

A person who is sexually and/or emotionally attracted to persons of both sexes.

COMING OUT

The concept is derived from the English phrase coming out of the closet, routinely used to describe public or open declarations and affirmations of one's sexual orientation (for lesbians, gay men and bisexuals), gender identity (for trans persons) and sex characteristics (for intersex persons). It occurs on two levels: as a self-discovery and as a (more or less) public notification to others. Coming out is of great importance to LGBTI people, as it represents a public affirmation of their own identity, which is highly significant for the psychological health and quality of life of this minority group.

DISCRIMINATION

Discrimination refers to every distinction, exclusion, limitation and any form of putting a person or a group of persons at disadvantage on any ground. There are various grounds and characteristics by which a person or a group of persons is led to a disadvantaged position. Lesbians, gay men and bisexual persons can be discriminated against on the grounds of sexual orientation, trans* individuals (including transgender and transexual persons) on the grounds of gender identity and gender expression, and intersex persons on the grounds of sex characteristics. It is therefore essential that all three grounds (sexual orientation, gender identity and sex characteristics) be legally recognised as grounds on the basis of which discrimination is prohibited.

PRINCIPLE OF NON-DISCRIMINATION

Equal treatment of individuals or groups, regardless of their specific characteristics; used to assess the apparently neutral criteria and practices which can cause effects that systematically put the persons with these characteristics in an unfavourable position.

HOMOPHOBIA

Irrational fear, intolerance and prejudice against gay men and lesbians.

It manifests as a conviction in heterosexual superiority. Such conviction incites violence against persons who are not heterosexual, which is justified by a belief in one's own superiority (and the inferiority of others). Violence is reflected in verbal and physical attacks and discrimination.

HOMOSEXUAL PERSON

A person who is attracted to persons of the same sex.

LESBIAN

A woman who is sexually and/or emotionally attracted to other women.

GAY

A man who is sexually and/or emotionally attracted to other men. It can also be used as an adjective (e.g., gay person), and as such can include both men and women of same-sex orientation.

HOMOSEXUAL

An outdated clinical term for persons whose sexual orientation is towards persons of the same sex, i.e., persons that are sexually and/or emotionally attracted to persons of the same sex. This term is inappropriate and many gays and lesbians find it offensive. More correct terms are gay (men)/gays and lesbians.

HOMOSEXUALISM

An outdated clinical term that was used to medically mark the same-sex sexual orientation. It is considered offensive because it implies that homosexuality is a disease to be treated. Bearing in mind that the World Health Organisation (WHO) confirmed in 1990 that homosexuality is like heterosexuality, a natural variation of human sexuality, this term is no longer in use.

INTERSEX PERSONS

Persons whose sex characteristics, including chromosomes, gonads and genitalia, do not match the typical, binary categories of male and female bodies. There are different forms of intersexuality. Persons can be male, female and intersex. Intersex persons, like male and female persons, have their own sexual orientation and gender identity.

In the past, these persons were often called hermaphrodites, but this term is considered discriminatory and medically inaccurate.

INTERSECTIONALITY

An approach stemming from the sociological theory of intersectionality, which analyses discrimination as a complex system in which different forms of discrimination are based on different categories of identity (gender, sex, race, class, sexual orientation, gender identity). These identities are interconnected and influence each other and must be considered together when reflecting on discrimination.

LGBTI

The all-encompassing term used to denote lesbians, gay men, bisexual, trans* (gender) and intersex persons. The term denotes a heterogenic group usually identified by the acronym LGBTI in social and political activism.

LGBTTIQ

An abbreviation for lesbians, gay men, bisexual, transgender, transexual, intersex and queer persons.

QUEER

A term which was used earlier in the English language as a derogatory way to refer to non-heterosexual persons. The term was later taken over by LGBTI people to describe themselves. Some persons particularly appreciate this term because it signifies defiance and includes diversity – not only gays and lesbians, but also bisexual, transgender and intersex persons, and even heterosexual persons living outside the hetero-patriarchal norms.

GENDER IDENTITY

Gender identity is associated with an individual's experience and comprehension of one's own sex and gender, which may or may not correspond to the sex assigned at birth. Among other things, gender identity refers to personal experience of one's own body, clothing and speech. Persons whose gender identity is in accordance with the sex they were assigned at birth are called cisgender persons, while persons whose gender identity is not in accordance with the sex they were assigned at birth are called trans(gender) persons.

Transsexual persons, as a sub-group of transgender persons, are persons whose gender identity is not in accordance with the sex they were assigned at birth and who intend to adjust their biological sex, or who are in the transition process.

GENDER EXPRESSION

Visual and external presentation of each person, including personality features, appearance and behaviours that are considered masculine or feminine in a certain culture or period (hence, typical for male or female social roles).

