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BOSNIA AND HERZEGOVINA GENDER COUNTRY PROFILE

2021



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July 2021

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LIST OF ABBREVIATIONS AND ACRONYMS

AGE	Agency for Gender Equality
BAM	Bosnian convertible mark
BD	Brčko District of Bosnia and Herzegovina
BiH	Bosnia and Herzegovina
BiH GCP	Bosnia and Herzegovina Gender Country Profile
CEDAW	Convention on Elimination of All Forms of Discrimination against Women
CLIP	Country-level implementation plan
COVID-19	Coronavirus disease 2019
CSE	Comprehensive sexuality education
CRSV	Conflict-related sexual violence
CSO	Civil society organization
DCAF	Democratic Control of Armed Forces
EBRD	European Bank for Reconstruction and Development
EC	European Commission
ECHR	European Convention on Human Rights
EEAS	European External Action Service
EIB	European Investment Bank
EIDHR	European Instrument for Democracy and Human Rights
EIGE	European Institute for Gender Equality
ESAP	Environmental Strategy and Action Plan
EU	European Union
EU GAP III	EU Gender Action Plan III
EU GEF	EU-funded Gender Equality Facility
FBiH	Federation of Bosnia and Herzegovina
FIGAP	Financial Instrument for Implementation of the Gender Action Plan
GAP	Gender Action Plan
GBV	Gender-based violence
GC FBiH	Gender Centre of the Federation of Bosnia and Herzegovina
GC RS	Gender Centre of Republika Srpska
GDP	Gross Domestic Product
GED	Green Economic Development
GESEP	Gender equality, social equity and poverty
GEWE	Gender equality and women empowerment
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH
GRB	Gender responsive budgeting
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
HJPC	High Judicial and Prosecutorial Council
HPV	Human papillomavirus

HQ EUFOR	Headquarters European Union Force
ICT	Information and communication technology
IDP	Internally displaced person
ILO	International Labour Organization
IMF	International Monetary Fund
IOM	International Organization for Migration
IPA	Instrument for Pre-Assistance
IRC	Inter-religious Council
JICA	Japan International Cooperation Agency
LGAP	Local Gender Action Plan
LGBTQI	Lesbian, gay, bisexual, transgender, queer, intersex
MISP	Minimum initial service package
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
ODA	Official Development Assistance
ODIHR	Office for Democratic Institutions and Human Rights
OECD	Organization for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
OSCE	Organization for Security and Co-operation in Europe
RS	Republika Srpska
SAA	Stabilisation and Association Agreement
SALW	Small arms and light weapons
SDC	Swiss Agency for Development and Cooperation
SEESAC	South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Ligh Weapons
SOP	Standard operating procedure
SRH	Sexual and reproductive health
SRHR	Sexual and reproductive health and rights
STEM	Science, technology, engineering, and mathematics
TIP	Trafficking in persons
UN	United Nations
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNHCR	United Nations High Commissioner for Refugees
UNSCR 1325	United Nations Security Council Resolution 1325
WB	World Bank

EXECUTIVE SUMMARY

The Bosnia and Herzegovina Gender Country Profile (BiH GCP) is developed in response to obligations set by the European Union (EU) Gender Action Plan III: An ambitious agenda for gender equality and women's empowerment in the EU external action (EU GAP III), which was adopted on 25 November 2020 for the period 2021-2025. EU GAP III mandates the EU Delegation in Bosnia and Herzegovina (BiH) to create or update the gender profile and based on this analysis develop a country-level implementation plan (CLIP) in consultation with national stakeholders and other actors. The Gender Country Profile is structured around the thematic areas and objectives identified by EU GAP III. This qualitative analysis largely relies on secondary sources, while only targeted primary data is collected from stakeholders by means of tailor-made questionnaires.

BiH political, economic, and social context

The BiH GCP is contextualised through the description of the political organization of BiH, its current status in relations with the EU and the key EU requirements for BiH. One of the 14 priorities set out in the 2019 European Commission's Opinion on Bosnia and Herzegovina's application for membership of the European Union, under the Fundamental Rights section, is: "Strengthen the protection of the rights of all citizens, notably by ensuring the implementation of the legislation on non-discrimination and on gender equality." The analysis of the economic and social context indicates an economic slowdown in BiH, which is further exacerbated by the COVID-19 pandemic, as well as shrinking population due to emigration. Unemployment is seen as one of the key determinants of the levels of poverty, particularly in households headed by elderly people, those lacking education and those who are unable to work. Health expenditures show that little is invested in prevention and awareness raising, immunisation, early detection of diseases, monitoring of the health status of the population, epidemiological monitoring and disease risk control, and disaster response programmes.

Specific gender equality context

International human rights standards are embedded in BiH's Constitution and legislation, and discrimination on almost all grounds is prohibited. Specific legislation regulates gender equality and anti-discrimination, which has been commended by international bodies. Comprehensive gender equality policies are in place, as well as gender institutional mechanisms, which are tasked to coordinate and monitor policy implementation. However, the extent of implementation of policies is questioned by international and local observers, who note gender-based discrimination at work, threats against women's human rights defenders and lesbian, gay, bisexual, transgender, queer, intersex (LGBTQI) activists, inequalities in protection of victims a gender-based violence (GBV) and conflict-related sexual violence (CRSV); as well as various impediments to equal political participation. The capacities of gender institutional mechanisms to consistently monitor gender mainstreaming efforts across governments and measure their impact require further improvements. Gender-disaggregated data is not always recorded, collected, updated, and analysed, despite positive examples in some sectors. The intersections with age, disability, and ethnic minority status are not clearly recorded in data sources. However, there is a sizeable body of research into various aspects of gender equality in BiH, mostly supported by international actors. The local funding for implementation of gender equality policies is limited, with institutions generally relying on international funds for this purpose.

