

**Introductory Note
Consideration of the Initial and Periodic Reports
as per Convention on Elimination of all Forms of Discrimination
against Women (CEDAW)**

Distinguished Members of the CEDAW Committee,

It is a great honor for me to be here on behalf of Bosnia and Herzegovina, in order to present the Initial and periodic CEDAW Reports of Bosnia and Herzegovina.

This is a very important event for Bosnia and Herzegovina and all of us who were involved in the process of preparation of the Report.

I would like to express my gratitude to the CEDAW Committee for giving us the opportunity to present our achievements, and I have to say that we have been waiting a long time for this day to come.

More than 200 persons, both representatives from state and entity institutions and NGO sector participated in the preparation of the Report. However, this was not an easy process.

As you all know, Bosnia and Herzegovina was affected by a horrible war during 1992-1995, which resulted in enormous damages and loss in human beings. One of the consequences is also a huge economic destruction and changes in administrative structure. The institutional structure of Bosnia and Herzegovina after the signing of the Dayton Peace Agreement, which I will try to further explain afterwards, is extremely complex.

Therefore, great efforts were required in order to collect data and information from different levels of Bosnia and Herzegovina's authorities. We managed to develop a very strong network of persons from all these authority levels and work together across the entity borders.

Bearing in mind that this was not at all an easy task, we are, however, very proud of the product. I must also say that I am particularly proud of the strong will and investment of all those involved in this process and their desire to move forward and to make changes.

We are also aware of the fact that we have come a long way, but still much remains to be done. Therefore, we are looking forward to receiving your recommendations, which will certainly help us in our future work and will lead us towards achievement of greater results.

Now, please allow me to give you some more detailed information about the situation of Bosnia and Herzegovina:

Bosnia and Herzegovina was internationally recognized on 6 April 1992. It gained its legal existence as independent state within their existing administrative borders, now internationally recognized.

Bosnia and Herzegovina is well known for its various ethnic groups and national minorities.

War in Bosnia and Herzegovina, which broke out in April 1992, left enormous consequences on demographic picture of Bosnia and Herzegovina. A total of 2,200,000 persons were displaced from their homes, which makes over 55% of pre-war domicile population. Out of that number, some 1.2 million persons sought refugee protection in over 100 countries around the world, while at the same time some million persons were displaced within Bosnia and Herzegovina. In the period from 1992 to 1995 some 1,200,000 refugees from Bosnia and Herzegovina were recorded in the recipient countries. It is also important to emphasise huge economic damages which ravaged the country during the war.

The consequences of war have huge number of death casualties that is some 250,000 persons, among which there is a huge number of children. It is also estimated that more than 30,000 persons have been reported missing.

Changes in demographic picture of population in relation to 1991 census are the results of war cataclysm, exile, migration and emigration.

It is important to note that there has been no census in BiH since 1991, so there are no official data on population figures in Bosnia and Herzegovina.

GENERAL POLITICAL STRUCTURE

As I have already mentioned before, the post-war political structure in Bosnia and Herzegovina is very complex.

Efforts of the International Community to end the war in Bosnia and Herzegovina resulted with conclusion of the General Framework Agreement for Peace in Bosnia and Herzegovina (initiated in Dayton on 1 November 1995), signed in Paris on 14 December 1995.

Besides ending the war, this Peace Agreement also arranges the relations in Bosnia and Herzegovina, particularly by provisions of the Annex IV (the Constitution of BiH). Bosnia and Herzegovina continues its existence as an independent state. The territory of Bosnia and Herzegovina is made up of two

Entities, namely the Federation of Bosnia and Herzegovina and the Republika Srpska. This Agreement also regulates the competences of central authorities and Entity authorities. The capital remained Sarajevo, and official languages are Bosnian, Croatian and Serbian.

According to new structure, confirmed by the Constitution, Bosnia and Herzegovina has the Parliamentary Assembly, which consists of two chambers: the House of Peoples and the House of Representatives.¹

Bosnia and Herzegovina has three-member Presidency.

A body responsible for enforcement of the decisions and policies of Bosnia and Herzegovina, as determined by the Constitution of Bosnia and Herzegovina, is the Council of Ministers of Bosnia and Herzegovina.

