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**MONITORING AND EVALUATION SUPPORT ACTIVITY II (MEASURE II)**

**COUNTRY GENDER ANALYSIS:  
BOSNIA AND HERZEGOVINA**

October 2024

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# MONITORING AND EVALUATION SUPPORT ACTIVITY II (MEASURE II)

## COUNTRY GENDER ANALYSIS: BOSNIA AND HERZEGOVINA

### *Final Report*

*October 2024*

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## ABSTRACT

The American Institutes for Research (AIR), commissioned by United States Agency for International Development/Bosnia and Herzegovina (USAID/BiH) under the USAID/BiH Monitoring and Evaluation Support Activity (MEASURE II) project, conducted a gender analysis to inform USAID/BiH's programming across 20 sectors/areas. Using a mixed-methods approach, the analysis revealed that BiH lags behind other European Union (EU) candidate countries in gender equality policies and practices. Key issues include inadequate gender-specific measures, lack of sex-disaggregated indicators, and insufficient reform implementation. Local regulations, especially in F BiH, are outdated and fail to enforce the BiH Law on Gender Equality (LoGE). Discrimination against marginalized women persists, with local institutions lacking the capacity to address these issues effectively.

Women's representation in decision making remains below the mandated 40 percent, with substantial underrepresentation in sectors like energy, security, forestry, and finance. Gender roles continue to influence women's economic activities, with household duties predominantly falling on women. Access to the labor market is hindered by inadequate care services, and women face challenges in accessing finance, high-paying jobs, and decision-making positions. While cultural norms are slowly shifting, broader changes in gender-related attitudes are limited, especially among men and older generations.

To address these challenges, donors should require comprehensive human rights and gender analyses in all institutional support initiatives, engaging gender institutional mechanisms, human rights institutions, and women's and other marginalized population organizations. Donors should mandate companies to adopt antidiscrimination and gender equality standards. Support for political parties should include gender-responsive policy advocacy and training for party leadership on gender integration. Donors should focus on advocacy capacity strengthening among women's and minority women's organizations, prioritizing online campaigns targeting younger generations and men. Improving coordination among donors in sectors like media and local self-government, and engaging Roma communities, is essential to ensure gender and human-rights-responsive interventions.

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## ACRONYMS AND OTHER ABBREVIATIONS

<b>ACM</b>	Association of Cities and Municipalities
<b>ADS</b>	Automated Directives System
<b>ADL</b>	Antidiscrimination Law
<b>AIR</b>	The American Institutes for Research
<b>ALMPs</b>	Active labor market policies
<b>AP</b>	Action plan
<b>BD</b>	Brčko District of Bosnia and Herzegovina
<b>BiH</b>	Bosnia and Herzegovina
<b>BiH PA</b>	Bosnia and Herzegovina Parliamentary Assembly
<b>BiH PC</b>	BiH Press Council
<b>CC</b>	Criminal Code
<b>CDCS</b>	Country Development and Cooperation Strategy
<b>CEC</b>	Central Election Commission
<b>CEDAW</b>	Convention on the Elimination of All Forms of Discrimination Against Women
<b>CEJP</b>	Entity Centers for Education of Judges and Prosecutors
<b>CERD</b>	Convention on the Elimination of All Forms of Racial Discrimination
<b>CLIP</b>	Country-Level Implementation Plan (EU Gender Action Plan instrument)
<b>CMS/PCMS</b>	Case Management System and Prosecutor Case Management System
<b>CoE</b>	Council of Europe
<b>CoM</b>	Council of Ministers
<b>CRA</b>	Communications Regulatory Agency
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>CS</b>	Canton Sarajevo
<b>CSA</b>	Civil Service Agency
<b>CSO</b>	Civil society organization
<b>DI2</b>	Diaspora Invest 2 Activity
<b>DV</b>	Domestic violence
<b>EC</b>	European Commission
<b>ECRI</b>	European Commission Against Racism and Intolerance
<b>EPA</b>	Energy Policy Activity in Bosnia and Herzegovina
<b>ERP</b>	State-Level Economic Reform Programs
<b>EU</b>	European Union
<b>EUD</b>	European Union Delegation
<b>FBiH</b>	Federation of Bosnia and Herzegovina
<b>FGC</b>	Federal Gender Center
<b>FGD</b>	Focus Group Discussion
<b>FIA</b>	Financial and Information Agency
<b>FMDE</b>	Federal Ministry of Development and Entrepreneurship
<b>FMEMI</b>	Federal Ministry of Energy, Mining, and Industry

<b>FMET</b>	Federal Ministry of Environment and Tourism
<b>FMLSP</b>	Federal Ministry of Labor and Social Policy
<b>GEA</b>	Gender Equality Agency
<b>GA</b>	Gender analysis
<b>GAP</b>	Gender Action Plan
<b>GBD</b>	Gender-based discrimination
<b>GBV</b>	Gender-based violence
<b>GC</b>	Gender Center
<b>GE</b>	Gender equality
<b>GEA</b>	Gender Equality Agency
<b>GEC</b>	Gender Equality Committee (parliamentary body at different levels)
<b>GES</b>	Gender Equality Seal
<b>GFP</b>	Gender focal point
<b>GIMs</b>	Gender institutional mechanisms (GEA, GCs, and GECs)
<b>GREVIO</b>	Group of Experts Against Violence Against Women and Domestic Violence
<b>HCABL</b>	Helsinki Citizens' Assembly Banja Luka
<b>HJPC</b>	High Judicial and Prosecutorial Council
<b>HR</b>	Human Resources
<b>IC</b>	Istanbul Convention
<b>ICT</b>	Information, communication, and technology
<b>IJP</b>	Investigative Journalism Program
<b>INSPIRE</b>	USAID Human Rights Activity
<b>IP</b>	Implementing partner
<b>IRENA</b>	International Renewable Energy Agency
<b>IT</b>	Information technology
<b>KI</b>	Key informant
<b>KII</b>	Key informant interview
<b>LGBTIQ+</b>	Lesbian, Gay, Bisexual, Transgender, Intersex, Queer, and Other
<b>LGAP</b>	Local Gender Action Plan
<b>LGEC</b>	Local Gender Equality Commission
<b>LoGE</b>	Law on Gender Equality of BiH
<b>LPDV</b>	Law on Protection From Domestic Violence
<b>LSGUs</b>	Local Self-Government Units
<b>LW</b>	Local Works
<b>MEA</b>	Media engagement activity in Bosnia and Herzegovina
<b>MEASURE II</b>	Monitoring and Evaluation Support Activity II
<b>MHRR</b>	BiH Ministry of Human Rights and Refugees
<b>MoD</b>	Ministry of Defense
<b>MoF</b>	Ministry of Finance
<b>Mol</b>	Ministry of Interior
<b>MoS</b>	Ministry of Security

<b>MSME</b>	Micro-, small-, and medium-sized enterprises
<b>MZ</b>	Mjesne zajednice
<b>NACE</b>	<i>Nomenclature statistique des activites economiques dans la Communaute Europeenne</i> , meaning “Statistical classification of economic activities in the European Community”
<b>NARUC</b>	U.S. National Association of Regulatory Utility Commissioners
<b>NMC</b>	National Minority Council
<b>ODIHR</b>	Office for Democratic Institutions and Human Rights
<b>OHR</b>	Office of High Representative
<b>OP</b>	Operational plan
<b>OSCE</b>	Organization for Security and Cooperation in Europe
<b>PES</b>	Public Employment Services
<b>PIT</b>	Personal income tax
<b>PO</b>	Prosecutor’s Office
<b>RIA</b>	Regulatory Impact Assessment
<b>RWN</b>	Roma Women’s Network
<b>RS</b>	Republika Srpska
<b>RSGC</b>	Republika Srpska Gender Center
<b>RSMEM</b>	Republika Srpska Ministry of Energy and Mining
<b>SBA</b>	Small Business Act for Europe
<b>SDG</b>	Sustainable Development Goal
<b>SIDA</b>	Swedish International Development Cooperation Agency
<b>SLAPPs</b>	Strategic Lawsuits Against Public Participation
<b>SME</b>	Small- and Medium-Sized Enterprise
<b>STE</b>	Science, technology, engineering, and mathematics
<b>TI</b>	Transparency International
<b>TIP</b>	Trafficking in Persons
<b>Turizam</b>	Developing Sustainable Tourism in Bosnia and Herzegovina
<b>UN</b>	United Nations
<b>UNDP</b>	United Nations Development Program
<b>UNODC</b>	United Nations Office of Drugs and Crime
<b>UN SCR1325</b>	United Nations Security Council Resolution 1325 ‘Women, Peace, and Security’
<b>UN Women</b>	United Nations Entity for Gender Equality and Empowerment of Women
<b>USAID/BiH</b>	United States Agency for International Development BiH Mission
<b>VAW</b>	Violence against women
<b>WBL</b>	Women, Business, and the Law
<b>WEPs</b>	Women’s Empowerment Principles



## EXECUTIVE SUMMARY

This report, prepared under the USAID Bosnia and Herzegovina (BiH) Monitoring and Evaluation Support Activity II (MEASURE II), provides a comprehensive Gender Analysis of Bosnia and Herzegovina. The analysis aims to inform USAID/BiH's programming to promote gender equality and women's empowerment across 20 programming areas/sectors, ranging from economy and environment, through anticorruption and judiciary, to democratization and human rights issues.

## INTRODUCTION AND BACKGROUND

The Gender Analysis (GA) examines the status of gender equality in BiH, identifying key challenges and opportunities across various sectors and four levels of government, including the state, two entities (RS and FBiH), the Brčko District (BD), cantons in FBiH, and Local Self-Government Units (LSGUs). Gender institutional mechanisms (GIMs) in BiH include the state-level Gender Equality Agency (GEA) and entity Gender Centers (GCs) on the executive side, and the gender equality/equal opportunity committees in the state and entity parliaments. These bodies have authority to review policies, although they mostly do that in areas directly relevant to gender equality. Also considered GIMs, although in a broader sense, are lower levels commissions or boards in the representative bodies of cantons and LSGUs, in some cases also informal focal points or departments tasked with gender equality in public administration. The legal backdrop for this GA are the Antidiscrimination Law (ADL), the Law on Gender Equality<sup>1</sup> (LoGE), and the Gender Action Plan (GAP) at the state level, as well as laws and strategies on protection from domestic violence, criminal codes, and other legislation at entity level. LoGE and ADL allow for individual appeals to the ombudsperson, GEA, and the two GCs.

## METHODOLOGY

USAID/BiH tasked MEASURE II to explore progress in gender equality since its last GA, in 2019, with specific focus on: (1) policies and their implementation across 20 areas, changes needed, and challenges to change; (2) women's representation and influence in decision making; (3) the gender roles, responsibilities, and time use that influence equality in those areas; (4) gender gaps in access to services, assets, and resources; and (5) gendered norms and beliefs. The GA also looks into intersecting inequalities. Data collection between March and June 2024 included 53 key informant interviews (KIIs) with stakeholders from government, academia, civil society, and international organizations; eight focus group discussions (FGDs) with USAID implementing partners (IPs), activists, and citizens; and review of policies, reports, and academic articles. The National Survey of Citizens' Perceptions in BiH (NSCP) that MEASURE II publishes annually supplemented the primary data, along with administrative statistics, other surveys, and secondary qualitative data.

## FINDINGS AND RECOMMENDATIONS BY PROGRAMMING AREA OR SECTOR

Gender equality in this GA denotes a situation when women, men, gender-diverse individuals, and other groups have equal status, rights, and opportunities in accordance with their needs, as well as equal benefits from development. By that, we do not appeal to sameness because adjustments are necessary to accommodate different starting positions and needs. While gender equality is a goal, the strategy to achieve it is gender mainstreaming or integrating a gender perspective in all decision

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<sup>1</sup> *Zakon o ravnopravnosti spolova u BiH* [Law on gender equality in BiH]. *BiH Official Gazette*, 16(03), 102–109, integral text 32/10.

making across all areas of life, especially those that affect individuals. Gender integration and the promotion of gender equality start with gender analysis, that is, identifying gender gaps that put men, women, or other groups in a disadvantageous position in terms of status, rights, and opportunities in public and private life; followed by mitigation of inequalities through gender equality policies and temporary special measures (e.g., quotas). Countries must regularly reevaluate the need for temporary special measures. Gender integration, therefore, requires gender-responsive governance and finance in public institutions, as well as gender-responsive management in the private and the nonprofit sectors. Gender integration should also look into intersecting inequalities that affect those with overlapping marginalized identities (e.g., Roma women).

A common underlying cause of disbalance across the 20 programming areas are cultural norms and beliefs, and associated gender roles and responsibilities, that influence the use of time in private and, consequently, in public life. The 2023 NSCP showed the following, in comparison with 2019 results in BiH:

- Similar shares of citizens believe that household responsibilities are naturally more suited to women (51 percent in 2019, 53 in 2023, with a stable gender gap). Such beliefs affect women's time use.
- Fewer respondents believe that men have more rights to a job than do women (37 percent in 2019, 34 percent in 2023), but gender polarization regarding this bias has been increasing (from 12 percentage points in 2019 to 18 in 2023, with men more often holding that attitude). The bias affects family decisions regarding care and work, with wage gaps further reinforcing the choice for women to stay at home.
- Men's bias toward men as better political leaders is consistent (42 percent agreed in 2019, 43 in 2023), as is women's (26 percent in 2019, 24 in 2023), but the gender gap has increased from 16 to 19 percent. This attitude particularly affects voting patterns and appointments to decision-making roles, resulting in women's underrepresentation in public life.
- Fewer respondents believe that domestic violence is a private matter best handled within the family (from 18 percent in 2019 to 13 percent in 2023), with a small gender gap. This favorable trend is an additional argument for policy makers to counter domestic violence.
- Support for abortion rights declined from 47 percent of respondents in 2022 when MEASURE II first introduced this question to 44 percent in 2023. Women's declining support accounts for most of that drop (50 percent of women supported it in 2022 but only 44 percent in 2023).
- In all the attitudes listed above, youth (ages 30 and under) are more progressive than adults (31 and above), except in case of abortion where there is no age difference.

## I. ECONOMIC PLANNING, PUBLIC FINANCE, AND FISCAL REFORMS

**Transition to gender-responsive budgeting (GRB) and the new set of fiscal laws that would be gender responsive are still lagging in BiH.** The team found the following:

- Despite entrepreneurship policies recognizing the importance of incentivizing women's businesses and employment, during the COVID-19 pandemic, governments initially disregarded impacts of the pandemic on women and other marginalized populations and did not include special measures, such as quotas, in assistance to businesses.
- Fiscal and other reforms need to be gender responsive and to include temporary special measures to mitigate gender gaps in business development and the labor market. Governments need to continue with the plans to introduce program budgeting at state and entity levels, as envisioned by the BiH Comprehensive Strategy for Reforming the Public Finance Management

(2021–2025), and GRB needs to be integrated and all people-level indicators in the new program budgets need to be disaggregated by sex or gender identity, whenever possible. Gender disaggregation of data is crucial not only in the labor market but in business and tax statistics, as are gender analysis and regular gender impact assessments of economic policies.

- Key challenges to substantive gender integration in economic and fiscal reforms are general vertical and horizontal coordination issues; interparty and interethnic disputes; senior civil servants' low capacities and awareness; and staff turnover in ministries of finance and entrepreneurship, tax administrations, and economic planning and development agencies.

The team recommends that **USAID/BiH and other donors** do the following:

1. Include GIMs, gender-responsive finance experts and/or UN Women in any support to the public sector working on economic policies and public finance.
2. Ensure that donor-financed program budgeting software and databases integrate a systematic solution for disaggregation of data by sex or gender to allow for GRB, and support advocacy efforts for GRB.

## 2. BUSINESS DEVELOPMENT AND DIASPORA

**Lower financial inclusion and financial literacy, less access to banking products and assets, and gender gaps in digital literacy among less educated and rural populations are factors that still limit women's ambitions in business.** The team found the following:

- Informants observed a more gender responsive approach in business support and an increase in government and donor investments in women's entrepreneurship, although progress in women's business ownership cannot be established compared with that in 2019.
- Labor Force Surveys indicate declining self-employment rates among women, more so than among men. COVID-19 has shown that women's businesses are less resilient to shocks, as they mostly own the microbusinesses and small businesses. Assessments of shares of businesses owned by women range from survey-based 13 percent to administrative data suggesting that women own or co-own a quarter of companies.
- Because sex-disaggregated data on business ownership is difficult to extract, governments do not use it in policy making, except in RS.
- Women participate in management structures of a fifth of companies in FBiH, with rates inversely proportional to company size.
- Financial inclusion indicators document a gender gap in the population in receiving digital payments and owning a bank account, and to a smaller degree, also in saving money and borrowing from financial institutions. The gender gap in financial and digital literacy is more pronounced among less educated and labor-inactive populations.
- Women have difficulty accessing loans because banks prefer property, which women are less likely to own in BiH, as collateral.
- Time poverty and aversion to risk are also demotivating women from starting and expanding their businesses.
- Diaspora can have considerable effect on women's businesses, but governments' diaspora-related policies are not always gender responsive.

The team recommends that **USAID/BiH and other donors** do the following:



1. Support governments in streamlining and shortening business registration processes and financing, albeit with a gender perspective, making sure that changes address some of the limitations that mostly affect women starting or owning a business.
2. Incentivize targeted financial and digital literacy programs for the BiH population in general, but especially for women starting or owning a business, with companies and individuals from the diaspora as mentors, as well as through lighter forms of learning, for example, through short videos in local language.

### 3. LABOR MARKET

**Despite increasing labor force participation rate for women in most age bands since 2019 and the lowest ever unemployment rates for women in 2023, gender gaps are still high in the BiH labor market, making women more vulnerable to poverty.** The team has found the following:

- The COVID-19 pandemic temporarily increased the gender gap in employment rates in 2021, compared with those in 2020, because women carried a disproportionate burden of the pandemic as the primary caretakers and the majority of health care, tourism, and education employees.
- Past discrepancies in the labor market led to old-age poverty among women more than men, according to indicators by the International Labor Organization (ILO).

**Government incentives to assist greater women's participation and employment are encouraging but have not yet been sufficiently effective, especially for Roma women and women with disabilities.** The team found the following:

- According to primary data, fathers still rarely use parental leave, especially in the private sector, although only a quarter of children ages 3 to 6 in FBiH and 43 percent in RS are in kindergartens and preschools, according to UNICEF research. There is a need, then, to mandate at least a minimum of parental leave for parents and develop public–private partnership models for home help or multi-care centers that would enable both parents to work, as a Care Economy Study suggested.
- According to informants, active employment measures have some effect on women's employment rates, with some sustainability, but measures do not sufficiently focus on retraining and adult education, thus keeping women in lower paying jobs and services. Large sections of the labor-inactive population are long-term unemployed women who need to be the primary target group for any employment programs with a care component (e.g., care workers for the elderly).
- Macroeconomic aggregates do not consider the unpaid care women provide, and to shed light on it, annual statistical surveys should integrate time use modules, according to the mentioned Study.
- Policies fail to ensure progress in employment of persons with disabilities and Roma, especially women in those groups. There is a need for intensifying promotion of parental leave as men still rarely use it due to prejudice. In addition to increasing access and quality of care services, there is a need to promote care as a societal responsibility, but also to promote homes for elderly as a socially acceptable option. Due to poor standards, such an option is used mostly as a last resort.
- Key challenge for this transformative change are the lack of resources and low prioritization in governments, with some exceptions.

The team recommends that **USAID/BiH and other donors** do the following:

1. Support advocacy for uniform parental leave policies across the country.
2. In own labor market support activities, recognize and address the disadvantages of women and marginalized groups in participating and benefiting from donor support; continue supporting care services; and incentivize public–private partnerships for such services, especially with diaspora investments that could open space for return of the BiH emigrants from Germany and Austria.
3. Provide grants for government, employers’ associations, unions, and/or civil society to promote equality in private life and care.

#### 4. INFORMATION, COMMUNICATION, AND TECHNOLOGY, AND DIGITALIZATION

**Women’s participation in the information, communication, and technology (ICT) sector is lower than men’s and lower percentages of women than of men have advanced digital skills. However, there is progress in this respect according to interviews.** The team found that:

- Expert informants agree that ICT skills could ensure access to well-paid jobs and good business opportunities for women, including those with disabilities, while e-government and digitalization could assist women in dealing with time poverty. ICT companies are offering better working conditions and more flexibility in work than other companies, making them more attractive to women, including women with disabilities, according to interviewed experts.
- However, most ICT companies in BiH are small, deliver remote services for global markets, and have no clear economic interest in diversity and inclusion policies, according to interviews.
- While women’s level of participation in the ICT workforce is high, women mostly work in nontechnical roles and they are rarely in leadership roles in private and public companies in the ICT sector.
- Cultural norms steer women more toward education, social welfare, and health care professions.
- The ICT and digitalization policy makers’ lack of awareness of the need for gender integration leads to digital government solutions that do not contribute to gender equality.

The team recommends **USAID/BiH and other donors** supporting governments in digitalization to:

1. Insist on gender integration and women’s and GIMs’ active involvement in the creation and execution of government digitalization policies and solutions, especially related to electronic documents and signatures, electronic businesses, critical infrastructure, and information safety.
2. To insist on and promote intraorganizational antidiscrimination and gender equality policies when supporting the digitalization of businesses and when collaborating with public and private ICT companies.

## 5. ENERGY

**Gender considerations are often overlooked in energy policies and programs, and any progress rests solely on GIMs and few gender equality champions in energy ministries, although women are almost entirely absent from the leadership roles in the public sector energy institutions, parliamentary committees, and energy companies.** The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Committee also observed this in BiH in 2019. USAID Energy Policy Activity supported establishing of a Women in Energy Association, which may help mitigate the underrepresentation issue. The team found the following:

- Students of engineering are predominantly male, according to the RS and FBiH Institutes for Statistics, although more women are showing interest in studying renewable energies than before, according to interviews.
- The 2023 entity laws on renewable energy have created a more favorable environment for prosumers (electricity consumers who are at the same time producing energy) and citizens' energy initiatives.
- Energy policies recognize the possible negative social effects of decarbonization and transition to green energy on men in the coal-related jobs and on their families, as well as their communities, many of which suffered environmental degradation that now limits options for transition.
- Some of the Roma communities still have difficulty accessing reliable electricity, according to interviews, which increases the domestic burden on Roma women.
- Few women own clean energy companies.
- GIMs included environment and energy in the current GAP and operational plans, leading to some gender responsive energy measures, such as additional points for women applying for government incentives on electric vehicles.

The team recommends that **donors in BiH, including USAID**, do the following:

1. Build local expertise for gender integration in energy, with a few gender equality champions in energy institutions, committees, and companies in the public sector who can provide expertise and build capacities of new experts.
2. Support energy ministries and governments in creating favorable conditions for greater civic participation in energy decision making, energy investments, and energy production, including women, minorities, and mining communities.

## 6. ENVIRONMENT

**Although women are highly visible in decision making about the environment and the country's environmental strategies are gender responsive, gender disparities and intersecting inequalities persist in the population and the environmental laws and impact assessments do not take these disparities into consideration sufficiently in environmental decisions.** The team found the following:

- Even advocacy initiatives against environmental degradation in rural areas often exclude women because of traditional division of public and private spheres.
- There is need to revise rules for environmental impact assessments to ensure that local communities and organizations, and especially women, have influence over these decisions.

- Considering the gender and minority gap in private sector investments into green economy, governments need to introduce temporary special measures in incentivizing such investments with, for example, additional points for women applicants.
- Another area of concern are policies on management of natural resources, such as forests and water, in which women have little representation in decision making and workforce.

The team recommends that **USAID/BiH and other donors** do the following:

1. Support gender review of environmental regulations and practices in key ministries of environment, energy, and other resources, and require involvement of GIMs, human rights institutions, and advocates in decision making in these ministries.
2. Conduct human rights assessments in donor-supported initiatives related to energy, waste, natural resources, and green economy.

## 7. TOURISM

**Tourism is one of the sectors in which large shares of women participate in the workforce and in public governance, but fewer women are tourism investors and business owners.** The team found the following:

- Data on ownership structures in BiH is limited and unreliable.
- Tourism policies are more gender responsive than in other sectors, with GIMs' and donors' support.
- More trainings, funding, and standardization assistance in tourism businesses are now available to women especially.
- On the downside, salaries are lower in comparison with other areas of economic activity and most jobs in the sector are gendered (e.g., men in maintenance, women in housekeeping). Those who do not fit the roles may face discrimination when trying to access these jobs.
- When investing, women prioritize hospitality and catering, and few are interested in nature-based activities.
- COVID-19 negatively affected women's jobs and businesses in tourism, and the governments' emergency measures did not sufficiently recognize these issues in the beginning.

The team recommends that **USAID and other donors** do the following:

1. Build gender integration capacities of tourism authorities, and continue supporting gender-responsive company policies.

**Governments** should do the following:

1. Evaluate tourism policies with engagement of GIMs, women's businesses, and women's associations.

## 8. JUDICIARY

**The judiciary has made some progress since 2019, especially related to intraorganizational policies and women's and men's representation, but key challenges remain in adjudication and access to justice for marginalized groups.** The team found the following:

- Key progress in the justice sector includes the High Judicial and Prosecutorial Council's (HJPC's) Strategy for Gender Equality in the judiciary, leading to lower level action plans for gender equality, and regular trainings on gender equality and human rights, available through Entity Centers for Education of Judges and Prosecutors (CEJPs).
- This has contributed to progress in adjudication of discrimination cases, although there are still few such cases related to gender and minority status.
- Informants following trials have expressed strong criticism regarding the work of the judiciary in gender-based violence (GBV) cases, underlining the fact that there has not been much progress because judges still issue lenient and suspended sentences for perpetrators, with great variations among courts across the country; treat victims with condescension; and fail to apply emergency and protective measures for survivors.
- Gender biases and prejudice against Roma and other groups still exist within the judicial system, affecting these groups' access to justice.
- Most of the judges and prosecutors and half of the judicial officials are female, but key informants found their decisions unfair, especially for survivors of GBV and trafficking in persons.

The team recommends that **donors, including USAID/BiH**, do the following:

1. Continue supporting HJPC's and lower level institutions' data management, sharing, and reporting capabilities, making sure that any progress contributes to the country's human rights-reporting capacities, including data disaggregated by relevant categories.
2. Continue funding capacities and resources of the judiciary and governments to address GBV and discrimination cases, for example, through more frequent training for lower levels of courts, prosecutors, and attorneys; publications on jurisprudence; governments' legal aid outreach to marginalized communities; and expansion of witness support and specialized services for marginalized groups.

## 9. FIGHTING CORRUPTION

**The main country policy against corruption includes a modest gender aspect, not sufficient for gender integration, and the legal framework does not specifically address types of corruption that affect women more than men because these are still poorly understood.** The team found the following:

- Currently, fewer women report corruption to the judiciary, to the executive bodies, and to civil society organizations (CSOs), but some forms of corruption are only becoming acknowledged, such as corruption in maternity wards and sextortion or sexual corruption.
- Further, women have more contact with the health care and education sectors, in which petty corruption often takes place, whereas men experience it more in contacts with police and other institutions. Different experiences of corruption, therefore, result from different gender roles.
- To increase identification and sanctioning of such specific cases, governments need to conduct a more thorough gender review and amend the anticorruption policies at all levels to define specific measures.

The team recommends that **USAID/BiH and other donors** do the following:

1. Continue supporting research on the nexus of corruption, gender, and minority status, for example, by exploring the ways Roma women experience extortion in maternity wards or the

way corruption prevents investigation of organized crime, in which women are commonly victims, such as trafficking for prostitution.

2. Fund gender-specific anticorruption campaigns to encourage more women to report corruption or participate in anticorruption civic actions, as well as to capture other types of gendered corruption that are less known in the literature.
3. Continue increasing the breadth of anticorruption initiatives by including women's and minority organizations.
4. Fund advocacy initiatives aiming to improve gender integration into government anticorruption policies.

## 10. GOVERNANCE

**BiH has made key progress since 2019 in advancement of intra-institutional policies against harassment, sexual harassment, and mobbing in most state and entity institutions, but gender integration is still a mere formality in many areas of governance.** The team found the following:

- GIMs have difficulty accessing some decision-making processes, in particular in F BiH, and policy makers do not conduct adequate gender assessments when designing and revising policies, despite legal requirements. This, then, warrants specifying criteria, indicators, and the process of gender assessment in Regulatory Impact Assessment decrees and rules on development planning and legislative drafting.
- Disaggregation of data should continue to improve, but there is also a need to increase funding for GIMs and increase gender integration capacities among senior staff in line ministries and agencies.
- Parliamentary majorities still rarely appoint women to political posts at state, entity, and canton levels (only a fifth of appointments), and when they do, most often it is in the sectors reflecting their traditional roles, the sectors that were long neglected in government priorities, according to interviews. Lawmakers therefore need to integrate gender quotas in regulations on government appointments.
- Women constitute nearly half of the public administration, defense, and social insurance staff, as well as two thirds of employees in education, health, and social protection. Women in fact prefer public sector jobs that help them meet traditional gender roles to private sector jobs.

The team therefore recommends that **donors, including USAID**, do the following:

1. Encourage gender integration when supporting any government processes, including digitalization.
2. Support advocacy efforts for gender revision and amendment of laws on political appointments and government rules of procedure, especially in F BiH, as well as policies defining legislative drafting, development planning, and impact assessments, and advocacy efforts for increased funding for GIMs.
3. Build gender integration understanding and skills of senior staff in all institutions (starting with entities), and provide gender integration support through rosters of experts with experience in gender integration in specific sectors.

## 11. ELECTIONS AND POLITICAL LIFE

**BiH legislative framework on elections has improved, along with the election administration's authority over hate speech sanctioning, and the ongoing investments will also increase capacities for election data management. However, prejudice against women in politics persists among men in political parties and in the population.** The team found the following:

- The increasingly inclusive party policies have not yet had the desired effect on women's representation and influence in political life because party practices continue to be undemocratic.
- Prejudice, smear campaigns, and attacks on women in politics persist. NSCP data show constant shares of men prejudiced against women in politics, although women's prejudice is decreasing.
- Women's descriptive representation is still low, but the legislatures' understanding of gender issues and application of gender integration principles are more important than numbers.
- There is still a need to specify who will and how they will monitor and enforce the new provision in the Election Law regarding women's and men's equal access to campaign resources.
- Political party financing regulations, on top of being disharmonized, also fail to include incentives for parties to promote women's participation at all levels, except state.
- Technological advancements in election processes need to be tested also in relation to the digital divide and contribute to improved disaggregation of data by gender.

The team recommends that **donors, including USAID/BiH**, do the following:

1. Follow a human-rights based approach and advocate for explicit antidiscrimination provisions, measures to address gender and other gaps, and data disaggregation when supporting policy work and technological processes on elections.
2. Support further improvements in intra-party equality and inclusion policies, specifically focusing on their implementation, on men's capacities for gender equality promotion, and women's resilience in political life.
3. Fund advocacy campaigns to counter prejudice and ultraconservative narratives about women, stereotypes about women in politics and conduct campaigns against offensive and derogatory speech in political life. Change in attitudes is not sustainable, however, without parallel interventions in education that other donors should support.

## 12. LOCAL COMPETENCE AND RESOURCES

**LSGUs often lack gender sensitivity, data, and resources to address gender issues, for example, lack of kindergarten places, despite requirements from the LoGE, mostly because regulations on local self-government are not sufficiently (in RS), or not at all (in FBiH and BD) gender responsive.** The team has found the following:

- GIMs and civil society need to be involved in the entities' legislative amendments on local self-government to ensure their harmonization with the LoGE, by integrating gender disaggregation, representation, and gender programming into the mandate of local authorities.
- Entities should allocate additional resources for these priorities.

- Because BD does not have a formal GIM in the executive branch, the scope of work of at least one government department should include support to other departments in gender analysis and gender integration.
- Smaller municipalities have particular problems meeting LoGE requirements, apart from establishing gender equality commissions. Such bodies exist in most LSGUs but do not have influence over council/assembly decisions or, in many cases, interest in doing so.
- On average, a fifth of local councilors are women, only a modest increase compared with women's wins in earlier election cycles, but more candidates' lists in 2020 included women as top candidates.
- Women's representation is high in local public institutions, largely because of kindergarten and preschool overrepresentation.
- Access to kindergarten services is low, as less than a quarter of children ages three to six in FBiH and two of five children in RS are enrolled in any type of preschool education and care. Preschool and services such as in-home elder care are crucial for women's participation in the labor market.
- Safe houses and other services for survivors of violence are not accessible to women in all parts of the country; nor is psychosocial support, especially for minority women.
- Men use health care services less than women; they are more likely to die from violent causes, and cultural norms instruct them to rarely seek psychosocial support.
- Few local administrations' and institutions' staff are Roma.

The team recommends that **donors, including USAID**, do the following:

1. Support government-driven gender audits of LoGE implementation at the LSGU level, akin to what Supreme Auditor Offices conducted with UN Women support.
2. Build LSGU capacities for gender-responsive governance in all trainings for LSGUs, not just in isolated trainings focusing only on gender equality.

The team recommends that state and entity **parliaments** do the following:

1. Fully harmonize laws and regulations on local self-government with the LoGE.

### 13. CIVIL SOCIETY

**Policy makers sometimes exclude feminist and minority activists from public participation. These organizations also often lack time and capacities to participate in consultations, advocate, and campaign with wide outreach, and government and civil society capabilities are especially low for tracking the situation of Roma women and women with disabilities.** The team has found the following:

- BiH is working to create a favorable environment for civil society through more regular consultations and advisory bodies. However, lower level regulations on civil society financing and public gatherings are inadequate, and some attempts, such as the RS Law on Foreign Agents, are even potentially dangerous for feminist and LGBTQI+ civil society.
- These activists are already a target for ultraconservative organizations, which is an emerging problem in many high-income and low- and middle-income countries while the authorities, especially in RS, are not doing enough to protect them.



- Governments at all levels need to evaluate and upgrade the existing citizen participation mechanisms, civil society financing standards and practices, and regulations on freedom of assembly, making sure that politicians do not abuse these revisions to silence criticism. Civil society representatives, including feminist and minority-led organizations, need to participate in revisions.
- The civil society and government capacities for evidence gathering on groups experiencing intersecting grounds of exclusion are low, especially regarding the situation of women among Roma and persons with disabilities, but funding for regular monitoring is undependable because donors shift priorities.
- Organizations and bodies representing Roma and persons with disabilities rarely have women as managers.
- Men's and boy's attitudes are more conservative, in some cases more radically conservative than women's and girls', but most feminist and women's organizations have problems reaching men and boys in their campaigns.

The team recommends that **donors, especially USAID**, support the civil society by doing the following:

1. Encouraging gender-responsive evaluations and amendments of governments' civil society financing and civic participation mechanisms and regulations at all levels to ensure that organizations that have tangible and measurable effects for their beneficiaries, such as safe houses and women's training and education centers, have more access to public budgets.
2. Funding CSOs' core operations and activities without shifting their priorities, building their capacities for advocacy and regular reporting on women's and LGBTQI+ people's problems among Roma and persons with disabilities; funding campaigns to counter ultraconservative narratives on gender and LGBTQI+ issues, especially targeting youth; and developing feminist and Roma women's strategies for alternative sources of funding, for example, social angels and crowdfunding.

#### 14. MEDIA AND INVESTIGATIVE JOURNALISM

**Media landscape has become hostile to media criticism in RS, and throughout the entire country, journalists face threats and attacks, women mostly online or verbal, and authorities are not doing enough to process such cases.** The team has found the following:

- Intraorganizational policies against discrimination and harassment are underdeveloped in the media because women's high participation and representation is mistaken for gender equality. Media need to improve intraorganizational policies against discrimination on any basis, especially toward Roma and persons with disabilities.
- Gender breakdowns on private media ownership are not possible because media ownership is not regulated at all.
- Investigative journalists in BiH focus on corruption, covering only a limited scope of gendered topics, despite the need for such type of coverage, for example, related to trafficking in persons, although there are positive exceptions among well-established journalist networks.
- Members of the BiH Press Council and media under authority of the Communications Regulatory Agency have improved since 2019 regarding prejudiced representations. However, anonymous web portals and social media platforms still reinforce prejudice against women and

LGBTQI+ people, while justice and law enforcement authorities have problems investigating and bringing to justice responsible individuals and groups.

- The Press Council and international projects such as the Investigative Journalism Program work with rosters and networks of attorneys who provide legal advice and representation in court for journalists who face increasing numbers of lawsuits, but there is need to provide legal aid to women journalists, whose trust in the judiciary is generally low so that they do not report abuses.
- The BH Journalists Association (BHJA) is working with prosecutors' offices to designate prosecutors whom journalists can address directly and to connect journalists with other involved stakeholders, but there is need to expand this practice.

The key recommendations for **USAID and other donors** are to do the following:

1. Condition financial support to media on antidiscrimination and zero-harassment policies inside media beneficiaries.
2. Broaden investigative media support on investigations of gendered issues beyond corruption.
3. Continue funding media and legal associations to provide legal services for protection of journalists from attacks, including online, where women journalists are more vulnerable, and from strategic litigations against public participation, and support a multistakeholder approach to addressing cases of attacks on journalists.
4. Create an evidence base on gendered effects of online media, social media, and communication platforms, their business models to shift toward multistakeholder regulation of these spaces.

## 15. INTERETHNIC RELATIONS AND VIOLENT EXTREMISM

**Interethnic concerns influence gender issues negatively in at least two ways. First is the constantly low prioritization of gender issues in government agendas, such as the lag in GRB or in amendments of the FBiH Criminal Code (CC), precisely because authorities are busy with interethnic disputes. Second is that homegrown ultraconservative actors are increasingly pushing against progress in gender equality and LGBTQI+ issues, with these topics becoming their major focus of interest beyond migrants.** The team has found the following:

- The ultraconservative groups in RS have already attacked LGBTQI+ activists in 2023 and initiated reversal of earlier progress in protection of LGBTQI+ people against hate speech based on focus groups with activists.
- Activists have limited options to fight these groups directly and need support from international organizations on both matters.
- Further, extremists sometimes attack women whom they recognize as belonging to other religious groups, for example, women with headscarves.
- Women have less contact with other ethnic groups, but they also trust other ethnic groups more than men do, suggesting that women are an untapped potential aid in decreasing interethnic distance.

The team recommends that **USAID** do the following:

1. Fund investigative media research into ultraconservative initiatives against gender equality and LGBTQI+ rights, including ties to sponsors from the neighboring countries and beyond.
2. Support and fund counternarrative campaigns focusing on gender issues.
3. Integrate investigation of antifeminist, anti-Roma, and anti-LGBTQI+ hate crimes into activities with the judiciary and police.
4. Help activists develop security protocols and access legal and psychosocial support.

## 16. GENDER-BASED DISCRIMINATION AND VIOLENCE

**Despite relatively good antidiscrimination policies, the complaints and lawsuits on gender-based discrimination (GBD) are extremely rare and practices in prosecution of gender-based violence (GBV) allow for very common recidivism that, in extreme cases, may lead to femicide.** The team has found the following:

- Unequal treatment of women is common in labor rights. Employers continue to discard younger women's and single mothers' applications, they employ them only on short-term contracts, and rarely extend their contracts when women get pregnant, while maternity rights are still an issue in some parts of the country.
- GBV remains a pervasive issue, with inadequate support services for survivors and inadequate sentencing practices in courts.
- HJPC and legal experts need to explore application of hate speech and hate crime provisions of Criminal Codes in cases of misogyny in public life and, in some cases, of violence against women, including domestic violence because the underlying causes are hateful beliefs.
- Support for introducing femicide as a separate crime has decreased despite high numbers of cases occurring since 2018 (around 70 according to civil society sources).
- Public authorities need to improve reporting, processing, and registering of gender-based discrimination and GBV, especially by expanding the scope of laws on protection from domestic violence and continuing to train lower level courts and prosecutors whose practices are still inadequate.
- Financing of safe houses needs to continue improving, but there is need to enable inter-entity placement in shelters, open shelters for victims of all forms of GBV, improve access for Roma women and women with disabilities, and intensify the practice of removing the perpetrator from the house.
- Trust in judicial and other institutions needs to increase for victims to approach them.
- In the meantime, 11 percent of women in BiH experienced physical and/or sexual violence at the hands of their current or former partners, 8 percent from non-partners, but prevalence studies need to be done regularly and on a broader scope.
- One promising improvement is in populations' more condemning attitude toward domestic violence based on NSCP, interviews, and focus groups.

The team recommends that **donors, including USAID**, do the following:

1. Assist labor and human rights institutions in evaluating the effectiveness of and adjusting antidiscrimination policies or mechanisms for women in the labor market and fund the civil society initiatives to explore legal options on GBD, for example, strategic litigations.

2. Fund new programs with education institutions to decrease men's and boys' gender prejudice and increase understanding of consent and power balance.
3. Support operational costs of specialized shelters and public GBV response services.
4. Support the judiciary in developing guidelines for application of hate speech and hate crime provisions in cases of misogynist speech and GBV.

## 17. LGBTQI+ PERSONS

**LGBTQI+ individuals face discrimination and violence, with limited legal protections, although the team observed some progress in legislation regarding the state-level action plan for LGBTQI+ rights and BD Criminal Code protection.** The team has found the following:

- Reversal of rights is likely in RS regarding gender identity as grounds of hate speech and hate crimes.
- In both entities and BD, progress in addressing the needs of LGBTQI+ couples is lagging, partially because of conservative influences inside governments.
- While freedom of assembly has improved in Sarajevo, this has yet to happen in other cities, and the ultraconservative organizations and groups continue to spread hate around such events.
- People who attacked LGBTQI+ activists still need to be identified and punished, but the politicians in RS have not been vocal enough in condemning those attacks.
- There is need to legalize same-sex partnerships and change of legal sex markers, ban conversion therapies, build medical capacities for gender reassignment and fund the procedure from health insurance, and raise awareness about gender diversity, at least in some forums.
- A clear challenge to these changes is conservatism that dominates citizens' support against progress and public support for ultraconservatives.
- Promising practices include contacting people in prosecutors' offices to deal with hate incidents that involve LGBTQI+ individuals, broadening psychosocial support, having shelters for LGBTQI+ people, and implementing initiatives to promote diversity and inclusion among employers.

The team recommends that **USAID and other donors** continue supporting LGBTQI+ organizations by doing the following:

- I. Fund their research, legal, and advocacy activities to end discrimination in family life and protect LGBTQI+ people from hate crimes, screen the situation of LGBTQI+ individuals among Roma and persons with disabilities; support initiatives that promote inclusive practices in companies, and advocate for governments to take on more responsibility for improvement of LGBTQI+ rights in the next action plan.

## 18. ROMA WOMEN'S RIGHTS

**Roma women experience multiple forms of discrimination and marginalization, predominantly in access to education, employment, health, housing, infrastructure, and protection from violence and trafficking.** The team has found the following:

- Three of four Roma women in BiH are unemployed.

- Roma women and men have shorter life expectancy than women and men in the general population.
- Roma do not report crimes and discrimination because they have little trust in the institutions' capacities or will to protect them in such cases.
- Antidiscrimination provisions still fail Roma men and women, while Roma women are almost entirely absent from political bodies and public sector jobs.
- Roma mediators in communities, some of whom are women, are a promising practice and their engagement should expand onto all key areas of discrimination, but this cannot replace formal employment in the public sector.
- Finally, current quality of data on the Roma issues is low, especially data on the issues of Roma women and children.

The team recommends that **donors, especially USAID**, do the following:

1. Support advocacy for gender-responsive revisions of laws protecting minorities to ensure Roma women's higher influence in decision making.
2. Fund vocational and adult learning options for Roma, especially for Roma women.
3. Fund Roma organizations' regular research and evidence gathering on the Roma situation, especially that of Roma women and girls.
4. Support statistics agencies in collecting reliable data on the Roma situation, disaggregated by sex, and tracking numbers of voluntarily self-declaring Roma individuals working in institutions.

## 19. TRAFFICKING IN PEOPLE

**The country has made evident progress since 2019 in countering trafficking in people (TIP), but all progress is in danger with the closing of the only specialized shelter for TIP victims.** The team has found the following:

- Informants mentioned progress with evaluating and developing policies against trafficking, capacities of the regional and local antitrafficking teams to identify victims, and adjudication (one important verdict on child trafficking for begging in Tuzla). Progress is also a result of engaging Roma mediators in local mobile identification teams, a practice that needs to be applied in all jurisdictions. However, there is also a need to employ more women from the most affected groups in the key local institutions, such as the police, social work, health, and justice.
- A key challenge to progress is the low budget that the Ministry of Security has been allocating to shelters and services for TIP victims, although the Council of Ministers has doubled the amount in 2024. Standards and conditions for shelters require more funding.
- Women and girls continue to be particularly vulnerable to trafficking and exploitation, but identification of potential victims is problematic, especially when victims are Roma because local institutions continue to assign typical forms of exploitation to Roma tradition and culture, according to informants. Roma mediators are key to identification.

The team recommends that **donors, including USAID**, do the following:

1. Advocate increased funding in finance ministries, for services and shelters for TIP survivors; advocate in civil service agencies to improve Roma representation in local institutions, advocate in ministries of social policy to improve social assistance, employment and reintegration

incentives and increase funding for centers for social work; and cofund legal and witness support, including in victims' own language.

## 20. WOMEN WITH DISABILITIES

**Women with disabilities face significant barriers to inclusion and participation, including in the labor market and political life, and government programs and policies are not sufficiently gender responsive or not sufficiently effective and accountable.** The team has found the following:

- Entity Funds for Professional Rehabilitation have not been meeting the assigned role, especially in FBiH, where employers often abuse incentives and do not actually employ persons with disabilities.
- Active employment measures targeting persons with disabilities do not sufficiently focus on training and education for vocations and professions in high demand.
- Women with disabilities are mostly encouraged to stay at home and receive a disability allowance, according to an informant, while it is more difficult for women to get a disability pension if they acquire a disability later in life. This results in low share of women among disability pension beneficiaries.
- Some indicators of the population's prejudice against persons with disabilities are on decline, and others are stagnating, but employers still hold high levels of prejudice against them.

The team recommends that **donors, including USAID**, do the following:

1. Fund physical and other adaptations for employers and education institutions or types of institutions that persons with disabilities prioritize and advocate governments' long-term plans to fund such adaptations from public budgets.
2. Support development of tailored curricula for women and men with disabilities that help them acquire skills for jobs in which adaptation costs are not high and help these men and women access education in skills in high demand, for example, by requiring education institutions to invest in online education.
3. Support multistakeholder incentives to break down employers' prejudice against persons with disabilities.
4. Fund access to special services in the judiciary and law enforcement, such as braille language, psychosocial support for women with disabilities who are victims of violence, as well as legal support.

## CONCLUDING REMARKS

This GA has highlighted the need for comprehensive and coordinated efforts to address gender inequalities in BiH. The LoGE and the BiH GAPS remain the key documents guiding gender integration in the state and entity policies. Overall, USAID and other donors can contribute to greater awareness among line ministries and agencies, politicians, and municipal/city administrations of the importance of gender integration. However, the purpose of gender integration should be not ad hoc but systematic solutions, such as establishing a procedure for gender-responsive strategic planning in a line ministry, instead of making progress in one strategic document.

## INTRODUCTION

The American Institutes for Research® (AIR®) was commissioned by the United States Agency for International Development Mission in Bosnia and Herzegovina (USAID/BiH) under the USAID/BiH Monitoring and Evaluation Support Activity (MEASURE II) to conduct a country-level Gender Analysis (GA). MEASURE II conducted the GA between March and June 2024, using document review, interviews, focus group discussions, and analysis of secondary data. This report addresses the key GA questions and provides conclusions and recommendations based on the 20 different policy areas of interest, which were identified and selected in collaboration with USAID/BiH. The areas in the GA include economic development, energy, environment, governance, civil society, media, and human rights among others.

Some of the 20 areas are not high-priority areas for gender equality, that is, neither the BiH Law on Gender Equality nor the current BiH Gender Action Plan (2023–2027) mentions them specifically. For example, government policies do not specify a favorable environment for women’s organizations or for feminist media as goals or focus, but they do identify media and civil society as allies. However, gender integration is a strategy to achieve gender equality, and this is only possible if it is applied across all policy areas,<sup>2</sup> not only those that are considered a priority. While BiH has achieved progress in gender equality,<sup>3</sup> nearly 30 years after the Dayton Peace Agreement and the Beijing Declaration and Platform for Action, it is time to broaden the gender integration approach to all areas of policy making. Internal political turmoil and emerging global and regional challenges are creating new risks for women and girls—and also for men and boys.

The new USAID Country Development Cooperation Strategy for Bosnia and Herzegovina (CDCS) will integrate the gender perspective using the GA findings, conclusions, and recommendations. For USAID/BiH, this means ensuring that its interventions do not exacerbate inequalities in any of the areas in which it works, but also that its interventions contribute to addressing existing gender gaps. USAID/BiH has been implementing its current CDCS (2020 – 2025)<sup>4</sup> with a gender perspective, based on two earlier GAs. The new GA assesses the situation for the period between the last GA, 2019<sup>5</sup> and 2024.

## BACKGROUND

The U.S. Agency for International Development (USAID) acknowledges the significance of gender equality and the empowerment of women and girls because achieving sustainable development outcomes depends on the realization of basic human rights.<sup>6</sup> The Automated Directives System (ADS) on Integrating Gender Equality and Women’s Empowerment in USAID’s Program Cycle (ADS Chapter 205) details the required approach to gender analysis and highlights the importance of “promoting gender equality and advancing the status of all women and girls in all their diversity around the world” for achieving U.S. foreign policy and development objectives.<sup>7</sup> Gender analyses are an integral step in USAID planning. In addition to domains and areas defined in the ADS Chapter

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<sup>2</sup> Beijing Declaration and Platform for Action, A/CONF.177/20/Rev.1, Fourth World Conference on Women (1995).

<sup>3</sup> See, for example, United Nations. (n.d.). Gender Inequality Index. In *Human Development Reports*. United Nations. <https://hdr.undp.org/data-center/thematic-composite-indices/gender-inequality-index>

<sup>4</sup> USAID/BiH. (2020). *Country Development Cooperation Strategy (December 2020—December 2025)*. USAID/BiH. [https://www.usaid.gov/sites/default/files/2022-05/BiH\\_CDCS\\_external\\_Dec\\_2025.pdf](https://www.usaid.gov/sites/default/files/2022-05/BiH_CDCS_external_Dec_2025.pdf)

<sup>5</sup> USAID MEASURE-BiH. (2019). *Gender Analysis for Bosnia and Herzegovina: 2019 Follow-Up*. <https://measurebih.com/uimages/Gender20Analysis20201920Follow-Up20Final20Report.pdf>

<sup>6</sup> USAID. 2023 Gender Equality and Women’s Empowerment Policy. USAID, 2023. [https://www.usaid.gov/sites/default/files/2023-03/2023\\_Gender%20Policy\\_508.pdf](https://www.usaid.gov/sites/default/files/2023-03/2023_Gender%20Policy_508.pdf)

<sup>7</sup> ADS Chapter 205. Available at: <https://www.usaid.gov/about-us/agency-policy/series-200/205>

205, USAID integrates disability;<sup>8</sup> issues of Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, and Other (LGBTQI+) individuals;<sup>9</sup> and other issues to ensure an intersectional approach to GA.

## PURPOSE

This GA assesses the current status of gender equality in BiH by delving into BiH's overall advancements in incorporating gender-related principles and practices within its society, institutions, and processes. The GA will serve to inform the integration of gender within USAID's activities in BiH and to inform the development of USAID/BiH's next CDCS. The objective of the analysis is to discern and provide insightful recommendations on ways to address gender disparities present across USAID/BiH's sectors of interest and the opportunities that exist to promote gender equality, including across marginalized groups.

## BACKGROUND

In the BiH Constitution, respect for human rights is considered one of the central pillars, combined with the direct application of the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols.<sup>10</sup> The country is on a route to start negotiations for the European Union (EU) accession, and a State Party in 18 international human rights treaties that the United Nations (UN) and the Council of Europe (CoE) have adopted. The GA references some of these instruments in relevant chapters and lists them in Annex IV.

BiH is improving year after year in the Gender Development Index and Gender Inequality Index of the United Nations Development Program (UNDP).<sup>11</sup> However, BiH still ranks low in the Global Gender Gap Index,<sup>12</sup> 78th among the 146 countries, lagging behind all other countries in Southeast Europe, and nearly all in Europe. Key areas for improvement based on that index are economic participation and opportunities, as well as political empowerment.

The GA assess progress in the promotion of gender equality, gender integration, and protection from Gender-Based Discrimination (GBD) and Gender-Based Violence (GBV), as defined in the BiH Law on Gender Equality (LoGE)<sup>13</sup> enacted in 2003 and amended in 2009, the BiH Antidiscrimination Law (ADL),<sup>14</sup> and entity and BD Laws on Protection from Domestic Violence.

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<sup>8</sup> Additional Help for ADS Chapter 205—Integrating Disability into Gender Analysis. <https://www.usaid.gov/about-us/agency-policy/series-200/references-chapter/201maa>

<sup>9</sup> LGBTQI+ Inclusive Development Policy. [https://www.usaid.gov/sites/default/files/2023-07/USAID\\_LGBTQI-Inclusive-Development-Policy\\_August-2023\\_1.pdf](https://www.usaid.gov/sites/default/files/2023-07/USAID_LGBTQI-Inclusive-Development-Policy_August-2023_1.pdf)

<sup>10</sup> Kadribasic, A. (2013). Developing Equality Legislation in Divided Societies: The Case of Bosnia and Herzegovina. SSRN Electronic Journal. <https://doi.org/10.2139/ssrn.2259545>

<sup>11</sup> UNDP. (2024). *Human Development Reports*. [https://www.usaid.gov/about-us/agency-policy/series-200/references-chapter/201maaBosnia\\_and\\_Herzegovina](https://www.usaid.gov/about-us/agency-policy/series-200/references-chapter/201maaBosnia_and_Herzegovina). United Nations Development Program. Available at: <https://hdr.undp.org/data-center/specific-country-data/#/countries/BIH> (Retrieved August 24, 2024).

<sup>12</sup> World Economic Forum. (2024). *Global Gender Gap Index – 2024 Dashboard*. World Economic Forum. Available at: <https://www.weforum.org/publications/global-gender-gap-report-2024/global-gender-gap-2024-dashboard/> (Retrieved August 24, 2024).

<sup>13</sup> Law on Gender Equality—Official Consolidated Text, BiH Parliamentary Assembly, BiH Official Gazette 32/10 (2003/2009). <http://www.sluzbenilist.ba/page/akt/xlzig2Utoj0=>

<sup>14</sup> Antidiscrimination Law—Unofficial Consolidated Version, BiH Parliamentary Assembly, 48/10, 66/16 BiH Official Gazette. Retrieved August 3, 2024, from <https://parlament.ba/law/LawDetails?lawId=1100>



## METHODOLOGY

### ANALYSIS QUESTIONS

USAID/BiH and the GA team defined the following Analysis Questions (AQs) for this GA:

1. How adequate and effective are the existing legislative and institutional frameworks for ensuring gender equality and implementation of gender mainstreaming in sectors of USAID's interest?
  - a. What improvements are needed in the BiH's legislative and institutional framework to allow for a more gender-equal society in the country?
  - b. What are the challenges to adopting and/or implementing such improvements?
2. What are the patterns of women's representation and participation in decision making in sectors of USAID's interest, and whether and how have they been changing under the influence of the requirements of the BiH LoGE?
3. How are gender roles, responsibilities, and time use in the context of economic activity of men and women manifested and addressed in sectors of USAID's interest?
4. What are the key challenges in achieving gender-equal access to and control over services, assets, and resources in sectors of USAID's interest?
5. How do cultural norms and beliefs shape gender equality in sectors of USAID's interest?

The analysis team (AT) used a mixed-methods approach and relied on qualitative and quantitative data to address the AQs, conducting document review, key informant interviews (KIIs), and focus group discussions (FGDs) with relevant stakeholders, and analysis of secondary data. The narrative below describes the data collection activities.

**DOCUMENT REVIEW:** From the launch of the analysis and throughout data collection and writing, the team conducted document review. For each of the 20 areas of interest, the team reviewed key government policies to identify any gender-sensitive, -responsive, or -transformative measures or otherwise assess whether policies adequately reflected gender issues. In addition to key government policies, the team reviewed reports and research from other organizations to extract secondary information. A detailed list of documents and literature reviewed is provided in Annex IV.

**FOCUS GROUP DISCUSSIONS (FGDs):** The team gathered data from several stakeholder groups through eight FGDs. Five FGDs were organized directly by MEASURE II. MEASURE II outsourced three additional FGDs to a private company to engage directly with citizens at grass roots level. FGD participants differed in gender, age, type of settlement, and other personal characteristics. These three FGDs explored men's and women's attitudes, as well as narratives about life events to understand how, if at all, changes in the context influenced their gender roles and responsibilities, time use, opportunities for participation and representation, access, ownership, and control, as well as their cultural norms and beliefs.

**KEY INFORMANT INTERVIEWS (KIIs):** The AT engaged with 70 people in 53 interviews, including the key informants (KIs) such as State Gender Equality Agency (GEA) staff; gender focal points and other staff from government institutions and agencies and CSOs; activists, politicians, and members of local gender equality commissions (LGECs); and other donors and international organizations. A detailed breakdown of KIs is included in Annex III. The latest ADS changes require

that the GA include the perspectives of gender-diverse people, as well as women and men. The AT complied with this requirement to the extent feasible, bearing in mind that some AQs focused on women specifically and that few government sources in BiH recognized gender-diverse people.

## **FINDINGS, CONCLUSIONS, AND RECOMMENDATIONS**

This chapter discusses findings of progress across the 20 areas of interest for this GA. The first seven areas relate to economic development, areas eight and nine relate to rule of law, and areas 10 through 20 cover topics related to democracy and human rights. Each section includes findings across the five AQs and ends with the team's conclusions and recommendations for integration of gender perspectives in each area.

The first AQ pertains to policies and their implementation. The team looked at the key laws and policies in the area of interest and discussed whether they integrated a gender perspective. On the basis of LoGE, BiH authorities should screen their areas of work for gender gaps and develop programs to ameliorate them, while policies and laws should include input from gender institutional mechanisms (GIMs). Line ministries and GIMs should ensure harmonization of all new laws and policies with LoGE and other human rights laws and international standards. Governments should, for example, include antidiscrimination articles and sanctions for their violation; affirmative action to address gaps (e.g., in relation to underrepresentation of men, women, or other groups); articles requiring periodical regulatory impact assessment, which would include gender or human rights impact assessment; and use of gender-sensitive language. The expression that policy makers use, "the law applies equally to all," disguises the unequal effects that laws have on different groups, which is precisely the reason why regulatory impact assessments are necessary.

The second AQ explores women's representation in decision making in areas of interest. While descriptive representation is indicative of the level of equality in a sector, a more important aspect of representation is women's voice and influence. When women sit at the decision-making tables but do not use their voice or do not strive to contribute to gender equality, these percentages end up masking important gender gaps in the population.

The third AQ discusses the influence of gender roles, responsibilities, and time use on the areas of interest and vice versa. Traditional gender roles in the private sphere still influence women's participation in different areas of public life, for example, the labor market, including its specific segments, such as energy and tourism.

The fourth AQ explores the accessibility of services, assets, and resources for women and, whenever relevant, men and other groups. In some areas of interest, it may not be directly clear what the services, assets, and resources are, but in most cases, the team explored whether women had opportunities or obstacles to train for specific professions, access to justice in case of violations of their rights in those areas of interest, or actual physical resources and assets.

The fifth AQ pertains to gender roles and norms. The team relied here on quantitative data about attitudes of populations of interest. The issues discussed in the third and the fifth AQ are, in most cases, the underlying causes of inequalities, but in many cases, these are a result of institutional inaction or inertia, resulting from political problems that BiH is experiencing.

## I. ECONOMIC PLANNING, PUBLIC FINANCE, AND FISCAL REFORMS

### AQI. POLICIES AND PRACTICES

In the BiH Gender Action Plan 2023–2027 (GAP),<sup>15</sup> one of the strategic objectives addresses labor, employment, and access to economic resources. Measures defined within this strategic objective aim to address discrimination based on gender in work, employment, and the labor market and to ensure equal opportunities for women and men to access economic resources, including reducing poverty through new macroeconomic and development strategies. The BiH Law on Gender Equality (LoGE) requires all institutions to disaggregate all data by sex, analyze the gender equality situation in their sectors, and adopt measures to address gender gaps. The Law on the Budget of BiH Institutions<sup>16</sup> requires state-level institutions to include a gender perspective when allocating any grants or reporting on their implementation. KIs noted that most state, entity, and BD laws on development planning, unified rules for legislative drafting, and regulatory impact assessment directives also require institutions to consider the effects of new policies on social issues, including gender equality.

In interviews, KIs outlined the fact that, **despite available analytical tools, outdated information systems hindered the extraction of gender-disaggregated data.** This issue stems from a lack of mandates from higher authorities like the Ministry of Finance (MoF). An expert for gender-responsive budgeting (GRB) the team interviewed commented that, although regulatory and fiscal impact assessments of tax and fiscal legislation were required, they were often superficial and only applied to initial drafts, not the final, amended versions. Hence, **the effects of adopted tax and fiscal regulations remain unknown because of the absence of mandatory analyses.** Experts also noted that the regulations were not consistently implemented across all sectors, especially in F BiH, often resulting in gender-blind documents. International organizations that finance the development of sector strategies do not always make sure that institutions closely follow the LoGE. Gender integration is sometimes entirely up to individual judgement:

*If we had an opportunity to see every document before it goes to the government, we would then be able to procedurally react from the start, during policy development, and after. The way things stand now, it is all ad hoc. Whether a ministry will involve us in a working group or not, whether it will send us the document for opinion, it is practically up to gender awareness of senior staff and other officers working on that portfolio.*

–KI, GIM

In 2023, BiH had one of the lowest women’s employment rates in the Balkans.<sup>17</sup> The labor force participation rate was 40.5 percent among females and 59.9 percent among males.<sup>18</sup> The F BiH Development Strategy 2021–2027<sup>19</sup> aligned with the Sustainable Development Goals (SDGs), and

<sup>15</sup> Agency for Gender Equality (2023). Gender Action Plan BiH 2023–2027. <https://arsbih.gov.ba/wp-content/uploads/2023/10/GAP-BiH-2023-2027-Bosanski-jezik-1.pdf> (Retrieved May 23, 2024).

<sup>16</sup> Law on Budgets of BH Institutions and International Obligations of BiH 2023. BiH Parliament, <https://portalo1.pravosudje.ba/vstvfo-api/vijest/download/101794>. (Retrieved June 7, 2024).

<sup>17</sup> ILO (2024, May 14): *The ILO in Bosnia and Herzegovina*. International Labor Organization. <https://www.ilo.org/ilo-bosnia-and-herzegovina> (Retrieved June 7, 2024).

<sup>18</sup> WB (n.d.). *Economies: Bosnia and Herzegovina*. World Bank Group. <https://genderdata.worldbank.org/en/economies/bosnia-and-herzegovina> (Retrieved June 7, 2024).

<sup>19</sup> F BiH Development Strategy 2021–2027, F BiH Government (2020). [https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri\\_2021/Strategija%20razvoja%20FBiH%202021-2027\\_bos.pdf](https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri_2021/Strategija%20razvoja%20FBiH%202021-2027_bos.pdf) (Retrieved May 23, 2024).

the FBiH Agriculture and Rural Development Strategy for the period 2021–2027,<sup>20</sup> and the FBiH Employment Strategy 2023–2030<sup>21</sup> recognized the underrepresentation of women in the active workforce and the need to implement measures and programs that motivate women and all other marginalized groups through various incentives for more active involvement in all areas of work. In RS and BD, this is also the case, as the RS Employment Strategy,<sup>22</sup> RS Strategy for Rural Development and Agriculture 2021–2027,<sup>23</sup> BD Development Strategy 2021–2027,<sup>24</sup> and BD Employment Strategy 2024–2027<sup>25</sup> consider gender equality and supporting women’s economic empowerment to be strategic priorities. These strategies include specific measures for employment and self-employment of urban and rural women, as well as women from vulnerable groups. In RS, FBiH, and BD, strategies for social inclusion 2021–2027 outline gender equality as one of the strategic objectives, with measures such as strengthening the economic position and economic independence of women in society, providing support to women during employment, providing support to rural women, and introducing program budgeting<sup>26</sup> and GRB<sup>27</sup> mechanisms.

The milestone in the process of public finance reform happened in 2019, when the state and the two entities adopted the Joint Socioeconomic Reforms Program for 2019–2022<sup>28</sup> committing to implement public finance management reforms. The program recognized employment challenges such as high unemployment rate and economic inactivity faced by women and youth as a priority issue to be resolved. The Strategic Framework for Public Administration Reform 2018–2022<sup>29</sup> foresaw that each level of government, in accordance with constitutional competences, adopts its public finance management strategy. The BiH Comprehensive Strategy for Reforming the Public Finance Management 2021–2025 aggregates the state and lower level public finance reform measures, including a plan for a system-wide shift toward program budgeting at all stages and levels, excluding the local. In interviews, it was found that **program budgeting in FBiH was not fully implemented because programs and performance indicators were not adequate for decision making; nor was the previously used program-budgeting design linked to**

<sup>20</sup> FBiH Agriculture and Rural Development Strategy for the period 2021–2027, FBiH Parliament (2024). <https://fmpvs.gov.ba/wp-content/uploads/2022/01/04-Nacrt-Strategija%20poljoprivrede%20i%20ruralnog%20razvoja-Federacije-BiH-21-27%20-Prvi%20dio-2.pdf> (Retrieved May 23, 2024).

<sup>21</sup> FBiH Employment Strategy 2023–2030, FBiH Parliament (2023). <https://fzzpr.gov.ba/files/Strategije/Strategija-zaposljavanja-u-FBiH-2023-2030.pdf> (Retrieved May 23, 2024).

<sup>22</sup> RS Employment Strategy 2021–2027, RS Government (2021). <https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mpb/PAO/Documents/Strategija%20zapo%C5%A1ljavanja%20Republike%20Srpske%202021-2027.doc> (Retrieved May 23, 2024).

<sup>23</sup> RS Strategy for Development of Agriculture and Rural Areas, RS Government (2021). <https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mps/%D0%BC%D0%B8%D0%BD%D0%B8%D1%81%D1%82%D0%B0%D1%80%D1%81%D1%82%D0%B2%D0%BE/Documents/strategija%202021%202027.pdf> (Retrieved May 23, 2024).

<sup>24</sup> BD Development Strategy 2021–2027, BD Government (2021). [https://skupstinabd.ba/2-registar/ba/Odluke/2021/2290.%20Strategija%20razvoja%20BD%20BiH\\_bos.pdf](https://skupstinabd.ba/2-registar/ba/Odluke/2021/2290.%20Strategija%20razvoja%20BD%20BiH_bos.pdf) (Retrieved May 23, 2024).

<sup>25</sup> <http://www.vlada.bdcentral.net/content/DownloadAttachment/?id=25979355-b989-4ec0-bad3-11513043e5dc&langTag=bs>

<sup>26</sup> Program budgeting is a form of performance-based budgeting that implies focusing on the results of spending and the achievement of policy objectives rather than on the management of inputs. In the preparation of the budget, expenditures are classified into groups of similar activities or projects (e.g., programs) with common outputs and outcomes. In contrast, traditional or line budgeting focuses on allocating resources based on past spending patterns or political priorities. While program budgeting is not a prerequisite for GRB, the structured and outcome-oriented nature of program budgeting can significantly enhance the effectiveness of GRB. Together, they provide a robust framework for ensuring that public resources are used efficiently and equitably, promoting gender equality and overall development.

<sup>27</sup> GRB is an approach to budgeting that considers the different needs and contributions of women and men in society. The aim is to ensure that budgetary allocations promote gender equality and address gender disparities. GRB integrates gender perspectives into all stages of the budgetary process, including planning, allocation, implementation, and monitoring. Budgets are allocated to programs in a way that addresses gender disparities and promotes equality.

<sup>28</sup> Joint Socioeconomic Reforms 2019–2022. RS and FBiH Government (2019). [https://www.fbihvlada.gov.ba/file/zbhs-converted\(1\).pdf](https://www.fbihvlada.gov.ba/file/zbhs-converted(1).pdf) (Retrieved June 5, 2024).

<sup>29</sup> Strategic Framework for Public Administration Reform 2018–2022. BiH Council of Ministers (2018). 85/18 BiH Official Gazette <http://www.sluzbenilist.ba/page/akt/iDneFUUVVsQ=> (Retrieved June 3, 2024).

**strategic and investment planning.** It was therefore necessary to devise a new model of program budgeting, through the amendment of regulations, which would make this possible. An EU-funded project, Further Support to Public Finance Management in BiH (2020–2023) aimed to formally introduce program budgeting in the state, entity, and BD finance ministries and directorate. Since then, efforts have been made to create legal prerequisites for program budgeting.

Implementing GRB effectively requires a comprehensive and integrated approach that encompasses political commitment, capacity building, gender analysis, resource allocation, performance monitoring, stakeholder engagement, transparency, accountability, and institutionalization. However, during interviews, experts commented that **GRB implementation in BiH is still characterized by a variety of challenges at state, entity, canton, and local levels, not least the dysfunctional horizontal and vertical coordination.** The rigid structure of traditional budgets limits the ability to reallocate funds to new or emerging priorities. Furthermore, the traditional model of budgeting does not require ministries to collect or utilize gender-sensitive data, making it challenging to perform the necessary gender analysis. Budget instructions for the preparation of the framework budget document from 2021 to 2023 do not include clear explanations of what is meant by a gender-responsive program, nor elements required to categorize a program as gender responsive. F BiH,<sup>30</sup> RS,<sup>31</sup> and BD BiH will introduce program budgeting in 2025, as will F BiH cantons in 2027. There are no clear plans for program budgeting in LSGUs yet. Program budgets should include indicators for contribution to implementation of the LoGE, GAP, and other strategic documents. In the last decade, some international organizations have been piloting smaller GRB interventions into budgets such as gender-related criteria in grants to businesses and farms, simply to introduce the idea of GRB.<sup>32</sup> UN Women have been providing continuous external support to institutional capacities for GRB at national and entity levels,<sup>33</sup> primarily involving finance and line ministries. Interview data reveals that, because of such support, some ministries improved their budget planning and reporting. As was highlighted in the interviews, Canton Sarajevo (CS) emerged as a leader in the UN Women’s GRB initiative, with its MoF taking ownership of the initiative and closely cooperating with line ministries. **CS integrated GRB into its 2024 budget, adopted the first gender budget statement in BiH, and piloted the SDG budget tagging, linking expenditures with relevant SDGs.** CS is also considering issuing gender bonds to finance gender equality initiatives.

State-Level Economic Reform Programs (ERPs) are essentially a compilation of inputs from entity governments. The structural reforms defined in the BiH and entity ERPs, including the most recent one for the 2024–2026 period,<sup>34</sup> mostly include information about some of the gender gaps in the labor market, and only few activities target women, for example, the F BiH support to professional training for adults with a focus on women. Indicators in the ERP measures are not gender responsive, and people-level data are rarely disaggregated by sex. In most cases, ERP measures are either neutral for gender equality or positive for women.

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<sup>30</sup> Law on Amendments to the Law on Budgets in the Federation of Bosnia and Herzegovina. F BiH Government (2022). <https://fbihvlada.gov.ba/bs/17-zakon-o-izmjenama-i-dopunama-zakona-o-budzetima-u-federaciji-bosne-i-hercegovine> (Retrieved May 20, 2024)

<sup>31</sup> Supreme Audit Office of the RS Public Sector (2023). *Performance Audit Report: Measures and Activities for Gender Equality of RS Institutions*. [https://gsr-rs.org/wp-content/uploads/2023/12/RU006-22\\_Lat.pdf](https://gsr-rs.org/wp-content/uploads/2023/12/RU006-22_Lat.pdf) (Retrieved May 20, 2024).

<sup>32</sup> UN Women (n.d.). *Transformative Financing for Gender Equality in the Western Balkans: Bosnia and Herzegovina*. UN Women. <https://eca.unwomen.org/en/what-we-do/national-planning-and-budgeting/transformative-financing-for-gender-equality-in-the-western-balkans/bosnia-and-herzegovina> (Retrieved May 20, 2024).

<sup>33</sup> Openaid (n.d.). *UN Women Gender Responsive Budgeting Western Balkans 2020–2024*. *Open Government Data of Swedish Aid*. <https://openaid.se/en/contributions/SE-0-SE-6-12971> (Retrieved May 20, 2024).

<sup>34</sup> DEP (n.d.). *Economic Reforms Program 2024–2026*. *Directorate for Economic Planning*. <http://www.dep.gov.ba/naslovna?id=2854> (Retrieved May 20, 2024).

Since 2019, there have been no major fiscal and tax reforms in FBiH. The FBiH government's Economic Reforms Program 2020–2022<sup>35</sup> includes measures to improve nontax revenues, adopt a unified property tax law, and establish a new tax base with a differentiated income tax rate. These measures aim to enhance the business environment and reduce the “gray” economy. The FBiH Strategy for Reforming Public Finance Management 2021–2025<sup>36</sup> focuses on reducing the fiscal burden by expanding the income tax base and shifting the tax burden to wealthier individuals. However, strategic pillars and measures within this strategy (e.g., fiscal framework, public expenditures, budget planning and executing, and financial control within the public sector) do not include gender perspective or highlight GRB, rendering the document gender blind. In RS, there are plans to rationalize nontax revenues.

Analysis of personal income tax (PIT) for the period 2016–2020<sup>37</sup> shows that the current system of tax allowances reinforces traditional gender roles and disincentivizes women from participating in the labor market because men use most tax allowances and the gender gap significantly widens with more children in the family.<sup>38</sup> This notion is based on benefit distribution assumption, which is that men might benefit more from tax allowances because of higher average incomes. Because tax allowances reduce taxable income, those with higher incomes (often men) gain more significant tax relief. In FBiH, personal income is taxed at a rate of 10 percent after accounting for specific deductions. These deductions include a monthly personal allowance of 300 BAM and additional deductions for dependents: 150 BAM per month for a dependent spouse and a progressively increasing amount for each child. The total deductions for dependents, including the spouse, can sometimes be greater than the minimum or lower salary that a second earner (typically the woman) might earn in the labor market. Additionally, if both parents are employed, they would need to cover childcare expenses. In RS, eight percent PIT for incomes from regular employment (e.g., full time or long-term contract) is paid after deducting a monthly personal allowance of 1,000 BAM and 150 BAM per month for each dependent family member, although allowances can be proportionally split between parents.<sup>39</sup> This could potentially incentivize more women to participate in the labor market, but more recent analyses have not been conducted since the changes in the PIT and benefits regulations were enacted. It was outlined during interviews with experts that fiscal and tax authorities suffer from a lack of awareness of the importance of gender-responsive analyses. In both entities, income tax laws define general tax reliefs for entrepreneurs in the first year of starting a business (FBiH) and owners of microbusinesses (RS). However, there are currently no affirmative measures, such as tax relief for employing a woman or for women starting or leading a business, including women with disabilities. Even the current entity laws for the employment of persons with disabilities do not include affirmative action for women. However, the Law on Parent Caregivers,

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<sup>35</sup> FBiH Economic Reforms Program 2020–2022. FBiH Government (2020). [https://bih-parliamentary-twinning.eu/uimages/documents/Program\\_ekonomskih\\_reformi\\_za\\_2020\\_-\\_2022\\_godine\\_PER\\_BiH\\_2020-2022.pdf](https://bih-parliamentary-twinning.eu/uimages/documents/Program_ekonomskih_reformi_za_2020_-_2022_godine_PER_BiH_2020-2022.pdf) (Retrieved May 20, 2024).

<sup>36</sup> FBiH Strategy for Reforming Public Finance Management 2021–2025, FBiH Parliament (2021). [https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri\\_2021/Strategija%20upravljanja%20javnim%20finansijama%20u%20FBiH%20B.pdf](https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri_2021/Strategija%20upravljanja%20javnim%20finansijama%20u%20FBiH%20B.pdf) (Retrieved May 20, 2024)

<sup>37</sup> UN Women (n.d.). Tax and Gender in Bosnia and Herzegovina: Is Personal Income Tax Gender-Blind? *UN Women Focus on Gender Bosnia and Herzegovina*. Issue 08. [https://eca.unwomen.org/sites/default/files/2022-10/Issue%2008\\_Focus%20on%20Gender%20Bosnia%20and%20Herzegovina.pdf](https://eca.unwomen.org/sites/default/files/2022-10/Issue%2008_Focus%20on%20Gender%20Bosnia%20and%20Herzegovina.pdf) (Retrieved June 7, 2024).

<sup>38</sup> Ibid.

<sup>39</sup> RS Law on Income Tax, RS National Assembly (2023). 60/2015, 5/2016, 66/2018, 105/2019, 123/2020, 49/2021, 119/2021 i 56/2022 i 112/2023 RS Official Gazette. <https://advokat-prnjavorac.com/zakoni/Zakon-o-porezu-na-dohodak-Republike-Srpske.pdf> (Retrieved June 7, 2024).

passed in 2021 in FBiH,<sup>40</sup> recognizes parents, often mothers, by providing a salary-like benefit for caring for their child, including taxes and contributions.

During interviews, participants commented that the progress in **gender integration in economic planning and public finance, especially GRB, is still limited because higher ranking staff in the relevant line ministries and agencies have low levels of gender integration capacities, and integration of gender perspectives is low on their list of priorities.**

*It is simply the fact that there are always more important or burning issues when it comes to politics and the government, especially after government changes.*

–KI, politician

At the same time, GIMs are understaffed for providing detailed gender analyses for all reforms. GAPs and related operational plans are mainly funded by the Financial Mechanism for Implementation of Gender Action Plan, in which donor funds are pooled. According to FBiH and RS budgets from 2020 and 2024, between 72 percent and 92 percent of allocations for entity gender centers were directed toward personal income of employees,<sup>41</sup> and their staffing is still strained. The governments are not fully taking ownership of GAPs and their CEDAW obligations.

**IA. NEEDED CHANGE:** There is a need to **strengthen the role of gender focal points in relevant ministries and institutions responsible for economic and strategic planning and development and to increase the capacities of higher ranking staff for gender integration** into those institutions. **Further formalization of program budgeting through budget instructions and other related by-laws** is needed to secure adequate implementation and a more focused approach to integrating GRB. Adopted laws on the budget of BiH institutions 2020–2023 oblige the institutions to bind the end users to consider the gender aspect when distributing and reporting on funds.<sup>42</sup> Although donor support is still needed, **GIMs dependence on donors and external funding should decrease.** Gender impact assessment **should become an obligatory part of the policy development process**, including tax policy amendments.

**I.B. CHALLENGES TO CHANGE:** **The slow progress in GRB is because of complex budget adoption processes** that often overlook public policy priorities and obligations from agreements. **GRB is overshadowed by other priorities**, with inconsistent implementation across government levels. Experts highlight limited government support, lack of awareness, and insufficient capacity of fiscal authorities to collect and analyze gender-disaggregated data. Access to such data through the Financial and Information Agency (FIA) and the Agency for Intermediary, Information and Financial Services is restricted, and these institutions should support others more. Despite EU funding for program-budgeting software and training, **challenges persist because of insufficient training, limited time, staff fluctuations, and retirements within the MoF and line ministries.** Additionally, lack of awareness, poor prioritization of gender equality, and slow progress in program budgeting hinder the development of a better financial structure for financing GIMs.

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<sup>40</sup> FBiH Law on Parent Caregivers, FBiH Parliament (2021).

[https://parlamentfbih.gov.ba/v2/userfiles/file/Usvojeni%20materijali\\_2021/Zakon%20o%20roditeljima%20njevovateljima%20\(B\).pdf](https://parlamentfbih.gov.ba/v2/userfiles/file/Usvojeni%20materijali_2021/Zakon%20o%20roditeljima%20njevovateljima%20(B).pdf) (Retrieved June 7, 2024).

<sup>41</sup> For delving deeper into the financing structure of GC's, FBiH and RS budgets available on official government webpages were analyzed for the period from 2020 to 2023.

<sup>42</sup> Law on Budgets of BH Institutions and International Obligations of BiH 2023. BiH Parliament (2023). <https://portalfol.pravosudje.ba/vstvfo-api/vijest/download/101794> (Retrieved June 7, 2024).

## AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

Although women make up the majority of MoF staff across different administrative levels, as interviews revealed, women are still less likely to be appointed to top decision-making posts in ministries and agencies relevant to public finance, especially economic planning. For example, none of the 14 ministers of economy are women.<sup>43</sup> The heads of tax authorities in FBiH and RS are men, with women representing most of the heads of sectors and departments.

**The representation of women in economic, finance, and budgetary committees in BiH remains low.** At the BiH level, the Committee for Economic Reforms and Development has two women among the 12 members, with a woman serving as the committee president.<sup>44</sup> The Council of Ministers Committee for Economy includes just one woman among the nine members. In the FBiH, the Economic and Social Committee is entirely male,<sup>45</sup> whereas the RS Committee for Finance and Budget has four women among the 11 members.<sup>46</sup> In BD, the Budget Committee consists solely of men and the Committee for Economic Development and Agriculture includes just one woman among the five members. These figures illustrate a significant gender imbalance, underscoring the need for more inclusive policies to enhance women's representation in decision-making roles within economic and financial sectors, and integration of a gender perspective in economic planning and budgeting.

**Men are also more often represented in leadership positions of public companies,** as the interviews showed. Between 2010 and 2020, the proportion of women on management boards of public enterprises increased but was still under 20 percent in 2020. In these companies, women in the corporate pipeline are more represented as managers at the department level (40 percent of managers of departments are women), but this percentage of women in managerial positions is decreasing moving upward to the management board. Women face barriers to advancing to higher managerial positions in public enterprises, including difficulties in balancing family and business obligations, higher levels of management's preference for men in advancement, unfavorable environment in the company, and absence of mentoring.<sup>47</sup> According to the Transparency International (TI) Database of Public Officials in 2023, 17 percent of directors (83 of 482) and 29 percent of members of managing or supervisory boards (410 of 1403) of public enterprises in BiH were women. The Federal Gender Centre (FGC) initiated adoption of organizational policies against harassment in public companies. Women from minority groups continue to face significant challenges in achieving meaningful representation in decision-making roles.<sup>48</sup> The consociational model of governance, which prioritizes ethnic representation, often sidelines gender considerations. This

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<sup>43</sup> The 14 ministries include the state-level Ministry of Foreign Trade and Economic Relations, Federal Ministry of Development and Entrepreneurship, and BD Department for Economy. Further, of the 14 current ministers of finance in the country, only five are women (including BD BiH Finance Directorate). Two of five members of the Executive Board of the Central Bank of BiH are women, including the present governor, while 27 percent in the decision-making structure of the this board are female. From the four heads of taxation authorities at state, entity, and BD level, three are men, but most heads of sectors and departments are women.

<sup>44</sup> BiH PA (n.d.). Joint Commission for Economic Reforms and Development. *BiH Parliamentary Assembly*. <https://www.parlament.ba/committee/read/38> (Retrieved June 7, 2024).

<sup>45</sup> A.O. (2023, May 4). *Imenovani članovi Vlade FBiH u Ekonomsko-socijalno vijeće FBiH*. *Dnevni avaz*. <https://avaz.ba/vijesti/bih/827056/imenovani-clanovi-vlade-fbih-u-ekonomsko-socijalno-vijece-fbih> (Retrieved June 7, 2024).

<sup>46</sup> RS NA (n.d.). *Odbor za finansije i buždet*. RS National Assembly. <https://www.narodnaskupstinars.net/?q=la/narodna-skup%C5%A1tina/radna-tijela/odbori/odbor-za-finansije-i-bud%C5%BEet> (Retrieved June 7, 2024).

<sup>47</sup> Selimović, J. et al. (2021). *Women Representation and Engagement in State-owned Enterprises in the Federation of Bosnia and Herzegovina*. School of Economics and Business at University of Sarajevo. [https://www.efsa.unsa.ba/ef/sites/default/files/publikacija\\_izvjestaj\\_o\\_rodnoj\\_analizi\\_eng\\_final\\_0.pdf](https://www.efsa.unsa.ba/ef/sites/default/files/publikacija_izvjestaj_o_rodnoj_analizi_eng_final_0.pdf) (Retrieved June 7, 2024).

<sup>48</sup> Karic, M., Aydin, Š., Korkut, H., & Mulalić, M. (2023). Paradoxical and Insufficient? Gender Quotas and Placement Mandates in Bosnia and Herzegovina's 2020 Local Elections. *Intellectual Discourse*, 31(1).



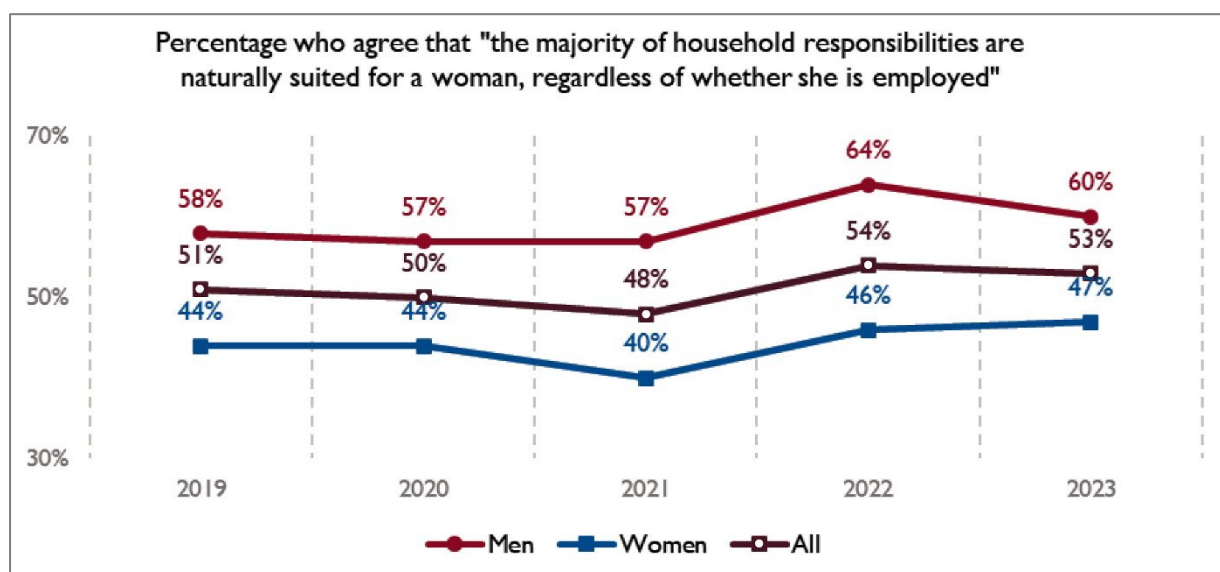
oversight can lead to the underrepresentation of women, particularly those from minority groups, in decision-making bodies.<sup>49</sup>

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

According to public administration data, nearly all tax inspectors are men.<sup>50</sup> Women make up at least a third of employees in ministries of finance and education, and Tax Administrations. They are less likely to be appointed to ministerial and top management posts. The leadership roles are more accessible at the operational level, for example, among department heads.

As found in the 2023 NSCP-BiH,<sup>51</sup> 43 percent of men agree that, when jobs are scarce, men should have priority access to a job over women, while 25 percent of women agree with this statement, which represents an increase of two percentage points in comparison with the NSCP-BiH 2022. More than half of the respondents in the 2023 NSCP-BiH believe that most household responsibilities are better suited to women (Exhibit I), while some of the women business owners participating in FGDs emphasized that **combining family and domestic roles with careers is difficult and possibly a reason why women do not even try for higher posts**. The time use and resilient notions about gender roles (please see AQ5), combined with strong political party influence over appointments in public enterprises and governments, lead to few women's finding their way to top positions.

Exhibit I. Attitudes About Gender Roles in the Household



Source: USAID MEASURE II. (2024). NSCP in BiH 2023 [in press].

### Harmful gender norms that perpetuate patriarchal cultures in public enterprises in FBiH<sup>52</sup> and lack of gender-responsive initiatives and policies in private sector companies

<sup>49</sup> Byrne, S., & McCulloch, A. (2012). Gender, representation, and power-sharing in post-conflict institutions. *International Peacekeeping*, 19(5), 565–580.

<sup>50</sup> BHAS (2023). *Tematski bilten - Žene i muškarci u BiH*. BiH Agency for Statistics. [https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM\\_00\\_2023\\_TB\\_I\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM_00_2023_TB_I_BS.pdf) (Retrieved June 7, 2024).

<sup>51</sup> USAID MEASURE II. (2024). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023*. USAID MEASURE II. [in press].

<sup>52</sup> Selimović, J. et al. (2021). *Women Representation and Engagement in State-owned Enterprises in the Federation of Bosnia and Herzegovina*. School of Economics and Business at University of Sarajevo. [https://www.efsa.unsa.ba/ef/sites/default/files/publikacija\\_izvjestaj\\_o\\_rodnoj\\_analizi\\_eng\\_final\\_0.pdf](https://www.efsa.unsa.ba/ef/sites/default/files/publikacija_izvjestaj_o_rodnoj_analizi_eng_final_0.pdf) (Retrieved June 7, 2024).

