

**Joint submission to the UN Committee on the Elimination of Discrimination
against Women, 74th Session (21 Oct 2019 - 8 Nov 2019)
Review of Bosnia and Herzegovina**

Contents

Introduction	1
I. Gendered impacts of economic reforms (Articles 1-3, 7(b), 11 and 12)	1
1. The reform Agenda for Bosnia and Herzegovina 2015 – 2018.....	1
2. Lack of gender analysis and women’s participation in the design of the Reform Agenda	3
3. Lack of gender-impact assessments to monitor the implementation of the Reform Agenda ..	4
Recommendations.....	6
4. Impacts of the Reform Agenda on women’s access to work, pensions and social protection (Article 11).....	7
Recommendations.....	9
5. Impacts of the Reform Agenda on women’s right to health (Article 12).....	10
Recommendations.....	11
II. Migrant and asylum-seeking women and girls: Combating trafficking and exploitation for prostitution (Articles 1-3, 5 (a), 6, 15).....	12
Recommendations.....	15
III. Environmental Concerns and Right to Water: The Women of Kruščica.....	15
Recommendations.....	18
IV. Women Human Rights Defenders	20
1. Shrinking space for activism and increase in repressive measures towards	20
human rights defenders, activists and civil society in general.....	20
2. Police Brutality: The Women of Kruščica.....	20
Recommendations.....	21

Submitted on 30 September 2019

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Introduction

1. This is a joint submission made by *Women Organising for Change in Bosnia and Herzegovina*, an initiative facilitated by the Women's International League for Peace and Freedom (WILPF); *Association for Culture and Art – Crvena*, a feminist organisation based in Sarajevo; and *Association of citizens Oštra Nula*, a Banja Luka-based NGO.¹ Our organisations also submitted a joint report to the UPR of Bosnia and Herzegovina.² WILPF also contributed to the CEDAW Committee pre-session in March 2019.³

I. Gendered impacts of economic reforms (Articles 1-3, 7(b), 11 and 12)

1. The reform Agenda for Bosnia and Herzegovina 2015 – 2018

2. Bosnia and Herzegovina (“BiH”) has been undergoing political and economic reforms since the end of the war in 1995. The most recent comprehensive economic reform processes that took place

¹ **Association for Culture and Art – Crvena** is a feminist organisation from Sarajevo. Our work uses research and artistic, educational and political practices to create, advance and maintain the conditions for progressive social change through developing self-governing skills, critical and imaginative horizons, and organisational relationships and capacities in society. The organisation was established in 2010 and celebrates its anniversary on 8 March. Website: www.crvena.ba

Association of citizens Oštra Nula is an NGO that grew out of a grassroots organization started by several students and citizens in 2009. Officially registered on 14 October 2010, Oštra Nula has been one of the most visible and active organisations in Republika Srpska, actively cooperating with organisations from all over Bosnia and Herzegovina. Its activities are focused on public events and performances that are aimed at raising public awareness about critical issues and problems, human rights concerns, including unemployment and social security, workers' rights, women's rights, civic participation and active engagement in political processes, among other topics. Website: www.ostranula.org

Women's International League for Peace and Freedom's (WILPF) initiative *Women Organising for Change in Bosnia*. The initiative focuses on the importance of taking into consideration existing experiences and empirical knowledge of women in Bosnia and Herzegovina and struggles for human rights, in an attempt to change the dominant narrative of women as victims. Through this initiative, WILPF advocates for women's perspectives to be represented at all levels in the peace-building process, it puts the spot light on women's peace activism during war, defends the human rights of women and promotes social, economic and political justice. Website: www.wilpf.org

² https://www.wilpf.org/wp-content/uploads/2019/08/UPR-Bosnia-Herzegovina_2019.pdf

³ https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2fCEDAW%2fIC0%2fBIH%2f33696&Lang=en

in the country were defined by the *Reform Agenda for Bosnia and Herzegovina 2015 – 2018* (the “**Reform Agenda**”), agreed and endorsed by the BiH Council of Ministers, Government of the Republika Srpska and Government of the Federation of Bosnia and Herzegovina in July 2015.⁴ The Government of Republika Srpska and the Government of the Federation of Bosnia and Herzegovina are referred to as the “**two entities**” in this report.

3. The measures defined under the Reform Agenda became part of BiH’s EU accession path and are supported by international financial institutions.⁵ The Reform Agenda conditioned positive growth of BiH’s economy to structural reforms in labour legislation, public administration, employment policy in the public sector, improvements in the business climate (including restructuring of public enterprises), social welfare (including pensions), health sector, and rule of law.⁶ The main goal of the economic reforms introduced by the Reform Agenda was fiscal consolidation, i.e. reduction in the depth of the government’s spending deficits. This implied cuts in public spending, *inter alia* reorganisation of the health sector (including privatisation of some of the healthcare services); privatisation of utilities; slashing of public sector pay and pensions; cut in benefits; and changes in labour laws leading to the dismantling of workers’ rights. In addition, a surtax was imposed on petrol, leading to a general increase in prices in a situation where the population is already impoverished.⁷

⁴ *Reform Agenda for Bosnia and Herzegovina 2015 – 2018*.

⁵ In 2014 Germany and the United Kingdom launched a joint initiative aiming at revitalisation of the BiH’s EU integration process. The initiative was subsequently adopted by the EU and became a pre-requisite for BiH on its way to EU membership. The new requirements from the EU on BiH were laid down in three steps – signing of a letter of intent, a written commitment to implementation of reforms framed within the language of socio-economic reforms, good governance and rule of law; the signing would then be followed by the membership application to the EU; and the full implementation of the agenda would lead to a positive opinion from the European Commission. Successful implementation of the Reform Agenda is required in order to comply with the EU *acquis* for future application and negotiations towards EU accession. The implementation also relies on lending agreements with the International Monetary Fund (IMF), the World Bank and the European Bank for Reconstruction and Development (EBRD), the European Investment Bank (EIB) and a number of other donors. In addition, IMF’s budgetary support to BiH is conditional on the progress of structural reforms and is tied to a number of conditionalities. Generally speaking, BiH was the country with the highest number of conditionalities on an IMF loan in the world in 2013 (85 conditions) and in 2014 (92 conditions). For more information, see True et al “*A Feminist Perspective on Post-Conflict Restructuring and Recovery – The Case of Bosnia and Herzegovina*”, WILPF, Sarajevo, 2017.