Judicial bodies of Bosnia and Herzegovina are the Constitutional Court of Bosnia and Herzegovina and the Court of Bosnia and Herzegovina.

The Federation of Bosnia and Herzegovina is one of two Entities of Bosnia and Herzegovina. It is territorially divided into 10 Cantons. The Federation of Bosnia and Herzegovina has its Constitution.

Legislative authority in the Federation of Bosnia and Herzegovina are the House of Representatives and the House of Peoples.

The Federation has its President and two Vice-Presidents.

Judiciary authorities of the Federation of Bosnia and Herzegovina are the Constitutional Court, the Supreme Court, and the Federal Council for Offences.

The Federation of Bosnia and Herzegovina has the Government, composed of the Prime Minister and 16 ministers.

Cantons of the Federation of Bosnia and Herzegovina have the Constitutions and Assemblies as the highest legislative body. Executive body of the Canton is the Government of the Canton, composed of ministries. Judicial bodies in Cantons are ten (10) Cantonal Courts. Municipal courts and Magistrates` Courts have been established within municipalities.

The lowest, that is local level of authority organization in the Federation of Bosnia and Herzegovina are 84 municipalities. All municipalities have their councils – municipal Parliaments and municipal administrative service, operated by the mayor.

The Republika Srpska has the President and two Vice-Presidents.

The National Assembly of the Republika Srpska is the highest legislative body.

The Council of Peoples of the Republika Srpska are selected by the Clubs of Deputies in the National Assembly of the Republika Srpska.

¹ The House of Peoples comprises 15 Delegates, two-thirds from the Federation and one-third from the Republika Srpska, including five Croats, five Bosniaks and five Serbs. The House of Representatives comprises 42 Members, two-thirds elected from the territory of the Federation, one-third from the territory of the Republika Srpska.

Judicial bodies of authority of the Republika Srpska are the Constitutional Court of the Republika Srpska, the Supreme Court of the Republika Srpska, basic courts and magistrates` courts.

The Government of the Republika Srpska has the Prime Minister and 16 ministers.

The Republika Srpska is territorially organized within 63 municipalities, which have their municipal assemblies and municipal administrative services, operated by mayors.

The Brcko District of Bosnia and Herzegovina was established on 8 March 2000 on the basis of the *Decision of International Arbitration on the Status of Territory of Brcko*, adopted by the International Tribunal on 5 March 1999. The Brcko District has its Statute; the highest legislative authority is the Assembly. The Mayor leads the Government of the District.

Judicial bodies of the Brcko District are independent and are composed of the Basic Court and Appellate Court. The Judiciary Commission provides for the establishment of impartial court.

III INSTITUTIONAL MECHANISMS FOR GENDER MAINSTREAMING

Please allow me now to explain the National Institutional Mechanisms for Gender Mainstreaming in Bosnia and Herzegovina.

Due to the very complex state structure of Bosnia and Herzegovina, it is very important to mainstream gender at all levels (state, entity, cantons, municipalities), and ensure that all institutional mechanisms are functional. Institutional mechanisms have been established both in the legislative and executive authorities, and we are aware of the fact that establishment of those mechanisms in the executive authorities only would not have been sufficient to fully mainstream gender in the country.

At state, entity, cantonal and municipal levels, within the legislative authority, Commissions for gender equality have been established.

Within the executive authority, at state level, the Gender Equality Agency has been established; **at entity level**, Gender Centres as expert bodies, directly reporting to entity Prime Ministers, and focal points nominated in each entity ministry, **at cantonal level of the Federation of BiH**, Cantonal Co-ordination Boards for gender equality have been established; **at municipal level**, Commissions for gender equality have been established.

Trainings on gender sensitivisation have taken place for focal points in most of these institutional mechanisms, but we are not fully satisfied and believe that more trainings should be carried out and more resources, both human and financial, are required for expansion of gender mainstreaming structure.

