



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the sixth periodic report of Bosnia and Herzegovina*

1. The Committee considered the sixth periodic report of Bosnia and Herzegovina (CEDAW/C/BIH/6) at its 1732nd and 1733rd meetings (see CEDAW/C/SR.1732 and CEDAW/C/SR.1733), held on 30 October 2019. The list of issues and questions raised by the pre-sessional working group is contained in CEDAW/C/BIH/Q/6, and the responses of the State party are contained in CEDAW/C/BIH/Q/6/Add.1.

A. Introduction

2. The Committee appreciates the submission by the State party of its sixth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/BIH/CO/4-5/Add.1) and its written replies to the list of issues and questions on the sixth periodic report, as well as the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue. It further appreciates the information provided in writing following the dialogue.

3. The Committee commends the State party on its distinguished delegation, which was headed by Saša Leskovic, of the Gender Equality Agency of the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, and included the Ambassador Extraordinary and Plenipotentiary and Permanent Representative of Bosnia and Herzegovina to the United Nations Office and other international organizations in Geneva, Nermina Kapetanovic, and representatives of the Gender Centres of Republika Srpska and the Federation of Bosnia and Herzegovina, the Gender Equality Agency, the Ministry of Human Rights and Refugees and the Permanent Mission of Bosnia and Herzegovina to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2013 of the State party's combined fourth and fifth periodic reports (CEDAW/C/BIH/4-5) in undertaking legislative reforms, in particular the adoption of the following:

* Adopted by the Committee at its seventy-fourth session (21 October–8 November 2019).



- (a) Amendments, in 2016, to the law on the prohibition of discrimination, which includes a definition of harassment and sexual harassment;
- (b) Law on the provision of free legal aid, facilitating access to justice for women, in 2016;
- (c) Law on foreigners, which provides for support to victims of trafficking in persons who have been granted temporary residence in the State party, in 2015;
- (d) Law on asylum, which prohibits discrimination on the grounds stipulated in article 2 (1) of the law on the prohibition of discrimination, including sex, sexual orientation, gender identity and sexual characteristics, in 2016;
- (e) Amendments to the Criminal Code, which define certain forms of sexual violence as a war crime and provide for more stringent sentences for perpetrators of trafficking in persons.

5. The Committee welcomes the State party's efforts to improve its policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption of the following:

- (a) Gender action plan (2018–2022);
- (b) Action plans for the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security (2014–2017 and 2018–2022);
- (c) National action plan to counter trafficking (2016–2019);
- (d) Framework strategy for the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) (2015–2018).

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party ratified the Istanbul Convention on 7 November 2013.

C. Sustainable Development Goals

7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of *de jure* (legal) and *de facto* (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.

D. Parliament

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the Parliamentary Assembly, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

E. Principal areas of concern and recommendations

Visibility of the Convention, the Optional Protocol and the Committee's general recommendations

9. The Committee notes the information provided by the State party during the dialogue on the dissemination of the Committee's previous concluding observations pursuant to a decision of the Council of Ministers. The Committee is concerned, however, about the general lack of awareness in the State party of the Convention, the Optional Protocol and the Committee's general recommendations.

10. **The Committee recommends that the State party:**

(a) **Intensify its efforts to disseminate the present concluding observations, the Convention, the Optional Protocol and the Committee's general recommendations among all stakeholders in the State party, in particular government officials, politicians and the judiciary, at the entity, district and cantonal levels;**

(b) **Raise public awareness of women's rights under the Convention, the Optional Protocol and legislation prohibiting discrimination against women.**

Legislative framework and definition of discrimination

11. The Committee welcomes the amendment of the law on the prohibition of discrimination, to which age, disability and sexual orientation were added as prohibited grounds for discrimination and in which the definition of sexual harassment was revised. Nevertheless, the Committee notes with concern that:

(a) The definition of non-discrimination in article 2 of the Constitution fails to encompass all forms of discrimination against women, in accordance with article 1 of the Convention, and that there was no political consensus during the process of amendment;

(b) The legislation and policies to achieve equality of women and men at the State, entity, district and cantonal levels have still not been fully harmonized;

(c) There are disparities in the implementation of legislation on gender equality owing to the decentralized structure of the State party.