Ensuring freedom from all forms of gender-based violence

BiH adopted legislation that incriminates violence against women and stipulates protection of victims. Policies for the implementation of the Istanbul Convention have also been adopted. However, the protection of victims has not been enforced in a harmonised manner due to different regulatory social protection and legal aid solutions in individual jurisdictions. Specialised protection services are

provided by shelters for victims across the country, but the public funding of non-governmental organizations (NGO)-run shelters is not consistent. Also, considering the standards set by the Council of Europe Convention on Preventing and Combatting Violence against Women and Domestic Violence (Istanbul Convention) concerning specialised women's shelters across the country, BiH is 166 bed-spaces short. Efforts have been made to integrate GBV prevention, protection, and response into the health system in BiH. Moreover, cooperation protocols were signed between individual health care, social institutions, schools, police, civil society organizations (CSOs), among other relevant actors at the local level, in order to ensure adequate reporting mechanisms and swift protection of victims. Training of professionals in the health, social protection, police, and judiciary sectors, as well as interventions in education and media, have contributed to building awareness about GBV, but training is not mandatory and continuous. Also, there are formal measures and NGO initiatives for work with men on the prevention of violence against women and domestic violence. However, the prevalence of violence against women is still high and further impacted by the COVID-19 crisis. Also, it is reported that marginalised women do not exercise their rights to protection services equally.

Promoting sexual and reproductive health and rights

In line with the legislation, health care is in principle available to all without discrimination on any grounds. However, there are differences in access to public health care among jurisdictions due to different financial and institutional arrangements. This particularly affects unemployed women, women working in the informal economy, victims of violence, and Roma women among others. Most health care institutions in BiH do not have accessibility architecture and instruments for the treatment of persons with disability, which particularly affects women's access to gynaecological protection. The implementation of policies for sexual and reproductive health and rights (SRHR) has not been consistently measured,

which is why there are no conclusive findings on the state of sexual and reproductive health of women and men. Specific interventions related to family planning, maternal health and monitoring maternal mortality have been delivered. Still, there is no favourable context for wider discourse on family planning, the abortion prevalence is unknown due to an incomplete tracking system, and maternal mortality is not consistently monitored. A system for screening of breast, cervical, or prostate cancer has not been established in BiH. The Human papillomavirus (HPV) vaccination programme does not exist either. Moreover, under the circumstances of the COVID-19 pandemic, accessibility, and quality of sexual and reproductive health care services in BiH has been reduced. Despite positive examples in some jurisdictions, comprehensive sex education is not systemically introduced in the education system in BiH. There have been efforts to integrate the Minimum Initial Service Package (MISP) for SRH in crisis in emergency preparedness plans in BiH as a resource and guidance in response to emergencies.

Promoting economic and social rights and empowering girls and women

There are considerable differences in activity and employment among women and men in BiH, whereby women's employment rate is considerably lower than men's. Women's unemployment is particularly higher than men's in the age group of 15-24, and Roma women's labour force participation is considerably lower than that of Roma men. The COVID-19 pandemic is a particular threat to women's employment. On the other hand, the level of education does not impact on the gender gap in employment and activity, as evidenced by the qualifications structure of the unemployed. Women's lower employment and activity rates are direct consequences of women's assumed roles as the primary family carers of children and the elderly, which stems from deeply embedded social stereotypes and unequal distribution of family responsibilities between women and men. At the same time, recognition of unpaid household work and family care has not materialised in regulations.

Lack of widely available childcare and care for the elderly and sick is one of the impediments to women's higher employment. Namely, early childhood education and care is not readily available to all children in BiH, especially those from vulnerable families. The same applies to elder care, which is characterised by a lack of day-based services, limited number of public residential care centres, and high costs of private facilities. Moreover, regulations concerning parental leave and benefits is in place, but not equal for all, depending on jurisdiction. The regulation is applied differently in public and private sectors, which largely affects women who work in the private sector and informal economy, and women who are single parents. Although parental leave is recognised by labour laws in order to promote sharing of responsibilities as well as equal participation in labour and economic relations, this right has not been used by fathers to a great extent.

The extent of gender-based discrimination is unknown, the awareness is generally low and the enforcement of anti-discrimination regulatory provisions is deficient. A gender pay gap has been reported in BiH. Although legislation prohibits discrimination on grounds of sex, women working in the private sector are particularly vulnerable to informal work, overtime work, pay gap as compared to employees in the public sector, as well as discrimination based on their sex and intrinsic features, such as pregnancy or motherhood. However, very few discrimination claims are received by responsible bodies.

There have been individual active measures for women's employment and economic empowerment across BiH, in line with strategic documents, and they included training, professional upgrading, preparation of unemployed persons for the labour market and creating equal opportunities for all to access the labour market. However, the effects of active measures have not been systematically quantified across BiH and their impact has not been closely monitored. Some sources found that measures for the economic empowerment of women have actually reinforced the stereotypical interpretations of the roles of women in BiH and traditional occupational segregation. Women's work in the rural economy, where they are considerably represented, has been recognised through strategic documents, but

women and girls are at risk of unpaid work in the rural economy.