⁶ *Reform Agenda for Bosnia and Herzegovina 2015 – 2018*.

⁷ Bosnia and Herzegovina today is a poor country, with very low degree of economic development. According to a recent research on poverty levels in BiH in 2016 900,000 people (about 28%) lived in absolute poverty (living of 238.11 BAM per month). Additionally, 17% of the population live of 3-5 BAM a day (90 – 150 BAM a month), which is characterized as extreme levels of poverty, far below the absolute poverty line. Another 700,000 people live on the verge of poverty (Papić, Ž. Siromastvo i radnicko siromastvo u BiH: Socijalna kriza u BiH – siromastvo i socijalna nejednakost. Sta da se radi?. Sarajevo, april 2017).

2. Lack of gender analysis and women's participation in the design of the Reform Agenda

4. The burden of these austerity measures is shouldered by various parts of society, and particularly the most marginalised, but without gender analysis informing these measures, women will be affected more than any other group.⁸ Several human rights mechanisms have recognised the specific and disproportionate impacts of austerity-driven policies on women's human rights.⁹ The CEDAW Committee has considered that the disproportionate impact of austerity measures on women amounts to indirect discrimination under article 1 of the Convention.¹⁰ In March 2019, as part of its list of issues for the review of BiH, the CEDAW Committee asked BiH to "explain if there are any steps taken to assess the impact of the Reform Agenda on women's enjoyment of their rights,"¹¹ and in its General Recommendation (GR) 35 on gender-based violence against women, it has stressed that austerity measures "further weaken the state responses" to gender-based violence.¹²

5. Despite the foreseeable impacts of the Reform Agenda on gender inequality in the country, the reforms were not planned in an inclusive and transparent way and women's voices remained excluded throughout the implementation phase of the reforms. This lack of inclusion, compounded by the overall exclusion of civil society in general, and women civil society in particular, has led to reforms being

⁸ For further analyses see True et al "A Feminist Perspective on Post-Conflict Restructuring and Recovery – The Case of Bosnia and Herzegovina", WILPF, Sarajevo, 2017.

⁹ Effects of foreign debt and other related financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, para. 24 to 56, A/73/179, 18 July 2018, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/229/04/PDF/N1822904.pdf?OpenElement>; Guiding principles on human rights impact assessments of economic reforms, para 8.1 to 8.4, A/HRC/40/57, 19 December 2018, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G18/443/52/PDF/G1844352.pdf?OpenElement>; Public debt, austerity measures and the International Covenant on Economic, Social and Cultural Rights, Statement by the Committee on Economic, Social and Cultural Rights, para. 2, E/C.12/2016/1, 22 July 2016, available at: https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2f2016%2f1&Lang=en; Report of the Working Group on the issue of discrimination against women in law and in practice, para. 26 to 31, A/HRC/26/39, 1 April 2014, <https://www.ohchr.org/EN/Issues/Women/WGWomen/Pages/Annualreports.aspx>

¹⁰ Combined fifth and sixth periodic reports of Slovenia, CEDAW/C/SVN/CO/5-6, 24 November 2015, In its concluding observations to Slovenia the CEDAW Committee noted "with concern that austerity measures, adopted in an effort to stabilize public finances, have had a detrimental and disproportionate impact on women in many spheres of life". Furthermore, the Committee noted the lack of targeted studies and evaluations to monitor the gender-specific effects of such measures recalling "that, even in times of fiscal constraints and economic crisis, special efforts must be made to respect women's human rights, sustain and expand social investment and social protection and employ a gender-sensitive approach, giving priority to women in vulnerable situations".

¹¹ List of issues and questions in relation to the sixth periodic report of Bosnia and Herzegovina, CEDAW/C/BIH/Q/6, 20 March 2019, paragraph 17

¹² CEDAW/C/GC/35, paragraph 7.

completely gender blind and without mechanisms for rigorous gender impact assessments. Furthermore, the effects of the reforms on the overall equality of women, and specifically on the areas incremental for women's position in the society, such as health, social services and public sector, remain insufficiently analysed, researched and understood. When invited for consultations, women's groups have been invited post-factum and by either the EU Delegation or diplomatic missions, never by State agencies.

6. In its sixth periodic report, the State claims that the Gender Equality Agency, together with the two entities' Gender Centres and the Ministry of Human Rights and Refugees continuously provide opinions and recommendations on legal and other acts on how to align them with the Gender Equality Law and other legal standards on gender equality.¹³ Furthermore, the State reports an increase in such requests.¹⁴ However, despite its mandate, the Agency for Gender Equality¹⁵ did not take part in the negotiations on the content of the reforms and has not issued opinions and recommendations on the design and implementation of the reforms. This was a missed opportunity for the State to ensure *de facto* improvement of gender equality through design, implementation and monitoring of economic reforms.

3. Lack of gender-impact assessments to monitor the implementation of the Reform Agenda

7. The implementation of the Reform Agenda officially ended in 2018 but many reforms remain unimplemented, in particular those pertaining to the health sector and social welfare. Recent political discussions in the country have focused particularly on renewing efforts with respect to reforms pertaining to these sectors. A new set of socio-economic reforms is expected in the forthcoming period.¹⁶ Ensuring compliance with human rights, especially with economic and social rights, in a country still dealing with the effects of a violent conflict, is extremely important. However, a

¹³ Sixth periodic report submitted by Bosnia and Herzegovina under article 18 of the Convention, due in 2017, CEDAW/C/BIH/6, 11 July 2018

¹⁴ Sixth periodic report submitted by Bosnia and Herzegovina under article 18 of the Convention, due in 2017, para. 6 to 8, CEDAW/C/BIH/6, 11 July 2018

¹⁵ Gender Equality Law article 26 (f) and (g).

¹⁶ It is anticipated that BiH will roll out a new set of socio-economic reforms in the forthcoming period, in line with the country's obligations under the Economic Reform Programme, as per the agreement with the EU Commission and EU Member States. For more details see Commission Opinion on Bosnia and Herzegovina's application for membership of the European Union COM(2019) 261.

continuation of reforms without proper gender-impact assessments will contribute to the on-going social conflict in BiH, and increase the risk of re-occurrence of the conflict.