IV – LEGAL FRAMEWORK FOR GENDER MAINSTREAMING IN BOSNIA AND HERZEGOVINA

In Bosnia and Herzegovina, the International legal framework for gender mainstreaming is as follows:

- **Convention on Elimination of all forms of Discrimination Against Women (CEDAW)**
- **Beijing Declaration and Platform for Action**
- **CoE Recommendation**
- **EU Community Framework Strategy on Gender Equality**

Besides, it is important to emphasise that on 04 September 2002, Bosnia and Herzegovina also ratified the **Optional Protocol from 2000 on the Convention on the Elimination of All Forms of Discrimination against Women**, and it entered into force on 04 December 2002.

The National legal framework for gender mainstreaming is:

- **Constitution of Bosnia and Herzegovina**
- **Gender Equality Law of Bosnia and Herzegovina**
- **Criminal Codes – state and entity**
- **Family Law - entity**
- **Law on protection against domestic violence - entity**

Constitution of Bosnia and Herzegovina

The Constitution of BiH has defined that BiH shall ensure the highest level of internationally recognized human rights and fundamental freedoms. Article II of the Constitution of Bosnia and Herzegovina determines that the rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and Protocols thereto shall apply directly in Bosnia and Herzegovina. These documents have priority over all other laws. Bosnia and Herzegovina and both its Entities have committed to ensure the highest level of economic, social and cultural rights protected by domestic and international regulations.

The Constitutions of Bosnia and Herzegovina and both its Entities prohibits discrimination on any grounds.²

² The Constitution of Bosnia and Herzegovina, Article II. 4.

I would like to emphasise that **the Gender Equality Law of Bosnia and Herzegovina (GEL)** defines both direct and indirect discrimination, gender based violence, harassment and sexual harassment and introduces sanctions against offenders. The areas covered by the Law are: education, Employment, work, and access to all forms of resources, Social protection, Health care, Sport and culture, Public life, Media, Prohibition of violence. The Law sets forth obligations of competent authorities to adopt programmes and measures for achievement of gender equality in all areas in compliance with the Gender Equality Law provisions.

V-ACHIEVEMENTS AS PER ARTICLES OF THE CONVENTION ON ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

I am also very pleased to inform you of the achievements of Bosnia and Herzegovina since the submission of the Report up to-date. We decided to list our achievements as per articles of the CEDAW Convention.

ARTICLES 1, 2 AND 3: DISCRIMINATION OF WOMEN AND MEASURES FOR ELIMINATION OF DISCRIMINATION OF WOMEN

- Within the **Project on Implementation of the Gender Equality Law of Bosnia and Herzegovina**: **seven thematic Working Groups** were established in line with the thematic sections of the Gender Equality Law: for public life, employment, work and access to all types of resources, education, social and health care, media, sport and culture, as well as the working group for commentary of the Gender Equality Law. The working groups have come up with a series of recommendations and measures, indicators and required statistical data, including the introduction of temporary special measures for improvement of gender equality, especially in the field of education, employment and social issues.
- **Gender Impact Assessment and the harmonisation with the Gender Equality Law** of 101 draft laws and law changes at entity and cantonal level has been carried out.
- The **entity Laws on Protection against Family violence** were brought in 2005 and their **bylaws** are being developed.
- **The Draft National Action Plan on Gender** as per the Beijing Declaration and Platform for Action was prepared in 2005, and it covers all 12 areas of the Beijing Declaration.
- **The Gender Action Plan for Bosnia and Herzegovina** prepared in 2005 and is foreseen to be submitted to the Council of Ministers of Bosnia and Herzegovina for adoption.

Its structure is as follows:

1. Actions that need to be implemented in 15 areas:

- European Integrations
 - Co-operation and Capacity Building
 - Macro-economic and Development Strategies
 - Gender Sensitive Budget
 - Power and Decision-Making
 - Employment and Labour Market
 - Social Inclusion
 - Incomes, benefits and unpaid work
 - Whole-life Education
 - Health, Prevention and Protection.
 - Violence and Trafficking in Human Beings
 - Role of Men
 - Harmonisation of professional and private life
 - Gender and Sustainable Environment
 - Information Technologies and Sciences
2. **Operational Plan** (responsible institutions, indicators and deadlines)
3. **Annexes.**

- **Mid-Term Development Strategy:** Working group for gender was established within the Economic Policy Planning Unit (responsible for the implementation of the strategy) in order to engender the Strategy.