12. **In line with its general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention, the Committee recommends that the State party:**

(a) **Without further delay, amend its legislation to incorporate a comprehensive definition of discrimination against women that covers direct and indirect discrimination in the public and private spheres and intersecting forms of discrimination, in line with article 1 of the Convention, as recommended in the Committee's previous concluding observations ([CEDAW/C/BIH/CO/4-5](#), para. 14);**

(b) **Continue its efforts to harmonize legislation and policies at all levels to enhance the enjoyment by women of their rights in all areas covered by the Convention, including with regard to protection from domestic violence, health and rural development;**

(c) **Allocate sufficient human, technical and financial resources to monitoring and assessing the impact of legislation on gender equality at the State, entity, district and cantonal levels.**

Access to justice

13. The Committee notes with appreciation the adoption, in 2016, of the law on the provision of free legal aid and the training provided for judges and prosecutors on gender equality. However, it is concerned about the insufficient access to free legal aid for women, especially those belonging to disadvantaged groups and in rural areas, who wish to complain about gender-based discrimination and violence. It is also concerned about the limited number of court proceedings in which provisions of the Convention have been invoked or directly applied.

14. With reference to its general recommendation No. 33 (2015) on women's access to justice, the Committee recommends that the State party:

(a) **Establish legal aid centres in all administrative units of the State party and ensure that adequate human, technical and financial resources, including access to means of communication and information, are allocated for the provision of free legal aid to women and girls in both criminal and civil proceedings;**

(b) **Raise awareness among women, in particular those in disadvantaged situations and victims of wartime sexual violence, about their rights under the Convention and the remedies available to claim them;**

(c) **Build the capacity of judges and prosecutors on women's rights and gender equality, including by making the application of the Convention a mandatory part of their professional training.**

Women and peace and security

15. The Committee welcomes the adoption of the third action plan on the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security, covering the period 2018–2022. Nevertheless, the Committee notes with concern:

(a) The limited financial resources allocated to the respective government departments for the effective implementation of the action plan;

(b) The reportedly insufficient engagement of district and cantonal authorities and limited participation of civil society organizations that work with women survivors in the development, implementation and monitoring of the action plan;

(c) The low level of representation of women in decision-making in post-conflict reconstruction processes;

(d) The slow pace of prosecutions for war crimes, including sexual crimes, and the fact that the draft revision of the national war crimes processing strategy, in which a timeline is defined for the prosecution of all war crimes by the end of 2023, has not been adopted;

(e) The limited support and assistance provided to victims of and witnesses to war crimes and the lack of reparation for victims.

16. In line with its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations and with Security Council resolution [1325 \(2000\)](#) and subsequent resolutions on women and peace and security, the Committee recommends that the State party:

(a) **Ensure that adequate resources are allocated to implement the third action plan on the implementation of Security Council resolution [1325 \(2000\)](#) on women and peace and security, covering the period 2018–2022, in Republika Srpska, all cantons of the Federation of Bosnia and Herzegovina and Brcko**

District, and provide information on the results of the plan in its next periodic report;

(b) Ensure that the authorities at the cantonal and district levels and women's rights organizations are effectively involved in the implementation, monitoring and assessment of the third action plan, including in its coordination board, and in the development of a subsequent plan and other strategies related to post-conflict reconstruction processes;

(c) Ensure the full and meaningful participation of women, including those belonging to disadvantaged groups, at all stages of the peacebuilding process and further increase the representation of women in decision-making positions in line with Security Council resolution 1325 (2000), and take into consideration the full spectrum of the women and peace and security agenda of the Council, as reflected in its resolutions 1820 (2008), 1888 (2009), 1889 (2009), 2122 (2013) and 2242 (2015);

(d) Adopt, without delay, the revised national war crimes processing strategy, in which a timeline is defined for the prosecution of all war crimes by 2023, so as to accelerate the prosecution of crimes of sexual violence committed during the conflict of the 1990s;

(e) Establish a fund to provide compensation and other forms of reparation to women who are victims of war crimes;

(f) Strengthen the capacity of witness support offices and departments to provide adequate protection and support, including psychological support before, during and after criminal proceedings, for witnesses to war crimes.