8. Since the reforms are closely tied to the integration of BiH into the European Union, the way the country reports and captures gendered implications of the reforms is hugely important. While the State makes an effort to collect sex disaggregated statistical data¹⁷ the actual possibility of BiH institutions to do proper and rigorous gender impact assessments and analysis is limited, because gathering of proper gender-sensitive socio-economic data does not exist throughout the country. BiH collects extensive data through three different statistical agencies and publishes various analyses. However, very little of this data is useful when trying to understand the levels of gender inequality. For example, the Agency for Statistics of BiH and the two entities' statistical offices publish a bulletin called "Women and Men in Bosnia and Herzegovina", but the statistics gathered in it cannot be used to track improvements in structural equality between women and men.¹⁸ The data is very basic and does not show for example, how many women have access to adequate health care facilities, what sort of health services are available to them, how many women have health coverage etc., therefore making it very difficult to create any meaningful understanding of gendered needs in the process of creating and implementing reforms.

9. In reporting on article 7, the State limits its understanding of *equal participation in political and public life* to the number and percentage of women in various bodies, thus failing to understand the broader implications and requirements under this article as interpreted by the Committee in its GR 23.¹⁹ The Committee notably stated that "States parties have a responsibility, where it is within their control, both to appoint women to senior decision-making roles and, as a matter of course, to consult

¹⁷ For example, in its submission to CEDAW, the State reports that "the BiH Directorate for European Integration (DEI) instructed the institutions of BiH to include, where applicable, gender dimension in situation analysis and sex disaggregated statistical data when providing written inputs to the Annual Report of the European Commission (EC)" (para.9).

¹⁸ For details see the publication "Women and Men in Bosnia and Herzegovina".

¹⁹ Sixth periodic report submitted by Bosnia and Herzegovina under article 18 of the Convention, due in 2017, para. 114 to 130, CEDAW/C/BIH/6, 11 July 2018; General recommendation No. 23: Political and public life, available at:

https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_4736_E.pdf;

The CEDAW Committee notably stated that article 7 of the Convention is a broad concept referring to exercising of legislative, judicial, executive and administrative powers covering all aspects of "public administration and the formulation and implementation of policy at the international, national, regional and local levels" (para. 5). In para. 25 the Committee clearly states that article 7 carries an obligation of the state to ensure women's rights to full participation and representation in public policy formulation, in all sectors and at all levels, so as to ensure mainstreaming of gender issues and contribute to gender perspectives to public policy-making.

and incorporate the advice of groups which are broadly representative of women's views and interests.”²⁰ Excluding women’s voices from public policy formulation such as, the design and implementation of the Reform Agenda rendered invisible the experiences of women and excluded them from contributing and shaping processes that ultimately will affect the very core of gender equality in the country.

10. In its list of issues, the CEDAW Committee indicated that BiH’s “information before the Committee reports that public investment under the Reform Agenda largely made to infrastructural sector, where men dominate, whereas investments in women-dominated sectors have been reduced.”²¹ It further requested BiH “to explain whether any steps have been taken to assess the impact of the Reform Agenda on women’s enjoyment of their rights.”²²

Recommendations

- Introduce mandatory *ex-ante* and *ex-post* gender and human rights impact assessments into the process of planning and undertaking reforms and investments in various sectors in society and use findings to take corrective actions where negative impacts are found, such as direct or indirect discrimination or increase in poverty levels.
- Conduct gender analysis of all conditionalities linked to lending agreements with International Financial Institutions or other lending institutions, and where negative effects are detected, invest in effective mitigating programs.
- Create mechanisms that ensure systematic, meaningful and effective consultations with broad spectrum of civil society, in particular with women’s groups, in the planning, implementation and evaluation of economic reforms.
- Based on the State’s reported increase in compliance with legal and other acts under the Gender Equality Law, provide information on what that has meant with respect to substantive

²⁰ Para. 26.

²¹ List of issues and questions in relation to the sixth periodic report of Bosnia and Herzegovina, CEDAW/C/BIH/Q/6, paragraph 17 (March 2019)

²² *Ibid.*

improvements in gender equality in the country, such as for example in relation to labour rights, health, social protection.

4. Impacts of the Reform Agenda on women's access to work, pensions and social protection (Article 11)

12. With respect to the State's obligation to eliminate discrimination against women in the field of employment, the on-going reforms, grounded in the Reform Agenda, envision the largest investments to be made within the infrastructural sector (such as telecommunications, construction, transport and hydropower). Jobs created through such investments are focused on heavily male-dominated sectors and will therefore mostly benefit male employment, while investments in sectors and social infrastructure where women are overrepresented, such as hospitals, schools, community projects and so forth, are not prioritized. As recognised by various human rights bodies, cuts in public sector services and jobs will disproportionately impact women who are more likely to depend on public services, including for health-related issues. Women are also culturally and socially expected to fill gaps in care deficits by taking up more unpaid care work at home or low-paid care work by, for instance, working as domestic workers.²³ Domestic workers are more often than not hired outside of the formal labour market and, thus, do not have access to benefits such as healthcare coverage, pensions.

13. Furthermore, there is an important connection between women's participation in the economy and the role of support systems, such as child care, elderly care, accessible and adequate health care, labour rights and decent work. Without strategic investments in these sectors the efforts to support women's participation in the economy will fail, pushing women into an economic system characterized by precarious work, poor labour rights and low salaries.

14. The State reports that work, employment and access to economic resources were priorities in the Gender Action Plan for BiH (2013-2017) but that despite these measures, the representation of women in the labour market remains low.²⁴ This is the result of reforms planned and executed without

²³ Effects of foreign debt and other related financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, para. 24 to 56, A/73/179, 18 July 2018, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/229/04/PDF/N1822904.pdf?OpenElement>; Guiding Principles on Extreme Poverty and Human Rights, principle 83, available at: https://www.ohchr.org/Documents/Publications/OHCHR_ExtremePovertyandHumanRights_EN.pdf

²⁴ Sixth periodic report submitted by Bosnia and Herzegovina under article 18 of the Convention, due in 2017, CEDAW/C/BIH/6, 11 July 2018, paragraphs 157 and 158.

understanding their gendered impacts and without mechanisms for corrective measures where adverse effects on gender and other inequalities are detected. Unless the understanding of gendered impacts of reforms is properly mainstreamed into government politics and programmes, the measures foreseen in the Gender Action Plan will remain a separate framework, inadequate to deal with structural gender inequalities.

