

RYDE

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MANUAL



Women's Property and Inheritance Rights in the Western Balkans

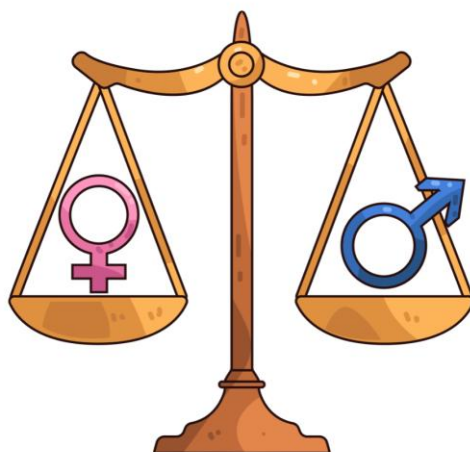
A Practical Guide for Awareness, Protection, and Empowerment

1. Introduction

In the Western Balkans, women are legally guaranteed equal rights to property and inheritance. However, in practice, many women, especially young women, voluntarily renounce these rights in favor of male family members due to social expectations, lack of information, and deeply rooted patriarchal norms.

This manual was developed **to provide women with clear, accessible, and practical knowledge about their property and inheritance rights**, as well as mechanisms available for their protection. The manual is based on research conducted among women in Bosnia and Herzegovina, Serbia, Montenegro, and Kosovo, combining focus groups and survey data.

The publication was developed by the informal group ***United for Property Justice*** within the project “*Property Rights Beyond Tradition: Her Land – Her Voice*”, coordinated by the Regional Academy for Democratic Development. The project is implemented as part of the broader regional initiative “*Regional Youth Dialogue for Europe (RYDE)*”, coordinated by the Center for Democracy Foundation, and supported by the European Union.



2. Context and Problem Overview

Despite a legal framework that ensures gender equality, customary practices and social norms continue to favor male heirs. As a result:

- Men remain dominant owners of land and property
- Women's economic independence is limited
- Gender inequality is reinforced across generations



The research highlights that women often lack sufficient information about:

- their inheritance rights
- the legal procedures
- available protection mechanisms

Additionally, patriarchal expectations, especially in rural areas, play a major role in shaping women's decisions.

3. Key Findings from the Research

The research included 75 women from Bosnia and Herzegovina, Serbia, Montenegro, and Kosovo and revealed several important insights:

Awareness vs Practice

- 94.1% of women are aware that they have equal inheritance rights; However, a significant number still renounce these rights in practice;

Main Reasons for Renunciation

- Personal choice or lack of interest – 46.7%
- Traditional expectations – 33.3%
- Family support or pressure – 13.3%

Knowledge Gaps

- Only 47.1% of women know how inheritance procedures are initiated
- Many women are unaware of their rights during the process

Influencing Factors

- Rural women are more influenced by tradition
- Higher education correlates with lower renunciation rates
- Women with children are more likely to renounce inheritance

3. Myths vs Reality

Myth	Reality
Sons should inherit property	Law guarantees equal rights
Women don't need property	Property ensures independence
Renouncing is expected	It is your personal choice



4. Legal Framework and Rights

Equal Rights Under the Law

In all countries covered by this research:

- Women and men have equal legal rights to inherit property
- Discrimination in inheritance is prohibited

As a woman, you have the right to:

- Inherit property equally
- Be fully informed about your rights
- Participate in inheritance proceedings
- Accept or reject inheritance freely
- Seek legal protection



No one has the legal right to pressure you into renouncing inheritance!

5. Understanding the Inheritance Procedure

What is Inheritance Procedure?

Inheritance (probate) is a legal process through which the property of a deceased person is distributed among heirs.

Key Steps in the Process

1. Initiation of the procedure

- Usually triggered after a person's death
- Conducted by a court or notary

2. Identification of heirs

- Legal heirs are determined based on the law or a will

3. Declaration of heirs

- Each heir states whether they accept or renounce inheritance

4. Division of property

- By agreement OR
 - According to the law
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Who Is Involved?

- **Notary** – leads the procedure
- **Judge** – oversees legal aspects
- **Heirs** – make decisions

Notaries are legally obligated to explain:

- your rights
 - consequences of your decisions
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6. Accepting vs Renouncing Inheritance

Accepting Inheritance: You receive your legal share of property.

Renouncing Inheritance: You give up your legal right to inherit.

Important Consequences

If you renounce inheritance:

- You lose ownership rights permanently
- You may lose future economic security
- It may affect your access to social support



Renunciation should NEVER be done:

- under pressure
 - without full understanding
 - without legal advice
-

7. Social Norms and Gender Inequality

The research clearly shows that:

- Tradition plays a strong role in inheritance decisions
- Women are often expected to prioritize male family members
- These expectations are stronger in rural communities

Common social beliefs include:

- “Property belongs to sons”
- “Daughters should not claim inheritance”

These beliefs are not legally valid but strongly influence behavior.

8. Common Challenges Faced by Women

Women in the region face several barriers:

- Lack of knowledge about rights and procedures
- Expectations from family and community
- Financial reliance on male family members
- Limited access to legal support



9. Protection Mechanisms

If your rights are violated, you can:

Legal Support

- Contact a lawyer
- Use free legal aid services

Institutional Support

- Courts
- Notaries
- Ombudsman institutions

Civil Society Support

- Women's organizations
 - NGOs providing legal counseling
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You can challenge renunciation if:

- it was made under pressure
 - you were not properly informed
 - your rights were violated
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10. Practical Step-by-Step Guide

Before the Procedure

- ✓ Inform yourself about your rights
 - ✓ Talk to a legal professional
 - ✓ Discuss options with trusted persons
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During the Procedure

- ✓ Listen carefully to explanations
 - ✓ Ask questions
 - ✓ Take time before making decisions
 - ✓ Do not sign documents without understanding them
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After the Procedure

- ✓ Keep all documentation
 - ✓ Seek help if something seems irregular
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