ARTICLE 4: PROMOTION OF EQUALITY BETWEEN WOMEN AND MEN

- **The working groups for implementation of the Gender Equality Law** have come up with a series of recommendations for institutions, including the introduction of temporary special measures for improvement of gender equality.
- The Federal Ministry of Development, Business and Entrepreneurship, allocated grants for starting-up or development of the existing business of women within **the programme «Transfer for encouragement of development of entrepreneurship and business» LOT 3 - «Female Entrepreneurship»**. This is the first support to female entrepreneurship from governmental resources.
- **The Ministries of Agriculture, Forestry and Water Supplies co-ordinate implementation of the IFAD-financed Livestock and Rural Financed Development Project. The Project develops and implements affirmative measures and yearly Gender Action Plans based on field surveys focused on specific roles of both sexes in the agricultural production.**

ARTICLE 5. ELIMINATION OF STEREOPTYPES AND PREJUDICES

Violence against women:

- **The Law on Protection against Family Violence** was adopted in 2005.
- **The bylaws** are being developed
- **Gender Action Plan of Bosnia and Herzegovina and the National Plan of Action** cover the area „Violence against Women and Trafficking“

Education:

- The **analysis of gender stereotypes** in literature textbooks of elementary schools has been carried out.
- The analysis of the university curricula from gender perspective has been carried out.

Media:

- The Manual „**Screening gender in B&H Media**“ has been produced in order to raise awareness of editors and journalists of the importance of gender sensitive reporting and representation of both sexes in media
- The Analysis „**Gender Media Watch 2002**“ was published in order to demonstrate the level of gender representation in electronic media
- Several Gender sensitive language workshops have been organised.

Rural areas:

- **Co-operation of Gender Centres with entity Ministries of Agriculture, Forestry and Water Supplies** on the IFAD-funded project „Livestock and Rural Finance Development Project“ has been established.

ARTICLE 6. TRAFFICKING IN WOMEN AND EXPLOITATION THROUGH PROSTITUTION OF WOMEN

- **The new Law on Movement, Residence and Asylum for Foreigners in BiH** has been adopted.
- **Action Plan for Prevention of Trafficking in People** was adopted at the state level on 6 December 2001.
- **State Commission for implementation of the Plan** has been reformed, **the State coordinator** has been appointed for Bosnia and Herzegovina and **the Expert team** appointed at the state level, consisting of representatives of the Ministry of security, Ministry of justice, Ministry of Interior, Office of the State Prosecutor of Bosnia and Herzegovina, Ministry of Human Rights and Refugees.
- Ministry of Human Rights and Refugees has issued a **Provisional instruction for treatment of victims of trafficking**

- **The Protocol on cooperation with NGOs** has been signed
- **Gender Action Plan of Bosnia and Herzegovina and National Plan of Action cover the area „Violence against Women and Trafficking in Human Beings“**
- **Awareness raising** on the importance of this issue through education (the brochure „Marguarita could be your sister, daughter“ has been widely distributed in schools)

ARTICLE 7. POLITICAL AND PUBLIC LIFE

- **The working group for public life** within the Project Implementation of the Gender Equality Law has come up with a series of recommendations in order to increase the number of women in political and public life, with particular emphasis on political parties.
- **Amendments to the Election Law of Bosnia and Herzegovina** were submitted to the Bosnia and Herzegovina Parliamentary Assembly. One of them has passed: the obligation for all electoral bodies to provide gender disaggregated statistical records.