15. Most of the efforts reported by the State with respect to article 11 of the Convention relate to the government's efforts to support women's entrepreneurship, with little attention paid to the role of labour rights as an important element of gender equality. Part of the Reform Agenda dealt with reforming labour law and since the end of the war, labour rights have been consistently under attack, leading to undermined collective bargaining and safety at work regulations; some employers not paying salaries for a considerable length of time; frequently unpaid overtime work; depriving employees of their right to annual leave; irregular pay checks accompanied by the practice of the employer taking back half of the paid salary; failing to pay benefits and thus depriving the workers of their legal right to health and pensions, etc..²⁵

16. While the new labour laws have brought positive developments with respect to protection of minors and women, compulsory insurance, increased legal protection against discrimination, harassment, sexual harassment and gender-based violence, as reported by the Human Rights Ombudsman of BiH,²⁶ some analysis show that the new labour laws have not properly dealt with job insecurity, temporary, part-time, non-unionised jobs with fewer benefits, lower-wages, wages that for many continue to be unpaid by the employer, and deterioration in safety at work. ²⁷ This situation will undoubtedly have adverse effects on women. The Independent Expert on Foreign Debt has noted for instance that: "Reforms that result in a reduction in the percentage of workers covered by collective bargaining arrangements also exacerbate gender pay gaps. Evidence shows that collective bargaining arrangements play an important role in reducing employer discretion and gender pay gaps."²⁸ While

²⁵ For more information see Vasa prava, 2016. *Analysis of labour legislation in Bosnia and Herzegovina with focus on rights of woman employed in service and trade sectors*. Sarajevo: Vasa Prava

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https://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/BIH/INT_CESCR_IFL_BIH_35580_E.PDF

²⁷ For more information see Vasa prava, 2016. *Analysis of labour legislation in Bosnia and Herzegovina with focus on rights of woman employed in service and trade sectors*. Sarajevo: Vasa Prava

²⁸ Effects of foreign debt and other related financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, para. 36, A/73/179, 18 July 2018, available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N18/229/04/PDF/N1822904.pdf?OpenElement>

legal mechanisms are foreseen for redress of workers' rights violations, these procedures are lengthy and workers are generally scared to lose their job if they resort to them and complain.

17. In the last few years, BiH has seen an increase in protests among women workers from the manufacturing sector (for example the women workers of companies such as *Fortuna Gračanica*, *Borac Banovići*, *Aida Lukavac*, *Dita Tuzla* and so forth).²⁹ They have protested against corruption, mistreatment, unlawful privatisations etc. Some of these women, reaching retirement age, have been faced with the fact that despite having worked their whole lives, and earned their right to retirement, they cannot access it because the factory has not paid mandatory pension insurance for several years. According to a former director of the Tax Administration of Federation of BiH in 2016, 80% of the overall debt that private and public companies owned to the Tax Administration (2,324,934,567.95 BAM) was due to unpaid social contributions (for pensions, health insurance and insurance in case of unemployment).³⁰ Unpaid social benefits do not only affect retirement possibilities, but also access to healthcare, as healthcare coverage is also part of the social contributions that employers have to contribute to.

Recommendations

- Re-focus the country's political economy towards investments in the public sector and services, aiming at achievement of full gender equality and social justice, including through redistribution of resources and full and equal access to power and decision-making for women.
- Introduce specific measures that relieve women from the burden of unpaid care work and support women's engagement in the formal economy.
- Put in place systems for data collection that track the gendered impacts of the various investments in the country, such as data that shows how many women compared to men have accessed jobs created through new investments.

²⁹ See among others "Radnice fortune dizu satore ispred fabrike", published in *Oslobodjenje*, September 2017; "Radnice bivše Fortune u očaju: Ne diramo nikog, želimo svoje", published on N1, November 2017; "Policija tukla bivše radnice Fortune" published in *Dnevni Avaz*, November 2017; "Radnici "Borca" iz Banovića i Zenice ostaju pod vedrim nebom do četvrtka" published in *Nezavisne novine*, April 2017; "Tuzlanski radnici ponovo protestuju" published in *Oslobodjenje*, July 2017.

³⁰ See "Nismo svi jednaki pred zakonom" published by Tax Administration, March 2016.

- Take concrete steps to address the practice of private and public enterprises not fulfilling their legal obligation pertaining to social contributions, severely affecting the lives of women, including their access to pensions and healthcare.

5. Impacts of the Reform Agenda on women's right to health (Article 12)

19. The healthcare system of BiH is decentralised along the two entities. In the Federation of BiH the healthcare system is further decentralised along cantonal lines. There is limited access to healthcare, particularly in rural areas and services are of poor quality. It is estimated that around 15 % of population are not covered by any form of health insurance and the majority of those without coverage are working in the informal economy.³¹ Furthermore, a significant number of those that are insured through their employment have limited, or non-existent access to healthcare because their employers do not fulfil their legal obligation to pay contributions for health benefits.³² This affects women in two ways: like the rest of the population they have limited access to healthcare but they in addition have to shoulder the deficit in care for their family members through unpaid care work. Those that have access to healthcare face severely degraded services and many healthcare service providers are collapsing. For women, degraded services can also mean that maternity wards in their vicinity are being shut down, or that they have to travel for hours to get to a gynaecologist.

20. Thus far, BiH has focused its health sector reform on re-organisation, with attention paid to “outstanding debts” and “more precise regulations of the network of health care institutions”.³³ Such focus has led to the abolishment of different segments of the public healthcare sector, such as dental care (which served as preventive protection within the system of public health), women and maternity care, and specialised institutions for health protection of school-age children and students. The abolishment of these specialised units will likely lead to overburdening of the primary public healthcare sector, such as general medical practitioners who are already working under severe constraints. Through privatisation of parts of the healthcare services, BiH is increasingly moving towards a profit-driven healthcare system, which will provide services only to those who can afford it. In addition to

³¹ William, Bartlett. Analiza nedostataka u oblasti politika socijalne zaštite i inkluzije u BiH [Gap Analysis in the Area of Social Protection and Inclusion Policies in Bosnia and Herzegovina]. Sarajevo: UNICEF, November 2013.

³² *Ibid.*

³³ Reform Agenda for Bosnia and Herzegovina 2015 – 2018.

limitations to access to health for all, women will be forced to shoulder the deficiency in health services through unpaid care labour in the household.