GENDER AFFIRMING HEALTHCARE

A term that denotes a wide range of healthcare services required by transgender, gender diverse and intersex people, and of which affirm or confirm a person's gender identity, i.e. their sex characteristics. The term 'gender reassignment' is also used, but it has a narrower meaning than gender affirming healthcare and refers to the medicalisation of the transition process.

SEXUAL ORIENTATION

Emotional and/or sexual attraction or affection towards persons of the same and/or opposite sex/gender. Classification into heterosexual (attracted to the persons of the opposite sex), homosexual (attracted to the persons of the same sex) and bisexual (attracted to the persons of both the same and the opposite sex) is usually being used. In legal texts in Bosnia and Herzegovina, the terms sex orientation, sexual decision, sexual preference, sex preference and sexual choice are often used, but the use of the term sexual orientation is recommended.

SEX CHARACTERISTICS

A person's sex characteristics, like the chromosomes, gonads and genitalia, can be different from the typical, binary division of male and female bodies. Persons can therefore be divided into male, female and intersex. Intersex persons can be discriminated against, or be targets of hate crimes and prejudices because of their sex characteristics.

TRANSGENDER PERSON

A term used for persons whose gender identity is not in accordance with the sex they were assigned at birth. Transgender persons feel, prefer or choose to present themselves differently from traditionally prescribed gender roles assigned to them at birth. This can be expressed through clothing, way of speaking, manners, makeup or body modifications. Among other things, the term transgender refers to persons who do not identify themselves as either male or female, transexual, transvestites, crossdressers, a-gender, non-binary, gender fluid and other gender-variant persons. A transgender man is a person who was assigned the female sex at birth, but whose gender identity is masculine, or in the spectrum of masculine gender identities. A transgender woman is a person who was assigned the male sex at birth, but whose gender identity is feminine, or in the spectrum of feminine gender identities.

TRANSEXUAL PERSON

A person who has a clear desire and intent to modify/reassign their sex, or who has partially or completely modified their body (including physical and/ or hormonal therapy and surgeries).

TRANSPHOBIA

Irrational fear, intolerance and prejudice against transgender persons.

HATE CRIME

Refers to criminal offences motivated by prejudices against a particular person or group of persons. Hate crimes include intimidation, threats, property damage, abuse, homicide or any other criminal act whose victim became a target of the assault because of their actual or assumed sexual orientation, gender identity or sex characteristics, or the victim is connected, supports, belongs to or is a member of an LGBTI group.

ABOUT SARAJEVO OPEN CENTRE

Sarajevo Open Centre is a civil society organisation that works on promoting human rights in Bosnia and Herzegovina. We initiate and create systemic social changes, with an emphasis on gender equality and the position of LGBTI+ people.

We will mention only some of the achievements related to the equality of LGBTI people and women. Apart from psychosocial and legal counselling, we continued running the only LGBTI medium in the country – www.lgbti.ba portal.

We organised trainings for the police, prosecutor's offices and courts, with a focus on hate crime, hate speech and the application of anti-discrimination law; for medical professionals and health workers, with a focus on trans-specific and trans-inclusive gender reassignment; and for LGBTIQ community. We have worked intensively on creating a local institutional support network for LGBTI people in Sarajevo Canton, improving the regulation of biomedically assisted fertilisation in the Federation of BiH, rights of female workers related to discrimination on the ground of sex and maternity leave, introducing gender-sensitive language in parliaments and universities, adopting and implementing cantonal gender action plans, but also raising awareness about gender-based violence in BiH.

Over the past years, several of our legislative and policy initiatives have entered government or parliamentary procedure. We focused our advocacy activities on policies for equality of women and LGBTI people in BiH, reproductive rights of women and men, parenting in the context of reconciling private and business life, freedom of assembly of LGBTI people, improvement of the institutional framework for the protection from violence and discrimination, and we intend to continue working on issues concerning transgender persons, intersex persons, same-sex partnerships, their social inclusion, but also the position of LGBTI people in education, health, work and employment.

We have carried out media campaigns that have reached over one million citizens of BiH, and we also organised the LGBTI film festival Merlinka, which, in cooperation with Tuzla Open Centre, became the local festival Kvirhana in 2021.

For more about our work, see www.soc.ba.

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Admir Adilović is a Gestalt psychotherapist under supervision and a systemic constellation facilitator. They have been engaged in human rights activism since the age of fifteen. Since October 2024, they have served as Executive Director of Tuzla Open Centre and have been actively involved in the organisation's work since 2017. Admir is one of the few openly non-binary persons in Bosnia and Herzegovina. Their activism also extends into the field of art through writing poetry and plays. They are the author of the queer play *What Will Father Say*, which premiered at the Kvirhana Festival in Tuzla in 2024.

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Vesna Malešević is a cultural events producer and project manager with more than twenty years of experience. As a former investigative journalist, she has long been active as a human rights defender. She is one of the key figures behind the work of DKC Incel, a socio-cultural community space in Banja Luka, and the chief organiser of the regional BL ART Festival, an activist art festival.

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