**such as those in the information technology (IT) sector<sup>53</sup> tend to hinder women's access to leadership roles.** Strict gender roles make balancing career and private life difficult. Academic research conducted in public enterprises in FBiH has shown that surveyed managers believe women should prioritize motherhood over careers, which leads more women than men to pause their careers for family (16.4 percent of women vs. 4.2 percent of men). Furthermore, this research showed that during COVID-19, women managers in public enterprises had more family responsibilities and felt their work performance was judged unfairly (50 percent of women vs. 18.5 percent of men). Women in public enterprises also felt that their competencies were misjudged because of their gender (21.8 percent women vs. 3.8 percent of men). Lack of female solidarity, gender stereotypes, and political influence over assigning men to management posts further negatively affect women's careers in public enterprises in FBiH.<sup>54</sup>

#### **AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES**

**Internal party quotas introduced in some political parties often serve as glass ceilings rather than opportunities, appearing as quasi-democratic decorations rather than genuine gender equality tools.** Appointments to ministerial and managerial positions in public enterprises reflect these superficial practices.<sup>55</sup> Women in public enterprises often do not experience the needed support for career advancement because higher managerial levels close to political parties usually prefer men over women for appointment to higher positions.

Low standard of living is the most often reported concern for citizens in BiH in 2023 (51 percent, an increase from 37 percent in 2022), especially among women compared with men (54 versus 49 percent, respectively).<sup>56</sup> The rising concern reflects the volatile consumer prices and costs of living, and public budgets are the main tools to correct inequalities. Because GRB is only partly introduced in BiH, it is difficult to assess the extent to which government budgets create opportunities and resources specifically for women.

Because women primarily work and make up most of the staff in education, health care, cultural institutions, and the social services sector, they form a significant population of pension recipients (although not in all categories of pensions) and are equally represented among social services beneficiaries.<sup>57</sup> This suggests that women have access to public budget resources through salaries, pensions, and social transfers. However, the highest wages in the government, public administration, and public companies; capital investments and tender procedures; and business and agriculture grants are predominantly allocated to men and male-owned, male-managed, and male-staffed entities (energy, IT, forestry, construction, etc.). For example, between 2018 and 2022, around seven percent of the amount RS allocated as farm subsidies went to female-headed farms, while 15 percent of farmers are female-headed.<sup>58</sup> Governments in BiH also failed to address sufficiently gender inequality during this time and to recognize the disproportionate impact of the COVID-19 pandemic on women. The pandemic significantly affected women entrepreneurs, most of whom own

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<sup>53</sup> Bit Alliance (2023). Corporate communication: Gender equality and social inclusion perspective—Narratives, content and guidelines. Internal document. (Used with permission of Bit Alliance).

<sup>54</sup> Selimović, J. et al. (2021). *Women Representation and Engagement in State-owned Enterprises in the Federation of Bosnia and Herzegovina*. School of Economics and Business at University of Sarajevo. [https://www.efsa.unsa.ba/ef/sites/default/files/publikacija\\_izvjestaj\\_o\\_rodnoj\\_analizi\\_eng\\_final\\_0.pdf](https://www.efsa.unsa.ba/ef/sites/default/files/publikacija_izvjestaj_o_rodnoj_analizi_eng_final_0.pdf) (Retrieved June 7, 2024).

<sup>55</sup> Ibid.

<sup>56</sup> USAID MEASURE II. (2024). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023*. [in press].

<sup>57</sup> BHAS (2023). *Tematski bilten - Žene i muškarci u BiH*. BiH Agency for Statistics.

[https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM\\_00\\_2023\\_TB\\_I\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM_00_2023_TB_I_BS.pdf) (Retrieved June 7, 2024).

<sup>58</sup> Supreme Audit Office of the RS Public Sector (2023). *Performance Audit Report: Measures and Activities for Gender Equality of RS Institutions*. [https://gsr-rs.org/wp-content/uploads/2023/12/RU006-22\\_Lat.pdf](https://gsr-rs.org/wp-content/uploads/2023/12/RU006-22_Lat.pdf) (Retrieved June 7, 2024).

microbusinesses and small enterprises; women in the workforce in health care, education, services, and culture; and women who are the majority of family carers. Despite this, as participants in focus groups with women in business reported, the governments did not implement transparent and specific measures to address these issues. Similar patterns were observed across all line ministries supporting economic activities, which systematically excluded gender aspects from their policies. This combination of factors led to an increase in the gender gap rather than in its reduction.<sup>59</sup>

Men often contribute more significantly to the public revenue because of higher employment and activity rates, as well as incomes, in many sectors. However, women in BiH frequently earn less (e.g., on average, men are paid 37.8 percent more than women),<sup>60</sup> have a lower employment rate (e.g., labor force participation rate in 2023 was 45.3 percent for women vs. 66.6 percent for men),<sup>61</sup> and less frequently own businesses (e.g., women entrepreneurs ran about 36 percent of enterprises across in RS at the end of 2020).<sup>62</sup> This means that, on average, **women contribute a smaller share of the overall public revenue through taxes and contributions.** A just and redistributive public budget would help mitigate the adverse effects of market inequalities, ensuring a more equitable distribution of resources and opportunities within society. This, in turn, would support social stability and economic cohesion. However, to draw substantial conclusions on women's and men's contributions to public revenue and to design specific policies, detailed statistical data on income, consumption, and taxes by gender must be analyzed.

#### AQ5. CULTURAL NORMS AND BELIEFS

There is a prevalent belief that women must be more accomplished in their professional lives to advance to higher positions than men, often believing that they do not receive the same treatment for their performance as men.<sup>63</sup> Also, there is a low level of gender group identification among women in public enterprises, indicating that women experience weaker ties with other women in the workplace.<sup>64</sup> This can negatively affect women's participation in collective action<sup>65</sup> (e.g., speaking publicly about gender discrimination in the workplace). Based on interview data, within tax authorities, **tax inspectors who are predominantly men, demonstrate a lack of accommodation for people from minority groups** (e.g., persons with disabilities) and women. **Some authorities argue that taxation should remain gender neutral, ignoring the socioeconomic barriers such as limited access to capital and cultural and social norms; discrimination and bias; or work-life balance pressures that women often encounter in business ventures.**

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<sup>59</sup> UN Women (n.d.). Gender-Responsive Budgeting in BiH. *UN Women Focus on Gender Bosnia and Herzegovina*. Issue 05. [https://eca.unwomen.org/sites/default/files/2022-01/Issue%2005\\_Focus%20on%20Gender%20Bosnia%20and%20Herzegovina-min.pdf](https://eca.unwomen.org/sites/default/files/2022-01/Issue%2005_Focus%20on%20Gender%20Bosnia%20and%20Herzegovina-min.pdf) (Retrieved June 7, 2024).

<sup>60</sup> RCC (2022). *Regional Comparative Report on Women's Employment in Western Balkans*. Regional Cooperation Council. <https://www.esap.online/docs/188/rcc-esap-2-regional-comparative-report-on-womens-employment-in-western-balkans> (Retrieved June 7, 2024).

<sup>61</sup> ILOSTAT (n.d.). Database on employment and labor force. ILOSTAT Web Service. [https://rplumber.ilo.org/data/indicator/?id=EAP\\_DWAP\\_SEX\\_AGE\\_RT\\_A&type=label&format=.csv](https://rplumber.ilo.org/data/indicator/?id=EAP_DWAP_SEX_AGE_RT_A&type=label&format=.csv) (Retrieved June 7, 2024).

<sup>62</sup> RCC (2022). *Bosnia and Herzegovina: Women entrepreneurship*. Regional Cooperation Council. [https://www.rcc.int/download/docs/Bosnia%20and%20Herzegovina%20FINAL\\_DEC2022.pdf/0f4a85d147074ea2b22e9abc013ef821.pdf](https://www.rcc.int/download/docs/Bosnia%20and%20Herzegovina%20FINAL_DEC2022.pdf/0f4a85d147074ea2b22e9abc013ef821.pdf) (Retrieved June 7, 2024).

<sup>63</sup> Selimović, J. et al. (2021). *Women Representation and Engagement in State-owned Enterprises in the Federation of Bosnia and Herzegovina*. School of Economics and Business at University of Sarajevo. [https://www.efsa.unsa.ba/ef/sites/default/files/publikacija\\_izvjestaj\\_o\\_rodnoj\\_analizi\\_eng\\_final\\_0.pdf](https://www.efsa.unsa.ba/ef/sites/default/files/publikacija_izvjestaj_o_rodnoj_analizi_eng_final_0.pdf) (Retrieved June 7, 2024).

<sup>64</sup> Ibid.

<sup>65</sup> Iyer, A., & Ryan, M. K. (2009). Why do men and women challenge gender discrimination in the workplace? The role of group status and in-group identification in predicting pathways to collective action. *Journal of Social Issues*, 65(4), 791–814.

In the 2024 Gender Equality Barometer for BiH,<sup>66</sup> nearly all respondents agreed that women were as capable as men in making critical decisions in leadership positions in the economy and politics. However, 40 percent still believed that large companies were better managed by men than by women. This is concordant with findings from the 2023 NSCP-BiH, in which 33 percent of respondents still believe that men make better political leaders.<sup>67</sup> Although most women attribute rationality, courage, and determination, qualities desired among leaders, equally to men and women, women's supposed higher emotionality, tenderness, and sensitivity<sup>68</sup> seem to work against them as leaders in business and economic environments.

## CONCLUSIONS

**Conclusion (C)1. Public finance management reforms face obstacles such as traditional budget structures, insufficient training, and lack of gender-sensitive data.** Implementing GRB in BiH is challenging because of poor compliance with the LoGE and other gender-mainstreaming regulations. Economic and other planning documents often remain gender blind because of inadequate gender assessments. Other institutions do not always include GIMs in policy development, and donors funding such processes are not always aware of the problem. Although there are advancements at the entity level, with strategies addressing gender disparities, more targeted actions are needed. Progress has been made, such as in CS, with integrating GRB into budget instructions, but challenges persist because of limited awareness and lack of prioritization of gender equality. In fiscal policy, the lack of a gender perspective in tax reforms highlights the need for gender impact assessments and better institutional coordination. Mandatory gender assessments, better integration of gender perspectives in policy, and increased capacity among staff within gender mechanisms are essential to enhance GRB and women's representation.

**C2. Despite economic legislative changes in the domain of gender equality, gender aspects are often ignored, reinforcing traditional roles and limiting women's economic participation.** Cultural norms and political practices favoring men limit women's representation in financial institutions and public enterprises. Stereotypes, lack of support, and male-dominated environments hinder gender equality in leadership in the economy and government. Prioritizing gender equality across all government levels and sectors is crucial.

## RECOMMENDATIONS

**Recommendation (R)1. To improve the efficiency of tax authorities, USAID/BiH's coordination with other organizations (e.g., World Bank [WB], UN Women) and GIMs is necessary to strengthen capacities of MoFs for gender impact assessments aimed at understanding and documenting the extent of bias in taxation and gender disparities.** Consider supporting MoFs in ensuring robust monitoring and evaluation aimed at tracking the effectiveness of budget allocations in promoting gender equality. To correct the structural injustice and secure equal access to resources and opportunities for women, consider providing support to relevant ministries to focus on the policies within the economy of care and unpaid work, as these interventions can enhance women's productivity and affect overall economic growth.

**R2. Consider providing complementary support to the development and maintenance of software for program budgeting as a systematic solution to ensure GRB is in place in all programs. Support the cooperation of MoFs with relevant line ministries to implement**

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<sup>66</sup> Spahić-Šiljak, Z. & Đipa, D. (2024). *Gender Equality Barometer of Bosnia and Herzegovina*. UNDP and BiH Gender Equality Agency. [https://www.undp.org/sites/g/files/zskgke326/files/2024-04/barometar\\_eng\\_web\\_0.pdf](https://www.undp.org/sites/g/files/zskgke326/files/2024-04/barometar_eng_web_0.pdf) (Retrieved July 10, 2024).

<sup>67</sup> USAID MEASURE II. (2024). National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023. [in press].

<sup>68</sup> Ibid.

a more focused approach to GRB. Also, **consider supporting advocacy efforts to secure the buy-in of politicians to integrate and prioritize GRB with public policies** by promoting good examples of GRB integration (e.g., CS). Within that process, consider supporting the participation of diverse stakeholders, including women and gender advocacy groups, to ensure that budget decisions reflect the needs and priorities of all genders.

## 2. BUSINESS DEVELOPMENT AND DIASPORA

### AQI. POLICIES AND PRACTICES

In both entities, governments have taken steps to show their commitment to systematic approach in securing gender equality through developing specific strategies, subsidies, measures, and budgets for supporting women's entrepreneurship. RS defined its support for women entrepreneurs in the RS Small- and Medium-Sized Enterprise (SME) Development Strategy (2021–2027)<sup>69</sup> and adopted the Strategy for Women's Entrepreneurship (2019–2023),<sup>70</sup> an Action Plan for the Advancement of the Status of Rural Women 2022–2024, and a Program for Economic Empowerment of Women in Rural Areas 2021–2025 to support women's entrepreneurship through various short-term and long-term affirmative measures. However, the Republika Srpska Gender Center (RSGC) did not have a chance to provide input on gender compliance of the RS Law on Agricultural Cooperatives and the Law on Providing and Directing Funds to Encourage the Development of Agriculture and Villages.<sup>71</sup>

The FBiH policies on women's entrepreneurship include an Action Plan for Women's Entrepreneurship (2018–2020)<sup>72</sup> and the Program for Rural Development (2018–2021),<sup>73</sup> both of which have expired, and the FBiH Development Strategy (2021–2027), which addresses women's entrepreneurship in three of four strategic goals. BD Development Strategy (2021–2027)<sup>74</sup> plans for a transition from ad hoc to more systematic support for youth and women's entrepreneurship, including introduction of entrepreneurial learning in a formal educational system; provision support for the development of youth entrepreneurship, especially in the field of information technology; and support for women's entrepreneurship. RS and BD adopted Laws on Social Entrepreneurship in 2021 and 2022, respectively. The laws do not include specific gender equality provisions, but they integrate a requirement, for example, to ensure equal representation of men and women in the Council for the Development of Social Entrepreneurship in Republika Srpska<sup>75</sup> and to contribute to inclusion of vulnerable groups, without a clear definition of those vulnerable groups.<sup>76</sup> The FBiH has not adopted a similar law yet. A draft law, which was submitted to the FBiH Parliament in 2023,

<sup>69</sup> RS Strategy for SME Development 2021–2027. RS Government (2021). <https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mpp/stratdok/Pages/Stratrazvojamsp.aspx> (Retrieved June 14, 2024).

<sup>70</sup> RS Strategy for the Development of Women's Entrepreneurship 2019-2023. RS Government (2019). <https://www.vladars.net/sr-SP-Cyrl/Vlada/Ministarstva/mpp/stratdok/Documents/Strategija%20razvoja%20preduzetnistva%20zena%20Republike%20Srpske%20za%20period%202019-2023.pdf> (Retrieved June 14, 2024).

<sup>71</sup> Supreme Audit Office of the RS Public Sector (2023). *Performance Audit Report: Measures and Activities for Gender Equality of RS Institutions*. [https://gsr-rs.org/wp-content/uploads/2023/12/RU006-22\\_Lat.pdf](https://gsr-rs.org/wp-content/uploads/2023/12/RU006-22_Lat.pdf) (Retrieved May 20, 2024).

<sup>72</sup> FBiH Action Plan for the Development of Women's Entrepreneurship. FBiH Ministry of Development, Entrepreneurship and Crafts (n.d.). <https://poduzetnice.ba/akcioni-plan-za-razvoj-poduzetnistva-zena-u-federaciji-bosne-i-hercegovine-2018-2020-radna-verzija/> (Retrieved June 14, 2024).

<sup>73</sup> FBiH Program for Rural Development 2018 – 2021. FBiH Ministry of Agriculture and Forestry (2017). <https://fmpvs.gov.ba/wp-content/uploads/2017/12/Program-ruralnog-razvoja.pdf> (Retrieved June 20, 2024).

<sup>74</sup> BD Development Strategy 2021-2027. BD Government (2021). [https://skupstinabd.ba/2-registar/ba/Odluke/2021/2290.%20Strategija%20razvoja%20BD%20BiH\\_bos.pdf](https://skupstinabd.ba/2-registar/ba/Odluke/2021/2290.%20Strategija%20razvoja%20BD%20BiH_bos.pdf) (Retrieved June 20, 2024).

<sup>75</sup> RS Law on Social Entrepreneurship. RS National Assembly (2021). 111/21 RS Official Gazette. <https://advokat-prnjavorac.com/Zakon-o-drustvenom-poduzetnistvu-Republike-Srpske.html> (Retrieved June 20, 2024).

<sup>76</sup> RCC (2023). *Women entrepreneurship in the Western Balkans: Stocktaking on constraints and good practices*. Regional Cooperation Council. <https://www.rcc.int/files/user/docs/75f6e2f31ed362bfd2d1cba5144315d9.pdf> (Retrieved June 14, 2024).

presupposes the realization of rights from this law and includes antidiscrimination provisions related to gender, sexual orientation, and gender expression.<sup>77</sup>

Since 2020, there have been notable developments within the policy framework for cooperation with diaspora. In 2021, the entity governments and BD adopted strategies for cooperating with diasporas, which are expiring in 2024, while the state-level Ministry of Human Rights and Refugees introduced to public consultation a new Framework Strategy for Cooperation with Emigration (2024–2028).<sup>78</sup> However, **gender integration in these strategic documents is poor, as none of the documents specifically outline gender perspectives and lack specific measures to incentivize economic empowerment of women and vulnerable groups.** In 2017, the BiH Ministry of Human Rights and Refugees adopted a Policy on Cooperation with Emigrants<sup>79</sup> as a result of a project Diaspora for Development (2016–2021), implemented at entity and BD levels and in 17 local communities. The project claims to integrate the gender equality perspective across all activities, with special attention given to women’s economic empowerment. This is done by incentivizing creation of job opportunities for women (with focus on young unemployed women) through the investments and start-up initiatives. Thus far, of 384 new employments the private sector achieved through this project, women make up 30 percent of new employees.<sup>80</sup>

USAID/BiH’s Diaspora Invest 2 Activity (DI2)<sup>81</sup> was launched in 2022. The DI2 implementation approach is gender responsive, with a focus on gender equality and social inclusion through (1) enhancing opportunities for women and other marginalized diaspora members to invest, (2) ensuring that more disadvantaged micro-, small-, and medium-sized enterprises (MSMEs) have access to grant, credit, and equity funding; (3) supporting firms with a demonstrated ability to create jobs for women and marginalized groups; and (4) encouraging underrepresented voices to assume greater leadership roles at all levels, especially in advocacy and diaspora policy dialogue. Its interventions focus on 30 municipalities’ strengthening ties with the diaspora and working on empowering women’s entrepreneurship, among other priorities. Furthermore, USAID/BiH’s DI2, in cooperation with Foundation 787, developed a Roadmap for the Development and Roll-out of Business Angel Investing in BiH, with an aim to ease access to private capital for BiH businesses while providing an avenue for the diaspora to take part actively in the nation’s economic resurgence.<sup>82</sup>

Entity governments incentivized business survival and job retention during COVID-19, but these measures were not transparent or prompt and were administratively burdensome.<sup>83</sup> Participants in the women-in-business FGD noted that **government incentives (e.g., wage subsidies, tax reliefs, loan repayments) excluded certain sectors, such as education, schools for foreign languages, and similar sectors, thereby negatively affecting women entrepreneurs more than men because women make up a majority of employees in**

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<sup>77</sup> Preliminary draft of FBiH Law on Social Entrepreneurship. FBiH Ministry of Development, Entrepreneurship and Crafts (2024). <https://www.fmrpo.gov.ba/wp-content/uploads/2023/11/PREDNACRT-ZAKONA-O-DRUSTVENOM-PODUZETNISTVU.pdf> (Retrieved June 20, 2024).

<sup>78</sup> BiH Framework Strategy for Cooperation with Emigration 2024–2028. BiH Ministry for Human Rights and Refugees. (2024). <https://www.ekonsultacije.gov.ba/legislativeactivities/details/120832-> (Retrieved June 14, 2024).

<sup>79</sup> BiH Ministry of Human Rights and Refugees (2017). *Policy on cooperation with emigrants*. BiH Ministry of Human Rights and Refugees. <http://www.mhrr.gov.ba/iseljenistvo/Dokumenti/PolicyB.pdf> (Retrieved June 10, 2024).

<sup>80</sup> *Dijaspora za razvoj (D4D)*. (n.d.). Lokalna samouprava. <https://www.swissinbih.ba/ba/project/4/migracije-i-razvoj> (Retrieved October 28, 2024).

<sup>81</sup> USAID (n.d.). *USAID Fact Sheet: Diaspora Invest*. USAID in BiH. [https://www.usaid.gov/sites/default/files/2023-02/BCS\\_FS%20Diaspora%20Invest%20%282023%29\\_V02.pdf](https://www.usaid.gov/sites/default/files/2023-02/BCS_FS%20Diaspora%20Invest%20%282023%29_V02.pdf) (Retrieved June 10, 2024).

<sup>82</sup> USAID. (2024). *Roadmap for the Development and Roll-out of Business Angel Investing in Bosnia and Herzegovina*. USAID Diaspora Invest Project. <https://f787.ba/Roadmap%20for%20Angel%20Investment%20in%20BiH.pdf> (Retrieved June 10, 2024).

<sup>83</sup> OSCE (2020). *COVID-19 Crisis Response: Human Rights and Gender Analysis*. OSCE Mission in BiH. <https://www.osce.org/files/f/documents/0/e/470655.pdf> (Retrieved June 14, 2024).

**these sectors.** The EU4Business recovery program,<sup>84</sup> funded by the EU-supported MSMEs in BiH's competitive sectors to alleviate the effects of the COVID-19 crisis through grants for MSMEs, start-ups, and local partnerships, with gender equality a crosscutting theme. Within projects that the EU4Business recovery program supported through grants, all businesses had equal access to training and information on job retention and creation.

While international organizations have continuously been supporting business development since 2018, these international initiatives are becoming more gender responsive. An international support for development of strategic and policy framework for SMEs in BiH is present through EU's Small Business Act for Europe (SBA),<sup>85</sup> with a recent BiH2EU project (2022–2025).<sup>86</sup> Between 2018 and 2022, the EU supported a project, EU4Business,<sup>87</sup> with EUR 16.1 million to improve the competitiveness of MSMEs in BiH. The project supported the establishment of 128 new business entities (65 women owned) in export-oriented sectors, tourism, and the agri-rural segment; trained 305 youth (114 female) and 251 people belonging to vulnerable groups (155 women) on entrepreneurial skills; provided grants for 67 youth business ideas (27 owned by women) that were registered as new businesses and for 56 business ideas of people belonging to vulnerable groups (39 owned by women); and created 145 new jobs (63 women) through five development projects.<sup>88</sup> In addition, a four-year project Women in Business is implemented and cofinanced by the Embassy of Switzerland in BiH through four partner organizations. The project started implementation in December 2023 and will last for four years, during which time numerous activities will be carried out with the aim of strengthening the capacity of business companies managed by women in BiH. The main goal of the project is to establish an efficient ecosystem that will provide support to women in business, by adopting systemic support measures at all levels of government, and by empowering women through education, networking, and promotion.<sup>89</sup>

USAID/BiH's Developing Sustainable Tourism in BiH (Turizam) Activity highlights gender equality as an important part of tourism development. The Activity collaborates with the Women in Travel CIC, a UK-based social enterprise dedicated to supporting women's advancement in the tourism sector through training, mentorship, and capacity-building programs, aiming to reduce gender disparities and empower women professionally.<sup>90</sup>

Several good practices for supporting women's entrepreneurship stand out. USAID/BiH's Human Rights Activity (INSPIRE) support the Entrepreneurship Fund, co-funded by 20 partner cities and municipalities. This fund provides new opportunities for marginalized women entrepreneurs, as well

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<sup>84</sup> EU4Business and EU4BusinessRecovery are both initiatives by the EU, but with distinct objectives. EU4Business project was launched prior COVID-19, to support the economic development of Bosnia and Herzegovina by enhancing the competitiveness and innovation of small- and medium-sized enterprises (SMEs). EU4Business recovery was specifically designed as a response to the economic challenges posed by the COVID-19 pandemic.

<sup>85</sup> Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions (2008). "Think Small First" - A "Small Business Act" for Europe. <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52008DC0394> (Retrieved June 20, 2024).

<sup>86</sup> EDA (n.d.). Sažetak projekta: Napredna implementacija Akta o malom biznisu u BiH2EU (SBA u BiH2EU). Agencija za razvoj preduzeća EDA. <https://edabl.org/wp-content/uploads/2022/12/SBAuBiH2EU-sa%C5%BEetak-projekta.pdf> (Retrieved June 10, 2024).

<sup>87</sup> UNDP (n.d.). EU4Business Bosnia and Herzegovina. UN Development Program. <https://www.undp.org/bosnia-herzegovina/projects/eu4business> (Retrieved June 10, 2024).

<sup>88</sup> EU4Business (2023). Final report Bosnia and Herzegovina. [https://www.eu4business.ba/uploads/documents/eu4business-final-report-280323\\_1680194589.pdf](https://www.eu4business.ba/uploads/documents/eu4business-final-report-280323_1680194589.pdf) (Retrieved June 10, 2024).

<sup>89</sup> PK RS (2024). *Izveštaj o aktivnostima Privredne komore RS za 2023. godinu*. Privredna komora Republike Srpske. <https://komorars.ba/o-nama/> (Retrieved October 27, 2024).

<sup>90</sup> USAID (2023, March 8). *USAID announces partnership with Women in Travel Community Interest Company*. Turizam BiH. <https://turizambih.ba/en/working-toward-gender-equality-in-bosnia-and-herzegovina/> (Retrieved June 10, 2024).

as entrepreneurs from other marginalized groups.<sup>91</sup> The BiH Association of Businesswomen worked on establishing women’s entrepreneurship support clubs in cities/municipalities across the country to direct more local public budgets toward women entrepreneurs. In implementation, the association cooperates with LSGUs with support from the FGC segment of the Financial Mechanism for Implementation of Gender Action Plan II.<sup>92</sup> The RS Chamber of Commerce and LiderLab organizations implement “*Oснаžena*,” an academy directed toward empowering women entrepreneurs through building their capacities in leadership, communication, and strategic planning and management. Although such initiatives seem promising, implementers or donors have not yet assessed their effectiveness.

**In BiH, there are no legal standards for gender parity in private companies**, but as noted in a KII with a gender expert, the forthcoming CEDAW recommendations and an EU directive will emphasize the need for government regulation on this specific shortcoming. In the meantime, **GIMs are initiating gender integration and gender equality measures in public enterprises and organizations in the private sector**. Businesses in BiH started introducing the Women’s Empowerment Principles (WEPs), a set of principles developed and established by UN Women and the UN Global Compact, to guide businesses and organizations in promoting gender equality and women’s empowerment in the workplace, marketplace, and community. So far, 18 companies from BiH in different sectors endorsed them; these sectors included advertising, business support services, IT, electrical equipment, research and consulting, steel, oil, and gas.<sup>93</sup> Furthermore, the United Nations Development Program’s (UNDP’s) Gender Equality Seal (GES) for the Private Sector is underway as a pilot project. As part of the Excelling in Diversity project implemented by Sarajevo Open Center, Citizens’ Association for the Promotion of Roma Education (*Otaharin*), the Foundation 787, and People in Need BiH, six local companies received Diversity and Inclusion Certificates in 2021,<sup>94</sup> but the initiative is temporarily on hold because of lack of resources.

**IA. NEEDED CHANGES: F BiH should develop and adopt new strategies for women’s entrepreneurship because the previous strategies and plans have expired.** Furthermore, it is necessary to ensure that strategies related to cooperation with the diaspora include a gender perspective and specific measures for the economic empowerment of women and vulnerable groups. Governments on all levels should ensure that relevant laws and policies include a gender perspective and concrete measures to support women and to improve the transparency and effectiveness of government measures to support businesses during periods of crisis, to ensure that support is available to all sectors, including those in which women entrepreneurs are predominant.

**IB. CHALLENGES TO CHANGE: Developing and implementing gender-responsive strategies and policies require significant resources, including funding, expertise, and institutional capacity.** The limited financial and human resources available within the government could hinder the effective rollout of the strategies that have either expired or are missing. The absence of robust institutional mechanisms for monitoring and evaluating the effectiveness of gender-responsive policies and strategies can undermine their impact.

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<sup>91</sup> USAID (2024, July 8). The US Government, through USAID, invests additional 680,000 BAM to support disadvantaged entrepreneurs to launch 52 local businesses in BiH. USAID in BiH. <https://www.usaid.gov/bosnia-and-herzegovina/press-releases/jul-08-2024-us-government-through-usaid-invests-additional-680000-bam-374000-usd-support-disadvantaged-entrepreneurs-launch-52-local-businesses-bih> (Retrieved August 12, 2024).

<sup>92</sup> RCC (2023). *Women entrepreneurship in the Western Balkans: Stocktaking on constraints and good practices*. Regional Cooperation Council. <https://www.rcc.int/files/user/docs/75f6e2f31ed362bfd2d1cba5144315d9.pdf>

<sup>93</sup> <https://www.weeps.org/companies> (Retrieved June 8, 2024).

<sup>94</sup> SOC (2021). *Annual performance report*. Sarajevo Open Center. [https://soc.ba/site/wp-content/uploads/2022/08/SOC-2021-godisnji-izvjestaj\\_BHS\\_web.pdf](https://soc.ba/site/wp-content/uploads/2022/08/SOC-2021-godisnji-izvjestaj_BHS_web.pdf) (Retrieved June 8, 2024).



The lack of awareness of the importance of gender integration among policy makers can result in inadequate support and slow progress in implementing necessary changes.

## AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

Parliamentary majorities rarely appoint women to ministerial posts in the ministries of economy and entrepreneurship (see sector/programming area I for details), but staff in these ministries does include women, some in managerial posts. **Despite low, top-level representation, entrepreneurship development policies are more gender responsive than in other government sectors.** This is primarily a consequence of good cooperation between ministries' staff, GIMs, and women's business associations, as noted in a KII with a gender expert. Limited participation of women in decision making within diaspora associations, political parties, and governments in BiH may prevent them from influencing diaspora policies in BiH and integrating a gender perspective. This may result in lower gender responsiveness and inclusiveness of diaspora policies, as noted during a KII.

BiH Council of Ministers and FBiH government **do not systematically collect, use, or make available sex-disaggregated data on ownership of legal entities, and this results in sparse information about women-owned businesses.**<sup>95</sup> In RS, women own or co-own 28 percent of business entities and most often operate in the trade sector (32.5 percent of total legal entities owned by women), other service activities (14.8 percent), professional activities (11.3 percent), the hotel industry (11.2 percent), and general industry (9.9 percent).<sup>96</sup> Employers' associations in FBiH and RS are led by men, with women rarely represented in leadership positions or as members of board or assemblies of these associations. This is also the case with economic and social councils, as was outlined under sector/programming area I.

In both FBiH and RS Chambers of Commerce, men occupy leading positions of president, as well as heads of the boards. The RS Chamber of Commerce established councils of women entrepreneurs in five regional chambers and one at the level of the RS Chamber of Commerce.<sup>97</sup> Because sex-disaggregated data have not been systematically collected and analyzed, in 2020, the FBiH Chamber of Commerce, in cooperation with GIMs, tried to address this issue and invited women-owned businesses to register in a database of women-owned businesses. The outcome of this initiative is still unknown because the register is not publicly available, although there were indications that it will become publicly available in 2024, as was noted during a KII.

According to WB data,<sup>98</sup> in BiH, women's share in senior and middle management has consistently declined since 2018, dropping from 26 percent in 2018 to 20 percent in 2021. Recovery started in 2022 (24 percent) and continued in 2023, with 28 percent of women in senior and middle-management positions. According to FIA's 2022 Business Overview<sup>99</sup> for FBiH, women hold 20 percent of managerial positions in companies, with the highest percentage of women in

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<sup>95</sup> RS Chambers of Commerce. (2022). *Women Employment Study for Bosnia and Herzegovina*. Regional Cooperation Council. <https://www.esap.online/docs/186/rcc-esap-2-women-employment-study-for-bosnia-and-herzegovina> (Retrieved June 15, 2024).

<sup>96</sup> RTRS. (2024, March 2). *Značajno učešće žena preduzetnica u privredi Srbije*. Radio-televizija Republike Srbije. <https://lat.rtrs.tv/vijesti/vijest.php?id=546596> (Retrieved June 15, 2024).

<sup>97</sup> PKRS. (n.d.). *Preduzetništvo žena*. Privredna komora Republike Srbije. <https://komorars.ba/preduzetnistvo-zena/> (Retrieved June 15, 2024).

<sup>98</sup> WB. (n.d.). *Female share of employment in senior and middle management—Bosnia and Herzegovina*. World Bank Group. <https://data.worldbank.org/indicator/SL.EMP.SMGT.FE.ZS?end=2023&locations=BA&start=2018> (Retrieved June 15, 2024).

<sup>99</sup> FIA. (2023). *Business Overview for Companies in Bosnia and Herzegovina*. Financial Information Agency. <https://fia.ba/Upload/eBook-2022/Preduzeca/1/mobile/index.html> (Retrieved June 15, 2024).

management in microbusinesses (21 percent) and lowest percentage in management in medium businesses (14 percent).

Women are active in various nongovernmental organizations and diaspora associations that connect the diaspora with BiH. Their contribution includes the organization of cultural events, fundraising, educational programs, and humanitarian activities, as the interviews showed. Women entrepreneurs in the diaspora often take part in investment forums and economic projects that connect the diaspora with BiH. They can play a key role in attracting investments and starting new business initiatives. There are activities aimed at empowering women in business, both in BiH and in the diaspora, such as DiaWomen Leaders Sessions, encouraging women to participate more actively in business activities.<sup>100</sup> <sup>101</sup> However, the team has found no studies, academic research, or reports that investigate political or decision-making power of women from the diaspora, particularly in their reach of influencing investments and economic empowerment in BiH. The BiH Business Angels Network, which the local Foundation 787 set up in 2022<sup>102</sup> still includes fewer women than men business angels, according to an FGD participant.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

**Women face difficulties in balancing their private roles with businesses they manage because of unequitable division of unpaid care labor.** The Baseline Study on Care Economy in BiH<sup>103</sup> shows that, on average, women in BiH spend seven hours a day on unpaid household activities (EU average is three and a half hours), 11.7 hours a week to take care of children, 10.5 hours a week on activities such as cooking, baking, and preparing meals. The disproportionately high inactive working-age population of women in BiH (in 2022, 62.4 percent women and 37.6 percent men)<sup>104</sup> affects the average time spent on these activities, but even women in employment spend about nine and a half hours weekly on cleaning and arranging the house, apartment, or yard. According to the 2023 NSCP-BiH, more men (60 percent) than women (47 percent) in BiH believe that housework is a female task.<sup>105</sup>

The findings suggest that **women frequently internalize traditional gender roles, which affects their ability to balance work and personal life, leading to the emotional strain.** The Gender Equality Barometer 2024<sup>106</sup> similarly shows a division of labor in line with prevailing gender norms about what constitutes women's versus men's work in BiH. For example, women spend most of their time washing dishes (49.6 percent and 4.5 percent men), washing clothes (66.5 percent women and 2.7 percent men), ironing (60.9 percent women and 2.1 percent men), and cleaning (49.1 percent women and 2.9 percent men). These internalized gender roles may often

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<sup>100</sup> MHRR. (2020, February 27). *Uspješne bh. žene u Austriji*. Interaktivni portal za dijasporu iz BiH. <https://dijaspora.mhrr.gov.ba/uspjesne-bh-zene-u-austriji/> (Retrieved June 15, 2024).

<sup>101</sup> AmCham BiH (2023, September 21). *Conference "DiaLab: Women champions of Diaspora Engagement" Successfully Held*. American Chamber of Commerce in BiH. <https://amcham.ba/post/216/conference-dialab-women-champions-of-diaspora-engagement-successfully-held> (Retrieved June 15, 2024).

<sup>102</sup> USAID. (2024). Roadmap for the Development and Roll-out of Business Angel Investing in Bosnia and Herzegovina. USAID Diaspora Invest Project. <https://f787.ba/Roadmap%20for%20Angel%20Investment%20in%20BiH.pdf> (Retrieved June 10, 2024).

<sup>103</sup> UN Women (2023). *Baseline study on the care economy in Bosnia and Herzegovina*. [https://bosniaherzegovina.un.org/sites/default/files/2023-05/20230522\\_Care%20Economy\\_Study\\_BHS.pdf](https://bosniaherzegovina.un.org/sites/default/files/2023-05/20230522_Care%20Economy_Study_BHS.pdf) (Retrieved June 15, 2024).

<sup>104</sup> BHAS. (2023). Labor Force Survey 2022 First release—Demography and Social Statistics. [https://bhas.gov.ba/data/Publikacije/Saopštenja/2023/LAB\\_00\\_2022\\_Y1\\_I\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Saopštenja/2023/LAB_00_2022_Y1_I_BS.pdf) (Retrieved June 10, 2024).

<sup>105</sup> USAID MEASURE II. (2024). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023*. [in press].

<sup>106</sup> Spahić-Šiljak, Z. & Đipa, D. (2024). *Gender Equality Barometer of Bosnia and Herzegovina*. UNDP and BiH Gender Equality Agency. [https://www.undp.org/sites/g/files/zskgke326/files/2024-04/barometar\\_eng\\_web\\_0.pdf](https://www.undp.org/sites/g/files/zskgke326/files/2024-04/barometar_eng_web_0.pdf) (Retrieved July 10, 2024).

dictate the fields of study women choose to attain their education in and types of economic activity they start their businesses in, or whether they start businesses at all.

Official statistics on education show that 62 percent of people who graduated in 2022 were women, that they dominate the fields of health and social protection, education, and social sciences, whereas men comprise the predominant group completing education in the fields of information and communication technology, engineering, production and construction, and services.<sup>107</sup> Although women graduate more frequently than men, their labor participation rate is notably lower than men's (42.2 percent women and 62.1 percent men).<sup>108</sup> According to data from the Federal Employment Institute on the Program for Women Entrepreneurs in 2021,<sup>109</sup> the largest percentage of women-owned businesses in FBiH supported through the program included businesses in trade (25 percent), agriculture (20 percent), processing (16.4 percent) and other services (14.7 percent). Similarly, most women entrepreneurs in RS operate in the sectors of trade, hospitality and hotel management, professional scientific and technical activities, and the processing industry.<sup>110</sup>

#### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

The value of the Women, Business and the Law (WBL) Index<sup>111</sup> for BiH in 2024 was 85 of 100. **Although laws that protect women and enable their empowerment are in place (de jure), supportive frameworks (e.g., policies, services, budgets) for implementation of these laws (de facto) are ineffective**, as the BiH supportive frameworks score within WBL is 47.5 of 100. There is a room for improvement in all ten indicators, measuring supportive framework including access to safety, mobility, workplace, pay, marriage, parenthood, childcare, entrepreneurship, assets, and pensions.<sup>112</sup> Furthermore, BiH is lagging behind Slovenia, Croatia, and Serbia in WBL index value.<sup>113</sup>

The data from the Global Findex Database by WB<sup>114</sup> show that, in BiH in 2021, 42 percent of women, compared with 32 percent of men, were very worried about experiencing or continuing to experience severe financial hardship because of the disruption caused by COVID-19. Indeed, crises tend to affect women's businesses more gravely, and this was the case with the COVID-19 pandemic. A study of 1364 MSMEs in BiH revealed that the pandemic affected the microbusinesses most, with a closedown rate of 68.4 percent among men-owned and 76.3 percent among women-owned MSMEs.<sup>115</sup> These figures imply that women's businesses in BiH, as compared with other similar businesses owned by men, have limited capacity to absorb shocks caused by the COVID-19 economic downturn.

<sup>107</sup> BHAS (2023). *Tematski bilten—Žene i muškarci u BiH*. BiH Agency for Statistics. [https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM\\_00\\_2023\\_TB\\_1\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM_00_2023_TB_1_BS.pdf) (Retrieved June 10, 2024).

<sup>108</sup> Labor Force Participation Rate Bosnia and Herzegovina (2024, June 18). World Bank Group. <https://data.worldbank.org/indicator/SL.TLF.CACT.MA.NE.ZS?locations=BA> (Retrieved August 23, 2024).

<sup>109</sup> FIE (2022). *Annual performance report for 2021*. Federal Institute of Employment. [https://fzzz.ba/ckfinder/files/Izvestaji/Izvjeste%20o%20radu%202021\\_Bos.pdf](https://fzzz.ba/ckfinder/files/Izvestaji/Izvjeste%20o%20radu%202021_Bos.pdf) (Retrieved June 10, 2024).

<sup>110</sup> *U Republici Srpskoj poboljšanje položaja žena u preduzetništvu*. (2023, January 17). Radio-televizija BiH. <https://www.bhrt.ba/u-republici-srpskoj-pobolj%C5%A1an-polo%C5%BEaj-%C5%BEena-u-preduzetni%C5%A1tvu> (Retrieved June 17, 2024).

<sup>111</sup> WBL Index measures laws that affect women's economic opportunities.

<sup>112</sup> WB (2024). *Women, Business and the Law 2024—Bosnia and Herzegovina*. World Bank Group. <https://wbl.worldbank.org/content/dam/documents/wbl/2024/pilot/WBL24-2-0-Bosnia-and-herzegovina.pdf> (Retrieved June 17, 2024).

<sup>113</sup> WB (2024). *Women, Business and the Law*. International Bank for Reconstruction and Development/World Bank. <https://wbl.worldbank.org/en/wbl> (Retrieved June 17, 2024).

<sup>114</sup> WB (2022). *The Global Findex Database 2021—Financial Inclusion, Digital Payments, and Resilience in the Age of COVID-19*. World Bank Group. <https://www.worldbank.org/en/publication/globalindex/Data> (Retrieved June 17, 2024).

<sup>115</sup> Organization for Security and Cooperation in Europe (OSCE). (2020). COVID-19 Crisis Response: Human Rights and Gender Analysis. OSCE Mission in BiH. <https://www.osce.org/files/f/documents/0/e/470655.pdf> (Retrieved June 7, 2024).

The Regional Cooperation Council's (RCC's) study for BiH<sup>116</sup> show that the most difficult challenges for women entrepreneurs are restrictive and excessive regulations, long time for starting a business, growing innovative companies, and improving vocational training. Women also face limited access to finance pertaining to the quality of available financial programs and services, as well as constraints within financial institutions and economic infrastructure that limit incentives to reach more women clients. Women in business who participated in a focus group, as well as interviewed experts, mentioned that **a significant obstacle for women who are starting a business is their aversion to risk, their lower financial literacy, and lack of knowledge about managing their finances.** These limitations especially affect women with disabilities and Roma women wanting to start or register their business; there are almost no registered businesses owned by these populations. Another vulnerable group of women entrepreneurs comprises single mothers who cannot find a steady job and so often start a business out of necessity. However, in this process, they struggle with skill gaps and access to finance. Instead of registering their businesses, they continue operating in the informal economic domain.

Financial inclusion of women remains an issue. Women less often than men have bank accounts (70.6 percent women vs. 88.7 percent of men),<sup>117</sup> save at a financial institution or use a mobile money account (women 14.6 percent vs. 22.9 percent men), borrow from financial institutions (19 percent women vs. 24 percent men), and make or receive digital payments (56 percent women vs. 77 percent men).<sup>118</sup> As is outlined in academic research on financial inclusion and digital financial literacy of women clients of microcredit organizations,<sup>119</sup> poor usage of internet and mobile banking for financial services is mainly attributed to a habit of using traditional banking service, lack of knowledge about the way to use mobile banking, complicated usage, mistrust, fear of internet fraud, poor access to the internet, cost of internet banking service, usage of mobile banking services by other family members, and not having an adequate device. Tailored initiatives for improving financial literacy can motivate women to use mobile banking and increase their confidence and trust in such services of financial institutions. When women lack knowledge in finance, they tend to limit themselves in business development. On the supply side, **women have difficulty accessing business loans; banks are more demanding toward and reluctant to serve women entrepreneurs because of gender stereotypes,** as noted in an interview with a gender finance expert. **The key issue in women's access to finances is the lack of collateral, namely land or assets. Women often have limited networks and access to information, resulting in challenges accessing international markets in doing businesses.** Furthermore, patriarchal norms and gendered views of work–life balance often hinder women entrepreneurs' productivity necessary for growing their business.<sup>120</sup>

When there are not sufficient funds, women entrepreneurs invest their own or family's assets, borrow from microcredit organizations, or apply for grants, which usually are not sufficient. The governments have not yet regulated the alternative forms of investments in business (e.g., business

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<sup>116</sup> RCC. (2022). *Women Employment Study for Bosnia and Herzegovina*. Regional Cooperation Council. <https://www.esap.online/docs/186/rcc-esap-2-women-employment-study-for-bosnia-and-herzegovina> (Retrieved June 15, 2024).

<sup>117</sup> Account ownership at a financial institution or with a mobile-money-service provider. (n.d.). World Bank Gender Data Portal. <https://genderdata.worldbank.org/en/indicator/fx-own-totl-zs?gender=male> (Retrieved June 15, 2024).

<sup>118</sup> WB. (2022). *The Global Findex Database 2021—Financial Inclusion, Digital Payments, and Resilience in the Age of COVID-19*. World Bank Group. <https://www.worldbank.org/en/publication/globalfindex/Data> (Retrieved June 17, 2024).

<sup>119</sup> Okičić, J., & Jukan, M. K. (2023). Financial inclusion and digital financial literacy: The case of microfinance sector in Bosnia and Herzegovina. In I. Miciula (Ed.), *Financial Literacy in Today's Global Market*. InTechOpen. <https://www.intechopen.com/chapters/1164601> (Retrieved October 27, 2024)

<sup>120</sup> Foundation Infohouse. (2022). *Feasibility study on women-owned businesses access to finance in Bosnia and Herzegovina*. UN Women. <https://eca.unwomen.org/sites/default/files/2022-07/Feasibility%20Study%20on%20Women-Owned%20Businesses%20Access%20to%20Finance%20in%20BiH.pdf> (Retrieved June 15, 2024).

angels, crowdfunding) or support to businesses (e.g., innovation funds), which is still a limitation for women entrepreneurs' access to these types of finance.<sup>121</sup> Business angels usually invest in the initial stages of business development, including in entrepreneurs with business ideas or those who have not yet formally registered their businesses to be eligible for bank loans.<sup>122</sup> However, participants in the women-in-business FGD emphasized the fact that **alternative forms of investing, such as business angels from the diaspora, have their limitations in growing businesses because such investors usually invest smaller amounts (from BAM 10,000 to 100,000) and offer less structural support in contrast to institutional investors.** As angel investors have vested interests in company's growth they may exhibit excessive control over decision making, thereby putting pressure on women entrepreneurs.

There are several obstacles in entering the foreign markets for women. In an FGD, women in business noted that **institutions do not have clear export support policies; hence, entrepreneurs must rely on their personal networks.** Inadequate legislation, lagging digitalization, and lack of digital tools and solutions limit businesses' selling their products online.

#### AQ5. CULTURAL NORMS AND BELIEFS

Gender stereotypes present in the BiH culture remain rigid and difficult to navigate for women in businesses. In an FGD, women in business commented that **women in business lack visibility and recognition for their success and are often under psychological pressure to meet the societal expectations and to excel in both career and family.** For example, they commented on the reluctance to go directly to the foreign market or to expand their business. They often prefer to export through intermediaries and are satisfied with the existing level of production because they do not want too many obligations. Participants in the women-in-business FGD discussed the way women business owners in some industries dominated by men, such as energy and wood processing, took over those businesses from their husbands when the husbands fell ill. They also commented that in some other cases, such as creative production activities, women are often owners on their own initiative, not because of the external factors.

In the FGD with women in business and interview with a gender finance expert, the GA team found that, during presentations of innovative businesses to business angels, **investors and banks are less skeptical and less reluctant to businesses led by men in comparison to women.**

#### CONCLUSIONS

**CI. There is progress in government support to fostering women's entrepreneurship in BiH, but the recent pandemic has created new challenges that warrant attention.** During COVID-19, government measures to support affected businesses were administratively burdensome for women entrepreneurs, which underscores a need for more resilient and inclusive support mechanisms. Similar challenges remain, particularly regarding the transparency and effectiveness of government measures such as those during COVID-19. Government efforts to engage the BiH diaspora are improving at policy level, but policy makers often overlook the gender perspective in these strategies. There is a notable lack of comprehensive data on women-owned businesses and

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<sup>121</sup> USAID. (2024). Roadmap for the Development and Roll-out of Business Angel Investing in Bosnia and Herzegovina. USAID Diaspora Invest Project. <https://f787.ba/Roadmap%20for%20Angel%20Investment%20in%20BiH.pdf> (Retrieved June 10, 2024).

<sup>122</sup> UN BiH. (2022, March 30). „Anđeli investitori” finansiraju i savjetuju biznise u začetku. <https://bosniaherzegovina.un.org/bhs/176304-%E2%80%9Ean%C4%91eli-investitori%E2%80%9C-finansiraju-i-savjetuju-biznise-u-za%C4%8Detku> (Retrieved June 14, 2024).

their participation in decision-making roles. Efforts to establish registers and collect comprehensive data are ongoing but data are not yet publicly accessible.

**C2. Traditional gender roles remain prevalent, making it challenging for women to access and control resources, as well as manage their time effectively.** This affects their ability to balance work and family responsibilities, and limits their entrepreneurial potential. Educational and occupational segregation further reinforces these traditional roles. Women entrepreneurs face barriers in accessing finance including restrictive regulations and limited financial literacy. Deep-seated gender stereotypes and patriarchal values continue to pose significant challenges for women entrepreneurs. These cultural norms affect their visibility, recognition, and confidence in the business arena.

## RECOMMENDATIONS

**R1. In cooperation with local governments within activities such as Diaspora Invest 2, support efforts to simplify and streamline the business registration process and financing for women** especially those from marginalized groups. Regularly measure the contribution of Diaspora Invest 2 support to women entrepreneurship, using feedback to refine and improve strategies.

**R2. Donors can design targeted programs that focus on financial and digital literacy for local women entrepreneurs, including marginalized groups like Roma women, LGBTIQ individuals, and women with disabilities. These initiatives should aim to enhance their financial management, risk assessment, and business-planning skills, ultimately expanding their business opportunities.** Cooperate with GIMs, relevant institutions, local CSOs, and diaspora organizations in these activities and place emphasis on women entrepreneurs' access to foreign markets, including assistance with export regulations and market research. When considering providing support to partners from the private sector, insist on development and implementation of gender equality plans, focusing on leadership opportunities and antiharassment measures.

## 3. LABOR MARKET

### AQI. POLICIES AND PRACTICES

According to the European Commission's (EC) BiH Report for 2023,<sup>123</sup> BiH has made only basic progress in social policy and employment but still faces significant challenges in addressing employment issues, social inclusion and protection, and poverty reduction. EC's general recommendations included developing and adopting entity-level and country-wide employment strategies as a policy framework, providing for additional capacity for implementation and monitoring, and introducing a uniform minimum level of maternity leave benefits and protection throughout the country, starting by harmonizing the definitions of maternity, paternity, and parental leave.

In RS, the labor legislation<sup>124</sup> includes provisions regarding discrimination, harassment and sexual harassment, and remote work. As outlined in interviews, the FBiH has yet to amend its Labor Law

<sup>123</sup> EC. (2023). *Commission Staff Working Document Bosnia and Herzegovina 2023 Report*. European Commission. [https://neighbourhood-enlargement.ec.europa.eu/document/download/e3045ec9-f2fc-45c8-a97f-58a2d9b9945a\\_en?filename=SWD\\_2023\\_691%20Bosnia%20and%20Herzegovina%20report.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/e3045ec9-f2fc-45c8-a97f-58a2d9b9945a_en?filename=SWD_2023_691%20Bosnia%20and%20Herzegovina%20report.pdf) (Retrieved June 15, 2024).

<sup>124</sup> RS Employment Law. RS National Assembly. 1/2016, 66/2018, 91/2021, 119/2021, 112/2023 & 39/2024 RS Official Gazette. <https://www.paragraf.ba/propisi/republika-srpska/zakon-o-radu.html> (Retrieved June 15, 2024).

and related reforms because absence of political consensus has been delaying the progress. BD Law on employment and rights during unemployment<sup>125</sup> that entered into force in January 2023 is gender blind, not addressing provisions on gender equality, remote work, or antidiscrimination provisions.

FBiH and RS adopted their Employment Strategies in 2023<sup>126</sup> and 2021,<sup>127</sup> respectively, as the EC recommended, while the BD Employment Strategy has been submitted for adoption by the BD government. All three strategies recognize women's unemployment and difficulties in accessing the labor market and include either direct measures targeting employment of women or indirect ones aimed at improving social inclusion in general and the vulnerable groups' access to the labor market. There are no specific employment strategies for persons with disabilities at the national or entity levels. However, both RS and FBiH Employment Strategies acknowledge the risk of exclusion for persons with disabilities and set goals of including persons with disabilities in the labor market through more effective active labor market policies. In RS, this can also be accomplished through strengthening social entrepreneurship as a new model of employment support for vulnerable groups.

**Incentives for employment of persons with disabilities exist in both entities, but interviewees note that employers misuse these incentives**, especially in FBiH where the amount allocated every year is larger. For that reason, the Federal Ministry of Labor and Social Policy (FMLSP) amended regulations to clarify and expand oversight over legality of the work of companies for the employment of persons with disabilities.<sup>128</sup> Entities are in the process of revising the employment laws for persons with disabilities, which are currently not harmonized with the LoGE, and BD is drafting its law. BD BiH Labor Law<sup>129</sup> includes a measure to extend parental leave to 18 months (about one and a half years) for women with disabilities and gives men with disabilities the same opportunity. However, there are no such parental provisions for persons with disabilities in FBiH and RS.

Although the Law on Mediation in Employment, essential for EU compliance, was submitted to the parliament of FBiH, the law was not adopted because of a lack of quorum in July 2024.<sup>130</sup> The law should enable accurate unemployment registers at Public Employment Services (PES) with an aim to improve employment opportunities and reduce the unemployment rate through the reform of employment mediation. Estimates are that a third of workers in BiH are in informal employment.<sup>131</sup> One portion of these informal workers in FBiH are in the registers as unemployed because this status enables access to health care. The RS adopted a Law on Mediation in Employment in 2023,<sup>132</sup>

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<sup>125</sup> BD Law on Employment and Rights During Unemployment. BD Assembly (2022).

<https://skupstinabd.ba/index.php/ba/zakon.html?lang=ba&id=/Zakon%20o%20zaposljavanju%20i%20pravima%20za%20vrijeme%20nezapos> (Retrieved June 15, 2024).

<sup>126</sup> FBiH Employment Strategy 2023–2030. FBiH Parliament. (2023). <https://fzpr.gov.ba/files/Strategije/Strategija-zaposljavanja-u-FBiH-2023-2030.pdf> (Retrieved June 15, 2024).

<sup>127</sup> RS Employment Strategy 2021–2027. RS Government. (2021). <https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mpb/PAO/Documents/Strategija%20zapo%C5%A1lajvanja%20Republike%20Srpske%202021-2027.doc> (Retrieved June 17, 2024).

<sup>128</sup> *Ministar Delić: Dopune Pravilnika smanjuju zloupotrebe i fiktivno zapošljavanje osoba sa invaliditetom.* (2024, May 9). FBiH Government. <https://fbihvlada.gov.ba/bs/ministar-delic-dopune-pravilnika-smanjuju-zloupotrebe-i-fiktivno-zaposljavanje-osoba-sa-invaliditetom> (Retrieved June 15, 2024).

<sup>129</sup> BD Labor Law. BD Government. (2019). <https://www.paragraf.ba/propisi/brcko/zakon-o-radu-brcko-distrikta-bosne-i-hercegovine.html> (Retrieved June 17, 2024).

<sup>130</sup> *Zakon o posredovanju u zapošljavanju vraća se u parlamentarnu proceduru.* (2024, July 18). Federalna Televizija. <https://federalna.ba/zakon-o-posredovanju-u-zaposljavanju-vraca-se-u-parlamentarnu-proceduru-r3gas> (Retrieved July 25, 2024).

<sup>131</sup> ILO (2020). *Overview of the informal economy in Bosnia and Herzegovina.* International Labor Organization. <https://www.ilo.org/media/78206/download> (Retrieved June 20, 2024).

<sup>132</sup> RS Law on Mediation in Employment. RS Government. (n.d.). 30/2010, 102/2012, 94/2019 i 112/2023 RS Official Gazette. <https://advokat-prnjavorac.com/zakoni/Zakon-o-posredovanju-u-zaposljavanju-i-pravima-za-vrijeme-nezaposlenosti-RS.pdf> (Retrieved June 20, 2024).

but as was outlined during interviews, it is early to assess its effectiveness. Both entities should revise health insurance laws to enable universal coverage.

**Although there are gender-responsive elements within BiH’s active labor market policies (ALMPs), for example, for women’s employment and entrepreneurship, their overall impact is limited by design flaws, insufficient funding for crucial training programs, and a lack of personalized support mechanisms.** Such measures provide only limited incentives for mobility and inclusion of women in the labor market, particularly women from vulnerable groups.<sup>133</sup> For example, in FBiH women with disabilities are recognized as a marginalized group; however, government projects are often not intended exclusively for women with disabilities, but the procedures that define the conditions for selecting the beneficiaries of government funds contain criteria for scoring, whereby a certain number of points are awarded to SMEs that are owned by persons with disabilities, but these projects do not directly refer to women with disabilities.<sup>134</sup> Further improvements are needed to ensure that these policies effectively promote gender equality and support women’s long-term employment and entrepreneurial success.

As part of the Global Alliance for Care, FMLSP is addressing unpaid household work through strategic documents and training for “gerontodomačice” (care workers for the elderly) to improve elder care and reduce women’s unpaid work.<sup>135</sup> The FBiH Employment Institute is working to include single-parent families, particularly single mothers, in their programs, offering an additional 10 percent on employment subsidies for single parents and parents of children with disabilities. In addition, in FBiH, a Parent Caregiver Law was introduced in 2021,<sup>136</sup> to support families with children with disabilities by allowing one parent to obtain the status of a parent caregiver. This parent receives a monthly stipend to dedicate themselves to childcare, with entitlement to health insurance and social protection.

**IA. NEEDED CHANGES:** There is a **need for stricter oversight and more effective regulations** to ensure that the incentives for the employment of persons with disabilities are used appropriately. Furthermore, the inclusion of gender-responsive elements in ALMPs should be enhanced by addressing design flaws, increasing funding for training programs, and introducing personalized support mechanisms, particularly for women from vulnerable groups. Additionally, there is a **need to ensure that employment strategies effectively promote gender equality** and support the long-term employment and entrepreneurial success of women, including women with disabilities. Universal health coverage should also be pursued through revisions of health insurance laws in both entities.

**IB. CHALLENGES TO CHANGE:** A significant challenge to implementing stricter oversight and more effective regulations for ensuring that incentives for employing persons with disabilities are used appropriately is the institutional capacity particularly of PES. **Limited staffing and inefficient processes can hinder the ability to monitor the use of incentives and ensure**

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<sup>133</sup> RCC (2022). *Women employment study of Bosnia and Herzegovina*. Regional Cooperation Council. <https://www.esap.online/docs/186/rcc-esap-2-women-employment-study-for-bosnia-and-herzegovina> (Retrieved June 20, 2024).

<sup>134</sup> FBiH Strategic Platform for Development of Strategy for Advancement of Rights of Persons with Disabilities. FBiH Government. (2023). <https://fmrsp.gov.ba/download/strategija-za-unapredjenje-prava-i-polozaja-osoba-s-invaliditetom-u-federaciji-bih-2022-2027/?wpdmdl=14095&refresh=66aba43baf5251722524731> (Retrieved June 22, 2024).

<sup>135</sup> FBiH Government, (2024, May 17). Počinje razvoj modela „Gerontodomačica”: Zajednički projekt Ministarstva, UN Women i partnera. <https://bihvlada.gov.ba/bs/pocinje-razvoj-modela-gerontodomacica-zajednicki-projekat-ministarstva-un-women-i-partnera> (Retrieved June 23, 2024).

<sup>136</sup> FBiH Law on Parent Caregivers, FBiH Parliament (2021). [https://parlamentfbih.gov.ba/v2/userfiles/file/Usvojeni%20materijali\\_2021/Zakon%20o%20roditeljima%20njegovateljima%20\(B\).pdf](https://parlamentfbih.gov.ba/v2/userfiles/file/Usvojeni%20materijali_2021/Zakon%20o%20roditeljima%20njegovateljima%20(B).pdf) (Retrieved June 7, 2024).



**compliance.** The existing active labor market policies (ALMPs) suffer from design flaws, such as inadequate consideration of gender-specific needs or lack of tailored programs.

### AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

Women hold various managerial and influential roles within employment and labor market institutions in BiH. **Their presence is more prominent in mid-level decision-making roles, although top leadership is by men.** For instance, while the Labor and Employment Agency of BiH is primarily led by men, women sometimes fill deputy roles. The entity ministries of labor are male led in the RS and mixed in FBiH, where a woman leads the Federal Employment Institute. Regional employment offices under the FBiH Employment Institute and BD show mixed-gender representation, with women increasingly taking part in decision-making positions.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

Since 2019, the employment rate for women in FBiH and BD has shown a consistent upward trend. Conversely, in RS, the employment rate for women experienced a notable peak in 2020 (Exhibit 2). This peak could be attributed to various factors such as specific economic conditions, labor market policies, or possibly temporary effects of external influences like government programs or shifts in industry demands. However, after this peak, the employment rate in RS saw a decline in the following years, which coincided with COVID-19, indicating possible challenges in the labor market that adversely affected women's employment. Accordingly, in FBiH and RS, the gender gap in employment rates increased during COVID-19, reaching its maximum in FBiH in 2021 (28.8 percent) and in RS in 2022 (21.1 percent). Interestingly, in BD, the gender gap decreased during this period. This could be a result of a BD economy less reliant on sectors heavily affected by the pandemic, such as tourism or retail, which typically employ a higher proportion of women.

By 2023, the employment rate in RS began to recover, signaling a potential rebound in economic activities or successful implementation of measures aimed at boosting employment. Unemployment rates in 2023 further highlight the progress made, with a trend of declining unemployment rate being more pronounced in RS than in FBiH and BD. In FBiH, the unemployment rate dropped to 19.4 percent, the lowest level observed since 2018. Similarly, in RS, the unemployment rate reached 11.5 percent, also marking the lowest point since 2018. These figures suggest that the labor market in BiH has been undergoing significant recovery and improvements, particularly after COVID-19.

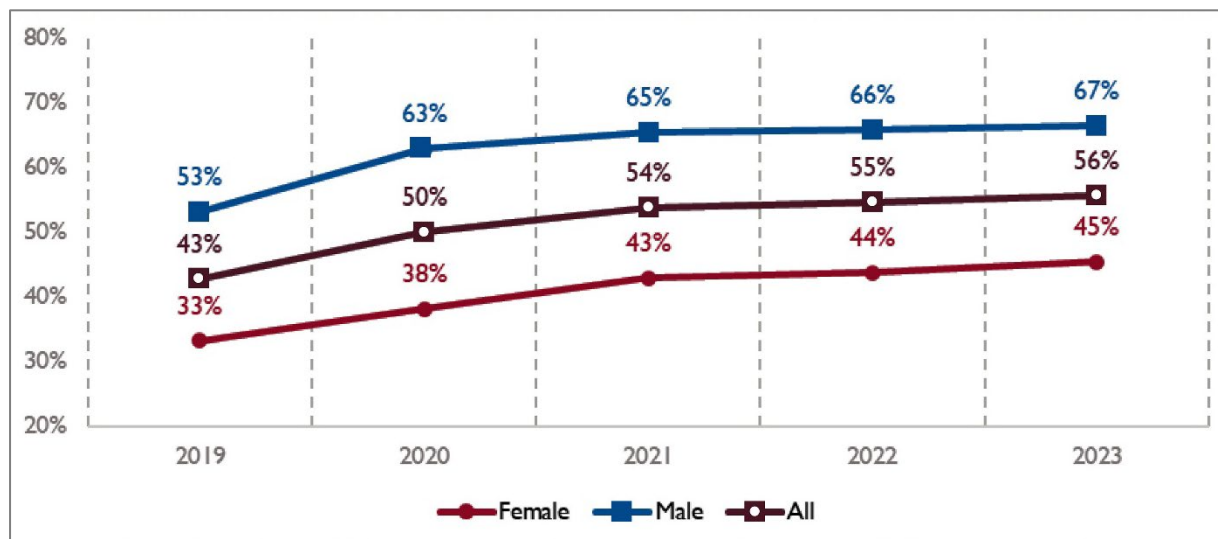
**Exhibit 2. Employment and Unemployment Rates (% , 2019–2023)**

		2019		2020		2021		2022		2023	
		WOMEN	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN	MEN	WOMEN	MEN
Employment rate (15–64 years in age)	FBiH	30.9	53.4	31.7	59.1	31.6	60.4	34.3	62.2	36.7	64.3
	RS	45.6	63.5	49.5	63.4	46.5	63.3	43.4	64.5	44.7	65.7
	BD	18.5	44.6	22.8	49.8	24.5	50.1	25.6	48.2	25.7	49.4
Unemployment rate	FBiH	21.1	16.6	22.4	14.8	25.5	15.0	22.5	14.1	19.4	12.4
	RS	14.7	9.5	13.0	12.7	16.3	12.9	14.3	9.0	11.5	7.4
	BD	28.5	23.1	25.3	18.9	28.5	21.4	30.8	15.9	25.8	17.8

Source: BHAS LFS, Entity Statistical Institutes

The female labor force participation rate (LFPR) has been increasing since 2015 in nearly all age bands, especially for women in the 55-plus age group (decreasing only in the 15–24 age band in part, possibly because of young women’s entering postsecondary education instead of the workforce; Exhibit 3).<sup>137</sup> This trend may be reflecting workforce outflows and shortages met by women who were previously inactive, as well as key cohorts of labor inactive women (workers of former state-owned enterprises, for example) becoming eligible for a minimum pension.

Exhibit 3. Labor Force Participation Rates, ILO Estimates (% , Youth, Adults: 25+)



Source: ILO Database on employment and labor force. ILOSTAT Web Service.

More than half of respondents (total 54 percent, men 64 percent, women 46 percent) in the 2023 NSCP-BiH believe that most household responsibilities are naturally more suited to women, irrespective of their employment situation (Exhibit I, Section I).<sup>138</sup> Studies confirm that these norms continue to affect the actual distribution of domestic work. GEA research from 2020<sup>139</sup> showed that women spend five times more hours per week on routine household chores than their partners, but men spend more time on occasional chores such as car and house/apartment maintenance. Half of the women and a third of men in the Care Economy Study thought that men “do not know how to do this type of work, because no one taught them, and that women do it better and therefore it is natural to leave everything as it is.”<sup>140</sup> Single mothers spend even more hours doing unpaid work, and, together with mothers from other vulnerable groups (women with disabilities, such as women with intellectual disabilities), they must invest even more time in housework and childcare.<sup>141</sup>

**Gender stereotypes and strict gender roles in the labor market are rigid, as well, maintaining existing occupational segregation.** The share of women is lower in well-paid professions and high in education, health care, and social services.

<sup>137</sup> ILOSTAT. (n.d.). Database on employment and labor force. ILOSTAT Web Service.

[https://rplumber.ilo.org/data/indicator/?id=EAP\\_DWAP\\_SEX\\_AGE\\_RT\\_A&type=label&format=.csv](https://rplumber.ilo.org/data/indicator/?id=EAP_DWAP_SEX_AGE_RT_A&type=label&format=.csv) (Retrieved June 7, 2024).

<sup>138</sup> USAID MEASURE II. (2024). *National Survey of Citizens’ Perceptions in Bosnia and Herzegovina 2023*. [in press].

<sup>139</sup> BiH GEA. (2020). *Uticaj rodne podjele porodičnih i kućanskih poslova na profesionalni život zaposlenih žena u BiH*. BiH Gender Equality Agency. <https://arsbih.gov.ba/wp-content/uploads/2020/09/Uticaj-rodne-podjele-porodni%C4%8Dnih-i-ku%C4%87anskih-poslova-na-profesionalni-%C5%BEivot-zaposlenih-%C5%BEena-u-BiH.pdf> (Retrieved July 10, 2024).

<sup>140</sup> UN Women. (2023). Baseline study on the care economy in Bosnia and Herzegovina.

[https://bosniaherzegovina.un.org/sites/default/files/2023-05/20230522\\_Care%20Economy\\_Study\\_BHS.pdf.p.29](https://bosniaherzegovina.un.org/sites/default/files/2023-05/20230522_Care%20Economy_Study_BHS.pdf.p.29) (Retrieved July 10, 2024).

<sup>141</sup> Spahić-Šiljak, Z., & Đipa, D. (2024). *Gender Equality Barometer of Bosnia and Herzegovina*. UNDP and BiH Gender Equality Agency. [https://www.undp.org/sites/g/files/zskgke326/files/2024-04/barometar\\_eng\\_web\\_0.pdf](https://www.undp.org/sites/g/files/zskgke326/files/2024-04/barometar_eng_web_0.pdf) (Retrieved July 10, 2024).

*In my profession for example, which is education, I do not think that gender matters, though people prefer the teachers to be women. But when we talk about medical professionals, like surgeons, they still want surgeons to be men. Women have very few opportunities for medical specialization in some areas, like surgery. They say it is not a woman's job. Women are too emotional they say, though we all know who screams at the TV when their favorite team loses a match.*

–FGD, woman from urban area

According to data from the 2023 Labor Force Survey, unpaid helping members make up 1.6 percent of the total number of employees in BiH, of which two thirds are women and one third are men.<sup>142</sup> Women are more discouraged from entering the labor market than are men. Half of inactive women were dealing with care responsibilities within their families and households.

In BiH, if both parents are employed, the society still expects women to take maternity leave and put their careers on hold. Since 2016, the legislator understood the importance of the father's role in the upbringing and care of the child, enabling fathers to use parental leave, as well. According to a Sarajevo Open Center survey with 500 fathers whose children were born between 2016 and 2021, 57.8 percent were not familiar with the right to use parental leave and only 2.6 percent of fathers used it at least in part.<sup>143</sup>

#### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

**Substantial differences remain between cantons and entities in paid maternity leave policies, further exacerbating discrimination against working mothers across the country.** The FBiH Law on Support to Families with Children defines the minimum monthly paid benefits for the unemployed parent caring for a newborn. While cantons should define the specific approach to implementing this provision, including potentially higher levels of benefits, the FMLSP does not oversee cantonal regulations or levels of implementation. Women who work long hours or especially night shifts often face significant challenges in accessing childcare services. One participant in the focus group conducted with female citizens from urban areas shared her experience working night shifts, explaining that she had to resign from her job to care for her child. This was because she lacked support at home because her husband was working abroad, and childcare services were not available.

Employed women or those seeking work in BiH are unaware of the existing legislative framework pertaining to gender-based discrimination in the labor market. Furthermore, **women disproportionately experience gender-based discrimination at work compared with men**, as reported by several focus group participants. Long-lasting court proceedings, sometimes lasting up to five years, and the lack of internal mechanisms make it even more difficult to report such cases.<sup>144</sup> During focus groups with female citizens from both urban and rural areas, participants shared experiences of facing discriminatory questions during job interviews, particularly concerning their marital and parental status. Additionally, several women reported losing their jobs because of pregnancy, as employers often choose not to renew their contracts under such circumstances. Women face a gender pay gap, which is influenced by their lower employment rates and gender

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<sup>142</sup> BHAS. (2023). *Labor Force Survey 2023*. BiH Agency for Statistics.

[https://bhas.gov.ba/data/Publikacije/Saopštenja/2024/LAB\\_00\\_2023\\_Y1\\_I\\_HR.pdf](https://bhas.gov.ba/data/Publikacije/Saopštenja/2024/LAB_00_2023_Y1_I_HR.pdf) (Retrieved July 10, 2024).

<sup>143</sup> Hasanbegović, D. & Dizdar, A. (2022). *Father on Maternity Leave*. Sarajevo Open Center. <https://soc.ba/site/wp-content/uploads/2022/10/Father-on-maternity-leave.pdf> (Retrieved July 12, 2024).

<sup>144</sup> Ramić-Marković, S. (2022). *Gender-based discrimination and labor in Bosnia and Herzegovina*. Helsinki Citizens' Assembly Banja Luka. [https://hcabl.org/wp-content/uploads/2022/05/GenderBasedDiscriminationBiH\\_Web.pdf](https://hcabl.org/wp-content/uploads/2022/05/GenderBasedDiscriminationBiH_Web.pdf) (Retrieved July 10, 2024).

segregation across sectors. Furthermore, women tend to spend less time than men do in paid work.<sup>145</sup>

**Access to the labor market for persons with disabilities, especially women, is hindered by issues like architectural barriers and inadequate support from PES.** Accessing the labor market is particularly challenging for Roma women, women victims of domestic violence, and other marginalized groups of women, especially those who do not have constant access to information through the internet and the media.<sup>146</sup> Women with disabilities are usually employed under a contract of service, and these labor relations are most often precarious. Women who are mothers to children with disabilities also often face discrimination and challenges in finding and maintaining adequate and consistent work arrangements.<sup>147</sup> LGBTQI+ people more often work in the informal economy and in precarious jobs, without access to employment rights, regular salary, a hot meal, or compensation for transportation.<sup>148</sup>

## AQ5. CULTURAL NORMS AND BELIEFS

**Societal norms about women as primary caretakers, combined with deep-rooted social stereotypes and the unequal distribution of family responsibilities between women and men, continue to be primary factors influencing the low rates of employment among women.** As found in the 2023 NSCP-BiH, 43 percent of men and 25 percent of women agree that, when jobs are scarce, men should have priority access to a job over women.<sup>149</sup> There is a six percent decrease for men when comparing results for this statement in the previous year (49 percent in 2022).<sup>150</sup> Interestingly, since 2021, there has been an increase in the percentage of women agreeing with this statement.

In line with findings from the Gender Equality Barometer 2024, employers are less likely to promote women under the assumption that women's family and household responsibilities would reduce their productivity at work, and men are more often their first choice. Employers are also not willing to employ people from marginalized and underrepresented groups in the labor market because of biases and norms.<sup>151</sup> According to an employer survey in FBiH,<sup>152</sup> employers are reluctant to hire

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<sup>145</sup> AIRE (2023). *Razotkrivanje neravnopravnosti u radnom okruženju u Bosni i Hercegovini – Komparativna analiza mehanizama izvještavanja o rodnom jazu u plaćama*. AIRE Centre. [https://www.undp.org/sites/g/files/zskgke326/files/2023-08/razotkrivanje\\_neravnopravnosti\\_u\\_radnom\\_okruzenju\\_u\\_bosni\\_i\\_hercegovini\\_komparativna\\_analiza\\_mehanizama\\_izvjestavanja\\_o\\_rodnom\\_jazu\\_u\\_platama.pdf](https://www.undp.org/sites/g/files/zskgke326/files/2023-08/razotkrivanje_neravnopravnosti_u_radnom_okruzenju_u_bosni_i_hercegovini_komparativna_analiza_mehanizama_izvjestavanja_o_rodnom_jazu_u_platama.pdf) (Retrieved October 9, 2024).

<sup>146</sup> Ramić-Marković, S. (n.d.). *Evaluacija i procjena uticaja implementiranih politika zapošljavanja i razvoja poslovanja: Tuzla, Banja Luka, Prijedor*. Foundation United Women. Available at: <https://udruzene-zene.org/wp-content/uploads/2023/07/Evaluacija-i-procjena-uticaja-implementiranih-politika-zaposljavanja-i-razvoja-poslovanja-u-gradovima-Banja-Luka-Prijedor-i-Tuzla.pdf> (Retrieved July 10, 2024).

<sup>147</sup> Ramić-Marković, S. (2022). *Gender-based discrimination and labor in Bosnia and Herzegovina*. Helsinki Citizens' Assembly Banja Luka. [https://hcabl.org/wp-content/uploads/2022/05/GenderBasedDiscriminationBiH\\_Web.pdf](https://hcabl.org/wp-content/uploads/2022/05/GenderBasedDiscriminationBiH_Web.pdf) (Retrieved July 10, 2024).

<sup>148</sup> Gačanica, L. (2021). *Socio-ekonomski položaj lezbijki, gej, biseksualnih, transrodnih i interseksualnih osoba u Bosni i Hercegovini*. Sarajevo Open Center. <https://soc.ba/site/wp-content/uploads/2021/06/Socio-ekonomski-polozaj-LGBTI-osoba-u-BiH-web.pdf> (Retrieved July 10, 2024).

<sup>149</sup> USAID MEASURE II. (2024). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023*. [in press].

<sup>150</sup> USAID MEASURE II. (2023). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2022 Final Report*. USAID MEASURE II. <https://www.measurebih.com/uimages/2022-NSCP-BiH-Report5B355D.pdf> (Retrieved July 10, 2024).

<sup>151</sup> RCC (2022). *Women Employment Study for Bosnia and Herzegovina*. Regional Cooperation Council. <https://www.esap.online/docs/186/rcc-esap-2-women-employment-study-for-bosnia-and-herzegovina> (Retrieved July 10, 2024).

<sup>152</sup> FEI. (2022). *Report on the Labor Market Research in FBiH 2022/2023—Part I: Employer Survey Results*. Federal Institute for Employment. [https://www.fzz.ba/ckFinderFiles/files/lzvie%20-%20Istraz%20-%20Civanje%20trz%20-%20Cis%20-%20Cta%20-%20Orada%20-%20FBiH%20-%20DIO%20-%20-%20-%20rezultati%20anketiranja%20poslodavaca\(1\).pdf](https://www.fzz.ba/ckFinderFiles/files/lzvie%20-%20Istraz%20-%20Civanje%20trz%20-%20Cis%20-%20Cta%20-%20Orada%20-%20FBiH%20-%20DIO%20-%20-%20-%20rezultati%20anketiranja%20poslodavaca(1).pdf) (Retrieved July 10, 2024).

migrants, Roma people, victims of violence, and residents of homes for abandoned children and youth.

## CONCLUSIONS

**C1. Progress in BiH's social policy and employment remains limited, with women particularly facing challenges in employment, social inclusion, protection, and poverty reduction.** Inconsistencies in entity-level labor laws, especially in FBiH, are exacerbated by political disagreements' delaying necessary legislative amendments. While employment strategies in FBiH and RS highlight women, they fail to adequately address the needs of women with disabilities and other vulnerable groups. Active labor market policies mainly focus on employment incentives, lacking sufficient emphasis on skills development and training, which are essential for women's long-term employment stability and career growth.

**C2. Women face significant barriers in accessing the labor market, exacerbated by traditional gender roles and stereotypes.** Gender roles and stereotypes significantly influence labor market participation, with women bearing a disproportionate burden of unpaid household work. Gender biases and discrimination are pervasive, limiting women's employment opportunities and career advancement. Cultural norms perpetuate the view of women as primary caregivers, leading to lower employment rates and activity among women. Gender-based discrimination at work remains prevalent, with long-lasting court proceedings and inadequate reporting mechanisms further hindering women's rights.

## RECOMMENDATIONS

**R1. To achieve uniformity in maternity, paternity, and parental leave benefits across the country, support advocacy aimed at harmonizing relevant policies.** Furthermore, partner CSOs should be supported to raise awareness and educate the general public about gender-based discrimination at work while providing accessible and efficient reporting mechanisms for those affected.

**R2. In USAID/BiH Activities, it is crucial to acknowledge and address the barriers in employment faced by marginalized groups, including Roma women, women with disabilities, and single mothers.** This requires the implementation of measures to ensure these groups have access to vital information about available opportunities and resources. Adequate support structures should be put in place to help them overcome obstacles related to education, training, and skill development. Continue to support day care centers for families of children with disabilities, but also to expand support to multi-care centers that would provide home care and/or day stays for different categories of persons in need, including children, youth, and elderly people. The purpose of this support should not stop at providing short periods of care but should enable parents to work at least part time or in flexible work arrangements. Public-private partnerships can be a good model for such services, and diaspora investment in this segment of services could potentially open space for return of the BiH emigrants from Germany and Austria. It is important to create and promote inclusive employment opportunities tailored to their unique needs and circumstances. Furthermore, barriers to women's participation in the labor market may also require interventions aimed at men and their household members because norms around gender roles play an important role in division of labor and norm enforcers are often the household heads/male partners.

**R3. Donors should consider supporting government, employers' associations, unions, and civil society in promoting equality in private life and caring roles.** This can be

accomplished through various interventions, such as resource allocation, advocacy, capacity building, and research. Donors should recognize the unique challenges faced by women, persons with disabilities, Roma, LGBTQI+ individuals, single-parent households, and people with substantial unpaid care work. By acknowledging these disadvantages, donors can tailor their interventions to bridge gaps in access and benefits, ensuring that all groups can effectively participate in and benefit from donor-supported economic activities.

## 4. ICT AND DIGITALIZATION

### AQI. POLICIES AND PRACTICES

The digital transformation progress in BiH is still at low to moderate levels, as assessed by Surfshark, a cybersecurity company. BiH ranks 84th of 121 countries in the Digital Quality of Life (DQL) Index, dropping by four spots in the ranking in 2023 from that in 2022, and is last among 38 European countries.<sup>153</sup> BiH has stagnated in all DQL pillars, with the most prominent stagnation in internet quality, leading to BiH's dropping 22 spots in the ranking, electronic security dropping ten spots, e-government dropping eight spots, and electronic infrastructure dropping four spots. The Gender Profile for BiH outlines recommendations regarding digitalization based on EU Gender Action Plan III 2021–2025. It emphasizes the need to address the gender gap in digital access and skills and ensure women's participation in the green economy and digital sectors.<sup>154</sup> However, BiH GAP 2023–2027<sup>155</sup> does not address the digital divide; nor does it introduce specific measures for improving the digital skills of girls and women and the digitalization of women's businesses.

BiH needs an adequate legal and strategic framework to accelerate digitalization. A significant hindrance to progress is the absence of a national Broadband Access Development Strategy, which should offer a clear road map to meet the goals defined in the Digital Agenda and other EU strategic documents. The country's lack of efficient institutional operational mechanisms and a national cybersecurity strategy, which make BiH the only country in the Western Balkans without such a strategy, is a critical gap that needs immediate attention. At the state level, regulations address electronic signatures, documents, and e-business, with noticeable differences at the entity level. For example, in the FBiH, there are laws addressing electronic documents<sup>156</sup> and the draft of a Law on electronic signature,<sup>157</sup> which was submitted for adoption to the FBiH Parliament but has not been adopted yet, while in RS, the legal framework is expanded with legislation on electronic business,<sup>158</sup> critical infrastructure,<sup>159</sup> and informational safety.<sup>160</sup> None of these existing laws integrate the gender perspective in the digitalization processes. The slow implementation of e-signatures and other e-government services disproportionately affects women, particularly as they age and who already

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<sup>153</sup> Surfshark (n.d.). *Bosnia and Herzegovina*. Surfshark. <https://surfshark.com/dql2023?country=BA> (Retrieved July 23, 2024).

<sup>154</sup> UN Women. (2021). Country gender equality profile of Bosnia and Herzegovina. UN Women. <https://www.eeas.europa.eu/sites/default/files/documents/Bosna%20i%20Hercegovina%20-%20Rodni%20profil%20zemlje%202021.pdf> (Retrieved July 10, 2024).

<sup>155</sup> Agency for Gender Equality. (2023). Gender Action Plan BiH 2023–2027. <https://arsbih.gov.ba/wp-content/uploads/2023/10/GAP-BiH-2023-2027-Bosanski-jezik-1.pdf> (Retrieved May 23, 2024).

<sup>156</sup> FBiH Law on Electronic Document. FBiH Government. (n.d.). 55/13 FBiH Official Gazette. <https://www.paragraf.ba/propisi/fbih/zakon-o-elektronskom-dokumentu.html> (Retrieved July 23, 2024).

<sup>157</sup> FBiH Draft of Law on Electronic Signature, FBiH Parliament. (2018). [https://parlamentfbih.gov.ba/dom\\_naroda/v2/userfiles/file/Materijali%20u%20proceduri\\_2018/Zakon%20e-potpis%20Federacije%20BiH%20%20bos.pdf](https://parlamentfbih.gov.ba/dom_naroda/v2/userfiles/file/Materijali%20u%20proceduri_2018/Zakon%20e-potpis%20Federacije%20BiH%20%20bos.pdf) (Retrieved July 23, 2024).

<sup>158</sup> RS Law on Electronic Business, RS Government. (2009). 59/09 RS Official Gazette

<sup>159</sup> RS Law on the Safety of Critical Infrastructure, RS Government. (2019). <https://www.narodnaskupstinars.net/?q=la/akti/usvojeni-zakoni/zakon-o-bezbjednosti-kriti%C4%8Dnih-infrastruktura-u-republici-srpskoj> (Retrieved July 23, 2024).

<sup>160</sup> RS Law on Information Safety. RS Government (n.d.). [https://www.paragraf.rs/propisi/zakon\\_o\\_informacionoj\\_bezbednosti.html](https://www.paragraf.rs/propisi/zakon_o_informacionoj_bezbednosti.html) (Retrieved July 23, 2024).

face societal and logistical challenges in accessing traditional services. A study on digital literacy in BiH<sup>161</sup> highlights increasing gender disparities in digital literacy as individuals age. While young people aged 16 to 24 are more digitally literate, with both young women and men showing greater proficiency, the gap widens with age. For example, only 7.4 percent of women, compared with 11.1 percent of men, possess basic digital skills. Such finding indicates the need for targeted digital literacy programs, especially for elderly people and women, to ensure equal access to the benefits of the e-government services.

Women in BiH typically bear a disproportionate share of household and caregiving duties,<sup>162</sup> leaving them with less time to deal with lengthy administrative procedures. E-services could significantly reduce the time required to access government services, but delays in implementation prolong the burden on women. Furthermore, obtaining business permits and participating in the formal economy often requires navigating cumbersome bureaucratic processes, which are more burdensome for women who may also have caregiving responsibilities. Government regulations at all levels partially regulate the activities that affect SMEs' electronic business through bylaws.<sup>163</sup> Regarding the labor market, active employment measures proposed by the BiH Ministry of Civil Affairs and adopted by the BiH Council of Ministers for 2023 do not address specific activities for enhancing digital skills for employment or incentivize the establishment of women-owned ICT entrepreneurial ventures.<sup>164</sup>

In addition to policies and strategies, laws, and by-laws, it is important to note that other initiatives and projects that include digital transformation in BiH are not solely the result of government or domestic efforts. International organizations are initiating actions such as the EU4DigitalSME and "Go Digital in Bosnia and Herzegovina." Projects focus on support for SMEs in BiH, aiming to help SMEs invest in the digitalization of their businesses alongside other investments to improve productivity, operational efficiency, and resilience,<sup>165</sup> However, specific programs or measures for strengthening the digitalization by women-owned companies are scarce and sporadic. **Women entrepreneurs struggle to compete in the electronic marketplace without support, which further restricts their economic opportunities and growth.** Funds for supporting innovative IT businesses are available in both RS<sup>166</sup> and FBiH,<sup>167</sup> and focus mainly on young IT entrepreneurs. Apart from governmental funding, ICT companies have established funds for innovative start-ups. For example, BhTechLab<sup>168</sup> is a BH Telecom platform that supports establishing new operating models in managing ideas and innovations, with an open call for innovative businesses.

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<sup>161</sup> Turulja, L., Alagić, A., & Kačapor, K. (2024). *Digitalna pismenost stanovništva Bosne i Hercegovine—Analiza indikatora digitalnih vještina*. Udruženje za digitalnu transformaciju u BiH. [https://www.udt.ba/wp-content/uploads/2024/01/Studija\\_Digitalna\\_Pismenost\\_Stanovnistva\\_BiH.pdf](https://www.udt.ba/wp-content/uploads/2024/01/Studija_Digitalna_Pismenost_Stanovnistva_BiH.pdf) (Retrieved August 23, 2024).

<sup>162</sup> UN Women (2023). *Baseline study on the care economy in Bosnia and Herzegovina*. <https://bosniaherzegovina.un.org/en/232819-baseline-study-care-economy-bosnia-and-herzegovina> (Retrieved July 23, 2024).

<sup>163</sup> Turulja, L., Alagić, A., Džananović, S. and Kačapor, K. (2021). *Studija o digitalnoj transformaciji kompanija u BiH*. Udruženje za digitalnu transformaciju BiH. <https://b2bit.ba/wp-content/uploads/2021/11/studija-o-digitalnoj-transformaciji-kompanija-u-bih-2021.pdf> (Retrieved July 20, 2024).

<sup>164</sup> BiH EA. (2023). *Plan on Labor Market Policy Guidelines and Active Employment Measures in BiH*. BiH Employment Agency. <https://www.ekonsultacije.gov.ba/legislationactivities/downloaddocument?documentId=1024825> (Retrieved July 20, 2024).

<sup>165</sup> EBRD, EU and GIZ support digitalization of SMEs in BiH. (2022, May 19). Delegation of EU to BiH. [https://www.eeas.europa.eu/delegations/bosnia-and-herzegovina/ebrd-eu-and-giz-support-digitalisation-smes-bosnia-and-herzegovina\\_en?s=219](https://www.eeas.europa.eu/delegations/bosnia-and-herzegovina/ebrd-eu-and-giz-support-digitalisation-smes-bosnia-and-herzegovina_en?s=219) (Retrieved July 20, 2024).

<sup>166</sup> Banja Luka: Podrška za pokretanje startupa u IT području. (2021, February 8). Akta. <https://www.akta.ba/vijesti/bih/130665/banja-luka-podrška-za-pokretanje-startupa-u-it-području> (Retrieved July 18, 2024)

<sup>167</sup> CS MoE (2021). *Public call for applications for improvement of IT entrepreneurship incentives for employment*. Canton Sarajevo Ministry of Economy. [https://mp.ks.gov.ba/sites/mp.ks.gov.ba/files/2024-08/javni\\_poziv\\_-\\_poticaj\\_za\\_unapredenje\\_it\\_preduzetnistva\\_u\\_svrhu\\_zaposljavanja.pdf](https://mp.ks.gov.ba/sites/mp.ks.gov.ba/files/2024-08/javni_poziv_-_poticaj_za_unapredenje_it_preduzetnistva_u_svrhu_zaposljavanja.pdf) (Retrieved October 28, 2024).