21. In its GR 24, the Committee stated that the State should take all measures to the maximum extent of their available resources to ensure that women realise their rights to health care.³⁴ Furthermore, the State cannot relegate its obligations by resorting to private sector agencies.³⁵ International human rights obligations persist throughout any programme for economic reconstruction and austerity measures, including privatisation of key public services, such as health care. If such measures have an adverse effect on women, it may constitute indirect discrimination under article 1 of the Convention.

Recommendations

- Assess the impacts of austerity measures on women's access to adequate, accessible and affordable health care, including by continuously collecting sex disaggregated data on access to healthcare facilities and services in urban and rural areas., and introduce immediate measures to mitigate and remedy such impact.
- Ensure the allocation of sufficient public resources to the provision of adequate, accessible and affordable health care to women and restrain from resorting to private sector agencies.
- Ensure accessibility to adequate health care facilities, including information, counselling, reproductive healthcare services and an effective referral system in rural and urban areas.
- Address and take concrete measures to mitigate the risk of women shouldering the deficiency in health services through their unpaid care work.

³⁴ General recommendation No. 24: Article 12 of the Convention (women and health), available at : https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/1_Global/INT_CEDAW_GEC_4738_E.pdf

³⁵ *Ibid.*

II. Migrant and asylum-seeking women and girls: Combating trafficking and exploitation for prostitution (Articles 1-3, 5 (a), 6, 15)

23. Since the end of 2017 BiH has seen a steady increase in the number of arrivals of asylum seekers and migrants.³⁶ UN estimates that by June 2019, there has been an arrival of 34,967 asylum-seeking and migrant population to BiH. Out of these, 32,430 persons expressed intent to seek asylum, while 1,767 persons actually submitted a request for asylum.³⁷ Due to confusing and complicated bureaucracy in the country, unclear institutional jurisprudence, failure on behalf of the state and UN agencies³⁸ responding to the crisis to ensure adequate camps to accommodate migrants and asylum seekers, many are forced to sleep rough on the streets, in makeshift camps, squats and private accommodations.³⁹

24. Furthermore, as the government has failed to ensure accessible procedures for seeking asylum,⁴⁰ many asylum-seekers are left holding only attestations of the expressed intention to seek asylum. These attestations are granted upon their first registration in the country and expire after 14 days.⁴¹ Due to inaccessibility of the procedures many migrants and asylum seekers are today living in BiH with expired attestation papers. According to some testimonies of migrants and asylum seekers, on occasions the authorities have simply refused to renew papers. All of this puts these people, many of whom are women, in harm's way. However, sex-disaggregated data does not exist and it is difficult to track trends and to provide proper gender analysis of the situation.

25. Most migrants and asylum-seekers live in inhumane conditions in BiH, which pushes them to leave the country as soon as possible, although there is an increase among those wanting to stay in

³⁶ https://ec.europa.eu/echo/where/europe/bosnia-and-herzegovina_en

³⁷ Please see UN Interagency Operational Update, Bosnia and Herzegovina, 1-30 June 2018 <https://www.undp.org/content/dam/unct/bih/PDFs/UNCTBiHSitReps/Inter-agency%20refugee%20and%20migrant%20operational%20update-%20June%202019.pdf>

³⁸ IOM, UNHCR and UNICEF, supported by EU funds.

³⁹ <https://data2.unhcr.org/es/documents/download/63869>, page 2 and 23

⁴⁰ See the newly published report from the Institutions of Human Rights Ombudsman for Bosnia and Herzegovina – “*Special Report on the Status of Migration in Bosnia and Herzegovina*”, from January 2019. See also *Commission's Opinion on Bosnia and Herzegovina's application for membership of the European Union* COM(2019) 261, pg. 7.

⁴¹ <https://data2.unhcr.org/es/documents/download/63869>, page 23

the country. Recently, the authorities of Una Sana Canton restricted the freedom of movement within the Canton and started relocating migrants and asylum-seekers residing in private accommodation in the city of Bihac and its surroundings to “Vučjak”, a location to which both UN⁴² and EU Commission⁴³ in the country have referred as entirely inadequate as it is located in the vicinity of a landmine affected area. As a former landfill, the location also poses a serious health hazard. In addition, there are no sanitary facilities and no access to running water or electricity. The precarious situation in these informal accommodation sites puts women at risk for gender-based violence as the most basic security is not ensured. There are also documented cases of migrant and asylum-seekers being detained in cage-like holding cells at southern part of border-crossing into BiH, some of whom have been families with children.⁴⁴

26. The only possibility for migrants and asylum-seekers to leave the country is to pay smugglers, and according to some journalists the price of smuggling people into Europe is rising sharply.⁴⁵ Single women and women traveling with children, unaccompanied and separated children, face a high risk of becoming victims of trafficking or exploitation.⁴⁶ Following a considerable number of human trafficking cases in the wake of the end of the war, BiH eventually established protocols, strategies and policies to combat trafficking in human beings as explained in detail in the State’s report. However, it is unclear how these measures are being implemented in relation to the precarious situation and specific challenges that women and girls migrant and asylum-seekers are facing.⁴⁷

⁴² http://ba.one.un.org/content/unct/bosnia_and_herzegovina/en/home/presscenter/un-country-team-in-bih-joint-statement-on-relocation-of-migrant.html

⁴³ <http://europa.ba/?p=64769>

⁴⁴ <https://www.independent.co.uk/news/world/europe/bosnia-refugee-cages-video-border-montenegro-klobuk-crossing-detention-centre-a8882941.html>

⁴⁵ See Euronews “Western Balkan route for migrants, refugees stuck at borders” from 30/11/2018.

⁴⁶ <https://data2.unhcr.org/es/documents/download/63869>, page 25

⁴⁷ In its Progress report on the implementation of the Beijing Declaration and Platform for Action in BiH within the Beijing +25 process BiH reports that “Certain areas in BiH are especially affected by migrant crisis (Bihać area) and attention to a large number of women is given by international organisations. Despite these efforts, a systemic protection is needed for children and women, particularly in their access to education and health care. There are cases of violence against migrant women especially girls, as well as the cases of trafficking in women for prostitution. Due to a lack of appropriate accommodation for migrants, they are accommodated in a safe house intended for women victims of domestic violence in Bihać, which makes it harder to work with victims of gender-based violence in this region”. Can be found at https://www.unecce.org/fileadmin/DAM/RCM_Website/Bosnia_and_Herzegovina.pdf This confirms the acute situation the migrants and asylum-seekers find themselves in with respect to accommodation, health care and education but it also testifies to the lack of resources directed towards appropriately responding to the harms women and children are put due to the poor management of the situation.