National machinery for the advancement of women

17. The Committee notes with appreciation that the State party has renewed its gender action plan for the period 2018–2022, which incorporates recommendations made by the Committee, and has secured funding for its implementation under the financial instrument programme for the implementation of the plan for the period 2018–2021. However, it is concerned that:

(a) The progress over the past decades on women's rights has been slow, and the strategic efforts to engage local, national and international stakeholders in this area have been insufficient;

(b) The Gender Equality Agency of the Ministry of Human Rights and Refugees lacks sufficient human and financial resources;

(c) The State party has not established monitoring and impact assessment mechanisms for the action plan, and representatives of civil society organizations did not participate meaningfully in the development of the plan;

(d) Decentralization has resulted in disparities in gender mainstreaming efforts and budget allocations and in a continued dependence on international donor funding.

18. The Committee recommends that the State party:

(a) Redress the slow progress with regard to women's rights as a matter of priority and ensure the timely implementation of the Convention and the Committee's concluding observations, with adequate financial and technical support from both national and international resources;

(b) Provide adequate human and financial resources to the Gender Equality Agency of the Ministry of Human Rights and Refugees and other gender

equality bodies, including through the financial instrument programme for the implementation of the gender action plan for the period 2018–2021;

(c) Strengthen cooperation with civil society organizations, in particular women's organizations, in the implementation of the gender action plan, and systematically involve them in the development of legislation, policies and programmes on gender equality at the State, entity, district and cantonal levels;

(d) Establish monitoring and assessment mechanisms for the gender action plan and provide information on the results in the next periodic report;

(e) Intensify its efforts to pursue gender-responsive budgeting in all government departments.

National human rights institutions

19. The Committee welcomes the reaccreditation in 2017 of the Human Rights Ombudsman of Bosnia and Herzegovina with A status by the Global Alliance of National Human Rights Institutions. Nevertheless, it is concerned that the non-transparent appointment and dismissal of the Ombudsman by the Parliamentary Assembly undermines the independence of the institution, and is also concerned about its insufficient human, technical and financial resources in effectively carrying out its mandate to promote and protect women's rights.

20. **The Committee recommends that the State party:**

(a) **Adopt the draft amendment to the law on the Ombudsman in order to strengthen the institution's independence and mandate to effectively carry out that mandate in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles);**

(b) **Provide the Human Rights Ombudsman of Bosnia and Herzegovina with sufficient human, technical and financial resources to promote and protect women's rights effectively.**

Temporary special measures

21. The Committee welcomes the temporary special measures adopted by the State party to achieve the substantive equality of women and men in a number of areas, in particular in political and public life and the security sector, as well as those targeting rural women under the strategic rural development plan for the period 2009–2015. The Committee is concerned, however, about the absence of temporary special measures to promote the political representation of disadvantaged groups of women, such as Roma women, returnee women, single mothers, older women and women with disabilities.

22. **Recalling its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:**

(a) **Raise awareness among political leaders and the general public of the nature of temporary special measures and the importance of achieving substantive equality between women and men in all areas in which women are underrepresented or disadvantaged;**

(b) **Strengthen the application of temporary special measures targeting women belonging to disadvantaged groups, such as Roma women, asylum-seeking and refugee women, returnee women, single mothers, older women and women with disabilities, including in political and public life, as well as in the areas of education, employment and health.**

Stereotypes

23. The Committee recalls its previous concluding observations (CEDAW/C/BIH/CO/4-5, para. 20) and reiterates its concern about the persistence of discriminatory stereotypes concerning the roles and responsibilities of women and men in the family and in society. It is particularly concerned about:

- (a) The absence of a comprehensive strategy to eliminate discriminatory stereotypes that perpetuate sexist and misogynistic attitudes within society;
- (b) Anti-gender discourse and online threats against women politicians, journalists, human rights defenders and women's non-governmental organizations, including by high-level politicians, and the lack of effective sanctions for such acts;
- (c) The persistence of sexist portrayals of women in the media.

24. The Committee recommends that the State party:

- (a) **Develop a comprehensive strategy to eliminate discriminatory gender stereotypes concerning the roles and responsibilities of women and men in the family and in society and harmonize relevant legislation in line with Recommendation CM/Rec(2019)1 on preventing and combating sexism, adopted by the Committee of Ministers of the Council of Europe;**
- (b) **Conduct nationwide awareness-raising and education campaigns on gender equality, targeting women and men at all levels of society, including political leaders;**
- (c) **Establish a mechanism to monitor the use of sexist and misogynistic language and hate speech in public discourse and sexist portrayals of women in the media, and raise awareness among journalists and media professionals of the importance of positive portrayals of women as active agents of change;**
- (d) **Adopt effective measures for the protection of women politicians, journalists, human rights defenders and women's non-governmental organizations to enable them to freely undertake their important work without fear or threat of violence or harassment.**