Furthermore, women's unemployment is not consistently addressed by the economic policy. Informed observers and analytical sources note limited progress in the establishment of gender responsive budgeting. There have been few considerations of how women's employment affects economic growth and which strategic measures should be taken to address women's economic activity as an asset. Moreover, women suffer most from the lack of access to and control over productive resources such as land, property, financial resources, education, marketable skills and access to information and modern technology. Increased attention has been paid over the past years to women and business in BiH, but they still experience the glass ceiling. Some of the barriers for women in advancement to higher managerial positions are few opportunities for advancement, difficulties in balancing family and business obligations, higher management levels give precedence to men in advancement, unfavourable environment in the company, and lack of mentorship. There is gender parity in pre-school, primary and secondary education, at least among boys and girls who do not come from vulnerable groups of population. Data indicate that the majority of repeaters in primary and secondary education are boys. Gender disparities are visible in literacy levels. The COVID-19 pandemic jeopardised access to education particularly for the most vulnerable children. There is gender disparity in chosen fields of study, which affects future positions of women and men on the labour market. There is a continuing trend of boys enrolling into vocational schools and girls enrolling into grammar and art schools. Women predominantly study health and social welfare, education, humanities and arts, social sciences, business and law, and agriculture and veterinary sciences. Women dominate in higher education, both in terms of enrolment and completion rates, but not in all spheres of research. Women are significantly more represented than men in the teaching profession, although the gap decreases as the level of educational institution increases.

Individual analyses indicate that textbooks and teaching materials used in formal education of youth in BiH contain biased the content and are

often gender exclusive. Gender equality does not feature equally in teaching curricula across jurisdictions and educational institutions in BiH. Some higher education institutions in BiH have established specific gender equality programmes and courses, such as Gender Studies at master's and PhD degree levels, summer courses, or integration of Gender Bias and the Law as optional subjects at individual law faculties.

Promoting equal participation and leadership

BiH adopted important legal standards for equal participation of women and men in decision-making and leadership which are in line with international human rights agreements. The BiH Election Law was harmonised with the Gender Equality Law stipulating that equal representation of sexes is ensured by at least 40% representation on election lists. The gender quota had a positive initial impact on participation of women in parliaments in BiH, but it is not the sole determinant of women's political participation. Individual special measures provided for by the Election Law also had an impact on the number of women in the legislature. Still, even though more than 40% of political candidates at elections are women, the number of elected women is generally much lower across jurisdictions, with the exception of only a few. The executive branch is generally male dominated. Also, women constitute a quarter of BiH ambassadors and general consuls.

Factors that affect women's success at elections and their consequent participation are structural, including the design of the electoral system, the role of political parties, gender-biased electorate and the role of the media among others. More specifically, political parties have been seen as gatekeepers and frequently do not allow substantial and meaningful participation of women in the election and post-election processes. This is complemented by the perception that women do not have sufficient political skills, as well as by a general invisibility of women in election campaigns, particularly at the local level. Women from marginalised groups are hardly represented in political life. The media play a critical role as gender bias in reporting reiterates dominant ideologies and attitudes which in the case of women in politics are based on gender stereotypes. Moreover, women

in politics have reported experiencing online GBV, mostly in the form of psychological violence through misogynistic and sexualised threats.

In non-political spheres, there seems to be better equal participation. Judiciary is the only branch of government where women are not underrepresented and a gender equality strategy for judiciary is in place. This does not mean that judiciary is free from gender biases, which the strategy also aims to address. Women constitute the majority of civil servants, but not at senior levels.

Integrating the women, peace and security agenda

Participation of women in the police, army and peacekeeping missions has increased to some extent in comparison to previous years, but equal participation has not been achieved. The BiH Defence Minister was a woman until 2019, for four years, but the percentage of women at managerial positions in the BiH Armed Forces remains low. There was a slight increase in women's participation in police structures in 2018 as compared to 2017, but it remains at around or below 10%, and women are still largely underrepresented in police managerial positions and senior ranks. Regarding the involvement in peacekeeping missions, the number of women participating in international peace keeping missions on behalf of BiH has increased considerably, most notably as a result of affirmative measures.

Integrating the Women, Peace and Security agenda has been approached in a planned manner as BiH adopted three consecutive action plans for the implementation of the UN Security Council Resolution 1325 (UNSCR 1325) on "Women, Peace and Security". The implementation of action plans has been monitored by specifically appointed coordination boards made up of representatives of gender institutional mechanisms, defence and security institutions, and the non-governmental sector in BiH. Moreover, the BiH Agency for Gender Equality (AGE) has participated in the development of security regulations and policies, including strategies and action plans for integrated border management, combatting human trafficking, and small arms and light weapons. BiH's commitment to the Women, Peace and Security agenda

and implementation of the UNSCR 1325 was recognised at the Summit of G7 foreign ministers in 2018, when every G7 member selected a country for partnership on Women, Peace and Security as part of an initiative launched by the Canadian Presidency, with the EU being the only one to select a European country – Bosnia and Herzegovina.