ARTICLE 10. EDUCATION

- **The Working Group for Education** under the project Implementation of Gender Equality Law has brought recommendations in order to improve the educational level of both girls and boys, and reach the balance between girls and boys in educational system of BiH.
- **Gender Action Plan and National Plan of Action** foresee a series of actions to improve educational conditions for both boys and girls in the area “Lifelong Learning”
- **The establishment of „Postgraduate Gender Studies“** within the Centre for Interdisciplinary Postgraduate Studies of the University of Sarajevo has been initiated and supported by the Gender Equality Agency
- **Within the Project „Integration of gender equality principles into educational system of Bosnia and Herzegovina“**, a series of workshops with directors and pedagogues of elementary and secondary schools have taken place.
- The total number of **203 elementary schools** participated in the trainings, and the total number of participants was 287.
- The total number of **125 secondary schools** participated in trainings, and the total number of participants was 191 (104 men and 87 women).
- **The Project «Integration of gender component into pilot schools curricula»** has taken place in Sarajevo Canton.
- **The conference „Gender mainstreaming in education“**, in co-operation with the Council of Europe took place in Banja Luka.
- The project **«Preparation of workshops with the aim of integrating gender concept in Subject Democracy and Human Rights in**

secondary school final classes» has been implemented. The results of workshops have been published in the Manual «Gender Equality». A **two-day workshop for professors of Democracy and Human Rights** has been organised.

The produced publications for gender mainstreaming in education:

- *Pink and Blue,*
- *Collection of Papers on Interactive Education, manual Gender Equality,*
- *Brochure How to Bridge the Gap between Us.*
- *Collection of Gender Approaches:* it contains the results of the three-years work insofar, at all levels of education, except for the high education.
- The manual «*Collection of Papers on Interactive Teaching*».

ARTICLE 11 LABOR, PENSIONS, AND SOCIAL PROTECTION

- **A series of activities are foreseen within the Gender Action Plan of Bosnia and Herzegovina** in the area “Employment and Labour Market” to improve position of women in labour market.
- **The Working group for work and employment**, within the project of Implementation of the Gender Equality Law of Bosnia and Herzegovina, has given recommendations in order to avoid discrimination in this area
- “Conclusions and Recommendations of the Working group on Employment, Work and Access to Economic Resources” were submitted to the **International Labour Office** in Geneva and Budapest and their comments will be also included in the Gender Action Plan.
- **The Federal Ministry of Development, Business and Entrepreneurship and the entity Ministries of Agriculture, Forestry and Water Supplies** co-ordinate programmes and allocate funds for improvement of the economic position of women
- The Gender Equality Agency provides support in engendering the **Support to Disability Policy Development (SDPD) in Bosnia and Herzegovina**

ARTICLE 12: EQUALITY IN THE APPROACH TO HEALTH CARE

- **The Gender Action Plan for Bosnia and Herzegovina** foresees a series of activities in the area *Health, Prevention and Protection*, in order to improve health conditions and protection for both men and women in BiH
- The Council of Ministers of Bosnia and Herzegovina and the United Nations Population Fund have brought **the Country Programme Action Plan (2005-2008)**
- **The Working Group for Health and Social Care** has brought recommendations within the Project “Implementation of the Gender Equality Law”
- A series of Round Tables with UNFPA and NGO sector have taken place

- The gender mechanisms have requested inclusion of information on reproductive health into teaching curricula

ARTICLE 14 WOMEN IN RURAL AREAS

- The **entity Ministries of Agriculture, Forestry and Water Supplies** coordinate implementation of the project Livestock and Rural Finance Development Project (LRFDP), financed by the International Fund for Agricultural Development (IFAD),
- **The Gender Action Plan of Bosnia and Herzegovina**, in majority of its areas, foresees activities in order to improve the situation of rural women

VULNERABLE GROUPS

- **The Strategy for legal literacy** has been developed, but there are no financial resources to implement it
- **The Strategy for resolving problems of Roma Population**, adopted in July 2005 by the Council of Ministers of Bosnia and Herzegovina (covers all areas: education, employment, lodgement, health protection, social protection, birth records, etc.) – providing deadlines and institutional responsibilities for each of its areas
- **The Action Plan on Educational Needs of Roma and Other National Minorities in Bosnia and Herzegovina** was signed on 17 February 2004
- Issues of Roma population integrated into **the Gender Action Plan of Bosnia and Herzegovina**
- **Establishment of the Advisory Board for Gender Equality of Roma Population** within the Gender Equality Agency, with the aim to prepare a **separate Action Plan for Gender Equality of Roma Population.**

Thank you.