Gender-based violence against women

25. The Committee welcomes the measures adopted by the State party under the framework strategy for the implementation of the Istanbul Convention for the period 2015–2018. It remains concerned, however, about the continued high prevalence of gender-based violence against women, including domestic violence, in the State party. It is particularly concerned about:

- (a) Underreporting of cases of gender-based violence, including domestic violence, by women and girls owing to social stigma and their lack of trust in the law enforcement authorities;
- (b) The fact that judges, prosecutors, lawyers, police officers, health professionals and staff of the centres for social welfare who work with victims of gender-based violence lack specialized knowledge on gender issues;
- (c) The low prosecution and conviction rates in cases of non-physical violence against women, such as psychological violence, and the lack of disaggregated data on all forms of gender-based violence.

26. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

- (a) **Provide women who are victims or survivors of gender-based violence, including those belonging to disadvantaged groups, with adequate support and assistance, including free legal aid, access to accessible shelters, medical treatment and psychosocial counselling, and provide financial support to civil society organizations that give assistance to such victims and survivors;**
- (b) **Allocate adequate funding to civil society organizations that operate hotlines for victims and survivors of domestic violence to ensure that they operate around the clock, seven days a week, and are confidential and accessible by women throughout the State party;**
- (c) **Assess the impact of the capacity-building provided to the judiciary, the police and other law enforcement officers, as well as relevant service providers, on the strict application of legislation criminalizing all forms of gender-based violence against women and on gender-sensitive investigation and interrogation methods;**
- (d) **Ensure that all forms of gender-based violence against women, including domestic violence, are duly investigated and prosecuted, that perpetrators are adequately punished and that victims have access to appropriate redress, including compensation;**
- (e) **Establish a uniform data collection system on all forms of gender-based violence in the State party, disaggregated by age, ethnicity, disability, type of violence and relationship between the perpetrator and the victim.**

Trafficking and exploitation of prostitution

27. The Committee welcomes the adoption of an action plan for combating trafficking in persons for the period 2016–2019 and the establishment of a referral mechanism for victims of trafficking. It further welcomes the provision by the State party of exit programmes for women wishing to leave prostitution. However, the Committee notes with concern:

- (a) The high number of women and girls subject to trafficking for purposes of sexual exploitation and forced labour, including begging, especially among the Roma population;
- (b) That the Criminal Code of Republika Srpska provides for lighter minimum sentences for the crime of trafficking than the other criminal codes of the State party;
- (c) The lack of information on witness protection measures;
- (d) The lack of specialized shelters to accommodate women and girls who are victims of trafficking and exploitation of prostitution, and the severe understaffing and lack of technical and financial resources of the centres for social welfare.

28. **The Committee reiterates its previous recommendations (CEDAW/C/BIH/CO/4-5, paras. 24 and 26) and urges the State party:**

- (a) **To address the root causes of trafficking by enhancing educational and economic opportunities for women and girls and their families, in particular among the Roma community, thereby reducing their vulnerability to exploitation by traffickers;**
- (b) **To assess the impact of the action plan for combating trafficking in persons for the period 2016–2019 and adopt a subsequent plan with adequate funding for its effective implementation;**

(c) To increase the minimum sentences for trafficking in women and children in the Criminal Code of Republika Srpska to harmonize it with the other criminal codes of the State party;

(d) To provide information in its next periodic report on witness protection measures in cases of trafficking in persons and on ensuring the application of the rules on the protection of victims of and witnesses to victims of trafficking in persons of Bosnia and Herzegovina citizens by the judiciary and the police, at the national, entity, district and cantonal levels;

(e) To ensure that there are hotlines operating around the clock, seven days a week, for victims of and witnesses to trafficking in all administrative entities of the State party by establishing new hotlines and adequately funding existing hotlines operated by civil society organizations;

(f) To increase the capacity of shelters and safe houses for victims of trafficking and exploitation of prostitution by increasing financial support for civil society organizations running such shelters, and provide adequate human, technical and financial resources to the centres for social welfare, including by seeking international assistance, if appropriate;

(g) To reduce the demand side of prostitution.