There is a comprehensive institutional, legislative and policy framework for the implementation of anti-trafficking policies. However, human trafficking remains a problem in BiH and the country has been on the Tier 2 Watch List of the US State Department for two years. Trafficking particularly, though not exclusively, affects women. Foreign women and girls from European countries are vulnerable to sex trafficking within the country. Traffickers exploit Bosnian victims in sex trafficking and forced labour in construction and other sectors in the neighbouring Balkan countries and other countries across Europe. According to reports, prosecution of perpetrators is low and not victim-centred.

The exact number of CRSV survivors is unknown and stigmatisation continues. Stigma alleviation interventions have been delivered in cooperation with youth, religious communities, and the media. Legislation has been adopted to regulate the status and protection of victims of CRSV, but this legislation differs among jurisdictions. Survivors do not feel they are adequately treated by the government institutions, emphasising the need for further psychological, medical and legal support. Male victims of wartime rape are generally unprotected and stigmatised in their communities as a result of patriarchal norms. Following an increase in the number of CSRV cases processed by the judiciary in BiH, the prosecution of cases recently slowed down. Institutions and legislation are in place for the protection of and support to the witnesses during court proceedings. However, issues are highlighted relating to protection of a witness's identity and consistent support to witnesses, and call for continued funding of witness support networks so that support can be rendered even after criminal trials. CRSV survivors continue to face numerous challenges in accessing all forms of reparation, with financial compensation granted to victims in criminal proceedings remaining largely unenforceable.

The gender perspective has been integrated

into Small Arms and Light Weapons (SALW) considerations. According to the country's SALW strategy, special significance is attached to the influence of the use of arms in cases of domestic violence as well as the different influences that SALW have on men and women. The UNSCR 1325 Action Plan acknowledges that terrorism and violent extremism have different implications on women and men, and it includes measures relating to prevention of these phenomena. However, there are recommendations to include gender considerations in planning and implementing steps to rehabilitate and reintegrate foreign terrorist fighters and their family members, also through the provision of specialised training programmes for social welfare professionals.

Gender institutional mechanisms recommended to authorities ways to integrate gender equality in relief actions in cases of natural disasters. There are also examples of specifically designed interventions in responding to GBV in migrant crisis, which have replication potential. Gender institutional mechanisms, the United Nations (UN) and other agencies have been quick to analyse COVID-19 implications on women under the human security umbrella of the UNSCR 1325 Action Plan, and gender institutional mechanisms issued recommendations to governments on a gender sensitive COVID-19 response.

Addressing the challenges and harnessing the opportunities offered by the green transition and the digital transformation

The role of women in environmental protection and green transition was not considered sufficiently until recently. Gender institutional mechanisms have not been considerably involved in processes of strategic planning for environmental protection until the recent involvement in drafting of the Environmental Strategy and Action Plan for BiH until 2030 (ESAP 2030+). The strategic planning now recognises that solutions to environmental change are not socially neutral and aims to strengthen environmental policy in BiH with a gender equality, social equity, and poverty reduction approach, taking into account intersectionality. Individual projects have considered green economy in efforts to boost women's economic empowerment.

Computer literacy in BiH is gender balanced. Girls'

and women's interest in science, technology, engineering and mathematics (STEM) differs across sub-areas. International organizations and CSOs have been active in promoting the role of women in STEM. Still, there is no evidence of STEM and digitalisation having been considered consistently as potential for women's economic empowerment in formal policies and practices. There is gender balance among researchers at higher education institutions, although there is a gender gap in favour of men when it comes to research managers.

Mapping of external support

The EU is the leading development partner of BiH. BiH GCP uses primary sources to estimate current international funding allocations for gender equality and women empowerment in BiH. However, a single register of international assistance in the field of gender equality does not exist and collecting and analysing information on donor funds and projects remains a challenge. It is recommended that adequate mechanisms are established for information sharing and coordination in programming and delivery, in consultation with institutions in BiH.

Way forward

BiH GCP summarises conclusions based on findings by the EU GAP III thematic areas and gives

recommendations for action in individual areas. Recommendations are related to:

- Further gender mainstreaming and monitoring actions,
- Harmonisation of legislation and building of capacities for ending GBV,
- Ensuring access to health care, including SRHR for all,
- Establishing linkages between education, economic policy and women's empowerment, as well as anti-discrimination and gender transformative actions,
- Further actions for equal participation in leadership and decision-making,
- Consistent implementation of women, peace and security agenda,
- Integration of gender perspectives in green transition and digitalisation policies and practice with the aim of women's empowerment, and
- Mapping and coordination of external assistance in the area of gender equality and women empowerment.

INTRODUCTION

Gender equality is a universally recognised human right and a core value of the European Union (EU), as well as a driver of economic growth, prosperity, good governance, peace and security. All people, in all their diversity, should be free to live their chosen life, thrive socially and economically, participate and take a lead as equals. The EU, as a global front-runner in promoting gender equality as a key political objective of its external action and common foreign and security policy, pursued a three-pronged approach, combining gender mainstreaming, targeted actions and political dialogue through the newly adopted EU Gender Action Plan III (EU GAP III).¹ EU GAP III is based on three principles to tackle root causes of gender inequality: gender transformative approach, intersectionality and rights-based approach.