<sup>168</sup> *Javni poziv za prijavu aplikacija na BH TechLab platformu (n.d.)*. BHTechLab. <https://bhtechlab.ba/javni-pozivi/> (Retrieved July 12, 2024).

However, calls do not apply a gender lens or include affirmative measures for supporting more women IT entrepreneurs.

In FBiH, Canton Sarajevo (CS) trailblazes supporting small businesses in digitalization by applying the gender lens. At the end of May 2024, the CS Ministry of Economy<sup>169</sup> launched a program to incentivize small businesses by reimbursing costs related to technological modernization, quality standards, and digitalization, with a special focus on supporting women entrepreneurship by covering expenses from 2022 and 2023.<sup>170</sup>

RS has an initiative to establish a government fund of 300,000 BAM to support women entrepreneurs, covering equipment purchases, business digitization, training, and promotion.<sup>171</sup>

**In the ICT sector, companies lack a systemic framework for ensuring gender equality.** Research conducted by Bit Alliance<sup>172</sup> with a sample of 158 companies in BiH shows that the criteria for employment are meritocratic, emphasizing the quality of potential employees, including knowledge, social skills, fit with the company's culture, and career path. Demographic variables such as gender, vulnerable group identity, or various gender identities do not play any role during employment. Managers who participated in Bit Alliance research outline companies' lack of specific benefits from inclusive programs or employment practices; hence, they do not need such strategies.<sup>173</sup> This is particularly the case in smaller companies because **large ICT companies running businesses in international markets have set up human resources (HR) policies that accentuate the importance of gender equality and social inclusion principles.** For example, in 2021, two prominent ICT companies, Lanaco Information Technology and Mistral Technologies, became WEPs signatories,<sup>174</sup> with UN Women and IT Girls helping them adapt internal policies to promote gender equality.<sup>175</sup> Although employment policies are often gender blind, policies related to gender equality and preventing discrimination are in place in medium-sized and large companies. Bit Alliance research shows that in one third of companies, rules or policies on sexual harassment are in place, and half of companies in a sample have a focal point for reporting cases of discrimination and sexual harassment. In contrast, micro and small companies prioritize establishing adequate organizational structures over procedures related to HR policies on gender equality and discrimination. Women employees taking part in Bit Alliance research outlined the need for improved support systems for women, eliminating gender stereotypes that persist in the ICT industry, and enhancing the visibility of women in managerial positions.

**IA. NEEDED CHANGES:** Governments should ensure that the legislative framework regulating digitalization and decision making includes a gender perspective, thereby addressing the digital divide.

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<sup>169</sup> Ahmetšpahić-Fočo, A. (2023, June 2). *Milion KM za zapošljavanje u IT sektoru, dva miliona KM za pokretanje start-upa i 23 miliona KM za tehnološku modernizaciju*. Poslovne novine. <https://poslovenovine.ba/2023/06/02/milion-km-za-zaposljavanje-u-it-sektoru-dva-miliona-km-za-pokretanje-startupa-i-23-miliona-km-za-tehnolosku-modernizaciju/> (Retrieved July 10, 2024).

<sup>170</sup> CS MoE (n.d.). *Programi za 2024*. Poticaji za malu privredu. <https://www.poticajimpks.ba/home-2> (Retrieved July 10, 2024).

<sup>171</sup> BiH GE. (2023). *Završni izvještaj o implementaciji Gender akcionog plana BiH 2018–2022*. BiH Gender Equality Agency. <https://arsbih.gov.ba/wp-content/uploads/2023/07/230524-Završni-izvještaj-GAP-2018-2022-bosanski-jezik.docx> (Retrieved July 10, 2024).

<sup>172</sup> Bit Alliance is the leading association of software industry companies in Bosnia and Herzegovina, comprising the 40-plus most prominent ICT companies.

<sup>173</sup> Bit Alliance. (2023). *Corporate communication: Gender equality and social inclusion perspective—Narratives, content and guidelines*. Internal document. (Used with permission of Bit Alliance).

<sup>174</sup> WEPs. (n.d.) *WEPs Signatories*. Women Empowerment Principles. <https://www.weps.org/companies> (Retrieved June 28, 2024).

<sup>175</sup> IT Girls: *Počela Principa za osnaživanje žena*. (2021, July 7). IT Karijera. [https://itkarijera.ba/vijesti/\(258/itgirls-pocela-implementacija-principa-za-osnazivanje-ena\)](https://itkarijera.ba/vijesti/(258/itgirls-pocela-implementacija-principa-za-osnazivanje-ena)) (Retrieved July 10, 2024).



**GIMs' participation in legal framework development is paramount** to ensuring gender-responsible digitalization. Employment institutions (e.g., ministries of labor, PES) need to adopt specific employment measures in cooperation with employers to improve women's digital skills to match the labor market needs and to support the digitalization of women-owned businesses by employing initiatives such as those in CS. Furthermore, governments should tailor affirmative measures to fund IT start-ups established by women, Roma, persons with disabilities, and persons from vulnerable groups. The **development and regular updates of databases with gender-disaggregated data** (e.g., on access to digital devices and internet, digital skills and literacy, cybersecurity and online safety, and employment in ICT) are required to ensure gender-responsive policy making in domains of digitalization in the public and private sectors. **Large companies lead by example in the ICT sector**, with gender equality and social inclusion policies that include improving support systems, eliminating gender stereotypes, and increasing the visibility of women in managerial positions. However, **small companies seem to lack focus on gender equality**. To incentivize them, governments should invest additional efforts and ensure funding based on gender equality criteria, for example, encouraging more women's employment in small ICT companies and implementing family-friendly workplace policies. These funds could be used for training, mentorship programs, and initiatives that support work-life balance.

**IB. CHALLENGES TO CHANGE: Political turmoil and a lack of agreement on all levels of government** pose obstacles to developing legislative and strategic frameworks to enable faster digitalization. Under such conditions, the digital divide can become even more pronounced, widening the gap between women and men, and further affecting women's access to education and the labor market. For example, during political turmoil, governments may prioritize security and other urgent issues over social and digital inclusion initiatives. This can lead to reduced funding and support for programs aimed at closing the gender digital divide, leaving women further behind in digital access and literacy. **The lack of gender-disaggregated data** in existing databases (e.g., on access to digital devices and internet, digital skills and literacy, cybersecurity and online safety, employment in the ICT and similar) limits the gender-based approach to decision making in the digitalization processes. Furthermore, GIMs are frequently bypassed in developing various strategies, including digitalization processes. Penetration of basic and next-generation broadband access is too slow, while it is essential for widespread digital adoption and inclusion.

## **AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING**

Within the public sector, men most often occupy positions of ministers of transport and communication, as in the BiH Communications Regulatory Agency. In major telecom operators,<sup>176</sup> women rarely make it to senior management positions except in the Directorate for Information and Communication Technologies in the Ministry of Internal Affairs of RS, where a woman leads the institution and 40 percent of women employees serve as engineers and ICT experts.<sup>177</sup>

In the ICT sector, women are in senior management positions in only 10 percent of companies.<sup>178</sup> In Klls, experts from the ICT sector commented that there has been an increase in the number of women in leadership positions driven by workforce deficits in the past three to five years. Such occurrences have led companies to develop gender equality policies and flexible work arrangements,

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<sup>176</sup> BH Telecom, HT Eronet, and MTelm

<sup>177</sup> *Značajan broj žena u Upravi za informaciono-komunikacione tehnologije* (2023, March 27). RTRS. <https://lat.rtrs.tv/vijesti/vijest.php?id=511020> (Retrieved July 10, 2024).

<sup>178</sup> Đapo, N., Čelebičić, I., Spahić, L. & Binder-Hathaway, R. (2021). *Gender gap in the STEM fields and proposed intervention programmes*. UN Women. [https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2021/8/Gender%20Gap%20in%20STEM%20BiH\\_ENG-min.pdf](https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2021/8/Gender%20Gap%20in%20STEM%20BiH_ENG-min.pdf) (Retrieved July 10, 2024).

including remote work, part-time work, shorter hours for young mothers, and an increasing trend of parental leave among men. There is a need to include more women in ICT sector, particularly in cybersecurity jobs and initiatives.<sup>179</sup> Hence, Women4Cyber, a European nonprofit cybersecurity foundation, established its BiH Chapter in 2023 to increase the presence of women in the cybersecurity labor market and encourage their participation in high positions in research and innovation, ensuring the visibility of women leaders.

In 2024, the Cyber Security Excellence Center, a part of the Criminal Policy Research Centre, supported the establishment of a four-month mentoring program that addresses the underrepresentation of women in cybersecurity by bringing together cybersecurity experts and young women, primarily high school and university students specializing in technical fields.<sup>180</sup> The key components of this mentorship program include connecting mentors and mentees, skills development workshops, networking, career guidance and counseling, feedback, tracking progress, and long-term commitment.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

In the context of accessing science, technology, engineering, and mathematics (STEM) education, data show that 44.5 percent of graduates in STEM fields and 39.4 percent in engineering, construction, and manufacturing were women, indicating a gender imbalance in these fields of study.<sup>181</sup> This trend extends to the labor market, as well. From 2019 to 2022, less than 40 percent of ICT sector employees were women,<sup>182</sup> indicating slow progress in women’s representation in ICT and occupational segregation (Exhibit 4).

#### Exhibit 4. Registered Employment in the ICT Sector (2019–2022)

NACE <sup>183</sup> REV.2 INFORMATION AND COMMUNICATION	2019	2020	2021	2022
Total number of registered employees in the ICT sector	21,963	22,910	25,141	27,518
women	8,202	8,604	9,598	10,713
% of women	37%	38%	38%	39%

Source: BiH Agency for Labor and Employment (2023)

As noted in previous section, girls and women spend more time on unpaid household chores than men, which means they have less leisure time to explore and become comfortable with digital devices and platforms. Leisure time is often critical for informal learning and skill development in ICT. Within their familial context, girls more often engage in risk avoidance behavior from an early

<sup>179</sup> Održana konferencija „Izazovi i prilike za žene u cyber sigurnosti” (2024, April 25). BH Telecom.

<https://www.bhtelecom.ba/usluge-za-poslovne-korisnike/2024/04/odrzana-koferencija-izazovi-i-prilike-za-zene-u-cyber-sigurnosti/> (Retrieved August 23, 2024).

<sup>180</sup> The CSEC Women’s Cybersecurity Mentoring Program has started—bringing together more than twenty experts in one place (n.d.). Cyber Security Excellence Center. <https://www.csec.ba/post/the-csec-women-s-cybersecurity-mentoring-program-has-started-bringing-together-more-than-twenty-ex> (Retrieved July 24, 2024).

<sup>181</sup> Share of female graduates by field. (n.d.). World Bank Group. <https://genderdata.worldbank.org/en/indicator/se-ter-grad-fe-zs?fieldOfStudy=Science%2C+Technology%2C+Engineering+and+Mathematics+%28STEM%29> (Retrieved July 24, 2024).

<sup>182</sup> BiH the Labor and Employment Agency. (2023). Pregled politika zapošljavanja u BiH za 2022. godinu. BiH Labor and Employment Agency. <http://www.arz.gov.ba/Dokumenti/default.aspx?id=1030&langTag=bs-BA> (Retrieved July 24, 2024).

<sup>183</sup> NACE stands for **Nomenclature of Economic Activities** (in French: *Nomenclature statistique des activités économiques dans la Communauté européenne*). It is a classification system used by the European Union (EU) to categorize and standardize economic activities across member states for statistical and administrative purposes. NACE codes are hierarchical and provide a standardized way to identify industries, enabling comparability of economic data at both national and EU levels.

age, limiting their digital skills development.<sup>184</sup> Gender stereotypes, the lack of awareness, and the absence of female role models prevent and harm the equal participation of women in ICT.

#### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

With 30.8 percent men and 29.3 percent women, BiH remains below the average for the EU area and neighboring countries regarding the number of individuals with basic or above basic overall digital skills.<sup>185</sup> Official statistics imply that **there is a trend in which men are more frequent users of the internet than women**. Furthermore, women use email less often than men.<sup>186</sup> This gap is prevalent in activities such as selling products or services online, using internet banking, and publicly sharing opinions on civic or political issues using websites or social media.<sup>187</sup> Data from 2023 NSCP-BiH show that both men and women most frequently follow Facebook (76 percent women and 72 percent men) and Instagram (14 percent women and 17 percent men) as media outlets.

When comparing the accessibility of the internet for urban and rural areas, **urban men and women use the internet more often than do rural men and women** (Exhibit 5).<sup>188</sup> The gender gap is more pronounced for urban men and women (10 percent) than for rural men and women (4.2 percent).<sup>189</sup> Findings from 2023 NSCP-BiH<sup>190</sup> show that men and women from urban areas more frequently own a laptop (54 percent urban and 42 percent rural), although this difference is less pronounced for owning a smartphone (urban 93 percent and 90 percent rural). There are no notable gender differences in owning a smartphone or laptop.

Academic research on digital literacy shows that women, particularly those living in rural areas, often lack exposure to ICT within their families and communities. Girls living in rural areas lack ICT access more than those in urban areas.<sup>191</sup>

Women in rural areas face a digital divide that is exacerbated by a combination of rural and gender factors. This digital divide affects senior women, women in rural areas, and the Roma population. Digital exclusion occurs because of low levels of digital literacy, a lack of coherent and strategic vision for education system reform, a shortage of qualified professionals, and brain drain.<sup>192</sup> The problem of access to

Exhibit 5. Internet Users, by Gender and Location (%)

	OVERALL	URBAN	RURAL
Male	79.2	84.4	75.5
Female	72.7	74.4	71.3
Total	75.7	78.9	73.3
Gap	6.5	10.0	4.2

Source: Europe and Euroasia Gender Exploratory Dashboard (2023)

<sup>184</sup> Hayman, L. J. (2022). "You Cannot Be What You Cannot See": The Lived Experiences of Women Teaching Digital Literacy in Bosnia & Herzegovina and Germany. *Journal of International Women's Studies*, 23(6), 5–20.

<https://vc.bridgew.edu/jiws/vol23/iss6/2>

<sup>185</sup> Data Browser. (n.d.). Eurostat. Available at:

[https://ec.europa.eu/eurostat/databrowser/view/tepsr\\_sp410\\_custom\\_11790348/bookmark/table?lang=en&bookmarkId=48fe335b-69c5-4974-94c3-265c914aff73](https://ec.europa.eu/eurostat/databrowser/view/tepsr_sp410_custom_11790348/bookmark/table?lang=en&bookmarkId=48fe335b-69c5-4974-94c3-265c914aff73) (Retrieved July 24, 2024).

<sup>186</sup> BHAS. (2022). *Upotreba informaciono-komunikacionih tehnologija u BiH 2022*. BH Agency for Statistics.

[https://bhas.gov.ba/data/Publikacije/Bilteni/2024/IKT\\_00\\_2022\\_TB\\_2\\_HR.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/IKT_00_2022_TB_2_HR.pdf) (Retrieved July 23, 2024).

<sup>187</sup> BHAS (2023). *Tematski bilten - Žene i muškarci u BiH*. BH Agency for Statistics.

[https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM\\_00\\_2023\\_TB\\_1\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM_00_2023_TB_1_BS.pdf) (Retrieved July 23, 2024).

<sup>188</sup> *Europe & Euroasia Gender Exploratory Dashboard*. (2023, October 25). UN International Telecommunication Union, DataHub, <https://www.itu.int/en/ITU-D/Statistics/Pages/stat/default.asp> (Retrieved June 28, 2024).

<sup>189</sup> Ibid.

<sup>190</sup> USAID MEASURE II. (2024). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023*. [in press].

<sup>191</sup> Hayman, L. J. (2022). "You Cannot Be What You Cannot See."

<sup>192</sup> Đipa, A., & Turulja, L. (2024). Digital Inclusion and Digital Divide in the Context of Bosnia and Herzegovina. In *From Digital Divide to Digital Inclusion: Challenges, Perspectives and Trends in the Development of Digital Competences* (pp. 39–57). Singapore: Springer Nature Singapore.

resources also extends to digital financial services. Women are less likely than men to have credit cards, use e-banking services, participate in e-commerce, and make online payments.<sup>193</sup>

Academic research conducted on a sample of women clients of a microfinance organization outlines the lack of knowledge in digital financial services and the poor usage of the internet, accentuating the importance of educating and empowering women to break down the circle of fear of using online banking services.<sup>194</sup> Under conditions of lacking access and knowledge in the domain of ICT, women without digital skills and literacy cannot safeguard against technology-facilitated violence. Hence, the Group of Experts on Action Against Violence Against Women and Domestic Violence (GREVIO) recommends taking measures in the areas of prevention, protection, prosecution, and coordinated policies in the field of violence against women in the digital environment.<sup>195</sup>

**The share of women in ICT companies is significantly higher in medium-sized and large companies than in micro and small companies.**<sup>196</sup> ICT experts have commented during interviews that **the gender pay gap in this sector is most evident between technical and nontechnical positions**, with fewer women working in technical positions, which are more competitive and better paid. Women work in administration and marketing more often than men, who work as ICT specialists.<sup>197</sup> Interview findings suggest that, although making ICT more accessible for persons with disabilities would only require modest adaptations at the workplace, a significant challenge remains. Many persons with disabilities come from socially deprived and marginalized backgrounds, making it difficult for them to access STEM education and jobs outside of the traditional roles typically available to them.

To address the underrepresentation of girls and women in ICT, UNICEF, UNDP, and UN Women launched the IT Girls initiative in 2015. The initiative aims to address gender stereotypes and improve girls' and women's access to STEM and ICT education. Since its inception, IT Girls has teamed up with relevant stakeholders to deliver workshops and training in programming, robotics, and digital skills,<sup>198</sup> as well as gender equality training for informatics teachers.<sup>199</sup> The initiative has also established mentorship programs,<sup>200</sup> conducted awareness campaigns, partnered with schools and universities,<sup>201</sup> and offered financial and technical support through grants and IT equipment

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<sup>193</sup> USAID MEASURE II. (2023). *Procjena digitalnog ekosistema Bosne i Hercegovine*.

[https://pdf.usaid.gov/pdf\\_docs/PA0211J2.pdf](https://pdf.usaid.gov/pdf_docs/PA0211J2.pdf) (Retrieved June 25, 2024)

<sup>194</sup> Okičić, J., & Jukan, M. K. (2023). Financial inclusion and digital financial literacy: The case of microfinance sector in Bosnia and Herzegovina. In I. Miciula (Ed.), *Financial Literacy in Today's Global Market*. InTechOpen. DOI:

10.5772/intechopen.1002897 <https://www.intechopen.com/online-first/1164601>

<sup>195</sup> CoE (2021). *Opća preporuka br. 1 GREVIO-a o digitalnoj dimenziji nasilja nad ženama*. Council of Europe.

<https://rm.coe.int/bih-pmm-3421-grevio-recommendation-no-1-on-the-digital-dimension-of-va/1680acf4da> (Retrieved June 25, 2024)

<sup>196</sup> Bit Alliance. (2023). *Corporate communication: Gender equality and social inclusion perspective—Narratives, content and guidelines*. Internal document. (Used with permission by Bit Alliance).

<sup>197</sup> Ibid.

<sup>198</sup> *IT Girls Summer School Organized on Digital Skills to Reimagine the Cities of the Future*. (2021, September 1). UNDP BiH.

<https://www.undp.org/bosnia-herzegovina/news/it-girls-summer-school-organized-digital-skills-reimagine-cities-future> (Retrieved July 20, 2024)

<sup>199</sup> Panjeta, A. (2021, December 20). *Gender-responsive teaching methods. "The Hidden Curriculum" through the prism of gender-responsive teaching methods*. UNICEF BiH. <https://www.unicef.org/bih/en/stories/gender-responsive-teaching-methods> (Retrieved July 16, 2024)

<sup>200</sup> FIT (n.d.). *Više informacija o IT Girls Mentorskom programu*. Fakultet informacionih tehnologija.

<https://www.fit.ba/content/79c8517c-b691-4e42-bcb6-dfa4843e2ee0> (Retrieved July 16, 2024)

<sup>201</sup> *Međunarodni dan djevojaka u IKT-u i ove godine obilježavamo sajmom IT Girls klubova!* (2024, April 20). Laboratorijum.

<https://laboratorijum.ba/2024/04/20/medunarodni-dan-djevojaka-u-ikt-u-i-ove-godine-obiljezavamo-sajmom-it-girls-klubova/> (Retrieved July 16, 2024)

donations to schools. IT Girls has partnered with Bit Alliance, supporting crowdfunding campaigns to provide Arduino kits and encourage girls to pursue their interests in STEM.<sup>202</sup>

A positive example of improved access to the market is the establishment of OREA Bazaar, an online platform that supports the online sale of handmade products from BiH, emphasizing women's small businesses. OREA Bazaar helps small businesses overcome their challenges by directly supporting them through promotion, networking, and technical assistance. In RS, the youth association "Kosmopolit" has conducted training for 20 women entrepreneurs on the proper use of online platforms for product promotion and placement (website, Facebook, Instagram, LinkedIn, online stores).<sup>203</sup>

## AQ5. CULTURAL NORMS AND BELIEFS

Although girls and women are performing better in the education system than boys and men (see sector/programming area 2 on gender roles), there is still a small share of women in high-paying professions such as ICT and a large share in education, social welfare, and health care. Such **occupational segregation is an extension of gendered social structures and beliefs about careers stemming from strict gender roles within a society**. For example, a study by UN Women on gender gap in STEM fields<sup>204</sup> show that BiH's youth internalize gendered cultural norms reflected in attitudes toward subjects in natural sciences and ICT. Primary school students believe men are better programmers, mechanical engineers, astronomers, civil engineers, and electrical engineers, whereas they perceive women as better psychologists and journalists. Their interest in specific professions also reflects gendered cultural norms, as boys are more interested in careers such as programming and engineering, and girls in becoming medical doctors, pharmacists, psychologists, and journalists. University students, regardless of their gender, also consider men to be more competent in STEM and women to be a better fit for humanistic and natural sciences. Adult men and women also exhibit similar beliefs. According to the 2024 Gender Equality Barometer, 55 percent of men and 42 percent of women agree that there are distinctions between "men-dominated occupations" and "women-dominated occupations, and such occupations align with roles men and women traditionally perform in the private sphere."<sup>205</sup>

## CONCLUSIONS

**CI. The slow digital transformation in BiH has a notable influence on women's participation in the digital economy, particularly in the ICT sector.** Governments do not implement targeted measures to improve the digital skills of girls and women, nor do they systemically support the establishment of women's ICT start-ups. Only few administrative units are beginning to support the digitalization of women-owned businesses. The integration of a gender perspective in government policies and legislative frameworks for digitalization is absent, and gender equality policies in ICT companies are slowly being adopted. While larger companies in the ICT sector are making significant strides with gender equality policies, smaller firms are not catching up,

<sup>202</sup> Panjeta, A. (2019, July 3). "IT Girls" have donated Arduino sets all over Bosnia and Herzegovina. UNICEF BiH. <https://www.unicef.org/bih/en/stories/it-girls-have-donated-arduino-sets-all-over-bosnia-and-herzegovina> (Retrieved July 16, 2024)

<sup>203</sup> BiH GEA. (2023). *Završni izvještaj o implementaciji Gender akcionog plana BiH 2018 – 2022*. BiH Gender Equality Agency. <https://arsbih.gov.ba/wp-content/uploads/2023/07/230524-Završni-izvjestaj-GAP-2018-2022-bosanski-jezik.docx> (Retrieved July 16, 2024)

<sup>204</sup> Đapo, N., Čelebičić, I., Spahić, L., & Binder-Hathaway, R. (2021). *Gender gap in the STEM fields and proposed intervention programmes*. UN Women. [https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2021/8/Gender%20Gap%20in%20STEM%20BiH\\_ENG-min.pdf](https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2021/8/Gender%20Gap%20in%20STEM%20BiH_ENG-min.pdf) (Retrieved July 10, 2024)

<sup>205</sup> Spahić-Šiljak, Z., & Đipa, D. (2024). *Gender Equality Barometer of Bosnia and Herzegovina*. UNDP and BiH Gender Equality Agency. [https://www.undp.org/sites/g/files/zskgke326/files/2024-04/barometar\\_eng\\_web\\_0.pdf](https://www.undp.org/sites/g/files/zskgke326/files/2024-04/barometar_eng_web_0.pdf) (Retrieved July 10, 2024)

thereby reflecting broader societal norms and stereotypes that discourage women from entering technical fields.

## **C2. BiH continues to grapple with cultural norms that steer women toward traditional roles in education, social welfare, and health care, whereas men dominate STEM fields.**

These cultural attitudes and deeply engrained gender biases rooted in familial context influence the educational and career choices of men and women, perpetuating gender disparities in high-paying professions. In the ICT sector, gender equality remains a challenge, with systemic barriers and a lack of management understanding of the importance of strategic gender integration hindering women's representation and advancement.

## **RECOMMENDATIONS**

**R1. Collaborate with governments, ministries, agencies, and GIMs to support the faster pace of digital infrastructure development in BiH through policy- and grassroots-level approaches,** such as the Digital Connectivity and Cybersecurity Partnerships in other partner countries led by the U.S. Department of State and co-chaired by USAID. Such activities should primarily include advocating for adopting gender-responsive national broadband access and cybersecurity strategies, a policy that aligns with USAID/BiH's support for governance and the rule of law. Broadband access can be made gender responsive by addressing the specific barriers women and girls face in accessing digital technologies. This includes ensuring affordable access, particularly in underserved areas, and providing digital literacy programs tailored to women. Involving women in broadband policy making, challenging cultural norms that restrict access, and collecting gender-disaggregated data are crucial steps.

**R2. When supporting the digitalization of businesses, as well as collaborating with public and private companies from the ICT sector, both from BiH and the diaspora, insist on provisions of LoGE and gender integration in internal policies and processes** in line with gender equality and social inclusion principles such as Women Empowerment Principles or Gender Equality Seal for the Private Sector. For example, this can be achieved by including clauses in contracts that require companies to adhere to LoGE and adopt frameworks like the WEPs as a precondition for receiving support. Furthermore, it is also possible to define minimum standards for gender equality that all supported companies must meet. These standards could include gender parity in recruitment and promotion, equal pay for equal work, and policies for preventing and addressing workplace harassment.

## **5. ENERGY**

### **AQI. POLICIES AND PRACTICES**

BiH remains a highly fossil fuel-dependent country, with limited progress toward clean energy transition according to the 2024 Energy Transition Index,<sup>206</sup> in which BiH ranks as 88th among 120 countries. Prior to 2023, laws in BiH excluded civic energy<sup>207</sup> as a concept and delayed the liberalization of the electricity market that the Energy Community Treaty requires.<sup>208</sup> In 2023, the

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<sup>206</sup> WEF. (2024). *Fostering Effective Energy Transition—Insight Report*. World Economic Forum.

[https://www3.weforum.org/docs/WEF\\_Fostering\\_Effective\\_Energy\\_Transition\\_2024.pdf](https://www3.weforum.org/docs/WEF_Fostering_Effective_Energy_Transition_2024.pdf) (Retrieved July 15, 2024)

<sup>207</sup> Civic energy pertains to a decentralized, renewables-based energy system consisting of municipal generation, distribution, and supply models, and citizen community energy schemes.

<sup>208</sup> Ibraković, M. (2022, March 7). *Bosnia and Herzegovina: Dismantling monopolies in the green transition*. Heinrich Boll Stiftung. <https://eu.boell.org/en/2022/03/07/bosnia-and-herzegovina-dismantling-monopolies-green-transition> (Retrieved July 15, 2024)

legal framework for renewable energy sources evolved,<sup>209</sup> recognizing the category of prosumers and renewable energy communities. A KI noted, however, that governments and electricity companies are still failing to create a more favorable environment for citizen energy.<sup>210</sup> According to KIs, small solar plants are sometimes not able to bill the electricity they generate, and the prices that electricity companies pay to small producers are shamefully low.

Citizen energy can have positive influence on ameliorating energy poverty, for example, in remote areas where clean heating options are limited and can provide gender equality in access to benefits from renewable energy, according to one KI. However, green transition in general can have both positive and negative effects on gender equality. **Decarbonization and closing of coal mines will inevitably lead to an increase in men’s unemployment, a gender-specific problem that requires attention**, according to a KI. The same KI noted that **increasing unemployment can lead to other social problems, such as increased GBV, in communities and families that depend on coal extraction for livelihoods**. Long-term pollution of soil and air prevents the transition to cleaner activities such as food production or tourism, in which women could have a greater role. Energy poverty also disproportionately affects persons with disabilities, retired people, Roma, and single-parent households, most of whom are female headed.<sup>211</sup> Detailed analyses of such issues should be an integral part of energy policy development.

The BiH GAP (2023–2027) now includes environmental protection that earlier GAPs did not address, and in the entity-level operational plans (OPs) for Implementation of BiH GAP, measures for environmental protection will integrate a gender perspective in the green energy incentives, according to KIs.

The BiH Framework Energy Strategy Until 2035<sup>212</sup> is notably silent on gender issues in energy decision making, energy access, and on investments. While the strategy includes labor productivity estimates for BiH mines and plans for measures to address the social effects of decarbonization, it does not include data disaggregated by sex, according to a KI. The strategy consequently overlooks the gender disparities in employment and management structures for electricity generation and transmission and in oil and gas explorations in BiH, as well as the ownership and management structures of private companies in the energy sector. While incorporating the EU directives on environmental protection, the strategy fails to reference the United Nations Economic Commission for Europe Aarhus Convention<sup>213</sup> or the concepts of citizen energy and green transition. The FBiH

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<sup>209</sup> In FBiH, Law on The Use of Renewable Sources Energy and Efficient Cogeneration. 82/2023 FBiH Official Gazette. <https://advokat-prnjavorac.com/zakoni/Zakon-o-koristenju-obnovljivih-izvora-energije-i-efikasne-kogeneracije-FBiH.pdf> and in RS Law on Renewable Energy Sources. 15/22 RS Official Gazette. <https://advokat-prnjavorac.com/Zakon-o-obnovljivim-izvorima-energije-Republike-Srpske.html> (Retrieved July 15, 2024)

<sup>210</sup> “Citizen energy” refers to the active involvement and participation of individuals, communities, and local groups in the production, distribution, and management of renewable energy sources.

<sup>211</sup> Midžić, A., Brkić, J., & Kalem, M. (2023). *Rodno odgovorna zelena tranzicija u BiH: Procjena stanja i preporuke za izradu politika* (Gender Responsive Green Transition in BiH: Situation Assessment and Recommendations for Policy Development). National Democratic Institute in BiH.

<sup>212</sup> BiH MOFTER. (2022). *Framework Energy Strategy of Bosnia and Herzegovina until 2035*. BiH Ministry of Foreign Trade and Economic Relations. [http://mvteo.gov.ba/data/Home/Dokumenti/Energetika/19042022\\_Framework\\_Energy\\_Strategy\\_of\\_BiH\\_until\\_2035\\_ENG\\_FINAL.pdf](http://mvteo.gov.ba/data/Home/Dokumenti/Energetika/19042022_Framework_Energy_Strategy_of_BiH_until_2035_ENG_FINAL.pdf) (Retrieved July 22, 2024)

<sup>213</sup> The Aarhus Convention aims to protect the rights of individuals and communities to have access to environmental information, to participate in environmental decision making, and to have access to justice in environmental matters.

Framework Energy Strategy Until 2035<sup>214</sup> and the RS Energy Strategy Until 2035<sup>215</sup> (both in effect since 2018) include measures to ameliorate social disparities, mostly related to effects of decarbonization and deregulation of electricity prices, but the documents do not analyze the gender aspects of energy or recommend specific measures.

With FGC incentive, the FBiH Ministry of Energy, Mining, and Industry (FMEMI) now contributes to the FBiH government's OP for GAP Implementation.<sup>216</sup> According to one KI, the measures in the FBiH OP are modest, they focus on additional points for women applicants for energy investment support and subsidies for electric vehicles, but it is a crucial step forward. FMEMI is also developing an FBiH Industry Development Strategy, and the FGC and CSOs will participate in working groups. The process, according to KIs, follows the 2019 FBiH Government Provision and Guidelines<sup>217</sup> for Strategic Document Development, incorporating gender equality principles and the SDG framework.

The RS Ministry of Energy and Mining (RSMEM) considered gender equality marginal and not a priority until 2020, when the adoption of the RS Law on Electricity<sup>218</sup> created momentum recognizing vulnerable categories of electricity users in accordance with the obligations from the RS Energy and Climate Plan. The 2024 RS OP for Gender Equality reflects recommendations from the Performance Audit that the RS Supreme Audit Office of the Public Sector conducted in 2023 to assess the status of implementation of the SDG five.<sup>219</sup> According to a KI, the RSMEM participates in the OP with activities that LoGE mandates—seeking RSGC opinion on all new policies, gender disaggregation of all data, and gender analysis of the situation in key institutions and companies of the sector. Although it is not the first time that RSMEM participates in OP, there is now more understanding of gender issues.

Since the last GA, in 2019, BD BiH adopted the necessary energy sector laws,<sup>220</sup> although without gender input, according to a KI. Still, the laws recognize the need for specific measures to protect socially disadvantaged groups of the population. The BD Development Strategy includes only one measure pertaining to the energy sector, and the measure is not gender responsive.

According to KIs, **GIMs' access to public enterprises in the energy sector is low, but GIMs also have insufficient capacities for gender analysis, and gender integration in the energy sector.**

**IA. NEEDED CHANGE:** To address the challenges women face in the energy sector, the governments need to conduct thorough **gender analyses for all new policies, plans, and projects**

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<sup>214</sup> Framework Energy Strategy of Bosnia and Herzegovina until 2035. BiH Ministry of Foreign Trade and Economic Relations. (2022).

[http://mvteo.gov.ba/data/Home/Dokumenti/Energetika/19042022\\_Framework\\_Energy\\_Strategy\\_of\\_BiH\\_until\\_2035\\_ENG\\_FINAL.pdf](http://mvteo.gov.ba/data/Home/Dokumenti/Energetika/19042022_Framework_Energy_Strategy_of_BiH_until_2035_ENG_FINAL.pdf) (Retrieved July 22, 2024)

<sup>215</sup> RS Energy Development Strategy. RS government. (2018). <https://www.vladars.net/sr-SP-Cyrl/Vlada/Ministarstva/mper/std/Documents/StrategijaEnergetike2035Latinica.pdf> (Retrieved July 22, 2024)

<sup>216</sup> FBiH GC. (n.d.). *Nacrt Objedinjenog operativnog plana Federacije BiH za implementaciju Gender akcionog plana BiH*. FBiH Gender Center. <https://www.gcfbih.gov.ba/nacrt-objedinjenog-operativnog-plana-federacije-bih-za-implementaciju-gender-akcionog-plana-bih-2/> (Retrieved June 20, 2024)

<sup>217</sup> FBiH government. (2021). *Guidelines for Strategic Document Development*. [https://fzzpr.gov.ba/files/Ostalo/Priru%C4%8Dnik%20za%20izradu%20strate%C5%A1kih%20dokumenata%20u%20Federaciji%20BiH\\_2021.pdf](https://fzzpr.gov.ba/files/Ostalo/Priru%C4%8Dnik%20za%20izradu%20strate%C5%A1kih%20dokumenata%20u%20Federaciji%20BiH_2021.pdf) (Retrieved June 20, 2024)

<sup>218</sup> RS Law on Electric Energy. RS government. (2020). 68/2020 RS Official Gazette. <https://www.paragraf.ba/propisi/republika-srpska/zakon-o-elektricnoj-energiji.html> (Retrieved, June 20, 2024)

<sup>219</sup> Supreme Audit Office of the RS Public Sector. (2023). *Performance Audit Report: Measures and Activities for Gender Equality of RS Institutions*. [https://gsr-rs.org/wp-content/uploads/2023/12/RU006-22\\_Lat.pdf](https://gsr-rs.org/wp-content/uploads/2023/12/RU006-22_Lat.pdf) (Retrieved May 20, 2024)

<sup>220</sup> BD Law on Electricity, BD government (2021). 27/21 BD Official Gazette; BD Law on Renewable Energy Sources, BD government (2022). 22/22 BS Official Gazette; BD Law on Energy Efficiency, BD Government (2022). 25/22 BD Official Gazette. <https://www.derk.ba/ba/legislativa/zakoni-brcko-distrikta-bih> (Retrieved June 20, 2024)



within the energy sector to identify gender disparities and opportunities for promoting equality. Furthermore, governments need to align national and entity-level energy policies with international standards and best practices for gender equality, such as those outlined by the UN SDGs and the International Renewable Energy Agency (IRENA). In 2019, IRENA adopted a Statement on Gender and Renewable Energy,<sup>221</sup> committing to a fair energy transformation by promoting gender equality, increasing women's participation, sharing best practices, and fostering women's economic empowerment in the renewable energy sector. The statement also emphasizes the need for gender-disaggregated data and stronger collaboration to overcome barriers to women's participation in the renewable energy sector. In addition, governments need to introduce mechanisms for regular **monitoring and evaluation of gender equality initiatives and practices within the energy sector** to ensure accountability and continuous improvement.

The effectiveness of BiH's legal framework for renewable energy depends on an integrated approach, including regulation, financial support, education, and rights protection, necessitating cooperation among government, private sector, civil society, and international organizations. To ensure equitable benefits from the energy transition, BiH must assess gendered effects, create policies for equal opportunities, invest in gender-responsive training, and involve vulnerable groups in decision making to foster inclusive environmental governance.<sup>222</sup>

**IB. CHALLENGES TO CHANGE:** Despite some efforts at the entity level (such as in FBiH), **specific strategies and actions targeting gender equality in the energy and mining sectors are still pending or underdeveloped.** Entity ministries of energy, in particular, have historically marginalized gender equality considerations, which reflects a broader lack of prioritization of gender issues in energy policy frameworks. During interviews, KIs outlined that GIMs **have limited capacities** to provide recommendations for gender analysis and integration of a gender perspective within the energy sector. This shortfall diminishes efforts to identify and address gender disparities in employment, access to resources, and decision-making roles within energy companies and institutions. Lack of involvement by GIMs limits their ability to advocate for gender analysis and integration of a gender perspective in energy-related policies and practices.

**Securing financing for renewable energy** projects in BiH is challenging, particularly for women, who face greater barriers in accessing financial capital. The economic reliance on fossil fuel industries, which are male dominated, creates resistance to change because of potential job losses, affecting both men and women but exacerbating existing gender disparities. **Political challenges from decentralized governance** lead to fragmented energy policies, hindering the development of gender-responsive strategies. Without deliberate policy incentives and support, women may not benefit equally from opportunities in the renewable energy sector, making it essential to adopt a gender-inclusive approach that ensures equal access and addresses the unique needs of both genders.

## AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

In its Concluding Observations from 2019, the CEDAW Committee flagged underrepresentation of women in decision making in the renewable energy, tourism, and food sectors, and recommended that BiH develop targeted measures for women's participation in those sectors. Accordingly, **GIMs**

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<sup>221</sup> IRENA. (2019). *Statement on Gender and Renewable Energy*. IRENA Ninth Assembly. <https://www.irena.org/-/media/Files/IRENA/Agency/Articles/2019/Jan/IRENA-Statement-on-Gender-and-Renewable-Energy20190113.pdf?la=en&hash=A1723B13D0827536723C61F2713CC7F639E9D1E5> (Retrieved July 24, 2024)

<sup>222</sup> MoFTEP and UNDP. (2023). *Blueprint for Gender Responsive Just Transition for All in Bosnia and Herzegovina*. BiH Ministry of Foreign Trade and Economic Relations. <https://www.undp.org/bs/bosnia-herzegovina/publications/plan-za-rodno-odgovornu-pravednu-tranziciju-za-sve-u-bosni-i-hercegovini> (Retrieved June 28, 2024)

are now more involved in the key policies for gender equality in tourism and environmental protection, and policies in these sectors are now more sensitized to gender issues, but much more space for gender integration in energy policies is still left. Low levels of gender equality in the energy sector is most noticeable in decision making and management positions. Men dominate the energy sector in ministries and public enterprises. In FBiH and RS ministries of energy, all people appointed to ministerial roles over the last three government mandates have been men, and all assistant ministers in those ministries are currently men, although women may lead secretariats and legal services in such ministries.<sup>223</sup> At the state and entity levels, seven boards and commissions deal with environmental, transport, and energy issues, and according to one interview, the women were entirely absent from these boards in 2019. In 2022, the situation has not changed; not a single woman chaired these boards and commissions.<sup>224</sup> Exceptions exist, such as in the FBiH Parliament's Committee for Energy, Mining, and Industry, in which two of nine committee members are women. The situation is similar in the EU member states.<sup>225</sup>

**Women's share on boards of directors and in management positions of public enterprises in the energy sector is low**, according to three KIs. Secondary data obtained from TI show that only 3.2 percent of directors or executive directors in the sector are women (two of 63). However, there are some improvements in public energy enterprises in this sector in FBiH: Five of 14 members of the boards of directors in the two main FBiH electricity public companies are women. KIs commented that, even **when women are on the boards of public enterprises in the energy sector, they are usually in charge of legal matters, HR, and administration**, which is congruent with existing evidence.<sup>226</sup> In RS, the electricity company's board of directors includes no women. Men also dominate the energy workforce in BiH, while **women mostly work in nontechnical administrative and public relations services rather than technical or management positions**. According to a KI, the more important the sector, the more inaccessible to women, and this is especially evident in public institutions and companies related to energy.

Few environmental CSOs in the country that focus on energy also have an expertise for gender integration, especially in energy policies.<sup>227</sup> No energy expertise exists in women's CSOs, although some grassroots women's groups have experience protesting building small hydropower plants, according to KIs. With support from USAID and the U.S. National Association of Regulatory Utility Commissioners (NARUC),<sup>228</sup> women from entity ministries and energy public companies established an Association of Women in Energy in 2024, which can assist in women's representation and empower women as leaders in the energy sector.

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<sup>223</sup> Please see: <https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mper/OM/Resori/Pages/Splash.aspx> and <https://fmeri.gov.ba/ministarstvo/sektor-energije/>

<sup>224</sup> BHAS (2023). *Tematski bilten - Žene i muškarci u BiH*. BH Agency for Statistics. [https://bhas.gov.ba/data/Publikacije/Biltenei/2024/FAM\\_00\\_2023\\_TB\\_I\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Biltenei/2024/FAM_00_2023_TB_I_BS.pdf) (Retrieved July 23, 2024)

<sup>225</sup> Policy Department for Citizens' Rights and Constitutional Affairs (2019). *Women, Gender Equality and the Energy Transition in the EU*. European Union. [https://www.europarl.europa.eu/RegData/etudes/STUD/2019/608867/IPOL\\_STU\(2019\)608867\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2019/608867/IPOL_STU(2019)608867_EN.pdf) (Retrieved July 23, 2024)

<sup>226</sup> REIC (2021). *Žene u bh. energetici*. Heinrich Boll Stiftung. <https://www.reic.org.ba/wp-content/uploads/2021/09/Zene-u-bh-energetici.pdf> (Retrieved July 1, 2024)

<sup>227</sup> Some examples of gender mainstreaming expertise in the environmental sector are BiH-based authors of the following studies: Midžić, A., Brkić, J., & Kalem, M. (2023). *Rodno odgovorna zelena tranzicija u BiH: Procjena stanja i preporuke za izradu politika* (Gender Responsive Green Transition in BiH: Situation Assessment and Recommendations for Policy Development). National Democratic Institute in BiH. and Strambo, C., Segnestam, L., & Jahović, B. (2021). *Air pollution in Bosnia and Herzegovina: A gender equality, social equity and poverty reduction lens*. Stockholm Environment Institute. <https://www.jstor.org/stable/resrep32884> (Retrieved July 1, 2024)

<sup>228</sup> New USAID & NARUC. "Advancing Women Leaders in Energy" Project to Promote Gender Equity within Energy Regulatory Agencies in Europe and Eurasia. (2020, November). NARUC. <https://pubs.naruc.org/pub/CCD1397C-A947-A075-DAFB-EB111022D686> (Retrieved July 1, 2024)

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

According to a survey on women in the energy sector in BiH,<sup>229</sup> some women lack the ambitious drive and do not trust their own competence to advance in that sector. Other **barriers to women's advancement are cultural and social norms, as well as the prevailing employment and advancement practices in the energy sector that favor men**, although it is also difficult for some women to combine their private roles with those required in the energy sector's higher-ranking and better paid positions.<sup>230</sup> Based on the register of private energy generation companies in BiH,<sup>231</sup> women are in the ownership structures of very few such companies, and in at least one case, the GA team found that a woman is an owner only on paper. Although women were less interested or their surroundings discouraged them from studying engineering, mining, and similar science areas that society saw more as male professions, the situation is improving in BiH, according to a KI and also secondary sources.<sup>232</sup>

In addition to gender roles influencing employment and advancement in the energy sector, energy policy affects gender roles, responsibilities, and time use in society. A KI worked with a Roma community near Jajce that had no access to communal water and no energy supply at all. In such situations, women's domestic burden prevents them from engaging in any type of formal paid work, while economic insecurity makes women and children more vulnerable to health risks, labor exploitation, and sexual exploitation.

### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

More male than female students enroll in undergraduate, graduate, and doctoral engineering studies in FBiH<sup>233</sup> and RS.<sup>234</sup> For example, in FBiH, there was a staggering drop in female enrollment in engineering studies in 2022: from 77 percent at the undergraduate level to 21 percent at the graduate level, and 1.5 percent of female students enrolled in doctoral studies in engineering, indicating a **leaky pipeline phenomenon**.<sup>235</sup> The trend was even more pronounced in RS in 2022: from 93 percent of female undergraduates to 6.7 percent of graduates and less than 1 percent of female students in engineering doctoral studies.

Although women were less interested in traditional energy-related education that focused on mining and large hydropower plants, more women now show interest in education related to sustainable development and renewable energy, as perceived by one of the KIs. Furthermore, **institutions show more interest in gender equality with a changing EU approach and global trends**, according to another KI. This is reflective of the entire energy sector's undergoing significant transition and contributing to women's increasing access to energy jobs.

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<sup>229</sup> REIC. (2021). *Žene u bh. energetici*. Heinrich Boll Stiftung. <https://www.reic.org.ba/wp-content/uploads/2021/09/Zene-u-bh.-energetici.pdf> (Retrieved July 1, 2024)

<sup>230</sup> *Ibid.*

<sup>231</sup> *Registri poslovnih subjekata u Bosni i Hercegovini* (n.d.). Pravosuđe.

<https://bizreg.pravosuđe.ba/pls/apex/f?p=183:20:4430148748266419> (Retrieved August 12, 2024).

<sup>232</sup> *An Interview with FERK's Ivana Boro Tomic on Her Journey in Bosnia and Herzegovina's Energy Sector and Finding Her Voice*. (2022, October). NARUC. <https://pubs.naruc.org/pub/CB7492EA-BAD7-97A3-4C8D-AD88ABCBD9F9> (Retrieved July 1, 2024)

<sup>233</sup> FBiH IS. (2023). *Higher education 2022/23*. FBiH Institute for Statistics Statistical Bulletin 362. <https://fzs.ba/wp-content/uploads/2023/07/Visoko-obrazovanje-2022-2023.pdf> (Retrieved July 1, 2024)

<sup>234</sup> RS IS. (2023). *Higher education 2022/23*. RS Institute for Statistics Statistical Bulletin.

[https://www.rzs.rs.ba/static/uploads/bilteni/obrazovanje/visoko\\_obrazovanje/Bilten\\_VisokoObrazovanje\\_2022\\_2023\\_WEB.pdf](https://www.rzs.rs.ba/static/uploads/bilteni/obrazovanje/visoko_obrazovanje/Bilten_VisokoObrazovanje_2022_2023_WEB.pdf) (Retrieved July 1, 2024)

<sup>235</sup> Leaky pipeline is the phenomenon that indicates a progressive loss of female talent in a particular academic/scientific field.

Women in energy still lack access to resources needed to advance in their careers, however. KIs underlined the importance of the newly established Women in Energy Association in BiH, envisioned as a platform for improving access to resources (e.g., training, information, networking, and mentoring) and visibility of women in the energy sector. Clean energy options are not accessible to most rural communities. Women from rural communities in the FGD spoke about the higher quality of life in their rural communities, but most of them were from villages in the vicinity of urban areas. Men in the FGD, however, flagged the rising prices, particularly the fuel and food prices as an issue of concern.

A KI reported that, in 2022, around 31 percent of revolving funds that FMEMI distributed for cofinancing of energy investments went to women investors, and 36 percent of funds allocated in subsidies for procurement of electric vehicles went to women.

## AQ5. CULTURAL NORMS AND BELIEFS

According to two KIs, norms are beginning to change in the energy sector as more women are present in education and employment in that sector, in part because of the transition to green energy. Another KI noted that a gender-responsive EU approach to green energy transition is providing opportunities to champion gender integration in the BiH energy institutions, although progress still rests largely on individuals in those institutions. Ministries are also changing their perception of CSOs, including environmental organizations, seeing them more as partners in policy development, according to a KI.

**Despite some progress, gender stereotypes continue to affect women's opportunities in the sector, as is evident in their low representation in decision making and in salary disparities.** Gendered perceptions about professions are prevalent among youth and adults in BiH.

## CONCLUSIONS

**C1. Women face obstacles in advancement to decision-making positions in the energy and related sectors, although KIs observe progress.** Gender segregation in the education system and the leaky pipeline education phenomenon limit women's access to higher paying jobs in these sectors, and women still have lower chances for advancement to decision-making roles, although KIs noted progress in access to education, jobs, and representation. Gender norms and roles continue to be a critical factor explaining lower access and opportunities, but these norms are also changing because the entire energy policy and system are undergoing a transition, and jobs in green energy are now both increasingly appealing and increasingly accessible to women. Initiatives such as the Association of Women in Energy can contribute to the sector's gender responsive working environment and opportunities.

**C2. Energy policies continue to be insensitive to gender issues, and much progress depends on GIMs and few gender equality champions in key ministries to ensure gender integration in energy policies.** Progress is noted in strategic documents for gender equality, in which energy ministries now also have responsibilities, partially because of the most recent CEDAW recommendations and GIMs' advocacy. However, energy policies at the state and entity levels still have a very conservative understanding of energy, with only the basics of energy poverty and social effects of decarbonization included, and no data in the documents is disaggregated by gender. Individuals in the relevant ministries, however, recognize the need for gender integration and see the EU accession process as an opportunity to bring gender integration and social inclusion in energy policies to a higher level, as disparities in energy access may be further exacerbated by the ongoing transition to green energy without the application of just transition principles.

## RECOMMENDATIONS

**R1. International donors in BiH should build local expertise for gender equality in energy and insist on gender-specific obligations in energy-related support to institutions.** Gender integration reliant on gender assessments and disaggregated data should be one of the guiding principles in policy development in the energy sector that USAID and other donors support, and GIMs should be involved as a rule. International donors should therefore build capacities of at least some energy and industrial policy experts for application of gender mainstreaming principles. The few gender integration champions in the entity energy ministries and parliamentary commissions, regardless of these people's gender, can provide expertise and deliver trainings for consulting firms involved in energy advisory services, other energy and environment experts, activists, GIMs, engineering students, and the new Women in Energy Association. This association's sole purpose should not be to increase women's leadership and representation in the energy sector without its contributing to gender-responsive and inclusive energy policies for investors and end users. Ministries of science and technology should encourage more girls and women to continue pursuing their degrees in engineering beyond the undergraduate level.

**R2. Energy ministries and governments should create favorable conditions for civic participation in energy decision making, citizen energy generation, and renewable energy communities, as well as access to green jobs for women, Roma, other marginalized groups, and mining communities.** (1) Institutions should revise energy regulation to align with the Aarhus Convention, as well as to mandate human rights impact assessments of energy decision making. It is necessary for environmental civic initiatives to consistently seek inclusion of marginalized populations and women, as the Aarhus Centers have attempted to do in some cases. (2) In setting the preconditions and promoting citizen energy initiatives, authorities need to prevent replication of gender disparities and other social inequalities, and this is only possible with targeted subsidies for such groups, not only to offset higher energy costs but to help these groups become more energy independent. (3) Incentives for green jobs and investments should include affirmative measures, for example, by giving additional points for applicants from vulnerable groups. (4) International donors can support initiatives that connect women in renewable energy with local and international mentors, for example, through diaspora expertise. Furthermore, consider supporting initiatives that provide grants, loans, or venture capital specifically for women-led renewable energy projects, ensuring equitable access to financial opportunities.

## 6. ENVIRONMENT

### AQI. POLICIES AND PRACTICES

BiH adopted new methodologies for air quality indexes, marking progress toward environmental monitoring and compliance with European standards.<sup>236</sup> Environmental strategies in force until 2032 are the most advanced strategic documents regarding gender integration in BiH. The RS,<sup>237</sup> FBiH,<sup>238</sup>

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<sup>236</sup> Midžić, A., Brkić, J., & Kalem, M. (2023). *Rodno odgovorna zelena tranzicija u BiH: Procjena stanja i preporuke za izradu politika* (Gender Responsive Green Transition in BiH: Situation Assessment and Recommendations for Policy Development). National Democratic Institute in BiH.

<sup>237</sup> RS Environmental Strategy 2022–2032. RS Government (2022). [https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mgr/Documents/ENVIRONMENTAL%20STRATEGY%20OF%20REPUBLIKA%20SRPSKA%202022%20to%202032\\_462217192.pdf](https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mgr/Documents/ENVIRONMENTAL%20STRATEGY%20OF%20REPUBLIKA%20SRPSKA%202022%20to%202032_462217192.pdf) (Retrieved July 10, 2024)

<sup>238</sup> FBiH Environmental Protection Strategy. FBiH Parliament. (2023). [https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri\\_2022/Feder\\_%20strat\\_za%C5%A1t\\_okoli%C5%A1a%20-%20bos.pdf](https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri_2022/Feder_%20strat_za%C5%A1t_okoli%C5%A1a%20-%20bos.pdf) (Retrieved August 10, 2024)

and BD<sup>239</sup> Environmental Strategies (2023–2032) are based on sound gender analyses and include an additional component related to the interconnectedness of the environment and issues of gender equality.<sup>240</sup> One key reason is that the Swedish Government supported the process, and the Stockholm Environmental Institute provided the expertise. Strategies include priorities and measures for gender equality, social equality, and addressing poverty. In the RS and FBiH environmental strategies, gender equality was outlined in several strategic priorities, for example, in achieving a strong cross-sectoral and intersectoral synergy action and integration of public policies in all segments of the environment, including gender integration through a more intensive intersectoral cooperation aimed at integrating environmental requirements into sectoral policies and legislation. Specifically, the FBiH Environment Strategy specifies, when planning, implementing, monitoring, and evaluating policies, programs and projects in the field of environmental management, tools such as gender analysis, gender impact assessment, gender-responsive budgeting, and gender index in the field of environment are used. Entity ministries of environment cooperated closely with GIMs in developing the strategies, according to KIs. For example, these institutions jointly developed informative publications<sup>241</sup> about gender and social perspectives on waste management, air pollution, chemical pollution, and noise and climate change, as well as articles on the connections among environmental awareness, public participation, and gender equality. In 2023, the Swedish Embassy also launched a BiH Sustainable Transition project for efficient and effective environmental and sustainable transition policies in BiH focusing on coal-mining regions and four LSGUs (Banovići, Breza, and Živinice in FBiH, and Ugljevik in RS). The project emphasizes gender equality, social equity, and poverty reduction in transition policies from mining to environmentally and socially sustainable communities.<sup>242</sup>

In addition to gender responsive environmental strategies, the new BiH GAP (2023 – 2027)<sup>243</sup> now includes the area of environment. The RS OP for 2024 is not available online although the Government adopted it in 2024. <sup>244</sup>The Federal Ministry of Environment and Tourism (FMET) introduced three specific measures related to the environment in the FBiH OP.<sup>245</sup> **Regardless of the improvements mentioned, environmental impact assessment studies<sup>246</sup> and reports<sup>247</sup> generally disregard social aspects, impact on the population, including on gender equality,** according to a KI. Indeed, the FBiH Law on Environmental Protection<sup>248</sup>

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<sup>239</sup> BD Environmental Protection Strategy. BD government. (2022).

[https://ppipo.bdcentral.net/data/Strate%C5%A1ki%20dokumenti/Strategija%20za%C5%A1tite%20okoli%C5%A1a%20Br%C4%8Dko%20distrikta%20Bosne%20i%20Hercegovine%202022.%E2%80%922032./BOS\\_Strategija\\_za%C5%A1tite\\_%C5%BEivotne\\_sredine\\_Br%C4%8Dko\\_distrikta\\_18.08.2022.pdf](https://ppipo.bdcentral.net/data/Strate%C5%A1ki%20dokumenti/Strategija%20za%C5%A1tite%20okoli%C5%A1a%20Br%C4%8Dko%20distrikta%20Bosne%20i%20Hercegovine%202022.%E2%80%922032./BOS_Strategija_za%C5%A1tite_%C5%BEivotne_sredine_Br%C4%8Dko_distrikta_18.08.2022.pdf) (Retrieved August 10, 2024)

<sup>240</sup> Strambo, C., Jahović, B., & Segnestam, L. (2021). *Strengthening environmental policy in BiH with a gender equality, social equity and poverty reduction approach*. Stockholm Environmental Institute. <https://www.sei.org/wp-content/uploads/2021/10/bih-esap-report-gesep-and-environment-final-eng.pdf> (Retrieved July 28, 2024)

<sup>241</sup> FBiH GC. (n.d.). *Vodič za urodjene politike i IPA III programiranje u sektoru klime i okoliša*. UN Women. <https://www.gcfbih.gov.ba/wp-content/uploads/2023/05/LL-Vodic-Klima-i-okolis-Web.pdf> (Retrieved July 28, 2024)

<sup>242</sup> *Sustainable Transition of BiH: About the Project*. (n.d.). BiH Sustainable Transition. <https://bihsutra.ba/en/about> (Retrieved July 28, 2024)

<sup>243</sup> BiH GEA. (2023). *Gender Action Plan BiH 2023 – 2027*. BiH Gender Equality Agency. <https://arsbih.gov.ba/wp-content/uploads/2023/10/GAP-BiH-2023-2027-Bosanski-jezik-1.pdf> (Retrieved May 23, 2024)

<sup>244</sup> *Na 75. sjednici Vlade usvojen Nacrt programa javnih investicija za period do 2027. godine* (2024, June 24). RS Government. <https://vladars.rs/sr-SP-Cyrl/Vlada/media/vijesti/Pages/270624.aspx> (Retrieved June 27, 2024)

<sup>245</sup> FBiH GC. (2024). *Nacrt Objedinjenog operativnog plana Federacije BiH za implementaciju Gender akcionog plana BiH*. FBiH Gender Center. [https://www.gcfbih.gov.ba/wp-content/uploads/2024/03/OPGAP\\_nacrt-2-GCFBIH.docx](https://www.gcfbih.gov.ba/wp-content/uploads/2024/03/OPGAP_nacrt-2-GCFBIH.docx) (Retrieved June 14, 2024)

<sup>246</sup> For example, Design&QC. (2017). *Studija o procjeni uticaja na okoliš*. [https://jpcfbih.ba/assets/upload/dokumenti-novosti/28122017\\_studija\\_utjecaja\\_oko.pdf](https://jpcfbih.ba/assets/upload/dokumenti-novosti/28122017_studija_utjecaja_oko.pdf) (Retrieved June 14, 2024)

<sup>247</sup> FBiH FEP. (2022). *Izveštaj o stanju okoliša FBiH*. FBiH Ministry of Environment and Tourism and FBiH Fund for Environmental Protection. [https://fzofbih.org.ba/wp-content/uploads/2022/10/ISO\\_FBiH\\_izvjestaj.pdf](https://fzofbih.org.ba/wp-content/uploads/2022/10/ISO_FBiH_izvjestaj.pdf) (Retrieved June 14, 2024)

<sup>248</sup> FBiH Law on Environmental Protection. FBiH Parliament. (2021). 15/21 FBiH Official Gazette. [https://www.fmoit.gov.ba/upload/file/2021/Zakon%20o%20zastiti%20okolisa%2015\\_21.pdf](https://www.fmoit.gov.ba/upload/file/2021/Zakon%20o%20zastiti%20okolisa%2015_21.pdf) (Retrieved June 14, 2024)

recognizes the need for women’s representation in decision making, but not the need to assess effects of environmental degradation on gender equality, on rural communities, and minorities (it does mention effect on people). The FMET Rulebook on the Content of Environmental Impact Assessments<sup>249</sup> does not require assessment of social effects or gender equality. The RS Rulebook is not available online but the outdated RS Law on Environmental Protection<sup>250</sup> is entirely gender blind.

**IA. NEEDED CHANGE: The environmental framework in RS and FBiH requires amendments** to ensure that authorities and the private sector consider effects of public and private investment on human rights, including development rights of genders, minorities, and rural communities. In this regard, it is essential to develop and enforce gender-responsive policies, build institutional capacity for gender integration in the sector, ensure targeted financial investments, collect and analyze gender-disaggregated data, promote education and awareness, support women’s leadership in environment-related decision making, and foster collaboration among various stakeholders from private and public sectors.

**IB. CHALLENGES TO CHANGE:** Despite the new regulatory framework, **complex administrative procedures** and **insufficient government incentives** for producers of renewable energy further discourage investments in the renewable sector.<sup>251</sup> **Fragmented and non-gender-responsive policies**, along with a lack of gender-disaggregated data and specific research, further hinder women’s involvement. Social and cultural norms, limited access to technology, and inadequate training opportunities exacerbate these issues.

## AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

**Women’s descriptive representation in environmental decision making in BiH is greater than in other technical sectors, but at the same time, it reflects the imbalance in the private sector that environmental institutions are regulating.** In entity environmental ministries that issue environmental permits, five of six ministers over the last three government mandates have been women. Women are present in leadership positions (in FMET, all heads of departments are women), and as employees in these institutions. Most judges deciding on complaints against environmental permits that environmental ministries issue are also women, according to KIs.

However, in entity funds for environmental protection that allocate significant amounts<sup>252</sup> to the private and public sectors, directors are consistently men. Furthermore, men dominate most of the private sector activities that environmental ministries regulate and entity funds support. For example, men are a majority in waste management in the country, both as employees and as

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<sup>249</sup> FBiH Rulebook on the content of the Environmental Impact Study. FBiH Ministry of Environment and Tourism. (2021). 63/21 FBiH Official Gazette.

<https://www.fmoit.gov.ba/upload/file/Pravilnik%20o%20sadr%C5%BEaju%20SUO%2063%20I.pdf> (Retrieved June 14, 2024)

<sup>250</sup> RS Law on Environmental Protection. RS government. (2012). [https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mgr/Documents/The%20Law%20on%20Environmental%20Protection\\_297371538.pdf](https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mgr/Documents/The%20Law%20on%20Environmental%20Protection_297371538.pdf); RS Law on the Amendments to the Law on Environmental Protection. RS Government (2015). [https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mgr/Documents/The%20Law%20on%20Amendments%20to%20the%20Law%20on%20Environment%20Protection\\_281426046.pdf](https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/mgr/Documents/The%20Law%20on%20Amendments%20to%20the%20Law%20on%20Environment%20Protection_281426046.pdf) (Retrieved June 14, 2024)

<sup>251</sup> IRENA. (2023). *Renewables Readiness Assessment–Bosnia and Herzegovina*. International Renewable Energy Agency. [https://www.irena.org/-/media/Files/IRENA/Agency/Publication/2023/Sep/IRENA\\_RRA\\_Bosnia\\_Herzegovina\\_2023.pdf?rev=28db316e297f41cca020bb52ace9fd19](https://www.irena.org/-/media/Files/IRENA/Agency/Publication/2023/Sep/IRENA_RRA_Bosnia_Herzegovina_2023.pdf?rev=28db316e297f41cca020bb52ace9fd19) (Retrieved July 22, 2024)

<sup>252</sup> *Finansijski plan Fonda za zaštitu okoliša FBiH za 2023. iznosi 74,7 miliona KM.* (2023, February 2). Profitiraj.ba. <https://www.profitiraj.ba/finansijski-plan-fonda-za-zastitu-okolisa-fbih-za-2023-iznosi-747-miliona-km/#:~:text=Vlada%20FBiH%20je%2C%20na%20prijedlog%20Ministarstva%20okoli%C5%A1a%20i.za%202023.%20godinu%2C%20u%20iznosu%20od%2074.710.259%20KM.> (Retrieved July 22, 2024)

managers or owners.<sup>253</sup> This finding cannot, however, be directly seen from the FMET data<sup>254</sup> because the ownership and management structures of companies that hold environmental permits are not listed and therefore not disaggregated by gender, contrary to LoGE requirements. Interviews also revealed that most environmental inspectors are men.

In addition to the strong representation of women in environmental ministries, UNDP and UN Women supported the establishment of the Feminist Coalition for Climate Justice<sup>255</sup> in 2022 to accelerate progress in gender-just climate action. The coalition includes institutions, activists, international organizations, experts, and the private sector. According to one KI from a participating institution, the coalition should advocate for gender assessments as international financing institutions' requirement for BiH authorities in allocation of funds and loans.

Environmental organizations in the country, such as the four Aarhus Centers,<sup>256</sup> include high shares of women in their structures and have gender integration skills, according to a KI, but **women are voiceless in rural advocacy initiatives fighting for environmental justice**, such as those against natural resource exploitation. Situations in which women are at the forefront of such advocacy initiatives are an exception—for example, Kruščica women—rather than a rule, according to the KI.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

One KI from the environmental sector observed that women experts often find excuses for not participating in public speaking events, and time poverty was cited by at least five KIs as a reason why women disengage. Because of their other commitments, it is exceedingly difficult to persuade women experts to participate in influential activities within the sector and in public discourse; a similar pattern is occurring in the energy sector.

There is an urban–rural divide concerning gender roles, according to KIs. As noted above, **women are highly visible in environmental organizations but not among local activists in rural areas**, with some exceptions. An example is the Kruščica protests in 2018, a series of demonstrations against the construction of a hydroelectric dam on the Kruščica River. During protests, locals cited environmental concerns and the negative impact on their community's water supply and natural landscape. Initially, local men led the Kruščica protests but started pushing women to the forefront as shields, assuming that the police and security guards would not harm them. Contrary to expectations, according to KI and FGD participants from CSOs, security guards exerted violence against women in the front rows, which is why this case became known more as a women's initiative. A KI noted that male activists from rural areas explained this gap by claiming either that women have no interest in participating or that it is not their place to participate in protests. In rural areas, women's roles in agriculture are frequently focused on manual tasks at the lower end of value chains, unlike men's, which more often involve decision making, sales and marketing, and control

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<sup>253</sup> Strambo, C., Segnestam, L., & Jahović, B. (2021). *Waste management in Bosnia and Herzegovina: A gender equality, social equity and poverty reduction lens*. Stockholm Environment Institute. <https://www.sei.org/wp-content/uploads/2021/08/bih-esap-waste-brief-10-aug-2021-eng.pdf> (Retrieved July 22, 2024)

<sup>254</sup> *Statistika–Okolišne dozvole*. (n.d.). FBiH Ministry of Environment and Tourism. <https://fmoit.gov.ba/bs/okolisne-dozvole/statistika-okolisne-dozvole/izdate-okolisne-dozvole-u-2024-godi/bs/okolisne-dozvole/statistika-okolisne-dozvole> (Retrieved July 22, 2024)

<sup>255</sup> *Launch of the Feminist Coalition for Climate Justice in Bosnia and Herzegovina*. (2022, October 3). UNDP BiH. <https://www.undp.org/bosnia-herzegovina/press-releases/launch-feminist-coalition-climate-justice-bosnia-and-herzegovina> (Retrieved July 22, 2024)

<sup>256</sup> *Aarhus Centres Bosnia and Herzegovina*. (n.d.). Aarhus Centres. <https://aarhus.osce.org/bosnia-herzegovina> (Retrieved July 22, 2024)



over agricultural income and expenses,<sup>257</sup> although there are important variations depending on the specific agricultural activity. **Because of this division of income-generating roles and the family care roles, women in rural areas have less time at their disposal for advocacy and political participation, including in the environment.** In the 2023 NSCP-BiH, small shares of the population noted that environmental issues would incite them to civic engagement (ten percent), but the percentage is even lower among women (eight percent). There is, however, a disconnect in the way KIs from rural and urban communities perceive women’s engagement. Women from rural areas in the FGD did not feel that their rural community is limiting their choices, even though activists and politicians perceived the situation as such.

#### AQ4. WOMEN’S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

Populations that are the most at risk from climate change and natural hazards are impoverished communities and individuals, Roma, elderly and chronically ill people, persons with disabilities, unemployed people, children without parental care, single-parent households, other groups needing social support, and rural communities that rely on natural resources, such as forests and arable land.<sup>258 259</sup> Their vulnerability stems from lack of resources to adapt to such changes and already ill health. Although women from more privileged layers of society are highly visible in environmental policy making, **for most women, gender disparities in roles, responsibilities, and time use, as well as poor access to assets and credit, limit their capacities to adapt to climate change and natural hazards.** For example, school and kindergarten closings, because of elevated levels of particulate matter or unusual heat waves, may harm women’s working hours and labor opportunities in BiH,<sup>260</sup> given the gendered division of care responsibilities and labor in the households. This was already the experience of women during the COVID-19 pandemic.

Climate change mitigation can therefore ameliorate such circumstances, but it can also exacerbate gender and other social inequalities.<sup>261</sup> Some of the measures outlined in the UNDP’s Nationally Determined Contribution document for BiH<sup>262</sup> could negatively affect vulnerable groups, but the BiH Climate Change Adaptation and Low-Emission Development Strategy (2020–2030),<sup>263</sup> which UNDP supported, recognizes these challenges. In preparation of a large solid waste-focused project for the country, WB supports an assessment of potential effects of the intervention on Roma communities, including men and women, that secure their livelihoods by collecting valuable raw materials. According to an FGD participant, Roma women’s associations are engaged in this assessment. The focus on energy transition may perpetuate vulnerabilities, negatively affecting women and other

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<sup>257</sup> FAO and UN Women. 2021. *National gender profile of agriculture and rural livelihoods – Bosnia and Herzegovina*. Country Gender Assessment – Europe and Central Asia. Budapest/Sarajevo. <https://doi.org/10.4060/cb5472en> (Retrieved July 22, 2024)

<sup>258</sup> Strambo, C., Jahović, B., & Segnestam, L. (2021). *Climate change and natural hazards in Bosnia and Herzegovina: a gender equality, social equity and poverty reduction lens*. Stockholm Environment Institute. <https://www.sei.org/wp-content/uploads/2021/10/bih-esap-db-gesep-and-climate-change-final-eng.pdf> (Retrieved July 22, 2024)

<sup>259</sup> MoFTER and UNDP (2023). *Blueprint for Gender-Responsive Just Transition for All in Bosnia and Herzegovina*. <https://www.undp.org/bs/bosnia-herzegovina/publications/plan-za-rodno-odgovornu-pravednu-tranziciju-za-sve-u-bosni-i-hercegovini> (Retrieved July 22, 2024)

<sup>260</sup> Strambo, C., Segnestam, L., & Jahović, B. (2021). *Air pollution in Bosnia and Herzegovina: A gender equality, social equity and poverty reduction lens*. Stockholm Environment Institute. <https://www.sei.org/wp-content/uploads/2021/05/discussion-brief-air-pollution-and-equalityfinal.pdf> (Retrieved July 22, 2024)

<sup>261</sup> Strambo, C., Jahović, B., & Segnestam, L. (2021). *Climate change and natural hazards in Bosnia and Herzegovina: A gender equality, social equity and poverty reduction lens*. Stockholm Environment Institute. <https://www.sei.org/wp-content/uploads/2021/10/bih-esap-db-gesep-and-climate-change-final-eng.pdf> (Retrieved July 22, 2024)

<sup>262</sup> Bosnia and Herzegovina. (n.d.). UNDP Climate Promise. <https://climatepromise.undp.org/what-we-do/where-we-work/bosnia-and-herzegovina> (Retrieved July 22, 2024)

<sup>263</sup> UNDP. (2020). *The 2020–2030 Climate Change Adaptation and Low Emission Development Strategy For Bosnia and Herzegovina*. UNDP BiH. [https://unfccc.int/sites/default/files/resource/ENG\\_CC%20adaptation%20and%20Low%20emission%20development%20Strategy%20BiH%202020-2030.pdf](https://unfccc.int/sites/default/files/resource/ENG_CC%20adaptation%20and%20Low%20emission%20development%20Strategy%20BiH%202020-2030.pdf) (Retrieved July 22, 2024)

groups, and overlook systemic inequalities. Without gender-responsive and socially inclusive policies and support, renewable energy transition may exclude these vulnerable groups from its benefits<sup>264</sup> and exacerbate inequalities.

**BiH's general lack of gender-disaggregated data in sectors like transport, waste, energy, and agriculture complicates the development and monitoring of effective policies and plans.** Without incorporating a gender perspective, BiH will struggle to build and enhance capacities for climate change adaptation and mitigation.<sup>265</sup>

## AQ5. CULTURAL NORMS AND BELIEFS

Women in BiH tend to be slightly more in favor of protecting the environment as a priority than are men, even if it results in slower economic growth and job losses.<sup>266</sup> Such perception may stem from various sources, including women's vulnerability to face consequences of environment-related challenges and differences in socialization that encourages women to care for others and be socially responsible.<sup>267</sup> This notion was confirmed during interviews with environmental experts, who asserted that **women are more sensitive to environmental issues and climate change than men, even though they are less engaged as activists because of traditional gender roles, particularly in rural areas.**

## CONCLUSIONS

**CI. Although women are highly visible in decision making about the environment and the country's environmental strategies are gender responsive, gender disparities with intersecting inequalities persist in the population and the environmental laws and impact assessments do not take them into consideration.** Female-headed households, Roma women, persons with disabilities, and households in rural areas often lack access to resources necessary for climate change adaptations, for example, to transition from solid fuel to cleaner heating options. These groups' voices are also silent in decision making on environmental and strategic impact assessments, environmental permits, and in environmental activist protests, with some exceptions. Women's organizations outside of Sarajevo rarely focus on the environment and natural resources. Environmental policies and decision making for each environmental permit should promote equal opportunities for participation and benefits. The emerging green economy can provide new job opportunities. However, the transition to green energy and climate change adaptations will inevitably exacerbate inequalities in regions dependent on coal-mining salaries and coal for heating. This transition could also indirectly heighten social inequalities in other parts of the country. To address these issues, authorities must revise environmental legislation and processes, ensure the application of the Aarhus Convention, and implement measures for a just transition. Initiatives and projects must enable access to finance and resources to encourage women and other groups vulnerable to these adverse effects to start and grow businesses in the green economy, thereby improving their economic status and independence.

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<sup>264</sup> MoFTER and UNDP. (2023). *Blueprint for Gender-responsive Just Transition for All in Bosnia and Herzegovina*. <https://www.undp.org/bs/bosnia-herzegovina/publications/plan-za-rodno-odgovornu-pravednu-tranziciju-za-sve-u-bosni-i-herzegovini> (Retrieved July 22, 2024)

<sup>265</sup> UNDP. (2020). *The 2020–2030 Climate Change Adaptation and Low Emission Development Strategy For Bosnia and Herzegovina*. UNDP BiH. [https://unfccc.int/sites/default/files/resource/ENG\\_CC%20adaptation%20and%20Low%20emission%20development%20Strategy%20BiH%202020-2030.pdf](https://unfccc.int/sites/default/files/resource/ENG_CC%20adaptation%20and%20Low%20emission%20development%20Strategy%20BiH%202020-2030.pdf) (Retrieved July 22, 2024)

<sup>266</sup> *Online Data Analysis*. (n.d.). World Values Survey. <https://www.worldvaluessurvey.org/WVSONline.jsp> (Retrieved July 10, 2024)

<sup>267</sup> Strambo, C., Jahović, B. & Segnestam, L. (2021). *Strengthening environmental policy in BiH with a gender equality, social equity and poverty reduction approach*. Stockholm Environment Institute. <https://www.sei.org/wp-content/uploads/2021/10/bih-esap-report-gesep-and-environment-final-eng.pdf> (Retrieved July 22, 2024)

## RECOMMENDATIONS

**R1. International donors should support gender and social revision of the environmental regulations and practices in the key environmental ministries and those focusing on energy and natural resources.** This can be done by advocating for the development of comprehensive social impact and human rights assessments, which should be mandatory before issuing environmental permits. Additionally, donors can encourage collaboration among environmental authorities, gender institutions, human rights bodies, and civil society organizations, ensuring that these perspectives are incorporated into environmental decision-making processes.

GIMs and human rights institutions should also provide their formal opinions on such decisions. While gender and social revisions of the environmental regulations may be achievable with environmental authorities, the line ministries focusing on energy and exploitation of natural resources are less likely to introduce environmental, social, and human rights safeguards in their policies unless these ministries are open to influence by GIMs, human rights institutions, and civil society. Energy ministries have already taken some steps in this direction.

**R2. International donors' projects in energy, natural resources, waste, and decarbonization should conduct gender and human rights assessments and address potential issues identified in these assessments.** Projects with local focus, such as BiH Sustainable Transition (SuTra), and the WB assessment of effects of solid waste projects on Roma communities can serve as good examples of meaningful integration of social issues. Good assessments can lead to more equitable distribution of benefits from such projects. Environmental, energy, and resource-oriented networks, for example, the Feminist Coalition for the Climate Justice, can be good partners for identifying and addressing gender and human rights issues.

## 7. TOURISM

### AQI. POLICIES AND PRACTICES

Entity Tourism Strategies, in force until 2027, integrate the gender perspective considerably. The RS Strategy<sup>268</sup> includes specific measures to improve opportunities for women, not just as employees, because women already participate in large shares of the tourism workforce. The strategy includes measures for women as entrepreneurs and as promoters of natural and cultural heritage. The FBiH Strategy<sup>269</sup> does not have specific measures for women but integrates the gender perspective more in the text of other measures. Before these recent policy developments, gender integration in tourism policies and public documents was insufficient, according to an FGD participant, and tourism businesses lacked antidiscrimination and antiharassment policies, as well as affirmative measures for women's advancement. In the past year, two hotels in Sarajevo and Banja Luka endorsed WEPs and USAID/BiH helped localize and adapt the WEP tools to the local context, which can aid other companies in the tourism sector that are interested in promoting gender equality.

FMET annually transfers funds to lower levels of government and businesses registered in the tourism sector and its criteria to assess applications for funds include additional points for women

<sup>268</sup> RS Tourism Development Strategy 2021–2027. RS Government. (2021). [https://www.vladars.net/sr-SP-Cyrl/Vlada/Ministarstva/MTT/Documents/%D0%A1%D1%82%D1%80%D0%B0%D1%82%D0%B5%D0%B3%D0%B8%D1%98%D0%B0%20%D1%80%D0%B0%D0%B7%D0%B2%D0%BE%D1%98%D0%B0%20%D1%82%D1%83%D1%80%D0%B8%D0%B7%D0%BC%D0%B0%20%D0%A0%D0%B5%D0%BF%D1%83%D0%B1%D0%BB%D0%B8%D0%BA%D0%B5%20%D0%A1%D1%80%D0%BF%D1%81%D0%BA%D0%B5%202021-2027\\_184076603.pdf](https://www.vladars.net/sr-SP-Cyrl/Vlada/Ministarstva/MTT/Documents/%D0%A1%D1%82%D1%80%D0%B0%D1%82%D0%B5%D0%B3%D0%B8%D1%98%D0%B0%20%D1%80%D0%B0%D0%B7%D0%B2%D0%BE%D1%98%D0%B0%20%D1%82%D1%83%D1%80%D0%B8%D0%B7%D0%BC%D0%B0%20%D0%A0%D0%B5%D0%BF%D1%83%D0%B1%D0%BB%D0%B8%D0%BA%D0%B5%20%D0%A1%D1%80%D0%BF%D1%81%D0%BA%D0%B5%202021-2027_184076603.pdf) (Retrieved July 15, 2024)

<sup>269</sup> FBiH Tourism Development Strategy 2022–2027. FBiH Government. (2022). <https://fmoit.gov.ba/upload/file/FBiH%20Strategija%20razvoja%20turizma%202022%202027%20BHS.pdf> (Retrieved July 15, 2024)

and youth applicants. Though the number of such applicants is low, it has been increasing in recent years. In 2023, the RS government issued a Regulation on Conditions and Criteria for Allocating Funds for Tourism Development<sup>270</sup> albeit without affirmative measures for women or persons from vulnerable groups.

**IA. NEEDED CHANGE:** The tourism sector in Bosnia and Herzegovina has made strides in integrating gender perspectives, but there **remains significant space for improvement in supporting gender equality and the inclusion of vulnerable groups**. It is crucial to strengthen gender-specific measures in tourism across both entities. The FBiH Strategy should be expanded to include programs that directly support women entrepreneurs, mentorship opportunities, and funding for women-led tourism businesses. Aligning the strategies of both entities would create a unified approach to promoting gender equality, ensuring that affirmative measures are implemented consistently across the country. Another critical area for development is **the adoption of antidiscrimination and antiharassment policies within tourism businesses**. It should become mandatory for all tourism businesses to implement such policies, with compliance regularly monitored. This can be supported by government-led training programs that raise awareness and educate employees and management on gender responsiveness and the importance of creating a safe, inclusive work environment. **Affirmative measures for women and vulnerable groups must also be enhanced**. Although the RS government has made strides in this direction, there is still a need for more robust affirmative action across both entities. Encouraging the broader adoption of the WEPs could be a powerful step. By offering incentives such as specialized funding or public recognition, more businesses could be motivated to adopt these principles, leading to greater gender equality in the sector.

**IB. CHALLENGES TO CHANGE:** **Implementing gender-responsive measures requires financial support**, but both government and donor agencies may struggle to allocate sufficient funds. **Many tourism businesses, particularly smaller ones, lack the expertise and capacity** to effectively integrate a gender perspective into their operations. Without adequate support and training, these businesses could find it difficult to navigate the complexities of adopting new, inclusive policies. **Weak monitoring and enforcement mechanisms could further complicate the situation**. Even if gender equality measures are introduced, ensuring compliance requires robust systems to track progress and hold stakeholders accountable. If these systems are weak or inconsistently applied, there is a risk that businesses will only implement policies superficially, with little real impact on the ground.

## AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

Women dominate tourism public-governing structures, but men remain the majority business owners in tourism and governments' primary partners in social dialogue.<sup>271</sup> Despite around half of the private sector employees' being women, **their voices are absent from the social dialogue on tourism, because men usually lead hospitality, tourism, employers' associations, and chambers of commerce, as well as tourism-related trade unions**.<sup>272</sup> This was evident during the COVID-19 pandemic, when authorities initially disregarded the disproportional effects on women's jobs, including in tourism. **The glass ceiling is present in the tourism sector,**

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<sup>270</sup> Kako do subvencija za razvoj turizma u RS-Vlada donijela uredbu o uslovima i kriterijumima za dodjelu namjenskih sredstava (2023, December 15). Ekapija. <https://ba.ekapija.com/news/4494699/kako-do-subvencija-za-razvoj-turizma-u-rs-vlada-donijela-uredbu-o> (Retrieved July 22, 2024)

<sup>271</sup> USAID (2021). *Gender Assessment—USAID Developing Sustainable Tourism Activity in Bosnia and Herzegovina (Turizam)*. USAID in BiH. [https://academy.turizambih.ba/wp-content/uploads/2023/11/tourism-gender-assessment\\_usaid-turizam.pdf](https://academy.turizambih.ba/wp-content/uploads/2023/11/tourism-gender-assessment_usaid-turizam.pdf) (Retrieved July 22, 2024)

<sup>272</sup> Ibid.

according to KIs, as less than 40 percent of women are in managerial positions and less than 20 percent are general managers.<sup>273</sup> Academic research on women in tourism, comparing BiH with Serbia and Montenegro, came to a similar finding, with women from BiH being more likely to work in a family-owned business in rural tourism, indicating less independence.<sup>274</sup>

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

According to Labor Force Surveys from 2020 and 2022, around 43 percent of employees in the BiH hospitality services (Category I in the European Classification of Economic Activities, NACE<sup>275</sup>) were women,<sup>276</sup> but their share increased to 51 percent in 2024.<sup>277</sup> **Gendered domestic roles affect the occupations men and women pursue and the types of tourism jobs they have access to.** For example, men are more likely to work in maintenance and security in hotels, women as receptionists and housekeepers,<sup>278</sup> as confirmed in interviews. Middle-management positions that women are more likely to have in tourism and hospitality mirror the gendered division of domestic roles, resulting in women's leading housekeeping departments, men maintenance departments. However, chefs, who have predominantly been men, are one notable exception.<sup>279</sup>

Regarding investment, **men dominate winemaking, nature-based activities, and adventure tourism, but tourist agencies' owners and city guides are more often women.** Regional research shows, however, that most of the women engaged in tourism as an area of interest are more inclined to invest in catering and hospitality, especially in rural areas in BiH, rather than investing in tourist agencies or becoming travel guides.<sup>280</sup> USAID/BiH's Turizam aims to address imbalance in women's engagement as tour guides by launching the Tour Guiding Academy for women. It is envisaged as an online learning platform with mentorship, adapted to the learning pace of applicants.

**Balancing women's responsibilities in childbearing and caregiving is viewed as a significant challenge while working in tourism,** particularly in senior culinary and managerial positions, posing obstacles to career progression.<sup>281</sup> Similar challenges persist for women in adventure and nature tourism businesses, according to one FGD participant, because these often include extended periods of absence.

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<sup>273</sup> U Bosni i Hercegovini žene su 15 posto manje zastupljene u sektoru turizma u odnosu na muškarce (2023, November 2). Klix. <https://www.klix.ba/vijesti/bih/u-bosni-i-hercegovini-zene-su-15-posto-manje-zastupljene-u-sektoru-turizma-u-odnosu-na-muskarce/231102069> (Retrieved July 22, 2024)

<sup>274</sup> Pavlović, D., Bjelica, D., Bodroža, D., Jovičić, E., & Pindžo, R. (2022). Women's economic empowerment through tourism: A case study of selected Western Balkans countries. *Journal of Women's Entrepreneurship and Education*, 3-4, 149-175. DOI:10.28934/jwee22.34.pp149-175

<sup>275</sup> NACE is the acronym from the French 'Nomenclature statistique des Activités économiques dans la Communauté Européenne', meaning "Statistical classification of economic activities in the European Community," used to designate various statistical classifications of economic activities developed since 1970 by the European Union.

<sup>276</sup> BHAS (2023). *Tematski bilten – Žene i muškarci u BiH*. BH Agency for Statistics.

[https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM\\_00\\_2023\\_TB\\_1\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM_00_2023_TB_1_BS.pdf) (Retrieved July 22, 2024)

<sup>277</sup> BHAS (2024). *First Release: Demography and Social Statistics*. BH Agency for Statistics.

[https://bhas.gov.ba/data/Publikacije/Saopštenja/2024/LAB\\_02\\_2024\\_04\\_1\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Saopštenja/2024/LAB_02_2024_04_1_BS.pdf) (Retrieved July 22, 2024)

<sup>278</sup> USAID (2021). *Gender Assessment—USAID Developing Sustainable Tourism Activity in Bosnia and Herzegovina (Turizam)*.

USAID in BiH. [https://academy.turizambih.ba/wp-content/uploads/2023/11/tourism-gender-assessment\\_usaid-turizam.pdf](https://academy.turizambih.ba/wp-content/uploads/2023/11/tourism-gender-assessment_usaid-turizam.pdf) (Retrieved July 22, 2024)

<sup>279</sup> Ibid.

<sup>280</sup> Pavlović, D., Bjelica, D., Bodroža, D., Jovičić, E., & Pindžo, R. (2022). Women's economic empowerment through tourism: A case study of selected Western Balkans countries. *Journal of Women's Entrepreneurship and Education*, 3-4, 149-175. DOI:10.28934/jwee22.34. pp149-175.

<sup>281</sup> USAID. (2021). *Gender Assessment—USAID Developing Sustainable Tourism Activity in Bosnia and Herzegovina (Turizam)*.

USAID in BiH. [https://academy.turizambih.ba/wp-content/uploads/2023/11/tourism-gender-assessment\\_usaid-turizam.pdf](https://academy.turizambih.ba/wp-content/uploads/2023/11/tourism-gender-assessment_usaid-turizam.pdf) (Retrieved July 22, 2024)

#### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

Tourism in BiH experienced substantial growth before the COVID-19 pandemic. In 2019, this growth was driven by a nearly 30 percent rise in the number of foreign tourists, in comparison with the number in 2017, and a notable increase in their overnight stays. Domestic tourism also saw growth, with arrivals up 15.4 percent and overnight stays up 24.6 percent from 2017 to 2019.<sup>282</sup> Tourism is seen as an empowering sector for women, according to an FGD participant. Between 2014 and 2018 in BiH, women earned 114.6 percent of the average salary that men earned in accommodation and food services, according to the 2019 Global Report on Women in Tourism.<sup>283</sup> However, the pandemic severely affected tourism, leading to a dramatic drop in 2020 visits and overnight stays—down 69.7 percent and 63.4 percent, respectively. The gradual easing of restrictions since June 2020 has led to some signs of recovery, but the sector will need extensive and long-term measures to fully rebound.<sup>284</sup> Because women are more represented in the tourism sector, this has affected their livelihoods in variety of ways. The COVID-19 pandemic disproportionately affected women working in BiH's tourism sector, leading to significant job losses and reduced income, as women are often employed in lower paid and more precarious jobs.<sup>285</sup> Women entrepreneurs in tourism face greater challenges accessing financial support, resulting in higher closing rates and being pushed into the informal economy.<sup>286</sup> Additionally, the pandemic exacerbated women's economic vulnerability and increased their caregiving burdens because of lockdowns and school closings.<sup>287</sup> These factors have hindered women's ability to return to work and participate in the sector's recovery, underscoring the need for targeted support to address gender disparities and facilitate an equitable recovery.