Participation in political and public life

29. The Committee reiterates its concerns about:

(a) The underrepresentation of women in parliaments and governments at the national and local levels despite the minimum quotas of 40 per cent for the representation of women candidates on the electoral lists of political parties;

(b) The draft amendments to the electoral law, introducing a quota of 50 per cent for the representation of women candidates on the electoral lists of political parties, and the draft amendments to the law on the Council of Ministers, introducing a minimum quota of 40 per cent for both sexes, which have still not been adopted;

(c) The introduction of an open list system by the amendment to the electoral law, in 2013, which is disadvantageous for women candidates;

(d) The lack of participation of women belonging to disadvantaged groups, including Roma women, in political and public life;

(e) The lack of training on political leadership, negotiation and campaigning skills for women candidates and the limited representation of women in the State party in the foreign service, the judiciary and international organizations.

30. The Committee, drawing attention to its general recommendation No. 23 (1997) on women in political and public life and target 5.5 of the Sustainable Development Goals, recommends that the State party:

(a) Adopt the amendments to the electoral law to increase the quota of women candidates on the electoral lists of political parties to 50 per cent and the amendments to the law on the Council of Ministers to introduce a minimum quota of 40 per cent for the representation of either sex on the Council;

(b) Consider replacing the open list system with a zipper system for the nomination of candidates of both sexes on the electoral lists of political parties, ensuring that the first of every pair of subsequent ranks on the electoral lists is for a woman candidate, and introducing reserved seats for women in the parliaments of all entities. In this regard, the Committee recommends that the

State party seek technical assistance from international partners, as appropriate;

(c) **Provide capacity-building programmes for women candidates on campaigning and political leadership skills, in particular for women facing intersecting forms of discrimination, such as Roma women, and raise awareness among political leaders and the public of the fact that the full, equal, free and democratic participation of women on an equal basis with men in political and public life is a requirement for the full implementation of the human rights of women.**

Nationality

31. The Committee welcomes the efforts made by the State party to provide free legal aid to persons belonging to socially disadvantaged groups in the process of birth registration in the Federation of Bosnia and Herzegovina. However, it notes with concern:

(a) The limited access to free legal aid by migrant women throughout the State party during the birth registration process;

(b) The lack of birth registration of children whose mothers are undocumented or have indicated their intention to seek asylum but have yet to do so formally.

32. **The Committee recommends that the State party:**

(a) **Ensure that appropriate human, technical and financial resources are allocated for the provision of free legal aid to women and girls belonging to disadvantaged groups, including migrant women, throughout the State party to enable them to have access to birth registration;**

(b) **Facilitate the birth registration procedures, including by providing for free online birth registration of all children born in the territory of the State party.**

Education

33. The Committee welcomes the increase in the enrolment of girls and women in scientific fields of study and in higher education. Nevertheless, the Committee is concerned about the low percentage of women and girls who choose non-traditional fields of study and career paths, such as mechanical and electrical engineering. It also notes with concern:

(a) The presence of discriminatory gender stereotypes in educational materials and the fact that the decentralized system impedes the uniform use of gender-sensitive teaching materials throughout the State party;

(b) The lack of comprehensive education on sexual and reproductive health and rights and family planning services;

(c) The barriers to access to high-quality education at all levels faced by Roma, rural, refugee and asylum-seeking girls, girls with disabilities and girls who are victims of child marriage, gender-based violence and trafficking;

(d) Reports of violence against girls in educational institutions;

(e) The underrepresentation of women in decision-making positions and senior management positions in educational institutions and the low number of women professors.

34. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, as well as target 4.1 of the Sustainable Development Goals, the Committee recommends that the State party:

- (a) Encourage further diversification of the educational choices of girls and boys and revise school textbooks and educational materials at the entity, district and cantonal levels to eliminate gender-stereotyped content from teaching materials at all levels of education;
- (b) Include, without further delay, age-appropriate education on sexual and reproductive health and rights in school curricula throughout the State party;
- (c) Enhance the accessibility and quality of education for all children and address the disproportionately low enrolment and completion rates at all levels of education among Roma girls, rural girls, refugee and asylum-seeking girls, girls with disabilities and girls who are victims of child marriage, gender-based violence or trafficking, throughout the State party;
- (d) Raise awareness about, investigate and adequately punish cases of violence against girls in educational institutions and ensure that trained school psychologists and the centres for social welfare adequately address the specific needs of girls who have experienced violence in educational settings in a gender-sensitive manner and provide them with effective remedies, including a confidential complaint system;
- (e) Adopt specific measures, including temporary special measures such as preferential recruitment of women, to ensure gender parity in decision-making positions at all levels of education and to increase the number of women professors.