EU GAP III was adopted on 25 November 2020 for the period 2021-2025. This Joint Communication to the European Parliament and the Council is accompanied by a Joint Staff Working Document outlining objectives and indicators to frame the implementation. EU GAP III places focus on gender equality and women's empowerment (GEWE) in EU's external action and is EU's blueprint for building a "gender-equal world".² It aims to curb the rise of inequalities in the difficult context created by the COVID-19 health and socio-economic crisis, and to accelerate progress on GEWE aiming to create long-term change through concrete actions that change mentalities and address the harmful social norms and stereotypes at the root of gender inequality.

EU GAP III consists of Part I, which is related to EU's institutional and strategic objectives and indicators, and Part II, which focuses on the following thematic areas of engagement:

- Ensuring freedom from all forms of gender-based violence,
- Promoting sexual and reproductive health and rights,
- Promoting economic and social rights and empowering girls and women,
- Promoting equal participation and leadership,
- Integrating the women, peace and security agenda,
- Addressing the challenges and harnessing the opportunities offered by the green transition and the digital transformation.

One of the EU GAP III objectives under Part I is, 2. Strategic engagement at country level specifies: "GAP III implementation is informed by sound gender profile[...] and framed in "country-level implementation plans". "³ EU Delegations should conduct or update a gender country profile and, in coordination with EU Member States, develop a country level implementation plan (CLIP), in consultation with national stakeholders and other actors.⁴ This document, Bosnia and Herzegovina Gender Country Profile (the BiH GCP), is designed to contribute to implementation of this objective and inform the development of CLIP.

BiH GCP intends to follow the thematic areas identified by EU GAP III. This is preceded by a brief elaboration of the country context, introducing key features of the political organization of Bosnia and Herzegovina (BiH), relations with the EU, and the social and economic context.

¹ European Commission, High Representative of the Union for Foreign Affairs and Security Policy (2020).

² Ibid.

³ European Commission (2020).

⁴ Ibid.

The specific gender equality context is elaborated on through the presentation of the key features of the BiH Constitution and the integration of human rights and gender equality principles; gender equality and anti-discrimination legislation and policies; gender institutional mechanisms and resources for the implementation of the gender equality policies in BiH; the role of civil society; and the key human rights issues in the context of gender equality.

In the section Key gender equality issues, barriers and challenges, EU GAP III thematic areas are detailed. Information is generally presented at the macro, meso and micro levels, to the extent possible and depending on the availability of data. This means that every section related to a thematic area attempts to give key information about the legislative and policy framework of the country, institutional and sectoral structures, and community and family level information. EU GAP III indicators are used for the identification of data collection methods and sources, and as guidance in structuring and presenting the information.

The key method applied in the development of the BiH GCP is qualitative, relying largely on secondary data. The document uses a wide collection of statistical information published in BiH as well as numerous reports and analyses conducted by local and international institutions and organizations in BiH. In this context, official statistics for BiH are used. Official reports on the implementation of BiH's gender equality policies and international commitments, including the reports on the implementation of the Convention on Elimination of All Forms of Discrimination against Women (CEDAW), Beijing Declaration and Platform for Action, and the Council of Europe Convention on Preventing and Combatting Violence against

Women and Domestic Violence (the Istanbul Convention), are among the key sources. This information is supplemented with analyses from non-governmental sources, primarily alternative reports and analyses conducted by international organizations. The BiH Country Gender Profile 2014 produced by the EU served as the baseline, while the Gender Country Profile developed by United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), and various UNDP, UNFPA, UNICEF, OSCE, OHCHR* reports were consulted, which is reflected in the references. The BiH GCP therefore represents a compilation of findings from the existing sizeable body of research on the topic of gender equality and its different aspects and thematic areas. The author's views are reflected only in the selection of sources and summary of relevant findings.

The only primary data collected for the purpose of developing this document is data collected from the gender institutional mechanisms, civil society organizations, EU Member States' embassies and development agencies, the EU Force (Operation Althea), non-EU states' embassies and development agencies, and international organizations and donor agencies in BiH by means of specifically designed questionnaires. This data largely informed the section on external support to BiH in the field of GEWE. One serious limitation of primary data collection is a relatively low response of EU Member States, which has an impact on the compilation of data, measurements and analysis for the purpose of presenting comprehensive information about EU's external assistance.

BiH GCP ends with conclusions and recommendations which are related to specific gender equality issues and barriers, as well as proposed entry points and opportunities for EU's political and operational support and dialogue in the context of EU GAP III. These high-level recommendations generally may reiterate recommendations already given to BiH by international bodies, and they constitute a response to priorities and gaps identified by the BiH GCP.