The tourism pay gap in favor of women has declined. According to official statistics from 2023, women and men in the BiH accommodation and food service activities receive similar wages, but these wages are on average the lowest compared with other economic activities.<sup>288</sup> In FBiH for example, the net nominal wage in accommodation and food services was 757 BAM, compared with 973 BAM in wholesale and retail, 986 BAM in the processing industry, 1,906 BAM in ICT, and 1,978 BAM in energy.<sup>289</sup>

Access to finance is problematic for tourism investors, according to an FGD participant, because from the banking sector's perspective, these businesses have longer return-on-investment periods and seasonality influences their cash flow. **Women wanting to invest in tourism businesses face even more obstacles in accessing finance, including in rural tourism,**<sup>290</sup> because they often lack information and skills necessary to apply for and receive grants tailored to their capacities

<sup>282</sup> Informacija o stanju u sektoru turizma u Bosni i Hercegovini. (n.d.). E-konsultacije BiH Ministry of Justice. <https://www.ekonsultacije.gov.ba/legislationactivities/downloaddocument?documentId=1015111> (Retrieved July 22, 2024)

<sup>283</sup> UNWTO. (n.d.). *Global Report on Women in Tourism*. UN World Tourism Organization. <https://www.humanrights-in-tourism.net/sites/default/files/media/file/2020/rc069global-report-women-tourism-1265.pdf> (Retrieved July 22, 2024)

<sup>284</sup> Informacija o stanju u sektoru turizma u Bosni i Hercegovini (n.d.). E-konsultacije BiH Ministry of Justice. <https://www.ekonsultacije.gov.ba/legislationactivities/downloaddocument?documentId=1015111> (Retrieved July 22, 2024)

<sup>285</sup> USAID. (2021). *Gender Assessment—USAID Developing Sustainable Tourism Activity in Bosnia and Herzegovina (Turizam)*. USAID in BiH. [https://academy.turizambih.ba/wp-content/uploads/2023/11/tourism-gender-assessment\\_usaid-turizam.pdf](https://academy.turizambih.ba/wp-content/uploads/2023/11/tourism-gender-assessment_usaid-turizam.pdf) (Retrieved July 22, 2024)

<sup>286</sup> Ibid.

<sup>287</sup> OSCE. (2020). *COVID-19 Crisis Response: Human Rights and Gender Analysis*. OSCE Mission in BiH. <https://www.osce.org/files/f/documents/0/e/470655.pdf> (Retrieved July 22, 2024)

<sup>288</sup> BHAS. (2023). *Tematski bilten - Žene i muškarci u BiH*. BiH Agency for Statistics. [https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM\\_00\\_2023\\_TB\\_1\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM_00_2023_TB_1_BS.pdf) (Retrieved July 22, 2024)

<sup>289</sup> FBiH IS. (2023). *Employment, Unemployment and Wage 2023*. FBiH Institute for Statistics. <https://fzs.ba/wp-content/uploads/2024/06/Zaposlenost-i-nezaposlenost.pdf> (Retrieved July 22, 2024)

<sup>290</sup> Pavlović, D., Bjelica, D., Bodroža, D., Jovičić, E., & Pindžo, R. (2022). Women's economic empowerment through tourism: A case study of selected Western Balkans countries. *Journal of Women's Entrepreneurship and Education*, 3-4, 149–175. DOI:10.28934/jwee22.34.pp149-175

and needs.<sup>291</sup> Compared with women from rural areas, women in urban areas are in a beneficial position because they have more opportunities and better access to education, resources, finances, and grants, as explained during interviews. Rural women rarely own property and have significant limitations to sell or rent land, use it as collateral for loans, or independently use it for other types of income generation in tourism.<sup>292</sup>

There is a lack of gender-disaggregated data on farm ownership<sup>293</sup> and business ownership per sectors of NACE. Under such conditions, **tailoring incentives to empowering women in tourism is difficult, especially if targeting some specific groups of women.** Two KIs noted that, according to the criteria for the FMET incentives to tourism businesses, women and youth among applicants receive additional points; when two applicants have equal points on other criteria, women and youth will have a small advantage. However, during the COVID-19 pandemic, according to two KIs, access to government support was difficult for women employees on maternity leave, resulting in employers' laying off such employees, although the exact circumstance has yet to be determined.

## AQ5. CULTURAL NORMS AND BELIEFS

**Societal attitudes, norms, and beliefs can deter women from pursuing some careers in tourism,** for example, those that require extended periods of absence from home or can deter them from ambitions to advance in their occupations, as is sometimes the case among female professional cooks. Still, women are favored in some segments of tourism jobs, such as housekeeping, which is both an opportunity and a disadvantage for women who are just entering the tourism labor market because such posts are disproportionately held by women and are most often low-income jobs. Tourism businesses overall have low employment potential for marginalized groups. According to an employer survey in FBiH,<sup>294</sup> two out of three employers are not willing to employ Roma, persons with disabilities, and victims of violence, while one out of two would not employ women from rural areas. This again reflects the absence of anti-discrimination policies among employers in general, including tourism employers. For affected marginalized groups, self-employment is potentially the only option to benefit from tourism growth.

## CONCLUSIONS

**CI. There is some progress in gender integration across tourism policies in the public sector, and first steps were made toward more inclusive working environments in the private sector. However, occupational segregation and discriminatory attitudes among employers remain high, whereas access to finance and opportunities for rural women and marginalized groups are still low.** Gender integration in tourism strategies has yet to be translated into action and lead to tangible change in shares of women among tourism business owners, adventure and nature guides, and top managers. Lack of gender-disaggregated data on and analyses of inclusion in and benefits from tourism for marginalized groups, and on the urban and rural divide in tourism benefits can increase the existing inequalities. Crucially, the absence of

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<sup>291</sup> USAID. (2021). *Gender Assessment – USAID Developing Sustainable Tourism Activity in Bosnia and Herzegovina (Turizam)*. USAID in BiH. [https://academy.turizambih.ba/wp-content/uploads/2023/11/tourism-gender-assessment\\_usaid-turizam.pdf](https://academy.turizambih.ba/wp-content/uploads/2023/11/tourism-gender-assessment_usaid-turizam.pdf) (Retrieved July 22, 2024)

<sup>292</sup> FAO and UN Women. (2021). *National gender profile of agriculture and rural livelihoods – Bosnia and Herzegovina*. Country Gender Assessment – Europe and Central Asia. Budapest/Sarajevo. <https://doi.org/10.4060/cb5472en> (Retrieved July 22, 2024)

<sup>293</sup> *Ibid.*

<sup>294</sup> FBiH EI (2024). *Izvištaj o istraživanju tržišta rada 2023/2024*. FBiH Employment Institute. <https://www.fzzz.ba/ckFinderFiles/files/Izvjete%20o%20istra%20vanju%20tr%20r%20ta%20rada%20u%20Federaciji%20BiH%202023-2024.pdf?csrt=1957828061596035999> (Retrieved July 22, 2024)

comprehensive antidiscrimination and antiharassment policies in tourism businesses underscores ongoing challenges.

## RECOMMENDATIONS

**R1. Government, parliaments, and CSOs should monitor and evaluate tourism policies' effects on gender equality, other marginalized groups (e.g., Roma and persons with disabilities), and human rights outcomes in general.** For example, governments can define specific objectives related to gender equality and human rights within tourism policies. Furthermore, governments can include gender and human rights considerations in environmental and social impact assessments for tourism projects. CSOs can invest efforts in raising awareness of the importance of integrating gender equality and human rights considerations into tourism policies and engage with affected communities to gather firsthand insights into the effects of tourism policies. They can also strengthen the capacity of local organizations and community groups to engage in monitoring and evaluation. Evaluation should pay special attention to tracking effects on different population groups such as Roma and persons with disabilities who experience intersecting discrimination, not just men and women.

**R2. USAID/BiH should consider improving capacities of authorities and companies from the tourism sector in gender equality and gender-responsive tourism policies to mitigate potential risks of crises such as COVID-19.** To expand BiH's tourism sector, enhance economic opportunities for women and improve their resilience to crises through programs such as USAID/BiH Turizam and Diaspora Invest 2. Through USAID/BiH Local Governance Assistance Activity or similar future activities, consider supporting LSGUs in community-based tourism initiatives that showcase women-led businesses in tourism, with particular emphasis on women from rural areas and vulnerable groups to ensure an intersectional approach.

## 8. JUDICIARY

### AQ1. POLICIES AND PRACTICES

The interplay between gender and the judiciary manifests itself in two primary areas: achieving gender equality within the judicial system and the way the judiciary addresses wider gender-related issues in society. Progress in both domains is the responsibility of the BiH High Judicial and Prosecutorial Council (HJPC), which is tasked with ensuring an unbiased, independent, and professional judiciary in BiH.<sup>295</sup> The Law on the HJPC stipulates that its composition should be gender balanced.<sup>296</sup> It also mandates gender equality in judicial appointments and defines bias or prejudice by judicial officials—as well as their association with discriminatory organizations—as punishable offenses, aiming to uphold fairness and equality in the judiciary.<sup>297</sup>

The HJPC promoted gender equality through the 2015 Guidelines for the Prevention of Sexual and Gender-Based Harassment within the Judicial Institutions of BiH<sup>298</sup> which all members and

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<sup>295</sup> Ajanović, A. (2017). *Openness of Judicial Bodies in the Region and Bosnia and Herzegovina. Proposals for the improvement of a current state. Zašto ne? and ActionSEE*. Available at: <https://zastone.ba/app/uploads/2017/09/Openness-of-judicial-bodies-in-the-region-and-Bosnia-and-Herzegovina-1.pdf> (Retrieved August 20, 2024)

<sup>296</sup> Law on the BiH HJPC, Art. 4 and 43, *HJPC website*. Available at: <https://vstv.pravosudje.ba/vstvfo/B/141/article/8236> (Retrieved August 20, 2024)

<sup>297</sup> UN Women. (2021). *Country Gender Equality Profile of BiH*. UN Women. Available at: <https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2021/7/UNW%20Country%20Gender%20Equality%20Profile%20BiH.pdf> (Retrieved August 20, 2024)

<sup>298</sup> HJPC (2015). *Guidelines for the Prevention of Sexual and Gender-based Harassment within the Judicial Institutions of Bosnia and Herzegovina*. HJPC website. Available at: <https://portalfo2.pravosudje.ba/vstvfo-api/vijest/download/30234> (Retrieved August 20, 2024)



employees of the judiciary are obliged to adhere to. The guidelines provide definitions of harassment, sexual harassment, and gender-based harassment, and establish internal prevention and response procedures for such acts.<sup>299</sup> **The HJPC adopted a Strategy for Improving Gender Equality in the BiH Judiciary in late 2020** as part of the project on Improving Court Efficiency and Accountability of Judges and Prosecutors in the BiH.<sup>300</sup> The strategy includes plans to (1) educate and raise awareness among judicial professionals about gender equality, gender mainstreaming, and equal access to justice; (2) incorporate these principles into the work processes of judicial institutions; and (3) ensure equal treatment and access to justice for all, regardless of gender. **This strategy is a crucial legal document for promoting gender equality, requiring all judicial institutions in BiH to develop their own strategies or GAPs and to report on their implementation.**<sup>301</sup> The strategy was adopted after the HJPC's gender equality survey in 2018 revealed a high level of unreported gender-based and sexual harassment incidents in the judiciary, including a court case on sexual harassment in the Sarajevo Cantonal Court. The president, whom the court employee reported for sexual harassment, received no disciplinary action and was acquitted from criminal liability.<sup>302</sup> The same judge verbally attacked a journalist reporting on the case, according to an FGD participant. In 2019, the honorary president of the RS Bar Association assaulted a female colleague. Although the Bar Association condemned the attack, the president suffered no legal repercussions and remains the Association's honorary president.<sup>303</sup>

On the basis of the HJPC's annual reports for 2022 and 2023 and the AT's search online, **at least ten courts and three prosecutors' offices in various regions of the country adopted their action plans in accordance with the HJPC's Gender Equality Strategy.**<sup>304</sup> In addition, the HJPC proposes forming a body that will address issues of gender and justice and analyze penal policies and judgments. To further promote gender equality within the judiciary, the HJPC holds an annual training on sexual and gender-based harassment for advisors and staff in the judicial system through the entity Centers for Education of Judges and Prosecutors (CEJP) as part of the international campaign "16 Days of Activism against Gender-Based Violence."<sup>305</sup> **CEJP organizes other gender-related trainings (gender and justice, human rights, GBV, and prejudices), but the justice sector also benefits from trainings on similar topics that CSOs organize.** An interviewed judicial official and an IP assessed these training courses as necessary and useful. The HJPC's Communication Strategy emphasizes the crucial role of transparency in boosting public confidence in the judicial system.<sup>306</sup>

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<sup>299</sup> Ibid.

<sup>300</sup> Ibid.

<sup>301</sup> HJPC (2020). *BiH Judiciary Gender Equality Strategy Adopted*. Available at: <https://vstv.pravosudje.ba/vstvfo/E/141/article/95504> (Retrieved August 20, 2024)

<sup>302</sup> Đelilović, Z. (2021). *Seksualno uznemiravanje i BH pravosuđe: Oslobođajuća presuda Vladimiru Špoljariću djeluje obeshrabrujuće po žrtve*. *Žurnal*; *Žurnal*. Available at: <https://zurnal.info/clanak/oslobođajuća-presuda-vladimiru-spoljaricu-djeluje-obeshrabrujuće-po-zrtve/24376> (Retrieved August 18, 2024)

<sup>303</sup> Barisic, M. (2019). *Gender Analysis for the European Union and Council of Europe Freedom of Expression and Freedom of the Media in Bosnia and Herzegovina—Recommendations for gender mainstreaming*. Council of Europe. Available at: <https://rm.coe.int/hf33-gender-analysis/16809eae69> (Retrieved August 20, 2024);

Tovilovic, D. (2020). *Sramotna odluka: Komora oslobodila Čizmovića za šamaranje kolegice*. Capital.ba—Informacija Je Capital. Available at: <https://www.capital.ba/sramotna-odluka-komora-oslobodila-cizmovica-za-samaranje-kolegice/> (Retrieved August 20, 2024)

<sup>304</sup> HJPC. (2023). 2022 Annual Report. HJPC website. Available at: <https://www.pravosudje.ba/vstvfo/B/141/article/122752> (Retrieved August 18, 2024)

<sup>305</sup> Ibid.

<sup>306</sup> Radevic, M. (2022). *Strengthening and enhancing public trust into judiciary system as one of the key priorities*. BH Novinari. Available at: <https://bhnovinari.ba/en/2022/12/22/strengthening-and-enhancing-public-trust-into-judiciary-system-as-one-of-the-key-priorities/> (Retrieved August 20, 2024)

**HJPC is also the first public institution in BiH that acquired Gender Equality Seal for Public Institutions in 2022.**<sup>307</sup> GES is a voluntary award program by the UNDP that aims to support and recognize private entities, organizations, and public institutions committed to improving gender equality and women’s empowerment.<sup>308</sup> Obtaining a Bronze, Silver, or Gold GES involves a commitment to meeting standards and performance benchmarks aligned with international and regional agreements and commitments.<sup>309</sup> The HJPC was one of the first institutions in BiH to start this process toward the GES, focusing on incorporating antidiscrimination language through numerous documents aiming to improve the judiciary’s effectiveness and the quality of its work.<sup>310</sup>

Furthermore, **both the FBiH and the RS legal frameworks include the institute of “persons of trust,”** who can assist victims of GBV and DV in court processes. In addition to persons of trust, free legal aid can be accessed through both CSOs and government Offices for Free Legal Aid at different levels of government.

According to two KIs, **the HJPC has improved data collection in accordance with the Istanbul Convention (IC)** by ensuring that the sex of victims and the relation between perpetrators and victims are included in the judges’ and prosecutors’ reporting of GBV cases in the Case Management System and Prosecutor Case Management System (CMS/PCMS).<sup>311</sup> In 2020, HJPC compiled an analysis of available data on the sex of perpetrators and victims of crimes for reports on GBV, in cooperation with the BiH GEA.<sup>312</sup> **However, data management has yet to be fully aligned with IC requirements.**

Based on an interview, it is not clear whether cases when a perpetrator commits femicide and suicide are registered in the CMS/PCMS. **The BiH Council of Ministers (CoM) formed a femicide watch**<sup>313</sup> to monitor the occurrence and circumstance of femicide in the country per recommendation of the UN Special Rapporteur on Violence against Women And Girls.<sup>314</sup> In 2023, the HJPC made additional updates to the CMS/PCMS to remove outdated technology, making the system more user friendly. HJPC also developed an updated codebook for the use of the CMS to enable the comprehensive collection of data on the forms, types, and bases of discrimination.<sup>315</sup> Despite the requirements and updates to the system, according to a KI, **some courts still do not enter detailed data on discrimination cases, while plaintiffs often do not report their**

<sup>307</sup> HJPC. (2023). 2022 Annual Report.

<sup>308</sup> UNDP Gender Equality Seal. (2023). *The High Judiciary and Prosecutorial Council and the Agency for Gender Equality of Bosnia and Herzegovina kick off the implementation of the Gender Equality Seal for Public Institutions*. Available at: <https://www.gendesealpublicinstitutions.org/the-high-judiciary-and-prosecutorial-council-and-the-agency-for-gender-equality-of-bosnia-and-herzegovina-kick-off-the-implementation-of-the-gender-equality-seal-for-public-institutions/#:~:text=Since%20mid-2022%20UNDP%20Country%20Office%20Bosnia%20and%20Herzegovina,UNDP%20work%20contributing%20to%20supporting%20national%20judicial%20institutions> (Retrieved August 18, 2024)

<sup>309</sup> Ibid.

<sup>310</sup> HJPC. (2023). 2022 Annual Report.

<sup>311</sup> GEA. (2023). *Završni izvještaj o provođenju Gender akcionog plana BiH za 2018–2022 (Final Report on the Implementation of the BiH GAP)*. Available at: <https://arsbih.gov.ba/vijece-ministara-usvojilo-zavrsni-izvjestaj-o-provodjenju-gender-akcionog-plana-bosne-i-hercegovine-2018-2022/> (Retrieved August 20, 2024)

<sup>312</sup> HJPC. (2021). 2020 Annual Report.

<sup>313</sup> Odluka o osnivanju odbora za praćenje provedbe i izvještavanje po Istanbulskoj konvenciji i femicidu u BiH (Decision on Establishing the Committee to Monitor Implementation and Report in Accordance with the Istanbul Convention and on Femicide in BiH). BiH Council of Ministers. *Official Gazette 60/19*. Available at: <http://www.sluzbenilist.ba/page/akt/YJ3YnEDc8FA=> (Retrieved August 20, 2024)

<sup>314</sup> Special Rapporteur on Violence Against Women and Girls. (2021). *Report on Femicide by the Special Rapporteur to the General Assembly at its 76th session*. OHCHR. Available at: <https://www.ohchr.org/en/calls-for-input/2021/report-femicide> (Retrieved August 19, 2024)

<sup>315</sup> HJPC (2023). *Nova verzija CMS/TCMS sistema u sudovima i tužilaštvima osmišljena je da bude „userfriendly” kako bi krajnji korisnici bili maksimalno zadovoljni*. HJPC. Available at: <https://vstv.pravosudje.ba/vstvfo/B/141/article/129432> (Retrieved August 18, 2024)

**cases as discrimination or report any type of unequal treatment as discrimination, leading to low reliability of data on such cases.** It is difficult to obtain statistics on complaints of discrimination based on sexual orientation and gender identity, and the **HJPC is slow in adopting such systematic changes**, according to two interviews (please see Section 16 on other issues with discrimination and Section 17 on LGBTQI+ issues).

In terms of data publication, the HJPC's **annual Structure of Crimes Reports do not include sex** of the perpetrators or victims.<sup>316</sup> The HJPC's Department for Court Documents and Education **enables an advanced case search function**,<sup>317</sup> **including discrimination in civil cases and violence against women in criminal cases, but data cannot be exported.**

**Application of the legal framework on GBV, trafficking in persons (TIP), and discrimination varies among institutions.** One interview revealed that judges do not follow jurisprudence in early stages of implementation of some standards (such as integrating compensation of victims of trafficking and wartime sexual violence into the main criminal procedure) and also that jurisprudence sometimes does not exist. CSOs step in to provide assistance by informing victims of their rights and possible legal options, participating in trials as trusted persons, and even representing victims in courts.

**IA. NEEDED CHANGES:** There is a need to **align domestic definitions of violence against women and girls consistently and more closely with the IC across all legal frameworks** to ensure equal protection regardless of the part of the country. **Training and sensitizing judges and prosecutors on all forms of violence against women** is also crucial, considering the high share of plea bargaining and suspended or minimum sentences,<sup>318</sup> especially at lower level courts. There is also a need to **evaluate the impact of these trainings for the judiciary, police, and law enforcement on applying GBV laws and gender-responsive investigation techniques.**<sup>319</sup> **Systematic data collection on violence against women** is essential for a thorough analysis of case outcomes, conviction rates, institutional responses, recidivism, and femicide. Two KIs also flagged a need to **continue raising awareness of judges and prosecutors regarding their implicit biases.**

**IB. CHALLENGES TO CHANGE:** The actors within the judiciary express an **oversaturation of gender equality topics resulting in a resistance to participation in gender equality events.** On the other hand, certain patriarchal cultural and gender norms and **stereotypes still affect the handling of cases** in terms of sentencing, and overall, the slow pace of institutions in the sector prevents the adoption of reforms within the HJPC. These issues are compounded by **outdated technology and a lack of comprehensive data on discrimination**, particularly concerning sexual orientation and gender identity.

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<sup>316</sup> HJPC. (2024). *Structure of Crime*. HJPC. Available at: <https://vstv.pravosudje.ba/vstvfo/E/141/kategorije-vijesti/1198/1363/114475> (Retrieved August 18, 2024)

<sup>317</sup> HJPC. (n.d.). *Odjel za sudsku dokumentaciju i edukaciju*. Pravosudje.ba. Available at: <https://csd.pravosudje.ba/vstvfo/B/142/kategorije-vijesti/141/advanced> (Retrieved August 18, 2024)

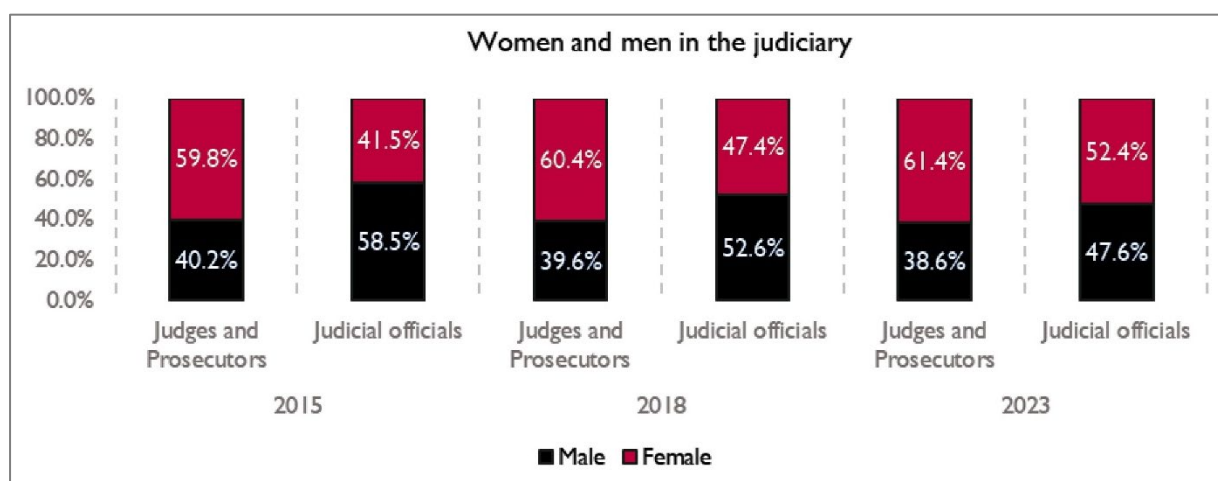
<sup>318</sup> GREVIO. (2022). *Baseline Evaluation Report Bosnia and Herzegovina*. Council of Europe. Available at: <https://rm.coe.int/grevio-baseline-evaluation-report-on-bosnia-and-herzegovina/1680a8e5f1> (Retrieved August 18, 2024)

<sup>319</sup> European Commission. (2023). *Bosnia and Herzegovina 2023 Report*. European Commission. Available at: [https://neighbourhood-enlargement.ec.europa.eu/document/download/e3045ec9-f2fc-45c8-a97f-58a2d9b9945a\\_en?filename=SWD\\_2023\\_691%20Bosnia%20and%20Herzegovina%20report.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/e3045ec9-f2fc-45c8-a97f-58a2d9b9945a_en?filename=SWD_2023_691%20Bosnia%20and%20Herzegovina%20report.pdf) (Retrieved August 20, 2024)

## AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

In BiH, the representation of women in the judiciary is higher than in other sectors, both vertically and horizontally, with men less represented in certain divisions of the judiciary. In 2023, nearly two of three judges and prosecutors (61 percent) and around half of judicial officials (52.4 percent) were women (Exhibit 6—at all levels of the justice system except the state institutions). Women's representation as judges, prosecutors, and judicial officials has been increasing since 2015.

Exhibit 6. Judges, Prosecutors, and Judicial Officials, by Gender (2015, 2018, 2023)



Source: HJPC. (2024, 2019, 2016). Annual Reports for 2015, 2018, and 2023.

Within the HJPC itself, women's representation is 60 percent, in line with the LoGE and the Law on the HJPC. Women's representation is even greater among personnel in courts (74.6 percent) and prosecutor's offices (POs) (72.8 percent).<sup>320</sup> Half of the notaries in FBiH<sup>321</sup> and two thirds in RS<sup>322</sup> are women, but they constitute only a third of attorneys in FBiH<sup>323</sup> and RS.<sup>324</sup> **Of the ten top-earning ex officio defense lawyers in the country, only two are women.**<sup>325</sup>

Although more diverse representation in the judiciary is key for enhancing judicial discourse, strengthening the judicial system, and maintaining public confidence and trust in the judiciary,<sup>326</sup> **the increased presence of women in judicial roles within BiH does not guarantee gender equality.**<sup>327</sup> One KI observed that women in the justice system do not recognize underprivileged parties in cases, that they also act on prejudice, issuing lenient sentences for perpetrators of GBV

<sup>320</sup> EC for the Efficiency of Justice (CEPEJ). (2022). Beneficiary fiche–Bosnia and Herzegovina. Council of Europe. Available at: <https://rm.coe.int/bosnia-and-herzegovina-20220630-deliverable-2/1680a8c2df> (Retrieved August 20, 2024)

<sup>321</sup> FBiH Notaries Association. (2024). *Notari*. Available at: <https://www.notaribih.ba/staff-members> (Retrieved August 20, 2024).

<sup>322</sup> RS Notary Association. (2024). *Imenik aktivnih notara*. Available at: <https://notarrs.com/imenik-aktivnih-notara/> (Retrieved August 20, 2024).

<sup>323</sup> Advokatska/Odvjetnička Komora Federacije BiH. Spisak advokata. Available at: <https://www.advokombih.ba/spisak-advokata-regionalnih-komora-u-federaciji-bosne-i-hercegovine/> (Retrieved August 20, 2024)

<sup>324</sup> Advokatska komora Republike Srpske, Imenik advokata. Available at: <https://advokatskakomora.ba/bs/imenik-advokata-2/> (Retrieved August 20, 2024)

<sup>325</sup> CIN. Advokati po službenoj dužnosti, Available at: <https://cin.ba/advokati/index.php> (Retrieved August 20, 2024)

<sup>326</sup> Leitch, L. (2021). Strengthening Judicial Integrity through Inclusiveness and Diversity: A Canadian Perspective. UNODC. Available at: <https://www.unodc.org/dohadecclaration/en/news/2021/12/strengthening-judicial-integrity-through-inclusiveness-and-diversity-a-canadian-perspective.html> (Retrieved August 20, 2024).

<sup>327</sup> Jelić, I., & Smith, H. (2022). Gender Equality and Discrimination on the Grounds of Sex. Aire Centre. Available at: <https://www.airecentre.org/Handlers/Download.ashx?IDMF=936db83f-388d-41d6-911c-db4d86a5c3c4> (Retrieved August 20, 2024)

but also deciding more often in favor of mothers in child custody cases. Another KI mentioned that, although the judiciary stands out as a sector with the most progress in gender integration, court processes for cases such as GBV take an exceptionally long time. Furthermore, there also must be intersectional balance, that is, **the justice system needs to consider overlapping social identities relating to systems of oppression, domination, and discrimination,**<sup>328</sup> in addition to increased representation of genders and ethnic groups. One interviewee noted that women with disabilities are not visible among judges, prosecutors, or others involved in the justice system, **even though justice institutions also have an obligation to employ a person with disabilities** per every 16 employees. Similarly, one KI noted that the **Roma men, and especially women, have limited opportunities to get to that level of education and then employment,** even though formally, the system treats everyone equally. While everyone should have access to legal information in formats and languages understandable and accessible to them (e.g., **in braille or in the Romani language**), **this is not the case in the BiH justice system.**

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

Women in the judiciary have seen increased representation over the past two decades, yet this has not necessarily translated into enhanced gender equality within the system.<sup>329</sup> Older research<sup>330</sup> disclosed gender stereotypes—for example, women judges said that there were more women in the judiciary because they were more hardworking than men, while men believed that women chose those roles because being a judge was easier, because it is a sitting job, implying the gendered nature of professions depending on the demand for physical labor. Furthermore, men referred to women by informal names (such as “honey,” “sweetie,” and “beautiful”) rather than professional titles.<sup>331</sup> However, **behavior such as this has become less common and women judges no longer tolerate it,** according to one KI.

**Judges and prosecutors, especially men, still tend to disregard gender issues and believe that they have nothing more to learn about the topic.** However, they fail to recognize implicit biases that influence the importance they attribute to certain gender roles, which also affects their impartiality and decisions. A KI noted **that judges and prosecutors often express a preference for one side or the other because they are male or female,** for example, including “family man” or “bread winner” assumptions under mitigating circumstance in GBV or DV cases and deciding in favor of mothers in child custody cases under the assumption that they are better carers. The circumstances in both cases can be completely opposite.

### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

With women constituting most judges and prosecutors, as discussed in the previous section, there are no highlighted gender imbalances in the management and access to the judiciary’s resources by judicial professionals. In the judiciary, the availability of assets and resources significantly influences the outcomes. **Economically dependent women exposed to DV may endure abuse longer because of their financial reliance on their abusers,** which deters them from leaving harmful environments. Moreover, when these women seek help after experiencing and reporting violence,

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<sup>328</sup> UNICEF. (2017). Gender Equality: Glossary of Terms and Concepts. UNICEF Regional Office for South Asia. Available at: <https://www.unicef.org/rosa/media/1761/file/Gender%20glossary%20of%20terms%20and%20concepts%20.pdf> (Retrieved August 20, 2024)

<sup>329</sup> Ibid.

<sup>330</sup> Halilovic, M., & Huhtanan, H. (2014). *Gender and the Judiciary: The Implications of Gender within the Judiciary of Bosnia and Herzegovina*. DCAF–Geneva Center for Security Sector Governance. Available at:

[https://www.dcaf.ch/sites/default/files/publications/documents/Gender\\_Judiciary\\_ENG%20FINAL.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/Gender_Judiciary_ENG%20FINAL.pdf) (Retrieved August 20, 2024).

<sup>331</sup> Ibid.

they find that **support services are often scarce and poorly funded**. Additionally, while courts typically do not account for compensations automatically in criminal cases of DV, **the excessive costs associated with suing for damages deter most women from pursuing compensation**. However, one KI noted that **courts established a standard in jurisprudence to integrate material compensation for victims within criminal proceedings for Conflict-Related Sexual Violence, which overall, reduced the cost for plaintiffs**. Trial International specifically advocated for that standard together with victims' associations, and since then, around 20 Conflict-Related Sexual Violence cases have been concluded and material compensation required, according to a KI. One KI commented that treatment of female victims in the courtroom during both civil and criminal proceedings improves with **the presence of CSO monitors, making the victims feel safer** in general and thus more likely to continue with testifying, which is congruent with CSO research, especially on GBV cases.<sup>332</sup>

KIs noted **progress in women's access to justice through CSOs' cooperation with courts**, which allows them to aid victims of GBV, Violence Against Women (VAW), and DV in the proceedings by familiarizing them with their rights and the procedures within the courtroom.

These CSOs expressed **need for the judiciary's improved use of emergency and protective measures for victims of DV**, as well as legislative upgrades to apply those measures in other forms of GBV and Violence Against Women (VAW), as GREVIO also recommended, and legal provisions and **specific protection measures for marginalized groups** such as persons with disabilities and Roma people as victims of violence.

One KI noted that, although all members of society formally have the same possibilities when it comes to access to justice, both **economic and social positions may have an impact on the reporting of crimes and following through with proceedings**. Other factors that influence women's overall access to justice include limited access to information regarding their rights and slow bureaucratized judicial systems in the case of GBV survivors.<sup>333</sup>

When it comes to access to justice for DV and GBV victims, **the FBiH amended its Law on Protection From Domestic Violence, introducing the institute of person of trust** as a way of further aligning the legal framework with the IC. The person of trust can be a family member or another person, such as an employee of the guardianship body of an institution responsible for social and health care or an employee of another public institution or nongovernmental organization whom the victim of violence trusts. FBiH introduced this institute at CSOs' request to help survivors go through the entire court process with as little exposure to trauma as possible.<sup>334</sup> Although this is an important improvement, female victims are rarely aware of its availability.

According to another KI, district POs (except Prijedor) **designated contact persons for LGBTQI+ persons reporting hate crimes or violence**, enabling victims to report directly to the POs and prevent additional victimization by the police.

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<sup>332</sup> Perevoznic, I. (2018). *Monitoring of court proceedings in cases of domestic violence, sexual violence, and trafficking in human beings*. Women's Law Center Moldova. Available at: [https://globalrightsforwomen.org/wp-content/uploads/2020/02/CDF\\_Monitorizare\\_web\\_EN-1-2.pdf](https://globalrightsforwomen.org/wp-content/uploads/2020/02/CDF_Monitorizare_web_EN-1-2.pdf) (Retrieved August 20, 2024)

<sup>333</sup> UN Women. (2021). *Bosnia and Herzegovina takes a strong step forward to protect women survivors of violence*. UN Women—Europe and Central Asia. Available at: <https://eca.unwomen.org/en/news/stories/2021/09/bosnia-and-herzegovina-takes-a-strong-step-forward-to-protect-women-survivors-of-violence#:~:text=Bosnia%20and%20Herzegovina%20takes%20a%20strong%20step%20forward> (Retrieved August 22, 2024)

<sup>334</sup> Slobodna Evropa. (2021, July 29). *Žrtve porodičnog nasilja u BiH dobijaju institut 'osoba od povjerenja'*. Radio Slobodna Evropa. Available at: <https://www.slobodnaevropa.org/a/bih-porodicno-nasilje-osoba-od-povjerenja/31384292.html> (Retrieved August 20, 2024)

Large variations in court efficiency nationwide lead to **uneven access to justice for citizens**.<sup>335</sup> Financial obstacles further hinder access, making it difficult to cover expenses of legal representation, court fees, transportation, and childcare. The uneven allocation of family duties, combined with prevailing gender stereotypes and cultural beliefs, exacerbates these challenges.<sup>336</sup> However, several KIs stated that CSOs in BiH provide free legal advice and aid to victims. Within the BiH Ministry of Justice itself, there is an office for providing free legal aid for administrative procedures, administrative disputes, civil actions, executive procedures, and criminal proceedings at any level of courts, including the European Court of Human Rights and other international human rights bodies. **Legal aid is limited to certain marginalized categories or vulnerable groups** (e.g., people receiving social assistance, children, people with mental disabilities who do not possess a legal capacity, unemployed people without a regular income, victims of GBV and DV, asylum seekers, and elderly people with pensions below the average salary in BiH).<sup>337</sup>

The issues challenging access to justice are often made worse for specific subgroups. Women in rural areas of BiH overall make up more than half of the country's impoverished population, which is also reflected in their **excessive representation in both informal and unpaid work, increased risk of poverty, dependence, and abuse, as well as their lack of access to all public services**, including justice.<sup>338</sup> These challenges increase significantly for women with disabilities or Roma women who also reside in rural communities.<sup>339</sup> One KI noted that Roma women have less access to justice because they have limited access to the internet or other ways of being informed and their trust in the judiciary is also low (please see Section 18).

#### AQ5. CULTURAL NORMS AND BELIEFS

Overall, the judicial profession is linked to impartiality and objectivity, as legal practitioners in BiH widely maintain that they administer the law in an unbiased fashion, according to a KI. Judicial staff believe that they simply apply the legal code and, therefore, act objectively, but implicit biases stemming from stereotypes related to gender, race, ethnicity, or religion can influence decision making in the legal profession despite efforts toward objectivity.<sup>340</sup>

Several interviewees stated that gender biases and prejudices, influenced by traditional culture, were manifested in the judiciary and led to unfair **treatment and unethical behavior toward women and members of the LGBTQI+ community** (such as biases relating to sexual assault victims and their clothing or sexual experience) in the courtrooms. However, these biases and attitudes can be in favor of either sex.<sup>341</sup> One KI noted that there is a strong presence of prejudices and **biases**

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<sup>335</sup> European Commission Directorate General for Enlargement. (2023). *Bosnia and Herzegovina Report 2023*.

<sup>336</sup> Choudhry, S. (2018). *Women's Access to Justice: A Guide for Legal Practitioners*. Available at: <https://Rm.coe.int/Factsheet-Womens-Access-To-Justice/16808ff44e> (Retrieved August 22, 2024)

<sup>337</sup> MoJ. (2022). *Kancelarija za pružanje besplatne pravne pomoći [Free Legal Aid Office]*. BiH Ministry of Justice. Available at: [http://www.mpr.gov.ba/organizacija\\_nadleznosti/Besplatna\\_pravna\\_pomoc/default.aspx?id=12538&langTag=bs-BA](http://www.mpr.gov.ba/organizacija_nadleznosti/Besplatna_pravna_pomoc/default.aspx?id=12538&langTag=bs-BA) (Retrieved August 22, 2024)

<sup>338</sup> Duban, E., & Balta, K. (2021). *National gender profile of agriculture and rural livelihoods: Bosnia and Herzegovina*. UN Women—Europe and Central Asia. Available at: <https://eca.unwomen.org/sites/default/files/2022-01/2021-09-01%20Gender%2C%20Agriculture%20an%20Rural%20Development%20in%20Bosnia%20and%20Herzegovina-min.pdf> (Retrieved August 22, 2024)

<sup>339</sup> Ibid.

<sup>340</sup> Halilović, M., & Huhtanen, H. (2014). *Selected findings and recommendations on the implications of gender within the judiciary of Bosnia and Herzegovina*. DCAF/Atlantic Initiative. Available at: [https://www.dcaf.ch/sites/default/files/publications/documents/Gender\\_and\\_the\\_Judiciary.pdf](https://www.dcaf.ch/sites/default/files/publications/documents/Gender_and_the_Judiciary.pdf) (Retrieved August 22, 2024)

<sup>341</sup> Halilović, M., et al. (2017). *Gender Bias and the Law: Legal Frameworks and Practice from BiH and Beyond*. Atlantic Initiative/DCAF Available at: <https://www.dcaf.ch/sites/default/files/publications/documents/AI-DCAF-2017-Gender-Bias%26Law-legal-frameworks%26practice%20from%20Bosnia%26Herzegovina-and-beyond.pdf> (Retrieved August 22, 2024)

**regarding the Roma community.** Cases of child marriage, TIP, and begging are ignorantly regarded as a part of the Romani culture and taken less seriously, according to a KI.

**Citizens' trust in judicial institutions has been incrementally increasing,** but it is still low in BiH; 67 percent of BiH citizens report low trust in the judiciary, and only 11 percent report high trust, women slightly more than men.<sup>342</sup> Only 25 percent of BiH citizens believe that courts treat people fairly, while only nine percent of them voiced satisfaction with the work of courts, eight percent with POs.<sup>343</sup>

One interviewee reported that, because of the negative perception and lack of trust in judicial institutions, victims of discrimination, particularly related to gender identity, often sought **support from CSOs instead of reporting violations to the authorities** or chose not to report violations at all.

**Lenient sentences,** including suspended sentences to repeat offenders, damage the confidence of victims in the legal system and contribute to the underreporting of GBV cases.<sup>344</sup> One interviewee reported that unequal treatment is also evident in the approach to labor cases, in which **judges tend to rule more often in favor of cases with male plaintiffs. The Association of Women Judges in BiH is attempting to tackle these internal stereotypes by offering educational programs** on sexual harassment laws and actively engaging in international discussions on judiciary reform challenges at the UN Human Rights Council.<sup>345</sup> Furthermore, in cooperation with the HJPC, the association has launched an initiative to address stereotypes within the judiciary. However, this is in the preliminary stages of development.

The judiciary has so far received extensive education on gender-related issues,<sup>346</sup> but the need for continued education on gender-related issues is well established, particularly regarding the LoGE, Law on Protection From Domestic Violence, Law on Prohibition of Discrimination, femicide, VAW, digital violence, gender responsiveness, human rights issues, and GBV. An interviewee commented that men in the judiciary are less willing to participate in gender-related events. Educating men about women's perspectives, experiences, and challenges is crucial for achieving gender equality, as men can serve as vital partners in building a world in which both men and women prosper equally,<sup>347</sup> leveraging their influence to advocate for equality and setting positive examples for their peers. **Excluding men from these efforts hinders progress and diminishes effectiveness, whereas involving them can address harmful masculine behaviors and promote equal sharing of domestic responsibilities.**<sup>348</sup> The Association of Women Judges in BiH is open to both men and women. While female applications for judicial positions are immediately accepted, those from male judges, lawyers, and applicants in roles other than judge or prosecutor undergo a review process by a panel of seven members.<sup>349</sup>

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<sup>342</sup> USAID MEASURE II. (2024). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023*. [in press].

<sup>343</sup> Ibid.

<sup>344</sup> Davidović, E. (2020). *Krivična djela protiv braka, porodice i mladeži u sudskoj praksi Opštinskog i Kantonalnog suda u Tuzli (Crimes against Marriage, Family and Youth in the Caselaw of Tuzla Municipal and Cantonal Courts)*. University of Zenica. Available at: [https://www.prf.unze.ba/Docs/Anali/Anali31god15/15\\_31\\_2.pdf](https://www.prf.unze.ba/Docs/Anali/Anali31god15/15_31_2.pdf) (Retrieved August 22, 2024)

<sup>345</sup> OSCE ODIHR. (2021). *Comparative study on women judges' associations across the OSCE region*. OSCE. Available at: <https://www.osce.org/odihhr/487633> (Retrieved August 21, 2024)

<sup>346</sup> HJPC. *Godišnji izvještaji VSTV-a (Annual Reports of the HJPC)*. Available at: <https://vstv.pravosudje.ba/vstvfo/B/141/kategorije-vijesti/1182/117428/4573> (Retrieved August 20, 2024)

<sup>347</sup> Pichat, S. (2022). *The role of men in achieving gender equality*. UNDP. Available at: <https://www.undp.org/bosnia-herzegovina/blog/role-men-achieving-gender-equality> (Retrieved August 22, 2024)

<sup>348</sup> Ibid.

<sup>349</sup> OSCE ODIHR. (2021). *Comparative study on women judges' associations across the OSCE region*. OSCE.



## CONCLUSIONS

### **C1. The Judiciary has made some progress since 2019, especially related to intraorganizational policies for gender equality and women’s and men’s representation, but key challenges remain in adjudication and access to justice for marginalized groups.**

In cooperation with GEA, HJPC adopted a new Strategy for Gender Equality, and courts and POs started adopting accompanying action plans. HJPC also introduced new categorization of cases, including violence against women and discrimination, enabling advanced case search at its webpage, although some data management challenges still remain, for example, cases that cannot be filtered on the basis of sex. Some types of crimes defined in the IC cannot be identified in cases. Women now constitute most of the judges and prosecutors and a half of the judicial officials, but the adjudication is still considered biased and unfair in cases of domestic violence, custody, and TIP. However, in addition to biases, underlying reasons may be some judges’ and prosecutors’ unwillingness to learn about gender issues, lack of interest in jurisprudence. This results in inadequate implementation of laws regarding GBV, especially at lower level courts, and discrimination trial outcomes largely depend on the plaintiffs’ knowledge and understanding. Marginalized groups are invisible in the justice system as employees and in case statistics. Although there is a significant share of discrimination cases regarding disabilities, there are very few cases regarding discrimination against Roma. HJPC and CEJPs are addressing these aspects through regular updates on jurisprudence and trainings, reporting about discrimination cases in annual reports. However, more investment is needed.

## RECOMMENDATIONS

**R1. Donors, including USAID/BiH, should continue to provide support to the HJPC to improve its data management, sharing, and reporting capabilities, and capacities to help the country comply with its international human rights reporting obligations and human rights–related effectiveness of court protection.** The HJPC should apply a machine-readable/open government data reporting system,<sup>350</sup> with the required reporting of data disaggregated by gender, sex, and other relevant categories.

**R2. International donors should continue providing financial support and technical expertise to enhance stakeholders’ capacity and systems for handling GBV and discrimination cases.** Specifically, donors should support (1) CEJPs and Bar Associations to provide more frequent and systemic professional education and training of judges, prosecutors, and attorneys on women’s rights, gender equality, gender stereotypes, and specific issues relating to cases of GBV, VAW, and GBD, as well as cultural sensitivity training; (2) HJPC’s jurisprudence updates on and periodic review of GBV and discrimination cases to assess efficiency and effectiveness of the judiciary on gender-related matters, particularly examining the outcomes, conviction rates, institutional responses, recidivism, and femicide; potential biases; (3) executive governments’ improved outreach with free legal aid services in rural areas and with marginalized communities, for example, by setting up mobile or temporary legal aid clinics in rural areas or in Roma communities; and (4) expansion of courts’ and POs’ witness support programs and services for marginalized groups, for example, interpreters and information in the Romani and migrant population languages, braille, use of sign language, and better accessibility of courtrooms and other judicial facilities, as well as judicial information online and in direct communication.

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<sup>350</sup> Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on Open Data and the Re-Use of Public Sector Information (Recast), EP, CONSIL, 172 OJ L (2019). Available at: <http://data.europa.eu/eli/dir/2019/1024/oj/eng> (Retrieved August 22, 2024).

## 9. FIGHTING CORRUPTION

### AQI. POLICIES AND PRACTICES

Investigating the link between gender and corruption shows several facets of this nexus, revealing that negative effects of corruption—commonly defined as “the abuse of entrusted power for private gain”<sup>351</sup>—are not experienced evenly by the entire population. An expanding body of research underlines a gendered component of corruption.

Although the text of the United Nations Convention against Corruption, the only legally binding universal anticorruption instrument, does not specifically reference gender, “there are increasing efforts to apply gender integration in its implementation, especially by United Nations Office on Drugs and Crime (UNODC) by integrating a gender perspective into the programming cycle.” Still, the link between corruption and gender remains mostly unaddressed as anticorruption policies worldwide rarely link clearly to gender equality, even though existing research shows that corruption disproportionately affects women.<sup>352</sup>

**Similarly, corruption has not been addressed in BiH’s gender policies, nor has gender been reflected in BiH anticorruption policies until recently.** However, the new BiH Strategy for the Fight against Corruption 2024–2028 and its accompanying action plan take into account the gender aspect. Although this represents an important first step in gender integration in anticorruption policies, a KI reported that the newly introduced gender aspect, related mostly to reporting and data disaggregation, seem insufficient. It is also doubtful whether and to what extent this aspect will be implemented because measures were defined broadly and no responsible institutions were assigned. The same KI recalled that about 30 percent of measures from the preceding strategy’s Action Plan remained unimplemented. Moreover, its accompanying Action Plan does not include specific activities that address gendered forms of corruption.<sup>353</sup> However important, this initial progress in anticorruption policies is not sufficient for these policies to be more gender responsive.

To describe the abuse of power to sexually exploit those dependent on that power and differentiate it from other types of sexual abuse or exchange, the

TI uses the term “sextortion,” linking it to the presence of three elements: abuse of official power, psychological coercion, and quid pro quo,<sup>354</sup> and it would be used in this sense in the remainder of this analysis.<sup>355 356</sup>

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<sup>351</sup> European Commission Migration and Home Affairs (undated). *Corruption*. European Commission. Available at: [https://home-affairs.ec.europa.eu/policies/internal-security/corruption\\_en](https://home-affairs.ec.europa.eu/policies/internal-security/corruption_en) (Retrieved August 22, 2024)

<sup>352</sup> Christian Michelsen Institute. (2021). *Gender Mainstreaming in the United Nations Convention against Corruption*. U4 Anti-Corruption Resource Centre. Available at: <https://www.u4.no/publications/gender-mainstreaming-in-the-uncac> (Retrieved August 20, 2024)

<sup>353</sup> Agencija za borbu protiv korupcije i koordinaciju borbe protiv korupcije (APIK). (2024). *Strategija za borbu protiv korupcije 2024–2028 i Akcioni plan za provođenje*. Available at: [https://www.vijeceministara.gov.ba/akti/prijedlozi\\_zakona/default.aspx?id=43389&langTag=hr-HR](https://www.vijeceministara.gov.ba/akti/prijedlozi_zakona/default.aspx?id=43389&langTag=hr-HR) (Retrieved August 22, 2024)

<sup>354</sup> Transparency International BiH. (2020). *Breaking the Silence around Sextortion: The Links between Power, Sex, and Corruption*. TI BiH. Available at: [https://images.transparencycdn.org/images/2020\\_Report\\_BreakingSilenceAroundSextortion\\_English.pdf](https://images.transparencycdn.org/images/2020_Report_BreakingSilenceAroundSextortion_English.pdf) (Retrieved August 22, 2024)

<sup>355</sup> However, “sextortion” can be used differently in various contexts: notably, “sextortion” can refer to a form of cyberharassment that involves the use of sexually explicit visual material to compel victims’ actions or conduct.

<sup>356</sup> UNODC. (undated). *Knowledge Tools for Academics and Professionals, Module 8 Corruption and Gender*. UNODC. Available at: [https://grace.unodc.org/grace/uploads/documents/academics/Anti-Corruption\\_Module\\_8\\_Corruption\\_and\\_Gender.pdf](https://grace.unodc.org/grace/uploads/documents/academics/Anti-Corruption_Module_8_Corruption_and_Gender.pdf) (Retrieved August 21, 2024)

Sextortion<sup>357</sup> is not codified as a distinct criminal act in the BiH legislation,<sup>358</sup> but some related offenses are defined under relevant laws. Still, the lack of a distinct definition of sextortion as a criminal offense prevents its recognition as a form of corruption and obscures the serious nature of the offense and the need for more severe penal provisions.<sup>359</sup> KIs find that this legislative gap makes law enforcement agencies and the judiciary less willing to recognize and take on sextortion cases.

Across sectors, most BiH citizens (71 percent) believe that corruption is widespread in the health care sector (more than for any other sector in the country).<sup>360</sup> As many as half of young mothers gave money/bribes/gifts to staff members in maternity wards when seeking assistance during childbirth,<sup>361</sup> and nearly 20 percent stated that the medical staff directly or indirectly asked for money.<sup>362</sup> However, none of the maternity wards or competent health care ministries reported receiving any reports about corruption.<sup>363</sup> Summary information about the prosecution of corruption in maternity wards, or even at health care institutions, in general, is not publicly available, with only isolated instances of prosecution reported in the media<sup>364</sup> or official publications.<sup>365</sup> With civil society engagement, some progress is being made, and 15 health care institutions throughout the country are committed to cooperation with the TI project “Let’s Cure Health Care”<sup>366</sup> and 12 maternity wards (covering 70 percent of births in BiH) so far agreed to introduce a system that will permit mothers to report corruption and irregularities.<sup>367</sup>

**IA. NEEDED CHANGES:** To effectively address the link between corruption and gender, the anticorruption policy framework should be expended to incorporate specific measures and activities that explicitly target gender-related issues such as addressing GRB or gendered forms of corruption, clearly assigning responsible institutions with assigned responsibilities for implementing gender-related measures that are clear and actionable. It is also necessary to support advocacy efforts to introduce sextortion into BiH legislation.

**IB. CHALLENGES TO CHANGE:** The limited extent of the introduction of gender aspect into the new BiH Strategy for the Fight against Corruption 2024–2028 should be attributed at least partly to the fact that it represents the first step in this direction. However narrow, it shows authorities’

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<sup>357</sup> The term “sexual corruption” is often used instead of the term “sextortion,” as it includes both extortion and bribery, whereas the term “sextortion” does not relate to bribery. However, in its research Transparency International uses the term “sextortion,” as discussed above.

<sup>358</sup> Helsinki Citizens’ Assembly Banja Luka. (2023). *Rasprostranjenost seksualnog iznuđivanja (sextortion) u društvu*. p. 34. Available at: [https://hcabl.org/wp-content/uploads/2023/10/Istrazivanje-i-Rasprostranjenost-sextortiona-u-privatnom-i-javnom-sektoru\\_Final.pdf](https://hcabl.org/wp-content/uploads/2023/10/Istrazivanje-i-Rasprostranjenost-sextortiona-u-privatnom-i-javnom-sektoru_Final.pdf) (Retrieved August 20, 2024)

<sup>359</sup> Transparency International BiH (2021). *Sextortion-Corruption Disguised, Case Study Bosnia and Herzegovina*. TI-BiH. Available at: <https://ti-bih.org/wp-content/uploads/2021/11/Sextortion-ENG.pdf> (Retrieved August 22, 2024)

<sup>360</sup> Transparency International BiH. (2023). *Izveštaj o monitoringu procesuiranja korupcije pred sudovima i tužilaštvima u Bosni i Hercegovini 2022*. TI-BiH. Available at: <https://ti-bih.org/wp-content/uploads/2023/05/Monitoring-procesuiranja-2022.pdf> (Retrieved August 22, 2024)

<sup>361</sup> The survey data was gathered from September 2020 to February 2021.

<sup>362</sup> Udruženje “Baby Steps”. (2021). *Borba protiv korupcije u porodilištima*. Baby Steps, CCI, and TI-BiH. Available at: <https://www.babysteps.ba/borba-protiv-korupcije-u-porodilistima/> (Retrieved August 18, 2024)

<sup>363</sup> Udruženje “Baby Steps”. (2021). *Borba protiv korupcije u porodilištima*.

<sup>364</sup> Vijesti.ba. (2023, September 21). “Udruženje Baby Steps: Zaustaviti koruptivne radnje u porodilištima.” Available at: <https://www.vijesti.ba/clanak/613116/udruzenje-baby-steps-zaustaviti-koruptivne-radnje-u-porodilistima> (Retrieved August 19, 2024)

<sup>365</sup> Ustavni sud BiH. (2023). *Analiza prakse najviših sudova u BiH u predmetima organizovanog kriminala i korupcije*. Ustavni sud BiH & Aire Centre. Available at: [https://www.ustavnisud.ba/uploads/documents/analiza-praksa-organizovani-kriminal-korupcija\\_1679315284.pdf](https://www.ustavnisud.ba/uploads/documents/analiza-praksa-organizovani-kriminal-korupcija_1679315284.pdf) (Retrieved August 22, 2024)

<sup>366</sup> Transparency International BiH. (2022). „Izliječimo zdravlje”: *Prevenција korupcije u zdravstvu—Bolja zdravstvena zaštita pacijenata*. TI-BiH. Available at: <https://ti-bih.org/izlijecimo-zdravstvo-prevencija-korupcije-u-zdravstvu-bolja-zdravstvena-zastita-pacijenta/> (Retrieved August 21, 2024)

<sup>367</sup> Antikorupcija.info (2024, July 31). “Baby Steps” porodiljama u BiH omogućio da ocijene porodilište i prijave eventualnu korupciju. Available at: <https://antikorupcija.info/baby-steps-porodiljama-u-bih-omogucio-da-ocijene-porodiliste-i-prijave-eventualnu-korupciju/> (Retrieved August 21, 2024)

recognition and initial political will to address gender in anticorruption policies that should be further encouraged to include more concrete gender-related measures that would go beyond data disaggregation. Broad and vague definitions of current measures pose a challenge that may hinder their effective implementation. Additionally, the legislative gap in recognizing sextortion as a distinct criminal offense may result in reluctance from law enforcement and the judiciary to address such cases.

## AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

Although there are no official data in terms of representation, **women seem to be underrepresented in BiH anticorruption bodies**, according to a KI. However, the BiH Agency for the Prevention of Corruption and Coordination of the Fight against Corruption has made some efforts to enhance gender equality that may contribute to a more inclusive and safe work environment and potentially indirectly increase women's representation in this sector. Namely, the agency has appointed an advisor for the prevention of gender-based harassment and sexual harassment and adopted a decision on zero tolerance for sexual harassment, which makes it one of over 70 institutions in BiH that adopted such a decision based on the information on mechanisms for effective prevention and protection against gender-based and sexual harassment in the BiH institutions that was adopted by the Council of Ministers of BiH.<sup>368</sup>

### **Women are also less represented among those who report corruption to the agency.**

Based on the information received from the agency, from January 2020 to March 2024, the agency received 417 reports about possible corruption, almost half of them anonymous. Among those that were not anonymous, 70 percent were men and 30 percent were women. Since 2020, four men and three women have requested the protected status on the basis of the BiH Law on whistleblower protection in the BiH institutions. Information provided by the agency does not include disaggregate categories that would provide information on the number of members of LGBTQI+ community who reported corruption or requested protected status.

Similarly, **women seem to be underrepresented among those who report corruption to nongovernment organizations**. An analysis of those who report corruption to TI BiH shows that overall, more men than women reported corruption cases. However, a more nuanced overview of the data shows a difference between men and women based on their level of education. While men with an elementary-level education are more likely to contact TI (76 percent men vs. 24 percent women), women are more represented among those with university degrees and above (62 percent women vs. 38 percent men).<sup>369</sup>

**There are no gender differences in terms of participation in civic activities, including those focusing on anticorruption.** Overall, civic activism in BiH remains low, with only seven percent of citizens (six percent of women) reporting engagement in civic activities,<sup>370</sup> including anticorruption activities. Fewer women than men (25 percent vs. 33 percent, respectively)<sup>371</sup> identified combatting corruption and crime as a motivation for engaging in civic activities.

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<sup>368</sup>GEA. (2023). *Final Report on Implementation of the BiH Gender Action Plan 2018–2022*. Gender Equality Agency. Available at: <https://arsbih.gov.ba/wp-content/uploads/2023/07/230524-Završni-izvještaj-GAP-2018-2022-hrvatski.docx>. (Retrieved August 21, 2024)

<sup>369</sup> Transparency International BiH. (2020). *Gender and Corruption in Failed Democracies. Case study Bosnia and Herzegovina*. TI-BiH. Available at: <https://ti-bih.org/wp-content/uploads/2020/05/Gender-and-Corruption.pdf> (Retrieved August 20, 2024)

<sup>370</sup> USAID MEASURE II. (2024). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023*. [in press].

<sup>371</sup> Ibid.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

Established gender roles contribute to imbalances of power between men and women, often leaving women more vulnerable in both their private and public lives. To varying degrees, **gender roles also influence women’s exposure to corruption.** As primary caretakers for children and elderly people in many societies, women typically face corruption in public services such as the health sector. The influence gender roles have on the way women experience corruption is illustrated by the 2023 NSCP-BiH, which shows that women tend to be in more contact with hospital staff (e.g., 70 percent of men and 76 percent of women were in contact with a doctor) or education staff (26 percent men and 32 percent women), whereas men tend to be exposed to officials in other public sectors, such as police, politicians, and government employees at higher rates than women.<sup>372</sup>

According to the UNODC report on corruption in BiH, there are some differences between men and women in the ways corruption is practiced: **Women typically do not pay as much as men and they tend to bribe in kind, by offering gifts of food and beverages.**<sup>373</sup>

Women are disproportionately affected by sexual exploitation as a gendered form of corruption.<sup>374</sup> For the UNODC, sexual corruption involves sex and the human body as the currency of corruption and is linked with the interpretation of corruption benefits as “undue advantage.”

Research conducted in BiH has shown that sextortion frequently occurs in the workplace and in education, with women being more affected. Ninety-two percent of respondents in a Helsinki Citizens’ Assembly Banja Luka (HCABL) study recognize that sextortion affects victims of all ages and manifests itself in all spheres of life, with more than three-fourths of participants agreeing that sextortion most commonly occurs at work: Of those that had experienced sextortion, 15 percent of HCABL’s respondents experienced sextortion when seeking employment and 16 percent in the context of career advancement.<sup>375</sup> Despite their growing presence in the lower ranks of the workforce, **women frequently face marginalization and exclusion from positions of power in BiH.**<sup>376</sup> Three KIs observed that sextortion disproportionately targets women because they find themselves in subordinate roles in society and in lower paying and less socially valued jobs. When it comes to the exposure of marginalized groups such as people with disabilities, Roma, or LGBTQI+ to sextortion, according to a KI, it is necessary to raise awareness of the intersectionality of sextortion among the general BiH population. The KI mentioned an unofficial and anonymous reporting of sextortion by a member of LGBTQI+ taking place during an awareness-raising street campaign, which turned out to lean more toward sexual harassment than sextortion as the meaning of the terms remains unclear to the general BiH public.

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<sup>372</sup> USAID MEASURE II. (2024). *National Survey of Citizens’ Perceptions in Bosnia and Herzegovina 2023*. [in press].

<sup>373</sup> UNODC. (2018). *Corruption in Bosnia and Herzegovina: Bribery as Experienced by the Population*. p. 3. Available at: [https://www.unodc.org/documents/data-and-analysis/statistics/corruption/Bosnia\\_corruption\\_report\\_web.pdf](https://www.unodc.org/documents/data-and-analysis/statistics/corruption/Bosnia_corruption_report_web.pdf)

<sup>374</sup> UNODC. (2018). *Addressing the interplay between gender and corruption*. UNODC Regional Office for southeast Asia and the Pacific. Available at: <https://www.unodc.org/roseap/en/what-we-do/anti-corruption/topics/22-addressing-the-interplay-between-gender-and-corruption.html> (Retrieved August 20, 2024).

<sup>375</sup> Helsinki Citizens’ Assembly Banja Luka (2023). *Rasprostranjenost seksualnog iznuđivanja (sextortion) u društvu*. HCABL. Available at: [https://hcabl.org/wp-content/uploads/2023/10/Istrazivanje-i-Rasprostranjenost-sextortiona-u-privatnom-i-javnom-sektoru\\_Final.pdf](https://hcabl.org/wp-content/uploads/2023/10/Istrazivanje-i-Rasprostranjenost-sextortiona-u-privatnom-i-javnom-sektoru_Final.pdf) (Retrieved August 22, 2024).

<sup>376</sup> European Democracy News Network (2023). *Breaking Gender Barriers: Women’s Position in Bosnia and Herzegovina*. Available at: <https://edyn.eu/breaking-gender-barriers-womens-position-in-bosnia-and-herzegovina/#:~:text=Women%20are%20often%20marginalized%20and%20excluded%20from%20positions.%E2%80%93%20the%20first%20since%20the%20country%E2%80%99s%20modern%20independence> (Retrieved August 20, 2024).

Besides being common in the workplace, sextortion is also observed in education.<sup>377</sup> According to the HCABL study, nine percent of respondents<sup>378</sup> experienced sextortion in connection to taking some form of examination (either at university, for their driving license, or for a professional exam).<sup>379</sup> According to a KI, gender affects corruption to the extent to which gender roles are present in a society: the position of women, circumstances, access to different institutions, education, and so forth. Gender-determined circumstances women find themselves in based on their gender roles influence the way women view societal problems and the type of corruption that they report. Time poverty and different priorities influenced by the gender role women play in the family and society influence the character and incidence of corruption reporting by women. Related research in BiH showed that women tend to report corruption in education and health sectors because those are the sectors they are mainly in touch with.<sup>380</sup>

Desk research conducted by the team showed that organized crimes that rely on exploitation of women and children, and often include some form of corruption (e.g., bribed labor inspectors, social workers, police inspectors, organized networks) are insufficiently researched, revealing the need to analyze the link between corruption and organized crime cases in BiH that relate to prostitution, labor exploitation, or TIP.

#### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

One of the factors that further exacerbates gender inequality is poverty. Worldwide, women make up about 70 percent of the world's population living in poverty, although there is no corresponding systematic research on this for the region. Corruption disproportionately affects people living in poverty, especially women who are often more affected by corrupt activities than men living in similar circumstances.<sup>381</sup> While this difference between men and women may not be as striking in BiH, women's economic activity in the country is appreciably lower than men's (36 percent of women vs. 60 percent of men in 2023).<sup>382</sup> In combination with the small share of women property owners and very small share of women among top managers (17 percent) and majority owners of BiH firms (13 percent),<sup>383</sup> women's low economic activity contributes to lower financial means available to women. This in turn results in women's being more affected by corruption.

The gendered imbalance of assets and resources also means that the effects of corruption are experienced differently by women and men. **As women face greater risks of having lower financial means or even poverty, they may have less or no access to services that require informal payments.**<sup>384</sup>

Comparative lack of asset ownership and access to resources affects both women's willingness to report corruption and participate in anticorruption activism. Women victims of corruption are often

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<sup>377</sup> Helsinki Citizens' Assembly Banja Luka. (2023). *Rasprostranjenost seksualnog iznuđivanja (sextortion) u društvu*.

<sup>378</sup> Out of 274 respondents for the survey conducted by HCABL, 232 were women while only 42 were men.

<sup>379</sup> Helsinki Citizens' Assembly Banja Luka. (2023). *Rasprostranjenost seksualnog iznuđivanja (sextortion) u društvu*.

<sup>380</sup> Transparency International BiH. (2020). *Gender and Corruption in Failed Democracies. Case study Bosnia and Herzegovina*.

TI-BiH. Available at: <https://ti-bih.org/wp-content/uploads/2020/05/Gender-and-Corruption.pdf> (Retrieved August 21, 2024)

<sup>381</sup> Fuentes, A. (n.d.). *The Link Between Corruption and Gender Inequality: A Heavy Burden for Development and Democracy*.

Wilson Center. Available at: <https://www.wilsoncenter.org/publication/the-link-between-corruption-and-gender-inequality-heavy-burden-for-development-and> (Retrieved August 20, 2024).

<sup>382</sup> Agency for Statistics of Bosnia and Herzegovina (BHAS). (2024). *Labor Force Survey 2023*. BHAS. Available at:

[https://bhas.gov.ba/data/Publikacije/Saopštenja/2024/LAB\\_00\\_2023\\_YI\\_I\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Saopštenja/2024/LAB_00_2023_YI_I_BS.pdf) (Retrieved August 21, 2024).

<sup>383</sup> World Economic Forum. (2023). *2023 Global Gender Gap Report*. WEF. Available at:

[https://www3.weforum.org/docs/WEF\\_GGGR\\_2023.pdf](https://www3.weforum.org/docs/WEF_GGGR_2023.pdf) (Retrieved August 20, 2024).

<sup>384</sup> OSCE. (2021). *Gender and Corruption: What Do We Know? A Discussion Paper*. OSCE. Available at:

<https://www.osce.org/files/f/documents/4/6/507569.pdf> (Retrieved August 22, 2024).

deterred by the costs of court proceedings, possibly an insurmountable obstacle for those of modest financial means.

## AQ5. CULTURAL NORMS AND BELIEFS

Different relationships men and women have with corruption partly arises from the differences in gender norms and beliefs. International research into the intersection between gender norms and corruption offers a variety of insights. According to some interpretations, women are more sensitive to social cues, more inclined to cooperate, and more likely to refrain from norm-breaking behavior for fear of adverse consequences and punishment.<sup>385</sup> Research also finds that women tend to receive more severe punishment for being involved in corruption,<sup>386</sup> which in turn influences their proclivity for corruption. More recent research tends to be more nuanced and emphasizes the fact that the relationship between corruption and gender should not be viewed in isolation from other variables such as culture, institutions, and the nature of the political system. In many instances, these contextual social factors appear to be more important than the gender of the participants.<sup>387</sup>

In the context of BiH, research conducted by the TI BiH revealed that citizens' perception of individual's propensity to take or offer bribes is not influenced by gender.<sup>388</sup> Research conducted by MEASURE II revealed an example of the way women experience corruption differently from men on the basis of the social norms. A civil society anticorruption intervention targeting corruption in maternity wards revealed that women or their families are expected to bribe the medical staff, as this may help them avoid obstetric violence and humiliation.<sup>389</sup>

## CONCLUSIONS

**C1. Despite the first step in gender integration in anticorruption policies, there is limited focus on addressing corruption through the perspective of gender.** Before the adoption of the new BiH Strategy for the Fight against Corruption 2024–2028, gender had not been addressed in BiH's anticorruption policies. While the strategy represents an important first step, including gender in the strategic program description is far from sufficient for gender integration within this sector. The absence of specific activities in the strategy's Action Plan, which would address gendered forms of corruption, further highlights the need for more actionable policies.

**C2: Women experience corruption differently because of their specific gender roles, with gender disparities present in the reporting of corruption but not in anticorruption civic engagement.** Women experience corruption differently because of their specific gender roles. A growing body of international research offers insights into the nexus between gender and corruption. While limited, similar research in BiH reveals that women as primary caretakers for children and elderly people typically face corruption in public services such as the health sector. They also seem to be disproportionately affected by sextortion, which manifests in all spheres of life but most frequently in the workplace and education. Women less often than men report corruption and identify combatting corruption as a motivation to engage in civic activities. However, reporting

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<sup>385</sup> Esarey, J. & Schwindt-Bayer, L. (2018). *Estimating Causal Relationships Between Women's Representation in Government and Corruption*. Sage Journals, 52(11). Available at: [https://journals.sagepub.com/doi/suppl/10.1177/0010414019830744/suppl\\_file/2018-9-17\\_gender-corruption-and-causality.pdf](https://journals.sagepub.com/doi/suppl/10.1177/0010414019830744/suppl_file/2018-9-17_gender-corruption-and-causality.pdf) (Retrieved August 21, 2024).

<sup>386</sup> Rheinbay, J. and Chêne, M. (2016). *Gender and Corruption: Topic Guide*. Transparency International. Available at: [https://knowledgehub.transparency.org/assets/uploads/kproducts/Topic\\_guide\\_gender\\_corruption\\_Final\\_2016.pdf?source=post\\_page-----](https://knowledgehub.transparency.org/assets/uploads/kproducts/Topic_guide_gender_corruption_Final_2016.pdf?source=post_page-----) (Retrieved August 21, 2024).

<sup>387</sup> Debski, J., Jetter, M., Möslé, S., Stadelmann, D. (2018). *Gender and corruption: The neglected role of culture*. *European Journal of Political Economy*, Available at: [https://api.research-repository.uwa.edu.au/ws/portalfiles/portal/27012206/Research\\_output\\_copy.pdf](https://api.research-repository.uwa.edu.au/ws/portalfiles/portal/27012206/Research_output_copy.pdf) (Retrieved August 21, 2024).

<sup>388</sup> Transparency International BiH (2020). *Gender and Corruption in Failed Democracies: Case study BiH*

<sup>389</sup> MEASURE II. Unpublished Brief Assessment: Gender Perspective of Anti-Corruption Civil Society Organizations.

of corruption is related to citizens' understanding of what constitutes corruption. With increasing understanding of gendered forms of corruption that started expanding only recently, more women can be expected to recognize that they were actually victims of corruption and report it. When it comes to civic activism, women's reported participation in such activities, including those that focus on anticorruption, does not seem to differ from that of men. The gendered aspect of corruption is a direct consequence not of sex but of gender roles that vary in each society, and in BiH, men usually dominate positions of power. Although women may not have equal access to undue benefits stemming from the position of power and may be more disadvantaged in accessing some services if they lack resources for bribes, they nevertheless benefit from corruption via men in their families, also participate in corruption organized by men, and if in positions of power, also organize corruption.

## RECOMMENDATIONS

**R1. USAID/BiH and other donors should support research on the nexus between gender and corruption in BiH.** This research should focus on understanding the specific effects of corruption on women, identifying patterns in the way women report corruption and examining the backlash they may face. Such research should also include analysis of organized crime court cases that specifically relate to prostitution, labor exploitation, TIP, and their links with corruption. The studies should be designed to provide actionable insights that can inform policy and program development. Additionally, research institutions and gender-focused organizations should be involved in these studies to ensure a thorough and nuanced understanding of the issues.

**R2. USAID/BiH should support extensive awareness-raising and public campaigns that emphasize the importance of civic activism, including anticorruption activism, and that promote increased awareness about gendered forms of corruption such as sextortion, corruption in maternity wards, or other types of corruption identified in the above-mentioned research.** These campaigns should highlight the effects of corruption on women; encourage women to report corruption and participate in anticorruption activities; promote the benefits of gender equality in combating corruption; and utilize various media platforms to reach a broad audience, including social media, television, and public events. Collaboration with women's organizations and educational institutions should be realized to disseminate the message effectively.

**R3. Donors including USAID/BiH should consider actively engaging women's organizations in anticorruption initiatives.** This engagement should include providing financial and technical support to women's organizations to enhance their capacity to address corruption, involving women's organizations in the development and implementation of anticorruption policies and programs, encouraging collaboration between women's organizations and other CSOs to create a unified approach in combating corruption, and supporting advocacy efforts aimed at integrating gender perspectives into anticorruption policies.

**R4. Donors including USAID/BiH should consider supporting advocacy initiatives that aim at the meaningful introduction of gender aspects in anticorruption policies, as well as sextortion, into BiH legislation.** This includes promoting the integration of gender perspectives into existing anticorruption framework and ensuring that anticorruption policies are designed and implemented in a way that considers the gendered effects of corruption. Initiatives advocating for the inclusion of specific measures to address gendered forms of corruption, such as sextortion, in BiH legislation should also receive support.



## 10. GOVERNANCE

### AQI. POLICIES AND PRACTICES

As discussed in previous sections, BiH has made some strides in gender integration within other policies. In addition to the BiH GAP (2023–2027) and entity Operational Plans (OPs) for gender integration, six cantons in FBiH adopted their Cantonal Gender Action Plans for the first time. CoM adopted GEA’s Guide for Effective Measures Against Sexual and Gender-Based Harassment in the BiH Institutions in 2019, and until July 2023, **over 70 institutions at state level adopted their own policies against sexual and gender-based harassment and appointed advisors against such instances.**<sup>390</sup> In 2022, the FBiH government also adopted a Policy of Zero Tolerance for Harassment.

Beyond those advancements, the **BiH progress in gender integration in governance and policies is slow and largely depends on GIMs’ resources and the willingness, capacities, and influence of few individuals in line ministries** where gender equality is not a core competence, according to informants. LoGE requires all policy makers to seek opinions of GIMs on draft documents’ harmonization with the LoGE. Legislative drafting in FBiH<sup>391</sup> and RS<sup>392</sup> should incorporate Regulatory Impact Assessment (RIA) procedures, including assessment of policies’ expected effects on gender equality. The revised RS RIA decree from 2023 is more advanced, and it broadens the scope to human rights and introduces ex post evaluations of legislative effects every three years. The RS<sup>393</sup> and FBiH<sup>394</sup> Laws on Strategic Planning and Development Management set gender equality as one of the principles of strategic planning.

However, according to three interviews, implementation of this legislation is often mere formal in nature, and not all line ministries send laws, strategies, or action plans to GIMs for opinions or involve them in policy planning at an early stage.

*That form I told you about, when a person [from a line ministry or agency] writes that there is no expected influence on gender equality from his perspective, then he is not required to send it to us... And when I look at the document later, I see that there was a need.*

–KI, GIM

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<sup>390</sup> GEA. (2023). *Final Report on Implementation of the BiH Gender Action Plan 2018–2022*. Gender Equality Agency. Available at: <https://arsbih.gov.ba/vijece-ministara-usvojilo-zavrzni-izvjestaj-o-provodjenju-gender-akcionog-plana-bosne-i-hercegovine-2018-2022/> (Retrieved August 15, 2024).

<sup>391</sup> FBiH Government. (2014). Uredba o postupku procjene uticaja propisa [Regulatory Impact Assessment Directive], *FBiH Official Gazette*. Available at: <https://fzpr.gov.ba/files/Uredbe/Uredba%20o%20postupku%20procjene%20uticaja%20propisa.pdf> (Retrieved: May 13, 2024).

<sup>392</sup> RS Government. (2023). Odluka o procjeni uticaja propisa (Decision on Regulatory Impact Assessment), *RS Official Gazette*. Available at: [https://www.rgurs.org/uploads/laws/154\\_1.%20Odluka%20o%20procjeni%20uticaja%20propisa.pdf](https://www.rgurs.org/uploads/laws/154_1.%20Odluka%20o%20procjeni%20uticaja%20propisa.pdf) (Retrieved August 15, 2024).

<sup>393</sup> Zakon o strateškom planiranju i upravljanju razvojem u Republici Srpskoj [Law on Strategic Planning and Development Management in Republika Srpska]. RSNA. *RS Official Gazette*, 63/21. Available at: <https://www.narodnaskupstinar.net/?q=la/akti/usvojeni-zakoni/zakon-o-strate%C5%A1kom-planiranju-i-upravljanju-razvojem-u-republici-srpskoj> (Retrieved May 13, 2024).

<sup>394</sup> Zakon o razvojnom planiranju i upravljanju razvojem u FBiH [Law on Development Planning and Development Management in FBiH]. FBiH Parliament. (2017). *FBiH Official Gazette 32/17*. Available at: <https://fzpr.gov.ba/files/Zakoni/Zakon%20o%20razvojnom%20planiranju%20i%20upravljanju%20razvojem%20u%20FBiH.pdf> (Retrieved: May 13, 2024).

The numbers of opinions GIMs provided to other institutions on harmonization of policy documents with the LoGE have been stagnating or decreasing since 2019.<sup>395</sup> Emergency decision making during COVID-19 largely contributed to this track record.

All data that institutions collect or process should include gender disaggregation when referring to people, according to the LoGE. GEA issued recommendations to all institutions at state level in that direction in 2020 and reviewed institutional progress in a year's time. GEA's finding was that there are improvements, but the **data aggregated from lower levels or requiring legislative changes are more prone to problems in disaggregation. Still, there is now more data collected and available than in 2019** because of reporting towards SDGs and the country's Gender Equality Index, and there is better cooperation between GIMs and statistics agencies. Legal sex is based on biological sex, and steps toward more flexible gender identification and disaggregation are modest, with just one example in institutions.<sup>396</sup> A third legal gender option is not high on the list of priorities for nonbinary people, according to a KIs (however, please see Section 17 on other issues with legal sex).

Unfortunately, in the SDG Framework,<sup>397</sup> the country replaced or adapted some of the global indicators that include disaggregation by gender to variants without disaggregation or is not reporting data by gender for some of those indicators. For example, the SDG Framework does not include the gender indicator 5.3.1 - Proportion of women aged 20–24 years who were married or in a union before age 15 and before age 18. SDG reports<sup>398</sup> do not include gender, disability, or age disaggregation of all relevant data, for example, for the indicator 1.1.1. Proportion of the population living below the international poverty line by sex, age, disability, and urban/rural.

The **Law on the CoM<sup>399</sup> does not include articles prohibiting discrimination in appointments; nor does it require or recommend proportional representation of women** in accordance with the LoGE, leading to women's low representation in decision making. In the security sector, for example, men lead the Ministry of Security (MoS) and all administrative units attached to it.<sup>400</sup> While the underrepresentation in leadership needs to be mitigated, decisions of the MoS may still be gender responsive in the meantime.<sup>401</sup> Directors of the CoM directorates and heads of key offices in the CoM are appointed in accordance with the Law on Civil Service,<sup>402</sup> which is harmonized with the LoGE in terms of equal treatment, antidiscrimination, and antiviolence

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<sup>395</sup> MHRR. (2020-2024). *Annual Reports*: Available at:

<http://www.mhrr.gov.ba/ministarstvo/default.aspx?id=6557&langTag=bs-BA> (Retrieved May 13, 2024). Details: 33 in 2019, 27 in 2020, 27 in 2021, and 33 in 2022. Supreme Audit Office. (2023). *Report on Impact Audit: RS Institutions' Measures and Activities for Gender Equality*. Available at: [https://gsr-rs.org/wp-content/uploads/2023/12/RU006-22\\_Lat.pdf](https://gsr-rs.org/wp-content/uploads/2023/12/RU006-22_Lat.pdf) (Retrieved August 24, 2024). p.23

<sup>396</sup> CSA. (2024). *Statistics*. BiH Civil Service Agency. Available at: <https://www.ads.gov.ba/bs-latn-ba/statistics> (Retrieved August 24, 2024).

<sup>397</sup> CoM & UNDP. (2020). *The SDGs Framework in Bosnia and Herzegovina*. UNDP. Available at: <https://www.undp.org/bosnia-herzegovina/publications/sdgs-framework-bosnia-and-herzegovina> (Retrieved August 15, 2024).

<sup>398</sup> BHAS. (2024). *BiH Indicators of Sustainable Development Goals*. BiH Agency for Statistics. Available at: [https://bhas.gov.ba/data/Publikacije/Bilteni/2024/SDG\\_00\\_2023\\_TB\\_I\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/SDG_00_2023_TB_I_BS.pdf) (Retrieved August 15, 2024).

<sup>399</sup> Zakon o Vijecu ministara Bosne i Hercegovine [Law on the Council of Ministers of BiH], BiH Parliamentary Assembly, *BiH Official Gazette* 30/03, 42/03, 81/06, 76/07, 81/07, 94/07, 24/08. Available at: <https://www.izbori.ba/Documents/documents/ZAKONI/POZVMI10508.pdf> (Retrieved August 15, 2023).

<sup>400</sup> Ombudsperson. (2024). *Annual Report for 2023*. Available at: <https://www.ombudsmen.gov.ba/Dokumenti.aspx?id=27&tip=1&lang=BS> (Retrieved August 15, 2024).

<sup>401</sup> MoS. (2024). Coordination Board for Implementation of the Law on Gender Equality. *Gender.msb.gov.ba*. Available at: <https://gender.msb.gov.ba/> (Retrieved: August 25, 2024).

<sup>402</sup> Zakon o drzavnoj sluzbi u institucijama Bosne i Hercegovine [Law on Civil Service in the Institutions of Bosnia and Herzegovina], BiH Parliamentary Assembly, *BiH Official Gazette* 12/02, 8/03, 35/03, 4/04, 17/04, 26/04, 37/04, 48/05, 2/06, 32/07, 43/09, 8/10. <http://www.mpr.gov.ba/biblioteka/zakoni/default.aspx?id=1894&langTag=bs-BA>. Articles 15, 23, 24, 54.

measures, but there are no affirmative measures in selection and appointment to managerial posts, and no provisions pertaining to equal pay.

**IA. NEEDED CHANGES:** After two decades of modest and slow-paced results in **gender integration**, the governments and all their institutions, agencies, and public companies need to demonstrate resolve and start applying the principles of gender integration more meaningfully. Currently, gender integration is low on the list of priorities in most institutions. The EU integration process may provide leverage, as the Better Regulation policy and the EU GAP III also promote gender integration, including via the Country Level Implementation Plans (CLIPs) and other instruments. To improve gender integration, **some of the government rules of procedure, unified rules for legislative drafting, and RIA regulations need to be harmonized with the LoGE and forms and mechanisms improved**, but these procedures also need to be harmonized in general between government levels:

*There is a need for a unified approach to regulatory impact assessment, so that [gender impact assessment] is not up to someone's individual decision. This is what we were advocating for in workshops, to define what a body proposing the policy should analyze to be able to assess the influence of that policy.*

–KI, GIM

One key step to gender integration is **disaggregation of all data** based on sex or preferably gender. **Databases and digitalization processes** in the public sector need to improve the foundations for data disaggregation, gender analysis, and gender integration. Older databases often do not include sex as a category or data are not downloadable in accordance with machine-readable/Open Data principles. The problem persists even in newer digitalization processes. For example, data on suppliers registered in the BiH E-Procurement Portal do not have sex as a category (for physical people and for responsible people in legal entities). Furthermore, if the supplier is owned by a person with a disability or has minimum of 50 percent of employees who are persons with disabilities, this should also be included in the categories (Law on Procurement<sup>403</sup> and entity laws on professional rehabilitation and employment of persons with disabilities).

**IB. CHALLENGES TO CHANGE:** As was pointed out during interviews, **GIMs' human resources are already strained** to provide gender integration for all policies and practices, while **GAP coordinators in line ministries often have little influence over other departments in their institutions**. However, the country will need to pick up the pace in transposing the EU *acquis* with opening of the EU negotiations, and the process will require gender integration. Another challenge is that **GIMs are often not included in digitalization processes and database development because RIA decrees do not cover such processes**. Horizontal and vertical coordination of implementation of any strategic goals is problematic in BiH, including gender integration, according to an interviewed donor. Ministries and agencies operate as silos, amplified by ethnic quotas in ministerial appointments, leading to institutions' resistance to crosscutting priorities. Although GIMs have been trying to **amend some of the regulations** based on Supreme Audit Office findings, governments refused significant alterations. Amendments to any essential documents open space for interethnic and interparty bargaining in BiH.

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<sup>403</sup> Zakon o javnim nabavkama - neslužbeni precisen tekst [Law on Public Procurement—Unofficial Consolidated Text], BiH Parliamentary Assembly. (2014). *BiH Official Gazette* 39/14, 59/22. Available at: <https://cms-ajin.azureedge.net/documents/59195bf0-fa1c-40a6-b4f3-2a5caae8c4ad.docx> (Retrieved August 1, 2024). Art. 9 and 54.

## AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

**Application of the LoGE in political and civil service appointments is still inadequate, as women's share does not exceed one third of posts in any of the current governments** (Exhibit 7). Women's representation in decision making improved among deputy ministers in the CoM, in addition to women's having positions of chairperson of the CoM, member of presidency, and one cantonal Prime Minister since the 2022 General Elections. Shares in ministerial posts of other constitutional units are either stagnant or decreasing.

### Exhibit 7. Women's Representation in Governments

GOVERNMENTS	2014–2018	2018–2022	2022–2026
BiH Council of Ministers Chairperson and Ministers	20%	20%	20%
...with Deputy Ministers	...10%	...15%	... 25%
RS Prime Minister and Ministers	18%	29%	18%
FBiH Prime Minister and Ministers	24%	*	24%
Cantonal Prime Ministers And Ministers	*	*	19%

Source: Government websites (\* FBiH Government was in a technical mandate in 2018–2022 term, while cantonal governments' websites rarely include information on earlier terms).

In 2021, around 40 percent of state-level senior civil servants were women, 37 percent in FBiH, and only around 20 percent in RS.<sup>404</sup> In 2024, women are a majority of personnel at all levels of responsibility in state institutions, with few exceptions,<sup>405</sup> although the two entities have not yet published the most recent statistics on civil servants.

When it comes to public companies, from 1,900 officials entered by the end of March 2024 in the database of TI,<sup>406</sup> 28 percent are women. They are a majority only in public companies operating in the wholesale, retail, and real-estate activities, and women officials' average salaries are higher than men's in only four of 17 sectors in the database. The situation is similar in public institutions.

There is still a **tendency to appoint women to ministerial or management positions in accordance with their supposed natural inclinations (care, education, tourism)**, but it is also a consequence of occupational segregation. Influence-wise, even ministries that women usually lead have not experienced substantive transformation and improvement, which could reflect the level of importance assigned to those sectors:

*Women automatically get appointed to those line ministries that are seen as being in the female domain. Okay, so let us see if they made any difference in those sectors? Have we experienced some major reform of the social sector, of the education sector? I am talking about some essential changes necessary for things to move forward. No. On the contrary.*

– KI, expert

Gender norms in politics and governance make influential **women less likely to use their influence to improve the lives of other women and gender equality**, or to change the

<sup>404</sup> OECD. (2022). *SIGMA Monitoring Report: Bosnia and Herzegovina*. Organization for Economic Cooperation and Development. Available at: <https://www.sigmaweb.org/publications/Monitoring-Report-Bosnia-and-Herzegovina-May-2022.pdf> (Retrieved August 18, 2024).

<sup>405</sup> BiH CSA. (2024). *Statistics* [Government]. BiH Civil Service Agency. Available at: <https://www.ads.gov.ba/en/statistics?fullReload=true> (Retrieved August 15, 2024).

<sup>406</sup> Transparency International. (2022). *Database on Public Enterprises*. Preduzeca.transparentno.ba. Available at: <https://preduzeca.transparentno.ba/bs-Latn-BA> (Retrieved March 31, 2024). Data overview available at request.

nature of policy making and politics, according to three KIs. One KI, a politician, said that women politicians would rather opt to be invisible and not rock the boat than do their job well. Women with disabilities and Roma women are entirely absent from leadership roles in public administration, companies, and agencies, based on interviews.