Employment

35. The Committee is concerned about the continued low level of representation of women in the labour market. It is particularly concerned about:

- (a) The persistent gender pay gap and horizontal and vertical occupational segregation in the State party;
- (b) The disproportionately high number of women who are engaged in unpaid agricultural and domestic work and the protracted process of ratifying the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization (ILO);
- (c) The lack of specific employment strategies directly targeting women, in particular those belonging to disadvantaged groups;
- (d) The disparity in maternity benefits in the State party;
- (e) Unpaid social contributions by employers, which jeopardize the pension and health insurance benefits of women;
- (f) The information that one in six employees has experienced sexual harassment in the workplace.

36. With reference to target 8.5 of the Sustainable Development Goals, the Committee reiterates its previous recommendation ([CEDAW/C/BIH/CO/4-5](#), para. 34) and recommends that the State party:

- (a) Undertake a comprehensive study of the root causes of the gender wage gap and use the results to develop further measures to close the gap;

- (b) **Provide training and incentives to both women and employers to increase the participation of women in traditionally male-dominated fields of employment and in decision-making positions, in order to eliminate horizontal and vertical occupational segregation;**
- (c) **Intensify its efforts to ratify the Domestic Workers Convention, 2011 (No. 189), of ILO;**
- (d) **Incorporate a gender perspective into employment strategies, taking into account the needs of disadvantaged groups of women, and introduce targeted measures to create further employment opportunities for such women;**
- (e) **Harmonize regulations on maternity benefits and ensure equal maternity benefits and remuneration during maternity leave throughout the State party;**
- (f) **Introduce effective sanctions against employers who do not comply with their obligation to contribute to the pension fund and the social security system in respect of their female employees;**
- (g) **Consider ratifying the Violence and Harassment Convention, 2019 (No. 190), of ILO.**

Health

37. The Committee acknowledges the low maternal mortality rate and the progress made in harmonizing laws concerning health care in the State party. However, it notes with concern:

- (a) Differences between the provisions and regulations on sexual and reproductive health at the entity, district and cantonal levels;
- (b) The inadequate staffing of rural health-care centres owing to the brain drain of medical professionals;
- (c) The limited access to high-quality health-care services for women belonging to disadvantaged groups who are not covered by health insurance, including rural women and women working in the informal sector, women engaged in unpaid domestic work, migrant women and those who are victims of gender-based violence, trafficking or forced marriage;
- (d) Reported discrimination and physical and psychological violence against women in maternity wards;
- (e) Discrimination against women living with HIV/AIDS by health-care professionals.

38. **The Committee, recalling its general recommendation No. 24 (1999) on women and health and target 3.7 of the Sustainable Development Goals, with the aim of ensuring universal access to sexual and reproductive health-care services, as well as its previous recommendations (CEDAW/C/BIH/CO/4-5, para. 36), recommends that the State party:**

- (a) **Promote staff retention in rural health-care centres through incentives such as higher remuneration;**
- (b) **Ensure access to affordable, accessible and high-quality health care, including sexual and reproductive health services, especially for women belonging to disadvantaged groups, by ensuring universal health insurance and raising awareness among women about available health services;**

(c) **Promptly investigate all allegations of violence against women by staff in maternity wards;**

(d) **Provide training to all health service staff on the sexual and reproductive health and rights of women, in particular pregnant women and women and girls living with HIV/AIDS.**

Economic and social benefits

39. The Committee acknowledges the measures adopted by the State party to promote entrepreneurship among women in all entities. However, it notes with concern:

(a) The persistent barriers to access to financial credit and loans by women owing to a lack of collateral, such as land and housing property;

(b) The underrepresentation of women in decision-making in growing industries, such as tourism, food and renewable energy;

(c) The emigration of women and girls for economic reasons.

40. **The Committee draws attention to target 5.A of the Sustainable Development Goals and recommends that the State party:**

(a) **Take steps to eliminate obstacles to equal access to land and other property by women, including through awareness-raising campaigns on their equal rights to property and inheritance, so as to enhance their access to financial credit and loans;**

(b) **Adopt targeted measures and provide training to women to promote their participation in the tourism, food and renewable energy industries, as well as in decision-making in the development and implementation of economic development strategies and policies;**

(c) **Develop and implement a strategy to address the emigration of women and girls for economic reasons, and ensure access to social and economic benefits at the entity and district levels.**

Rural women

41. The Committee notes with concern that rural women and girls bear a disproportionate burden of unpaid work at home and in agriculture, which prevents many girls from completing secondary education. Notwithstanding the application of temporary special measures in Republika Srpska under the strategic rural development plan for the period 2009–2015, the Committee is concerned about the limited focus on the economic empowerment of rural women in rural development strategies and plans of the Federation of Bosnia and Herzegovina, as well as their participation in all spheres of life.