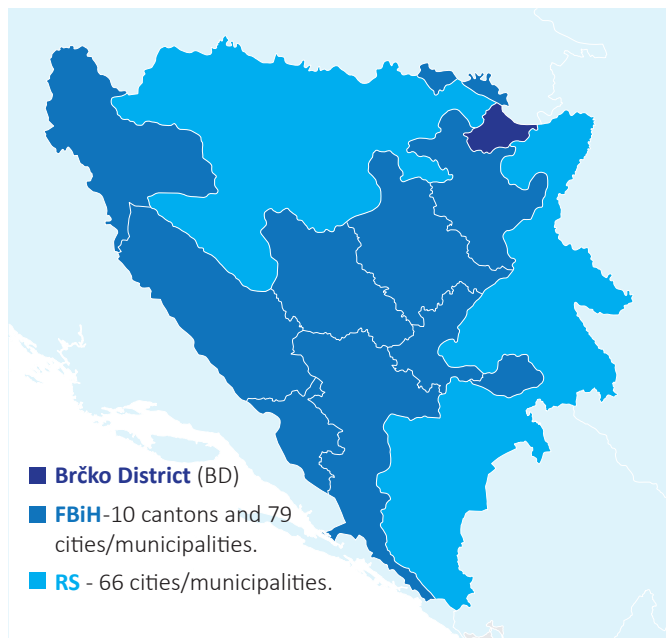
THE COUNTRY CONTEXT

Political organization

In line with the Dayton Peace Agreement and the Constitution created thereby, BiH is a decentralised and ethnically mixed state consisting of two entities – the Federation of Bosnia and Herzegovina (FBiH) and Republika Srpska (RS) – and Brčko District (BD) of Bosnia and Herzegovina. FBiH further consists of 10 cantons and 79 cities/municipalities. RS is entirely centralised, with 66 cities/municipalities. The BiH Gender Country Profile 2014 refers to BiH's "asymmetrical political and governance structure,"⁵ which still remains valid: "The purpose of competences established at the BiH level is primarily coordination and fulfilment of international commitments of BiH, while, according to the Constitution, most of the executive powers lay the entity levels, further divided in the case of FBiH between entity and cantonal levels."⁶

Relations with the EU and key EU requirements

According to the 2019 European Commission's (EC) Opinion on Bosnia and Herzegovina's application for membership of the European Union (hereinafter: the 2019 EC Opinion),⁷ "Relations between the EU and Bosnia and Herzegovina have developed with increased engagement and momentum since the signature of the General Framework Agreement for Peace at Dayton/Paris in 1995." The Stabilisation and Association Agreement (SAA) between BiH and the EU was signed on 16 June 2008 along with an Interim Agreement, which as of 1 July 2008 regulates trade and trade-related matters. The SAA has been in force since 2015. The protocol adapting the SAA to take into account the accession of Croatia to the EU entered into force on 1 October 2017. BiH has developed appropriate administrative capacities to ensure the implementation of the SAA provisions, in particular concerning the smooth operation



of the Stabilisation and Association Council, Committee and sectoral sub-committees.⁸ In 2016, the country applied for EU membership. Following delivery of answers to the European Commission's Questionnaire, the 2019 EC Opinion noted the following concerning the country's application for EU membership: "Bosnia and Herzegovina is overall at an early stage regarding its level of preparedness to take on the obligations of EU membership and needs to significantly step up the process to align with the EU acquis and implement and enforce related legislation."⁹ The Opinion further called on BiH to fundamentally improve its legislative and institutional framework and ensure that it meets 14 key priorities in the areas of democracy/functionality, rule of law, fundamental rights, and public administration reform. Under the Fundamental Rights section specifically addresses gender equality: "Strengthen the protection of the rights of all citizens, notably by ensuring the implementation of the legislation on non-discrimination and on gender equality."¹⁰

5 European Commission (2014).

6 Ibid.

7 European Commission (2019), p. 3.

8 European Commission (2019).

9 Ibid., p. 14.

10 Ibid., p. 15.

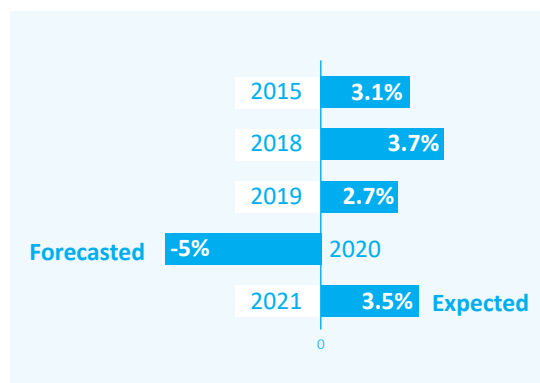
Economic context

According to the World Bank (WB), “Bosnia and Herzegovina is an upper middle-income country which has accomplished a great deal since the mid-1990s. Today, it is an EU potential candidate country and is now embarking on a new growth model amid a period of slow growth and the global financial crisis.”¹¹ The World Bank indicated that BiH showed steady annual GDP growth rate since 2015, ranging from 3.1% in 2015 to 3.7% in 2018, but dropping to 2.7% in 2019.¹² According to the 2019 EC Opinion, “between 2015 and 2018, Bosnia and Herzegovina embarked on an ambitious ‘reform agenda’ to bring back economic growth and jobs opportunities. While significant challenges remain, the reforms undertaken contributed to the improvement of the economic indicators and the macroeconomic situation, including balanced public finances and steady economic growth.”¹³ Still, in 2020, the EC notes that the country has made limited progress and is still at an early stage of establishing a functioning market economy.¹⁴

According to the updated IMF forecasts for BiH in April 2020, due to the outbreak of COVID-19, GDP growth is expected to fall to -5% in 2020 and pick up to 3.5% in 2021, subject to the post-pandemic global economic recovery.¹⁵ The economic situation in BiH showed a slowdown and negative macroeconomic trends in BiH even before the pandemic period. However, the virus outbreak triggered an economic crisis in BiH along with the rest of Europe, which was further exacerbated by pandemic-related restrictions.¹⁶