27. In an open letter to the Ministry of Security of BiH, the Commissioner for Human Rights of the Council of Europe expressed concern about the low levels of engagement of the State in providing durable and humane solutions pertaining to asylum seekers and other migrants and urged the State to do so in human rights compliant way.⁴⁸ The EU funding provided as assistance to the country to respond to the growing number of asylum-seekers and migrants has been channelled through international organisations, primarily International Organisation for Migration (in cooperation with the UNHCR and UNICEF) instead of through the State.⁴⁹ Consequently, international organisations took over the establishment and running of accommodation sites. This resulted in a situation in which the responsibility to provide access to guaranteed human rights to asylum-seekers and migrants de facto shifted from the State to international organisations all to the detriment of the asylum-seekers and migrants. Lacking a mechanism for so doing, activists have been unable to hold the IOM or other international organisations accountable for poor management of the camps. De jure the State remains accountable and should be ensuring that the international organisations do not breach international human rights law and international refugee law and this must be insisted upon by the international community to all.

28. In March 2019, in its List of Issues, the CEDAW Committee requested information on “measures in place to protect migrant and asylum-seeking women, particularly single women and women with children, from trafficking or exploitation, including through strengthening the capacity of the Centres for Social Welfare, the police and health care facilities, and to develop gender-sensitive procedures for processing asylum applications.⁵⁰

⁴⁸ Accessible through <https://rm.coe.int/commdh-2018-12-letter-to-the-authorities-regarding-the-migration-situa/1680870e4d>

⁴⁹ The European Commission, via European Civil Protection and Humanitarian Aid Operations (ECHO), in June 2018 provided 1.5 million Euros earmarked for the migration-situation (see Inter-agency operational update June 2018 available at http://ba.one.un.org/content/dam/unct/bih/PDFs/UNCTBiHSitReps/Inter-agency_Refugee_Migrant_SituationReport_June.pdf). In July, The European Commission and Council of Europe Development Bank respectively announced €1.5 million and €1 million in humanitarian assistance to refugees and migrants in BiH (see Inter-agency operational update July 2018 available at http://ba.one.un.org/content/dam/unct/bih/PDFs/UNCTBiHSitReps/Inter-agency_Refugee_Migrant_SituationReport_July.pdf). In October 2018, the EU Delegation to BiH announced that the EU had allocated more than 7.2 million euros in grants provided through an Instrument for Pre-Accession Assistance (IPA) special measure and would be implemented by the International Organization for Migration (IOM) in partnership with UNHCR and UNICEF (announcement available at <http://europa.ba/?p=60117>). In November 2018, it was announced that the European Commission ECHO had allocated an additional 500.000 Euros for the assistance (announcement available at <https://reliefweb.int/report/bosnia-and-herzegovina/eu-provides-500-000-refugees-and-migrants-bosnia-and-herzegovina>).

⁵⁰ List of issues and questions in relation to the sixth periodic report of Bosnia and Herzegovina, CEDAW/C/BIH/Q/6, 20 March 2019, paragraph 17.

Recommendations

- Ensure humane, dignified and lawful conditions of detention and accommodation of asylum-seekers and migrants, making sure that gender-sensitive measures and reception conditions respond to the specific needs of women and girls, and that appropriate procedures and oversight mechanisms are put in place to protect them from the risk of trafficking, abuse and other violations they can be exposed to, due to the precarious situation they find themselves in.
- Ensure that mechanisms that enable the assessment of the situation of women asylum seekers and migrants, particularly with respect to early identification and referral of identified victims of trafficking, are adequately employed.
- Undertake systematic and continuous efforts to sensitise and build the capacities of public bodies, including the judiciary, police, border authorities, health and education personnel, civil servants, municipal and government officials, and others, to promote and protect the human rights of refugees, asylum seekers and migrants, and to address discriminatory attitudes and stereotypes.
- Take measures to assist in the durable social integration of refugees and asylum seekers in economic, social and cultural life, ensuring that they have access to education, health services and housing without discrimination.

III. Environmental Concerns and Right to Water: The Women of Kruščica

30. Kruščica is a small rural village, located by a small river with the same name. It belongs to the Vitez municipality. Prior to the war in BiH, the municipality was known as a popular tourist and leisure destination for the local population, given its rich landscape and pristine river. In 2017 it became known for a women-led community struggle to save the river from being destroyed by plans to

construct mini-hydro plants. The construction plans would effectively put the community's access to water in danger, thus violating their right to water,⁵¹ to adequate standards of living and to health.

31. To date, around 300 new hydropower dams are planned for construction, on nearly all the country's 244 rivers, resulting in waterways destroyed because of the issuance of permits without rigorous and transparent social and environmental impact assessments.⁵² Most of these rivers are pristine or "near-natural" and present biological hotspots and homes for many endangered species.⁵³ The population affected by these plans has systematically been excluded from decision-making processes.⁵⁴

32. Despite the fact that the river Kruščica is in the very vicinity of the Kruščica village, the village is not connected to a public water supply system. In addition, nearly 80% of the river's capacity is diverted to the water supplies of nearby cities.⁵⁵ The inhabitants of the village use wells and other traditional water allocation systems as the Kruščica river is their only access to clean and drinking water. The river is already at its biological minimum, as 80 percent of its capacity is already diverted to water supply systems outside the village. The private investor's plans to build two small hydropower dams on the river would lead to its further depletion.⁵⁶

⁵¹ According to the Committee on Economic, Social and Cultural Rights, General Comment No.15: Right to Water (Art.11 and 12 of the Covenant) "The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic use". E/C.12/2002.11, para.2.