There are some good practices of international organizations to amplify women's voices in policy development, for example, the Women's Advisory Board, supporting gender integration in the EU integration processes or new associations of women professionals in challenging sectors such as energy. **If such bodies are not trained on gender integration and do not have a clear gender integration agenda, resources, and influence, they can easily turn into spaces where women are segregated away from the key decisions.** Gender integration capacities should be built regardless of whether members are men or women.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

**Women's participation among staff in certain public sectors is high; in some they are even a majority.** In March 2024, 42 percent of public administration, defense, and social insurance employees, and 72 percent of employees in education institutions, health care, and social protection, were women.<sup>407</sup> Their shares have in fact increased in all those segments in March 2024 compared with March 2023. **Women's higher participation among employees in some segments of the public sector (judiciary, education, social issues, culture) does not ensure that these activities are more gender responsive,** as informants complained of gender-based and other prejudice and injustice mostly in those sectors.

In the 2023 NSCP-BiH, 84 percent of respondents thought that corruption was high in public sector employment—a higher proportion than in any other area the survey probed.<sup>408</sup> Furthermore, every fifth person from those who would want to leave the country selected systemic corruption as one of the key reasons. Corruption was among the top three reasons for emigration overall.<sup>409</sup> Considering the overwhelming perception of corruption in public employment, **many women within the public sector are benefitting from corruption via family and party ties.** Two women from urban areas in an FGD had started working in the public sector in the past five years, one of them through direct invitation by someone they knew, while a third woman blamed corruption in public sector employment as a reason her children left the country.

The **public sector is often women's preferred option for employment.** Women often value the safety of their job more than opportunities for advancement or high salaries. As women spend twice as much time caring for family members as men,<sup>410</sup> jobs in the public sector are more easily combined with caring roles and rarely physically demanding, which feeds into prejudice about men's and women's jobs. Public sector employees, unlike those in the private sector, receive their full salary while on maternity leave.<sup>411</sup> Two younger women in an FGD highlighted the fact that starting a job in the public sector presented an important milestone in their lives.

**Such jobs are inaccessible to minority women,** even more than to minority men. Only one of the interviewed government representatives mentioned a Roma woman employed in public

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<sup>407</sup> BHAS. (2024). *Demography and Social Statistics: Persons in Paid Employment by Activity, March 2024*. BiH Agency for Statistics. Available at: [https://bhas.gov.ba/data/Publikacije/Saopstenja/2024/LAB\\_02\\_2024\\_03\\_1\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Saopstenja/2024/LAB_02_2024_03_1_BS.pdf) (Retrieved August 1, 2024).

<sup>408</sup> USAID MEASURE II. (2024). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023*. (in press).

<sup>409</sup> Ibid.

<sup>410</sup> UN Women. (2023). *Baseline Study on the Care Economy in Bosnia and Herzegovina*.

<sup>411</sup> Ibid.

administration and most noted that Roma women and women with disabilities are nearly absent from the public sector.

#### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

**Women are generally more satisfied with government services and more trusting toward institutions than are men**, although differences are generally minimal, according to the NSCP-BiH.<sup>412</sup> The only institution that women trust less than do men is the police, and distrust has been increasing since 2021.<sup>413</sup> The difference in satisfaction and trust does not seem to be associated with exposure to different segments of the government system. Women respondents had more contact than men with medical workers and teaching staff and less contact than men with politicians, the judiciary, inspections, and police, but women's **trust is lower than men's only in relation to police**.<sup>414</sup>

Women's **access to health care is improving**, as the mother and child mortality rates are declining, and access to preschool has increased for boys and girls between 2019 and 2023.<sup>415</sup> On the other hand, **secondary school enrollment among boys is on the decline**. Women are more likely to complete tertiary education than men, and **more women than men have a pension and are accessing social benefits**.<sup>416</sup> All these services and resources are less accessible to Roma women and women with disabilities. For example, **nearly all people benefiting from disability pensions are men**.<sup>417</sup> Data on the share of persons with disabilities in each gender is unreliable in BiH, considering the special category of war veterans with disabilities.<sup>418</sup> EU averages suggest that, overall, there are more women than men with disabilities, including in other post-conflict countries like Croatia.<sup>419</sup>

GIMs and ombudspersons are among the key mechanisms that women have at their disposal to fight for their human rights, but these institutions still receive **few complaints on gender-based discrimination or other rights violations** (please see Section I 6), suggesting that citizens, especially women, either lack information or do not trust the effectiveness of such processes.

#### AQ5. CULTURAL NORMS AND BELIEFS

Cultural norms and beliefs are still strongly **in favor of separate public and private spheres for men and women**. Although more men (60 percent) than women (47 percent) in the 2023 NSCP-BiH believed that women are more naturally suited for household work, the share of women is still high, and it has increased compared with that in 2019 (Exhibit I, Section I).<sup>420</sup> With such dominant beliefs, women who want to work need to opt either for public sector jobs or flexible working arrangements.

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<sup>412</sup> USAID MEASURE II. (2024). *NSCP BiH 2023*. (in press).

<sup>413</sup> USAID MEASURE II. (2023). *NSCP 2022 Final Report*. <https://www.measurebih.com/uimages/2022-NSCP-BiH-Report5B355D.pdf>. NSCP does not inquire about contact with social services or trust in Centers for Social Work.

<sup>414</sup> USAID MEASURE II. (2024). *NSCP 2023*. (in press).

<sup>415</sup> BHAS. (2023) Women and Men in BiH. Thematic Bulletin. Sarajevo, BiH: BiH Agency for Statistics. Available at: [https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM\\_00\\_2023\\_TB\\_I\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM_00_2023_TB_I_BS.pdf). (Retrieved August 7, 2024).

<sup>416</sup> Ibid. [https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM\\_00\\_2023\\_TB\\_I\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM_00_2023_TB_I_BS.pdf)

<sup>417</sup> Ibid.

<sup>418</sup> RCC. (2020). *Employment of Persons with Disabilities in Bosnia and Herzegovina*. Regional Cooperation Council. [https://www.esap.online/download/docs/PWD%20analysis\\_BIH.PDF/d846f0b54b8a317fd33eedcda7e67987.pdf](https://www.esap.online/download/docs/PWD%20analysis_BIH.PDF/d846f0b54b8a317fd33eedcda7e67987.pdf)

<sup>419</sup> European Council. (2024). *Disability in the EU: Facts and figures*. Consilium. <https://www.consilium.europa.eu/en/infographics/disability-eu-facts-figures/>

<sup>420</sup> USAID MEASURE II. (2020) *NSCP BiH 2019 Final Report*. Sarajevo, BiH: USAID MEASURE II. Available at: [https://www.measurebih.com/uimages/measurell\\_nscp2019\\_final\\_report.pdf](https://www.measurebih.com/uimages/measurell_nscp2019_final_report.pdf) (Retrieved August 4, 2024).

## CONCLUSIONS

**C1. BiH governments still do not apply a gender lens in policies and practices meaningfully and consistently, and women’s representation in top positions in the executive government is still low, although it is higher among staff and middle managers.** Beyond underrepresentation, women’s interest in and influence on women’s rights is still relatively low. The most recent BiH GAP and related operational plans now include new areas of intervention, and cantons are now adopting their own GAPs even as institutions and public companies are introducing antidiscrimination and antiharassment or antimobbing regulations in the workplace. However, the gender integration progress is still not adequate because it depends on the connectedness and influence of GAP coordinators in line ministries and on awareness of the legal requirements in the rest of the departments. For many years, gender integration has essentially been piloted only in one or two segments of line ministries’ work, and the approach has not encompassed all decision-making processes. This was particularly evident during the COVID-19 pandemic. Regarding decision making, harmonization of the Law on the Council of Ministers; the FBiH Law on Ministerial, Government, and Other Appointments; and FBiH Government Rules of Procedure with the LoGE are still pending 21 years after the BiH Parliamentary Assembly (BiH PA) adopted it. Dysfunctional horizontal and vertical coordination, low awareness, and lack of capacities in most institutions beyond GAP coordinators; a mismatch between adopted policies and budget prioritization, and exclusion of GIMs and CSOs in some of the governance processes pose challenges for progress in gender integration, but EU integrations is an opportunity to improve gender integration.

**C2. Progress in Open Data and digitalization of government services, as much as it is relevant for all government sectors, has not reflected the requirements of the LoGE.** Many government data referring to persons does not include sex or gender disaggregation, for example, the data on responsible people in legal entities that public authorities collect. In some cases, even if the data include disaggregation by legal sex, GIMs, civil society, and researchers cannot extract or download it from the website in a machine-readable format and need to file a request with the data holder, which often has limited resources for data management but also some reservations toward civil society or research requests. Without this basic step, any type of gender analysis and meaningful progress in gender integration mostly falls into the domain of estimates that governments often do not trust.

## RECOMMENDATIONS

**R1. USAID/BiH and other donors should encourage all line ministries involved in or benefiting from their support to substantively apply gender integration principles, especially if dealing with digitalization and data.** GIMs and other human rights–oriented institutions and organizations should have an opportunity to participate in consultations on digitalization, platforms, and databases to ensure harmonization with LoGE and international standards, and to avoid limiting the public administration’s disaggregation capabilities for an extended period. All data pertaining to individuals, including responsible signatories in legal entities, owners, directors, managers, and staff, should encompass disaggregation by sex or gender and also anticipate future upgrades in categories and include other data, such as disability status and voluntary minority identification. Pilot testing of such processes should be human rights–oriented and test whether advancements are differently understood and accessible to men and women across diverse groups, and which measures can address any gaps.

**R2. USAID/BiH and other donors can support advocacy efforts aimed at governments to fully harmonize the regulations on appointments, development planning, legislative**

**drafting, government rules of procedure, and consultations with civil society with on the LoGE.** For example, USAID/BiH IPs can regularly monitor whether the line ministries and agencies benefiting from USAID/BiH support coordinate with GIMs and CSOs. Parliaments and governments should amend regulations on political appointments, legislative drafting, development planning, and RIA decrees with requirements for a clear set of data and indicators for gender equality and human rights assessments, and expand their scope on processes, for example, digitalization and platforms, not only policies. The FBiH government should amend its Rules of Procedure, making opinions of the FGC a mandatory step in the process and develop adequate forms for gender assessment (see the Federal Supreme Auditor’s Report).<sup>421</sup>

**R3. Donors should build gender integration capacities among higher ranking staff in line ministries and support recruitment of additional gender integration experts for sectors where GIMs cannot meet the line ministries’ needs.** European Integration momentum and EU GAP III requirements can be used to leverage such pressures. It is essential to build capacities of additional, higher ranking and more influential individuals in all institutions, beyond current GAP coordinators. Further, governments should allocate more funds for staff and new areas of expertise in GIMs, which would require reconfiguration of government priorities, putting gender equality higher on the government agenda. Donors could promote expertise for gender integration in highly technical areas such as energy or waste management, via a roster of consultants.

## II. ELECTIONS AND POLITICAL LIFE

### AQI. POLICIES AND PRACTICES

The BiH Election Law<sup>422</sup> defines a 40 percent gender quota for the lists of candidates (Art. 4.19), compensatory lists (Art. 4.24), and election administration (Art. 2.2 and 2.14), and these standards are implemented fully, except in the seven-member Central Election Commission (CEC) of BiH. **Some of the recent changes that the Office of the High Representative (OHR) imposed may have positive effects on gender equality.** As of 2022,<sup>423</sup> the Election Law defines and bans hate speech in the election context (Art. 1 and Art. 7.3), including such speech based on gender. Gender identity and sexual orientation are not explicitly mentioned, although changes include the formulation “any other personal characteristic or orientation.” Further, as of 2024, CEC has the authority to process and sanction hate speech instances not only in the one-month campaign period, but for the duration of the five-month election period (Art. 7.3, par. 3), counting from the day elections are announced. Political subjects and individual candidates can be fined up to BAM 30,000 and 15,000, respectively, for hate speech (Art. 19.9). In the 2022 General Elections, the CEC

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<sup>421</sup> Federal Supreme Audit Office (2023) Revizija učinka: Rodna ravnopravnost i sprečavanje nasilja nad ženama [Gender Impact Assessment: Gender Equality and Prevention of Violence Against Women]. Sarajevo, BiH: Supreme Audit Office of the FBiH Institutions. Available at: [https://www.vrifbih.ba/wp-content/uploads/2023/10/Rodna\\_ravnopravnost\\_i\\_sprečavanje\\_nasilja\\_nad\\_ženama.pdf](https://www.vrifbih.ba/wp-content/uploads/2023/10/Rodna_ravnopravnost_i_sprečavanje_nasilja_nad_ženama.pdf) (Retrieved May 14, 2024).

<sup>422</sup> BiH Official Gazette (BiH OG). 23/01, with relevant changes and court decisions in BiH OG 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13, 7/14, 31/16, 41/20, 38/22, 51/22, 67/22. Technical consolidated text available from BiH CEC. (2024). Election Law of Bosnia and Herzegovina (Technically consolidated text). BiH Central Election Commission. [https://www.izbori.ba/Documents/documents/ZAKONI/BiH\\_Election\\_Law\\_last\\_consolidated\\_version.pdf](https://www.izbori.ba/Documents/documents/ZAKONI/BiH_Election_Law_last_consolidated_version.pdf) (Retrieved May 14, 2024).

<sup>423</sup> Decision on Changes and Amendments to the Election Law of BiH, BiH Official Gazette 51/22 (2022). <http://www.sluzbenilist.ba/page/akt/QidjcTeQQMI> (Retrieved May 14, 2024).



received 35 complaints about hate speech, none related to sex or gender,<sup>424</sup> and reacted in one GBV instance ex officio.<sup>425</sup>

Only the state-level Law on Financing of Political Parties from the BiH Budget includes a temporary special measure according to which 10 percent of the amount for political parties is allocated **on the basis of the number of women a party has in the BiH PA, but no such measures exist in other levels of government where majority of funds comes from.**<sup>426</sup> Other funding sources include private donations and in-kind support, but parties also illegally tap public resources for campaigning. Changes of the Election Law from 2024<sup>427</sup> mandate political subjects to ensure equitable promotion and access to campaign resources for both men and women, but there are no sanctions or an appeals procedure to enforce this provision (Art. 7.1c and 16.17b).

There is **progress in gender integration within party statutes and procedures**, for example in the Serb Democratic Party, Party of Democratic Progress, Social Democratic Party, and especially Nasa Stranka (NS) according to a KI, **but there is still low awareness among top and local branch leaders of gender equality**, although KIs were of diverging opinions about the locus of the problem. An expert observed that local party branches lack women in leadership structures and only think about gender equality when they need women to meet the Election Law quotas. A local politician observed that it is easier for women to rank well in local branches than at higher levels from her experience, although the situation most likely varies from party to party. Women still experience different forms of GBV inside their political parties and from competitors, according to KIs, despite improved intraparty policies. Parties, organizations, and GIMs have a tendency to train and educate only women in political parties about gender equality within preelection trainings.

OHR changes from 2024 limit the preferential vote to three persons on the list, which could lead to even fewer women's being elected as the competition within lists increases. Interlocutors are still cautious about making any predictions, though. However, party practices in pushing for specific candidates on their own lists usually favor men, and in such context, even the earlier unlimited preferential vote did not result in sufficient representation of women in legislatures.

CEC is responsible for ensuring that statistical records are disaggregated by sex (Art. 2.9 of the Election Law). Election results on the CEC website do not include specification of the candidates' sex, but analysts usually detect it from personal names, with large space for errors, and **data are not downloadable in a machine-readable format. Summary breakdowns are available on request** and CEC itself uses them in postelection reports. The nonbinary gender category is not recognized in the legal identification, and consequently, not in the Election Law or election reports.

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<sup>424</sup> BiH CEC. (2023). *Izveštaj o provođenju zakona iz nadležnosti Centralne izborne komisije BiH u 2022. Godini* [Report on Implementation of Laws Under the Authority of the Central Election Commission in 2022]. BiH Central Election Commission. Available at: [https://www.izbori.ba/Documents/CIK/God-Izveštaji/2022/izveštaj\\_o\\_provodjenju\\_zakona\\_iz\\_nadleznosti\\_CIKBIH\\_2022-bos.pdf](https://www.izbori.ba/Documents/CIK/God-Izveštaji/2022/izveštaj_o_provodjenju_zakona_iz_nadleznosti_CIKBIH_2022-bos.pdf) (Retrieved August 12, 2024).

<sup>425</sup> SOC. (2022). Violence Against Women Is a Criminal Offence, not a Misdemeanor, *Sarajevo Open Center*, 5 October. Available at: <https://soc.ba/en/violence-against-women-is-a-criminal-offence-not-a-misdemeanor/> (Retrieved August 12, 2024).

<sup>426</sup> The RS and BD Laws on Political Party Financing do not include a similar special measure, and the FBiH does not have a comparable law. The FBiH Government's "Program of Expenditures and Criteria for Transfers to Non-Profits—Political Parties and Coalitions" and the Parliament's Law on Budget Execution of FBiH, both adopted for every consecutive year, define the amounts and criteria allocated to political parties from the FBiH budget. Most cantons and municipalities also allocate funds for political parties. For details, please see CEC. (2023). Report on Audited Financial Transactions in Political Parties in 2020. Government report. Sarajevo, BiH: BiH Central Election Commission. Available at: [https://www.izbori.ba/Documents/Revizija/2020/fs/Izveštaj\\_ri\\_i\\_2020-hrv.pdf](https://www.izbori.ba/Documents/Revizija/2020/fs/Izveštaj_ri_i_2020-hrv.pdf) (Retrieved: August 12, 2024).

<sup>427</sup> Law on Changes and Amendments to the BiH Election Law, Office of the High Representative for BiH. (2024). *BiH Official Gazette* 24/24. <http://sluzbenilist.ba/page/akt/sC6t1HF12Bg=> (Retrieved: August 12, 2024).

OHR changes also enabled technological advancements in elections, paving the way for four software pilots in the 2024 Local Elections related to cameras in polling stations, biometric identification of voters, optical scanners for ballots, and either direct or human-mediated electronic transfer of election results.<sup>428</sup>

**IA. NEEDED CHANGES: Election Law provisions on equal access to campaign resources** for men and women require a clear enforcement mechanism, and considering that violations of these provisions may constitute discrimination, CEC, GIMs, and ombudsperson need to coordinate and exchange information on specific complaints. **Development, piloting, and application of new technologies in elections** needs to follow the human rights–based approach, ensuring that no group is left behind and its exclusion further exacerbated.<sup>429</sup> Software, including applications that polling station committees use to enter election results, should include candidates’ gender (number of options should be upgradable), especially if these data will be pulled for publication of results. Election results need to be easily accessible, searchable, and downloadable in machine-readable format online. All governments should have **regulations on political party financing** with temporary special measures incentivizing political parties to work on gender equality, similar to the measure that already exists at the state level. GIMs, CSOs, and political parties should consistently **condemn gender-based attacks and smear campaigns targeting women politicians regardless of their party or ethnic affiliation**. There is need to **develop a political culture and counter gender stereotypes** about political leadership through the education system, especially in high schools. Most staff in education institutions and ministries are women, but stereotypes continue to permeate the formal curricula and youth attitudes. Campaigns aiming to raise **awareness on gender equality in political life need to target young voters** in social media.

**IB. CHALLENGES TO CHANGE:** Regarding **human rights–based approach to technological advancements** in elections, the hasty changes in election legislation pertaining to new technologies and insufficient time left for planning pilots ahead of the 2024 Local Elections pose a challenge for assessment of impact on social groups, including on gender equality. While RIA framework addresses legislative drafting, it has not yet been applied to cases of digitalization in governance, including election administration, or in OHR-imposed legislation. One key roadblock to adoption/harmonization of legislation on **political party financing** is the perpetual political crisis, which prevents any substantial attempts to regulate political parties in general. Pertaining to gender sensitivity of such regulations, with the current levels of political parties’ disregard for opinions of the GEA, GCs, and Gender Equality Committees in parliaments, it is difficult to expect such measures to be integrated without concerted efforts from GIMs, scholars, feminists, and international organizations. All changes in the political sphere are dependent on societal norms that regulate **men’s and women’s private and public roles**. Until private household and caring roles are distributed more equally between men and women, women will not have time, interest, capacities, or family support to build political careers. Furthermore, **most political parties’ internal functioning and lack of inclusiveness** are preventing feminist-oriented men and women from advancing inside political parties, and consequently, most elected officials still do not recognize the need for gender integration in legislative changes.

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<sup>428</sup> USAID supports piloting of optical scanners with direct electronic transfer of voting results in 145 polling stations in six municipalities. Faktor.ba. (2024, August 24). CEC Selects Municipalities and Cities Where the New Technologies Will Be Piloted. Faktor.ba. Available at: <https://faktor.ba/bosna-i-hercegovina/aktuelno/cik-izabrao-u-kojim-opcinama-i-gradovima-ce-se-testirati-nove-izborne-tehnologije/189155> (Retrieved August 12, 2024).

<sup>429</sup> UNDP. (2021). *Gender Equality in Digitalization: Key Issues for Programming*. UNDP. [https://www.undp.org/sites/g/files/zskgke326/files/migration/kg/gender\\_equality\\_in\\_digitalization.pdf](https://www.undp.org/sites/g/files/zskgke326/files/migration/kg/gender_equality_in_digitalization.pdf) (Retrieved May 14, 2024).

## AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

From legislative bodies in BiH, **women's representation has been consistently growing only in the FBiH and its cantons** (Exhibit 8).<sup>430</sup> The usual explanation for underrepresentation in legislative bodies is voter bias in favor of men (please see AQ5 in this section). However, even in the houses/councils of peoples in which members are delegated by clubs of elected representatives, women's representation is still below the 40 percent quota. Women also continue to be underrepresented in the executive branch, with some exceptions (please see Section 10).

**Women parliamentarians are becoming more active and visible.** In the BiH PA, specifically its House of Representatives, women participated in 20 percent of the 122 initiatives in the 2014–2018 term, while in the next, 2018–2022, mandate, they took part in 55 percent of the 164 initiatives.<sup>431</sup> Some of the women Members of Parliament, especially those from the opposition, stood out in terms of the number of questions they asked.

### Exhibit 8. Women's Representation in Legislative Bodies

PARLIAMENTS AND GOVERNMENTS	2014–2018	2018–2022	2022–2026
BiH Parliamentary Assembly House of Representatives	24%	17%	17%
BiH Parliamentary Assembly House of Peoples	17%	20%	13%
RS National Assembly	23%	19%	24%
RS Council of Peoples	29%		29%
FBiH Parliament House of Representatives	21%	26%	28%
FBiH Parliament House of Peoples	15%	21%	36%
Cantonal Assemblies average (FBiH)	22%	31%	31%

Source: CEC data on directly elected representatives and institutional websites for the delegated bodies

According to earlier USAID/BiH country-level GAs<sup>432</sup> and civil society submissions to the CEDAW committee,<sup>433</sup> women were completely absent from the key high-level negotiations on constitutional

<sup>430</sup> Data on representative bodies based on CEC. (2019). General elections statistics 2018. Agency for Statistics of BiH. Available at: [http://bhas.gov.ba/data/Publikacije/Bilteni/2019/ELE\\_00\\_2018\\_TB\\_0\\_BS.pdf](http://bhas.gov.ba/data/Publikacije/Bilteni/2019/ELE_00_2018_TB_0_BS.pdf) (Retrieved August 12, 2024). CEC. (2023). Izvjestaj o provodjenju Općih izbora 2022. godine [Report on Implementation of General Elections in 2022]. Data on delegate bodies based on delegate bodies' websites: <https://parlament.ba/delegate/list>, <https://parlamentfbih.gov.ba/v2/bs/>, and <https://vijecenarodars.net/index.php>. [https://www.izbori.ba/Documents/CIK/God-lzvjestaji/2022/lzvjestaj\\_o\\_provodjenju\\_opcih\\_izbora\\_2022-bos.pdf](https://www.izbori.ba/Documents/CIK/God-lzvjestaji/2022/lzvjestaj_o_provodjenju_opcih_izbora_2022-bos.pdf) (Retrieved August 12, 2024). Data on delegate bodies based on delegate bodies' websites: <https://parlament.ba/delegate/list>, <https://parlamentfbih.gov.ba/v2/bs/>, and <https://vijecenarodars.net/index.php>

<sup>431</sup> Data based on: BiH PA. (2024). *Representatives' Initiatives* [Government]. Parlament.ba. Available at: <https://parlament.ba/olnitiative/GetORInitiatives?page=3&MandatId=6> (Retrieved August 12, 2024)

<sup>432</sup> USAID MEASURE-BiH. (2016). Gender Analysis Report for Bosnia and Herzegovina: Extended Summary. USAID MEASURE-BiH. Available at: <https://www.measurebih.com/uimages/Edited20Extended20Summary20GA20Report20MEASURE-BiH.pdf> (Retrieved on August 12, 2024)

<sup>433</sup> Coalition of CSOs. (2019). *Written Information for the Adoption of the List of Issues by the CEDAW*. Coalition of CSOs. Available at: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FCICO%2FBIH%2F33686&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FCICO%2FBIH%2F33686&Lang=en) (Retrieved on August 12, 2024). Women Organising for Change in BiH Initiative. (2019). *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*. Available at: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FCSS%2FBIH%2F37356&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCEDAW%2FCSS%2FBIH%2F37356&Lang=en) (Retrieved August 12, 2024).

and election reforms. In **2024, more women participate in the key political processes** (e.g., the current chairperson of CoM and the Serb Member of Presidency). The key effect of higher descriptive representation should be gender-transformative influence, that is, improvement of gender equality in the society, but women politicians' substantive influence in that field is difficult to measure. According to one KI expert, there is some evidence that women who are trained on gender equality and gender integration do initiate substantive changes, for example, women in cantonal assemblies who contributed to adoption of three cantonal GAPs and improved funding of safe houses, parental leave for fathers, and support to women's entrepreneurship. Still, patriarchal norms that dominate institutions make engagement and persistence on such initiatives more difficult, leading to no notable benefits from higher women's representation for those women who are marginalized.

*When you talk to them, they do not see the problem of discrimination because they did not feel discriminated. I ask them then what about those 95 percent of women they are supposed to represent. I am not sure that our women politicians are gender aware. Most of them are not.*

–KI, expert

Sectors that women are usually appointed to are not only underprioritized and underfunded but also permeated by gender prejudice and issues, for example, sexual harassment and extortion.<sup>434</sup>

**Women with disabilities and Roma women are almost entirely absent from decision-making bodies.** There are no special measures to ensure minority representation in directly elected bodies except at municipal level. Roma women, but also Roma men are highly unlikely to get elected to representative bodies and then delegated to Houses/Councils of Peoples, where some seats are reserved for "Others." For example, none of the current members of the Delegate Club "Others" in the FBiH House of Peoples self-identify as Roma.

### FAQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

**There is progress in women's representation in leadership of political parties, although less at lower levels (reverse pyramid),** although women who make it to the top may experience backlash from male and female colleagues who also nurture gender prejudice, two KIs noted. Further, women politicians are expected to preserve femininity, display fragility and chastity, as well as stick to ethnicity, political party, and leaders' positions, based on expert KIs' opinions and politicians' experiences. While some of these qualities are expected both from men and women politicians, what is unique about women politicians' position is the family honor that smear campaigns often target:

*Women politicians are often exposed to sexist comments. It is difficult for a woman who has a family to bear such labels because we must be aware that no matter how much we have progressed, we have these roots of a patriarchal society that is very difficult to eradicate. [...] The easiest way to discredit a woman is to target her honor.*

–KI, politician

Women candidates risk being accused of emulating male behaviors and being too masculine; they are body shamed; colleagues, competitors, media, and neighbors spread insinuations about their being men's puppets or vice versa, and about sexual favors and sexual relations, according to KIs and

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<sup>434</sup>Al Jazeera Balkans. (2021, January 18). Radulović Case is an Encouragement for Many Actresses in the Region to Share Their Experiences. *Al Jazeera Balkans*. Available at: <https://balkans.aljazeera.net/news/balkan/2021/1/18/slucaj-radulovic-ohrabrio-mnoge-glumice-u-regiji-da-podijele-svoja-iskustva> (Retrieved August 12, 2024).

secondary sources,<sup>435</sup> and women candidates are always in danger of gendered abuses and violence.<sup>436</sup> This **political culture results in a chilling effect for women politicians.** Experience is crucial for success in political life, **but most women are active for only one election or mandate** because they become disappointed in their political parties or GBV and smear campaigns demoralize them.<sup>437</sup>

**Gender norms, including acceptable roles, prevent women from political participation at local and higher levels, especially in rural areas.** According to interviewees, women in rural areas are inclined to align with their husbands' attitudes or refrain from expressing their political opinions altogether. In the 2023 NSCP-BiH, women were slightly less likely to search information about candidates and more likely to consult their families for opinions ahead of elections. They were also less likely to have participated in any forms of political or civic participation, less likely to have been members of a political party or a group, less likely to vote regularly in elections, and more likely to say that they do not have time for such activities.

#### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

Pertaining to 2022 General Elections, the Office for Democratic Institutions and Human Rights (ODIHR) pointed to **women candidates' unequal access to speaking time in party events and media, and noted offensive and sexualized content about women candidates online during the campaign.**<sup>438</sup> Limited access to resources, including media and campaign materials, has been mentioned by two interviewees, when running in elections for higher levels of government, where campaigning is more intense. Media largely ignore women candidates, while arguing that they cannot influence the candidates that the party sends to campaign TV slots or who the party put in promotional videos. The OHR's 2024 changes place the responsibility for equal access onto political subjects from now on.

**Remedies for women politicians in cases of GBV within political parties are still limited, despite improvements in procedures.** Public institutions do not take some women politicians' reports seriously, and women generally do not report to or trust such mechanisms, according to an interviewed politician. In one case of physical and verbal assault on a woman candidate in 2022, the Cantonal PO decided that there is no basis for a criminal procedure as it was allegedly motivated by intimate quarrels, contrary to CEC and CSOs' opinions.

**Technological advancements in elections may exclude some groups of men and women from access,** even though the gender gap in digital literacy skills<sup>439</sup> is small in BiH (see Section 4). Among NSCP-BiH respondents in 2023,<sup>440</sup> more women than men were against introducing ballot

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<sup>435</sup> Sokol, A., & Sarajlic, D. (Eds.). (2023). *Harmful narratives during elections: Smear campaigns, gender stereotypes and hate narratives - 2022 General Elections in Bosnia and Herzegovina*. Mediacentar. Available at: [https://media.ba/sites/default/files/stetni\\_narativi\\_eng\\_-\\_web\\_1.pdf](https://media.ba/sites/default/files/stetni_narativi_eng_-_web_1.pdf) (Retrieved August 12, 2024).

<sup>436</sup> Miftari, E. (2019). *Violence Against Women in Politics in Bosnia and Herzegovina*. Westminster Foundation for Democracy. <https://www.wfd.org/sites/default/files/2022-05/wfd-study-violence-against-women-in-politics-in-bih-final.pdf>

<sup>437</sup> Barišić, M., & Baškot, B. (2021). *Sudjelovanje žena na Lokalnim izborima 2020—Bez žena, bez promjene [Women's Participation in the 2020 Local Elections—No Women, No Change]*. FBiH Gender Center. <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.gcfbih.gov.ba%2Fwp-content%2Fuploads%2F2021%2F03%2FSudjelovanje-zena-na-Lokalnim-izborima-2020.-Bez-zena-bez-promjene.docx&wdOrigin=BROWSELINK> (Retrieved August 24, 2024)

<sup>438</sup> OSCE ODIHR. (2023). *BiH General Elections 2 October 2022—Final Report*. Available at: [https://www.osce.org/files/f/documents/0/2/536993\\_0.pdf](https://www.osce.org/files/f/documents/0/2/536993_0.pdf) (Retrieved August 28, 2024).

<sup>439</sup> Eurostat. (2024). *Individuals' level of digital skills (from 2021 onwards)* ([isoc\_sk\_dskl\_i21\_\_custom\_12568486]) [Dataset]. Eurostat. Available at: <https://ec.europa.eu/eurostat/databrowser/bookmark/df60b7e-336a-4ccc-b038-c24119bc2071?lang=en> (Retrieved August 12, 2024)

<sup>440</sup> USAID MEASURE II. (2024). *NSCP BiH 2023 Final Report* [in press].

scanners and electronic transmission of results (47 percent to 37 percent, respectively) and against biometric ID scanners (61 to 51 percent, respectively).

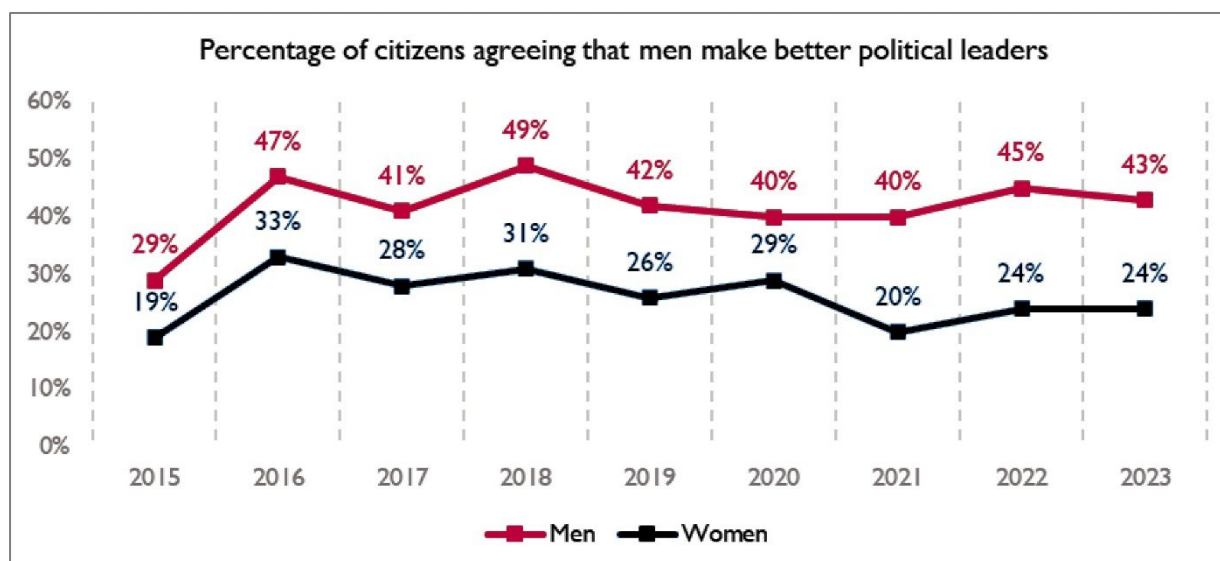
### AQ5. CULTURAL NORMS AND BELIEFS

**Elected and appointed women are sometimes unaware of their power and how they can use it**, as they themselves, as well as some of their male colleagues and many voters, think that they get elected merely because of quotas, according to KIs and FGD participants. Women in focus groups argue exactly that women are on the lists because they must be, not because they like it. Women politicians then become silent and only raise their hands to vote according to party instructions, one politician KI noted. Some of the women citizens in an FGD thought that opinions of women councillors at local level do not matter in political discussions, despite their being active and having their voices heard.

**Women are significantly less interested in politics than are men**; both the 2023 NSCP-BiH<sup>441</sup> and the 2023 Gender Barometer<sup>442</sup> confirm this. Women are also less likely than men to vote (based on 2023 NSCP-BiH). Only one of the ten women from rural areas who participated in a focus group explicitly stated that she is interested in politics, while another said that family and politics do not go hand in hand. Internalized prejudice among women influences the absence of women’s solidarity, including within political parties, according to an expert KI.

According to the 2023 Gender Equality Barometer, more people than 20 years ago believe that politics would be more just if there were more women in it. The NSCP-BiH continues to register **only minimal decline since 2016 in average levels of agreement with the statement that men make better political leaders**, although there is a slightly increasing gender gap in these attitudes (Exhibit 9). Spikes in the agreement reflect election years. The decline in shares agreeing with the statement is more pronounced for women over the past decade, and the change comes from younger women (18–30), of whom only 17 percent agreed with the statement in 2023, compared with 40 percent of young men.

Exhibit 9. Gender Gap in the Percentage Agreeing That Men Make Better Political Leaders



<sup>441</sup> Ibid.

<sup>442</sup> UNDP and Gender Equality Agency. (2024). Gender Equality Barometer of Bosnia and Herzegovina.

According to the NSCP-BiH, **abstainers are more likely than voters to disagree that men make better political leaders**, which is concordant with research<sup>443</sup> among youth aged 18–30. Youth can overall be categorized into two distinct classes of citizens called “enthusiasts” and “outsiders”, the former being more politically engaged, exhibiting higher trust in institutions, but also more conservative in gender stereotypes about men as better political leaders.<sup>444</sup> The link between enthusiastic citizenship and conservative gender norms may be tied to the context however, because most political options in BiH are conservative, including on gender issues, and enthusiasts may be more conformant to the dominant norms.

According to research,<sup>445</sup> the antifeminist and anti-LGBTQI+ movement has its political influencers that promote ultraconservative ideas to the electorate.

## CONCLUSIONS

**C1. There is progress in electoral regulation and women’s representation, but this influence is not used sufficiently to advocate women’s rights.** There are more women in the state-level presidency, CoM, the FBiH Parliament, cantonal assemblies, municipalities, and in the leadership of political parties. The election regulations have also improved since 2019 regarding hate speech sanctioning, but the new limit in the preferential voting to a maximum of three people could limit women candidates’ chances. Interethnic issues still push all other areas of political life lower on the list of priorities, especially gender equality. Most influential women, therefore, align with party priorities and rarely speak up for women’s rights or express solidarity for women politicians targeted in denigrating and discrediting campaigns. Although first-time politicians accumulate some experience and leverage by the end of their first mandate, most women give up after one election cycle because of the political culture within their own parties and beyond.

**C2. New Election Law provisions mandate equal access to campaign resources, but the political party financing and media setup still disfavor women as candidates.** Most funds for political party financing come from lower levels of government, where funding is either not gender responsive or sometimes not even regulated, as in FBiH and most of its cantons. Political parties also use public resources in campaigns and promote specific candidates via managers and leaders in government institutions, public companies, and private businesses that participate in public tenders, and women rarely hold such top posts. Most media are attention seeking, and they disregard women candidates because those who attract audience attention are the lead candidates already in positions of power, that is, men. Equal access to campaign resources is mandated in the Election Law but not necessarily enforceable.

**C3. Data management capacities of the Central Election Commission will likely increase, but a human rights–based approach in these processes is not guaranteed yet.** New technological advancements may cement inaccessibility of data on genders and minorities for years to come unless developed in coordination with human rights institutions. Further, any potential gaps in accessibility of technological advancements for different categories need to be closely tracked in pilots and addressed in final rollout. Women’s stronger concern over utilization of

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<sup>443</sup> Činjurević, M., Agić, E., & Pašić-Mesihović, A. (2020). Latent class analysis of “good citizenship” forms among youth in Bosnia and Herzegovina. *Economic Research-Ekonomska Istraživanja*, 33(1), 2541–2558. Available at: <https://doi.org/10.1080/1331677X.2020.1771746> (Retrieved August 12, 2024).

<sup>444</sup> Ibid.

<sup>445</sup> Halilovic, M. (2023). *Gender and Nonviolent Extremism in Bosnia and Herzegovina*. Atlantic Initiative. Available at: <https://atlanticinitiative.org/wp-content/uploads/2023/08/Policy-Paper-ENG-Web.pdf> (Retrieved August 15, 2024).

these new technologies may generally reflect their lower access to information about these advancements.

**C4. Conservative norms still suppress women’s political participation.** Voter prejudice is declining very slowly, and even if women themselves believe less than before that men make better political leaders, women still think that their own voices do not matter and that women merely serve to meet election quotas. At the same time, prejudice against women in politics persists among young men, leading to a widening gender gap in conservative attitudes in youth.

## RECOMMENDATIONS

**R1. Donors working on election and political party legislation or on technological advancements, should follow a human rights-based approach.** Such an approach would require consulting gender and human rights institutions, minority advisory bodies, and CSOs representing women and minorities early on in election support activities. Regarding support to legislative changes or new regulations on political parties (such as Laws on Political Organizations or on party financing), elections and appointments (e.g., Law on the Council of Ministers and similar), donors should support advocacy for (1) an explicit ban on discrimination on any basis; (2) temporary special measures, such as quotas, to ensure equal access and proportional representation of men and women; (3) a requirement to disaggregate data by sex or gender and open access to data; and (4) a requirement for political parties to adopt their own gender equality programs. Donors should also advocate for development of a mechanism to implement the Election Law provisions on equal access to promotion of men and women candidates during campaigns. This could mean specifying a complaints procedure and sanctions in the Election Law or CEC bylaws when there are complaints about violations of these provisions or ensuring that GIMs and/or ombudsperson have clear authority to accept appeals and react to violations in coordination with CEC. When supporting new technologies in elections, donors should make sure that these technologies (1) do not exacerbate exclusion of different groups; (2) do facilitate easier disaggregation of all election data by sex, and enable easier access, search, download, and analysis of such data; and (3) include software is easily upgradeable (e.g., to expand the number of gender options).

**R2. USAID/BiH and organizations working with political parties should focus more on party policies against harassment and on gender-responsive party programs, men’s capacities for gender integration, women’s engagement at grassroots level, and women’s resilience.** Parties should work on strengthening women’s engagement at grassroots level and enabling upward mobility. Women politicians need to develop resilience and trust that protection mechanisms inside and outside political parties can protect them from gendered assaults. Zero tolerance for discrimination and violence in parties should be the minimum standard, as well as allocation of intraparty funds not merely for women’s forums but especially for gender-responsive policy research that can inform party initiatives and voting in political institutions. Leading bodies in political parties should understand key gender integration principles, and the focus should be on men especially but also on women, as noted in earlier USAID MEASURE II assessments.<sup>446</sup>

**R3. Donors should support GIMs and CSOs in countering prejudice and harmful narratives about women as political leaders.** Feminist organizations and other activists—and especially GIMs—should consistently react to all cases of offensive and derogatory attacks on women active in political and civic life, regardless of women’s political parties and other affiliations.

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<sup>446</sup> USAID MEASURE II. (2022). *Assessment of Election and Political Processes in Bosnia and Herzegovina*. USAID MEASURE II. Available at: <https://measurebih.com/uimages/USAID20Assessment20of20Election20and20Political20Processes20in20BiH202022.pdf> (Retrieved August 28, 2024).



Resources need to be allocated for online counternarrative campaigns to address backsliding norms under the influence of the anti-gender movement and politicians that support them. Stereotypes need to be addressed in formal education and all other non-profit civic and political advertising.

## 12. LOCAL COMPETENCE AND RESOURCES

### AQI. POLICIES AND PRACTICES

**Legislation on LSGUs does not adequately reflect the requirements from the LoGE,**<sup>447</sup> especially in FBiH and BD. On the basis of the LoGE, LSGUs should (1) ensure proportional gender representation (40 percent quota) and eliminate gender-based discrimination, (2) disaggregate all official statistics by sex, (3) harmonize existing and new decisions with the LoGE, (4) establish local mechanisms for gender equality and seek their opinion in policy making, (5) analyze the gender situation and prepare special programs and workplans to address gender disparities and implement higher level gender policies, (6) allocate adequate budgets for implementation of these programs and work plans, and (7) use gender sensitive language in official documents. RS LSGUs have competence in gender equality in their territory, according to the RS Law on Local Self-Government,<sup>448</sup> but the Law does not integrate other LoGE requirements. The outdated FBiH Law on Principles of Local Self-Government<sup>449</sup> does not place any competence for gender equality in LSGUs. The draft amendments to that Law in 2020<sup>450</sup> did not reflect any requirements of the LoGE listed above. Some of the early templates for municipal statutes, council/assembly rules of procedure, and codes of ethics included modest gender equality provisions and GIMs also prepared recommendations for LSGUs.<sup>451</sup>

The resulting situation is **an inconsistent and ineffective practice across the country in implementation of gender equality requirements** that the LoGE defined. Interviewees underlined the following:

- low awareness of line departments in LSGUs about requirements stemming from LoGE and other gender equality policies, for example, disaggregation of data;
- the local politicians' tendency to easily sign on to new projects, strategies, and action plans without setting up mechanisms and allocating budgets;
- high turnover and low capacities, low influence, lack of accountability, and low commitment among members of Gender Equality Commissions in local councils/assemblies, with most activities' depending on individuals.

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<sup>447</sup> Law on Gender Equality in BiH. *BiH Official Gazette*, No. 16/03, 102/09, integral text 32/10, especially articles 9, 20, 22, 24

<sup>448</sup> RS (2016) Law on Local Self-Government. *RS Official Gazette*, 97/2016, 36/2019, 61/2021. Available at:

<https://www.paragraf.ba/propisi/republika-srpska/zakon-o-lokalnoj-samoupravi.html>. Articles 18 and 30.

<sup>449</sup> FBiH (2006) Law on Principles of Local Self-Government in FBiH. *FBiH Official Gazette*, 49/06, 51/09. Available at:

<https://sogfbih.ba/dokumenti/law-principles-local-self-government-fbih-0>; Amendments at:

[https://www.aarhus.ba/images/docs/fbih/05%20Zakon%20o%20prin%20lok%20samoup%20FBiH%20\(51-09\)%20-%20izmijene.pdf](https://www.aarhus.ba/images/docs/fbih/05%20Zakon%20o%20prin%20lok%20samoup%20FBiH%20(51-09)%20-%20izmijene.pdf). Article 18 mentions human rights.

<sup>450</sup> There was no functioning majority in the FBiH Parliament for the most part of the 2018 – 2022 mandate, while some of the key municipalities also objected the proposed amendments. Please see: <https://startbih.ba/clanak/nezadovoljstvo-predlozenim-izmjenama-zakona-o-principima-lokalne-samouprave/157671>.

<sup>451</sup> FGC. (2015). *Priručnik za ostvarivanje ravnopravnosti spolova na lokalnom nivou [Manual for Advancement of Gender Equality at Local Level]*. Available at: [https://www.gcfbih.gov.ba/wp-content/uploads/2018/11/prirucnik\\_LAP.pdf](https://www.gcfbih.gov.ba/wp-content/uploads/2018/11/prirucnik_LAP.pdf) (Retrieved August 28, 2024).

These issues mostly correspond to those identified in CSO research.<sup>452</sup>

BD, as a local community with special constitutional status, should have appointed or formalized a GIM in the executive branch akin to GCs in entities, but this process is still pending and the only formal mechanism representing the rights of women is the Assembly's Gender Equality Commission, which faces similar problems to those mentioned above.

Many LSGUs adopted a Local GAP (LGAP) or a Plan for Implementation of the United Nations Security Council Resolution 1325 "Women, Peace, and Security" (UNSCR 1325) at least once. Two KIs noted that **implementation, monitoring, and reporting of such plans are inconsistent and adoption is irregular**. Practices are changing, though, because of EU and donor requirements, as well as the shifting economic priorities. In one UNDP survey, only four of 38 surveyed LSGUs had an LGAP in force, but 28 integrated the gender equality priorities within development plans.<sup>453</sup> The UNDP survey was not conducted on a representative sample, however.

To date, **no institution or organization has conducted a comprehensive gender audit of the LSGUs' implementation of the BiH LoGE and other gender policies, encompassing all LSGUs in the country**. Several attempts had low response rates from LSGUs. Consequently, an online overview or a database on the level of LoGE implementation in LSGUs is not available and information that GIMs and associations of cities and municipalities have is fragmented. The CoE will support the establishment of such a database with good practices through one of its projects, according to a KI. The FBiH Association of Cities and Municipalities (ACM) signed a memorandum of cooperation with the FGC regarding the SDG 5 and established a network of gender equality contact points from municipal/city administrations to enable intermunicipal learning in LoGE implementation. ACMs in both entities have become highly active in promoting gender equality.

Civil service legislation for municipalities in RS<sup>454</sup> and FBiH<sup>455</sup> requires equal treatment and bans discrimination based on sex but does not explicitly protect LGBTQI+ persons from discrimination on grounds of gender identity, expression, and sexual orientation.

**IA. NEEDED CHANGE:** Regardless of whether lawmakers in **FBiH** will craft a new law or amendments to the **Law on LSG** in the future, the process **needs to include GIMs and reflect the LoGE requirements. BD BiH and RS** should also **amend LSG regulation** to ensure better implementation of LoGE. **BD needs to formalize a GIM** in the executive branch of the government. GIMs or ACMs should have a unified system of collection of data about implementation of LoGE and publish it in accordance with open government principles. Any online platforms collecting and enabling access to such data and practices should primarily be in government ownership.

**IB. CHALLENGES TO CHANGE:** Policy makers do not put gender equality on the list of priorities or principles when developing **LSG legislation, especially in FBiH**, as the 2020 draft

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<sup>452</sup> CURE Foundation & Women's Empowerment Foundation. (2021). *Capacity Assessment of Women's Organizations at the Local Level*. <http://zenskamreza.ba/site/wp-content/uploads/2021/06/Procjena-kapaciteta-%C5%BEenskih-organizacija-lokalnom-nivou.pdf> (Retrieved August 28, 2024).

<sup>453</sup> UNDP. (2022). *Local Gender Equality Landscape*. Available at: <https://www.undp.org/bs/bosnia-herzegovina/publications/pejaz-rodne-ravnopravnosti-na-lokalnom-nivou> (Retrieved August 28, 2024).

<sup>454</sup> Art. 11, 14, and 167 of the RS Law on Civil Servants and Employees in Local Self-Government Units. *RS Official Gazette* 97/16. Available at: <https://www.narodnaskupstinars.net/?q=la/akti/usvojeni-zakoni/zakon-o-slu%C5%BEbenicima-i-namje%C5%A1tenicima-u-organima-jedinice-lokalne-samouprave> (Retrieved August 28, 2024).

<sup>455</sup> Art. 18, 24, and 26 of the Law on Civil Service in FBiH. *FBiH Official Gazette*, 29/2003, 23/2004, 39/2004, 54/2004, 67/2005, 8/2006, 77/2006, 34/2010, 45/2010, 4/2012, 99/2015, 9/2017. Available at: <https://advokat-prnjavorac.com/zakoni/Zakon-o-drzavnoj-sluzbi-u-Federaciji-Bosne-i-Hercegovine.pdf>

amendments to the Law on Principles of LSG demonstrate. A similar problem exists in policy making in LSGUs, and progress in gender integration is particularly challenging in smaller municipalities, although there are some exceptions. **Flow of information from LSGUs toward GIMs is low**, especially in FBiH, as some LSGUs prefer to deal with cantons only. BD is usually a late adopter of practices from other entities, as donors bypass them when supporting policy development and implementation.

## AQ 2. WOMEN'S REPRESENTATION IN DECISION MAKING

**Municipal/city councils (FBiH) or assemblies (RS) have seen an incremental increase in women's numerical representation** from 16.2 percent in 2012, through 18.4 percent in 2016, to 18.9 percent in 2020,<sup>456</sup> although the number of women mayors has been consistently low (Exhibit 10). The number of candidate lists with women in winnable seats has also increased in 2020, along with the number of women who climbed up the lists via preference votes.<sup>457</sup> In the 2020 Local Elections in FBiH and RS, only 23 percent (FBiH) and 34 percent (RS) of elected women already served in the previous mandate, compared with 41 percent and 46 percent of men, respectively.<sup>458</sup> In crude terms, the turnover rate is higher for women local politicians. According to KIs, **women and youth are more likely to become disappointed in party politics and their own roles in the local councils/assemblies**, often deciding not to run again. Women's share in LSGUs' councils/ assemblies is comparable to that in other EU Candidate Countries (20 percent) but well below the EU28 average (35 percent).<sup>459</sup>

### Exhibit 10. Women's Representation Based on Local Election Results

TERM	2012–2016	2016–2020	2020–2024
Women/ elected councillors	16.2% (498 of 3,076)	18.4% (575 of 3,119)	18.9% (622 of 3,177)
LSGUs without women councillors	.	Kladanj, Rudo, Donji Žabar	Bužim, Pelagićevo
Total mayors	140	140	142
Women mayors	5 (Novi Grad, Doboju Jug, Mrkonjić Grad, Visoko, and Kalinovik)	6 (Istočni Drvar, Jezero, Mrkonjić Grad, Visoko, Kalinovik, Novo Goražde)	5 (Odžak, Drvar, Istočni Drvar, Jezero, Novo Goražde)

Source: CEC Reports on Implementation of 2016 and 2020 Local Elections; Election Indicators 2002-2014.

<sup>456</sup> CEC. (2021). Izvjestaj o Provođenju Lokalnih Izborâ 2020. Godine [Report on Implementation of Local Elections in 2020]. Available at: [https://www.izbori.ba/Documents/2020/Izvjestaji/Izvjescje\\_o\\_provedbi\\_Lokalnih\\_izborâ\\_2020-bos.pdf](https://www.izbori.ba/Documents/2020/Izvjestaji/Izvjescje_o_provedbi_Lokalnih_izborâ_2020-bos.pdf); CEC. (2017). Izvjestaj o Provođenju Lokalnih Izborâ 2016. Godine [Report on Implementation of Local Elections in 2016]. Available at: [https://www.izbori.ba/Documents/2016/Izvjestaji/Izvjescje\\_o\\_provedbi\\_Lokalnih\\_izborâ\\_2016-bos.pdf](https://www.izbori.ba/Documents/2016/Izvjestaji/Izvjescje_o_provedbi_Lokalnih_izborâ_2016-bos.pdf); CEC (2015) Izborni Pokazatelji 2002–2014 [Election Indicators 2002/2014]. Available at: [https://www.izbori.ba/Documents/2015/25052015/Izborni\\_Pokazatelji\\_2002-2014.pdf](https://www.izbori.ba/Documents/2015/25052015/Izborni_Pokazatelji_2002-2014.pdf) (Retrieved August 28, 2024).

<sup>457</sup> Hovic, N. (2021). *Representation of women in local government in Bosnia and Herzegovina after the 2020 elections*. Westminster Foundation for Democracy. [https://www.wfd.org/sites/default/files/2022-05/representation-of-women\\_web.pdf](https://www.wfd.org/sites/default/files/2022-05/representation-of-women_web.pdf) (Retrieved August 19, 2024).

<sup>458</sup> Barišić, M., & Baškot, B. (2021). *Sudjelovanje žena na Lokalnim izborima 2020—Bez žena, bez promjene* [Women's Participation in the 2020 Local Elections—No Women, No Change]. FBiH Gender Center. <https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.gcfbih.gov.ba%2Fwp-content%2Fuploads%2F2021%2F03%2FSudjelovanje-zena-na-Lokalnim-izborima-2020.-Bez-zena-bez-promjene.docx&wdOrigin=BROWSELINK> (Retrieved August 19, 2024).

<sup>459</sup> EIGE. (2024). *Gender Statistics Database*. European Institute for Gender Equality. Available at: [https://eige.europa.eu/gender-statistics/dgs/indicator/wmidm\\_pol\\_parl\\_wmidm\\_locpol/bar/year:2020/geo:EU28.EU27\\_2020\\_IPA.EEA.BE.BG.CZ.DK.DE.EE.IE.EL.ES.FR.HR.IT.CY.LV.LT.LU.HU.MT.NL.AT.PL.PT.RO.SI.SK.FI.SE.IS.LI.NO.UK.ME.MK.AL.RS.TR.BA.XK/sex:M,W/UNIT:PC/POSITION:MEMB\\_CNCL/EGROUP:MUNICIP](https://eige.europa.eu/gender-statistics/dgs/indicator/wmidm_pol_parl_wmidm_locpol/bar/year:2020/geo:EU28.EU27_2020_IPA.EEA.BE.BG.CZ.DK.DE.EE.IE.EL.ES.FR.HR.IT.CY.LV.LT.LU.HU.MT.NL.AT.PL.PT.RO.SI.SK.FI.SE.IS.LI.NO.UK.ME.MK.AL.RS.TR.BA.XK/sex:M,W/UNIT:PC/POSITION:MEMB_CNCL/EGROUP:MUNICIP) (Retrieved August 28, 2024)

Section 10, AQ2 discusses a larger gender gap in public companies, including those that LSGUs comanage, **but women’s representation is better among the heads of local and cantonal public institutions.** The TI database of officials in public institutions,<sup>460</sup> although not exhaustive, shows the following:

- Overall, 44 percent of directors are female.
- Men’s representation is below the 40 percent quota in kindergartens and preschool education (from 80 institutions in the database, 23 percent of directors are men), as well as in education and rehabilitation of persons with disabilities (four of 12 directors are men).
- Women’s representation is below the quota in the management of protected areas (seven institutions, no women directors); local infrastructure and services (eight institutions, one woman); sports (37 institutions, 16 percent of women directors); youth, student, and elderly accommodation (19 institutions, 21 percent women).
- There is gender balance in primary and high school education, culture, and health care.

**Women’s representation is especially low in local community councils (MZs, mjesne zajednice),** according to an FGD participant. Illustrative examples support this statement. In Doboj (RS),<sup>461</sup> 11 percent of the MZ council members elected in 2021 were women, and in Visoko (FBiH), only seven percent.<sup>462</sup> In RS, communities organize MZ elections in accordance with entity regulation recommending proportional numbers of women and men candidates,<sup>463</sup> whereas in FBiH, municipal/city statutes or directives usually define the election procedures for MZs. Women’s representation remains low, as the quota is not mandatory in the MZ election regulation.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

Women local politicians sometimes face abuse inside and outside political parties but **rarely recognize this as a gendered issue.** The Westminster Foundation for Democracy supported establishment of a network of local women politicians in BiH to raise their awareness and help them overcome such challenges. The foundation also works on codes of ethics to prevent and sanction sexist and misogynist language, along with other types of hate speech, in representative bodies.

Trainings for LSGUs on gender equality most often have a disproportionate number of women participants, although there are exceptions, such as a training that a CoE project organized for LSGUs. **Men from local representative and executive structures see gender equality as a women’s issue** and are rarely interested in participating in gender equality initiatives, according to KIs:

*After some meetings in Sarajevo, I distributed GREVIO recommendations and tried to brief them about it, that we signed the Istanbul Convention, but that was it. Does anyone have any questions? No, let us move on! It is like that most of the time. . . . No one cares about what it is or what awaits us, and these are all topics that we will have to deal with in the future.*

<sup>460</sup> Available at: <https://registar.transparentno.ba/bs-Latn-BA/organizations?page=1&rows=9&searchByCategoryId=2>. The database also includes institutions that are not only in LSGU competence, but procedures for appointments to top management positions in most cases require LSGU or local level input and decisions.

<sup>461</sup> City of Doboj. (2021). *Izbori za članove savjeta mjesnih zajednica* [Elections for MZ Council Members]. Available at: <https://doboj.gov.ba/wp-content/uploads/2021/12/Redoslijed-kandidata-za-savjet-MZ-1.pdf> (Retrieved August 28, 2024).

<sup>462</sup> Visoko.gov.ba. (2021, June 11). Candidates for Members of MZ Councils in Visoko MZ Elections on June 13, 2021. City of Visoko. <https://www.visoko.gov.ba/kandidati-za-clanove-savjeta-mjesnih-zajednica-grada-visoko-koji-ce-ucestvovati-na-izborimau-nedjelju-13-06-2021-godine/> (Retrieved August 19, 2024).

<sup>463</sup> Republic Election Commission. (2013). Guidelines on Organization and Implementation of Elections for MZ Councils. *RS Official Gazette* 122/12 and 31/13. Available at: [https://doboj.gov.ba/wp-content/uploads/2019/03/uputstvo\\_o\\_provodjenju\\_izbora\\_u\\_MZ.pdf](https://doboj.gov.ba/wp-content/uploads/2019/03/uputstvo_o_provodjenju_izbora_u_MZ.pdf) (Retrieved August 19, 2024).

However, even some women members of local Gender Equality Commissions care little about contributing to gender equality, missing out on all sessions of the commission or trainings on gender integration, according to an interviewed politician.

Gender roles and norms influence professional orientations, resulting in professional segregation later in life, including in employment in public administration, but things are changing. For example, in the federal ACM network of public finance and accounting practitioners, one of the networks for intermunicipal learning, more women participate than in the past, according to a KI. This observation echoes another remark from a KI that a majority of economics students are now women. Women are a majority of students in most, although not all, study programs and at all levels of higher education.<sup>464</sup> This gives them a small advantage for employment in administration of LSGUs.

Research within a UNDP MZ project<sup>465</sup> suggests that **women’s participation in the project’s local initiatives may decline when they lose interest or they see that other women are not participating, when their ideas are disregarded, or when they simply lack time or finances to attend events.** This is congruent with KIs’ observation that women do not engage in most rural environmental initiatives under the influence of cultural norms and time poverty. However, KIs note that, in areas where local resource organizations build awareness and capacities of women from rural communities, as in Canton 10, these women become more active and vocal.

#### AQ4. WOMEN’S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

**Women’s and men’s dissatisfaction with municipal/city services is similar:** 45 percent of men and 43 percent of women are dissatisfied with the LSGUs’ prioritizing of citizens’ needs and 44 percent and 41 percent, respectively, with LSGUs’ provision of information about public spending.<sup>466</sup> Dissatisfaction is higher among more educated and affluent individuals, and those who have internet,<sup>467</sup> suggesting that dissatisfaction is not associated with lower access but with the higher expectations from local services. On the basis of interviews and FGDs, the following gaps in services stand out:

- **Roma, elderly, and persons with disabilities’** difficulties accessing social and administrative services, as well as transport;
- families’ **access to kindergartens and preschool education, as well as elder care**, which is important for women’s activation in the labor market (Section 3);
- women GBV survivors’ difficulty accessing **safe houses and specialized services**; and
- women’s and minorities’ **organizations receiving little support from smaller municipalities.**

In the past, different organizations piloted GRB initiatives in LSGUs which mostly remained at the level of budget allocations for women’s organizations, entrepreneurship, or safe houses, but **there**

<sup>464</sup> FIS. (2023). Higher Education 2022/2023, *Statistical Bulletin 362*. Available at: <https://fzs.ba/wp-content/uploads/2023/07/Visoko-obrazovanje-2022-2023.pdf> (Retrieved August 19, 2024).

<sup>465</sup> Monir Divan, N. (2023). *Building the Case for Women Led Mjesne Zajednice Citizen Fora: Analysis of the Challenges and the Way Forward Based on Primary Research in 41 Local Governance Units in Bosnia and Herzegovina*. UNDP. Available at: [https://www.undp.org/sites/g/files/zskgke326/files/2023-05/undp\\_strengthening\\_participation\\_of\\_local\\_women\\_leaders.pdf](https://www.undp.org/sites/g/files/zskgke326/files/2023-05/undp_strengthening_participation_of_local_women_leaders.pdf) (Retrieved August 19, 2024).

<sup>466</sup> USAID MEASURE II. (2024). *NSCP 2023*. [in press]

<sup>467</sup> Ibid.

has not been consistent and widespread application of GRB principles at the local level, according to a KI.

**Men use health care services less than women**, although they are more exposed to health risks in public and economic spheres. Nearly twice as many men died from COVID-19–related complications in 2020 and more men die from violent causes (accident, suicide, homicide, and unknown) than women, suggesting that patriarchal norms also harm men.<sup>468</sup>

## AQ5. CULTURAL NORMS AND BELIEFS

Survey experiments in BiH<sup>469</sup> demonstrate that both **municipal-level politicians and citizens exhibit biases in favor of men’s over women’s policy initiatives**, suggesting that women’s numerical representation in public administration, representative bodies, and institutions is not sufficient to ensure gender-responsive or gender-transformative policies. According to one FGD participant, although there are women in the LSGU councils/assemblies, their colleagues ignore their voices.

Biases strongly influence access to services for Roma women, women with disabilities, and LGBTQI+ people, as well as those in other vulnerable categories (Sections 16 through 20).

## CONCLUSIONS

**C1. LSGUs do not implement the BiH LoGE consistently and fully and GIMs have incomplete overview and data on all units at this level**, resulting in gender-irresponsive local policies, although some LSGUs do integrate gender equality priorities in development plans. Although a higher proportion of women and minorities in representative bodies alone will not be enough to address the quality of local policies, both men and women in the councils/assemblies, MZs, and women’s associations can influence this problem. The key obstacle to progress in gender integration in LSGUs is low awareness of the need for and principles of gender integration among policy makers developing LSG regulation at higher levels and of local politicians and stakeholders.

## RECOMMENDATIONS

**R1. International donors should support a government-driven gender audit and gender database for the LSGU level.** Entities’ and BD’s Supreme Audit Offices can audit the LSGUs’ implementation of the BiH LoGE and other gender policies, similar to audits that these offices conducted in 2023 at entity and state level.<sup>470</sup> LSGUs’ own internal audit and controls offices can also conduct such reviews, although not without previous capacity building.

**R2. Entities’ and BD’s parliaments/assemblies should revise laws/regulations on LSGUs to fully harmonize them with the LoGE.** Revisions should assign gender equality as a responsibility to LSGUs that they would share with higher levels of government and require municipalities to (1) ensure proportional gender representation (40 percent quota) in appointments and eliminate gender-based discrimination, (2) disaggregate all official statistics by sex, (3) harmonize existing and new decisions and regulations with the LoGE, (4) establish their own GIMs and seek

<sup>468</sup> BHAS. (2022). *Žene i muškarci u Bosni i Hercegovini* [Women and Men in Bosnia and Herzegovina] (Thematic Bulletin 03). BiH Agency for Statistics. [https://bhas.gov.ba/data/Publikacije/Bilteni/2022/FAM\\_00\\_2021\\_TB\\_1\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2022/FAM_00_2021_TB_1_BS.pdf) (Retrieved August 19, 2024).

<sup>469</sup> Butler, D. M., Tavits, M., & Hadzic, D. (2023). Gender Bias in Policy Representation in Post-Conflict Societies. *Political Research Quarterly*, 76(1), 200–212. Available at: <https://doi.org/10.1177/10659129211045020> (Retrieved August 19, 2024)

<sup>470</sup> UN Women. (2024). *Regional Parallel Performance Audit, Sustainable Development Goal 5—Achieving Gender Equality*. U.S. Department of State. [https://eca.unwomen.org/sites/default/files/2024-06/regional\\_parallel\\_performance\\_audit\\_on\\_gender\\_equality\\_eng.pdf](https://eca.unwomen.org/sites/default/files/2024-06/regional_parallel_performance_audit_on_gender_equality_eng.pdf) (Retrieved August 19, 2024).

their opinion in policy making, (5) analyze the gender situation and prepare special programs and work plans for addressing gender disparities and implementation of higher level gender policies, (6) allocate adequate budgets for implementation of those programs and work plans, and (7) use gender-sensitive language in official documents. Entities should match these changes with budget allocations to LSGUs, which may perceive the requirements as a new burden based on one KI's observation when some municipalities are facing difficulties covering their most basic expenditures.

**R3. International donors and CSOs should, in interventions with LSGUs, promote gender equality priorities.** The first step is to raise awareness among both men and women politicians and public employees of their own gender and other biases, and sensitize them to gendered and other variations in roles, access, ownership, control, participation, and representation. Trainings that donors, CSOs, and other stakeholders organize for local politicians, civil servants, or activists on gender equality, gender integration, or GRB should aim to attract more men, not just women, and training content should also discuss issues that men and boys are facing. Furthermore, donors and CSOs should integrate gender equality and social inclusion topics in all other trainings and conferences that they organize for any stakeholders in LSGUs, for example, by (1) including gender disaggregation for data used in materials and highlighting any inequalities that exist in the field of interest; (2) making sure that speakers, trainers, or presenters include men and women wherever possible, but in either case, that their messages are inclusive; (3) promoting respectful discussions and diversity of opinions; and (4) reminding participants about legal obligations. Conferences can promote international and local project results, but there is also a need to assess the remaining gaps. For example, when talking about public finance, experts should mention opportunities for GRB.

## 13. CIVIL SOCIETY

### AQI. POLICIES AND PRACTICES

An improved environment for civil society is among the 14 priorities that the EU listed for BiH. As part of the reform processes, the BiH Ministry of Justice appointed a working group to draft the BiH Strategy for Development of a Favorable Environment for Civil Society with support from the EU for the civil society program. A concept that has been published for comments<sup>471</sup> does not currently recognize specific problems that women's, Roma, LGBTQI+, or disability-related organizations are facing. Still, this policy step is potentially beneficial for all CSOs. State-level rules on consultations with citizens in legislative processes were adopted in 2017 and amended in 2023.<sup>472</sup> **Increasing shares of policies are open for public consultations via E-konsultacije.gov.ba**, based on information from the competent ministry. Legislative changes imposed by OHR, such as recent changes of the Election Law, are not open for consultation,<sup>473</sup> although some of the changes are responsive to civil society appeals.

On the basis of recommendations from the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and Financing of Terrorism (MoneyVal) and EU, BiH adopted a new Law on

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<sup>471</sup> Ministry of Justice. (2024). *Public call to CSOs to participate in development of the Council of Ministers Strategy for Development of a Favorable Environment for Civil Society 2024–2028* [Government]. Mpr.Gov.Ba. Available at: <http://www.mpr.gov.ba/aktuelnosti/vijesti/default.aspx?id=15003&langTag=bs-BA> (Retrieved August 12, 2024).

<sup>472</sup> Rules on Changes and Amendments to Rules for Consultations in Policy Development, Council of Ministers of BiH, BiH Official Gazette, 87/23 (2023). Available at: <http://www.sluzbenilist.ba/page/akt/WnBG5PpvaO0> (Retrieved August 12, 2024).

<sup>473</sup> INGO. (2022). *Civil participation in the decision-making process: Fact finding visit to Bosnia and Herzegovina 4–8 September 2022*. Conference of International Non-Governmental Organizations (INGOs) of the Council of Europe. Available at: <https://rm.coe.int/cingo-fact-finding-visit-report-bih/1680acd6fa> (Retrieved August 12, 2024).

Prevention of Money Laundering and Financing of Terrorist Activities,<sup>474</sup> which addresses the issue of money flows in organizations assessed as high risk for terrorist financing. The country Strategy for Countering Terrorism<sup>475</sup> from 2022 includes measures to improve control of financial flows in the civil society, among other entities, and to conduct risk assessments. The RS adopted a Draft Law on the Special Registry and Transparency of Work of Non-Profit Organizations<sup>476</sup> (the so-called Law on Foreign Agents) in the first reading in 2023 but withdrew it from procedure in May 2024, according to an FGD participant. Article 3 of that draft **would have potentially restricted feminist or LGBTQI+ CSOs from advocating a gender-responsive constitution or working with political parties**. It is already becoming increasingly difficult for these organizations to cooperate with public institutions, according to KIs and activists in FGDs. In FBiH, the FMLSP has initiated a draft Law on Representativeness of CSOs of Persons with Disabilities and Civilian Victims of War, which aims to regulate access to financing for the numerous associations that claim to represent these groups. The law would create yet another CSO registry in BiH, on top of registries that all government levels have. A KI noted that the FBiH government is also considering a new Law on Financing of Civil Society in 2024.

Laws on public gatherings in BiH (except the BD law adopted in 2020) **impose excessive limitations and obligations on organizers of civil society gatherings**.<sup>477</sup> This especially affects marches or protests for the rights of LGBTQI+ people, commemorations for war crimes victims, and feminist protests. Such gatherings sometimes do not get approval from Ministries of Interior, which claim not to be able to secure the protests, considering the strong counteraction by ultraconservative movements.<sup>478</sup> Although a Pride March is regularly organized in Sarajevo, this is not the case in other places in BiH. In RS in 2023, ultraconservatives attacked LGBTQI+ activists meeting inside the premises of one of the CSOs in Banja Luka after the police refused to give an approval for their public gathering. The RS president and Banja Luka mayor supported the ultraconservative attitudes in that situation, according to activists in an FGD. In some of the cantons, LGBTQI+ activists are working toward changes of regulations on public gatherings in order to transfer some of the burden from organizers to authorities, according to a KII.

**IA. NEEDED CHANGES:** There is need to conduct a systematic legal analysis and ex post **impact assessment of citizen participation policies, of CSO financing from public budgets, and regulations affecting freedom of assembly and association** at all levels of government to identify the ways in which the processes can be streamlined and become more inclusive, especially for the groups generally underrepresented in decision making. **Civil society needs to participate in these processes, including feminist organizations.** Disclosure of funding information will lead to citizens' higher trust in CSOs advocating gender equality and LGBTQI+ rights, but more importantly, it will unveil funding sources for organizations advocating antidemocratic values (please see AQ4 in Section I5). There is also a need for civil society to **systematically monitor and**

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<sup>474</sup> Law on Prevention of Money Laundering and Financing of Terrorist Activities, BiH Parliamentary Assembly, BiH Official Gazette, 13/24 (2024). Available at: <https://mup.ks.gov.ba/sites/mup.ks.gov.ba/files/2024-02/Zakon%20o%20spre%20C4%8Davanju%20pranja%20novca%20i%20finansiranja%20teroristi%20C4%8Dkih%20aktivnosti.pdf> (Retrieved August 12, 2024).

<sup>475</sup> BiH Strategy for Prevention and Fight against Terrorism, BiH Council of Ministers (2022). Available at: <http://www.msb.gov.ba/PDF/010620231.pdf> (Retrieved August 12, 2024).

<sup>476</sup> Draft Law on the Special Registry and Transparency of Work of Non-Profit Organizations, Republika Srpska National Assembly (2023). [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF\(2023\)024-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-REF(2023)024-e) (Retrieved August 12, 2024).

<sup>477</sup> INGO. (2022). Civil participation in the decision-making process: Fact finding visit to BiH 4-8 September 2022.

<sup>478</sup> OSCE/BiH. (2021). *The enjoyment of Freedom of Peaceful Assembly in BiH: Monitoring observations of the OSCE Mission to Bosnia and Herzegovina*. OSCE Mission to BiH. Available at: <https://www.osce.org/files/f/documents/a/7/500554.pdf> (Retrieved August 12, 2024).



report on the situation of **LGBTQI+ people, Roma women, and women with disabilities, including the intersections, as well as the situation of men in those groups.**

**IB. CHALLENGES TO CHANGE:** Lawmakers can easily **abuse processes supposedly aimed at increasing the transparency of CSO functioning and financing.** For example, policies can target specific critical segments of the civil society while creating more favorable conditions for other segments, as recognized in other European countries.<sup>479</sup> Such abuses will rightfully face resistance from the independent civil society sector. Organizations that could conduct systematic monitoring and reporting about the situation of persons at the intersection of identities either have undependable funding or lack a gender-responsive approach.

## **AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING**

The EU Delegation is placing rising emphasis on civil society participation in decision making, according to one government official. The CoM therefore appointed a gender-balanced CSO Advisory Board that includes representatives of safe houses and minority organizations, based on the text of the CoM Decision.<sup>480</sup> Lower levels of government are also appointing similar bodies with proportional representation of women,<sup>481</sup> but their composition is rarely published. International organizations have also established several formal or informal women's advisory groups specializing in areas such as climate and environment, entrepreneurship, or other areas in which women have had limited access, according to KIs with donors. In that sense, **women from the civil society and academia are increasingly taking part in policy-making processes, but whether they have real influence is uncertain.** None of the international or local advisory bodies have been operating for long enough for this approach's effects to be evaluated.

**Women are highly represented in leadership roles in CSOs focusing on gender equality, social, and humanitarian issues.** In addition to directly providing services, raising awareness, and building capacities of institutions, women's organizations also represent women's and minority interests in judicial processes, in policy making where possible, and in international forums. Feminist and LGBTQI+ organizations regularly submit shadow reports on the implementation of BiH obligations stemming from international conventions, in particular CEDAW, and most of the shadow reports are coordinated among multiple organizations. CSOs' regular monitoring of court cases related to GBV and TIP has led to increased awareness of problems in access to justice. While there is a sufficient evidence basis on problems of GBV survivors and women in general across most government sectors, **capacities of Roma organizations are still relatively low for analysis and regular reporting of the situation of Roma women.** A recent Red Report<sup>482</sup> by Bolja Budućnost from Tuzla is a step in the right direction. **Very few organizations and reports document problems of women with disabilities.** These reports are important for advocacy, evidence-based policy making, and reporting on BiH's international human rights obligations.

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<sup>479</sup> Geró, M., Fejős, A., Kerényi, S., & Szikra, D. (2023). From Exclusion to Co-Optation: Political Opportunity Structures and Civil Society Responses in De-Democratising Hungary. *Politics and Governance*, 11(1), 16–27. Available at: <https://doi.org/10.17645/pag.v11i1.5883> (Retrieved August 14, 2024).

<sup>480</sup> Decision on Appointment of the Advisory Body of the Council of Ministers for Cooperation with the Civil Society, BiH Official Gazette, 80/20 (2020). Available at: [http://www.mpr.gov.ba/web\\_dokumenti/default.aspx?id=11089&langTag=bs-BA](http://www.mpr.gov.ba/web_dokumenti/default.aspx?id=11089&langTag=bs-BA) (Retrieved August 14, 2024).

<sup>481</sup> Holo Agency (Director). (2024, June 13). Local Governance Assistance Activity has been establishing Citizen Advisory Panels in 29 partner municipalities [Video excerpt]. [https://www.youtube.com/watch?v=u1jmrOQ\\_JY](https://www.youtube.com/watch?v=u1jmrOQ_JY)

<sup>482</sup> Đuderija, S. (2023). Izvještaj o stanju prava i položaja Romkinja u Bosni i Hercegovini [Report on the Situation of Rights and Position of Roma Women in Bosnia and Herzegovina]. Bolja Budućnost. Available at: <https://bolja-buducnost.org/images/06-publikacije/izvjestaj-o-stanju-prava-i-polozaja-romkinja-2021-2022.pdf> (Retrieved August 19, 2024).

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

**Civic participation is low in BiH.** Only eight percent of men and six percent of women in the 2023 NSCP-BiH reported participating in any civic action in the past 12 months, and the percentages are similar regardless of the age group. As a comparison, around half of youth in the EU reported participating in a civic action in the 2024 Eurobarometer.<sup>483</sup> An expert KI and an activist in an FGD noted that women’s organizations have difficulty engaging youth in their activities and building the next generation of activists, mostly because of declining numbers of youth in many smaller towns in BiH but also because of youth shying away from feminism.

**Not many CSOs work on men’s endorsement of gender equality, and few are able to engage men in advocacy against GBV or for gender equality,** according to two KIs. Gender advocates have been emphasizing the importance of men’s engagement for over two decades.<sup>484</sup> Some positive examples are Budućnost Modriča and the Institute for Population and Development, according to a KI. Regardless of men’s relative disengagement from awareness-raising activities, large numbers of men protested alongside women across BiH after recent femicides, as one activist in an FGD observed.

NSCP-BiH shows **positive trends in the population’s attitudes about domestic violence,**<sup>485</sup> but on a different end, increasing numbers of organizations are actively advocating very conservative roles for women and men, often by repurposing religious frames, as activists in FGDs and expert KIs noted. Roles reserved for women in that type of ideology are not exclusively domestic; women are free to work and can have an education, but they often choose not to, and instead choose to submit to men’s dominance, in the words of one activist. The trend of online *tatists* (Andrew Tate’s followers) and *tradwives* online has emerged in the countries that have been more progressive on women’s and LGBTQI+ rights and is now spreading elsewhere via social media influencers.

### AQ4. WOMEN’S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

There is still a large number of registered, yet inactive CSOs in BiH. Two of three registered CSOs are not submitting their annual financial reports and only one percent of the employed people in BiH work in the nongovernmental sector.<sup>486</sup> Financial viability of all CSOs in BiH has been declining since 2015,<sup>487</sup> as donor funds have been reorienting elsewhere and EU funds have not fully been released because of political stalemates. **Feminist and women-led CSOs lack funds even for their core activities and services,** according to FGDs with activists, while at the same time facing financial controls more often than before, according to a KI.

Few of the major feminist organizations in the country **have strong advocacy capacities,**<sup>488</sup> **but most women’s organizations do not.** This problem is reflective of the entire civil society

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<sup>483</sup> Eurobarometer. (2024). Youth and Democracy. Available at: <https://europa.eu/eurobarometer/surveys/detail/3181> (Retrieved August 28, 2024).

<sup>484</sup> Scambor, E., Bergmann, N., Wojnicka, K., Belghiti-Mahut, S., Hearn, J., Holter, Ø. G., Gärtner, M., Hrženjak, M., Scambor, C., & White, A. (2014). Men and Gender Equality: European Insights. *Men and Masculinities*, 17(5), 552–577. Available at: <https://doi.org/10.1177/1097184X14558239> (Retrieved: August 25, 2024).

<sup>485</sup> USAID MEASURE II. (2024). NSCP BiH 2023 [in press].

<sup>486</sup> Zeravcic, G. (2016). *Mapping Study of CSOs in BiH*. [https://smartbalkansproject.org/wpfd\\_file/mapping-study-of-csos-in-bih/](https://smartbalkansproject.org/wpfd_file/mapping-study-of-csos-in-bih/) (Retrieved August 28, 2024).

<sup>487</sup> USAID. (2024). *CSO Sustainability Index Explorer*. Available at: <https://csosi.org/?region=EUROPE> (Retrieved August 28, 2024).

<sup>488</sup> Prokscha, A. (2023, April 13). Peer to Peer: Advancing Women’s Rights in Bosnia and Herzegovina. The German Marshall Fund of the United States. Available at: <https://www.gmfus.org/news/peer-peer-advancing-womens-rights-bosnia-and-herzegovina> (Retrieved August 28, 2024).

sector.<sup>489</sup> The awareness-raising strategies in most women’s organizations are outdated and are often active in two or three social networks that cater to adults, but none have profiles in platforms catering to minors in BiH. Even the campaigns such as *#nisamtražila* (“I did not ask for it”) and *I 6 dana aktivizma protiv rodno-zasnovanog nasilja* (“16 anti-GBV activist days”) do not have TikTok presence, although minors in BiH are increasingly using it<sup>490</sup> (on adults’ use, please see AQ5 in Section 14).

Feminist, LGBTQI+, and environmental activists are at the forefront of the fight for human rights, and as such, **often get into conflicts with authorities or conservative forces**. Activists in an FGD and KIs mentioned cases in which a TIP perpetrator physically threatened a feminist activist in front of the court, in which anti-gender organizations verbally attacked feminist activists in a public consultation on the new Law on Protection from DV and Femicide, and in which hooligans attacked the premises of a Banja Luka–based CSO where LGBTQI+ activists were meeting. Activists and women politicians face Strategic Lawsuits Against Public Participation (SLAPPs), for example, for defamation. One of the organizations started a project Women Human Rights Defenders in BiH to raise awareness about this problem and increase resilience of women activists. The EU Directive 2024/1069,<sup>491</sup> published in April 2024, specifically aims to protect activists in the EU against SLAPPs.

## AQ5. CULTURAL NORMS AND BELIEFS

Population’s gender-related attitudes are slowly changing for the better according to the NSCP-BiH, **demonstrating delayed effects of the continuous awareness raising by women’s organizations**. Since 2019, more cases of GBV are reported annually, also among publicly exposed professions, such as in cultural and educational institutions. Despite this positive contribution, feminist CSOs note that they **are increasingly perceived as foreign agents**, along with already preexisting attitudes that these organizations are abundant with funding. In one of the discussions on the draft changes to the RS Law on Protection from DV, one of the ultraconservative organizations specifically called out the three RS safe houses as foreign agents taking money from U.S. citizens and Britts. The West and Western norms are seen as harmful to the traditional family in BiH. Almost **half of men and women in BiH report low trust in CSOs** in BiH,<sup>492</sup> while the ultraconservative strategy to silence CSOs by screaming “traitors” may lead to even lower trust.

## CONCLUSIONS

**C1. Feminist and LGBTQI+ CSOs are sometimes excluded from key legislative drafting; their civic space is shrinking, along with their funding, and their influence among minors is limited, especially online.** Despite new mechanisms for citizens’ engagement, key women’s CSOs are sometimes excluded from legislative processes that directly affect their key beneficiaries. Women’s and LGBTQI+ organizations are more independent from political influences because of donor funds, but at the same time, they are more vulnerable to government SLAPPs, conservatives’ targeting, and consequent citizens’ distrust. Despite this backlash, society is less tolerant of GBV, and public outrage does occur in grave GBV cases. Contrary to general

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<sup>489</sup> USAID/FHI360. (2023). 2021 Civil Society Organization Sustainability Index. USAID, FHI360. Available at: <https://www.fhi360.org/wp-content/uploads/drupal/documents/csosi-europe-eurasia-2021-report.pdf> (Retrieved August 24, 2024).

<sup>490</sup> Cerkez, A. (2023). *Bosnia and Herzegovina’s Youth Online: Victims and Perpetrators of Digital Rights Violations*. Balkan Investigative Reporting Network. Available at: <https://birn.eu.com/wp-content/uploads/2023/12/02-BIRN-Research-Paper-Bosnia-Youth.pdf> (Retrieved August 25, 2024).

<sup>491</sup> Directive (EU) 2024/1069 on Protecting Persons Who Engage in Public Participation from Manifestly Unfounded Claims or Abusive Court Proceedings (SLAPPs). European Parliament. Available at: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L\\_202401069](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401069) (Retrieved August 28, 2024).

<sup>492</sup> USAID MEASURE II. (2024). *National Survey of Citizens’ Perceptions in Bosnia and Herzegovina 2022* [in press].

perceptions, international funds are largely designated for networking and conferences, while feminist organizations continue to face problems in financing their core activities, such as services for women GBV survivors.

**C2. Regressive and conservative trends among youth are not being addressed through counternarratives online.** Generally, online abuses of freedom of expression and amplification effects of online streaming of crimes are not being adequately addressed by the authorities, while digital and informational literacy of the population is low, including among minors and youth who do not have a comparison frame for an internet-free world.

## RECOMMENDATIONS

**R1. International donors should support initiatives advocating improved regulations on civic participation and CSO financing and inclusiveness of public consultations.** The support could initially be directed to CSOs or government bodies that advocate impact assessments of the country's citizen participation mechanisms and CSO financing system. The aim should be to create a single or combined CSO registry, possibly via court records integrated with tax administration information, a transparent system of CSO funding, and inclusive and harmonized system of consultations with citizens in policy making.

**R2. Donors should increase support to feminist and minority CSOs, especially to close the capacity gaps in minority organizations and to counter regressive narratives targeting youth.** New models of financing, such as crowdfunding for some of the social services women's organizations provide could partially address the problem of financing in the long term, but cannot be their major source of finance, because protection from GBV is a government responsibility. In any CSO projects, legal aid should be ensured for activists who are threatened by lawsuits. Current low evidence basis about the situation of persons discriminated against on intersecting grounds can be improved through mentoring and financing of snapshot research and reporting at regular intervals, followed by projects to advocate for improved implementation of country human rights obligations. Increasing project support should be provided to all civil society stakeholders and institutions using smart online campaigns to counter anti-gender narratives targeting youth, particularly minors.

## 14. MEDIA AND INVESTIGATIVE JOURNALISM

### AQ1. POLICIES AND PRACTICES

BiH regulates its media landscape with a two-pronged approach—government regulation of the basic conditions and operations of electronic media on one side, and self-regulation of the press and online media on the other, both branches including significant gender equality safeguards. While electronic media abide by the government-enforced system of standards, controls, and sanctions, **press and online media are bound only if they are signatories of the BiH Press Code, although most online web portals are not.**

The BiH Communications Regulatory Agency (CRA) regulates telecommunications, radio, and TV broadcasting, as well as all services related to those fields. The BiH Law on Communications<sup>493</sup> promotes proportional representation of men and women in the appointment of the CRA Council members (Art. 36 and 39) and its director (Art. 40), as well as among full-time staff, including

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<sup>493</sup> BiH Official Gazette 31/03, 75/06, 32/10 i 98/12. Unofficial integral text available at: <https://legalist.ba/wp-content/uploads/2014/02/Zakon-o-komunikacijama-BiH-nesluzbeni-precisceni-tekst.pdf>

managerial posts (Art. 43). One of the key broadcasting principles is protecting the freedom of expression and diversity of opinions while respecting nondiscrimination (Art. 4). Freedom of expression, therefore, cannot justify discriminatory statements. CRA adopted **new Codes on Program Content<sup>494</sup> and on Commercial Communication<sup>495</sup> in 2023, both with comprehensive antidiscrimination provisions**. Gender-based violations of these codes and reports on such violations are rare, according to interviewees.

The BiH Press Council (PC) which currently includes 50 media outlets **significantly upgraded the BiH Press Code** in 2021, related to online reporting, comments, and abuses against women (Art. 6). The Press Code enables audiences and news subjects to file complaints on media reporting, in some cases even anonymously (if a complaint pertains to LGBTQI+ background). According to the PC, despite some violations still occurring among signatories of the Press Code, especially in online comments sections, human rights **advocacy organizations or individuals from discriminated groups do not report them to the PC**. In the absence of complaints, the PC can only react via a public statement, as was the case regarding media reporting on the 2023 Gradačac femicide.

Three interviewees noted varied reasons why CSOs do not file complaints. One reason is that, according to activists in an FGD, the PC does not have effective sanctions at its disposal for media that violate the Press Code other than a request to a media outlet to amend the mistake. The Press Code does not define sanctions, but the Steering Committee of the PC can exclude the media from its membership if they disregard the PC decisions, according to the PC Statute.<sup>496</sup> Because membership is voluntary, and benefits of membership are not significant, this sanction is not effective and some of the nonmember media violate the Press Code repeatedly. The second reason is that CSOs lack time and resources to perform such monitoring, and their reactions are slow in general, according to a KI. **There are voices, including one KI, that advocate moving away from the model of self-regulation of the press and online media to a coregulation model** in which the government agencies and the PC would act together to regulate the press and online media. This would require strengthening and giving more power to the PC in regulating the online abuse of women as audiences and content subjects, while ensuring the PC's financial independence. As a part of USAID/BiH Media Engagement Activity (MEA), the PC initiated a process in which media commit to gender-responsive intraorganizational policies and gender-responsive reporting.<sup>497</sup>

At the BiH level, LoGE and the BiH Election Law explicitly ban gender stereotyping, offensive portrayal of people based on gender, and hate speech in the media, including during election campaigns. **RS and BD criminalized hate speech and incitement to hatred on grounds of gender, sexual orientation, and gender identity,<sup>498</sup> but the hate speech provisions in the FBiH Criminal Code do not include those grounds**. BD, FBiH, and RS also criminalized verbal threats, intimidation, and insults,<sup>499</sup> as well as most acts of GBV (for details, see Section 16). The

<sup>494</sup> CRA. (2023). Code on Programme Content. Available at: <https://docs.rak.ba/articles/3cafb926-4263-498a-8207-6f3ecbe25abe.pdf> (Retrieved August 24, 2024).