FIGURE 1

BiH annual GDP growth rate by year



Source: The World Bank, 2021 | UNDP, 2020

Socio-demographic situation

The key socio-demographic indicators have been generally concerning, even before the COVID-19 crisis, particularly when it comes to the status of women and youth. The population of BiH is ageing and shrinking demographically. Although the birth rates are similar to those of the EU, the population decline is driven by a sustained and increasing rate of emigration. Since 2014, the data show a shift to entire (and younger) families leaving to seek their future in other countries.¹⁷

(Un)employment

The unemployment rate has ranged from 20.5% to 15.7% over the period 2017-2019 at the BiH level.¹⁸ In 2020, the unemployment rate was 15.9% in BiH.¹⁹ In the first quarter of 2021, the unemployment in FBiH²⁰ was at 20.8% and at 12.2% in RS at the end of 2020.²¹ The unemployment rates of those

¹¹ Available at <https://www.worldbank.org/en/country/bosniaandherzegovina>. This assessment was made before the COVID-19 pandemic.

¹² Available at <https://databank.worldbank.org/reports.aspx?source=2&series=NY.GDP.MKTP.KD.ZG&country=BIH#>.

¹³ European Commission (2019), p. 4.

¹⁴ European Commission (2020a).

¹⁵ UNDP (2020).

¹⁶ Ibid.

¹⁷ UNDP (2020a).

¹⁸ Agency for Statistics of Bosnia and Herzegovina (2019).

¹⁹ Agency for Statistics of Bosnia and Herzegovina (2020).

²⁰ Institute of Statistics of FBiH (2021).

²¹ Republika Srpska Institute of Statistics (2021).

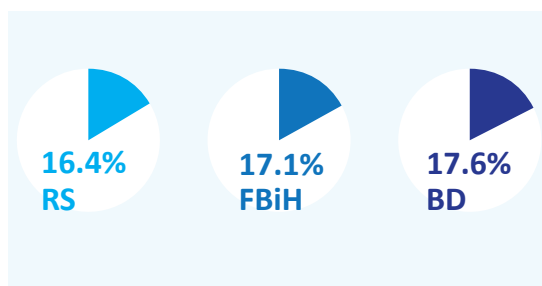
aged 15-24 and women are still at least double in 2019 and 2020 compared to the total workforce.²² Working age population percentage has dropped from 81.1% in 2016 to 72.5% in 2019,²³ which could potentially explain lower unemployment rates in recent years. In 2020, the working age population percentage rose to 80.1%.²⁴

Poverty

According to the latest Household Budget Survey, which was conducted in 2015, there are 170,619 households in BiH living in poverty, with 104,666 in FBiH, 62,501 in RS, and the remaining 3,452 in BD. A total of 16.9% of the population lives below the national poverty line.²⁵ This rate is at 16.4% in RS, whereas in FBiH, it stands at 17.1%, and in BD at 17.6%. The overall poverty rate has dropped progressively since 2007, when it was at 18.2%. Unemployment is a significant, but not the sole determinant of risk of poverty and exclusion. The rate of poverty is much higher in households where the head of household is over 65 years old, lacking any education, unemployed, or unable to work.²⁶ BiH does not face the challenge of undernutrition of its population.²⁷

FIGURE 2

Poverty rate in BiH in 2015



Source: Household Budget Survey, Agency for Statistics of Bosnia and Herzegovina, 2015

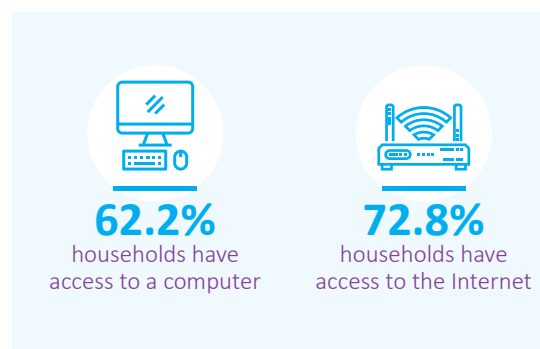
Housing and living conditions

It is, however, interesting to note that only 2.8% of households in BiH live in rental homes.²⁸ Almost all housing units in the country are connected to electricity and water supply.²⁹ A total of 2,600 households are not connected to the electrical grid, there is a lack of access to safe drinking water, and outside toilets are still used in some households.³⁰ Wood and coal are the primary source of heating.³¹

Remote areas are often not well connected to urban centres, where a variety of public services are available.³² There is a strong need to improve the general transportation infrastructure in the country.³³ In terms of access to information and communication technology (ICT), 62.2% of households have access to a computer and 72.8% of households have access to the Internet.³⁴

FIGURE 3

Access to Information and Technology in 2021



Source: Agency for Statistics of Bosnia and Herzegovina, 2021

²² Agency for Statistics of Bosnia and Herzegovina (2019); Agency for Statistics of Bosnia and Herzegovina (2020).

²³ Agency for Statistics of Bosnia and Herzegovina (2019).

²⁴ Agency for Statistics of Bosnia and Herzegovina (2020).

²⁵ Agency for Statistics of Bosnia and Herzegovina (2015).

²⁶ Ibid.

²⁷ BiH Voluntary National Review Report (2019).

²⁸ Ibid.

²⁹ Ibid.

³⁰ Bari, F. and Kovač, V. (2019). Gender Brief Bosnia and Herzegovina: Gender Equality State of Play and Recommendations for BiH GAP and EU GAP Implementation. Sarajevo: UN Women CO in BiH, 2019, p. 34, as cited in UN Women (2021).

