

CHECK AGAINST DELIVERY



SPEAKER  
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(5)

**28<sup>th</sup> Session of the UN Human Rights Council**  
**20 March, 2015**

**Item 6: Consideration of the Universal Periodic Review Reports**

**BOSNIA AND HERZEGOVINA**

**Statement by Action Canada for Population and Development**

Action Canada makes this statement in collaboration with Sarajevo Open Center and the Sexual Rights Initiative.

Several recommendations were made on sexual orientation and gender identity during Bosnia and Herzegovina's second UPR cycle, namely 107.37, 107.50 to 107.53 and 107.143. We are disappointed that Bosnia and Herzegovina has not indicated well in advance which of the UPR recommendations it will act upon. We, however, welcome the government's detailed responses to advance questions on sexual orientation and gender identity, raised by the Netherlands, the Czech Republic, Norway and Slovenia.

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Despite the law on Gender Equality and the law on Prohibition of Discrimination, people are regularly discriminated against and face violence because of their sexual orientation and / or gender identity. We urge the government of Bosnia and Herzegovina to take the following measures to effectively combat such discrimination and violence:

1. Harmonize existing laws with the law on Prohibition of Discrimination. This will ensure that there are no loopholes to discriminate against and violate the rights of people based on their sexual orientation and / or gender identity.
2. Include a clause in both afore-mentioned laws referring specifically to gender identity. In the absence of such a clause, trans people's rights are not adequately protected and have to rely on the interpretations of the adjudicators.
3. Develop a national plan based on these two laws and include specific provisions to ensure equality and non discrimination on the grounds of sexual orientation and gender identity.
4. Adopt and implement training programs for law enforcement agencies and the judiciary so that these institutions become more aware and sensitive to issues of sexual orientation and gender identity.

Thank you.