42. **In line with its general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party:**

(a) **Adopt programmes to reduce the engagement of rural women and girls in unpaid work and encourage rural girls to complete their education;**

(b) **Adopt targeted measures to create income-generating opportunities for rural women throughout the State party;**

(c) **Integrate a gender perspective into the rural development plans of the Federation of Bosnia and Herzegovina and involve rural women in the design, development, implementation, monitoring and assessment of such plans in order to increase their participation in all spheres of life;**

(d) **Increase investments in services, including health care, education and social protection, for rural women and girls.**

Disadvantaged groups of women

43. The Committee welcomes the measures taken to increase access to education and health care for Roma women and girls. It is nevertheless concerned that women who belong to disadvantaged groups continue to face intersecting forms of discrimination, in particular:

- (a) Long-lasting social exclusion of Roma women and girls;
- (b) The absence of reasonable accommodation and inclusive services for women and girls with disabilities;
- (c) The lack of information on the coverage of social protection schemes for migrant women and girls;
- (d) Limited access to health-care services, including maternal care services, and high levels of sexual violence against refugee and asylum-seeking women and girls in reception centres, as well as the lack of gender-sensitive asylum-seeking procedures;
- (e) Stigmatization and discrimination faced by lesbian, bisexual and transgender women.

44. **The Committee recommends that the State party:**

- (a) **Conduct research on the situation of Roma women and girls in all aspects of life and adopt a plan of action targeting them in order to redress their situation;**
- (b) **Adopt a national strategy for women with disabilities and ensure the meaningful participation of organizations of women with disabilities at all stages of its development and implementation;**
- (c) **Expand social security coverage for migrant women and girls;**
- (d) **Address the special needs of refugee and asylum-seeking women and girls, including through the provision of delivery and postnatal care in reception centres, the early identification and prevention of gender-based violence in the centres and the introduction of gender-sensitive asylum procedures;**
- (e) **Ensure respect for the human rights of lesbian, bisexual and transgender women and that national action plans on gender equality address stigma and discrimination against them in all spheres of life.**

Marriage and family relations

45. The Committee notes with concern that:

- (a) Under the family law of the Federation of Bosnia and Herzegovina, women are required to undergo mediation before initiating divorce proceedings, including in cases of domestic violence;
- (b) Many single mothers receive no alimony payments from the fathers of their children;
- (c) There is a high rate of child marriage among the Roma population.

46. **With reference to its general recommendation No. 21 (1994) on equality in marriage and family relations, the Committee recommends that the State party:**

- (a) Repeal any requirement for mandatory mediation in divorce proceedings under the family law of the Federation of Bosnia and Herzegovina;
- (b) Ensure the payment of alimony by fathers in a timely manner, including by introducing penalties for non-compliance with alimony obligations;
- (c) Continue to raise awareness among Roma communities about the harmful effects of child and forced marriage on the education, health and development of girls.

Data collection and analysis

47. The Committee recommends that the State party establish a consolidated system for the collection, analysis and dissemination of data, disaggregated by sex, age, disability, ethnicity, location and socioeconomic status at all levels. It also recommends that the State party establish a gender equality index and monitor, through the index, the impact of laws, policies and action plans at the national, entity, district and cantonal levels and assess the situation of women and progress towards the realization of substantive equality between women and men in all areas covered by the Convention.

Beijing Declaration and Platform for Action

48. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action in its efforts to implement the provisions of the Convention in the context of the 25-year review of the implementation of the Declaration and Platform in order to achieve substantive equality between women and men.

Dissemination

49. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the Parliamentary Assembly and the judiciary, to enable their full implementation.

Technical assistance

50. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.

Follow-up to the concluding observations

51. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 12 (a), 16 (d), 18 (b) and 24 (c) above.

Preparation of the next report

52. The Committee requests the State party to submit its seventh periodic report, which is due in November 2023. The report should be submitted on time and cover the entire period up to the time of its submission.

53. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).