⁵² Map of planned HPP can be found at https://e360.yale.edu/assets/site/_1500x1500_fit_center-center_80/HPP_BALKAN_2017_map_web.jpg. See also article on CS protests available at <https://www.dw.com/bs/borba-za-rijeke-bih-i-dalje-traje/a-47686712?fbclid=IwAR1tQR-rCib8JQ-A1PUgoV7FchA6R2drCISu4IcryAc7NTGraVmeaFYN2ZY>

⁵³ A detailed assessment of 22,000 miles of Balkan rivers commissioned by WWF and other conservation groups has classified 30 percent of the region's rivers as pristine or "near-natural" and another 50 percent as in good condition. That contrasts sharply with the situation in Western Europe, where most rivers have been dammed or subjected to intensive development. Scientists and conservationists say that if the proposed scale of Balkan dam building proceeds, thousands of miles of waterways, home to scores of endemic or endangered species, will be irreversibly degraded and polluted. For further information see the academic article from 8 May 2018 available at <https://e360.yale.edu/features/a-balkan-dam-boom-imperils-europes-wildest-rivers>

⁵⁴ See for example article from 20 October, 2018 and 21 March, 2018 available at <https://www.oslobodjenje.ba/vijesti/bih/video-protesti-mjestana-zbog-gradnje-mini-centrala-u-vlasnistvu-mirze-teletovica-402656> and <http://novasloboda.ba/protest-zbog-izgradnji-mini-hidroelektrana-na-buni-i-neretvi/> respectively.

⁵⁵ In 1967, the final agreement was reached and the relevant decisions were made by the council of the municipality of Vitez and the council of the municipality of Zenica, and the construction of the water supply system Kruščica already began in 1968. By the end of 1969, the catchments were built at the spring, and the 22 km long Kruščica-Zenica pipeline began operating the same year. The maximum capacity of the source is 520l/sec, which according to the agreement of the municipalities is divided in 23% for Vitez and 77% for Zenica. See more at <http://www.vikze.ba/o-nama/historijat/>

⁵⁶ The Law on Waters in the FBiH stipulates that "the use of water to supply the population with drinking water, sanitary needs and the needs of fire protection has priority over the use of water for other purposes". See text of law at <http://www.voda.ba/zakoni/47bos.pdf>

33. This depletion would endanger the Kruščica inhabitants' access to sufficient amounts of safe and potable water. It would also exacerbate existing poverty levels in the community, as the eco-touristic potential of the surroundings of the Kruščica river has been used by the local community as part of the community development plans.⁵⁷ The depletion of river would also have particular gendered consequences, as in water-deprived households, women and girls tend to carry the burden of water collection.⁵⁸

34. The plans and permits for construction of the two hydropower dams were “approved” in 2012 and 2016 but without information and meaningful consultation of the local population affected by this project.⁵⁹ The lack of information and meaningful consultations with the local population⁶⁰ constitutes a violation of, inter alia, their rights to participate in public affairs to water.⁶¹ In its last review of BiH (2014), the Committee on the Rights of the Child (“CRC”) expressed concern that international human rights, environmental and other standards are not adequately monitored, protected and fulfilled to ensure that persons and communities are not negatively affected by the private sector. The CRC also noted that issues relating to the environmental and health impact of business activities are not addressed in a transparent manner that allows for informed public scrutiny and participation.⁶² Moreover, there is no publicly available information on whether BiH intends to develop a national

⁵⁷ The area of Kruščica has been a protected natural site, dating back from Austro-Hungarian times onward. Kruščica has long tradition as excursion site and this community puts all its efforts to develop the touristic potential of the area. Their plan is to produce and sell local, organic products and improve tourist offer in order to keep young people in the community by offering them new job opportunities. They believe that a construction of 2 mini HPP, and the subsequent river depletion that would follow as a result of it, would destroy the community's developmental opportunities.

⁵⁸ In looking at SDGs and the connection between access to water and gender equality, UN Women points at the fact that globally “in 80 percent of households with water shortages, women and girls are responsible for water collection.”, available at <http://www.unwomen.org/en/news/in-focus/women-and-the-sdgs/sdg-6-clean-water-sanitation>

⁵⁹ The locals in Kruščica consider that all the problems began at Local Community Organization of Kruščica, which worked against the interests of the community. As an argument for such opinion, they indicate that the Local Community Council (“LCC”) never, contrary to its obligations, informed them about the public discussion that was obligatory. Responding to their breach of obligations the local community, led by the village women, stood up against the current members of LCC initiating a mistrust vote and eventually electing new members. See also Bavcic, E. 2019.

⁶⁰ The public discussion that was held was held in a formulaic way, during which only few locals that supported the project could give their opinion.

⁶¹ According to CESCR General Comment No.15, the State must ensure people's participation in decision-making processes that will have an effect on their right to water (E/C.12/2002.11, para.48). Furthermore, special attention must be given to those individuals and groups who have traditionally faced difficulties in exercising their rights, such as women or rural population (E/C.12/2002.11, para.16 (a) and 16 (c)); See also Report of the Special Rapporteur on the human right to safe drinking water and sanitation, Catarina de Albuquerque, Common violations of the human rights to water and sanitation, A/HRC/27/55, para. 25, 32, 68, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G14/069/10/PDF/G1406910.pdf?OpenElement>; and the Report of the Special Rapporteur on the human right to safe drinking water and sanitation, A/69/213, para. 78, available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N14/490/08/PDF/N1449008.pdf?OpenElement>

⁶² CRC/C/BIH/CO/2-4, paras. 27-28, available at https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fCO%2f2f2-4&Lang=en

action plan on business and human rights to ensure that its domestic laws regulating the private sector and investment are consistent with the UN Guiding Principles on Business and Human Rights and other relevant human rights standards.

35. CEDAW's GR on Climate Change,⁶³ which revolves around the many contexts in which gender inequalities impact women and girls' inclusion in government level decisions that concern their lives, including access to basic-life resources such as water, emphasizes that women's participation in programmes and development plans that directly impact their lives is critical.⁶⁴ It further calls on states' obligation to "ensure the equal development and advancement of women in all areas" in contexts relating to disaster risk reduction and climate change, and to, in this sense, create "effective mechanisms to guarantee that the rights of women and girls are a primary consideration (...)"⁶⁵

36. Moreover, CEDAW Article 14 requires State Parties to take into account the particular problems faced by rural women and their significant role, as well as to ensure that they "participate in and benefit from rural development". It further states the right for rural women "to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications." The Committee has previously made several recommendations on women's access to clean water and participation in all decision-making processes at the community level.⁶⁶ Furthermore, sustainable cities and access to clean water and sanitation are part of the SDGs.

Recommendations

- Adopt effective measures to realise, without discrimination, the right to water and to ensure environmental sustainability and democratic and transparent management of natural resources, treating them as a social and cultural good, and not primarily as a commodity.
- Review and where necessary revise the allocation of permits pertaining to the construction of hydropower plants so as to ensure compliance with international human rights law, including in relation to CEDAW General Recommendations 34 on the rights of rural women and 37 on the Gender-related dimensions of disaster risk reduction in the context of climate change, and CESCR's

⁶³ General recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change.