<sup>495</sup> CRA. (2023). Code on Commercial Communication. Available at: <https://docs.rak.ba/articles/77863b5e-85b2-410e-bff5-5b97b6c10bc2.pdf> (Retrieved August 28, 2024).

<sup>496</sup> BiH PC. (2023). Statute. Vzs.ba. Available at: <https://vzs.ba/statut/>

<sup>497</sup> Radončić, Dž. (2024). Gender Sensitive Media Policies. Available at: <https://vzs.ba/rodno-odgovorne-medijske-politike/> (Retrieved August 15, 2024).

<sup>498</sup> RS Criminal Code, Article 359. RS Official Gazette 64/2017, 104/2018 – Constitutional Court Decision, 15/2021, 89/2021, 73/2023, and 9/2024 – Constitutional Court Decision. Available at: <https://www.paragraf.ba/propisi/republika-srpska/krivici-zakon-republike-srpske.html>

BD BiH Criminal Code, Article 355a, BD BiH Official Gazette 19&2020, 3/2024, 14/2024. Available at: <https://www.paragraf.ba/propisi/brcko/krivici-zakon-brcko-distrikta-bosne-i-hercegovine.html>

<sup>499</sup> BD BiH Criminal Code, Articles 179, 180, 186, and 356.

ADL provides options for civil cases against discriminatory public statements, while there are also options according to the LoGE. These different legal mechanisms serve to protect women as audiences and news subjects, as well as women journalists and media workers. **Despite relatively frequent sexist verbal threats, intimidations, and insults, especially in the online sphere, media workers rarely report such attacks**, according to two KIs and one FGD participant.

**POs and police still have difficulty investigating online attacks**, regardless of the targeted person's gender. One KI mentioned Jasmin Mulahusic, a hate monger of BiH origin living in Luxembourg, whom the BiH PO indicted only in 2024, after years of investigations and voluminous evidence of targeting journalists of any gender. Such attacks often target women because their representation among journalists is high, but the **attacks on women often include gendered content**, according to one FGD participant, congruent with one analysis<sup>500</sup> of the BH Journalists Association's (BHJA) database of media freedom violations. One interviewee noted that authorities do not take women journalists' reports seriously. Last year's draft Law on Offences against Public Order in CS was supposed to address online abuse in the media and social media sphere, which is a necessity to protect women, according to one interviewee. Another KI was concerned that this draft would restrict freedom of expression, which is one of the reasons why CS withdrew the draft law. RS is preparing a draft Law on Media, and this move is already causing criticism and concerns for freedom of expression, according to one interview.

Against all international recommendations, **RS recriminalized defamation in 2023** and the BiH Constitutional Court confirmed this change as constitutional.<sup>501</sup> In the rest of the country, defamation is part of the civil, not criminal law. While the RS POs have not yet initiated any defamation-related criminal investigations against journalists, one KI believes this is merely a deceptive tactic by RS authorities, as they want to pass other laws to suppress democratic freedoms.

**Defamation influences gender equality in at least two ways. One is the potential protective mechanism from defamation for women active in public life, including journalists**, who experience smear campaigns. For example, in one international survey,<sup>502</sup> 15 percent of women media workers were subjects of image-based abuse, including deepfake videos or shallow fakes. When any type of sexually explicit, nonconsensual video or image comes from detectable sources, authorities can process them as defamation, but there are valid arguments<sup>503</sup> to prosecute such instances as sexual offences. Considering that defamation in RS is punishable with financial sanctions only, it seems more prudent to prosecute publication of nonconsensual sexual content (whether fake or real) via sexual extortion provisions in the RS Criminal Code (CC). In FBiH and BD, this dilemma does not exist.

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RS Criminal Code, Articles 141, 144, 150, 210, 232, 233, and 329.

FBiH Criminal Code, Articles 182, 183, 296, 362. *FBiH Official Gazette* 36/2003, 21/2004 - corr., 69/2004, 18/2005, 42/2010, 42/2011, 59/2014, 76/2014, 46/2016, 75/2017 and 31/2023. Available at: <https://www.paragraf.ba/propisi/fbih/krivicni-zakon-federacije-bosne-i-hercegovine.html> (Retrieved August 15, 2024).

<sup>500</sup> Barisic, M. (2020). *Gender Equality and Freedom of Expression in Bosnia and Herzegovina: Recommendations for Gender Mainstreaming*. Available at: <https://rm.coe.int/hf33-gender-analysis/16809eae69> (Retrieved August 15, 2024).

Radevic, M. (2023). BiH 2022 Indicators on the Level of Media Freedom and Journalists' Safety. BH Journalists Association. <https://bhnovinari.ba/wp-content/uploads/2023/03/BiH-ENG-2022.pdf> (Retrieved August 28, 2024).

<sup>501</sup> Lucka, D. (2024, February 7). Pravna analiza Odluke Ustavnog suda BiH o kriminalizaciji klevete. *Media.ba*. Available at: <https://www.media.ba/bs/mediametar/pravna-analiza-odluke-ustavnog-suda-bih-o-kriminalizaciji-klevete> (Retrieved August 28, 2024).

<sup>502</sup> Posetti, J., Aboulez, N., Bontcheva, K., Harrison, J., & Waisbord, S. (2020). *Online Violence Against Women Journalists: A Global Snapshot on Incidence and Impacts*. United Nations Educational, Scientific, and Cultural Organization. <https://unesdoc.unesco.org/ark:/48223/pf0000375136/PDF/375136eng.pdf.multi>

<sup>503</sup> Shaik, A. (2021, July 20). Deepfake Pornography: Beyond Defamation. *Yale Cyber Leadership Forum*. Available at: <https://www.cyber.forum.yale.edu/blog/2021/7/20/deepfake-pornography-beyond-defamation-law> (Retrieved August 28, 2024).

**Another way defamation legislation is relevant to gender equality is the potential space for abuse of defamation laws against those who report sexual harassment or violence to prosecutors<sup>504</sup> or against journalists who report on such instances.<sup>505</sup> In that sense, whether within criminal or civil law, defamation cases can have a similar chilling effect for investigative journalists covering sexual violence that renowned perpetrators committed (e.g., #metoo and #nisamtrazila). **Beyond defamation charges and other legal actions, renowned perpetrators use other tactics to silence women witnesses or journalists reporting on violence, such as sexualized verbal abuse.** One FGD participant mentioned one such case. Journalists regardless of gender experience diverse types of SLAPPs,<sup>506</sup> which is why the BiH PC established a Coalition of Media Lawyers to ensure adequate legal protection of journalists in such cases. Still, many investigative media outlets are not members of the PC.**

**IA. NEEDED CHANGES:** There is a need for a higher number of **news web portals** and the investigative media to sign the BiH PC and endorse the Declaration on Gender Equality in the Media. Experts<sup>507</sup> and KIs in one group interview flagged a need to move in the direction of **coregulation** of the press and online media, according to which the government and the PC would have shared responsibilities. Coregulation would, for example, include increasing the PC powers and restricting government financing for the media that often violate the Press Code, as is currently the case in Serbia. Coregulation **should not disproportionately restrict freedom of expression.** Two KIs and the CEDAW Committee noted a need for **better regulation and enforcement of measures against online abuses** targeting women in general, but especially women journalists, politicians, and activists. Another CEDAW recommendation calls for a **formal monitoring mechanism on sexist and misogynist speech in public discourse** and the country has not made any progress in this respect. One KI, as well as the BiH authorities in the draft BiH Strategy Against Corruption (2024–2028), and expert studies<sup>508</sup> identified a need to adopt a country-level **Law on Transparency of Media Ownership and Financing.** Authorities have already received a draft of this Law, as well as the Law on Advertising from a civil society coalition. Transparency of media ownership would improve accountability of currently anonymous web portals that produce and/or share the content problematic from gender and LGBTQI+ perspective, and it would also improve the quality of data on women’s representation in media structures. According to one KI, feminist and minority **CSOs need to start using the Press Code** more to counter online abuses, while another KI flagged a need for **GIMs to react more consistently to sexism** and misogyny in public discourse.

**IB. CHALLENGES TO CHANGE:** If an assumption that many untransparent media portals are partially owned or under control of politicians is true, it is difficult to expect that politicians would adopt a **Law on Transparency of Media Ownership** without external pressures on the BiH

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<sup>504</sup> See, for example, Šimić-Đinđić, J. (2019) “Sudac Vladimir Špoljarić—markiran da se klevetom (s)makne!” [Judge Vladimir Špoljarić—Marked for Removal Through Defamation]. *Dnevno.ba*. Available at: <https://www.dnevno.ba/vijesti/sudac-vladimir-spoljaric-markiran-da-se-klevetom-smakne-179207/>. For international examples, see: [https://equalitynow.org/news\\_and\\_insights/weaponizing-defamation-lawsuits-against-survivors-violates-international-human-rights/](https://equalitynow.org/news_and_insights/weaponizing-defamation-lawsuits-against-survivors-violates-international-human-rights/)

<sup>505</sup> Belgrade Open School. (2021, December 8). Ivana Mastilović Jasnić: Seksualnog nasilja ima mnogo više nego što sam mislila. Available at: [https://transformator.bos.rs/vesti/1414/ivana-mastilovic-jasnic\\_-seksualnog-nasilja-ima-mnogo-vise-nego-sto-sam-mislila.html](https://transformator.bos.rs/vesti/1414/ivana-mastilovic-jasnic_-seksualnog-nasilja-ima-mnogo-vise-nego-sto-sam-mislila.html) (Retrieved August 28, 2024).

<sup>506</sup> Bosilkova-Antovska, A., & Mladenovska, S. (2024). *From Silence to Strength: A Regional Response to SLAPPs in the Western Balkans*. Balkan Civil Society Development Network. Available at: <https://balkancsd.net/novo/wp-content/uploads/2024/07/55-4-BCSDN-Regional-SLAPP-Research.pdf> (Retrieved October 28, 2024).

<sup>507</sup> Kevin, D. & Rokša- Zubčević, A. (2022). Towards Coregulation of Harmful Content Online in BiH—A study of European standards and co-regulatory practices for combating harmful content online. CoE JUFREX. Available at: <https://rm.coe.int/co-regulation-of-harmful-content-online-study-bhs/1680adeee3> (Retrieved August 28, 2024).

<sup>508</sup> Ibid.

authorities, for example, within the European Integrations process. Media and activists themselves may advocate against moving in the direction of **coregulation** and against regulating the online space better, as was the case in CS, because these measures have the potential to stifle freedom of expression. It is therefore important to adopt any such regulatory frameworks only after extensive consultation with the media and civil society. Another challenge for coregulation that KIs mentioned is the inconsistency and shifting of focus among international organizations. BiH authorities, media, and civil society have **low capacities for engagement in content moderation and addressing harmful business models in social media platforms** locally and in multilateral forums.<sup>509 510</sup> The capacities for engagement on these matters potentially exist only in the CRA and the Ministry of Transport and Communications.

## AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING

Since its establishment, the CRA has never had women in its seven-member council despite provisions of the Law on Communications, and all CRA directors have been men. However, according to a KI, few women even apply for such positions. The recent proposal to the BiH Parliamentary Assembly for new members of the council included three women, among other candidates, but the list did not get support of the House of Representatives at its 17th session because of potential conflict of interest of one male nominee.<sup>511</sup> On the other hand, the key CRA staff is dominantly female.

According to a KI, journalism is a feminized profession and there are more women than men among journalists. On the basis of information from two participants in one FGD, **investigative media are less likely to have women in the management and editorial structures, but women's representation is higher in other types of media in such structures.** Available statistics show that women's representation is proportionate among directors and main editors in some segments of media production such as private radio stations—of 116 private radio stations, 48 have women directors, and 69 have women as editors in chief.<sup>512</sup> Women are in minority as directors of audiovisual media houses—of 28 media houses with Permits for Audiovisual and Radio Services, six currently have women directors, whereas 22 have men.<sup>513</sup> Such detailed data on representation are not available for print and online media, even for those media that are members of the BiH PC.

Despite high shares of women in newsrooms, the main media products are **still sometimes either insensitive to women's perspective or have business models that depend on sensationalism**, which at least three KIs flagged as problematic, especially related to GBV reporting in cases of femicide. There are **very few Roma women journalists and only one Roma**

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<sup>509</sup> Article 19. (2022). Content Moderation and Local Stakeholders in Bosnia and Herzegovina. Available at: <https://www.article19.org/wp-content/uploads/2022/06/bosnia-herzegovina-country-report-content-moderation.pdf> (Retrieved August 28, 2024).

<sup>510</sup> UN in BiH. (2023, June 19). UNESCO supports the launch of a Coalition for Freedom of Expression and Content Moderation in Bosnia and Herzegovina to creating a free and healthy online environment for citizens. Available at: <https://bosniaherzegovina.un.org/en/238289-unesco-supports-launch-coalition-freedom-expression-and-content-moderation-bosnia-and> (Retrieved August 28, 2024).

<sup>511</sup> Parliament.ba. (2024, April 2). 17th session of the BiH Parliamentary Assembly House of Representatives, point 15, Proposal for Appointment of the CRA Council [audio file]. Available at: <https://parlament.ba/session/OSessionDetails?id=2588&ConvernerId=1> (Retrieved August 28, 2024).

<sup>512</sup> CRA. (2024). Korisnici dozvole za radijsko emitovanje [Holders of radio broadcasting permits]. Communications Regulatory Agency. Available at: <https://www.rak.ba/bs-Latn-BA/articles/8249> (Retrieved October 28, 2024).

<sup>513</sup> CRA. (2024). Permits for Audiovisual and Radio Services. CRA. Available at: <https://docs.rak.ba/documents/617f1f00-ca41-4da1-b97f-fceacb93b50b.pdf> (Retrieved August 28, 2024).



media, Portal Udar, which sometimes publishes gender-responsive content.<sup>514</sup> There is no information about Roma women in mainstream media.

**In independent investigative media, the share of stories focusing on gendered issues is low, but there is more coverage of such topics than before.** Investigative journalism focuses on corruption in BiH, and in that sense, only sexual extortion<sup>515</sup> and corruption in maternity wards<sup>516</sup> get investigative media attention, although the scope of potential topics is far wider.<sup>517</sup> Media, for example, do not investigate the entire trafficking industry that has evolved around Roma women and children, except in short news reports about a few notable trials, which can also be covered from an anticorruption perspective. There are however increasing numbers of articles even in investigative media, often from the Balkan Investigative Reporting Network. UN Women also funds investigative stories,<sup>518</sup> but such investments are not sustainable over the longer term, according to a KI. Media focus shifts with donor priorities and funding.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

Research shows that women in the newsrooms are more likely to work overtime, including without compensation, but their domestic roles and gender norms also influence their chances for promotion within media structures because employers believe that they cannot rely on them.<sup>519</sup> This is similar to other professions, but in media businesses, it connects with risks of the job and gender roles.

Association BiH Journalists documented **stark an increase in hate speech and intimidation against journalists**<sup>520</sup> in 2022, compared with 2021, partially resulting from the increased media investigative research on embezzlement of public funds during the COVID-19 pandemic.<sup>521</sup> According to three KIs, and in congruence with other research,<sup>522</sup> attacks directed at women journalists are often sexist, focusing on their families, using sexual insinuations or misogynist slurs. Attacks happen online from anonymous profiles, but also in the field, when talking to male politicians, experts, judges, or other public personae. Male investigative journalists are more likely to receive death threats and face physical attacks than women.

**Retreating from dangerous situations** may be a logical reaction for people with dependents, and **given the care burden distribution, this type of reaction may be more likely for**

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<sup>514</sup> Portal Udar. (2024, June 24). Međunarodni dan vozačica: Samo pet posto Romkinja vozi. *Portal-udar.net*. Available at: <https://www.portal-udar.net/medjunarodni-dan-vozacica-samo-pet-posto-romkinja-vozi/> (Retrieved August 28, 2024).

<sup>515</sup> See, for example, Čengić, R. (2023, July 18). Seksualna iznuda u BiH: Korupcija za seks o kojoj se malo govori [Sexual Extortion in BiH: Corruption Not Spoken About]. *Interview.Ba*. Available at: <https://interview.ba/2023/07/18/seksualna-iznuda-u-bih-korupcija-za-seks-o-kojoj-se-malo-govori/> (Retrieved August 25, 2024).

<sup>516</sup> Unkić, H. (2022, March 8). Korupcija duboko ukorijenjena u bh. Porodilištima [Corruption with Deep Roots in BiH Maternity Wards]. *Diskriminacija.ba*. <https://www.diskriminacija.ba teme/korupcija-duboko-ukorijenjena-u-bh-porodili%C5%A1tima> (Retrieved August 25, 2024).

<sup>517</sup> Some examples from abroad: GIJN. (2024). *Chapter 7: Spotlight on Women in Investigative Journalism*. Global Investigative Journalism Network. Available at: <https://gijn.org/resource/chapter-7-spotlight-on-women-in-investigative-journalism/> (Retrieved August 25, 2024).

<sup>518</sup> UN Women. (2022). *Istraživanje o medijskom izvještavanju o rodno dgovornom budžetiranju u Bosni i Hercegovini [Research on Media Reporting about Gender Responsive Budgeting in BiH]*. Available at: [https://eca.unwomen.org/sites/default/files/2022-07/20220630\\_Medijsko%20izvjesje%CC%8Ctavanje%20o%20ROB\\_BHS\\_WEB.pdf?fbclid=IwAR0wdmJ481rGrSSDjcullePStfMz2XpC7VEBbxRkv-11DlmlOoJR8n\\_MADc](https://eca.unwomen.org/sites/default/files/2022-07/20220630_Medijsko%20izvjesje%CC%8Ctavanje%20o%20ROB_BHS_WEB.pdf?fbclid=IwAR0wdmJ481rGrSSDjcullePStfMz2XpC7VEBbxRkv-11DlmlOoJR8n_MADc) (Retrieved August 16, 2024).

<sup>519</sup> Radević, M. (2023). *BiH 2022 Indicators on the Level of Media Freedom and Journalists' Safety*.

<sup>520</sup> Ibid.

<sup>521</sup> USAID MEASURE II. (2022). *Mid-Term Performance Evaluation—ACFC and IJP*. USAID MEASURE II. <https://www.measurebih.com/performance-evaluation-acfc-and-ijp>

<sup>522</sup> Barisić, M. (2020). *Gender Equality and Freedom of Expression in Bosnia and Herzegovina: Recommendations for Gender Mainstreaming*. Available at: <https://rm.coe.int/hf33-gender-analysis/16809eae69>

**women.** A quote from BHJA’s research demonstrates that women journalists are also targets of physical attacks:

*“Nine years ago, I experienced a brutal physical attack in which I sustained injuries. Even though the attacker was punished, I have often thought about what could have been done and how to prevent such situations. I received support from the editorial office after the attack, but on the other hand, they expected me to continue doing my job as if nothing had happened, without taking into account the environment in which I work and the risks I am exposed to as a reporter of Crime Report Section who daily covers stories about people from criminal milieu. After that event, I was convulsing of fear after publishing each text for a long time.”*

–Female journalist quoted in BHJA 2023 research<sup>523</sup>

**Editors’ and managers’ approach to the problem may be inadequate;** a slap on the hand is not sufficient in such situations, and media outlets need to consider other types of support, such as psychological help or reassigning the person to different tasks for some time.

Both SLAPPs and targeted attacks serve to discourage journalists from investigations, leading to a chilling effect regardless of journalists’ gender. However, **police and prosecutors do not take threats against women seriously, according to one KI, while owners, directors, and editors think that women are seeking special treatment,** according to one FGD participant. Neither the law enforcement agencies nor the media managers see beyond such gendered division of roles and problems or seek to create a safer environment for women investigative journalists. According to one KI, **media have become aware only recently that there is a need for intraorganizational antidiscrimination policies** and affirmative measures. Further, although a majority of journalists or editors in some newsrooms are women, it does not mean that such media outlets are free from discrimination on gender and other bases.

#### AQ4. WOMEN’S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

**Women journalists, including young ones, do not report online abuses to institutions,** according to one KI, because they do not trust that institutions can or will protect them, according to another KI. The BiH PC mentors young journalists on ways to deal with the issue and promotes a Declaration on Gender Equality in Newsrooms. BHJA is working on establishing contact points and channels of communication between institutions responding in cases of attacks and hate speech against journalists, such as the designated persons in the CS PO.<sup>524</sup> Independently from one another, the PC and USAID/BiH Investigative Journalism Program’s (IJP) have been providing legal support, advice, and in some cases, representation in court, mostly focusing on SLAPPs against journalists, although BHJA also provides support to journalists facing other forms of attacks.<sup>525</sup>

Women who are subjects (whether journalists or other women) of online attacks from **anonymous media portals that sprout in election years or from profiles in social media platforms have limited legal routes to protect themselves.** One worrying global trend is livestreaming of criminal acts on social networks, which has also been the case in the Gradačac 2023 femicide, livestreaming being one of the key reasons that the case caused such public outrage,

<sup>523</sup> Radevic, M. (2023). *BiH 2022 Indicators on the Level of Media Freedom and Journalists’ Safety*. BHJA. p.22

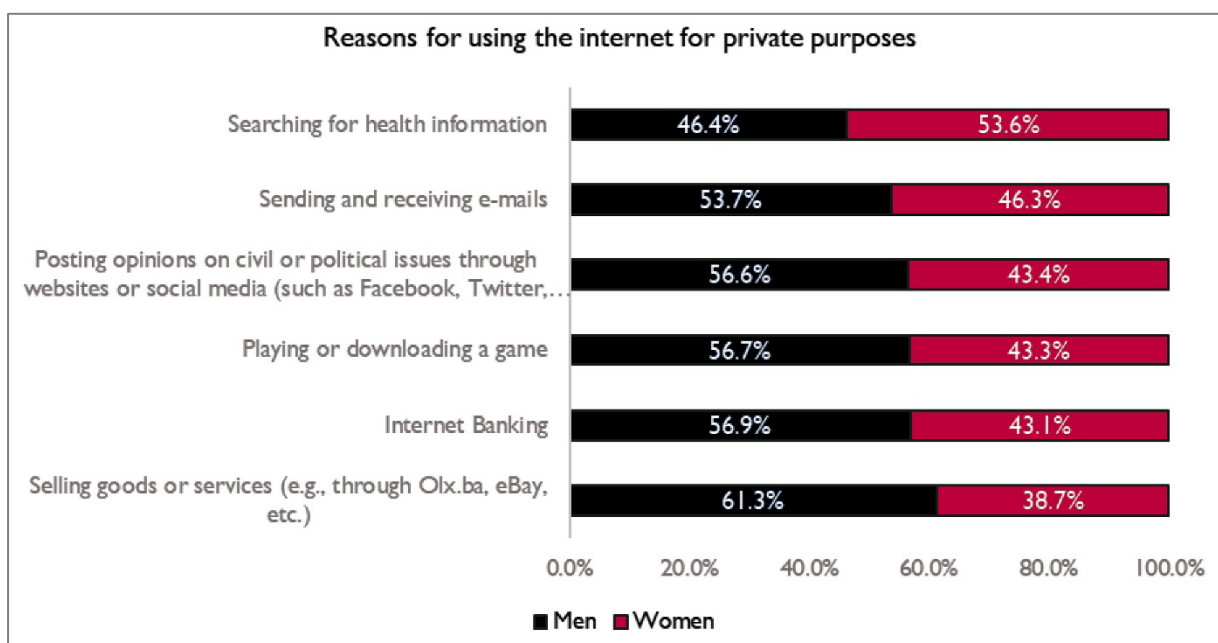
<sup>524</sup> Sarajlija, S., & Martincevic, D. (2023, January 10). Novinari kao mete napada: Tužilaštvo KS prepoznalo značaj jačanja zaštite novinara [Journalists as Targets: CS Prosecutor Recognized the Importance of Strengthening Journalist Protection]. *BH Novinari*. Available at: <https://bhnovinari.ba/bs/2023/01/10/novinari-kao-mete-napada-tuzilastvo-ks-prepoznalo-znacaj-jacanja-zastite-novinar/> (Retrieved August 19, 2024).

<sup>525</sup> Fukelj, S. (2023, December 9). Fond za odbranu novinara u BiH od naredne godine [Defense Fund for Journalists in BiH From Next Year]. *MC\_ONLINE*. <https://media.ba/bs/vijesti-i-dogadaji-vijesti/fond-za-odbranu-novinaru-u-bih-od-naredne-godine>

according to one FGD and three KIs. CRA raises awareness of audiences about media literacy, especially among parents, to increase personal resilience of children, youth, and adults against sexual predators, scams, disinformation, sexual extortion, and exploitation, because the formal protective mechanisms are weak.

Women’s and men’s access to regular internet is extensive in BiH (83 and 86 percent, respectively), and a small gender gap is consistent across all media formats (television, radio, newspapers, and online news sites) except in the case of social media, which women follow slightly more than men (46 percent of women and 44 percent of men).<sup>526</sup> There are significant gender differences in the go-to radio, television, and press media outlets, and small differences in the online web portals, social media platforms, and communication platforms that women and men follow.<sup>527</sup> Still, men and women use the internet differently (Exhibit 11). **Women are more likely to search for health information, while men use the internet more for communication via emails, posting their opinions online, gaming, internet banking, and selling goods and services.**<sup>528</sup> The exhibit does not include other uses in which women and men do not differ, such as listening to music; watching video content; searching for goods and services; reading internet portals, online newspapers, and magazines; or online communication.

Exhibit 11. Gender Differences in Using the Internet



Source: BHAS. (2023). Women and Men in BiH (Thematic Bulletin 03)

## AQ5. CULTURAL NORMS AND BELIEFS

CSO Zašto Ne [Why Not] found that **around four percent of disinformation narratives in the BiH online space that they analyzed between January 2021 and January 2024 were gender and identity based** (women and LGBTQI+ persons were either directly targeted or instrumentalized for other purposes).<sup>529</sup> The usual purposes of instrumentalization included

<sup>526</sup> USAID MEASURE-II. (n.d.). NSCP 2023. [in press]

<sup>527</sup> USAID MEASURE-II. (n.d.). NSCP 2023. [in press]

<sup>528</sup> [https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM\\_00\\_2023\\_TB\\_1\\_BS.pdf](https://bhas.gov.ba/data/Publikacije/Bilteni/2024/FAM_00_2023_TB_1_BS.pdf)

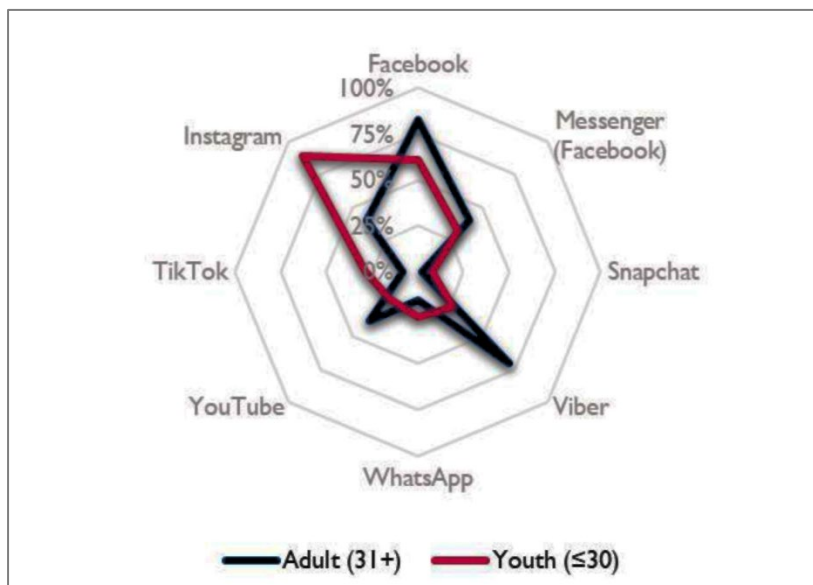
<sup>529</sup> Salkanovic, M., & Sehovic, N. (2024). *Rodno i identitarno zasnovane dezinformacije u Bosni i Hercegovini*. Zašto Ne. Available at: <https://zastone.ba/app/uploads/2024/03/rodno-i-identitarno-zasnovane-dezinformacije-u-bosni-i-hercegovini-3.pdf> (Retrieved August 28, 2024).

portraying the West as decadent and twisted; health-related disinformation tailored to women’s interests; objectification of female body for profits; disinformation related to GBV cases, including clickbait content; conspiracy theories; narratives demonizing LGBTQI+ people to discredit political opponents; abusing GBV for political propaganda.<sup>530</sup> These discourses fit well with interests of the anti-gender movement.

On top of disinformation of interest to fact-checkers, there is much more online content that such methodologies would not necessarily categorize as disinformation but that is still deeply problematic from the gender and minority perspectives. According to two KIs and two FGD participants, **online media that depend on sensationalism sometimes tap into stereotypes about women and men, minorities, and categories of victims and survivors, thereby reproducing discrimination or exclusion.** Political parties specifically use media to discredit women politicians through harmful narratives that challenge their competence, allegiance to the party and her people, and their independent decision making and agency. Even further, advertising algorithms online and especially the feed algorithms in social media platforms nurture and sustain gender and identity stereotypes and other, much more harmful biased content, and there are now incentives to use AI in government decision making (e.g., recognizing a person’s gender and race from their irises) which are potentially violating human rights.<sup>531</sup> **There is very little research specifically focusing on algorithms and AI in BiH and their effects on gender equality and minorities.**

Based on the NSCP-BiH, 45 percent of BiH adults use social media daily, but preferences for social media platforms differ significantly by age. Among those who use social media, Instagram is in the top three platforms for 89 percent of youth and 40 percent of adults, Facebook for 61 percent of youth and 83 percent of adults, and TikTok for 29 percent of youth and 8 percent of adults (Exhibit 12).

Exhibit 12. Top Three Social Media Platforms, by Age Group



Source: USAID MEASURE II. (2024). NSCP 2023 [in press].

Other research in BiH suggests there is a very **high penetration of Instagram, TikTok, and Snapchat among highschoolers, especially girls**, and that physical appearance is the most

<sup>530</sup> Ibid.

<sup>531</sup> Kostic, B. & Sindors, C. (2022). *Responsible Artificial Intelligence*. CoE. Available at: <https://rm.coe.int/mil-study-3-artificial-intelligence-final-2759-3738-4198-2/1680a828cf> (Retrieved August 28, 2024).

common grounds for the discrimination they experience in social media. Exposure of minors to harmful online content via social platforms is a rising concern for the EU and some of its members states. For example, the European Parliament’s Committee on Culture and Education commissioned a study that flagged the problem of social media–related exposure of minors to disinformation and hate speech, sexual content, distortion of beauty standards, and other influences contributing to behavioral problems.

## CONCLUSIONS

**C1. Biases still persist in media reporting in BiH, despite high shares of women in the media.** Content-wise, BiH media regulation and its application has improved further since 2019, but audiences and news subjects rarely submit complaints about violations, as these mostly occur in social media profiles and anonymous online media that sprout and disappear quickly and that are not the Press Code signatories. Women’s share among journalists and editors is high, but the media still do not sufficiently cover topics relevant to women. Biases in the application of algorithms and AI in BiH are still understudied.

**C2. Another challenge in the media is the intense hate and verbal abuse of journalists, including sexism as a form of hate speech.** Because many women and also men journalists have had unpleasant or unproductive encounters with authorities, most are reluctant to report any abuses. The abuses largely come as a professional risk of being a journalist in BiH, where democracy has not yet grown deep roots,<sup>532</sup> and women, as the majority of journalists, absorb more of this low political culture. The work-related discrimination and threats take a toll on journalists’ health and private life,<sup>533</sup> leading to a chilling effect and self-censorship while newsrooms are only beginning to codify antidiscrimination and no-harassment principles in internal policies. This delay in the newsroom reaction is a consequence of media stakeholders’ lack of understanding about gender equality, watering it down to the number of women and men in newsrooms and leadership roles. There is also a need for the media to develop policies in support of their permanent and temporary staff experiencing abuse from outside and inside the media houses.

## RECOMMENDATIONS

**R1. In media support activities, international organizations can promote the BiH Press Council, signing of the BiH Press Code, formalization of antidiscrimination rules and working environments free from harassment, discrimination, and sexual violence in the media outlets and organizations.** For USAID/BiH, this means requiring media grantees, including investigative media, to sign up to the Press Code, the PC recommendations for gender-responsive intraorganizational policies in the media, as well as Women’s Empowerment Principles,<sup>534</sup> which 17 companies have already signed in BiH, or a similar type of standards.

**R2. In media projects, international donors should continue supporting investigative stories about topics of interest to women, minorities, victims, and survivors.** This is already partially the case with topics at the cross-section of corruption and gender, but investigation into topics such as GRB and fiscal effects on women and minorities, effects of waste management

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<sup>532</sup> Halman, L., Reeskens, T., Sieben, I., & van Zundert, M. (2022). *Atlas of European Values: Change and Continuity in Turbulent Times*. Open Press Tilburg University. <https://doi.org/10.26116/6P8V-TT12>. See page 154.

<sup>533</sup> Tinjak, A. (2024, March 7). Posljedice online nasilja na mentalno zdravlje novinarki. *Balkansmedia.org*. Available at: <https://balkansmedia.org/bs/korisni-savjeti-i-alati/posljedice-online-nasilja-na-mentalno-zdravlje-novinarki> (Retrieved August 28, 2024).

<sup>534</sup> WEPS. (2024). WEPS Signatories. Available at: <https://www.weps.org/companies> (Retrieved August 28, 2024).

upgrades on Roma communities, or decarbonization and mining communities should also be covered.

**R3. In media projects, donors can continue supporting legal aid services for journalists, ensuring coordination between implementing partners, and supporting development of new mechanisms.** For example, donors could support the development of a mechanism for improved protection of journalists from verbal and physical abuse, consisting of media organizations and contact points in prosecutors' offices and the police. Such points of contact, as well as free legal aid providers in investigative and other media work, should be sensitized to GBV and to sexism as a form of hate speech, including online. CS, as an example of cooperation among journalists, police, and prosecutors, can be replicated in other constitutional units.

**R4. Donors should support research on and regulation of the online sphere.** USAID/BiH can support creation of an evidence base and watchdog initiatives in BiH on gendered effects of online media, social media platforms, communication platforms, and their business models that depend on algorithms and increasingly on generative artificial intelligence. In the policy environment, international organizations should promote initiatives to regulate media ownership, coregulation of online media, and content moderation in the online sphere.

## 15. INTERETHNIC RELATIONS AND VIOLENT EXTREMISM

### AQI. POLICIES AND PRACTICES

The BiH Antiterrorism Strategy (2021–2026)<sup>535</sup> flags the BiH-based ultraconservative religious and ethnonationalist groupings as a potential security threat for BiH. These groups have connections to local football hooligans, as well as similar movements in the region and beyond. The strategy also recognizes that these organizations target feminists and LGBTQI+ activists but also that women are an integral part of such movements. The Antiterrorism Action Plan (2021–2026)<sup>536</sup> **includes gender-responsive measures, such as strengthening the institutional capacities for identification of harmful anti-gender narratives** that contribute to radicalization and violent extremism. Some measures, although not specifically aiming to support gender equality, will directly benefit feminist and LGBTQI+ activists, for example, measures of preventing operations of nonprofits that use hate speech and spread violent extremist ideas online and in local communities.

BiH implemented its Third Action Plan for Implementation of the UN Security Council Resolution 1325 “Women, Peace, and Security” (AP UNSCR 1325) in the period from 2018 to 2022, but the RS institutions, specifically the Ministry of Interior (RSMol) and Gender Centre (RSGC) did not participate in the coordinating body for that plan.<sup>537</sup> There is no new draft for the AP UNSCR 1325.

**Because of interethnic disagreements, decision makers often sideline gender equality and human rights topics and prolong important decisions to the detriment of vulnerable groups,**

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<sup>535</sup> BiH Strategy for Prevention and Fight against Terrorism, BiH Council of Ministers (2022). Available at: <http://www.msb.gov.ba/PDF/010620231.pdf> (retrieved August 16, 2024).

<sup>536</sup> BiH Official Gazette, 71/23. Available at: <http://www.sluzbenilist.ba/page/akt/jnVgXbp3cPs=> (retrieved August 16, 2024).

<sup>537</sup> Đipa, A., & Škaljo, D. (2021). *Evaluation of the Action Plan for Implementation of the UNSCR 1325 in BiH (2018-2022)*. Kult & GEA. <https://arsbih.gov.ba/wp-content/uploads/2022/05/Procjena-implementacije-AP-UNSCR-Web.pdf> (Retrieved August 19, 2024).

as the problem of GBV in the country demonstrates<sup>538</sup> (please see Section 16). However, KIs and FGD participants also observe **a trend of public officials’ conscious negation and violation of human rights and gender equality principles**, purposefully blocking necessary policy changes or even threatening to retract some of the existing rights. This is likely happening under the influence of ultraconservative forces in the region, such as Serbia and Croatia, and beyond, according to multiple KIs.

A case in point is the **RS officials’ support of 21 ultraconservative ethnonationalist organizations**. According to multiple interviews and FGDs, these organizations stopped the adoption of a new RS Law on Protection From Domestic Violence, which was supposed to encompass other forms of GBV, including femicide, and initiated a motion to delete “gender identity” from the RS Criminal Code (CC) via the ruling party in RS.<sup>539</sup> In June 2024, the RS Ministry of Justice prepared the draft changes<sup>540</sup> deleting “gender identity” from articles 5, 123, 139, 359 of the RS CC pertaining to hate crimes, discrimination, public incitement to hatred, and violence. The Republika Srpska National Assembly (RSNA) has yet to adopt these changes.

The RSNA was supposed to discuss the **RS Law on Foreign Agents** in the second reading in May 2024,<sup>541</sup> but the **RS government has taken it off the session agenda** for the time being. KIs and FGD participants interpret this draft as another attempt of the RS government to silence critical voices that do not depend on government funding, including feminist and LGBTQI+ organizations, while leaving space only for the so-called government-organized-NGOs.

The FBiH Minister of Justice also questioned the need for the FBiH CC to include femicide as a different act because articles on hate-motivated homicide and homicide of a family member already exist. The minister argued that **the law must remain objective and neutral and that the creation of a category of the hate-motivated murder of women grants priority to women**.<sup>542</sup>

FGD participants and media sources<sup>543</sup> reported on **Catholic men’s praying on their knees against abortion in public places** in Sarajevo and Mostar in 2023, emulating similar initiatives from Croatia. One KI noted also that the Mostar City Council rejected the draft LGAP in 2024 for fear of its spreading gender ideology. Sexual and reproductive rights and gender roles have been taboo topics in Canton 10 from early on:

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<sup>538</sup> Gavrić, S. (2023). Understanding Substantive Representation of Women in Consociational Post-Conflict Political Systems. *Nationalism and Ethnic Politics*, 1–19. <https://doi.org/10.1080/13537113.2023.2266155>; Also, Gavrić, S., & Vojvodić, A. (2023). Are consociations bad for women? Assessing the effectiveness of gender quotas in Bosnia and Herzegovina and North Macedonia. *East European Politics*, 1–19. <https://doi.org/10.1080/21599165.2023.2297783> (Retrieved August 19, 2024).

<sup>539</sup> The organizations and the ruling party observed that “gender identity is not among the protected characteristics in the RS Constitution or the BiH LoGE. However, the BiH Law on Prohibition of Discrimination specifies gender identity as one of the protected characteristics. RTRS. (2024, March 12). *RSNA Discusses the Draft Law on Entrepreneurs*. Rtrs.Tv. <https://lat.rtrs.tv/vijesti/vijest.php?id=547739> (Retrieved August 28, 2024).

<sup>540</sup> Draft Law on Changes of the Criminal Code. RS Government. Available at: <https://shorturl.at/DbTBf> (Retrieved August 28, 2024).

<sup>541</sup> RSNA. (2024, May 22). RSNA adopts several laws and decisions in its Ninth Session [Text]. RSNA. <https://www.narodnaskupstina.net/?q=la/vijesti/narodna-skup%C5%A1tina-republike-srpske-na-devetoj-redovnoj-sjednici-usvojila-vi%C5%A1e-zakona-i-nacrta-zakona> (Retrieved August 19, 2024).

<sup>542</sup> Busnov, D. (2023). Vedran Škobić: Femicid u zakonu već postoji, posebno ga formulirati je neozbiljno. *Oslobodjenje.ba*. <https://www.oslobodjenje.ba/dosjei/intervjui/vedran-skobic-femicid-u-zakonu-vec-postoji-posebno-ga-formulirati-je-neozbiljno-910099>

<sup>543</sup> Dnevni.ba. (2023, May 12). Kneelers Now in Sarajevo, *Dnevni.ba*. Available at: <https://dnevni.ba/index.php/clanak/klecavci-stigli-u-sarajevo>. Klix.ba. (2023, February 7). The Trend Spilling Over from Croatia into BiH: Kneeling Prayer organized in Mostar. *Klix.ba*. Available at: <https://www.klix.ba/vijesti/bih/trend-iz-hrvatske-se-prenio-i-u-bih-u-mostaru-organizovano-klecanje-na-trgu/230207199> (Retrieved August 19, 2024).

*Canton 10 refused to work on a UN Women program that included topics such as abortion and LGBTQI+ persons. ... They refused right from the start, saying that parents would not let children get this kind of exposure to these topics.*

– KI, expert.

Another KI noted that the Canton 10 Ministry of Education warned schools in 2024 to ensure that CSO-led workshops **for students and teachers do not promote gender ideology**.

**IA. NEEDED CHANGE:** There is need to ensure that **governments do not repeal the existing rights of women and vulnerable groups under pressure from ultraconservative organizations**. The country already ratified the IC and prohibited discrimination on the grounds of sexual orientation and gender identity, while the right to safe termination of pregnancy is also legally guaranteed, although not accessible everywhere in the country.<sup>544</sup> Gender advocates and human rights defenders in an FGD flagged a need to receive strong and unequivocal support from the international community, including **USAID and the U.S. Embassy, in the form of pressure against regressive trends** that threaten to dismantle any progress the country has made so far in protection of human rights, especially in RS. There is a need also to **support the services these organizations provide**.

**IB. CHALLENGES TO CHANGE:** Governments' constant entanglement in interethnic, interreligious, and interparty calculations makes **gender issues inconsequential unless these issues generate political benefit**. Government officials, even if supportive of full gender equality, often remain silent considering the **strong illiberal attitudes of their electoral base**, but some of the government officials are explicitly supporting ultraconservative movements under the influence of Victor Orban<sup>545</sup> and other foreign influences.

## **AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING**

**The share of women among police, armed forces, and in peace missions is increasing but still not sufficiently to create a basis for women's advancement to leadership roles**, as these institutions receive low numbers of women's applications for higher ranking posts.<sup>546</sup> In the security sector, directors and deputy directors of all seven administrative units under the Ministry of Security (MoS) are men.<sup>547</sup> The state-level MoS and Ministry of Defense, as well as the FMol, have been working closely with GIMs through three BiH AP UNSCR 1325 toward improving the environment for women employees<sup>548</sup> and increasing women's representation in the military, police, and peace missions.<sup>549</sup> The impact is still low because gender roles still strongly influence choice of professions.

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<sup>544</sup> Hasanbegović Vukas, D. (2023). Research on Regulation, Availability and Practice of Abortion in Bosnia and Herzegovina (88; Human Rights Series). Sarajevo Open Center. Available at: [https://soc.ba/site/wp-content/uploads/2023/10/ENG-Istrazivanje-o-regulaciji-dostupnosti-i-praksi-abortusa-u-BIH-VEB-2023\\_9\\_21.pdf](https://soc.ba/site/wp-content/uploads/2023/10/ENG-Istrazivanje-o-regulaciji-dostupnosti-i-praksi-abortusa-u-BIH-VEB-2023_9_21.pdf) (Retrieved August 19, 2024)

<sup>545</sup> Domènech, B. L. (2024). Orbán's illiberal "tentacles" in the Western Balkans: What implications for EU enlargement? European Policy Center. Available at: [https://www.epc.eu/content/PDF/2024/Orbans\\_illiberalism\\_DP\\_v2.pdf](https://www.epc.eu/content/PDF/2024/Orbans_illiberalism_DP_v2.pdf) (Retrieved August 19, 2024).

Ćerimagić, A. (2024). *Orban's Dance on the Edge*. Atlantic Initiative. <https://atlanticinitiative.org/wp-content/uploads/2024/06/Policy-Paper-Hungary-in-BiH.pdf> (Retrieved August 19, 2024).

<sup>546</sup> Đipa, A., & Škaljo, D. (2021). *Evaluation of the Action Plan for Implementation of the UNSCR 1325 in BiH (2018–2022)*.

<sup>547</sup> Ombudsperson. (2024). Annual Report for 2023. Available at:

<https://www.ombudsmen.gov.ba/Dokumenti.aspx?id=27&tip=1&lang=BS> (Retrieved August 19, 2024).

<sup>548</sup> Đipa, A., & Škaljo, D. (2021). *Evaluation of the Action Plan for Implementation of the UNSCR 1325 in BiH (2018–2022)*

<sup>549</sup> MHRR GEA. (2018). Action Plan for the implementation of the UN Security Council Resolution 1325 "Women, Peace and Security" in Bosnia and Herzegovina for the period 2018–2022. Available at: <https://arsbih.gov.ba/wp-content/uploads/2019/02/Akcioni-plan-BOS-KB-14.01..pdf> (Retrieved October 27, 2024).



As noted, **more women participate in the key political processes today**, but a KI observed that their contributions to interethnic reconciliation are not different from their male leaders' ideas.

*If we are talking about these right-wing parties, I mean nationalist ones, women can only come to a high office if they somehow contribute to the construction of these ethno-nationalist narratives. This is the only way for women to come to the fore within these parties.*

–KI, expert

One KI and an FGD participant observed that current **women leaders do not advocate gender issues**, either. For example, feminist and LGBTQI+ activists cannot count on women in the RSNA to support them in integrating femicide as a separate criminal act or to argue against the removal of “gender identity” from the RS CC, according to an activist in an FGD. Despite leading women’s not promoting the values that most gender advocates would want them to, it is still progress that women sit at decision-making tables discussing reforms of the highest priority, a KI noted.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

Unlike men, women in post-conflict communities where violence is a salient topic tend to show less willingness to engage in politics.<sup>550</sup> This holds true also for BiH, **as fewer women than men engage in any type of political activities**, 31 percent to 37 percent respectively, and the gap is highest in the low-household-income group (<1,000 BAM), 22 percent to 32.7 percent respectively.<sup>551</sup> In BiH, ultraconservative movements or organizations easily tap into war memories, and interethnic and interreligious divisions to find followers. Regardless of the ethnic and religious belonging, ultraconservatives promote an extreme interpretation of the traditional family, which is possible only by cementing patriarchy and heteronormative roles and relationships, according to participants from two FGDs.

The conservative understanding of gender roles prevails in BiH, compared with progressive interpretations. In an Atlantic Initiative survey of individuals identified as radical in their local communities,<sup>552</sup> a third perceived **women’s emancipation as a threat to the family** and 54 percent thought that **governments should ban abortion**, but the percentages are high also among the general population. According to the most recent NSCP-BiH,<sup>553</sup> 37 percent of men and 36 percent of women do not support women’s right to abortion, especially Croats and rural populations. Furthermore, 86 percent of men and 79 percent of women are **against same sex couples’ right to marry**; 91 percent and 85 percent, respectively, against their right to **adopt children**; and 88 percent and 82 percent, respectively, against their right to **organize a Pride march**.

On the basis of the Atlantic Initiative research,<sup>554</sup> not just the religious fundamentalist but the ethnonationalist ultraconservatives in BiH identify strongly with religion and self-report high religious adherence, and in fact, **some local-level religious officials of the three dominant religions in BiH agree on and promote these radically conservative gender roles**. FGD participant mentioned that a local official of the Serbian Orthodox Church supported the anti-gender movement in RS. Also, a Catholic priest was among public prayers against abortion in FBiH, and a

<sup>550</sup> Hadzic, D., & Tavits, M. (2019). The Gendered Effects of Violence on Political Engagement. *The Journal of Politics*. Available at: <https://doi.org/10.1086/701764> (Retrieved August 19, 2024).

<sup>551</sup> USAID MEASURE II. (2024). NSCP 2023 [in press].

<sup>552</sup> Halilović, M., & Veljan, N. (n.d.). *Exploring ethno-nationalist extremism in Bosnia and Herzegovina*. Atlantic Initiative. Retrieved August 19, 2024, from <https://atlanticinitiative.org/wp-content/uploads/2021/07/Exploring-ethno-nationalist-extremism-in-Bosnia-and-Herzegovina.pdf> (Retrieved August 19, 2024).

<sup>553</sup> USAID MEASURE II. (2024). NSCP 2023 [in press].

<sup>554</sup> Halilović, M., & Veljan, N. (n.d.). *Exploring ethno-nationalist extremism in Bosnia and Herzegovina*.

former imam and da'i established a new radical political movement, the Bosnian People's Party—Faith, People, Country—in 2020<sup>555</sup> and organized anti-Pride protests in BiH.<sup>556</sup> **The three dominant religions have high consensus on traditional gender roles and responsibilities, and advocate against LGBTQI+ recognition, but they are also against violence,** a KI noted. Still, their official positions on gender roles influence radicals.

**Women are a part of ultraconservative movements.** Circle of Serbian Sisters and the Humanitarian Association of Women Duga, Banja Luka, are among the 21 signatories in RS. There are such women's groups in FBiH, which also promote extremely traditional gender roles, according to a KI. One example is the women's branch<sup>557</sup> of the movement Faith, People, Country.

Beyond BiH and Europe, pronatalism is becoming increasingly popular among IT experts, with the Silicon Valley as its most recent hotbed.<sup>558</sup> The country's demographic concerns open space for **pronatalist narratives in the public sphere in BiH.** Association of Families Three Plus (with three and more children) from FBiH actively promotes pronatalist measures and cooperates well with similar CSOs in RS and the region, looking at Hungary as a pronatalist role model.<sup>559</sup> One of the 21 signatories of the anti-gender initiative in RS is an Association of Families of Four and More Children. However, values of pronatalism are acceptable to most men and women in BiH.

#### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

**Ultraconservative organizations and individuals, including politicians in positions of power, have already affected access to rights and services for women facing GBV and LGBTQI+ people,** by stalling the process of legal advancements and attempting to retract existing rights. Neither entity has formally translated the obligations from the IC into their Laws on Protection from Domestic Violence. In FBiH, despite positive steps in the previous mandates, the current government is failing to address key LGBTQI+ concerns because of ideological positions of the current minister of health, a KI notes.

According to an FGD with human rights CSOs, the prolife public praying performances in FBiH, as well as online stance against abortion in social media groups, can in the future limit women's access to safe abortions in public hospitals, especially if the policy makers enable the medical workers' appeal to conscience in the entire country. Currently, **only medical workers in RS can appeal to conscience and refuse to provide these health care services, but termination of pregnancy is already inaccessible in some of the cantons in FBiH,** for example, in West Herzegovina, while public health care insurance does not cover the costs of pregnancy termination

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<sup>555</sup> Kešmer, M. (08:27:38Z). Nova islamska stranka u BiH “eksperiment koji može biti opasan” [New Islamic Party—An Experiment that Could Be Dangerous]. *Radio Slobodna Evropa*. <https://www.slobodnaevropa.org/a/islamska-stranka-bosna-i-hercegovina/31337478.html> (Retrieved August 19, 2024).

<sup>556</sup> FACE HD TV (Director). (2022, June 25). *Naida: Ja sam transrodna osoba, a i Seka je, veće je muško od Bakira! Sanin: Zikrim dok pričam s tobom!* [Video recording]. <https://www.youtube.com/watch?v=Owl60Sz-VKg> (Retrieved August 19, 2024).

<sup>557</sup> Bosnian People's Party—VND Women's Section. (2024, June 22). Facebook post reading: “Na sastanku je usvojena osuda rigidne LGBT agende...” [A strict condemnation of the LGBT Agenda was adopted in the meeting.] Available at: [https://www.facebook.com/story.php?story\\_fbid=525544426713350&id=100077733902474&mibextid=oFDknk&rdid=7i0X0Dilkw72Z7dp](https://www.facebook.com/story.php?story_fbid=525544426713350&id=100077733902474&mibextid=oFDknk&rdid=7i0X0Dilkw72Z7dp) (Retrieved August 19, 2024).

<sup>558</sup> Munn, L. (2024, May 29). Pronatalism is the latest Silicon Valley trend. What is it—and why is it disturbing? *The Conversation*. <http://theconversation.com/pronatalism-is-the-latest-silicon-valley-trend-what-is-it-and-why-is-it-disturbing-231059>

<sup>559</sup> The association's president spoke about cooperation and role models at BHRT on January 22, 2022. <https://www.youtube.com/watch?v=70kRaohGNXs>. Pronatalist organizations in Serbia, Republika Srpska, and FBiH share approaches, for example, in securing discounts for large families. Compare, for example, the Forbes article from May 8, 2024 (<https://forbes.n1.info.ba/ekonomija/znae-li-sta-su-ponosna-i-porodicna-3-plus-kartica-i-koji-su-im-finansijski-benefiti-u-bih/>) with a similar initiative from Serbia (<https://triplus.org.rs/ponosna-kartica/>).

beyond medical reasons, that is, on request.<sup>560</sup> The situation particularly affects GBV survivors, and women in remote areas with limited employment opportunities and resources.

**Ultraconservative organizations receive donations and small grants from public budgets.** Most of the 21 organizations signatories of the initiative against “gender ideology” in RS collect and distribute donations. Bašionik, for example, collected BAM 99,856 in 2022 for Kosovo Serbs.<sup>561</sup> Association of Families of Four and More Children from Banja Luka is a CSO of special public interest.<sup>562</sup> The Circle of Serbian Sisters and Krajina Cultural Center received funding from the RS Ministry of Governance and Local Self-Government in 2022 and 2023.<sup>563</sup> Nearly all the 21 organizations received at least small grants from municipal/city budgets, when their names are cross-checked in the TI database<sup>564</sup> on CSO funding. In FBiH, the Anti-Dayton Movement collected and distributed donations for survivors of earthquakes in Türkiye and, together with the leader of the Faith, People, Country movement, gathered funds for men who destroyed the plaque honoring the war criminal Ratko Mladić in Istočno Sarajevo.<sup>565</sup> The mayor of Sarajevo publicly endorsed their work, but there is no evidence of the Anti-Dayton Movement’s receiving any grants from public authorities.

The intergovernmental watchdog against money laundering and financing of terrorism, the **Financial Action Task Force, recommends that countries improve oversight of nonprofit organizations that primarily engage in collecting and distributing funds for charitable, religious, cultural, educational, social, or fraternal purposes** and assess risks for their abuse by financing terrorism.<sup>566</sup> BiH received a noncompliance score in this respect from the CoE Committee of Experts on the Evaluation of Anti-Money Laundering Measures and Financing of Terrorism (MONEYVAL) in 2015, reaffirmed in 2020.<sup>567</sup> One interviewee mentioned sources of funding from the United States and Russia, while another said that funding from budgets for such organizations declined ahead of the MONEYVAL report for the country. MONEYVAL conducted an on-site visit to BiH again in February 2024, but it has not published its report for BiH yet.<sup>568</sup>

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<sup>560</sup> Hasanbegović Vukas, D. (2023). *Research on Regulation, Availability and Practice of Abortion in Bosnia and Herzegovina*.

<sup>561</sup> Bastionik - Srbsko Sabranje. (2023). *Zaduzbina za Kosovo i Metohiju, Report for 2022*. Bastionik. [https://bastionik.org/wp-content/uploads/2023/04/lzvjestaj\\_zaduzbina\\_2022\\_1.pdf](https://bastionik.org/wp-content/uploads/2023/04/lzvjestaj_zaduzbina_2022_1.pdf) (Retrieved August 19, 2024). Also see Tomic, M. (2024, July 19). Honoring the General Dragoljub Draza Mihailovic. *Bastionik*. <https://bastionik.org/2024/07/19/spomen-na-general-a-dragoljuba-drazu-mihailovica/> (Retrieved August 19, 2024).

<sup>562</sup> RS Ministry of Government and Local Self-Governance. (2024). Udruženja od javnog interesa, ostala udruženja i fondacije. *Vladars.rs*. Available at: <https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/muls/Pages/default.aspx#collapsible4> (Retrieved August 28, 2024)

<sup>563</sup> RS Ministry of Government and Local Self-Governance. (2024). Javni pozivi 2022 [Public Calls 2022]; Javni pozivi 2023 [Public Calls 2023] *Vladars.rs*. Available at: <https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/muls/Pages/default.aspx#collapsible10> (Retrieved August 28, 2024).

<sup>564</sup> Transparency International. (2024). *Pregled grantova [Grants Overview]* [Dataset]. <https://nvo.transparentno.ba/bs-Latn-BA/grants?page=1&rows=9&searchByNonTransparentReceiver=false> (Retrieved August 19, 2024)

<sup>565</sup> Gurda, E., & Jasarevic, E. (2024, February 23). Građani za 24 sata skupili novac da mladići koji su uništili ploču zločincu Mladiću plate kaznu [In 24 hours, citizens collected money for the fine that youth who destroyed the Mladic-honoring plate have to pay]. *Stav*. <https://stav.ba/vijest/gradani-za-24-sata-skupili-novac-da-mladici-koji-su-unistili-plocu-zlocincu-mladicu-plate-kaznu/23857>

<sup>566</sup> FATF. (2023). *International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation*. FATF/OECD. Available at: <https://www.fatf-gafi.org/content/dam/fatf-gafi/recommendations/FATF%20Recommendations%202012.pdf.coredownload.inline.pdf> (Retrieved August 19, 2024). Recommendation 8.

<sup>567</sup> MONEYVAL. (2020). *Fourth Round Mutual Evaluation of BiH—Written Analysis on Progress in Respect of the Core and Key Recommendations*. Available at: <https://rm.coe.int/moneyval-2020-22-bih-3rdfollowupprep-final/1680a00efa> (Retrieved August 19, 2024).

<sup>568</sup> MONEYVAL. (2024). *Bosnia and Herzegovina*. Available at: <https://www.coe.int/en/web/moneyval/jurisdictions/bosnia> (Retrieved August 19, 2024).

## AQ5. CULTURAL NORMS AND BELIEFS

Recent studies on BiH<sup>569</sup> and other countries of the region<sup>570</sup> suggest that communities with recent exposure to war violence exhibit stronger bias against female political candidates. One explanation for this could be the importance populations assign to security and safety in such communities. Results of the 2020 European Values Study show that **BiH is culturally closer to traditionalist societies that “treasure the nuclear family (father, mother, children), religion, and patriotism,”** as well as survival societies “generally characterized by **low levels of trust,** intolerance toward outgroups, and low support for gender equality.”<sup>571</sup> The societies closest to BiH by that metric are those of Romania, Armenia, Montenegro, Macedonia, and Serbia, while Croatia is not far off.

The most recent NSCP-BiH data shows that women have less contact with other ethnic groups (16 percent never have contact, compared with five percent of men), but women are still generally more trusting toward other ethnic groups than men in BiH (45 percent to 41 percent, respectively). Within ethnic groups (Exhibit 13), there are no relevant gender gaps in mistrust toward other groups, except among Bosnian Herzegovinians; men from that group displayed more mistrust toward others than did women. Overall, the most mistrusted group is Roma, although the two Roma in the sample did not say that they mistrust any other group.

Exhibit 13. Percentages of Men and Women Mistrusting Ethnic Groups

RESPONDENTS	TO WHAT DEGREE DO YOU TRUST			
	BOSNIAKS	CROATS	SERBS	ROMA
Bosniak men	9%	24%	30%	23%
Bosniak women	9%	23%	29%	26%
Croat men	4%	3%	6%	14%
Croat women	7%	4%	11%	17%
Serb men	14%	17%	7%	19%
Serb women	14%	15%	8%	21%
Roma men				
Roma women				
Bosnian and Herzegovinian men	11%	27%	24%	16%
Bosnian and Herzegovinian women	16%	16%	16%	13%
<b>All men</b>	<b>9%</b>	<b>19%</b>	<b>20%</b>	<b>20%</b>
<b>All women</b>	<b>10%</b>	<b>18%</b>	<b>20%</b>	<b>23%</b>

<sup>569</sup> Hadzic, D., & Tavits, M. (2021). Wartime Violence and Post-War Women’s Representation. *British Journal of Political Science*, 51(3), 1024–1039. Available at: <https://doi.org/10.1017/S0007123419000619> (Retrieved August 19, 2024).

<sup>570</sup> Glaurdić, J., & Lesschaeve, C. (2023). Choosing Women in Postwar Elections: Exposure to War Violence, Ideology, and Voters’ Gender Bias. *Politics & Gender*, 19(3), 841–866. Available at: <https://doi.org/10.1017/S1743923X22000654> (Retrieved August 19, 2024).

<sup>571</sup> Halman, L., Reeskens, T., Sieben, I., & van Zundert, M. (2022). *Atlas of European Values: Change and Continuity in Turbulent Times*. Open Press Tilburg University. <https://doi.org/10.26116/6P8V-TT12>, p.37.

**Ultraconservative groups sometimes target women they recognize as belonging to a different religion**, according to a KI who notes that hate speech against women with a hijab is more common than reported. Some examples include an attack on a girl in Srebrenica,<sup>572</sup> on a mother and her daughter in Kiseljak in 2017,<sup>573</sup> and a woman in Fojnica,<sup>574</sup> all wearing a head cover that clearly marked their religion. *Slapping-out-of-nothing*, a type of hate crime seems to specifically affect Muslim women wearing headscarves in Europe.<sup>575</sup> Women activists, especially feminists, also face hate attacks, as when a trafficking organizer attacked one FGD participant during trial. Roma, including women, often experience hate incidents according to a CSO report,<sup>576</sup> and hate speech against Roma peaked during the pandemic, according to another FGD participant. Although the Sarajevo Open Center (SOC) reported a concerning number of hate incidents to ombudspersons, courts, the international watchdogs, and treaty bodies, **no organization reported any anti-Roma incidents to the ODIHR Hate Crime Reporting Mechanism since 2019,<sup>577</sup> and local institutions such as the Ombudsperson also get few reports.**

The BiH Interreligious Council (IRC) used to react with public statements whenever hate incidents and crimes occurred in the country, but according to one KI, this is no longer the case. The Serb Orthodox Church is not currently participating in the IRC because it did not react to some of the incidents that targeted Serbs.<sup>578</sup> One man in the focus group saw religious upbringing as a preventive mechanism against GBV. The IRC could play a vital role in prevention, which was among the objectives of their recent project raising women's awareness about GBV. However, **male members of the participating religious communities would be a better target group for awareness-raising activities because most perpetrators of GBV are men.**

FGDs with women citizens from rural areas did not reflect the usual assumptions about older generations of women's being more conservative. **There were both liberal and conservative beliefs among women above 60, middle-aged, and younger women.** In the FGD with male citizens, **most men were accepting of full equality, but few raised concerns that gender equality had gone too far.** A better position of women in society may seem threatening to men's roles and prerogatives, which is an area of dissatisfaction that ultraconservative organizations can tap into for supporters.

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<sup>572</sup> Radio Sarajevo. (2020). Evo šta policija kaže o napadu na djevojčicu u Srebrenici [Here is what police are saying about the attack on a girl in Srebrenica]. *Radiosarajevo.ba*. Available at: <https://radiosarajevo.ba/vijesti/bosna-i-hercegovina/srebrenica/367935> (Retrieved August 19, 2024).

<sup>573</sup> Radio Sarajevo. (2017, September 26). Podignuta optužnica: U Kiseljaku napao majku i kćerku jer su nosile hidžab. *Radiosarajevo.ba*. <https://radiosarajevo.ba/vijesti/crna-hronika/podignuta-optuznica-u-kiseljaku-napao-majku-i-kcerku-ker-sunosile-hidzab/276004>

<sup>574</sup> Klix. (2018, July 17). Tri maloljetnika verbalno napala časnu sestru u Fojnici. *Klix.ba*. <https://www.klix.ba/vijesti/crna-hronika/tri-maloljetnika-verbalno-napala-casnu-sestru-u-fojnici/180712037> (Retrieved August 19, 2024).

<sup>575</sup> Halman, L., Reeskens, T., Sieben, I., & van Zundert, M. (2022). Atlas of European Values: Change and Continuity in Turbulent Times. Open Press Tilburg University. <https://doi.org/10.26116/6P8V-TT12> (Retrieved August 19, 2024).

<sup>576</sup> Čehajić-Čampara, M., Arnaut, L., & Veljan, N. (2021). Pristup i povjerenje Roma u institucije sigurnosti i pravosuđa u Bosni i Hercegovini. Atlantic Initiative. Available at: <https://atlantskainicijativa.org/wp-content/uploads/2021/11/Pristup-i-povjerenje-Roma-u-institucije-sigurnosti-i-pravosuđa-u-Bosni-i-Hercegovini.pdf> (retrieved August 16, 2024).

<sup>577</sup> OSCE/ODIHR. (2022). *Hate Crime Report—Bosnia and Herzegovina*. Available at: <https://hatecrime.osce.org/bosnia-and-herzegovina/year=2019> (Retrieved August 16, 2024).

<sup>578</sup> Oslobođenje. (2023, February 3). Mitropolit Hrizostom napustio Međureligijsko vijeće: Govori o stravičnim slikama iz Sarajeva, hutbama imama... *Oslobođenje*. <https://www.oslobođenje.ba/vijesti/bih/mitropolit-hrizostom-napustio-medureligijsko-vijece-govori-o-stravicnim-slikama-iz-sarajeva-hutbama-imama-832646> (Retrieved August 19, 2024).

## CONCLUSIONS

**C1. Ultraconservative religious or ethnonationalist groups are the key security challenge for gender equality, and women’s and LGBTQI+ rights in BiH.** These groups received open support from the RS leading party and religious officials. Ultraconservative groups also influence decision-makers in the FBiH government and in some of the cities. Their campaigning for highly conservative interpretations of gender and gender identity have already blocked necessary advancements in protection of LGBTQI+ rights and protection against GBV. Radicalized individuals and groups verbally attacked feminists, and physically endangered LGBTQI+ activists, with an intention to silence them and to prevent them from serving their communities. The BiH society already nurtures conservative beliefs about gender roles and identities, according to activists in the FGDs and the KIs, and ultraconservative groups easily recruit followers, especially in the changing geopolitical context. Furthermore, FGDs have shown that conservative narratives are not declining in the younger generations.

## RECOMMENDATIONS

**R1. USAID/BiH and other donors can support CSO, media, and arts initiatives countering ultraconservative narratives around gender equality, gender identity, and sexual orientation,** especially online, particularly targeting youth.

**R2. Donors can fund investigative media research and reporting on ultraconservative groups,** their charity cash flow, public funding and foreign donors, targeting of feminists and LGBTQI+ activists and journalists, and their misogynistic and other hate crimes. Women Defenders of Human Rights and CSOs implementing this initiative are a potential good resource for information about ultraconservative groups that target feminist and LGBTQI+ activists.

**R3. Donors can integrate capacity building and improved cooperation between the judiciary and police in antifeminist, anti-Roma, and anti-LGBTQI+ hate crimes.** The judiciary and police have received training on hate crimes processing, but it is important to focus on lower level courts and police departments. CSOs can participate in capacity building. Cooperation and capacities are already improving in cases of hate crimes against LGBTQI+ persons, but there is space to broaden the approach onto other groups targeted in such crimes.

**R4. International donors, including USAID/BiH, can consider supporting feminist, Roma, and LGBTQI+ CSOs that ultraconservatives target** by (1) oppose regressive government decisions on gender and LGBTQI+ issues; (2) designating funding for CSOs to continue delivering their services; and (3) helping CSOs raise awareness about and report gender-based hate crimes, anti-Roma, and anti-LGBTQI+ hate crimes, develop security protocols, and access legal and psychological support.

## 16. GENDER-BASED DISCRIMINATION AND VIOLENCE

### AQ1. POLICIES AND PRACTICES

The application of the **BiH Antidiscrimination Law from 2009** has significantly improved over the years, with increasing number of lawsuits and judgments, most of which relate to employment, but strategic litigation could deliver results at a faster pace for a larger number of persons.<sup>579</sup> An interviewed expert noted that LoGE and the Antidiscrimination Law at state level are

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<sup>579</sup> OSCE/BiH. (2023). *Trends in anti-discrimination case-law in Bosnia and Herzegovina 2018–2021*. OSCE Mission to BiH. <https://www.osce.org/files/f/documents/0/b/542883.pdf> (Retrieved August 28, 2024)

mostly adequate for protection from discrimination, **and while the most common cases of gender-based discrimination (GBD) relate to employment and labor rights, few such cases reach GIMs, the ombudsperson, and courts.** From discrimination cases decided in courts in 2022 (276), not one pertained to GBD, while 208 complaints of discrimination that ombudsperson was considering that year, five related to social status and gender, one to sexual characteristics, and one to gender identity.<sup>580</sup> In 2023, the ombudsperson analyzed three cases of GBD and five complaints of discrimination based on sexual orientation.<sup>581</sup>

The CS Free Legal Aid Office received five requests for legal aid from women in 2022, all relating to private sector employers inquiring about female applicants' family and pregnancy plans.<sup>582</sup> Three women in FGDs with citizens had the experience of GBD in the labor market, including one that has not worked since the experience:

*Three years ago, I worked for a company, and after I found out that I was pregnant, my contract was about to expire, and naturally, they did not extend it, they fired me. I have been at home since.*

–FGD with women from urban areas

**Despite the widely present GBD in labor rights, there have been no strategic litigations** in BiH courts related to GBD. Victims are often younger women who have insufficient information about their rights and possibilities.

A notable observation of an expert interviewee was that in cases that reach institutions, **gender is rarely the only basis of discrimination, and such cases most often include discrimination along intersecting factors, for example, religion and gender.** One such case reached its legal epilogue in 2024. In 2012, a female member of the BiH Armed Forces lodged a complaint with the Court of BiH against the Ministry of Defense (MoD) claiming religious- and gender-based discrimination because her superiors transferred her to a different post when she decided to wear a hijab. At the same time, she claimed, male members of Armed Forces were wearing beards or religious bracelets. The Court of BiH decided that the MoD did not violate the plaintiff's rights, and in 2024, the BiH Constitutional Court confirmed their decision.<sup>583</sup>

As related to GBV, the entity and **BD Laws on Protection from Domestic Violence (LPDV) need to undergo harmonization with the CoE Convention on Preventing and Combating Violence against Women and Domestic Violence**, the IC. FBiH adopted a new Strategy against Domestic Violence (2024–2027),<sup>584</sup> the RS Strategy is expiring in 2024, while BD does not have a similar document. The key gap, according to GREVIO, is that **no strategies or special laws address cases of GBV other than domestic violence.** Despite several proposals coming from GIMs and CSOs since the last GA, the **governments were stalling the harmonization of legislation with the IC**, except for the amendments to the RS CC in 2019, 2021, and 2024.

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<sup>580</sup> CoM (2023). *Report on Discrimination Instances in 2022*. Available at: <https://www.parlament.ba/act/ActDetails?actId=1777> (Retrieved July 29, 2024)

<sup>581</sup> Ombudsperson. (2024). *Annual Report 2023*.

<sup>582</sup> CoM. (2023). *Report on Discrimination Instances in 2022*.

<sup>583</sup> Emela Kapidzija against the Decision of the Court of BiH No. S1 3 P 035228 21 Gž from April 19, 2021, AP-1795/21 (Constitutional Court of BiH 11 July 2024). Available at: <https://www.ustavnisud.ba/uploads/odluke/AP-1795-21-1435747.pdf> (Retrieved August 19, 2024)

<sup>584</sup> FBiH Parliament. (June 13, 2024). *Usvojena Strategija za prevenciju i borbu protiv nasilja u porodici [Strategy for Prevention and Fight against Domestic Violence]*. *Parlament.gov.ba* [https://parlamentfbih.gov.ba/v2/bs/aktuelno.php?akt\\_id=972](https://parlamentfbih.gov.ba/v2/bs/aktuelno.php?akt_id=972) (Retrieved August 19, 2024)

Many municipalities and cantons, and RS, have protocols on cooperation of institutions involved in reaction to GBV cases. However, an overview of all such protocols does not exist and it is unclear how many of the protocols include other forms of GBV beyond DV, or how effective the existing protocols are.

Three interviewees and an activist in an FGD observed issues with the way entity LPDVs deal with shelters. One is that **CSWs from one entity are reluctant to refer a victim to a safe house in the other entity, even if it is the closest one**, with financing as the core reason. Consequently, there are areas of the country where women do not have access to a safe house. Another problem is that, under current LPDVs, **only victims of domestic violence can get CSWs' referrals to safe houses, while victims of rape or trafficking cannot**, unless these cases occurred within the family, according to one KI. Finally, safe houses are sometimes not accessible for women with disabilities, **not always open to Roma women, and male children also face limitations**, suggesting that there is need to define standards for these shelters.

In an FGD with activists, those from FBiH were particularly vocal about **low capacities of local institutions, especially Centers for Social Work (CSWs)**:

*How much do women really have any use from the existing legal framework!? How much is this law relevant to a victim ... in rural areas when they have to spend 20 to 30 BAM to get to the nearest Center for Social Work that is 50 kilometers away, and that woman is economically dependent on her husband or he does not let her walk around ... and then she gets to the Center where they tell her that they unfortunately cannot provide psychosocial assistance since they only have one psychologist who is constantly involved in divorce procedures that include minors?!*

–FGD with activists

LPDVs also include a measure of psychological treatment and addiction treatment for perpetrators, but institutions in most LSGUs do not have those capacities at their disposal, according to a KI. Most CSOs running safe houses **do not work with perpetrators**, as the CSOs barely have resources to meet the needs of their primary beneficiaries. A measure of removing the perpetrator from the home should become a more commonly used option, according to two experts and two women in an FGD, as the current approach of evacuating women and children to safe houses is unfair to victims.

Police Academies, women police officers' associations in the two entities, and women's CSOs, have been organizing trainings for police officers on gender equality and protection from GBV with international and GIM support. However, investment into capacities of police officers beyond trainings has been low, and for example, **most have been without regular mental and physical health checkups for decades, making their work ineffective in different types of crime, including GBV, and also potential perpetrators of violence.**<sup>585</sup>

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<sup>585</sup> Maksimovic, D. (2024, March 1). Skoro dve decenije bez sistematskih pregleda policajaca [Nearly Two Decades without Medical Reviews of Policemen]. *dw.com*. Available at: <https://www.dw.com/sr/skoro-dve-decenije-bez-sistematskih-pregleda-policajaca/a-68414201> (Retrieved August 19, 2024).



Regarding local judiciary, experts<sup>586</sup> and an ombudsperson<sup>587</sup> observed that (1) a high share of sentences for domestic violence are **suspended sentences**, (2) most prison sentences are **below the minimum thresholds** that CCs define because of mitigating circumstances, and (3) **judges rarely issue protective measures and supervisory orders**. Men in an FGD with citizens and some of the KIs wanted stricter sentencing for perpetrators of domestic violence and more preventive work.

CSOs and some of the politicians **advocate defining femicide as a separate type of homicide in the CCs**. Authors of a 2024 book *Why Did You Kill Her*,<sup>588</sup> ask an especially important question: When is violence against women a hate crime? Authors argue that **most cases of intimate partner violence can fall under the category of a hate crime and should be prosecuted as such**, because the source is most often prejudice that a man owns a woman's life or body and that a wife belongs to a husband, and a motif is often that she wanted to divorce or break up with him, challenged his authority, did not obey, or smeared his honor.<sup>589</sup> GEA and other institutions appointed a **femicide watch body** to consistently track such cases as the CMS does not record instances when perpetrators also die (e.g., suicide), according to an interview. According to media sources and CSOs, 70 femicides happened in BiH since 2018.<sup>590</sup>

KIs and activists in FGDs noted that livestreaming of the Gradačac femicide on Instagram in 2023 and other femicides that followed triggered public outrage and a sense of emergency in duty bearers. Gradačac Municipality, for example, immediately initiated the establishment of its own safe house, even though a safe house is available in Modriča, just across the entity line, according to an expert KI. The entity and BD governments also initiated legislative changes. RS started a procedure to adopt the new LPDV with femicide as a crime distinct from other homicides and discussed new implementation mechanisms. **The initial momentum in institutions outside GIMs declined, however, along with public outrage, according to FGDs with activists**. At that point, ultraconservative voices took over (please see Section 15).

**IA. NEEDED CHANGES:** There is a need to **improve reporting, processing, as well as registering of discrimination cases, especially related to labor discrimination**, so that citizens could have more trust in the system of protection and prosecution. Governments need to **improve enforcement of antidiscrimination provisions in the private sector**. Only the BD CC<sup>591</sup> specifically defines rape as any sexual intercourse or similar sexual act where there was no free consent or capacity to consent, in accordance with the IC. The RS CCs<sup>592</sup> reflects the IC requirements to a large degree, according to KIs, but not the specific provision regarding rape. **The FBiH CC is currently under revision, according to KIs, and has yet to fully reflect the IC**

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<sup>586</sup> Hanušić Bećirović, A., et al. (2023). Alternativni CEDAW izvještaj 2019–2023 [Alternative CEDAW Report, 2019–2023]. <https://hcabl.org/izvjestaj-organizacija-civilnog-drustva-o-provedbi-konvencije-o-eliminaciji-svih-oblika-diskriminacije-zena-u-bosni-i-hercegovini-2019-2023/>

<sup>587</sup> BiH Ombudsperson for Human Rights. (2024) Annual Report of the BiH Ombudsperson for Human Rights Institution for 2023. Banja Luka: BiH Ombudsperson for Human Rights. Available at:

[https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri\\_2024/Izvjestaj\\_ombudsmena\\_2023\\_B.pdf](https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri_2024/Izvjestaj_ombudsmena_2023_B.pdf)

<sup>588</sup> Nović, I., & Halilović, M. (2024). *Zašto si je ubio? Uzroci i prevencija femicida* [Why did you kill her? Causes of femicide and its prevention]. Atlantic Initiative. Available at: <https://atlantskainicijativa.org/wp-content/uploads/2024/06/Zasto-si-je-ubio-web.pdf> (Retrieved August 19, 2024)

<sup>589</sup> Nović & Halilović. (2024). *Why did you kill her?*

<sup>590</sup> Kurtić, A. (2024, February 8). Off-Duty Police Officer in Bosnia Shoots Woman Dead in Mall. *Balkan Insight*. Available at: <https://balkaninsight.com/2024/02/08/off-duty-police-officer-in-bosnia-shoots-dead-woman-in-mall/> (Retrieved August 19, 2024)

<sup>591</sup> Art. 200, Krivični zakon BD BiH [BD BiH Criminal Code]. BD Assembly. *BD Official Gazette 14/2024*. Available at: <https://advokat-prnjavorac.com/zakoni/Krivični-zakon-Brcko-Distrikta-BiH.pdf> (Retrieved August 19, 2024)

<sup>592</sup> Krivični zakonik Republike Srpske [RS Criminal Code], RSNA, *RS Official Gazette, 64/17*. Available at: [https://www.tuzilastvobih.gov.ba/files/docs/Krivični\\_zakonik\\_Republike\\_Srpske\\_64\\_17.pdf](https://www.tuzilastvobih.gov.ba/files/docs/Krivični_zakonik_Republike_Srpske_64_17.pdf) (Retrieved August 3, 2024)

**requirements.** According to a KI, there is also a need to **align the FBiH and RS Laws on Protection from Domestic Violence with the IC**, as well as to **amend the Law on Small Arms and Light Weapons in FBiH**. The RS Law<sup>593</sup> already specifies that a small arms permit may not be issued if the holder has a criminal record, history of violence, history of alcohol or drug abuse, or conflict in family relations, and the police can remove the weapon as a protective measure in cases of any type of violence.

According to two KIs, one government, and one donor, there is a need for a new safe house in East Herzegovina. According to another government KI, the new Law on Social Services in FBiH will **set standards for safe houses** (e.g., psychological support) and **establish a registry of social services providers, including safe houses**. However, another KI observed that **governments need to provide funding to help safe houses meet those standards**, instead of safe houses' having to rely on donations, which is currently the case. There is also a need to **enable cooperation and financing across entity lines, for example, through protocols**, so that survivors can get referrals to the nearest safe houses, as well as to expand the provision of **shelters for survivors of all types of GBV**.

An expert assessment from 2023<sup>594</sup> underlined a need for

- specialized services for sexual violence survivors;
- capacity building and procedures for institutions involved in reaction in cases of sexual violence (police, CSWs, judges and prosecutors, health care providers);
- psychological support and supervision for first responders working with victims;
- sheltering options for boys above 14;
- protocols defining intersectoral cooperation and information exchange where absent;
- revisions of Criminal Procedure Codes to define court and prosecutors' obligation of informing victims about their role in the procedure, right to psychosocial treatment and legal aid, right to compensation, protective measures for them and their families, and services available in the public and CSO sector, and ensuring application of that standard.

Regarding online GBV, one KI and participants in FGDs with women from urban and rural areas flagged **a need to educate entire families, and especially girls and boys about digital literacy and how to protect themselves** from online violence and abuse.

In 2019, CEDAW Committee expressed its concern about online abuse that women politicians, journalists, and feminist activists are experiencing.<sup>595</sup> In 2021, the Council of Europe's GREVIO issued a set of recommendations to state parties on the implementation of the IC related to the digital dimensions of GBV.<sup>596</sup> In 2022, GREVIO observed that over 60 percent of SOS phonenumber calls

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<sup>593</sup> Zakon o oruzju i municiji Republike Srpske [RS Law on Weapons and Ammunition]. RSNA. *RS Official Gazette*, 26/2016, 18/2017, 31/2018, 58/2019. Available at: <https://www.paragraf.ba/propisi/republika-srpska/zakon-o-oruzju-i-municiji.html> (Retrieved August 19, 2024)

<sup>594</sup> Čelebičić, I., Vidović, G., & Mesihović, L. R. (2023). *Procjena kapaciteta za pružanje pomoći žrtvama seksualnog nasilja* (Assessment of Capacities for Support to Victims of Sexual Violence). Lara. Available at: <https://www.fondacijalara.com/images/docs/Procjena%20kapaciteta%20za%20pruzanje%20podrske.pdf>[https://www.fondacijalara.com/images/docs/Procjena\\_kapaciteta\\_za\\_pruzanje\\_podrske.pdf](https://www.fondacijalara.com/images/docs/Procjena_kapaciteta_za_pruzanje_podrske.pdf) (Retrieved August 19, 2024)

<sup>595</sup> CEDAW (2019) 'Concluding observations on the sixth periodic report of Bosnia and Herzegovina'. OHCHR. Available at: <https://www.ohchr.org/en/documents/concluding-observations/cedawcbihco6-committee-elimination-discrimination-against-women> (Retrieved October 27, 2024)

<sup>596</sup> GREVIO (2021) 'GREVIO General Recommendation No. 1 on the digital dimension of violence against women'. Council of Europe. Available at: <https://rm.coe.int/grevio-rec-no-on-digital-violence-against-women/1680a49147> (Accessed: 31 July 2024).

from victims pertained to digital violence but that **no initiatives to prevent online violence involved ICT companies and called on BiH governments to improve** this.<sup>597</sup> GREVIO also observed that the LoGE includes articles that could pertain to cases of **stalking** but that the BiH authorities are not tracking the magnitude of the problem, **especially its digital dimension**, and recommends that BiH start tracking such cases and the way the police and judiciary are applying the laws to protect victims.<sup>598</sup> Online violence is a growing concern in the country, but there is no systematic reaction within the education system, only projects that international organizations fund and few institutions (CRA) or CSOs implement (Emmaus Center for Safe Internet). One government representative and a participant in an FGD also underlined the fact that children and youth are facing online challenges that parents are not able to comprehend and that they need **more digital literacy and online safety programs**.

**IB. CHALLENGES TO CHANGE:** Ultraconservative influences and government tardiness are preventing progress in harmonization of legislation with the IC, according to KIs. The RSNA unanimously adopted a new RS LPDV in the first reading in November 2023, but the ultraconservative organizations stopped its adoption in the final reading in 2024 (please see Section 15. Interethnic Relations and Violent Extremism). The new LPDV was to resolve delays in safe house financing, include other forms of GBV in addition to DV, and clarify procedures. In FBiH, FGC and women's organizations submitted a new LPDV and CC amendments to the Federal Ministry of Justice (FMOJ) in 2022. The revisions of the FBiH CC were supposed to include femicide as a separate crime. After the Gradačac femicide, the FMOJ initiated new working groups that started developing new legal solutions that may not define femicide differently from other homicides, based on the Minister's arguments.<sup>599</sup> Another challenge is the lack of local capacities to organize psychosocial and addiction treatments for perpetrators across the country, because resources are already thin even for survivors, according to one KI.

## **AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING**

The FMOJ did not initially include the FGC and women's associations working against GBV in the working group developing the new FBiH LPDV, but the working group composition was changing at the time of GA interviews. The working group revising the FBiH CC does not include the FGC and women's associations, and will not even go into public hearings, according to CSOs. In RS, the new LPDV was a coordinated effort of women's associations and the RS Ministry of Family, Youth, and Sports, but after it entered the public consultation, the Ministry and women's associations lost any influence over decisions, because the ruling party decided on the new direction.

Women's representation is low among the police (9.6 percent),<sup>600</sup> but high among judges and prosecutors that decide on GBV cases. **Despite higher representation, activists in FGDs underlined that court processing is not adequate.** An expert noted that there is significant difference in the quality of application of relevant laws **between courts in larger cities and**

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<sup>597</sup> GREVIO. (2022). *GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention): BOSNIA AND HERZEGOVINA* (GREVIO/Inf(2022)19). Council of Europe. Available at: <https://rm.coe.int/grevio-baseline-evaluation-report-on-bosnia-and-herzegovina/1680a8e5f1> (Retrieved August 19, 2024).

<sup>598</sup> GREVIO. (2022). *GREVIO's (Baseline) Evaluation Report* (GREVIO/Inf(2022)19).

<sup>599</sup> Busnov, D. (2023, November 27). Vedran Škobić: Femicid u zakonu već postoji, posebno ga formulirati je neozbiljno. *Oslobođenje*. Available at: <https://www.oslobodjenje.ba/dosjei/intervjui/vedran-skobic-femicid-u-zakonu-vec-postoji-posebno-ga-formulirati-je-neozbiljno-910099> (Retrieved August 19, 2024).

<sup>600</sup> GEA. (2023). *Final Report on Implementation of the BiH Gender Action Plan 2018–2022*. Gender Equality Agency. Available at: <https://arsbih.gov.ba/vijece-ministara-usvojilo-zavrzni-izvjestaj-o-provodjenju-gender-akcionog-plana-bosne-i-hercegovine-2018-2022/> (Retrieved August 16, 2024).

those in smaller ones or remote parts of the country, the latter having more problems dealing with GBV cases.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

The most recent survey on prevalence of violence against women from 2019<sup>601</sup> has shown the following:

- Every second woman in BiH has experienced abuse since the age of 15, by partners and non-partners.
- Of those who ever had a partner, 11 percent experienced sexual and/or physical violence by a partner since the age of 15, and 3.4 percent experienced it in the 12 months preceding the survey,
- An additional eight percent experienced such violence from non-partners, and 1.6 percent in the 12 months preceding the survey.
- In 2018, these shares were lower in BiH than in most countries of the region.

As most citizens in FGDs saw **women's unequal power and financial dependence as core reasons for women staying in abusive relationships**, participants recommended improving economic opportunities and access to labor markets, although even this is not a guarantee because violence happens also to wealthy, educated women, as one woman in an FGD stated.

Policies for more balanced domestic roles are slowly evolving, for example, parental leave for fathers and improved regulation on maternity benefits. Option of parental leave for fathers exists in the labor legislation since 2016, but men still do not use that opportunity often, because they fear reactions from employers and colleagues, as one male FGD participant from FBiH noted. However, families are now taking into account other circumstance that can influence the effectiveness of such measures, such as tax regulations regarding dependents, differences in salaries between parents, and other factors such as government salary-like allowance for caretakers of children with disabilities in FBiH, according to KIs.

Despite the NSCP-BiH's showing consistent gender prejudice among younger men (see AQ5 in Section I I), women citizens from rural and urban areas in FGDs noted that gender roles are changing in the society among younger generations, that more men participate in domestic roles and caring for children, and that more women work and have time to invest in themselves.

*My younger sister got married and has two babies now. Her husband really helps with everything. When he gets back from work, he does not lie down, but takes over the care so that she can find time for herself.*

–FGD, women from urban areas

Participants in FGDs with citizens felt that **roles in remote rural communities may be less prone to change**, although some of the men said that rural communities do not have such problems—that the traditional way of life is no longer as present in rural areas and that women from the rural communities often work in the city. However, the share of women who are employed is low (please see Section I). Women from urban areas in the FGD voiced a need to **work more with men, to raise male children with values of gender equality, and to promote equality in the private sphere**.

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<sup>601</sup> OSCE. (2019). *OSCE-led Survey on Violence Against Women: Bosnia and Herzegovina*. Organization for Security and Cooperation in Europe. Available at: [https://www.osce.org/files/f/documents/3/5/423470\\_1.pdf](https://www.osce.org/files/f/documents/3/5/423470_1.pdf) (Retrieved August 16, 2024).

#### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

Most GBV cases still occur in the areas of employment and work, according to a KI. Employers still ask younger women about their plans to start a family. At least three women in FGDs from urban and rural areas had that experience:

*When I came to work, their first question was if I am married or am I planning to marry soon. I asked what the point of this question is, and they said that if I am planning to give birth in the next year, they would rather not employ me on a long-term contract.*

–FGD, women from rural areas

Women who work on shorter term contracts may not get new contracts if they get pregnant, a problem that often affects those working in services and trade. Employers still pay women less than their colleagues, according to CSOs. Despite these different instances of unequal treatment, **women do not turn to mechanisms they have at their disposal, such as the ombudsperson or civil cases.** Initiatives within the private sector can improve the situation. Some examples of promising initiatives include Women's Empowerment Principles (17 companies), Diversity and Inclusion Certificates (5 companies, currently on hold), and the Gender Equality Seal (still being adapted for the BiH private sector), according to KIs and the FGD with USAID/BiH IPs.

The situation may be different in public institutions where salaries are predefined, although there are differences in higher ranking posts in public companies and public institutions (please see Sections 10 and 12).

**Discrimination in the labor market leads to lack of financial independence for women,** a risk factor for GBV, according to KIs. By extension, ending discrimination in the labor market and supporting women's economic activities is one way of changing the balance of power, but many **programs of training, requalification, and active employment measures are shortsighted and not sustainable.** There is no holistic approach to their socioeconomic position, according to a KI. Safe houses have been actively lobbying for employment and economic support for women survivors of GBV through systematic solutions.

There are three safe houses in RS and six in FBiH. **The number of beds for GBV survivors in shelters in BiH is still half of the estimated need,** while financing even for the existing ones is still problematic.<sup>602</sup>

**The number of victims seeking shelter is increasing with more awareness.** After the Gradačac femicide, the number of women seeking protection in safe houses in the Northeast BiH increased, in one of them by 30 percent. Victims became more aware of the potential lethal consequence and of the resources at their disposal for protection and support.

According to FGD participants and KIs, in the previous year, the FMLSP financed five safe houses with BAM 200,000, and in 2024, the amount doubled for six safe houses, including one that the Catholic Church manages in Međugorje, which had not received government funding before. CS also increased financing for one safe house in its territory. The RS government pays 70 percent of direct costs for each person in shelters, while municipalities/cities pay the remaining 30 percent. However, financing has not gone without problems in either entity. For example, **shelters cover all other costs beyond direct costs per person from donations and projects, such as when**

<sup>602</sup> Logar, R. (2022). Shelters for Victims of Gender-based violence in Europe: Best practices and challenges. *SOCIAL COHESION Learnings*, 91. [https://euosocial.eu/wp-content/uploads/2022/03/Herramienta\\_91-Shelters-for-Victims-of-Gender.pdf](https://euosocial.eu/wp-content/uploads/2022/03/Herramienta_91-Shelters-for-Victims-of-Gender.pdf) (Retrieved August 19, 2024).

**equipment breaks** down or when they need additional psychosocial support. RS government is **late with payments from the entity budget, and smaller municipalities often cannot meet their obligations**. BD does not have a safe house but cooperates well with such organizations in FBiH and RS, although a better solution from a KI perspective would be designating several government properties as temporary shelters.

Companies donating food are exempt from Value Added Tax (VAT) based on the 2023 changes of the state-level Law on VAT,<sup>603</sup> but only if donating to organizations registered for collecting and distributing food and humanitarian assistance. In FBiH, **business entities have tax breaks for donations,<sup>604</sup> but businesses have low awareness of the need to finance prevention and services to GBV survivors**, according to an FGD participant. At the same time, international organizations are less willing to fund direct work with GBV and TIP survivors, as this is a government obligation, as reported by an FGD participant:

*I also blame the donors. Every donor is willing to fund more analyses or a fancy conference, but they will not support a safe house or the direct work with women victims.*

–FGD with activists

Safe houses can crowdfund some of their needs via philanthropic initiatives. For example, a Tuzla safe house crowdfunded a children’s playground via Doniraj.ba platform that the Tuzla Community Foundation set up. Though this can be a way to supplement funding, it should not be a long-term solution for all safe houses.

Key services for victims of domestic violence are not equally accessible in all parts of the country. **Roma women and women with disabilities, and GBV victims outside the scope of DV**, have difficulty accessing social rights and benefits; psychosocial support; including in trials; and access to employment programs, according to a KI and an FGD participant. **Elderly people, including men**, are also victims of their children’s, especially sons’ violence, but they rarely report it, according to a KI, while the system of protection of these groups is entirely missing, especially for elderly men. Parricide also occurs in BiH, but few CSOs react to such instances. Cases of LGBTQI+ intimate partner violence or domestic violence do occur, but a KI did not observe any difference in treatment. However, the first safe house for LGBTQI+ persons opened in 2024 as a CSO initiative. For distant areas and specific groups that need adapted services, **a potential solution regarding access is a mobile team, such as the one that a Mostar CSO established for psychosocial support** to survivors, although governments should also fund such initiatives.

**The scale and types of violence all groups in BiH society experience is undocumented** because studies are usually conducted on samples not sufficiently representative of minorities and do not include men.<sup>605</sup> Cisgender men who are victims of intimate partner violence and domestic

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<sup>603</sup> Law on Value Added Tax – Unofficial Consolidated Version. *BiH Official Gazette*, 9/2005, 35/2005, 100/2008, 33/2017, 46/2023, 80/2023. Available at: <https://advokat-prnjavorac.com/zakonij/Zakon-o-porezu-na-dodatu-vrijednost-BiH.pdf>. Retrieved August 19, 2024).

<sup>604</sup> Tax authorities recognize donations to humanitarian, cultural, educational, scientific, and sports purposes as expenditures, which decreases the tax basis for maximum the percent of the income and decreases the amount of taxes the company pays. Please see: BiH Taxation Authority. (2015). Profit Taxation in FBiH. Available at: [https://pufbih.ba/v1/public/upload/files/Porez%20na%20dobit%20novo\(1\).pdf](https://pufbih.ba/v1/public/upload/files/Porez%20na%20dobit%20novo(1).pdf) (Retrieved August 19, 2024).

<sup>605</sup> For potential improvements in violence prevalence studies, please see Scott-Storey, K., O’Donnell, S., Ford-Gilboe, M., Varcoe, C., Wathen, N., Malcolm, J., & Vincent, C. (2023). What About the Men? A Critical Review of Men’s Experiences of Intimate Partner Violence. *Trauma, Violence, & Abuse*, 24(2), 858–872. Available at: <https://doi.org/10.1177/15248380211043827> (Retrieved August 19, 2024).

Fleming, P. J., Gruskin, S., Rojo, F., & Dworkin, S. L. (2015). Men’s violence against women and men are inter-related: Recommendations for simultaneous intervention. *Social Science & Medicine* (1982), 146, 249–256. Available at: <https://doi.org/10.1016/j.socscimed.2015.10.021> (Retrieved August 19, 2024).

violence in general rarely report such cases and this topic is still taboo, according to a KI and a participant in the FGD with men. Men do not fall under the scope of the IC, and most safe houses accept only women and children. **Psychosocial and addiction treatment for perpetrators**, both men and women, should be available across the country in accordance with the LPDVs, but this is currently not the case, as such services are lacking even for survivors.

#### AQ5. CULTURAL NORMS AND BELIEFS

**GBV victims often experience secondary victimization and prejudice** in institutions and in society. According to one participant in an FGD with CSOs, some of the police and judicial officials are of the opinion that there is no point in prosecuting domestic violence because victims are likely to withdraw their testimonies. Men in an FGD showed varying degrees of understanding for survivors. A younger man observed that women survivors of domestic violence withdraw from court cases because they do not have trust that institutions will protect them. Another man argued that women's choices can explain why violence occurs in the first place:

*Good part of those women carves their own destiny and marriage. I am not saying this is a hundred percent true, but they sometimes prefer marrying a troublesome guy, a thug as they say. And later, when they have problems, their families cannot help them.*

–FGD with men

Another common prejudice that victims experience is that there must be something wrong with them if they are still staying in a violent relationship. This type of judgement is more typical among other women who have not experienced such violence, as documented in an FGD with women from urban areas.

A woman that personally experienced violence tried to explain the situation victims are in:

*I have been through domestic violence. I remember when I got back [to him], my friend told me: 'I would not stand for it, I would have left after a first slap.' But trust me, none of you in this group would have left. When he hits you the first time, you are thinking, he did it by accident. You cannot even admit it to yourself. You are thinking why he did it, was it alcohol, drugs. You are thinking it will stop. Then you start looking for excuses. If he slaps you for too much salt in the lunch, you are thinking it is your fault then, if you had not put too much salt, he would not have slapped you. [···] My parents would come over for coffee and see me blue, and I lied that it was the window, or the door. They never told me to come back to their home. Once I decided to divorce, my father said that he did not want to push me into leaving my husband though it was hard for him to see me like that.*

–FGD, women from urban areas

#### **Between 2018 and 2023, harmful attitudes on domestic violence have declined in BiH.**

The share of respondents in the NSCP-BiH who believe that violence is families' private matter has been constantly decreasing in that period (from 25 in 2018 to 13 percent in 2023), along with attitudes about victims' provoking of violence (from 23 to 15 percent respectively). Such norms are less common among the younger, better educated, and urban populations.

According to a KI, patriarchy has negative consequence also for men, not just for women. Levels of violence that men experience (mostly from other men), as well as patriarchal norms around masculinity, can influence violence against women.<sup>606</sup> There is a **lack of organizations that work**

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<sup>606</sup> Fleming, P. J., Gruskin, S., Rojo, F., & Dworkin, S. L. (2015). Men's violence against women and men are inter-related: Recommendations for simultaneous intervention.

with men and boys on changing the masculinity norms, promotion of healthy lifestyles, or engaging them in activities against GBV (except in activities for police officers). Younger generations of men are less traditional than older men,<sup>607</sup> There is need to work with younger generations of men, as well as on addressing peer violence, corporal punishment of children, and general levels of violence in BiH.

## CONCLUSIONS

**C1. Discrimination of women in the labor market persists and existing mechanisms are not sufficient for protection.** An expert and an activist observed that current legal protection is sufficient and harmonized with international documents, which is substantiated in an Organization for Security and Cooperation in Europe (OSCE) assessment,<sup>608</sup> but the ADL is still not sufficiently in use to protect women from discrimination in the private sector. Despite changes in the labor regulations and increasing number of cases of discrimination that courts and Ombudsperson process, gender-based discrimination is still the rarest type plaintiffs report, although still present in employment and labor, from wording in job advertisements through elimination in recruitment to layoffs and glass ceilings. Private sector certification that includes adopting antidiscrimination policies is useful, but in the buyers' market, most employers do not have economic interest to employ pregnant women, Roma, or persons with disabilities, unless the cost of violation is both higher and more imminent. Now, women do not report unequal treatment and employers are not concerned with fines.

**C2. The country is still making slow progress in prevention and protection of women from GBV, as well as in prosecution, despite GIMs' and CSOs' efforts.** Numerous analyses and reports, or courses that CSOs and GIMs organized with donor support are not sufficient to overcome the problem of decades-long neglect in some of the institutions that respond to cases of GBV, especially the police and Centers for Social Work. More women are turning to shelters and local institutions, but KIs and activists in FGDs assign this to long-term CSO campaigning that is starting to give effects on victims' awareness, while the tipping point was high media attention to femicides that occurred in 2023 and 2024. After those cases, authorities in both entities were dedicating more time and resources to improve legislation and mechanisms, but the situation in 2024 suggests decline in their engagement and some of them are even interested in stalling progress on protection from GBV, for example, regarding femicide as a separate type of homicide. The key problems in the system of protection remain: (i) inadequate application of existing legislation in court procedures, especially by smaller and remote courts, (ii) low human, and operational resources of CSWs and police, (iii) insufficient funding or delays in funding for safe houses, (iv) absence of consistent economic support for survivors, (v) gaps in provision of services to survivors of domestic violence in rural and remote areas, as well as for Roma women, women with disabilities, boys over 14, elderly victims, and men victims of domestic violence, although the latter is rare, (vi) no specific measures in place to support victims outside the domestic violence domain, for example, those suffering sexual violence, (vii) no tracking of online GBV and no preventive action or cooperation with internet providers and ICT companies, and (viii) no systematic work within the education system to change harmful interpretations of masculinity and femininity. Because violence against women is associated with violence men themselves experience (mostly from other men) and masculinity norms, more backlash and support for anti-gender initiatives is likely, unless the

<sup>607</sup> Košarac, B., & Kurteš, O. (2021). Family Value System in Transformation: Case of Bosnia and Herzegovina. *Italian Sociological Review*, 11(1), 1–18. <https://doi.org/10.13136/isr.v11i1.412>

<sup>608</sup> OSCE/BiH. (2023). *Analysis of Anti-Discrimination Case-Law in Bosnia and Herzegovina for the Period 2018-2021*. OSCE Mission to BiH. Available at: <https://www.osce.org/files/f/documents/7/c/542841.pdf> (Retrieved August 1, 2024).



authorities screen the overall level of violence in the society and how institutions are dealing with it and address that problem.

## RECOMMENDATIONS

**R1. USAID/BiH and other donors should consider supporting institutions, in particular the Ministry of Human Rights and Refugees, the Ombudsperson, and the entity labor and economy ministries in assessing the effectiveness of antidiscrimination policies in protection of women and other groups from labor and employment discrimination and developing new enforcement mechanisms.** For example, in business support and tenders, they can eliminate or assign negative points to companies with discrimination record on any grounds, including those that Ombudspersons process. Entities could also increase fines for such legal entities and promote employers with antidiscrimination policies, albeit with regular revisions. In addition to those CSOs providing legal aid in discrimination cases, such as Prava za Sve [Rights for All], other feminist CSOs can contribute by screening women they work with for such discriminatory experiences and consider some form of group legal action.

**R2 USAID/BiH and other donors can consider supporting GIMs, and CSOs in implementing campaigns that would aim to decrease men’s and boys’ gender prejudice and increase their understanding of consent and power balance in relationships.** Budućnost Modriča and Institute for Population and Development have promising practices, such as Be a Man! (Budi muško!) clubs. However, such awareness raising activities should become a part of education curricula as soon as possible.

**R3. USAID/BiH and other donors should consider providing more consistent support to women’s shelters and technical assistance to GBV-response services.** The latter can include procurement of transportation equipment, renovation of buildings to create space for privacy and expansion of these services, training and equipping mobile teams or outposts in rural communities.

**R4. USAID/BiH and other donors should consider supporting research, advocacy, and capacity building initiatives to treat widespread forms of gender-based violence, including stalking and online stalking, as hate crimes based on gender, and misogynist speech, including online, as hate speech.** CCs include gender as basis of hate crime, and cases that institutions process under this category are mostly related to combinations of hate crimes bases, such as religion and gender (e.g., attacks on women with headscarves, please see Section 15). However, there are arguments for treating other instances of GBV as hate crimes, particularly those stemming from deeply held gender norms and prejudice such as femicide.<sup>609</sup> There are also caveats that policymakers need to take into account, such as difficulties demarcating GBV from gender-based hate crimes that have shown to be problematic in some jurisdictions.<sup>610</sup>

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<sup>609</sup> Nović & Halilović. (2024). *Why did you kill her?*

<sup>610</sup> Gagliardi, S., Valverde-Cano, A., & Rice, O. (2023). Identifying and understanding barriers to investigation of gender-based hate crimes: Perspectives from law enforcement in Ireland and the United Kingdom. *Criminology & Criminal Justice*, 23(5), 880–896. Available at: <https://doi.org/10.1177/17488958221120885> (Retrieved August 19, 2024).

## 17. LGBTQI+ PERSONS

### AQI. POLICIES AND PRACTICES

The Council of Ministers adopted a first **BiH Action Plan for Improvement of LGBTQI+ Rights**<sup>611</sup> for the period 2021 – 2024, extended until 2025. The Plan is modest, but activists consider it a crucial step forward. The FBiH report on implementation of the Action Plan for the period July 2022 – December 2023<sup>612</sup> includes information about more frequent capacity building of judicial officials via the CEJP, of education authorities across the country, medical staff, psychotherapists, and psychologists, employers, and unions, police and CSWs, as well as law students. State-level Civil Service Agency (CSA) introduced courses for civil servants about the rights of LGBTQI+ persons, according to a group interview.

The **FBiH CC**,<sup>613</sup> since 2016, provides a definition of a hate crime which includes crime against persons based on their **sexual orientation and gender identity**, and specifies higher sentences for homicide, severe injury, rape, and property damage when committed out of hate, but lawmakers limited the scope of **incitement to hatred only to ethnic, racial, and faith-based grounds**, and circumvented a clear reference to all types of hate speech in radio and television media.

Since 2017, the **RS CC** also criminalized hate crimes, hate speech, and discrimination on different grounds, **including sexual orientation and gender identity**,<sup>614</sup> but if the RSNA adopts the **2024 initiative to change the CC**, legislation in RS may no longer clearly protect **transgender and non-binary persons** from hate crimes and hate speech (please see Section 15, AQI). In 2023, right-wing extremists stormed the premises of a Banja Luka-based CSO where Pride March organizers were meeting and the police did not do enough to protect the activists, according to a KI. There is no certainty that these investigations will result in convicting sentences, because the Banja Luka Mayor and the RS President did not clearly deplore those acts of violence, based on an FGD with activists.

Definition of a hate crime in the **BD CC**<sup>615</sup> specifies **sexual orientation among protected grounds, but not gender identity**. The CC defines higher sentences for severe crimes committed out of hate referring to that specific definition of a hate crime, but with changes in 2024, BD introduced a **new article which prohibits hate speech on grounds of sexual orientation and gender identity**, among other characteristics. Amendments to the BD CC were among measures of the BiH Action Plan for Improvement of LGBTQI+ Rights.

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<sup>611</sup> MHRR BiH. (2022). *2021-2024 Action Plan to Improve the State of Human Rights and Fundamental Freedoms of LGBTI People in Bosnia and Herzegovina*. BiH Ministry of Human Rights and Refugees. Available at: <https://arsbih.gov.ba/wp-content/uploads/2023/06/AP-LGBTI-ENG-27.09.pdf> (Retrieved August 19, 2024).

<sup>612</sup> FGC. (2024, January 23). *Informacije za izvještaj o provođenju Akcionog plana za unaprijeđenje ljudskih prava i osnovnih sloboda LGBTI osoba u Bosni i Hercegovini [Information for the Report on Implementation of the Action Plan for Advancement of LGBTI Rights in BiH]*. Available at: <https://www.gcfbih.gov.ba/informacije-za-izvjestaj-o-provodjenju-akcionog-plana-a-unaprijedjenje-ljudskih-prava-i-osnovnih-sloboda-lgbti-osoba-u-bosni-i-hercegovini/> (Retrieved August 19, 2024).

<sup>613</sup> Articles 2, 163, 166, 172, 203, 293, 363. *Zakon o izmjenama i dopunama Krivičnog zakona FBiH [Law on Changes and Amendments of the FBiH Criminal Code]*, FBiH Parliament, *FBiH Official Gazette 46/16*. Available at: [https://www.tuzilastvobih.gov.ba/files/docs/Krivicni\\_zakon\\_F\\_BiH\\_izmjene\\_i\\_dopune\\_46\\_16\\_bos.pdf](https://www.tuzilastvobih.gov.ba/files/docs/Krivicni_zakon_F_BiH_izmjene_i_dopune_46_16_bos.pdf) (Retrieved August 3, 2024).

<sup>614</sup> Articles 5, 123, 139, 359. *Krivični zakonik Republike Srpske [RS Criminal Code]*, RSNA, *RS Official Gazette 64/17*. Available at: [https://www.tuzilastvobih.gov.ba/files/docs/Krivicni\\_zakonik\\_Republike\\_Srpske\\_64\\_17.pdf](https://www.tuzilastvobih.gov.ba/files/docs/Krivicni_zakonik_Republike_Srpske_64_17.pdf) (Retrieved August 19, 2024).

<sup>615</sup> *Krivični zakon Brčko distrikta Bosne i Hercegovine [BD BiH Criminal Code]*, BD BiH Assembly, *BiH Official Gazette 6/05, 21/10, 9/13, 26/16, 13/17, 50/18, 3/24, and 14/24 BD*. <https://skupstinabd.ba/ba/zakon.html?lang=ba&id=/Krivicni%20zakon%20Brc--ko%20Distrikta%20BiH> (Retrieved August 19, 2024).

According to a KI, the district prosecutor offices in RS and cantonal prosecutors in FBiH have **designated contact persons that LGBTQI+ victims or activists can contact directly to report hate incidents or hate speech**. This helps LGBTQI+ persons to bypass the police as victims sometimes experience secondary victimization from police officers. However, some police authorities are more open to cooperation than others - police in CS, Tuzla Canton (TC), and BD signed **protocols on cooperation with LGBTQI+ rights organizations** to ensure protection of their freedom of assembly, while two more protocols in TC define cooperation between rights organizations and police in cases of discrimination and violence against LGBTQI+ persons.<sup>616</sup>

ADL<sup>617</sup> at the BiH level specifies discrimination to include unequal treatment of persons or groups based on sexual orientation, gender identity, and sexual characteristics among other grounds. In accordance with ADL, those experiencing unequal treatment can address Ombudspersons or courts, but the effectiveness of protection largely depends on **effectiveness of the judiciary, and Ombudspersons are also slow in rendering their decisions** and recommendations:

*We are still waiting for decisions on some of the complaints we filed 2 to 3 years ago. The same thing is also with our complaints related to sex or gender. We are often satisfied with [ombudspersons' ] recommendations, but they come too late. The discrimination. That is the institution you need to turn to if you want to test whether there is discrimination.*

–KI, activist

The RS Law on Free Legal Aid<sup>618</sup> defines access to free legal aid regardless of sex or sexual orientation.

Currently, the BiH **authorities do not recognize same sex marriage**, and couples who established marriages abroad cannot document that marriage in BiH. Authorities recognize only **biological parents for children from these families**, according to a KI. If the biological mother is not a BiH citizen, acquiring personal documents for the child is difficult and children may have problems accessing education. Same sex couples also face other problems, such as non-recognition of **rights to family pensions or inheritance**, difficulties accessing information in health care institutions for their spouses, or problems when traveling abroad with a child without the biological parent. The previous FBiH government made some steps toward recognition of rights of same sex couples with the Sarajevo Open Center (SOC) investing heavy effort, **but the progress slowed down in FBiH with the new government**.

BiH is still far from **legal recognition of non-binary persons**, according to most KIs, although three KIs noted that it is not too soon to start talking about rights of non-binary persons, but with caution, considering the current backlash. SOC identified that gender diverse youth prioritize pronouns and language at this stage, because a third sex marker could also be discriminatory against some groups. However, even the language progress faces hostile response on social media platforms according to the expert.

**IA. NEEDED CHANGES:** There is need for **legalization of same sex partnership** according to three KIs. A draft FBiH law is already with the FMOJ. State and entity governments should **establish**

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<sup>616</sup> FGC. (2024). *Information for the Report on Implementation of the Action Plan for Advancement of LGBTI Rights in BiH*

<sup>617</sup> Zakon o zabrani diskriminacije - Neslužbeni precisceni tekst [Law on Prohibition of Discrimination - Unofficial Consolidated Version], BiH Parliamentary Assembly, *BiH Official Gazette* 48/10, 66/16. Available at: <https://parlament.ba/law/LawDetails?lawId=1100> (Retrieved August 3, 2024).

<sup>618</sup> RSNA, *RS Official Gazette* 67/20. Available at: <https://www.narodnaskupstinars.net/?q=la/akti/usvojeni-zakoni/zakon-o-ostvarivanju-prava-na-besplatnu-pravnu-pomo%C4%87-u-republici-srpskoj> (Retrieved August 19, 2024).

**a procedure to change the legal sex marker in citizen registries**, according to two KIs, as current practices are discriminatory and inconsistent across the country.

**Entities need to train at least some medical teams for gender reassignment in the BiH hospitals. In the future, entities' health insurance will need to cover the costs of gender reassignment.** Currently, most people can only go abroad to undergo such procedures at their own cost. State and entity legislatures should **criminalize conversion therapies** and sanction psychiatrists and psychotherapists participating in such practices.<sup>619</sup> Law enforcement and judiciary need to investigate and **prosecute all hate crimes and hate speech against LGBTQI+** persons, including the attacks on the Pride March organizers in Banja Luka in 2023.<sup>620</sup>

There is also a need to **raise awareness about gender diversity, at least in narrow forums**, for example, in academic circles, starting from language, according to a KI.

Regarding economic security of LGBTQI+ persons, there is need to **raise employers' awareness about prohibition of discrimination**, but also **help them create inclusive working environments for LGBTQI+ persons**. Local initiatives, such as Diversity and Inclusion Certificate that SOC worked on in the past, or initiatives with unions and employers' associations that HCABL implemented, have a potential to improve LGBTQI+ persons' access to the labor market, as well as services and products.

**IB. CHALLENGES TO CHANGE:** Key challenges to progress are conservative influences within governments and especially in political parties. For example, when the FMOJ initiated establishing of the working group to develop the Law on Same Sex Couples, the FMOH refused to assign an expert to the working group or talk about their role in advancing these processes, according to a KI who thought this resistance was ideologically motivated. Another government representative noted that it is difficult to get the medical workers, civil servants, or politicians to even talk about rights of LGBTQI+ persons or participate in working groups with that topic. At the same time, a backlash against persons of transgender or gender diverse identity is taking place in RS. One KI explained how difficult it is to get the medical workers, civil servants, or politicians to even talk about rights of LGBTQI+ persons, although some of them are eager to resolve issues because they face difficulties in performing their regular duties without adequate procedures for the emerging challenges.

## **AQ2. LGBTQI+ REPRESENTATION IN DECISION MAKING**

**Transgender, intersex, and queer persons are highly unlikely to get sufficient representation in legislative bodies in BiH.** Considering the problems with non-recognition of the non-binary option or difficulty of even changing the legal sex marker, it is highly unlikely that trans and intersex people would be able to run in elections. Sexual orientation may not necessarily affect election results of a candidate if confined to four walls. However, one known case of sexual extortion of a politician in Banja Luka with an intimate video led to his withdrawing from the political

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<sup>619</sup> SOC. (2024, February 27). *Written Submission on the Implementation of the Convention on the Rights of Persons with Disabilities (CRPD)*. The Office of the UN High Commissioner for Human Rights (OHCHR). Available at: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCRPD%2FICO%2FBIH%2F57647&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCRPD%2FICO%2FBIH%2F57647&Lang=en) (Retrieved August 19, 2024).

<sup>620</sup> Brkovic, A., Čulibrk, B., Hasanbegović, D., Bajrektarević, D., & Blažević, J. (2023). *2023 Pink Report: Annual Report on the State of Human Rights of LGBTI People in Bosnia and Herzegovina* (D. Pandurević, Ed.). Sarajevo Open Centre. Available at: [https://soc.ba/site/wp-content/uploads/2023/06/Pink-report\\_za-web.pdf](https://soc.ba/site/wp-content/uploads/2023/06/Pink-report_za-web.pdf) (Retrieved August 19, 2024).

life<sup>621</sup> and he continued to face threats and physical attacks.<sup>622</sup> This could have a **chilling effect for any other LGBTQI+ person thinking of engaging or already participating in political life.** Further, in election campaigning, politicians use anti-LGBTQI+ narratives as a tactic to profile their voting base, or simply abuse freedom of expression to spread hate speech. KIs mentioned at least four recent cases of politicians who incited hatred against LGBTQI+ persons, including one that received a first instance judgement for discriminating based on sexual orientation and gender identity.<sup>623</sup>

**Transwomen, as well as transmen are entirely invisible, not only in political life, but also in society and media.** Malicious media usually feeds transphobia, while mainstream media mostly shied away from the topic until activists started organizing Pride March every year, making problems of LGBTQI+ persons more visible. There are initiatives to organize such protest walks in other cities in BiH, according to a USAID/BiH IP. However, **Mols and local authorities are not doing enough to ensure freedom of assembly of LGBTQI+ activists and allies,** according to another KI, putting undue burden on them for securing public gatherings.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

**Understanding of gender roles in BiH is still heteronormative and a dominant perception of a family is patriarchal.** Pronatalist organizations and activists promote such models and many of the influential politicians support them (please see Section I5). Families that do not fit this patriarchal family model face legal and societal discrimination, from not being able to register their gender reassignment, marriage, or children, to having more difficulty with inheriting property or pension from their spouses than other families, and experiencing insults, judgements, and attacks, based on three interviews (please see AQ1 and AQ2). In submission to the Committee for the Rights of Persons with Disabilities,<sup>624</sup> LGBTQI+ activists informed the Committee about the practice of families forcing LGBTQI+ individuals to undergo “conversion therapy” by psychiatrists and psychotherapists. BiH has not banned conversion therapy, while most of the old EU member states have.<sup>625</sup>

### AQ4. LGBTQI+ ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

Based on the NSCP-BiH 2023,<sup>626</sup> **three percent of the respondents felt discriminated against based on sexual orientation,** compared with four percent on disability, and seven percent on gender. Except for gender, these percentages veil the magnitude of discrimination against those groups.

Regarding access to justice, **contact points for LGBTQI+ persons and activists to report hate crimes to exist now in most district and cantonal prosecutor offices,** but the situation

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<sup>621</sup> ILGA. (2023). *Annual Review of the Human Rights Situation of LGBTI People in BiH Covering the Period January to December 2021*. International Lesbian, Gay, Bisexual, Trans, and Intesex Association. <https://www.ilga-europe.org/files/uploads/2022/06/BOSNIAH.pdf>

<sup>622</sup> Gerila.info. (2023, December 17). Ivan Begić prijavio da ga je fizički napao Goran Suvara [Ivan Begić filed a report claiming that Goran Suvara attacked him] [Media website]. *Gerila.info*. Available at: <https://www.gerila.info/ivan-begic-prijavio-da-ga-je-fizicki-napao-goran-suvara/>, <https://www.gerila.info/ivan-begic-prijavio-da-ga-je-fizicki-napao-goran-suvara/> (Retrieved August 19, 2024).

<sup>623</sup> SOC. (2022, April 26). The First Judgement for Discrimination Against LGBTI Persons. *Sarajevski Otvoreni Centar*. Available at: <https://soc.ba/en/the-first-judgement-for-discrimination-against-lgbti-persons/> (Retrieved August 19, 2024).

<sup>624</sup> SOC. (2024). *Written Submission on the Implementation of the CRPD*.

<sup>625</sup> Equaldex. (2024). *Conversion therapy by country*. Equaldex. Available at: <https://www.equaldex.com/issue/conversion-therapy> (Retrieved August 19, 2024).

<sup>626</sup> USAID MEASURE-II. (2024). *NSCP BiH for 2023: Final Report*.

is not smooth according to an activist KI, as LGBTQI+ survivors have difficulties accessing basic services:

*This person that wanted to report violence was a foreigner, but they [prosecutor's office] did not have an interpreter, until we came and told them it is their duty to find one. It is not perfect. Looking at the way they treat GBV, it is not a surprise and I do believe this will be a lengthy process, because it is not only sufficient to designate contact points. There is need to change their understanding of any form of GBV, not to minimize it, to show empathy. This needs to systematically change in the judiciary for us to have an adequate response and treatment of the victim.*

–KI, activist.

The personal safety of LGBTQI+ persons is not only under threat from right-wing extremists. According to a KI, LGBTQI+ persons sometimes experience abuse within their families or from people they know once they start coming out. To enable assistance in dealing with consequence of any type of abuse, new organizations are specializing in providing **psychological support to LGBTQI+ persons beyond Sarajevo and taking up the initiative to raise awareness**, based on FGDs with USAID IPs. In 2024, Foundation Wings of Hope opened the first safe house for LGBTQI+ persons in BiH, with EU support.<sup>627</sup>

Regarding access to health, **gender transitioning is not possible in BiH, especially not with support from health care insurance**, although there are isolated cases of individuals getting hormonal treatment from medical professionals, according to KIs. People who want to undergo such process usually do it in neighboring countries or elsewhere, but once they come back, they face obstacles to change their sex marker in citizen registers. In Europe, only the Netherlands, Denmark, and some of the Spanish provinces fully recognize non-binary or third gender identities, while Austria and Germany recognize only intersex identity,<sup>628</sup> and in that sense, Europe, not only BiH, is lagging the Americas, Australia, and South Asian countries.

**The economic situation of LGBTQI+ persons is difficult, especially because they are more vulnerable to discrimination in employment and at work**, according to an activist. From 401 LGBTQI+ people that SOC surveyed in 2023, around 55 percent had some type of employment and around 16 percent were dissatisfied with their financial situation. However, one out of five discrimination reports that SOC received in 2021 was employment and labor related, three out of ten in 2022, and no such reports in 2023.<sup>629</sup> However, with declining labor supply in the country, companies are becoming more aware of the need to create inclusive spaces for groups that currently have problems finding work, according to two KIs

Safety from violence, access to health care, and economic security are even more inaccessible for **LGBTQI+ persons who are also Roma or persons with disabilities**, according to a KI, but evidence of their problems is sparse. Even the rights organizations do not have sufficient capacities currently to encompass intersectional discrimination issues.

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<sup>627</sup> Glavinka, R. (2024, July 5). Intervju sa Sinišom Sajevićem: Prva sigurna kuća za LGBTI osobe u BiH. *LGBTI.ba*. <https://lgbti.ba/intervju-sa-sinisom-sajevicem-prva-sigurna-kuca-za-lgbti-osobe-u-bih/>

<sup>628</sup> Equaldex. (2024). *Legal recognition of non-binary gender by country*. Equaldex. Available at: <https://www.equaldex.com/issue/non-binary-gender-recognition> (Retrieved August 19, 2024).

<sup>629</sup> SOC. (2024). *2024 Pink Report: Annual Report on the State of Human Rights of LGBTI People in Bosnia and Herzegovina* (Human Rights Edition). Sarajevo Open Center. Available at: [https://soc.ba/site/wp-content/uploads/2024/06/rozi-izvjestaj-ENG-2024\\_6\\_12.pdf](https://soc.ba/site/wp-content/uploads/2024/06/rozi-izvjestaj-ENG-2024_6_12.pdf) (Retrieved August 17, 2024).

## AQ5. CULTURAL NORMS AND BELIEFS

According to the NSCP-BiH, there is **no progress in public support for the same sex couples' right** to marry or have the same rights as other couples, and to adopt children, while public support to the right of LGBTQI+ persons to organize protests is lower than in 2019 when NSCP-BiH first included this question (Exhibit I4).

Exhibit I4. Support to Rights of Same-Sex Couples

TO WHAT EXTENT DO YOU AGREE OR DISAGREE WITH EACH OF THE FOLLOWING STATEMENTS?		2019	2020	2021	2022	2023
Same-sex couples should have the right to marry.	Agree	7%	12%	9%	9%	7%
	Disagree	82%	73%	78%	79%	82%
Same-sex couples should have the right to live without getting married but with equal rights as married couples.	Agree	12%	12%	12%	10%	9%
	Disagree	73%	69%	73%	77%	80%
Same-sex couples should have the right to adopt children.	Agree	7%	7%	7%	6%	5%
	Disagree	85%	80%	84%	85%	88%
Same-sex couples should have the right to organize protests/Pride to fight for their rights.	Agree	9%	8%	9%	7%	5%
	Disagree	76%	77%	79%	81%	85%

Source: USAID MEASURE II. (2024). NSCP 2023 [in press]

**Youth attitudes are only a little more positive than the whole sample,<sup>630</sup>** but the 2023 NSCP-BiH documented a drop also in supportive attitudes among youth.

Such results speak contrary to opinions of some of the KIs who believe that there is progress in acceptance of LGBTQI+ persons:

*I believe that society has become more sensitive to these issues in the past ten years. There is no one else to ascribe this to but CSOs and the movie industry. So, the concept and understanding are changing, especially among younger generations.*

–KI, expert

Organizations that stand out in supporting the rights of LGBTQI+ persons invested significant effort in awareness raising and advocacy. For example, through USAID/INSPIRE, HCABL has been working with pedagogues and psychologists in schools, as well as with highschoolers on prevention of hate speech and violence based on sexual orientation and gender identity in Bijeljina, Brčko, Tuzla, Zenica, Goražde, Višegrad, Foča, Trebinje, Livno, and Bihać.<sup>631</sup> SOC regularly publishes progress reports and promotes LGBTQI+ affirmative attitudes, as well as works with judicial, police, and other officials to improve their awareness and understanding. Still, the conservative politicians and activists are exerting stronger influence on population attitudes, based on results of the NSCP.

<sup>630</sup> USAID/MEASURE II. (2023). NSCP 2022.

<sup>631</sup> FGC. (2024, January 23). *Information for the Report on Implementation of the AP for Advancement of LGBTI Rights in BiH*

The BiH population is less accepting of lesbian or gay rights than any other country in Europe, while social distance to lesbian or gay individuals as neighbors is extremely high, although not as high as in Montenegro, North Macedonia, and Albania.<sup>632</sup>

## CONCLUSIONS

**CI. Progress in protecting LGBTQI+ rights is unsatisfactory, despite new policies, as the everyday issues they face are not improving.** State, FBiH, and BD governments undertook positive steps in protecting LGBTQI+ rights since 2019, but right-wing politicians, ultraconservative organizations, and a large segment of the population are against further, or even achieved progress. In RS, in addition to not making any policy progress, politicians are either silent to attacks on LGBTQI+ activists and rights, or even endorse such instances openly, creating an atmosphere of impunity for ultraconservative groups. The population attitudes are not improving, and rights of LGBTQI+ are stagnating, for example, regarding gender reassignment, same sex partnerships, status of their children, and protection from violence and hate speech, with only small victories.

## RECOMMENDATIONS

**RI. USAID/BiH and other donors should continue supporting LGBTQI+ activists in advocating for rights, in strategic litigations, and in legal support for individuals who need legal protection.** LGBTQI+ activists and experts prioritized family-related rights and personal security of LGBTQI+ people for the coming period. USAID can also consider supporting inclusive practices in companies that benefit from USAID assistance. The BiH Action Plan for LGBTQI+ rights will expire in 2025, and donors should assist the Council of Ministers and entity government in its evaluation and adoption of a new plan.

## 18. ROMA WOMEN'S RIGHTS

### AQ1. POLICIES AND PRACTICES

BiH has a long-term strategy for Roma inclusion since 2005, while it adopted an Action Plan for Social Inclusion of Roma (2021 – 2025) in 2022.<sup>633</sup> This is **the first strategic document pertaining to Roma rights which recognizes and introduces specific measures to address intersecting discrimination of Roma women**, according to an activist in an FGD. A report on implementation of that AP that CoM adopted in 2024<sup>634</sup> is not available. However, **funding for the implementation of that Action Plan has been insufficient**,<sup>635</sup> as discussed also under AQ4. The RS has a Minority Rights Strategy and an AP for Educational Needs of Roma, both expiring in 2024.<sup>636</sup>

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<sup>632</sup> Halman, L., et al. (2022). *Atlas of European Values: Change and Continuity in Turbulent Times*.

<sup>633</sup> BiH CoM. (2022). *Akcioni plan Bosne i Hercegovine za društvenu inkluziju Roma i Romkinja za period 2021-2025. Godine (BiH Action Plan for Social Inclusion of Roma Men and Women for 2021-2025)*. BiH Official Gazette 40/22. <http://www.sluzbenilist.ba/page/akt/uRdTuoNm8EE=>

<sup>634</sup> BiH CoM. (2024). *Notes from the 44<sup>th</sup> Session of the CoM of BiH*. Available at: [https://www.savjetministara.gov.ba/saopstenja/sjednice/zakljucji\\_sa\\_sjednica/default.aspx?id=42844&langTag=bs-BA](https://www.savjetministara.gov.ba/saopstenja/sjednice/zakljucji_sa_sjednica/default.aspx?id=42844&langTag=bs-BA) (Retrieved August 16, 2024).

<sup>635</sup> EC. (2023). *Bosnia and Herzegovina 2023 Report (SWD(2023) 691 final)*. European Commission. [https://neighbourhood-enlargement.ec.europa.eu/document/download/e3045ec9-f2fc-45c8-a97f-58a2d9b9945a\\_en?filename=SWD\\_2023\\_691%20Bosnia%20and%20Herzegovina%20report.pdf](https://neighbourhood-enlargement.ec.europa.eu/document/download/e3045ec9-f2fc-45c8-a97f-58a2d9b9945a_en?filename=SWD_2023_691%20Bosnia%20and%20Herzegovina%20report.pdf) (Retrieved August 17, 2024).

<sup>636</sup> BiH. (2022). *Combined fourteenth and fifteenth periodic reports submitted by BiH to CERD (CERD/C/BIH/14-15)*. OHCHR. <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6OkGld%2FPPRiCAqhKb7yhsjlx5mZKyhiX9q5J4n7ajm7s0nVSRAXRPz07sLAulqAsBSMhmbmlU0P0RaO6qZF0D%2FEVtdBICVn5Si2jmMR7%2B830dqnRccVOMiUBKWwVU3I>



State and entity legislatures adopted Laws on Protection of Minority Rights between 2003 and 2008 and established the National Minority Councils (NMCs) as advisory bodies<sup>637</sup> but **have not yet harmonized these laws with the 2003 LoGE and its amendments from 2009.**

Harmonization would need to include addressing specific gender issues through temporary special measures, such as articles prescribing proportional representation of women in the NMCs and other minority representative bodies, especially Roma women, requiring the institutions to track gender-disaggregated data on minorities, and prohibiting any form of discrimination, including based on gender, sexual orientation, gender identity, or disability.

The BiH Roma Advisory Board has existed since 2012 as an advisory body of the CoM with 22 members, of whom 11 are representatives of Roma CSOs and 11 institutional stakeholders, all appointed to four-year mandates.<sup>638</sup> The **Board however does not see the cooperation with the government as effective**, according to the press release they issued on April 8<sup>th</sup>, the International Roma Day.<sup>639</sup> In 2023, the Board initiated an increase in funds allocated for implementation of the Action Plan for Social Inclusion of Roma and received no response from the CoM.<sup>640</sup>

ADL prohibits discrimination based on ethnicity, but **Roma rarely report instances of discrimination to institutions, because their trust in security and justice institutions is low.**<sup>641</sup> CoM report on discrimination for 2022, for example, mentions only one case of Roma discrimination when school authorities in Prnjavor discriminated against a Roma girl.<sup>642</sup> One known case with a court epilogue relates to Zenica Banlozi social housing where the city water company cut off the water supply for the entire Roma settlement - all court instances confirmed ethnic discrimination.<sup>643</sup> Related to housing and infrastructure, discrimination is often indirect, as many Roma families live in informal settlements and have difficulty providing documentation for public utilities. **Roma women in such conditions bear a double burden of domestic labor.** The EC observes that discrimination of Roma in employment is widespread.<sup>644</sup> Unemployment rates among Roma women are much higher than among Roma men (please see AQ3).

**IA. NEEDED CHANGE:** BiH subscribes to the CoE Framework Convention for the Protection of National Minorities (FCNM). The Advisory Committee on the FCNM recommended the BiH authorities to: (i) **increase trust between victims of GBV belonging to national minorities and law enforcement, investigators, and prosecutors;** (ii) provide **incentives for secondary and higher education**, especially for Roma women and girls; (iii) provide **access to medical coverage**, especially for Roma women and girls; (iv) systematically **track data on trafficking in**

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<sup>637</sup> Laws available at: [http://www.mhrr.gov.ba/ljudska\\_prava/default.aspx?id=10267&langTag=bs-BA](http://www.mhrr.gov.ba/ljudska_prava/default.aspx?id=10267&langTag=bs-BA) (Retrieved August 19, 2024).

BiH Law on Protection of Minority Rights, BiH Parliamentary Assembly, BiH Official Gazette, 12/03 (2003), amendments 76/05 (2005). RS Law on Protection of Minority Rights, RSNA, 2/04 RS Official Gazette (2004). FBiH Law on Minority Rights Protection, FBiH Official Gazette 56/08, (2008).

<sup>638</sup> MHRR BiH. (2023). *2022 Annual Report of the Roma Board of the BiH Council of Ministers*. Ministry of Human Rights and Refugees of BiH. Available at:

[http://mhrr.gov.ba/ljudska\\_prava/Odbor\\_za\\_Rome/IZVJESTAJ%20O%20RADU%20ODBORA%20ZA%20ROME%20ZA%202022.%20GODINU.pdf](http://mhrr.gov.ba/ljudska_prava/Odbor_za_Rome/IZVJESTAJ%20O%20RADU%20ODBORA%20ZA%20ROME%20ZA%202022.%20GODINU.pdf) (Retrieved August 17, 2024).

<sup>639</sup> Fokus.ba. (2024, April 9). After the cancellation of the session on the occasion of World Roma Day: Confirmation of systemic discrimination! Fokus.ba. <https://www.fokus.ba/vijesti/bih/nakon-otkazivanja-sjednice-povodom-svjetskog-dana-roma-potvrda-sistemske-diskriminacije/302354/>

<sup>640</sup> MHRR BiH. (2023). *2022 Annual Report of the Roma Board of the BiH Council of Ministers*.

<sup>641</sup> Čehajić-Čampara, M., Arnaut, L., & Veljan, N. (2021). *Roma Access and Trust in the BiH Security and Justice System*.

<sup>642</sup> CoM. (2024). *Report on Instances of Discrimination in BiH for 2022*.

<sup>643</sup> OSCE/BiH. (2023). *Analysis of Anti-Discrimination Case-Law in Bosnia and Herzegovina for the Period 2018-2021*. OSCE Mission to BiH. Available at: <https://www.osce.org/files/f/documents/7/c/542841.pdf> (Retrieved August 15, 2024).

<sup>644</sup> European Commission. (2023). *Bosnia and Herzegovina 2023 Report* (SWD(2023) 691 final).

persons (TIP), including per minority affiliation, and **address TIP together with Roma CSOs**; (v) including Roma women and youth in monitoring of minority policies; (vi) continue developing **local Roma inclusion plans with participation of Roma**, including women and girls; (vii) and building **cultural capacities of law enforcement and social services**.<sup>645</sup> Some of the listed recommendations stem from the Atlantic Initiative 2021 research<sup>646</sup> which also voiced a need to hire **Roma men and women in law enforcement agencies, and coordinators for Roma issues within the judiciary**. GREVIO recommended the BiH authorities to improve data collection and disaggregation on GBV, including identification of those experiencing intersecting discrimination, including Roma women.<sup>647</sup> Considering low numbers of discrimination reports by Roma, including Roma women, there is need to increase trust into institutions and awareness among Roma about mechanisms at their disposal for protection from discrimination, including the Ombudsperson and free legal aid providers in governments and the civil society.

**IB. CHALLENGES TO CHANGE:** Institutionalized discrimination and prejudice against the Roma is the key challenge to increasing the level of Roma rights, particularly the rights of Roma women. Political challenges in cooperation between the state and the RS government are also affecting the area of minority protection, especially related to implementation of activities from state level policies, monitoring and reporting to international human rights bodies, and coordination between entities.<sup>648</sup>

## **AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING**

Roma and other national minorities cannot run in elections for the State Presidency and 14 years after the decision of the European Court of Human Rights on Sejdić and Finci vs. BiH, the situation has not improved in that sense. However, Roma men are present in the LSGU councils and assemblies that have minority seats, unlike Roma women, according to a government KI. In the 2020 Local Elections, **minorities elected 23 LSGU councillors to minority seats, of whom only four are women**.<sup>649</sup> European Commission Against Racism and Intolerance (ECRI) also highlighted the issue of **arbitrary identification with a national minority by members of majority ethnic political parties to take over the minority seats** in LSGU councils/assemblies.<sup>650</sup>

Even in advisory bodies that government institutions appoint, procedures often lack transparency and **women have roadblocks to participate in decision making because presidents of most Roma associations are men**:

*Membership in the Roma Advisory Board is practically passed on between family members. Another example is the appointment of members of the Federal Council of National Minorities. We pointed to discrimination there, used all the mechanisms we had, because the entire process was untransparent. The result of those activities is that a new Law on Protection of Minority Rights is on the agenda in FBiH. So, there is progress, but we make one step forward, and then two backward. The Law is on hold, I suppose because of political turmoil.*

–FGD, activist

<sup>645</sup> Advisory Committee for the FCNM. (2024). *Fifth Opinion on Bosnia and Herzegovina (ACFC/OP/V(2023)5)*. Council of Europe. Available at: <https://rm.coe.int/5th-op-bih-en/1680b07a26> (Retrieved August 19, 2024).

<sup>646</sup> Čehajić-Čampara, M., Arnaut, L., & Veljan, N. (2021). Roma Access and Trust in the BiH Security and Justice System.

<sup>647</sup> GREVIO. (2022). *GREVIO's (Baseline) Evaluation Report (GREVIO/Inf(2022)19)*.

<sup>648</sup> BiH. (2022). *Combined fourteenth and fifteenth periodic reports submitted by BiH to CERD (CERD/C/BIH/14-15)*.

<sup>649</sup> Advisory Committee for the FCNM. (2024). *Fifth Opinion on Bosnia and Herzegovina (ACFC/OP/V(2023)5)*.

<sup>650</sup> ECRI. (2024). *ECRI Report on BiH (sixth monitoring cycle)*. Council of Europe. <https://rm.coe.int/fourth-ecri-report-on-bosnia-and-herzegovina/1680b0661f>

With Roma women’s advocacy, for **the first time since establishing of the Roma Advisory Board at the state level, more than 40 percent of the Roma representatives (five out of 11) are women**, including a representative of the Roma Women’s Network (RWN). Women lead some of the Roma organizations in critical parts of the country, but men dominate most Roma organizations, according to an expert KI and an activist in an FGD. RWN and other organizations that work with Roma women are essential for gender integration in minority, but especially in majority policies. In the 2024-2027 period, RWN intends to work toward improved protection of Roma against discrimination, including conducting a survey with up to 750 Roma women on their experiences of discrimination.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

Similar to other families in BiH, Roma families practice strong division of domestic roles between men and women, but domestic burden is much higher for Roma women than majority women because of **very low children’s preschool enrollment rates and high drop-out rates**.<sup>651</sup> Regarding gender segregation in types of jobs, in two FGDs, one with citizens and one with activists, participants mentioned that Roma men collect valuable raw materials or at best, work for municipal communal companies, while **Roma women are more likely to work as street sellers or cleaners**.

### AQ4. WOMEN’S ACCESS TO, AND CONTROL OVER ASSETS AND RESOURCES

Bolja Budućnost [Better Future] Red Report covering the 2021-2022 period<sup>652</sup> highlights **extreme levels of economic vulnerability** – 55 percent of Roma women are without completed primary education; 80 percent never accessed active employment programs and 90 percent never accessed retraining programs. Such starting positions mean that Roma women have less information about their rights, stand lower chances in the formal labor market, and face higher risk of GBV. Women and men without primary education cannot access vocational programs that Centers for Adult Education offer,<sup>653</sup> which limits chances of emancipation. Civil Rights Defenders documented that in 2017, unemployment rates of Roma men and women (aged 15 to 64) were 44 and **79 percent** respectively. Despite these high rates, PES registered only 3270 Roma as unemployed in 2020, but MHRR estimated that additional 5500 Roma need regular employment.<sup>654</sup> More recent data are not available.

**Nearly 80 percent of Roma children live in poverty** by 2019 estimates,<sup>655</sup> and shares of Roma children enrolled in pre-school education are negligible.<sup>656</sup> EC observed that Roma children’s enrollment rates in compulsory education are increasing, although drop-out of Roma children is still exceptionally high.<sup>657</sup> In 2017, Roma children’s enrollment rates were 1.5 percent for preschool, 69 percent for primary school, and 23 percent for secondary school education, with a gender gap in the latter (18 percent of Roma girls to 27 percent of boys).<sup>658</sup> While more recent data are not

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<sup>651</sup> Ibid.

<sup>652</sup> Đuderija, S. (2023). *Izveštaj o stanju prava i položaja Romkinja u Bosni i Hercegovini [Report on the Situation of Rights and Position of Roma Women in Bosnia and Herzegovina]*. Bolja Budućnost. Available at: <https://bolja-buducnost.org/images/06-publikacije/izveštaj-o-stanju-prava-i-polozaja-romkinja-2021-2022.pdf> (Retrieved August 19, 2024).

<sup>653</sup> ECRI. (2024). *ECRI Report on BiH (sixth monitoring cycle)*.

<sup>654</sup> Council of Ministers. (2022). *BiH Action Plan for Social Inclusion of Roma Men and Women for 2021-2025*.

<sup>655</sup> UNICEF. (2023). *Prioritizing Children: The Case for Investment in Early Childhood Development—Republika Srpska*. United Nations International Children’s Emergency Fund. Available at: <https://www.unicef.org/bih/media/9546/file/Investment%20Case%20for%20Children%20in%20Republika%20Srpska%20.pdf> (Retrieved August 15, 2024).

<sup>656</sup> ECRI. (2024). *ECRI Report on BiH (sixth monitoring cycle)*.

<sup>657</sup> European Commission. (2023). *Bosnia and Herzegovina 2023 Report (SWD(2023) 691 final)*.

<sup>658</sup> ECRI. (2024). *ECRI Report on BiH (sixth monitoring cycle)*.

available, reports<sup>659</sup> and one KI observed some progress in access to education for Roma, including Roma girls in some parts of the country. **One way the authorities are ensuring higher enrollment is by mandating social assistance to parents by children's regular school attendance**, according to a KI, which resulted in higher enrollment and attendance. A younger woman in an FGD with citizens mentioned that two of her friends are Roma girls studying toward law and medical degrees. Higher enrollment rates open space for mothers' formal employment, but according to activists in FGDs, the level of discrimination in the labor market is stark.

According to an activist and expert in an FGD, there was no systematic support from institutions during the COVID-19 pandemic, including from human rights and gender equality institutions, even though the Roma were even more vulnerable to effects of lockdown:

*This is a population that secures its basic income from collecting valuable raw materials and working in the informal economy, selling in the market, but they were completely excluded from any support, while they could not earn anything during lockdown.*

—FGD, activist

Although there is progress in employment rates for the general population of women, Roma women's employment is still almost non-existent. Active employment measures that governments implement within the **action plans for Roma employment and self-employment are not resulting in long term employment**, according to an activist in an FGD. Instead, employers use benefits for six to 12 months and then terminate employment for the person.

In general, the budgets that **governments earmark for social inclusion of Roma are decreasing**, but they are also distributed in an entirely gender insensitive manner, possibly also because donors providing that assistance have low gender awareness, an FGD participant noted. In 2020, MHRR reported that delays in adoption of state budget for 2019 negatively affected the implementation of the 2017 – 2020 Action Plan for Roma, and that institutions that participated in its implementation did not disaggregate relevant indicators by gender.<sup>660</sup>

Research also shows that **police and investigators do not dedicate equal attention to claims or reports filed by the Roma** compared with other individuals, and police ignore Roma women's reports even more.<sup>661</sup> **Roma women have difficulty accessing shelters in cases of GBV, especially if they have male children above 15 years of age** who cannot be in those safe houses, and consequently often return to their abusers, according to an activist in an FGD.

Some Roma communities still have no basic infrastructure, such as water, electricity, sewage, as they were built without permits. ECRI observed that around 1,000 housing units need renovation and 3,000 need legalization.

EU Fundamental Rights Agency (FRA) found that Roma women and men have shorter life expectancy than women and men in the general population (by 11 and 9.1 years respectively) in some of the EU and EU Enlargement countries.<sup>662</sup> BiH did not participate in the FRA survey, but data

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<sup>659</sup> Ibid.

<sup>660</sup> MHRR BiH. (2020). *Report on Implementation of the BiH Action Plan for Roma for 2017-2020 and on Grants Expenditures for 2018 and 2019*. MHRR.

[http://www.mhrr.gov.ba/ljudska\\_prava/Odbor\\_za\\_Rome/Izvjestaj%20o%20provedbi%20Aktionog%20plana%20Bosne%20i%20Hercegovine%202018%20i%202019.%20GODINU%20-%20konacni.pdf](http://www.mhrr.gov.ba/ljudska_prava/Odbor_za_Rome/Izvjestaj%20o%20provedbi%20Aktionog%20plana%20Bosne%20i%20Hercegovine%202018%20i%202019.%20GODINU%20-%20konacni.pdf)

<sup>661</sup> Čehajić-Čampara, M., Arnaut, L., & Veljan, N. (2021). *Roma Access and Trust in the BiH Security and Justice System*.

<sup>662</sup> FRA. (2022). *Roma in 10 European countries. Main results—ROMA SURVEY 2021*. EU Fundamental Rights Agency. [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2022-roma-survey-2021-main-results2\\_en.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2022-roma-survey-2021-main-results2_en.pdf)

would arguably be similar to those in Croatia, North Macedonia, and Serbia with the lowest life expectancy.

ECRI observed that Roma women’s and men’s access to public services is still low, but the **175 Roma health mediators are a crucial link to connect public service providers and Roma communities**, as well as that **mobile teams for meeting basic needs of children spending time on the street** are a promising practice.<sup>663</sup> These teams are able to identify potential trafficking victims.<sup>664</sup>

## AQ5. CULTURAL NORMS AND BELIEFS

**Level of discrimination and prejudice that Roma experience in BiH is devastatingly high.** Based on a 2019 survey on a probability sample with 1,001 adults,<sup>665</sup> around 59 percent of men and 68 percent of women did not personally know any Roma. Still, a third of all respondents thought that Roma people are more likely to be thieves (with older generations holding more prejudice), and more than half thought that Roma do not want to work and would not hire them (with more educated persons being more likely to discriminate against Roma if they were hiring staff).<sup>666</sup> In 2023, citizens, especially women from any ethnic/national background mistrusted Roma more than any other major ethnic group in the country (Section 15, Exhibit 13).<sup>667</sup> Prejudice and hate speech toward Roma were particularly high during the COVID-19 pandemic, according to an FGD participant.

From ten groups that the Federal Employment Institute probed **employers about, Roma are the least desirable workers** (64 percent would not employ a Roma person), second only to immigrants (75 percent of employers would not hire them).<sup>668</sup>

Activists in an FGD, but also the Advisory Committee on the FCNM,<sup>669</sup> observed high levels of **prejudice that police, social workers, and judicial officials have toward Roma, including women and children**. They sometimes ignore Roma women’s reports of GBV and TIP because they identify such crimes with Roma traditions and culture, according to the Atlantic Initiative report.<sup>670</sup> This leads to **intersecting discrimination of Roma women that puts their lives in danger**.

## CONCLUSIONS

### **CI. Widespread, and even institutionalized discrimination against Roma people (e.g., regarding elections) affects Roma women and girls differently than men and boys.**

Women have lower chances to enroll in and complete compulsory secondary education, lower access to vocational education and training, they rarely meet preconditions for formal employment, and therefore cannot secure regular salaries or pensions, which leaves them vulnerable to abuse and different forms of GBV and TIP from young to old age. School enrollment is still low in Roma

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<sup>663</sup> MHRR BiH. (2020). *Report on Implementation of the BiH Action Plan for Roma for 2017-2020 and on Grants Expenditures for 2018 and 2019*.

<sup>664</sup> Save the Children. (2023, March 28). *Social Workers – Guardians of Children’s Rights*. Nwb.Savethechildren.Net. <https://nwb.savethechildren.net/news/socijalni-radnici-%C4%8Duvani-dje%C4%8Djih-prava>

<sup>665</sup> OSCE/BiH. (n.d.). *Discrimination in Bosnia and Herzegovina: Public Perceptions, Attitudes, and Experiences*. OSCE Mission to BiH. Retrieved August 5, 2024, from <https://www.osce.org/files/f/documents/6/0/448852.pdf>

<sup>666</sup> Ibid.

<sup>667</sup> USAID MEASURE II. (2024). *NSCP-BiH 2023*. [in press].

<sup>668</sup> Federal Institute for Employment. (2022). *Report on the Labor Market Research in FBiH 2022/2023—Part I: Employer Survey Results*.

<sup>669</sup> Advisory Committee for the FCNM. (2024). *Fifth Opinion on Bosnia and Herzegovina (ACFC/OP/V(2023)5)*.

<sup>670</sup> Čehajić-Čampara, M., Arnaut, L., & Veljan, N. (2021). *Roma Access and Trust in the BiH Security and Justice System*.

families, limiting women's chances for regular employment. Roma women and men live shorter lives in BiH than majority women and men, judging by data from the neighboring countries, as such statistics are not available for BiH. Roma women's CSOs, Roma mediators, and Roma employed in institutions have contributed to progress in housing, school enrollment, access to health care, and better political representation of Roma, including Roma women, but government's political issues and budget issues are blocking further progress. Current quality of data on the situation of Roma is not satisfactory, governments do not collect them consistently and do not disaggregate data by sex.

## RECOMMENDATIONS

**R1. Donors implementing human rights projects, including USAID/BiH, should support CSOs and groups advocating for revision of laws protecting minority rights.** The revisions should include temporary special measures, such as quotas, for Roma women's participation in minority advisory bodies, transparent appointment procedures, and clear links to Ombudsperson and the ADL. The latter is necessary because minority advisory bodies, especially the Roma Advisory Board, have no real influence over government decisions.

**R2. Donors should support adult education of Roma through revisions of enrollment criteria and curricula, and through financing of programs.** Entity education ministries should assess accessibility of Adult Learning Centers and Vocational Education and Training programs for Roma, especially Roma women three quarters of whom are unemployed. Primary education programs for adults should exist in all municipalities with Roma communities and allow for a faster pace completion, with mentors, and where necessary, coverage of basic costs.<sup>671</sup> This approach can then be extended to vocational education. Donors can fund revisions of enrollment criteria and programs and fund official programs for adult education.

**R3. Ministries of governance and justice at entity level, and CSAs at state and entity levels should start tracking numbers of Roma in public administration,** including disaggregation by sex at all levels, develop policies to increase Roma women's employment in public administration, especially in law enforcement, social work, and health care, and enable easier vertical mobility for such employees.

**R4. USAID/BiH can support regular research and reports on the situation of Roma women as perhaps the shortest route to improved evidence basis.** However, a systematic approach would be for donors, including USAID/BiH, to support statistics agencies in improving data collection on the situation of Roma men and women, boys and girls, Roma elderly men and women, as well as persons with disabilities in that community. Publication of this data should become a regular annual practice similar to the BHAS Women and Men in BiH publication.

## 19. TRAFFICKING IN PERSONS

### AQI. POLICIES AND PRACTICES

The country implemented a Strategy to Counter TIP in BiH (2020 – 2023), and with USAID/BiH INSPIRE support evaluated its implementation, and drafted and sent into procedure a new Strategy (2024 – 2027), according to KIs. While developing the action plan for the previous Strategy, MoS and the working group integrated a gender perspective, which had a positive spillover effect on cantonal and local plans against TIP, a KI noted. CoE is currently supporting the development of an

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<sup>671</sup> Bešlija, A. (2022). Večernja škola: U Kaknju se obrazuju i stariji Romi [Evening School: Roma Adults Get Education in Kakanj]. *Snaga Lokalnog*. Available at: <https://snagalokalnog.ba/vecernja-skola-u-kaknju-se-obrazuju-i-stariji-romi/> (Retrieved August 26, 2024).

RS action plan for implementation of the current Strategy, and their approach will include gender integration. At the same time, the EU Delegation is shifting focus on migration-related TIP, via a regional program Support to Strengthen the Fight against Migrant Smuggling and Trafficking in Human Beings in the Western Balkans (EU4FAST).

BiH ranking in the US Department of State TIP Report improved from Tier two Watchlist in 2018 and 2019<sup>672</sup> to **Tier two in 2020, maintaining that level since** then, including in the 2024 report.<sup>673</sup> Two interviewees from international projects suggested that the upgraded rating is a result of **improved implementation of laws and policies pertaining to TIP**. From original four geographically distributed regional monitoring teams before 2019 that had overlapping territorial and functional competence, the number of **regional monitoring teams on TIP** increased to 18, following the administrative boundaries within the country.<sup>674</sup> These teams started operating more effectively, a KIs noted. There are also mobile identification teams in some of the regions (eight teams so far),<sup>675</sup> and some of the include **Roma mediators**.

Cantonal Court in TC issued the **first maximum prison sentences in BiH ever for forced child begging to an organized criminal group**.<sup>676</sup> The arrests and investigations in that case were a result of cooperation of the local Roma mediator and the mobile identification team:

*We always emphasize Tuzla as a good example, we have there the first verdict in BiH for trafficking in human beings for organized begging. A Roma association and a Roma mediator were involved in identification of TIP. This mobile identification team in Tuzla has been formalized by the city administration and several times a week a Roma mediator, a representative of the center for social work and a police officer screen the busy parts of the city where children are often found begging. We are now working to transfer that good practice to other parts of the country.*

–FGD, activist

However, **identification remains a problem** in some regions, for example, in Canton 10. Problems in identifying and addressing some forms of TIP continue to be under the influence of prejudice (please see AQ5).

In 2022 and 2023, USAID/BiH INSPIRE Activity supported research on, and guidelines for judiciary in TIP cases, as well as development of guidelines for identification of TIP victims. Based on two KIs, the **new guidelines are effective and have already resulted in identification** of a girl victim of TIP.

MoS defined the minimum standards for CSOs providing shelter for TIP survivors, including access to psychologists, nurses, lawyers, social workers, technical coordinators, as well as maintenance. But a KI observed that **MoS has not been allocating sufficient resources for shelters** to meet those standards. Further, the state MoS has not created a systematic solution for a shelter for TIP survivors. Due to limited financing from the state budget, **the only specialized shelter for TIP**

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<sup>672</sup> U.S. Department of State. (2019). *2019 Trafficking in Persons Report*. U.S. Department of State. Available at: <https://www.state.gov/reports/2019-trafficking-in-persons-report/> (Retrieved August 19, 2024).

<sup>673</sup> U.S. Department of State. (2024). *2024 Trafficking in Persons Report: Bosnia and Herzegovina*. United States Department of State. <https://www.state.gov/reports/2024-trafficking-in-persons-report/bosnia-and-herzegovina/>

<sup>674</sup> GRETA. (2022). *Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings* (GRETA(2022)06). Group of Experts on Action against Trafficking in Human Beings. Available at: <https://rm.coe.int/greta-evaluation-report-bosnia-and-herzegovina-3rd-evaluation-round/1680a70b3b> (Retrieved August 19, 2024).

<sup>675</sup> U.S. Department of State. (2024). *2024 Trafficking in Persons Report: Bosnia and Herzegovina*.

<sup>676</sup> Radio Free Europe. (2022, November 29). *High Prison Sentences for Forced Child Begging in BiH*. Radio Free Europe. <https://www.slobodnaevropa.org/a/zatvor-prosjacenje-djece-bih/32153708.html>

victims, **Emmaus near Doboj closed in December 2023**, according to KIs and activists in FGDs. The MoS budget for safe houses however doubled in 2024, according to two KIs.

**A social safety net does not exist for TIP survivors in FBiH**, they do not have access to social support or services, which is a failure of the FMLSP in a KI's view. The RS has already addressed that problem, as trafficking victims, including adults and children, are entitled to social assistance and accommodation in social institutions.<sup>677</sup> However, a KI observed that **access to those services is still limited** in RS, while all local institutions and CSOs have particular problems with **reintegration of victims**, considering that their abusers often live in the same communities. Victims rarely have access to health care insurance, especially if without documents.

**IA. NEEDED CHANGES:** There is a need for a **specialized shelter for TIP survivors** with psychosocial and other services, as the current model of sheltering with DV survivors is not adequate, according to a KI. There is often overlap between DV and TIP, and the services they need may be similar, but TIP survivors include mixed groups by gender, some of whom cannot be in DV shelters for women. There needs to be at least one if not more shelters designated exclusively for TIP victims, while MoS will continue to rely on CSOs as a model for such shelters. Another priority is to develop a **systematic recognition of rights to TIP survivors**, including social assistance, relocation and retraining programs, health care, especially upon reintegration into their or new communities in FBiH. Currently, survivors have no special rights or social status in FBiH, while in RS they are a social category, according to a KI. Still, even in RS, TIP survivors stand few chances for employment and financial independence, according to a KI.

**IB. CHALLENGES TO CHANGE:** The key challenge to adequate implementation of laws and policies pertaining to TIP is extremely modest financing of antitrafficking programs, such as shelters and mobile teams, through the budget of the state Ministry of Security and lower levels of government, reflecting low importance that the governments assign to this problem. Another challenge are extremely limited capacities in Centers for Social Work and police to identify and provide protection and support to TIP victims, but also their prejudice. Challenge pertaining to improvements in social, health, education, and employment solutions is low prioritization of the issue. Even donor agencies are more interested in migrant smuggling than traditional forms of trafficking.

## **AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING**

Regional Monitoring Teams against TIP consist of assigned persons from police, prosecutors, centers for social work, other institutions, and in at least three teams, CSOs. Some of the CSOs are human rights and women's organizations, although their representation is not high enough according to the CoE Group of Experts on Action against Trafficking in Human Beings (GRETA), especially considering that these **organizations often close the gaps that institutions are not able to**.<sup>678</sup>

Some of the Regional Monitoring Teams also have **mobile intervention teams which Roma mediators** sometimes participate in. These teams usually involve social workers and other professionals, as well as mediators of Roma or other origin to facilitate outreach and communication. They have proven extremely important for identification of victims and communication with affected communities, and some of the mediators are women. Roma as the most vulnerable group to TIP in BiH are **not represented in police, investigators and**

<sup>677</sup> RS Law on Social Protection. RSNA. RS Official Gazette 7/2012, 90/2016, 94/2019, 42/2020, 36/2022. Available at: [https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/MZSZ/dokumenti/Pages/Socijalna\\_zastita.aspx](https://vladars.rs/sr-SP-Cyrl/Vlada/Ministarstva/MZSZ/dokumenti/Pages/Socijalna_zastita.aspx) (Retrieved August 19, 2024).

<sup>678</sup> GRETA. (2022). *Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings* (GRETA(2022)06).



**prosecutors, centers for social work, or safe houses** who have the most contact with TIP victims:

*We do not have Roma that work in these institutions. Even if they are involved in these intervention teams, they are employees of a Roma association as Roma Mediators. There are no Roma in Centres for Social Work or police.*

–FGD, activist

In some cases, Regional Monitoring Teams are not able to identify potential victims without Roma mediators whom the Roma associations trained for identification.

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

As in cases of GBV, imbalance in power makes **women more likely victims of TIP, along with children most often exploited for child begging**. Based on MoS data,<sup>679</sup> the number of identified potential victims of trafficking in persons is on decline (70 in 2020, 37 in 2023) – decline may be a result of lower victim identification rates. Regional monitoring teams and mobile teams are not paid equally according to one KI, while **Roma mediators are mostly recruited by Roma CSOs, not institutions**. All this may affect effectiveness in identification of victims. In 2023, two in three identified victims were women, two in three were minors, and traffickers forced most victims to beg or sexually exploited them. From 70 victims in 2020, 41 were sent to a safe house.<sup>680</sup> Most victims are BiH citizens, but there have been several cases of sexual exploitation and torture of migrants in BiH, including women, based on two interviews.

### AQ4. WOMEN'S ACCESS TO, AND CONTROL OVER ASSETS AND RESOURCES

GRETA underlined the importance of CSO services that are closing the key system gaps related to provision of free legal aid in criminal cases and assistance in filing compensation claims, as well as psychological support, shelters, vocational training and reintegration in the society, and addressing risk factors.<sup>681</sup> **Local institutions are without the most basic capacities to meet victim needs**. At the same time, **budget allocations for CSOs who are delivering those services are insufficient**.

The only specialized safe house for TIP survivors, Emmaus near Dobož closed in December 2023, at that time housing around 20 survivors, including a Roma mother with children. Resources allocated via MoS in 2023 amounting to BAM 100,000 were not sufficient to maintain the financing of that safe house and other safe houses primarily sheltering DV survivors but also accepting TIP survivors. Currently, the **sheltering of TIP survivors is possible only in the DV safe houses**, which is problematic for several reasons, including the fact that some of the safe houses do not have adequate psychological services, conditions to shelter them, or do not accept boys over 14 and men, according to two KIs.

### AQ5. CULTURAL NORMS AND BELIEFS

There is still ingrained prejudice in institutions and broader society that child marriage and forced begging are a part of the Roma tradition, according to an activist from an FGD. **Roma children and women are not taken seriously when reporting crimes** (please see Section 18). Cultural

<sup>679</sup> MoS BiH. (2021). *Report on the Situation with Trafficking in Persons and Implementation of the Strategy for 2020*. <http://msb.gov.ba/PDF/010620212.pdf>; MoS BiH. (2024). *Situation analysis for the new Strategy Against TIP*. [unpublished].

<sup>680</sup> MoS BiH. (2021). *Report on the Situation with Trafficking in Persons and Implementation of the Strategy for 2020*.

<sup>681</sup> GRETA. (2022). *Third evaluation round: Access to justice and effective remedies for victims of trafficking in human beings*.

competence is also low in mobile response teams unless mediators from the most affected communities participate in identification:

*We have these Roma mediators, the cultural mediators in Roma communities who are there in the field and know the language, customs, and traditions. We get for example information that an arranged marriage of minors is taking place in one Roma community, we then call the police or social workers, and they go to the community and then their lack of capacities becomes evident. They see that there is a celebration, but the family says they are celebrating Sunnet or a birthday. The institutions know what trafficking is, but they do not differentiate the elements of Roma life, Roma wedding celebration. How would they know?*

–FGD, Activist

Mediators or intermediaries may be helpful in some situations, such as when someone wants to report TIP in a Roma community.

## CONCLUSIONS

**C1. As in other areas, BiH has made progress in countering trafficking in persons, but low government budgeting led to significant setbacks or prevented further improvement.** Compared to 2019, the policy making process regarding TIP has been more accountable and gender responsive, and cooperation between local stakeholders, including women’s CSOs, has resulted in more effective prosecution of common forms of trafficking. However, the only specialized safe house closed as of 2024 and the remaining women’s safe houses lack resources to shelter TIP survivors, which indicates an urgent need for a specialized shelter with psychosocial and other services. Local institutions, especially CSWs, continue to lack resources for protection of TIP survivors, formal options for social support, especially in FBiH, and tailored reintegration services, for example, regarding employment. Forced child begging, forced marriage, and cases of sexual exploitation are still present in BiH, affecting BiH citizens and migrants. The number of identified victims is on decline, indicating either improved deterrence or declining effectiveness in victim identification.

**C2. Representation of the most vulnerable groups of men, women, and gender-diverse individuals, in government subsystems involved in prevention, identification, and protection is non-existent.** In addition to the low resources and skills of local institutions to react adequately in TIP cases, modest cultural competence and persistent prejudice against victims hampers identification and protection. Roma women and children are particularly vulnerable to TIP, for example, in forced child-begging, forced marriage still occurs in Roma but also in other communities in BiH. There is need to expand participation of the most vulnerable groups in law enforcement, social work, investigations, and prosecution, and this especially pertains to women from affected communities.

## RECOMMENDATIONS

**R1. Donors can advocate for more assets, resources, and system solutions, as well as increased representation of vulnerable communities and women in local institutions.** International donors in their activities with state and entity MoFs, entity MoJs and ministries for social policy should raise awareness about the need to increase financing for prevention, protection, rehabilitation, and reintegration programs related to TIP. The CoM and MoS should assess whether opening of a CSO-run or a government-run specialized shelter for TIP victims, including men and boys, is necessary and feasible, or existing shelters for DV survivors can meet the needs with some adaptations. Entities should increase capacities and resources of local stakeholders, especially centers

for social work, and define legal mechanisms for social assistance, health care and rehabilitation services, and employment services to TIP survivors. The practice of gender responsive Roma mediators should expand across the Regional Monitoring Teams and donor assistance is necessary in this respect, but in the future, more efforts are needed to improve the participation of Roma in prosecutors and judiciary, social work and other local institutions. Law enforcement and investigators should in particular include more women sensitized to gender and minority issues and trained in counter-TIP skills.

## 20. WOMEN WITH DISABILITIES

### AQI. POLICIES AND PRACTICES

A new strategy for the rights of persons with disabilities is in development in FBiH, and the FGC is involved in its development, which should lead to gender integration. The RS strategy is expiring in 2026,<sup>682</sup> while the **document includes special measures for women with disabilities**, for example, in relation to access to health care and inclusion in political life.

Entity Laws on Professional Rehabilitation of Persons with Disabilities defined a quota for public institutions and companies to have at least one employee with disabilities per every 16 employees in FBiH and RS, and public institutions and companies that do not meet the quota pay a fine to entity Funds for Professional Rehabilitation and Employment of Persons with Disabilities.

Federal Institute for Employment contributes 10 percent of its resources designated for employment programs as a contribution to the Fund for Professional Rehabilitation and Employment of Persons with Disabilities, while cantonal PESs should contribute five percent each. Given this transfer of financial resources to the Fund, the Federal PES stopped implementing employment programs for persons with disabilities.

Out of 276 cases of discrimination decided in courts in BiH in 2022, the largest group related to disability grounds (61), and among those, women were plaintiffs in most (48/61).<sup>683</sup> Cases largely pertained to changes in social benefits for persons with disabilities.

Entities and BD have introduced special measures to address intersecting discrimination of women with disabilities. A KI mentioned some examples, including that women with disabilities are relieved from paying the RS bar exam fees and children of people with disabilities have priority in allocation of places in kindergartens in RS, while BD Labor Law from 2019 includes a measure of 18-month parental leave for parents with disabilities.

Based on two KIs, the new Law on Parents Caregivers in FBiH enables for larger economic independence of such parents, most of whom are mothers of children with disabilities. These parents are now entitled to financial compensation (similar to a salary) from the FMLSP. Such law does not yet exist in RS and BD, according to a KI. While some thought this Law to be a good solution, some KIs were doubtful about the adequacy of that legal solution.

**IA. NEEDED CHANGE:** There is need to amend entity Laws on Professional Rehabilitation of Persons with Disabilities in accordance with recommendations of the UN Committee on the Rights

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<sup>682</sup> RSNA. (2017). *RS Strategy for Improvement of the Social Status of Persons with Disabilities*. RS Ministry of Health and Social Protection. Available at: <https://www.vladars.net/sr-SP-Cyrl/Vlada/Ministarstva/MZSZ/dokumenti/Documents/Strategija%20unapre%C4%91enja%20dru%C5%A1tvenog%20polo%C5%BEaja%20lica%20sa%20invaliditetom.pdf> (Retrieved August 19, 2024).

<sup>683</sup> <https://ekonsultacije.gov.ba/legislationactivities/downloaddocument?documentId=1026666>

of Persons with Disabilities, tailor the special measures in entity Employment Strategies, and align all of these documents with the LoGE, including the requirement to disaggregate data by gender.

**IB. CHALLENGES TO CHANGE:** Challenges to these and all other changes include lack of representation of women with disabilities in all structures of governance and political life. A larger problem is lack of awareness in the public and private sector about adaptations that women with disabilities may need to access businesses and jobs, access education institutions and obtain degrees, access training venues and marketable skills. Further, local first responders in cases of GBV involving women with disabilities also lack awareness and specialized approaches and protocols. Finally, persistent gender norms keep women with disabilities at home even when such adaptations exist, on top of the biases against persons with disabilities in general.

## **AQ2. WOMEN'S REPRESENTATION IN DECISION MAKING**

Council for Persons with Disabilities of BiH is an expert and advisory body of the CoM with 30 members, including 15 representatives of associations and umbrella associations of persons with disabilities. According to the Decision on Establishing the Council, appointments should take into account gender equality, but the information about the current composition of the Council is not available. According to several KIs and activists in FGDs, **most organizations of persons with disabilities are dominated by men and lack sensitivity to gender-related issues**, and because they nominate members to the Council, there is high likelihood that its composition does not meet the requirements of the LoGE. A KI observed that women manage most associations of families of children with disabilities and they provide most of the services, while two KIs noted there should be women who are persons with disabilities also in such expert and advisory bodies.

One organization worked on creating women's forums within these male-dominated organizations, but a KI was cautious about the approach, because it may contribute to marginalization of women's issues. Another organization is supporting advocacy capacities and initiatives of associations of persons with disabilities, including the women's and youth networks.<sup>684</sup>

Statistics on people who live with any type of disability in BiH are unreliable, but the 2013 census has shown that **around 4.5 percent of women and 3.9 percent of men in BiH have a disability** (294,058 persons).<sup>685</sup> There is very little data on political representation of women from this category in BiH as **only a few political parties in fact advocate their rights**, according to a KI.

FMLSP introduced a registry of organizations of persons with disabilities in 2023, based on the Law on Representativeness of Organizations of Persons with Disabilities and Organizations of Civilian Victims of War from 2022.<sup>686</sup> Based on the Law, the registry will need to include data disaggregation by sex for the authorized signatory and all members of the organization. The registry is not yet publicly available. The intention of the Law was to sort membership-based organizations serving persons with disabilities from those who have but few members, because the former group is entitled to FMLSP grants distributed from funds collected from organization of games of chance.

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<sup>684</sup> Caritas BiH. (2024). *DISC Disability Inclusion and Social Cooperation* | Caritas BiH. Retrieved August 19, 2024, from <https://www.caritas.ba/hr/projekti/disc-disability-inclusion-and-social-cooperation/2449>.

<sup>685</sup> RCC. (2020). *Employment of Persons with Disabilities in Bosnia and Herzegovina*. Regional Cooperation Council. [https://www.esap.online/download/docs/PWD%20analysis\\_BIH.PDF/d846f0b54b8a317fd33eedcda7e67987.pdf](https://www.esap.online/download/docs/PWD%20analysis_BIH.PDF/d846f0b54b8a317fd33eedcda7e67987.pdf)

<sup>686</sup> Draft FBiH Law on Representativeness of Organizations of Persons with Disabilities and Organizations of Civilian Victims of War. Available at: [https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri\\_2022/Prijedl\\_%20zak\\_reprez\\_org\\_%20bos.pdf](https://parlamentfbih.gov.ba/v2/userfiles/file/Materijali%20u%20proceduri_2022/Prijedl_%20zak_reprez_org_%20bos.pdf)

### AQ3. GENDER ROLES, RESPONSIBILITIES, AND TIME USE

Research suggests that **only 21 percent of women with disabilities are employed**,<sup>687</sup> as the dominant model for them is **disability support**, under expectations of their families. Still, they make up a small share of disability pension recipients (please see AQ3). Women in FGDs shared examples of **women who acquired a disability later in life whom their husbands abandoned**, which may be tied to perceptions about such women as not being able to perform their key roles in the family. However, one woman with a disability in an FGD with citizens said that women with disabilities have to continue doing domestic work and care regardless of their condition, unlike men.

**Women who have children with disabilities are more likely to be the main caretaker** in accordance with dominant gender roles and responsibilities, but this type of care takes up most of the caretaker's time, and most of those women are not able to find regular employment. Seven service centers for children with disabilities that operate in BiH provide an opportunity for these parents to deal with other chores or simply take a break. The FBiH parents and caretakers are now starting to receive income for providing care to children and persons with disabilities, which will be especially important for financial security of women caretakers. Regardless of gender norms, there are situations when fathers of children with disabilities provide care, while mothers work:

*A colleague has a child with special needs and works part-time, while his wife works full-time. So, he spends more time with the child. [This decision] depends on who has the higher salary, but also on the sector they work in. If a mother could lose her job if she took parental leave, then the father working in a public company will stay home.*

–FGD with men.

### AQ4. WOMEN'S ACCESS TO AND CONTROL OVER ASSETS AND RESOURCES

**Regarding economic security, women with disabilities are more at a disadvantage than men**, according to FGDs, interviews, and secondary data. A woman with a disability that participated in an FGD with citizens was of the opinion that **women who acquired disability at some point in life are less likely to get a disability pension than men in a similar position**. BHAS confirms this – women are a small share of disability pension beneficiaries, as the total number includes also war veterans.<sup>688</sup> Further, women with disabilities make up **a small share of persons with disabilities registered as unemployed**, even though their share in the overall population of persons with disabilities is larger than men's.<sup>689</sup> These discrepancies however also emerge from the fact that persons with disabilities and their families are entitled to personal and/or family disability transfers. According to a KI, families of women with disabilities often encourage them to stay at home because their disability transfers and other assistance cover their basic costs.

**Funds for Professional Rehabilitation and Employment of Persons with Disabilities are not contributing to higher employment of women with disabilities**, considering the abuse of these funds:

*They are more likely to employ a man with a lower percentage of disability, while women stay unemployed, according to statistics from entity Funds. In other cases, employers exploit the women with disabilities, as in FBiH, companies get a sizeable incentive for employing such persons, but these*

<sup>687</sup> <https://razmisli.eu-monitoring.ba/wp-content/uploads/2022/09/Istrazivanje-o-socioekonomskom-polozaju-zena-s-invaliditetom-u-BiH.pdf>

<sup>688</sup> BHAS. (2023). *Women and Men in BiH* (Thematic Bulletin 03) [Thematic Bulletin].

<sup>689</sup> RCC. (2020). *Employment of Persons with Disabilities in Bosnia and Herzegovina*. Regional Cooperation Council.

*persons in fact sit at home, while one part of the incentive goes to the employee, and a portion to the employer. The RS Fund did not deny that this also occurs in RS.*

–KI, expert

BD government implemented one program targeting women with disabilities, but there was only one application from employers in this specific measure, according to a KI. The latter suggests that **PES are not able to recognize key issues that employers are taking into account, such as adaptations they need to make, as well as prejudice** (please see AQ5). FBiH PES does not have employment programs for persons with disabilities but the Federal Ministry of Development and Entrepreneurship awards additional points to women and persons with disabilities when assessing applications for business incentives and support, according to two KIs. Other federal ministries have similar incentives according to a KI, but there has not been evaluation of such measures' effectiveness for businesses of persons with disabilities. In fact, an expert KI had trouble to identify even one business that a woman with a disability owns.

According to a KI, **work locations are not accessible, government websites where women with disabilities could learn about employment programs are not adapted to such persons, same as interview locations, and interview and work modalities. Opportunities for employment in IT, accounting, and similar professions are underexplored**, few such role models exist for women with disabilities, while training programs largely consist of hobby activities and university education is not yet available on equal level, according to a KI. Another KI from a private university mentioned that their premises are wheelchair accessible, but the bigger problem is that learning materials and teaching approaches have not yet been adapted. Adaptations in public universities are likely even less advanced.

Based on two KIs with an institution and an expert, **services and resources are not adequately accessible to women with disabilities compared with other women**, for example an SOS phone line for GBV victims, information about rights, and legal aid.

#### AQ5. CULTURAL NORMS AND BELIEFS

**Women with disabilities are less likely to work than men with disabilities**, even if they may be on average more educated, according to a KI. They are also more likely to care for their siblings' children, than to have their own, the same KI noted. Those who acquire disability at some point in life are likely to be abandoned by their spouses - three such cases were mentioned in one FGD.

**A prejudiced attitude that persons with intellectual disabilities should not be allowed to have partners has declined** in 2023 compared with 2019, from 28 to 21 percent.<sup>690</sup> The share of people with an opinion that persons with physical disabilities are not able to work shows stagnation since 2019.<sup>691</sup> One teacher in a focus group was of the opinion that children with disabilities should not be attending regular, but special education, because they are disrupting the class, but four other women who are parents argued that it is favorable for all when such children are integrated.

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<sup>690</sup> USAID MEASURE II. (2024). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023*. [in press].

<sup>691</sup> USAID MEASURE II. (2024). *National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2023*. [in press].

Employers, 67 percent in a survey by the Federal PES, are not willing to employ persons with disabilities.<sup>692</sup> One part of this problem may be the fear of adaptations these employers would need to make, but government incentives can address such concerns.

## CONCLUSIONS

**C1. There has been very little progress in adapting workplaces and services for persons with disabilities and in breaking down prejudice against them, but women with disabilities are in a more disadvantageous position than men.** Women with disabilities have more limited access to government services, such as active employment measures, services for GBV victims, education, and have low representation in decision making. Families and social environment are more discouraging for women with disabilities when it comes to their economic and political participation, and some gender specific needs remain unmet. There are employment measures via entity Funds for Professional Rehabilitation and Employment, but these are not gender responsive, and these measures come at a stage in life when many chances are already determined by the education system, health care, and social services for families of children with disabilities. Training programs are not sufficiently directed toward occupations with high market or economic return, such as accounting and IT. While there are additional points for women applicants in business support, few women are even considering starting a business because of administrative and societal hurdles. Unless government subsystems are adapted in accordance with the reasonable accommodations principle, any measures targeting employment will remain short term and potentially abused.

## RECOMMENDATIONS

**R1. In training programs related to the labor market, governments and education institutions should include tailored curricula for women and men with disabilities,** ensuring that neither category is excluded, and promote occupations and professions which have low costs of necessary adaptations, but high labor market demand. Good opportunities exist in the cybersecurity field, such as via a UNDP train-the-trainers program for cybersecurity of MSMEs<sup>693</sup> and a 2023 call that the U.S. Embassy published to invite applications from persons with disabilities for a cybersecurity capacity building.

**R2. Donors should encourage and support public sector bodies in introducing reasonable accommodations of working conditions, websites, and services, such as higher and adult education for persons with disabilities.** Governments should incentivize reasonable accommodations also in the private sector. International donors could specifically co-fund the adaptations in the private sector.