⁶⁴ Para. 3.

⁶⁵ Para. 31, including A and B.

⁶⁶ See, for instance, recommendations CEDAW/C/GNQ/CO/6 or CEDAW/C/SLB/CO/1-3.

General Comments 24 on State obligations under the ICESCR in the context of business activities and 15 on the right to water.

- Take measures to ensure that private enterprises, including when contracted by the State, operate under adequate regulatory frameworks, that safeguard environmental sustainability, and comply with human rights standards, including by giving priority in the allocation of water to the right to water for personal and domestic use.
- Introduce measures to prevent abuses of BiH regulatory framework pertaining to environmental protection and investment in natural resources, through inter alia independent monitoring; informed and meaningful participation of affected communities and imposition of penalties for non-compliance.
- When conducting human rights and environmental impact assessments related to business activities and investment projects, take into account the impacts of investments on gender-based discrimination, women's health, gender-based and sexual violence, gendered division of labour on family and community levels, and women's access to and control of social and economic resources in line with the UN guidance on gender dimensions of the UN Guiding Principles on Business and Human Rights.⁶⁷
- Guarantee affordable and accessible legal assistance to communities, with specific regard to the needs of women and marginalised groups, in lodging complaints about allegations of human rights violations resulting from business activities, including in the mining and hydropower sectors, and thoroughly investigate all such allegations and revoke licenses as appropriate.

⁶⁷ Gender dimensions of the Guiding Principles on Business and Human Rights. Report of the Working Group on the issue of human rights and transnational corporations and other business enterprises. UN Index: A/HRC/41/43, 23 May 2019.

IV. Women Human Rights Defenders

1. Shrinking space for activism and increase in repressive measures towards human rights defenders, activists and civil society in general

38. During the last UPR cycle (2014) BiH committed to several recommendations pertaining to the strengthening of its human rights mechanisms.⁶⁸ Furthermore, the State accepted several recommendations relating to freedom of expression and assembly; protection of journalists and human rights defenders; and accountability of police officers involved in interfering with these rights.⁶⁹ However, since 2014, various administrative units of the State, namely entity and/or cantonal governments, have used repressive measures to restrict the activities of human rights defenders and civil society groups and organisations on several occasions. These repressive measures manifest through inter alia the exercise of political pressure; the use of unnecessary and excessive force by militarised and heavily armed police against peaceful protests; criminalisation of protests and arbitrary arrests with the purpose of intimidating the public from future protests. There are several cases demonstrating the use of repressive measures, including those against the campaign ‘Justice for David’.⁷⁰ Here, we will focus on the gendered aspects of repressive measures used in the Kruščica case.

2. Police Brutality: The Women of Kruščica

39. During the 18 months in which the women of Kruščica were trying to stop the start of the construction of the hydropower dams (See section above for full background), they experienced serious police intimidation. On 24 August 2017, around 100 local police officers and 150 members of special police forces went to the village with an order to forcefully remove about 50 women from their peaceful sit-in protest and to clear the way to the river for the construction machinery.

40. During the police intervention, many of the women experienced violence, (e.g. being dragged to the road, stripped of their clothes, insulted, and pushed around). The arrested women were taken

⁶⁸ Including through adoption of comprehensive national plan for human rights; strengthening of its rule of law and institutions so as to promote social cohesion; improvement in programmes for human rights training, in particular for judges and law enforcement agencies and punishment of all cases of ill-treatment by police officers. Recommendations 107.16, 107.20, 107.23 and 107.57.

⁶⁹ Recommendations 107.111-112, 107.114-116, 107.118.

⁷⁰ For more details on the repressive measures against Justice for David campaign see WILPF submission to Universal Periodic Review of Bosnia and Herzegovina. Can be found at https://www.wilpf.org/wp-content/uploads/2019/08/UPR-Bosnia-Herzegovina_2019.pdf

to the police station. Those who were injured and who subsequently received medical attention were not provided with medical forms. This impeded them from being able to provide proof of injury and to potentially file complaints against the police for their injuries.

41. The women taken to the police station complained about inhumane conditions while in custody and about the lack of information on their rights and on the grounds for their arrest. During individual questioning by the police, women felt intimidated and were warned that if they ever went to the bridge again, they would be arrested and receive high fines. The intimidation and threats of high fines is a deliberate technique used by the police, which is aware of the marginalised socio-economic status of the community (rural with high levels of unemployment) and of the fact that they cannot afford paying fines. For most of these women paying a fine of 100 euros means losing almost half of the monthly household budget, as their household budget is rarely over 250 euros a month.

42. Twenty-two women were later charged with passive resistance and obstruction. The Court considered however that there was insufficient evidence to establish individual responsibility and closed the case. Women's access to justice and to the judicial system is restricted, mainly because they do not have enough money to pay the high costs of legal representation needed to revoke the contested construction permits. Many of these women are unemployed or earn minimal wages that are often below the national average salary. Funding for legal representation had to be collected through an NGO-led campaign, which enabled two proceedings leading to the revocation of the construction permits and permanent stop to construction plans. The Human Rights Ombudsman of BiH opened an ex officio investigation into the violent police crackdown, and more recently in May 2019, the Mandates of the Special Rapporteur on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment and the Special Rapporteur on the situation of human rights defenders issued a report and asked the government of BiH to provide further clarification of the events and action to be taken.⁷¹

Recommendations

- Immediately end acts of intimidation and harassment against women human rights defenders and activists and respect and protect their peaceful activities, in particular by guaranteeing their

⁷¹ <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=23528>

freedom of expression and assembly and association, their liberty and integrity and their access to justice;

- Prevent, investigate, prosecute and adequately punish attacks and other forms of abuse against women human rights defenders and take effective measures to end impunity for such acts.
- Take measures to address obstacles to women's access to justice including monetary barriers, through for example pro bono legal representation, fee waiver programmes, fee scales based on need and support for ancillary costs, such as those related to the transportation of women complainants and their witnesses.
- Eliminate obstacles and restrictions to freedom of assembly and freedom of expression and ensure that that such freedoms can be effectively enjoyed without discrimination and that domestic law on freedom of assembly and expression is in line with international human rights law.