**R3. International donors should support partnerships between women with disabilities, experts who are persons with disabilities, and employer associations, chambers of commerce, and professional associations in breaking down employers' prejudice against persons with disabilities, especially women.** One way to do this is through Diversity and

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<sup>692</sup> Federal Institute for Employment. (2022). *Report on the Labor Market Research in FBiH 2022/2023—Part I: Employer Survey Results*. Federal Institute for Employment. [https://www.fzzz.ba/ckFinderFiles/files/Izvje%C5%A1ta%20-%20Istraz%CC%8Civanje%20tr%CC%8Cis%CC%8Cta%20rada%20u%20FBiH%202022-2023%20DIO%201%20-%20rezultati%20anketiranja%20poslodavaca\(1\).pdf](https://www.fzzz.ba/ckFinderFiles/files/Izvje%C5%A1ta%20-%20Istraz%CC%8Civanje%20tr%CC%8Cis%CC%8Cta%20rada%20u%20FBiH%202022-2023%20DIO%201%20-%20rezultati%20anketiranja%20poslodavaca(1).pdf)

<sup>693</sup> UNDP BiH. (2023). Results of the public call for participation in the train-the-trainers program on cybersecurity for MSMEs. Available at: <https://www.undp.org/bosnia-herzegovina/news/results-public-call-participation-train-trainers-program-cybersecurity-msmes> (Retrieved August 28, 2024).

Inclusion Certificates for employers that SOC initiated several years ago with other partners. Such certificates and promotion should be regularly reevaluated.

**R4.** In support to any of the institutions and organizations involved in protection against violence, including GBV, peer violence, and TIP, **donors should co-fund reasonable accommodations to enable access to benefits from projects for persons with disabilities, especially women.**

## CONCLUDING REMARKS

Overall, BiH has made progress in gender equality compared with 2019 in the domains of policies and practices, women's representation in decision making, gender roles, access to resources, and cultural norms, but there is still long way ahead for BiH to catch up with the rest of the EU Candidate Countries in most of those areas.

USAID/BiH's first analysis question (AQ1) pertained to *adequacy and effectiveness of existing legislative and institutional frameworks for ensuring gender equality and implementation of gender mainstreaming in sectors of USAID's interest*. The team has overall found that there has been progress in gender integration across different policies, especially related to employment, business development, environment, tourism, elections, judiciary, deradicalization, rights of minority women, and antitrafficking policies.

In some of those areas, however, gender integration is formalistic. For example, situation analyses in strategic documents recognize gender issues, but there are few or no gender specific measures to mitigate them, and/or indicators are not disaggregated by sex or gender.

In some of the policy areas, the country or entities lag in implementation of key reforms, and there are little guarantees that these reforms will be gender responsive. Program budgeting at entity level is planned from 2025, but there is little assurance that this process will integrate full scale gender-responsive budgeting. Fiscal reforms will need to be fast-tracked in the coming period, but earlier attempts at fiscal reforms have not included significant gender analysis efforts. Local self-government regulation is outdated, especially in FBiH, and does not ensure implementation of the Law on Gender Equality (LoGE) at local level. Revisions are needed, especially in FBiH, but also in the rest of the country, albeit with a detailed gender assessment and integration.

Implementation of existing antidiscrimination standards and regulations against hate crimes are still unsatisfactory in relation to labor discrimination of women, general discrimination of Roma women and men in all areas of life, LGBTQI+ discrimination in rights related to family life, personal identity, and freedom of association, and discrimination of Roma women in access to most institutions, businesses, and services, as well as access to job markets.

Implementation of protection against gender-based violence (GBV) is still weak, despite capacity building efforts with the judiciary and law enforcement. The key problems remain in local institutions' capacities to deal with GBV, especially types that do not fall within domestic violence. Shelter, housing, social, and economic solutions for survivors of sexual violence and trafficking in persons are still lacking. Courts and prosecutors continue to issue lenient or suspended sentences in GBV cases, resulting in high recidivism.

Further, the RS authorities have initiated regressive steps in the freedom of association policies, freedom of assembly policies, and media regulation, for example regarding defamation, but also in relation to protection from gender-based violence (GBV) and hate crimes against LGBTQI+ persons.



This is creating a hostile environment toward feminist and LGBTQI+ activists, who are increasingly targeted by ultraconservative organizations, as well as journalists.

Key challenges to progress at policy level are low understanding and prioritization of gender integration among most key political officials and senior staff outside gender institutional mechanisms (GIMs), as well as difficulties in coordination regarding implementation of any policy priorities. Though GIMs have the authority to provide gender integration recommendations, they are either excluded from some of the policy making processes or do not have sufficient staff to adequately meet the demands of those institutions that require their support. Gender equality in general rests often on few champions in line ministries and agencies, in Gender Equality Commissions at all levels, or in municipal/city departments. Lastly, a rising challenge is an increasing influence of conservative officials within governments often under regional and foreign influences, challenging progress in women's and LGBTQI+ rights.

The second AQ pertained to *women's representation and participation in decision making*. While there are more women in the high-level reforms and key positions, women's descriptive representation is still below 40 percent mandated by the LoGE. Women are almost invisible in some line ministries, agencies, and public companies as leaders and senior staff, for example, in energy, security, forestry, and finance. They are more present in leadership and staff of social, tourism, education, and culture ministries, institutions, and companies. However, even when represented, their influence is low, or they do not use it sufficiently to support gender equality. Sectors they dominate are often the most neglected, such as the social sector.

Third AQ focused on *gender roles, responsibilities, and time use in the context of economic activity*. While there has been progress in providing opportunities for parental leave for fathers, these opportunities are still rarely accessible or used because of employers' or fathers' own prejudice. Most household responsibilities still rest on women, caring roles often guide their choices for education, vocation, and professions, as well as career advancements. However, informants from focus groups noted gender transformation in domestic roles among younger generations, despite persistent conservative norms.

The fourth AQ inquired about *key challenges in achieving gender-equal access to and control over services, assets, and resources*. The key gaps still remain in women's access to the labor market considering the inaccessibility of child, elderly, and other care services in most of the country. If mothers start working, the care burden is merely transferred to grandmothers when governments are not taking over the responsibility for care services provision. Women in business still have difficulties accessing finance and loans, their share in commercial property investment is low, and they also have lower financial and digital literacy than men. Further, access to higher paying jobs, such as in ICT, is still limited by their earlier education choices, and women still rarely chose professions in high demand. Access to such jobs is particularly limited for women with disabilities and Roma women. Access to shelters has improved for LGBTQI+ persons, but there is still need to improve access to all services, support for education and employment, and access to decision making for Roma women and women with disabilities.

The fifth AQ inquired about *cultural norms and beliefs*. One key area of progress in this respect are populations' attitudes about domestic violence. More people, both men and women no longer justify violence or think it should be dealt with within the family. Focus groups have shown that citizens, including men of different ages, recognize the need for stricter sentencing, and are showing understanding for survivors of domestic violence. Femicides in the period since the last Gender Analysis (GA) have caused more public outrage and concern for the effectiveness of preventive

mechanisms. Still, changes in other gender-related attitudes are small, and in most cases occurred among younger women, less so among younger men or those over 30 years of age. Population still favors men over women in employment. Men still strongly believe that they are better political leaders, but fewer women believe so compared to before.

Key recommendations for USAID/BiH and other donors are to:

- When providing any type of support to institutions, require human rights and gender analyses and gender integration in all developments, engagement of GIMs, human rights institutions, and women's and minority organizations, and disaggregation of data by sex or gender.
- When supporting business development, mandate any kind of incentives with private companies' intraorganizational antidiscrimination and gender equality standards and policies. Demonstrate to employers the economic interest of inclusive recruitment practices and working environment, especially for women with disabilities and Roma women.
- When supporting political parties, support development and implementation of intra-party gender-equality and antidiscrimination policies, as well as gender-responsive policy advocacy and programs, training of party leadership and men politicians on gender integration, strengthening women's grassroots engagement, and building women politicians' resilience for continued participation.
- In activities with the civil society, support capacity building for advocacy and campaigning among women's, especially minority women's organizations, in particular campaigning online that would target younger generations, but also men of all generations.
- In supporting GIMs, apply sustainable approaches, such as advocacy for increased funding for those institutions from public budgets, automating their data collection activities, and increasing their capacities for smart and continuous awareness raising, as they are the primary duty bearer to address harmful gender norms in cooperation with other institutions and stakeholders
- Improve coordination between donors in sectors such as media and local self-government where multiple donors implement interventions, while making sure that all these interventions are gender and human-rights responsive.
- Increase focus and support for longer term solutions to problems of Roma communities, in particular Roma women and girls, and engage them in finding and implementing such efforts.

## ANNEXES

### ANNEX I: SCOPE OF WORK

#### INTRODUCTION

The United States Agency for International Development Mission in Bosnia and Herzegovina (USAID/BiH) has commissioned the American Institutes for Research (AIR) to perform a country-level gender analysis under USAID/BiH’s Monitoring and Evaluation Support Activity (MEASURE II) to inform the development of USAID’s Country Development Cooperation Strategy (CDCS) and design and implementation of individual Activities.

The objective of the analysis is to discern and provide insightful recommendations on addressing gender disparities prevalent in the country. In light of evolving societal norms and challenges, the analysis will seek to offer comprehensive insights that can guide policymakers and stakeholders toward effective strategies for promoting gender equality and creating a more inclusive environment in BiH.

#### BACKGROUND

BiH is committed to upholding the “enjoyment of rights and freedoms” for all citizens without discrimination, as stated in its constitution<sup>694</sup> and various international conventions. The legal framework in BiH aims to protect human rights and promote gender equality, integrating international instruments within its constitution. Notably, BiH ratified the 1979 Convention on the Elimination of All Forms of Discrimination Against Women in 1993, along with the Optional Protocol. Additionally, BiH adopted the 1995 Beijing Declaration and Platform for Action, United Nations (UN) Security Council Resolution 1325 on ‘Women, Peace and Security’ (UNSCR 1325), and the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).

While the legal framework includes provisions for gender equality, challenges arise in the interpretation and implementation of these laws, resulting in a gender-blind application. The BiH Law on Gender Equality (LoGE)<sup>695</sup>, enacted in 2003 and amended in 2009, serves as the foundational framework for gender equality implementation and monitoring. Despite this legal foundation, there are concerns about the effectiveness of its execution.

BiH’s commitment to international standards on gender equality aligns with broader UN objectives, including the Sustainable Development Goal 5: Achieve gender equality and empower all women and girls. The LoGE provides a comprehensive legal structure addressing various gender-related issues, such as gender-based violence, discrimination, and the importance of gender balance in decision making processes at all levels of power.

In addition to the LoGE, BiH has made progress by adopting the fourth Gender Action Plan (GAP), covering the period from 2023 to 2027<sup>696</sup>. This GAP is built upon three strategic goals, including the development, implementation, and monitoring of programs to enhance gender equality in

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<sup>694</sup> Constitution of Bosnia and Herzegovina, Art. II.4, p. 4,

[https://www.ustavnisud.ba/public/down/USTAV\\_BOSNE\\_I\\_HERCEGOVINE\\_engl.pdf](https://www.ustavnisud.ba/public/down/USTAV_BOSNE_I_HERCEGOVINE_engl.pdf)

<sup>695</sup> The BiH Law on Gender Equality (LoGE), 2010, [https://arsbih.gov.ba/wp-content/uploads/2014/02/GEL\\_32\\_10\\_E.pdf](https://arsbih.gov.ba/wp-content/uploads/2014/02/GEL_32_10_E.pdf)

<sup>696</sup> BiH Gender Action Plan 2023-2027, 2023, <https://arsbih.gov.ba/wp-content/uploads/2023/10/GAP-BiH-2023-2027-Bosanski-jezik-I.pdf>

governmental institutions in priority areas. It also focuses on building and strengthening systems, mechanisms, and instruments to achieve gender equality, along with establishing and reinforcing collaboration and partnerships.

Under the executive institutional mechanism, several entities play critical roles in promoting gender equality. The BiH Gender Equality Agency, along with Gender Centers in Republika Srpska (RS) and the Federation of Bosnia and Herzegovina (FBiH), contributes to policy implementation. Local entities, such as Mayors' Coordination Boards and Gender Focal Points, also play pivotal roles in executing gender equality measures.

The legislative institutional mechanism involves committees at different governance levels dedicated to promoting gender equality. The BiH Parliamentary Assembly, the FBiH Parliament, the RS National Assembly, and the Brčko District (BD) BiH Assembly each have committees addressing gender-related issues. Cantonal assemblies and municipal levels also establish committees to focus on gender equality matters.

These institutional mechanisms, aligned with the BiH Law on Gender Equality, collectively contribute to promoting and monitoring gender equality. While their establishment signifies progress, their effectiveness in addressing persistent gender inequalities in various societal sectors is crucial. Continuous evaluation, improvement of mechanisms, and the formulation of targeted gender action plans are necessary to ensure BiH's sustained progress toward complete gender equality.

## ANALYSIS PURPOSE, QUESTIONS, DESIGN, AND METHODOLOGY

This section describes the purpose of the analysis, research questions, and the proposed methodology including data collection methods, strategies for data analysis, and limitations with corresponding mitigation strategies.

### PURPOSE AND QUESTIONS

This analysis aims to assess the present status of gender rights, norms and responsibilities, and their implementation in BiH. It will delve into BiH's overall advancements in incorporating gender-related principles and practices within its society, emphasizing legislative measures and institutional frameworks. The analysis will serve to inform the integration of gender responsive and approaches within USAID's activities in BiH and to inform the development of the next USAID/BiH's Country Development Cooperation Strategy (CDCS). Furthermore, the questions 1–5 below are tailored so that they are applicable to all sectors defined in the USAID's 2023 Gender Equality and Women's Empowerment Policy:<sup>697</sup> (1) Agriculture and Food Security, (2) Biodiversity, Conservation, and Natural Resources Management; (3) Climate, (4) Conflict and Insecurity, (5) Democracy, Human Rights, and Governance, (6) Digital Access and Technology, (7) Economic Growth, (8) Education, (9) Energy, Mining, and Infrastructure, (10) Gender-Based Violence, (11) Global Health, (12) Humanitarian Assistance, (13) Land and Property Rights, and (14) Water Security, Sanitation, and Hygiene. The Mission will decide upon the sectors MEASURE II should cover by this gender analysis.

The analysis will address the following research questions:

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<sup>697</sup> USAID's 2023 Gender Equality and Women's Empowerment Policy; [https://www.usaid.gov/sites/default/files/2023-03/2023\\_Gender%20Policy\\_508.pdf](https://www.usaid.gov/sites/default/files/2023-03/2023_Gender%20Policy_508.pdf)

1. How adequate and effective are the existing legislative and institutional frameworks for ensuring gender equality and implementation of gender mainstreaming in sectors of USAID’s interest?
2. What are the patterns of women’s representation and participation in decision making in sectors of USAID’s interest, and how have they been changing under the influence of the requirements of the BiH Law on Gender Equality (LoGE)?
3. How are gender roles, responsibilities, and time use in the context of economic activity of men and women manifested and addressed in sectors of USAID’s interest?
4. What are the key challenges in achieving gender-equal access to and control over services, assets, and resources in sectors of USAID’s interest?
5. How do cultural norms and beliefs shape gender equality in sectors of USAID’s interest?

## METHODOLOGY

The analysis team will employ a mixed-method data collection approach and triangulate data to assess the status of gender rights, norms and responsibilities, and their implementation BiH. The suggested approach to data collection is illustrative and will be finalized by expert team once hired:

1. **Desk review.** Reviewing available secondary documents, primarily the latest BiH legislation, USAID’s policy documents, Gender Analyses conducted by MEASURE-BiH in 2016 and 2019, evaluations, assessments and other research covering gender.
2. **Quantitative data.** The analysis team will perform quantitative analyses of the National Survey of Citizens’ Perception in Bosnia and Herzegovina (NSCP-BiH) and the National Youth Survey (NYS-BiH).
3. **Key informant interviews (KIIs).** Semi-structured key informant interviews (KIIs) involving USAID/BiH personnel, other international donors, international organizations, implementers, key institutions related to gender equality promotion and protection (e.g., Gender Centers, Safe Houses<sup>698</sup>), government, political parties, media, members of the business community, and civil society organizations (CSOs).
4. **Focus group discussions (FGs, optional).** FGs with randomly selected citizens, men and women, to provide in-depth insights into their attitudes and beliefs on gender issues.

Once USAID/BiH and MEASURE II agree upon the scope of the analysis, MEASURE II will consider other data collection techniques and propose them in the analysis work plan.

Exhibit I presents the analysis matrix detailing the approach to answer each research question. The analysis team will begin by examining secondary data pertaining to gender rights broadly. Afterward, the team will undertake KIIs and (if needed) FGs involving donors, implementers, and key stakeholders from government institutions, businesses, public institutions, and the general population to explore deeper into BiH’s society adherence to gender equality.

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<sup>698</sup> Such as The Safe House - Shelter for women and children victims of domestic violence in Sarajevo.

## EXHIBIT I. ANALYSIS MATRIX

ANALYSIS QUESTION	DATA SOURCES/DATA COLLECTION METHODS	DATA ANALYSIS APPROACH
1. How adequate and effective are the existing legislative and institutional frameworks for ensuring gender equality and implementation of gender mainstreaming in sectors of USAID's interest?	Secondary documents Activity documents KIs and (if needed) FGs	Desk review, qualitative analyses of transcripts from KIs and FGs
2. What are the patterns of women's representation and participation in decision making in sectors of USAID's interest, and how have they been changing under the influence of the requirements of the BiH Law on Gender Equality (LoGE)?	Secondary documents Activity documents KIs and (if needed) FGs	Desk review, qualitative analyses of transcripts from KIs and FGs
3. How are gender roles, responsibilities, and time use in the context of economic activity of men and women manifested and addressed in sectors of USAID's interest?	Secondary documents Activity documents KIs and (if needed) FGs Survey data	Desk review, qualitative analyses of transcripts from KIs and FGs, quantitative and qualitative analyses of survey data (NSCP, NYS)
4. What are the key challenges in achieving gender-equal access to and control over services, assets, and resources in sectors of USAID's interest?	Secondary documents Activity documents KIs and (if needed) FGs Survey data	Desk review, qualitative analyses of transcripts from KIs and FGs, quantitative and qualitative analyses of survey data (NSCP, NYS)
5. How do cultural norms and beliefs shape gender equality in sectors of USAID's interest?	Secondary documents Activity documents KIs and (if needed) FGs Survey data	Desk review, qualitative analyses of transcripts from KIs and FGs, quantitative and qualitative analyses of survey data (NSCP, NYS)

## DISSEMINATION AND UTILIZATION

After completing fieldwork and analyzing the data, the team intends to present the initial analysis findings in a briefing session for USAID/BiH. MEASURE II plans to create and deliver a preliminary analysis report covering all analysis queries, refining it based on the questions and feedback from USAID/BiH. Upon receiving final approval, MEASURE II will upload the report to both the Development Experience Clearinghouse and the MEASURE II website.

## LIMITATIONS

- **Response bias.** As the analysis tackles sensitive topics, certain key informants might hesitate to provide honest responses. To counteract this potential bias, the analysis team will ensure anonymity and confidentiality for all key informants, fostering an environment that encourages diverse viewpoints. Furthermore, focus groups involving citizens will aim for gender homogeneity and, when feasible, will be moderated by someone of the same gender as the group. Lastly, the analysis team will meticulously craft the questions for KIs and FGs to minimize the chances of eliciting socially desirable responses.
- **Interviewer bias.** Interviewers' behavior and reactions may lead KIs to respond in a certain way. Therefore, the interviewers will ask questions in a non-leading way. In addition to avoiding

any potentially leading questions, the analysis team will make sure that respondents understand that their true opinions are most appreciated and that their responses are confidential.

## DELIVERABLES AND REPORTING REQUIREMENTS

All deliverables will be submitted electronically and in English. The deliverables will include:

1. **Detailed analysis work plan and data collection instrument(s).** The analysis work plan will include: (1) a detailed analysis design matrix (including the key questions, methods, and data sources used to address each question and the data analysis plan for each question); (2) draft data collection instruments (interview guides, focus group discussion guides and questionnaires) (3) the list of potential interviewees (without personal information); (4) known limitations to the analysis design; (5) the anticipated schedule and logistical arrangements; and (6) a list of the members of the analysis team, delineated by roles and responsibilities.
2. **Presentation of preliminary findings/briefing for the Mission.** A presentation of preliminary findings to USAID/BiH will include a summary of preliminary findings and recommendations to USAID/BiH.
3. **Draft analysis report.** The draft analysis report will be consistent with the USAID Evaluation Report Requirements (Automated Directive Systems (ADS) REFERENCE 201MAH, at [https://www.usaid.gov/sites/default/files/2023-09/201mah\\_092523.pdf](https://www.usaid.gov/sites/default/files/2023-09/201mah_092523.pdf) <https://www.usaid.gov/ads/policy/200/201mah>), USAID's evaluation policy ([https://www.usaid.gov/sites/default/files/2022-05/Evaluation\\_Policy\\_Update\\_OCT2020\\_Final.pdf](https://www.usaid.gov/sites/default/files/2022-05/Evaluation_Policy_Update_OCT2020_Final.pdf)) and take into account criteria to ensure the quality of the evaluation report specified in ADS REFERENCE 201MAA (at <https://www.usaid.gov/sites/default/files/2022-12/201maa.pdf>), ADS Chapter 201 - Operational Policy for the Program Cycle (usaid.gov), and requirements defined in the ADS CHAPTER 205 – Integrating Gender Equality and Women's Empowerment in USAID's Program Cycle (at [https://www.usaid.gov/sites/default/files/2023-04/205\\_1.pdf](https://www.usaid.gov/sites/default/files/2023-04/205_1.pdf))
4. **Final analysis report.** Once USAID's comments on the initial draft are provided to the analysis team, the team will address comments and submit a revised final report within ten calendar days. The final report may exceed 30 pages, depending on the number of the sectors the analysis will cover.
5. **Analysis follow-up workshop.** Upon the Mission's approval of the final report, and upon USAID's request, MEASURE II may organize a follow-up workshop to discuss utilization of analysis findings and conclusions, as well as application of recommendations to ongoing and/or future USAID/BiH development programming. The workshop will strengthen use of evidence and facilitate improved collaborating, learning, and adapting (CLA) practices for USAID/BiH.

## TEAM COMPOSITION

The analysis team is expected to include four members. The tentative key staff and their qualifications are shown in Exhibit 2. The Technical/Gender Expert will coordinate all tasks. MEASURE II MEL Manager will oversee the research process, and additional MEASURE II research analysts will be involved in logistical preparations and data analysis.

## EXHIBIT 2. KEY TEAM MEMBERS AND THEIR KEY QUALIFICATIONS

POSITION	KEY QUALIFICATION
Technical/gender expert (external), team lead	Local gender expert familiar with USAID’s research requirements and gender policy, and experienced in conducting USAID’s gender analyses.
Gender expert (external), team member	Local subject-matter expert in gender issues in BiH, including legislation and gender gaps in various sectors.
Gender expert (MEASURE II Home Office), team member	International subject-matter expert in gender issues and USAID’s gender policies.
Technical expert (MEASURE II), team member	Expertise in research methodologies according to USAID’s research requirements.

Support for the analysis team will include:

- Home Office (HO) and Field Office support in reviewing the analysis deliverables.
- HO CLA experts who will contribute to application of CLA principles throughout the analysis process.
- Transcribers experienced in transcribing audio recordings from KIIs and FGs,
- Office Manager who will provide logistical support to contracting, payments, and field work.

The team composition and level of effort will be finalized in the Analysis Work Plan.

## SCHEDULE

The overview of the tentative analysis timeline is provided in Exhibit 3.

## EXHIBIT 3. TENTATIVE ANALYSIS TIMELINE

TENTATIVE DATES/DURATION	TASKS AND DELIVERABLES
January 20, 2024	Draft Work Plan (with data collection instruments)
January 21–January 26, 2024	Desk review, logistical preparation, scheduling KIIs and FGs
January 27–April 1, 2024	Testing data collection instruments Desk review Data collection through KIIs and FGs KII and FG transcription and coding Preparing the briefing on preliminary findings
Week of April 16, 2024	Briefing USAID/BiH on the preliminary findings and recommendations
April 17–May 25, 2024	Finalizing transcription of KII and FG meeting notes Finalizing data analysis Report drafting Internal quality control procedures
May 27, 2024	Submit the draft report to USAID/BiH
Up to 10 calendar days upon receiving USAID comments	Submit the final analysis report to USAID/BiH



## ANNEX II: DETAILED METHODOLOGY

### ANALYSIS QUESTIONS

USAID/BiH and the GA team defined the following Analysis Questions (AQs) for this GA:

1. How adequate and effective are the existing legislative and institutional frameworks for ensuring gender equality and implementation of gender mainstreaming in sectors of USAID's interest?
  - a. What improvements are needed in the BiH's legislative and institutional framework to allow for a more gender-equal society in the country?
  - b. What are the challenges to adopting and/or implementing such improvements?
2. What are the patterns of women's representation and participation in decision making in sectors of USAID's interest, and whether and how have they been changing under the influence of the requirements of the BiH LoGE?
3. How are gender roles, responsibilities, and time use in the context of economic activity of men and women manifested and addressed in sectors of USAID's interest?
4. What are the key challenges in achieving gender-equal access to and control over services, assets, and resources in sectors of USAID's interest?
5. How do cultural norms and beliefs shape gender equality in sectors of USAID's interest?

The analysis team (AT) used a mixed methods approach and relied on qualitative and quantitative data to address the AQs, conducting document review, key informant interviews (KIIs), and focus group discussions (FGDs) with relevant stakeholders, and analysis of secondary data. The narrative below describes the data collection activities.

**DOCUMENT REVIEW:** From the launch of the analysis and throughout data collection and writing, the team conducted document review. For each of the 20 areas of interest, the team reviewed key government policies to identify any gender responsive or transformative measures or otherwise assess whether policies adequately reflect gender issues. In addition to key government policies, the team reviewed reports and research from other organizations to extract secondary information. Overall, the team reviewed the following documents as part of the document review:

- USAID implementing partners' (IPs) gender or human rights analyses.
- Key gender policies, country reports, and recommendations from international gender equality commitments.
- Key policies of BiH, the Federation of Bosnia and Herzegovina (FBiH), Republika Srpska (RS), and Brcko District (BD) in sectors relevant to USAID and reports on international commitments.
- Key statistics on gender balance in sectors relevant to USAID, including on resources, where available.
- Opinion surveys, including MEASURE II's National Survey of Citizens' Perceptions (NSCP), polls, and qualitative studies on gender issues and sectors relevant to USAID.

- International community, government, and/or civil society assessments and research of gender equality or human rights issues in relevant sectors.
- Academic research pertaining to gender issues in BiH.

A detailed list of documents and literature reviewed is provided in Annex IV.

**FOCUS GROUP DISCUSSIONS (FGDs):** The team gathered data from several stakeholder groups through eight FGDs. Five FGDs were organized directly by MEASURE II.

- Three online FGDs with USAID IPs to explore gender issues that they have encountered during implementation.
- One online FGD conducted with CSOs from both entities and BD BiH working on participatory democracy.
- One online FGD conducted with CSOs working on specific human rights issues.

MEASURE-II outsourced three additional FGDs to a private company to engage directly with citizens at grass roots level. FGD participants differed in gender, age, type of settlement, and other personal characteristics. These three FGDs centered on men's and women's attitudes, as well as narratives about life events to understand how, and if at all, changes in the context influenced their gender roles and responsibilities, time use, opportunities for participation and representation, access, ownership, and control, as well as their cultural norms and beliefs. One FGD engaged women from urban areas, one targeted women from rural areas, and another gathered men from both rural and urban areas.

The team planned to organize another FGD with women in business, but only three participants accepted to take part, making this a group interview instead of an FGD.

The FGDs protocols are provided in Annex III, along with the more detailed lists of participants and informed consent forms.

**KEY INFORMANT INTERVIEWS (KIIs):** The analysis team (AT) engaged with 70 people in 53 interviews, including the following groups of key informants (KIs):

- State Gender Equality Agency (GEA) and the Federal Gender Center (FGC) - the RS Gender Center (RSGC) decided not to participate.
- Gender focal points and other staff from government institutions and agencies relevant to areas of USAID interest in FBiH, RS, and BD.
- CSOs and activists.
- Politicians and members of local gender equality commissions (LGECs).
- Scholars and experts.
- USAID IPs who were not able to participate in FGDs.
- Other donors and international organizations.

Stakeholders reached included:

- Citizens (men and women), 3 FGDs, 32 persons
- Gender institutional mechanisms, 4 interviews, 6 persons
- Other government bodies, 16 interviews, 23 persons,

- USAID IPs, 3 interviews and 3 FGDs, 16 persons
- International and donor organizations, 11 interviews, 16 persons
- Activists, 7 interviews and 2 FGDs, 19 persons
- Academia and experts, 10 interviews, 10 persons
- Businesses, 1 interview, 2 persons
- Associations (business, judiciary, media, religious, local self-government), 6 interviews, 7 persons,
- Politicians, 2 interviews, 2 persons,
- Businesses, 1 interview, 2 persons.

Locations and gender of citizens in FGDs:

- FBiH:
  - 13 persons (4 men, 9 women)
  - Doboј East, Konjic, Mostar, Posušje, Prozor-Rama, Sarajevo, Travnik, Tuzla, Vitez, Zenica.
- RS:
  - 12 persons (5 men, 7 women)
- Banja Luka, Bijeljina, Bileća, Lopare, Modriča, Novi Grad, Rogatica, Ugljevik.
- BD:
  - 5 persons (2 men, 3 women).
- Location not clear:
  - 2 persons (2 women).

The latest ADS changes require that GA includes the perspective of gender diverse persons as well as women and men. The AT complied with this requirement to the extent feasible, bearing in mind that some AQs focus on women specifically, and that few government sources in BiH recognize gender diverse persons.

The AT carried out most of the interviews remotely via Zoom.

**DATA ANALYSIS AND UTILIZATION:** The AT applied rigorous analysis to derive its findings and conclusions. The team lead supervised and managed the systematic quantitative and qualitative data analysis. The AT members took detailed notes of KIs and FGDs. Notes were stored in a unified online document. Team members conducted internal debriefs during fieldwork to discuss progress and evidence in support of findings, identified emerging patterns and themes, and examined and used them to develop the analysis coding scheme. To the extent participants allowed, the interviews were recorded and transcribed.

Team members captured preliminary findings, conclusions, and recommendations in a matrix categorized by AQs. The matrix tallied the themes that emerged from the interviews and FGDs and ensured a systematic and thorough response to each AQ, verification of preliminary findings, identification of any gaps in information, and served as the basis for the analysis report. The type of analyses depended on the specific data collected and included content analysis and comparative analysis. The team employed analytical triangulation approaches to develop the findings and conclusions. Triangulation enabled the team to cross-check the findings that emerged from data sources and ensured the findings are credible and evidence based.

## ANNEX III: DATA COLLECTION INSTRUMENTS

### ONLINE FOCUS GROUP DISCUSSIONS

#### INFORMED CONSENT FORM FOR PARTICIPANTS

**Purpose:** Thank you for taking the time to meet with us today. My name is [NAME]. I am a researcher from MEASURE II, USAID/BiH's Monitoring and Evaluation Support Activity. MEASURE II is USAID/BiH's monitoring and evaluation platform. We are independent consultants whose role is to assist the Mission in monitoring the implementation and effects of all their Activities in BiH by conducting different types of research, including project evaluations, sector assessments, surveys, and indices. We also help USAID's implementing partners develop their routine monitoring, evaluation, and learning plans. USAID/BiH has asked our team to conduct a Country-Level Gender Analysis. You have been asked to participate today, so we can learn more about the status of gender rights, norms and responsibilities, and their implementation in BiH and would highly appreciate your honest impressions, opinions, and thoughts on the subject.

**Procedures:** If you agree to participate, the FGD will take about **two hours** of your time. Although USAID may decide to publish the GA findings, all your answers will be kept confidential. Nothing you tell us will be attributed to any individual. Instead, the report will include only a composite of all the answers received by individuals we consult. Although we may use quotes, none of the individuals or organizations will be named alongside those quotes in the report. We will use the data to produce a report for the USAID/BiH with recommendations intended to inform the integration of gender responsive approaches within USAID's activities in BiH.

**Risks/Benefits:** There are no significant risks to your participation in this study. You will not receive any direct benefit or compensation for participating in this study. Although this study will not benefit you personally, we hope our results will contribute to increasing gender equality in Bosnia and Herzegovina.

**Recordings and Transcripts:** The recording is created to produce direct transcripts of this FGD to ensure that your statements are not misheard or misinterpreted. The recordings and transcripts will not be shared outside the analysis team. They will be stored in a secure file without your personal identifiers. All details regarding data protection can be accessed by contacting the controller of this information, USAID MEASURE II, at [sbosnjak@measurebih.com](mailto:sbosnjak@measurebih.com).

Do you have any questions at this time? [Facilitator should answer any questions]

**Permission to Proceed:** I understand the purpose of the FGD as outlined above and understand that I can withdraw from the FGD at any time and for any reason. I agree to participate in the FGD (AT lead records).

Yes    No

**Permission to Record:**

Yes    No

Initials of AT lead to indicate receipt of verbal consent: \_\_\_\_\_

Date: \_\_\_\_\_

## FGD PROTOCOLS

[IF THE INFORMED CONSENT FORM IS READ OUT IN FULL, THE FACILITATOR PROCEEDS BY PROVIDING TECHNICAL INFORMATION REGARDING THE FGD]

Today's FGD is about tapping into your experiences with [IF USAID ACTIVITIES] integrating gender perspectives into USAID Activities / [IF OTHERS] with gender issues and mainstreaming. I will now set out basic rules of our engagement today so that we would use our time most effectively.

First, please do not hesitate to share openly your opinions and concerns. I kindly ask everyone also to keep the information you hear today confidential so that we can have an open conversation. This does not pertain to good practices, of course.

Second, there is no need for all of us to agree on one way of thinking and please accept that we are interested and open to contrasting views.

Third, please keep your microphone off when you are not speaking and camera on when you are, if possible.

Lastly, let us speak one at a time and please try to focus on the question.

Are there any other rules that you want to add?

*Online FGD 1 on Political Life, Governance, Judiciary, Anti-Corruption, and Media IPs*

### SELECTION OF PARTICIPANTS

1. Support to Political Pluralism and Governance Processes in Bosnia and Herzegovina
2. Judiciary Against Corruption Activity in Bosnia and Herzegovina
3. Assistance to Citizens in the Fight Against Corruption in Bosnia and Herzegovina
4. Investigative Journalism in Bosnia and Herzegovina
5. Local Governance Assistance Activity
6. Support to Electoral Integrity Activity in Bosnia and Herzegovina
7. Media Engagement Activity in Bosnia and Herzegovina

### QUESTIONS

1. Let us begin by briefly introducing yourself and the USAID Activity.
2. Have you observed any gender gaps pertaining to equal
  - a) participation as employees, members, attendees,
  - b) representation and influence as executive government decision-makers and parliamentarians, investors, owners, and managers,
  - c) equal access to services and rights in your areas of interest, and
  - d) equal ownership and control over assets and resources?

[SPECIFICALLY, PROBE:]

- 2.1 Let us start with Judiciary?
  - 2.2 What about as perpetrators and witnesses in corruption, duty bearers and rights holders in anti-corruption, some forms of corruption that particularly affect women?
  - 2.3 Political processes, including election integrity?
  - 2.4 Local self-governance?
  - 2.5 Media?
3. How do different cultural norms, gender roles, responsibilities, and time use in public and private life affect the types of roles that women and men undertake in areas of your activity? Have you observed any patterns here?

[EXPLANATION] For example, because of their traditional roles as caregivers, women may be prevented from participating in late afternoon public discussions, may be pushed to deal more with social, health care, and education policies as politicians or activists, and may be viewed more favorably than men in child custody cases. Our question is if you have observed any similar patterns in your activities, not only pertaining to caregiving roles, but also other roles that men and women in BiH typically hold in public and private lives. [PROBE ABOUT THE SAME AREAS OF USAID INTEREST AS IN THE PREVIOUS QUESTION]

4. What about participation and representation of some specific subgroups, like victims or survivors of GBV, LGBTQI+, minority women, persons with disabilities, and their access to services and control over assets and resources?
5. Which activities has your Activity undertaken to address those gaps or plan to undertake? Do you have some good practices to share?
6. Have you observed any progress in the past five years in closing those gender gaps that we have just discussed?
7. Based on your experience in your respective fields of action, how gender sensitive are the laws and policies regulating the field as well as relevant institutional mechanisms?

EXPLANATION: Gender sensitive laws recognize gender issues particular to the sector and include measures to address them. A piece of legislation that includes the wording “This law pertains equally to men and women, despite the male grammatical gender being used throughout the text” is not necessarily gender sensitive. We may term the laws gender blind when they are seemingly neutral while failing to proactively address the gender issues that exist in a sector.

8. What legislative/institutional or other improvements are still needed and what are the main challenges to their adoption/implementation?

## Online FGD 2 on Local Works and Interethnic Initiatives IPs

### SELECTION OF PARTICIPANTS

1. Local Works Improving the Legal Framework for Philanthropy
2. Local Works Capacity Development Activity
3. Local Works Network Development Activity
4. Local Works Our Community Is Our Responsibility
5. Local Works Together for Local Development Activity
6. Local Works Local Resource Organization Assistance Activity
7. PRO-Future II Trust, Understanding, and Responsibility for the Future

### QUESTIONS

1. Let us begin by briefly introducing yourself and the USAID Activity.
2. Have you observed any gender gaps pertaining to equal
  - a) participation as employees, members, attendees,
  - b) representation and influence as executive government decision-makers and parliamentarians, investors, owners, and managers,
  - c) equal access to services and rights in your areas of interest, and
  - d) equal ownership and control over assets and resources?

[SPECIFICALLY, PROBE:]

- 2.1 Let us start with local civic, communal, philanthropic initiatives?
- 2.2 What about reconciliation initiatives?
- 2.3 What about Roma population?
3. How do different cultural norms, gender roles, responsibilities, and time use in public and private life affect those different roles that women and men undertake in areas of your activity? Have you observed any patterns here? [PROBE ABOUT THE SAME AREAS OF USAID INTEREST AS IN THE PREVIOUS QUESTION]

[EXPLANATION] For example, because of their traditional roles as caregivers, women may be prevented from participating in late afternoon public discussions, may be pushed to deal more with social, health care, and education policies as politicians or activists, and may be viewed differently than men in child custody cases. Our question is if you have observed any similar patterns in your activities, not only pertaining to caregiving roles, but also other roles that men and women in BiH typically hold in public and private lives.

4. Which activities have you undertaken to address those gaps or plan to undertake? Do you have some good practices to share?
5. Have you observed any progress in the past five years in closing those gender gaps that we have just discussed?

6. Based on your experience in your respective fields of action, how gender sensitive are the laws and policies regulating the field as well as relevant institutional mechanisms?

EXPLANATION: Gender sensitive laws recognize gender issues particular to the sector and include measures to address them. A piece of legislation that includes the wording “This law pertains equally to men and women, despite the male grammatical gender being used throughout the text” is not necessarily gender sensitive. We may term the laws gender blind when they are seemingly neutral while failing to proactively address the gender issues that exist in a sector.

7. What legislative/institutional and other improvements are still needed and what are the main challenges to their adoption/implementation?

### *Online FGD 3 with Economic Growth IPs*

#### SELECTION OF PARTICIPANTS

1. Developing Sustainable Tourism (Turizam) in Bosnia and Herzegovina
2. Diaspora Invest 2 in Bosnia and Herzegovina
3. Energy Policy Activity in Bosnia and Herzegovina
4. E-Governance Activity in Bosnia and Herzegovina
5. Fiscal Reform Activity

#### QUESTIONS

1. Let us begin by briefly introducing yourself and the USAID Activity.
2. Have you observed any gender gaps pertaining to equal
  - a) participation as employees, members, attendees,
  - b) representation and influence as investors, owners, managers, executive government decision-makers, and parliamentarians,
  - c) equal access to services and rights in your areas of interest, and
  - d) equal ownership and control over assets and resources?
  - 2.1 Let us start with business-oriented activities – Turizam and Diaspora Invest.
  - 2.3 Energy policy?
  - 2.4 And E-Governance?
3. How do different cultural norms, gender roles, responsibilities, and time use in public and private life affect types of roles that women and men undertake in areas of your activity? Have you observed any patterns here?

[EXPLANATION] For example, because of their traditional roles as caregivers, women may be prevented from participating in late afternoon public discussions, may be pushed to deal more with social, health care, and education policies as politicians or activists, and may be viewed more favorably than men in child custody cases. Our question is if you have observed any similar patterns in your activities, not only pertaining to caregiving roles, but also other roles that men



and women in BiH typically hold in public and private lives. [PROBE ABOUT THE SAME AREAS OF USAID INTEREST AS IN THE PREVIOUS QUESTION]

4. What about participation, representation, and influence, access, ownership, and control among some specific subgroups, like GBV or TIP victims, LGBTQI+, minority women, persons with disabilities, and their access to services, control over assets and resources?
5. Which activities have you undertaken to address those gaps or plan to undertake? Do you have some good practices to share?
6. Have you observed any progress pertaining to gender gaps that we have just discussed?
7. Based on your experience in your respective fields of action, how gender sensitive are the laws, policies, and institutional mechanisms regulating the field?

EXPLANATION: Gender sensitive laws recognize gender issues particular to the sector and include measures to address them. A piece of legislation that includes the wording “This law pertains equally to men and women, despite the male grammatical gender being used throughout the text” is not necessarily gender sensitive. We may term the laws gender blind when they are seemingly neutral, but when they fail to proactively address the issues that exist in a sector.

8. What legislative/institutional and other improvements are still needed and what are the main challenges to their adoption/implementation?

#### *Online FGD 4 with Civil Society – Participatory Democracy*

#### SELECTION OF PARTICIPANTS

1. Inicijative građana i građanki Mostara
  2. Crvena, Sarajevo (community activism, public participation in decision making, women’s rights)
  3. Bolja Buducnost [Better Future], Tuzla (Roma women’s rights advocates)
  4. Fondacija CURE, Sarajevo (women’s rights, intersecting discrimination, LGBTQI+, feminist organizing)
  5. Helsinki Parliament of the Citizens of Banja Luka (political rights, advocacy)
  6. Hrabre Zene Kruscice [Brave Women of Kruscica] (public participation in energy decision making)
  7. Centre for Youth Kwart, Prijedor (interethnic relations; LGBTQI+ organizing; freedom of assembly)
  8. Centar Za Promociju Civilnog Drustva, Sarajevo (gender responsive budgeting)
- I. Let us begin by briefly introducing yourselves.
  2. I will write in the chat window the areas this Gender Analysis focuses on [LIST THE TEN AREAS IN THE CHAT]

- I. Economic Planning, Public Finance, Fiscal Reforms
- II. Business Development, Diaspora, the Labor Market
- III. ICT and Digitization
- IV. Energy, Environment, and Tourism
- V. Judiciary and Fighting Corruption
- VI. Elections, Political and Civic life,

- VII. Media and Investigative Journalism
- VIII. Local Level Competence and Resources
- IX. Interethnic Relations and Violent Extremism
- X. Gender issues within specific human rights issues (including Roma women’s rights, rights of LGBTQI+ persons, trafficking in persons (TIP), gender-based discrimination and GBV, and women with disabilities)

3. Which specific gender gaps do you want to point out when it comes to these areas? When answering, please highlight which specific area of interest you are talking about. [PROBE EACH PARTICIPANT, THE KEY AREAS TO EXPECT ANSWERS TO ARE VI. ELECTIONS, POLITICAL, AND CIVIC LIFE; IV. ENERGY, ENVIRONMENT, TOURISM; VIII. LOCAL LEVEL COMPETENCE AND RESOURCES; IX. INTERETHNIC RELATIONS; AND X. HUMAN RIGHTS]

[EXPLANATION] Gender gaps can pertain to:

- a) participation as employees, members, attendees, users,
- b) representation and influence as investors, owners, managers, executive government decision-makers, and parliamentarians,
- c) equal access to services and rights, and
- d) equal ownership and control over assets and resources, but also other gaps and inequalities that you have observed.

3. How do different cultural norms, gender roles, responsibilities, and time use in public and private life affect types of roles that women and men undertake in these areas of interest? Have you observed any patterns here?

[EXPLANATION] For example, because of their traditional roles as caregivers, women may be prevented from participating in late afternoon public discussions, may be pushed to deal more with social, health care, and education policies as politicians or activists, and may be viewed more favorably than men in child custody cases. Our question is if you have observed any similar patterns in your activities, not only pertaining to caregiving roles, but also other roles that men and women in BiH typically hold in public and private lives.

- 4. What about participation, representation, and influence, access, ownership, and control among some specific subgroups, like GBV and TIP victims and survivors, LGBTQI+, minority women, persons with disabilities?
- 5. Are there any initiatives toward institutions aimed at improving tracking of data and information about issues faced by gender diverse persons?
- 6. Are women’s concerns, and concerns of specific other groups that we have mentioned, better represented and reflected in government policies and practices today than five years ago? Please mention examples.
- 7. What brought about those changes you observed?

8. What legislative/institutional and other improvements are still needed and what are the main challenges to their adoption/implementation?

### *Online FGD 5 with Civil Society – Human Rights*

#### SELECTION OF PARTICIPANTS

1. Vive Žene Tuzla (safe house, active in countering TIP)
2. Buducnost [Future], Modrica (GBV, work with men and boys; TIP)
3. Center for Women’s Rights, Zenica (GBV victims; TIP)
4. Women with Disabilities Network and/or NIKA, Banja Luka
5. Foundation United Women, Banja Luka (TIP and GBV victims)
6. Women Returnees Association Podrinjka, Srebrenica (returnees, rural areas)
7. Maja, Kravica (economic empowerment; TIP)
8. Women’s Association “Novi Put”, Mostar (youth, GBV, peer violence)
9. Bolja Buducnost [Better Future], Tuzla (Roma women; TIP)
10. Gender, BD (GBV, TIP)

- I. Let us begin by briefly introducing yourselves.

[INTRODUCTION TO THE NEXT QUESTION] When it comes to human rights issues, USAID is specifically interested to understand better the issues such as discrimination, hate speech and hate crimes, and different forms of violence and abuse. We would like to discuss some of those areas today, to the extent possible.

2. What do you see as the clearest examples of
  - a) Discrimination in BiH in any sector? This may pertain to participation, representation, and influence, access to services and rights, control over assets and resources.
  - b) Hate speech and hate crimes? Which gender groups and subgroups are most-commonly exposed to hate speech? To hate crimes?
  - c) Violence and abuse? Which gender groups and subgroups are most commonly exposed to violence and abuse? How?

#### [IF PARTICIPANTS DO NOT MENTION THEMSELVES, PROBE ABOUT INTERSECTING DISCRIMINATION]

3. What about discrimination, hate, violence, and abuse of Roma women, women with disabilities, and other specific groups of women? Do you want to point out to some other groups that are targeted in the BiH context and how?
4. How do different cultural norms, gender roles, responsibilities, and time use relate to discrimination, hate, violence and abuse you talked about?
5. Are women’s concerns, and concerns of specific other groups that we have mentioned, better represented and reflected in government policies and practices today than five years ago? Please mention examples. [EXPLANATION] Maybe there was legislative and policy change, or improvements in application of laws through practice, or new stakeholders getting involved, or more funding for certain issues?

6. [FOR AREAS WITH PROGRESS] What brought about those changes you observed? [FOR AREAS WITHOUT PROGRESS] Why do you think there is this absence of progress?
7. What policy/institutional and other improvements are still needed and what are the main challenges to their adoption/implementation?

### *Online FGD 6 with Women in Business*

#### SELECTION OF PARTICIPANTS

1. Foundation 787
2. Web Portal Poduzetnica.ba
3. 4-5 women business owners or top managers from both entities and BD BiH

Women business owners will be identified through contacts with specialized business associations, such as the Association of Electricity Producers from Renewable Energy Sources, the Association of Tourism Agencies in BiH, Bit Alliance, Intera Technology Park, Innovation Center Banja Luka, and similar, but also CSOs with information about women with disabilities who may be business owners. The AT will compile an extensive list of potential women participants from those organizations' members and select randomly within specific areas of business activity, including energy, IT, tourism, and consulting services.

#### QUESTIONS

1. Let us start by you introducing yourselves.
2. [INTRODUCTION] USAID in BiH supports business development through some of its projects such as Diaspora Invest, Tourism, and even Development Credit Authority Loan Guarantees, or in the past projects FIRMA and FARMA. These projects need to integrate the gender perspective to the extent meaningful in their activities. We want to hear about gaps and issues that women particularly face in businesses.
3. Do women and men have equal access to services, as well as ownership and control over assets and resources when exploring self-employment as an option and has anything improved in that respect in the last five years?
4. Are women and men equally represented and do they have equal influence as owners and managers, decision-makers in the government, and in government advisory bodies? Any progress in the past five years?
5. How do cultural norms and differing gender roles, responsibilities, and time use relate to business potentials of men and women?
6. Has there been any progress in the past five years in the government policies and institutional practices to make them more accessible, inclusive, effective for women who want to start or expand their businesses?
7. What policy/institutional and other improvements are still needed and what are the main challenges to their adoption/implementation?

## Online FGD 7 on Women's Life Course Changes in Urban Areas

This FGD can be organized online.

### SELECTION OF PARTICIPANTS

Participant list will be compiled of women from urban areas to reflect age diversity, sector of economic activity, and geographic diversity of the country, with 8-10 participants.

### QUESTIONS

1. Let us start with introductions. Please tell us a bit about yourselves, where you are from, your age, and what you do.

[INTRODUCTION TO THE NEXT QUESTION] USAID in BiH works on different issues, such as business development, energy policy, digitalization and e-governance, anti-corruption, elections, local self-government, media, interethnic relations, and human rights. In all these issues USAID wants to understand whether some groups may be left behind, or others take unjust advantage of these processes. USAID's main principle is to ensure that women and men equally benefit from development.

2. Do you think that women and men should be equal in the BiH government, business, and society, including the family? There are no wrong answers here.
  - 2.a For those of you who say that men and women should be equal in all or some aspects of life, is that the case now in BiH?
3. [INTRODUCTION TO THE QUESTION]. I would like to ask you now to THINK FOR YOURSELF if anything significant has changed in your life in the last five years, in your private and career roles? Have you started a business or lost one? Have you given up some activities or started some new activities? Have you started using some services or stopped using others? Have you personally acquired property or lost one? Started a pension or lost one? Have you been promoted or demoted at work? Have you found yourself having more time or less time at your disposal than before? Have you become a mother, grandmother, or in some way separated from your family members? Have you been exposed to violence or any type of abuse?

If possible, please share with us at least one change in life while answering the following questions:

- 3.1 What brought those changes about? Why has that happened?

PROBE 1: Have government rules changed; or something wider was happening everywhere; or something changed in institutions and structures that are relevant to that issue? Or was this more a consequence of your own doing and decisions?

- 3.2 Do you know other people who have had that same experience in your family, community, or broader? Are they like yourself in terms of sex, age, type of settlement they live in, their background?
- 3.3 Have any of those changes occurred because you are a woman, a younger or older woman, a woman with a disability, or similar? Are those different from you having similar problems?

4. Have you observed any progress in equality between men and women in the last five years or have things gotten worse? How do you like those changes?
5. What do you think should change to improve gender equality in your city and do you see yourself initiating those changes, perhaps along with others?
6. What changes are needed to improve the position of:
  - older women and younger women?
  - women in rural and urban areas?
  - Roma women and women returnees?
  - women with disabilities?
  - women who are victims of any type of violence?
  - other women who are in other ways different?

### *Online FGD 8 on women's Life Course Changes in Rural Areas*

This FGD can be organized online, potentially on Viber, or in person.

### SELECTION OF PARTICIPANTS

Participant list will be compiled of women from rural areas of the country, with the composition to reflect age diversity, sector of economic activity, and geographic diversity of the country, with 8-10 participants.

### QUESTIONS

1. Let us start with introductions. Please tell us a bit about yourselves, where you are from, your age, and what you do.

[INTRODUCTION TO THE NEXT QUESTION] USAID in BiH works on different issues, such as business development, energy policy, digitalization and e-governance, anti-corruption, elections, local self-government, media, interethnic relations, and human rights. In all these issues USAID wants to understand whether some groups may be left behind, or others take unjust advantage of these processes. USAID's main principle is to ensure that women and men equally benefit from development.

2. Do you think that women and men should be equal in the BiH government, business, and society, including the family? There are no wrong answers here.
  - 2.a For those of you who say that men and women should be equal in all or some aspects of life, is that the case now in BiH?
3. [INTRODUCTION TO THE QUESTION]. I would like to ask you now to THINK FOR YOURSELF if anything significant has changed in your life in the last five years, in your private and work or career roles? Have you started a business or lost one? Have you given up some activities or started some new activities? Have you started using some services or stopped using others? Have you personally acquired property or lost one? Started a pension or lost one? Have you been promoted or demoted at work? Have you found yourself having more time or less

time at your disposal than before? Have you become a mother, grandmother, or in some way separated from your family members? Have you experienced violence or any other type of abuse?

If possible, please share with us at least one change in life while answering the following questions:

3.1 What brought those changes about? Why has that happened?

PROBE 1: Have government rules changed; or something wider was happening everywhere; or something changed in institutions and structures that are relevant to that issue? Or was this more a consequence of your own doing and decisions?

3.2 Do you know other people who have had that same experience in your family, community, or broader? Are they like yourself in terms of sex, age, type of settlement they live in, their background?

3.3 Have any of those changes occurred because you are a woman, a younger or older woman, a woman with a disability, or similar? Are those different from you having similar problems?

4. Have you observed any progress in equality between men and women in the last five years in your immediate surrounding or have things gotten worse? How do you like those changes?

5. What do you think should change to improve gender equality in the place where you live and do you see yourself initiating those changes, perhaps along with others?

6. What changes are needed to improve the position of:

- older women and younger women?
- women in rural and urban areas?
- Roma women and women returnees?
- women with disabilities?
- women who are victims of any type of violence?
- other women who are in other ways different?

### *Online FGD 9 on Men's Life Course Changes*

This FGD can be organized online, via Zoom or Viber, as well as face to face.

### SELECTION OF PARTICIPANTS

The participant list will include men from both rural and urban areas, with the composition to reflect age diversity, education, participation/nonparticipation in economic activity, and geographic diversity of the country, with 8-10 participants.

### QUESTIONS

I. Let us start with introductions. Please tell us a bit about yourselves, where you are from, your age, and what you do.

[INTRODUCTION TO THE NEXT QUESTION] USAID in BiH works on different issues, such as business development, energy policy, digitalization and e-governance, anti-corruption, elections, local self-government, media, interethnic relations, and human rights. USAID wants to understand whether men or women or any other socio-economic groups are in equal position in all these fields.

2. In which aspects of life should women and men be equal? What about government, business, employment, society, family? There are no wrong answers here.
  - 2.a For those of you who say that men and women should be equal in all or some aspects of life, is that the case now in BiH?
3. [INTRODUCTION TO THE QUESTION]. I would like to ask you now to THINK FOR YOURSELF if anything significant has changed in your life in the last five years, in your private life, education, work or career roles? Have you started a next level of education or ended your education? Have you started or lost work? Have you been promoted or demoted at work? Have you found yourself having more time or less time at your disposal than before? Have you become a father, grandfather, or in some way became separated from your family members? Have you experienced any type of violence or abuse, including online? Have you started a business or lost one? Have you given up some activities or started some new activities? Have you started using some services or stopped using others? Have you personally acquired property or lost one? Started a pension or lost one?

If possible, please share with us at least one change in life while answering the following questions:

- 3.1 What brought those changes about? Why did that happen?

PROBE 1: Did government rules change; or was something wider happening everywhere; or did something change in institutions and structures that are relevant to that issue? Or was this more a consequence of your own actions and decisions? Or by actions and decisions of some other specific person?

- 3.2 Do you know other people who have had that same experience in your family, community, or broader? Are they like yourself in terms of sex, age, type of settlement they live in, their background?
- 3.3 Have any of those changes occurred because you are a man, a younger or older man, a man with a disability, or for any similar reason? Are those who are different from you having similar problems?
4. Have you observed any change in equality between men and women in the last five years in your immediate surrounding? How do you like those changes?
5. What do you think should change to improve gender equality for women and men and do you see yourself initiating those changes, perhaps along with others?
6. What changes are needed to end violence against women?
7. What about changes needed to decrease or end violence in general in society?



## KEY INFORMANT INTERVIEWS

### INFORMED CONSENT FORM FOR KEY INFORMANTS

**Purpose:** Thank you for taking the time to meet with us today. My name is [NAME]. I am a researcher from MEASURE II, USAID/BiH's Monitoring and Evaluation Support Activity. MEASURE II is USAID/BiH's monitoring and evaluation platform. We are independent consultants whose role is to assist the Mission in monitoring the implementation and effects of all their Activities in BiH by conducting different types of research, including project evaluations, sector assessments, surveys, and indices. We also help USAID's implementing partners develop their routine monitoring, evaluation, and learning plans. USAID/BiH has asked our team to conduct a Country-Level Gender Analysis (GA). You have been asked to participate today, so we can learn more about the status of gender rights, norms and responsibilities, and their implementation in BiH and would highly appreciate your honest impressions, opinions, and thoughts on the subject.

**Procedures:** If you agree to participate, the interview will take about one hour of your time. Although USAID may decide to publish the GA findings, all your answers will be kept confidential. Nothing you tell us will be attributed to any individual. Instead, the report will include only a composite of all the answers received by individuals we interview. Although we may use quotes, none of the individuals interviewed will be named in the report. We will use the data collected through interviews to produce a report for the USAID/BiH with recommendations intended to inform the integration of gender responsive approaches within USAID's activities in BiH.

**Risks/Benefits:** There are no significant risks to your participation in this study. You will not receive any direct benefit or compensation for participating in this study. Although this study will not benefit you personally, we hope our results will contribute to increasing gender equality in Bosnia and Herzegovina.

**Recordings and Transcripts:** The recording is created to produce direct transcripts of this interview to ensure that your statements are not misheard or misinterpreted. The recordings and transcripts will not be shared outside the analysis team. They will be stored in a secure file without your personal identifiers. All details regarding data protection can be accessed by contacting the controller of this information, USAID MEASURE II, at [sbosnjak@measurebih.com](mailto:sbosnjak@measurebih.com).

Do you have any questions at this time? [Interviewer should answer any questions]

**Permission to Proceed:** I understand the purpose of the interview as outlined above and understand that I can withdraw from the interview at any time and for any reason. I agree to participate in the interview (AT lead records).

Yes    No

**Permission to Record:**

Yes    No

Initials of AT lead to indicate receipt of verbal consent: \_\_\_\_\_

Date: \_\_\_\_\_

## KII GUIDES

### USAID/BiH

#### Group Interview with Deputy Mission Director and Gender Advisor

1. [Specifically for DMD] Could you please tell us more about your experience with gender integration in USAID and other agencies?
2. [Specifically for DMD] Comparing different country contexts you have experience from, how do you assess the situation with gender equality in BiH, but also the situation with LGBTQI+ rights, women with disabilities, and trafficking in persons?
3. What is your assessment of this Mission's current level of implementation of the ADS 205, including in policy (e.g., Mission Order should be revised every five years), personnel (e.g., staff training), solicitations, country strategy, project and activity designs, performance monitoring, evaluation? What important changes have been made?
4. How do you assess the current level of gender integration into specific sectors, as recommended by the 2023 Gender Equality and Women's Empowerment Policy? What changes has it brought?
5. A new LGBTQI+ Inclusive Development Policy has been adopted in 2023. How do you assess the Mission's readiness to implement that policy, for example, through a designated LGBTQI+ Focal Point and staff training?
6. How can this Gender Analysis help the Mission advance its implementation of these USAID policies?
7. Have you observed any negative influences of gender issues and relations in the country on implementation of USAID activities, and vice versa, negative influences of USAID activities on gender relations?
8. In your view, which USAID/BiH Activities in the last five years have been successful at integrating and addressing gender issues, and which have been less successful, and why?
9. What are the most notable results of those USAID/BiH Activities when it comes to improving gender equality and women's empowerment in the last five years?
10. To the best of your knowledge, where are the biggest gender gaps in BiH pertaining to equal numerical and substantive:
  - roles and responsibilities in private and public life
  - participation of women and men as employees, members of public bodies, attendees in trainings, etc.
  - their representation and influence as decision-makers (parliamentarians, investors, owners, and managers)
  - equal access to services and rights, and
  - equal ownership and control over assets and resources?

11. What are the major objectives of the USAID's gender integration in the next 5 years? In what areas or sectors is there potential for future improvements of gender equality and women's empowerment?
12. How satisfied are you with donor coordination and synchronization with respect to gender issues in BiH?
13. Is there anything else you wish to add about these topics which we have not covered?
14. Do you have any questions/recommendations for the analysis team?

### **USAID/BiH INSPIRE - Human Rights Activity's COR**

1. How has INSPIRE ensured gender integration and have these activities contributed to decreasing gender inequalities and transforming gender relations in the country? What about other activities in your portfolio?
2. Have you observed any negative effects of gender issues and relations in the country on implementation of INSPIRE or other Activities in your portfolio?
3. How do you assess the implementing partners' capacities to meet the USAID gender integration, disability inclusion, and LGBTQI+ policies?
4. How do you assess the country's current policy framework and institutional practices in gender equality? Can you give some examples? Has there been progress in legislation or practice in the last five years?
5. Women's representation in decision making is still low, but how do you assess substantive representation of women's issues and interests in policy making in BiH? Where do you see this substantive representation lacking significantly? Have you observed any progress in the last five years?
6. Women are still the majority of the inactive working age population in the country. What do you see as the reasons for this? How does it affect women's public roles?
7. Have you observed any improvements in women's access to services or ownership and control over assets and resources in BiH, potentially as a result of INSPIRE? Please give examples.
8. Have you observed changes in gender norms and roles in the last five years in BiH?
9. Which categories are exposed to intersecting, multiple discrimination in BiH? How does this affect USAID activities in your or other portfolios?
10. Do you see any space in the coming period for BiH to adopt a more flexible legal definition of gender, recognize non-binary gender, and enable for gender transitioning?
11. Which other policies, institutional, or other improvements are still needed and what are the main challenges for their implementation?
12. Do you have any questions/recommendations for the analysis team?

## *U.S. Embassy in BiH*

1. The Embassy has recently issued its annual call for applications to the Women’s Empowerment Small Grants Program. What is the overall readiness and absorption capacity of local CSOs for such calls? How many applications do you usually receive and are you satisfied with this number and quality of applications?
2. Some specific groups of women are more vulnerable to discrimination and human rights violations in BiH, such as women with disabilities, Roma women, survivors of violence and trafficking, lesbian and transgender women, as well as gender diverse persons. Does the Embassy have any specific activities that support these groups?
3. Besides this Grants Program and activities you mentioned, how are gender equality principles integrated in the U.S. Embassy work in Bosnia and Herzegovina? Do you implement any other activities that have a significant gender component?
4. Have you observed any negative effects of gender issues and imbalance on activities of the U.S. Embassy in BiH?
5. The UN Committee for Elimination of All Forms of Discrimination Against Women has observed in its reports that women in BiH are excluded from high-level decision-making processes, including economic, election, and constitutional reforms. How is the U.S. Embassy contributing to the resolution of this problem and what do you see as the USAID role?
6. Women are the majority of the inactive working age population in BiH, because of their gender roles and responsibilities, but also complex structural problems in the market. What do you think should be the steps to address the problem and how do you see the USAID role?
7. Few women own businesses or even work in technical areas such as energy, IT industry, and mining in BiH. How do you think this can be ameliorated and what should be the USAID role?
8. Regarding gender roles, responsibilities, and time use, research suggests that the problems lie in the division of work in private life and the economy of care, as well as gender prejudice regarding public roles. How can these problems be resolved in your view and what is the USAID role?
9. What other institutional, legal, or other changes are required in BiH in your view and what should USAID do?
10. Do you have any questions/recommendations for the analysis team?

## *Gender Equality Mechanisms*

1. Are you aware of any policies in the following programmatic areas that have undergone a process of significant gender mainstreaming in the last five years, meaning that important elements were introduced to ensure gender perspectives and issues are addressed? [AREAS SHOULD BE LISTED IN THE CHAT WINDOW OR GIVEN AS A CARD TO THE KI]
  - a. Economic Planning, Public Finance, Fiscal Reforms
  - b. Business Development, Diaspora, and the Labor Market
  - c. ICT and Digitalization

- d. Energy, Environment, Tourism
  - e. Judiciary and Fight Against Corruption
  - f. Elections and Political Parties
  - g. Local Competence and Resources
  - h. Media and Investigative Journalism
  - i. Interethnic Relations and Violent Extremism
  - j. Human Rights Issues
    - i. Gender based discrimination and GBV
    - ii. Roma women
    - iii. LGBTQI+
    - iv. Trafficking in persons
    - v. Persons with disabilities
2. Are there any key policies regulating those same programmatic areas which you believe are still problematic from the gender equality perspective?
  3. Has there been any progress in the last five years in equal representation of men and women in decision making in those listed areas, as ministers and assistant ministers, as members of advisory bodies that are important for the social dialogue, as members of parliamentary committees relevant to those areas, as leaders of political parties? What do you assign that progress/lack of progress to?
  4. How gender roles, responsibilities, and related time use influence participation of women and men in economic activities? Do equal shares of men and women engage in those areas as employees and has there been any progress in that respect? [IF NOT] Why not?
  5. Are assets and resources across these areas differently accessible to and controlled by men and women and has there been any progress in that respect in your view? What do you assign that progress/lack of progress to?
 

ELABORATION: Assets and resources here include property and money necessary to start a business in some of those areas, but also education as a resource necessary to participate in decision making regarding some of those sectors.
  6. Has there been any motion from government bodies to improve the situation in the past five years and in which respects?
  7. Are the cultural norms and beliefs changing regarding women's and men's participation as employees, decision-makers, or managers in those sectors?
  8. Which specific groups are particularly excluded from assets and resources, from participation, from decision making? Do you see any progress in that respect?
  9. Are there any discussion about improving tracking of data and information about issues faced by gender diverse persons?
  10. Considering the above, what do you see as the major gender issues and/or gaps in these programmatic areas?
  11. What policy/institutional improvements are still needed and what are the main challenges to their adoption/implementation?

12. Is there any data, research, or other materials that you would like to share with us about what we just discussed?

*Institutional Gender Focal Points from the Economic Growth Portfolio*

1. How is gender mainstreaming ensured in policies and practices falling within the domain of this institution?
2. Are you aware of any policies in the following programmatic areas that have undergone a process of significant gender mainstreaming, meaning that important elements were introduced to ensure gender perspectives and issues are addressed? [AREAS SHOULD BE LISTED IN THE CHAT WINDOW OR GIVEN AS A CARD TO THE KI]
  - a. Economic Planning, Public Finance, Fiscal Reforms
  - b. Business Development, the Labor Market
  - c. ICT, Digitalization
  - d. Energy, Environment, Tourism

We can now discuss in practical terms what would be problematic in those areas from a gender equality perspective.

3. Are women and men equally represented in decision making in those listed areas, as ministers and assistant ministers, as members of Economic and Social Councils and other bodies that are important for the social dialogue, as members of parliamentary committees relevant to those areas?
4. Has there been any progress in that respect in the last 5 years? What do you see as the reasons for progress/lack of progress? Has this happened under the influence of the BiH LoGE?
5. Do equal shares of men and women engage in those areas as employees, shareholders, contributors and has there been progress in that respect? [IF NOT] Why not?
6. Are services, assets and resources across these areas differently accessible to and controlled by men and women in your view and has there been any progress in that respect? [IF NOT] Why not?

ELABORATION: Services may include bank services and loan guarantees, government subsidies, etc., assets and resources here include property and money necessary to start a business in some of those areas, but also education as a resource necessary to participate in decision making regarding some of those sectors.

7. How do different gender roles, responsibilities, and related time use influence women's and men's different economic activities? Is the situation changing with gender roles and responsibilities?
8. Are cultural norms and beliefs influencing the behavior of men and women in these sectors and is this situation changing in your view?
9. Which specific groups are particularly excluded from assets and resources, from participation, from decision making? Do you see any progress in that respect?

10. Are there any discussion about improving tracking of data and information about issues faced by gender diverse persons?
11. Considering the above, what do you see as the major gender issues and/or gaps in those programmatic areas?
12. What policy/institutional improvements are still needed and what are the main challenges to their adoption/implementation?
13. Is there any data, research, or other materials that you would like to share with us about what we just discussed?

*Institutional Gender Focal Points from the Democratic Governance Portfolio*

1. How is gender mainstreaming ensured in policies and practices falling within the domain of this institution?
2. Are you aware of any policies in the following programmatic areas that have undergone a process of significant gender mainstreaming, meaning that important elements were introduced to ensure gender perspectives and issues are addressed? [AREAS SHOULD BE LISTED IN THE CHAT WINDOW OR GIVEN AS A CARD TO THE KI]
  - a. Judiciary and Fight Against Corruption
  - b. Elections, Political Parties, and Civic Life
  - c. Local Competence and Resources
  - d. Media and Investigative Journalism
  - e. Interethnic relations and Violent Extremism
  - f. Human Rights
    - i. Gender based discrimination and GBV
    - ii. Roma women
    - iii. LGBTQI+
    - iv. Trafficking in persons
    - v. Persons with disabilities

We can now discuss in practical terms what would be problematic in those areas from a gender equality perspective.

3. Are women and men equally represented in decision making in those listed areas, as ministers and assistant ministers, as members of advisory bodies that are important for the social dialogue, as members of parliamentary committees relevant to those areas?
4. Has there been any progress in that respect in the last 5 years? What do you see as the reasons for progress/lack of progress? Has this happened under the influence of the BiH LoGE?
5. Do equal shares of men and women engage in those areas as employees, participants, attendees, members and has there been progress in that respect? [IF NOT] Why not?
6. Are services, rights, assets, and resources across these areas differently accessible to and controlled by men and women in your view and has there been any progress in that respect? [IF NOT] Why not?

ELABORATION: Services here may include free legal aid, rights may include voting, running in elections, protection from violence, etc. Assets and resources here include money necessary to start a campaign, to start a media business, but also education as a resource necessary to participate in decision making regarding some of those sectors.

7. How do different gender roles, responsibilities, and related time use influence women's and men's different economic activities? Is the situation changing with gender roles and responsibilities?
8. Are cultural norms and beliefs influencing the behavior of men and women in these sectors and is this situation changing in your view?
9. Which specific groups are particularly excluded from assets and resources, from participation, from decision making? Do you see any progress in that respect?
10. Are there any discussion about improving tracking of data and information about issues faced by gender diverse persons?
11. Considering the above, what do you see as the major gender issues and/or gaps in those programmatic areas?
12. What policy/institutional improvements are still needed and what are the main challenges to their adoption/implementation?
13. Is there any data, research, or other materials that you would like to share with us about what we just discussed?

#### *Institutional Gender Focal Points From the Human Rights Portfolio*

1. Have any policies pertaining to trafficking in persons/Roma/women with disabilities/ LGBTQI+ persons changed in the past five years and have any of those policies undergone a process of significant gender mainstreaming, meaning that important elements were introduced to ensure gender perspectives and issues are addressed? Has this been under the influence of the BiH LoGE?
2. How important is it to ensure equal representation of women and men and other groups in decision making in the sectors relevant to preventing and processing trafficking in persons, as well as protecting the victims?

[IF THEY SEE THE IMPORTANCE] Has that been the case in relevant government bodies and has there been any progress in that respect in the last 5 years? Have there been any initiatives to improve the gap?

3. How important is it that women and other groups, especially individuals from groups that are more affected by trafficking or violence are also among employees in the sectors working on prevention and prosecution of trafficking and violence and protection of victims?

[IF THEY SEE THE IMPORTANCE] Has that been the case in the relevant government structures in the past five years? Have there been any initiatives to improve the gap?



4. How is the gap in access to services, and in ownership and control over assets and resources influencing the vulnerability of women in those groups?  
ELABORATION: Services here may include access to social services. Assets and resources here include property and money needed for personal security or necessary to start a business in some of those areas, but also education as a resource.
5. What different types of roles do women and men take in your portfolio in the society?  
[IF THE SHARE IS INCREASING OR DECREASING] What do you see as a reason for such changes?
6. Are cultural norms and beliefs influencing the susceptibility of men and women to discrimination, violence, and trafficking?
7. Which specific groups are particularly vulnerable in the society?
8. Considering the above, what do you see as the major gender issues and/or gaps?
9. What policy/institutional improvements are still needed and what are the main challenges to their adoption/implementation?
10. Is there any data, research, or other materials that you would like to share with us about what we just discussed?

#### CSOs

- I. Are you aware of any policies in the following programmatic areas that have undergone a process of significant gender mainstreaming, meaning that important elements were introduced to ensure gender perspectives and issues are addressed? You can focus only on those areas that your organization directly works in. [AREAS SHOULD BE LISTED IN THE CHAT WINDOW OR GIVEN AS A CARD TO THE KI]
  - a. Economic Planning, Public Finance, Fiscal Reforms
  - b. Business Development, Diaspora, and the Labor Market
  - c. ICT, Digitalization, Innovation
  - d. Energy, Environment, Tourism
  - e. Judiciary and Fight Against Corruption
  - f. Elections and Political Parties
  - g. Local Competence and Resources
  - h. Media and Investigative Journalism
  - i. Interethnic relations and Violent Extremism
  - j. Human Rights Issues
    - i. Gender based discrimination and GBV
    - ii. Roma women
    - iii. LGBTQI+
    - iv. Trafficking in persons
    - v. Persons with disabilities

We can now discuss in practical terms what would be problematic in those areas from a gender equality perspective.

2. Which different roles do men and women undertake in those areas and how much of that difference is caused by different gender roles, responsibilities, and time use?
3. Has there been any progress in equal representation of genders in decision making in the areas your organization focuses on, as investors, owners, managers, ministers and assistant ministers, as members of government advisory bodies that are important for the social dialogue, as members of parliamentary committees relevant to those areas? What do you assign progress/lack of progress to? Has the BiH LoGE influenced any change?
4. What about some marginalized groups? For example, do you think that gender diverse individuals have equal access to decision making bodies? Do they stand any chance of getting elected, but also, are there any formal obstacles for them to run in elections or be appointed in governments, for example? How does current system of registration of one's sex and legal change in that category influence such chances?
5. Do equal shares of men and women engage in the above sectors [REFER TO THE LIST AGAIN] as employees, participants, attendees, members and has there been any progress in that respect? What do you see as reasons for progress or lack thereof?
6. Has there been any progress in gender equitable access to services and rights, and control of assets and resources necessary for starting a business, becoming employees, managers, and decision-makers in some of those areas? How do you explain that progress/lack of progress?

ELABORATION: Assets and resources here include property and money necessary to start a business in some of those areas, but also education as a resource necessary to participate in decision making regarding some of those sectors.

7. How do cultural norms and beliefs influence gender equality in these sectors and are things changing in that respect in the last five years?
8. Which specific gender groups are particularly excluded from services and rights, assets and resources, from participation, from decision making? Do you see any progress in that respect?
9. Going back to policies, are there any key policies regulating those same programmatic areas which you believe are still problematic from the gender equality perspective and that should be revised?
10. Which other specific changes need to occur and what do you see as obstacles to their implementation?
11. Is there any data, research, or other materials that you would like to share with us about what we just discussed?

### *Political Stakeholders*

- I. Our research covers following areas: [AREAS SHOULD BE LISTED IN THE CHAT WINDOW OR GIVEN AS A CARD TO THE KI] Please flag for us specifically which areas you feel the most comfortable to discuss. [MARK THE AREAS AND PROBE THOSE AREAS IN QUESTIONS]
  - a. Economic Planning, Public Finance, Fiscal Reforms
  - b. Business Development, Diaspora, and the Labor Market

- c. ICT, Digitalization, Innovation
- d. Energy, Environment, Tourism
- e. Judiciary and Fight Against Corruption
- f. Elections and Political Parties
- g. Local Competence and Resources
- h. Media and Investigative Journalism
- i. Interethnic Relations and Violent Extremism
- j. Human Rights Issues
  - i. Gender based discrimination and or GBV
  - ii. Roma women
  - iii. LGBTQI+
  - iv. Trafficking in persons
  - v. Persons with disabilities

2. Are you aware of any policies in those programmatic areas that have undergone a process of significant gender mainstreaming, meaning that important elements were introduced to ensure gender perspectives and issues are addressed? How much were those changes affected by the BiH LoGE?

We can now discuss in practical terms what may be problematic in those areas from a gender equality perspective.

3. Which different roles and responsibilities do women and men typically undertake in those sectors and how are these associated with gendered roles, responsibilities, and time use in their private and public lives?
4. Has there been any progress in equal gender representation in decision-making in those areas, for example, as elected or appointed representatives, managers in public/private companies relevant to those areas, party leaders in the past five years? [IF NOT] Why not?
5. Are there gender gaps among employees in those areas or any issues that particularly affect women as employees in those areas? Have you observed any progress in this respect? [IF NOT] Why not?
6. What about specific marginalized groups? For example, do you believe that gender diverse individuals or those of different sexual orientation stand a chance in getting elected, appointed, or employed in those areas?
7. Do Roma women and women with disabilities stand a chance in getting elected, appointed, or employed in those areas?
8. Are services and rights, assets and resources across these areas differently accessible to and controlled by men and women in your view and has there been any progress? [IF NOT] Why not?

ELABORATION: Assets and resources here include property and money necessary to start a business in some of those areas, but also education as a resource necessary to participate in decision making regarding some of those sectors.

9. What about control over assets and resources among some of the marginalized groups (Roma women, women with disabilities, gender diverse individuals)?

10. How do cultural norms and beliefs influence gender equality in these sectors?
10. Considering what we discussed, what do you see as the major gender issues and/or gaps in those programmatic areas?
11. What policy/institutional improvements are still needed and what are the main challenges to their adoption/implementation?
12. Is there any data, research, or other materials that you would like to share with us about what we just discussed?

### *Scholars and Experts*

1. This research covers the following areas. [AREAS SHOULD BE LISTED IN THE CHAT WINDOW OR GIVEN AS A CARD TO THE KI] Please flag for us specifically which areas you feel the most comfortable to discuss. [MARK THE AREAS AND PROBE THOSE AREAS IN QUESTIONS]
  - a. Economic Planning, Public Finance, Fiscal Reforms
  - b. Business Development, Diaspora, and the Labor Market
  - c. ICT, Digitalization, Innovation
  - d. Energy, Environment, Tourism
  - e. Judiciary and Fight Against Corruption
  - f. Elections and Political Parties
  - g. Local Competence and Resources
  - h. Media and Investigative Journalism
  - i. Interethnic Relations and Violent Extremism
  - j. Human Rights Issues
    - i. Gender based discrimination and GBV
    - ii. Roma woman
    - iii. LGBTQI+
    - iv. Trafficking in persons
    - v. Persons with disabilities
2. Are you aware of any policies in those programmatic areas that have undergone a process of significant gender mainstreaming, meaning that important elements were introduced to ensure gender perspectives and issues are addressed? How much of the changes are influenced by the BiH LoGE?

We can now discuss in practical terms what would be problematic in those areas from a gender equality perspective.

3. What are the patterns of gender roles, responsibilities, and time use in our society and how do you see them influencing the different roles and responsibilities men and women undertake in those areas we listed above?
4. Has there been any progress in equal representation of women and men in decision making in those areas in the past five years as managers, ministers, directors, parliamentarians, participants in the social dialogue? What brought about those changes?

5. Has there been any progress in terms of engagement of men and women in those areas as employees and are working conditions improving for women? How? What brought about those changes?
6. Do you believe that gender diverse individuals or those of different sexual orientation stand a chance in getting elected, appointed, or employed in those areas?
7. Do Roma women and women with disabilities stand a chance in getting elected, appointed, or employed in those areas?
8. Are things changing regarding equal access to services, as well as ownership and control over assets and resources across these areas, for men and women, but also these other groups? [IF NOT] Why not?

ELABORATION: Assets and resources here include property and money necessary to start a business in some of those areas, but also education as a resource necessary to participate as employees or decision-makers regarding some of those sectors.

9. Are the cultural norms and beliefs that influence gender equality in these sectors changing? What about cultural norms and beliefs pertaining to gender diverse individuals, persons of different sexual orientation, Roma women, women with disabilities?
10. Considering the above, what do you see as the major gender issues and/or gaps in those programmatic areas?
11. What policy/institutional improvements are still needed and what are the main challenges to their adoption/implementation?
12. Is there any data, research, or other materials that you would like to share with us about what we just discussed?

### *International Organizations*

- I. Which of those policy areas this organization works in. [AREAS SHOULD BE LISTED IN THE CHAT WINDOW OR GIVEN AS A CARD TO THE KI; FOR UN WOMEN, QUESTION PERTAINS TO UN WOMEN AND OTHER UN AGENCIES, IF THEY ARE WILLING TO PROVIDE INFORMATION; MARK THE AREAS AND PROBE THOSE AREAS IN QUESTIONS].
  - a. Economic Planning, Public Finance, Fiscal Reforms
  - b. Business Development, Diaspora, and the Labor Market
  - c. ICT, Digitalization, Innovation
  - d. Energy, Environment, Tourism
  - e. Judiciary and Fight Against Corruption
  - f. Elections and Political Parties
  - g. Local Competence and Resources
  - h. Media and Investigative Journalism
  - i. Interethnic relations and Violent Extremism
  - j. Human Rights Issues
    - i. Gender based discrimination or GBV
    - ii. Roma women

- iii. LGBTQI+
- iv. Trafficking in persons
- v. Persons with disabilities

2. Are you aware of any gender equality-oriented activities, projects, or interventions within those policy areas that have been implemented in the past five years and by whom? The question pertains to good practices in gender mainstreaming.
3. How is gender mainstreaming ensured in this organization?
4. In policy areas of your organization's interest, have you contributed to changing any government policies recently, and if yes, which policies?  
[IF ANY ARE MENTIONED] 4.a. Have any of those policies undergone a process of significant gender mainstreaming, meaning that important elements were introduced to ensure gender perspectives and issues are addressed?
5. In your view, is there a need to increase gender mainstreaming in legislation, strategic planning, and other policies or the current levels are adequate?  
[IF NOT ADEQUATE] 5.a. What do you see as the main obstacles to improved process of gender review and gender mainstreaming?
6. How involved is the civil society sector in legislative development, strategic planning, and policy development in those specific sectors?
7. What about the involvement of gender equality institutions and gender equality parliamentary committees?
8. What do you see as the major gender equality gaps or issues in areas that are of interest to your organization and have you observed any progress in that respect? How do you explain this progress/lack of progress?
9. What about gender issues specifically experienced by marginalized groups and intersecting discrimination? Do you see any progress in that respect in the last five years? How do you explain this progress/lack of progress?
10. What policy/institutional improvements are still needed and what are the main challenges to their adoption/implementation?
11. Which areas of gender equality are you planning to engage on in the coming five years?
12. Are there any studies, research, or reports you would like to share with us pertaining to GE?

## ANNEX IV: REVIEWED DOCUMENTS

### INTERNATIONAL CONVENTIONS AND REPORTS FROM TREATY BODIES (SELECTION)

- The 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD) relevant to minority peoples' rights, as well as the CoE Framework Convention on the Rights of National Minorities (FCNM). BiH reports on both conventions to the relevant CoE bodies.
- The 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), along with the Optional Protocol from 1993. CEDAW Committee reviews BiH progress based on government reports and shadow reports from domestic and international civil society organizations (CSOs).
- The 2006 Convention on the Rights of Persons with Disabilities (CRPD) which places special emphasis on the rights of women and girls with disabilities.
- Convention on Preventing and Combating Violence Against Women and Domestic Violence, the Istanbul Convention (IC), a significant human rights treaty that sets forth detailed legal frameworks to guarantee women's right to live free from violence.
- Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) is the CoE body in charge of reviewing progress on implementation of the IC.
- The 1995 Beijing Declaration and Platform for Action on Women's Empowerment in twelve critical areas.
- UN Security Council Resolution 1325 (UNSCR 1325) which emphasized the crucial roles of women in conflict prevention, resolution, peace negotiations, peacebuilding, peacekeeping, humanitarian response, and post-conflict reconstruction.
- UN Agenda 2030 for Sustainable Development and translated the global Sustainable Development Goals (SDGs) into a SDGs Framework in BiH in 2020.

### EU REGULATION

- Directive (EU) 2024/1069 on Protecting Persons Who Engage in Public Participation From Manifestly Unfounded Claims Or Abusive Court Proceedings (SLAPPs). European Parliament. Available at: [https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L\\_202401069](https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401069) (Retrieved August 28, 2024).
- Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on Open Data and the Re-Use of Public Sector Information (Recast), EP, CONSIL, 172 OJ L (2019).

### LAWS AND POLICIES (SELECTION)

#### *General*

- Law on Gender Equality - Official Consolidated Text, BiH Official Gazette 32/10 (2003/2009)
- Law on Prohibition of Discrimination. BiH Official Gazette 48/10, 66/16
- RS Criminal Code, RS Official Gazette 64/2017, 104/2018 – Constitutional Court Decision, 15/2021, 89/2021, 73/2023, and 9/2024 – Constitutional Court Decision.
- BD BiH Criminal Code, BD BiH Official Gazette 19&2020, 3/2024, 14/2024.

- FBiH Criminal Code, FBiH Official Gazette 36/2003, 21/2004 - corr., 69/2004, 18/2005, 42/2010, 42/2011, 59/2014, 76/2014, 46/2016, 75/2017 and 31/2023

#### *Economic planning and public finance*

- FBiH Law on Development Planning and Development Management in FBiH, FBiH Official Gazette 32/17
- RS Law on Strategic Planning and Development Management, RS Official Gazette, 63/21

#### *Judiciary*

- Law on the BiH HJPC
- BiH Judiciary Gender Equality Strategy

#### *Governance*

- FBiH, RS, and BD Regulatory Impact Assessment Directives
- Law on the Council of Ministers of BiH, BiH Official Gazette 30/03, 42/03, 81/06, 76/07, 81/07, 94/07, 24/08
- Law on Civil Service in the Institutions of Bosnia and Herzegovina, BiH Official Gazette 12/02, 8/03, 35/03, 4/04, 17/04, 26/04, 37/04, 48/05, 2/06, 32/07, 43/09, 8/10
- Law on Public Procurement, BiH Official Gazette 39/14, 59/22

#### *Elections*

- Election Law of BiH, BiH Official Gazette 23/01, with relevant changes and court decisions in BiH OG 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13, 7/14, 31/16, 41/20, 38/22, 51/22, 67/22
- Laws on Political Party Financing at BiH level, and in RS and BD.

#### *Local competence*

- Law on Local Self-Government. RS Official Gazette, 97/2016, 36/2019, 61/2021.
- Law on Principles of Local Self-Government in FBiH. FBiH Official Gazette, 49/06, 51/09
- RS Law on Civil Servants and Employees in Local Self-Government Units. RS Official Gazette 97/16
- Law on Civil Service in FBiH. FBiH Official Gazette, 29/2003, 23/2004, 39/2004, 54/2004, 67/2005, 8/2006, 77/2006, 34/2010, 45/2010, 4/2012, 99/2015, 9/2017

#### *Civil society*

- Rules on Changes and Amendments to Rules for Consultations in Policy Development, BiH Official Gazette, 87/23
- Decision on Appointment of the Advisory Body of the Council of Ministers for Cooperation with the Civil Society, BiH Official Gazette, 80/20
- Law on Prevention of Money Laundering and Financing of Terrorist Activities, BiH Parliamentary Assembly, BiH Official Gazette, 13/24



- Draft Law on the Special Registry and Transparency of Work of Non-Profit Organizations, Republika Srpska National Assembly (2023)

#### *Media*

- Law on Communications, BiH PA. BiH Official Gazette 31/03, 75/06, 32/10, 98/12
- Code on Program Content. CRA
- Code on Commercial Communication.

#### *Interethnic relations and violent extremism*

- BiH Strategy for Prevention and Fight against Terrorism (2022)
- Anti-Terrorism Action Plan (2021-2026), BiH Official Gazette, 71/23
- Draft Law on Changes of the Criminal Code. RS Government
- Action Plan for the implementation of the UN Security Council Resolution 1325 “Women, Peace and Security” in Bosnia and Herzegovina for the period 2018-2022

#### *GBD and GBV*

- RS Law on Weapons and Ammunition]. RSNA. RS Official Gazette, 26/2016, 18/2017, 31/2018, 58/2019.
- Law on Value Added Tax, BiH Official Gazette, 9/2005, 35/2005, 100/2008, 33/2017, 46/2023, 80/2023

#### *LGBTQI+*

- 2021-2024 Action Plan to Improve the State of Human Rights and Fundamental Freedoms of LGBTI People in Bosnia and Herzegovina

#### *Roma women*

- BiH Action Plan for Social Inclusion of Roma Men and Women for 2021-2025). BiH Official Gazette 40/22.
- BiH Law on Protection of Minority Rights, BiH Official Gazette, 12/03 (2003), amendments 76/05 (2005).
- RS Law on Protection of Minority Rights, RS Official Gazette 2/04 (2004)
- FBiH Law on Minority Rights Protection, FBiH Official Gazette 56/08, (2008)
- BiH Action Plan for Social Inclusion of Roma Men and Women for 2021-2025

#### *Trafficking in persons*

- RS Law on Social Protection. RSNA. RS Official Gazette 7/2012, 90/2016, 94/2019, 42/2020, 36/2022

#### *Women with disabilities*

- RS Strategy for Improvement of the Social Status of Persons with Disabilities
- the Law on Representativeness of Organizations of Persons with Disabilities and Organizations of Civilian Victims of War from 2022

**MONITORING AND EVALUATION  
SUPPORT ACTIVITY (MEASURE II)**

**Fra Anđela Zvizdovića I  
UNITIC Tower B, Floor 13  
71000 Sarajevo  
Bosnia and Herzegovina  
Phone: +(387) 033 941 676  
[contacts@measurebih.com](mailto:contacts@measurebih.com)  
[www.measurebih.com](http://www.measurebih.com)**