³¹ Ibid.

³² Ibid.

³³ BiH Voluntary National Review Report (2019).

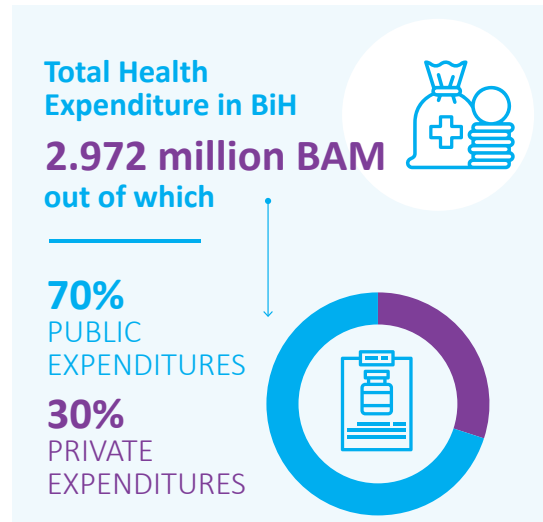
³⁴ Agency for Statistics of Bosnia and Herzegovina (2021).

Health expenditures

According to latest National Health Accounts, in 2018 the total health expenditure in BiH was 2.972 million BAM, out of which 70% were public, and 30% were private expenditures. In 2018, the share of health consumption in the GDP of BiH was 8.7%. In 2018, more than half of the total health consumption in BiH was related to treatment and rehabilitation services, while one quarter of the funds were spent on medicine and medical devices. Only 1.8% of the total health fund in 2018 was spent on prevention and awareness raising, immunisation, early detection of diseases, monitoring of the health status of the population, epidemiological monitoring and disease risk control, and disaster response programmes.³⁵

FIGURE 4

Health expenditure in BiH in 2018



Source: Household Budget Survey, Agency for Statistics of Bosnia and Herzegovina, 2015

³⁵ Agency for Statistics of Bosnia and Herzegovina (2020a).

SPECIFIC GENDER EQUALITY CONTEXT

Constitution and gender equality

The BiH Constitution integrates the key international standards on human rights and gender equality, primarily the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) from 1979, which is directly applicable in BiH. Moreover, BiH is signatory to other international legal acts and documents, including the 1995 Beijing Declaration with the Platform for Action (hereinafter: the Beijing+25 Report); the United Nations Security Council Resolution 1325 'Women, Peace and Security' (UNSCR 1325) from 2000; the United Nations Convention against Transnational Organized Crime from 2000; and a total of 83 International Labour Organization (ILO) conventions and one protocol, of which 65 are in force,³⁶ among other international treaties. BiH was amongst the first countries in Europe to ratify the Council of Europe Convention on preventing and combatting violence against women and domestic violence in 2013.

The Constitution of BiH stipulates under Article II., 4: "The enjoyment of the rights and freedoms provided for in this Article or in the international agreements listed in Annex I to this Constitution shall be secured to all persons in Bosnia and Herzegovina without discrimination on any ground such as sex, race, color, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."³⁷ The CEDAW Committee, however, notes that the definition of non-discrimination in Article 2 of the Constitution "fails to encompass all forms of discrimination against women, in accordance with Article 1 of the Convention".³⁸

Legislative and policy framework for gender equality

The BiH Gender Equality Law was adopted in 2003

and amended in 2009, while the consolidated text was published in 2010.³⁹ This law specifically addresses gender equality in education, employment, labour and access to resources, social protection, healthcare, culture and sports, public life, and the media. It also provides the regulatory framework for the roles and functioning of gender institutional mechanisms in relation to the implementation of law and its monitoring.

The Gender Equality Law stipulates that equal representation of men and women exists, if there is at least 40% representation of the less represented sex, and this rule applies to all public sector bodies in BiH, including the legislative, executive, and judicial branches, political parties, legal persons with public authorisation and others that work under the auspices of the state, entities, cantons, cities, and municipalities. It also applies to appointments to delegations and international organizations or bodies.

The Gender Equality Law defines gender-based discrimination and prohibits discrimination on the basis of gender and sexual orientation in all spheres of life. In this context, different types of gender-based violence (GBV) are considered to be forms of discrimination and violation of human rights. This is further complemented by the Law on the Prohibition of Discrimination,⁴⁰ which defines direct and indirect discrimination on all grounds, including gender and sexual orientation, as well as what does not constitute discrimination. This law also regulates the system of protection from

³⁶ Overview of ratifications available at

https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:102704.

³⁷ Constitution of BiH. Available at

https://www.ustavnisud.ba/public/download/USTAV_BOSNE_I_HERCEGOVINE_engl.pdf.

³⁸ CEDAW Committee (2019), p. 3.

³⁹ Zakon o ravnopravnosti spolova u BiH ("Official Gazette of Bosnia and Herzegovina", No. 16/03, 102/09 and 32/10).

⁴⁰ Zakon o zabrani diskriminacije ("Official Gazette of Bosnia and Herzegovina", No. 59/09 and 66/16).

discrimination in all areas of life, including labour and employment, social and health protection, judiciary and administration, housing, public information, education, sport, culture, science and economy. Furthermore, the law prohibits sexual and every other form of harassment, mobbing, segregation and incitement to discriminate. The CEDAW Committee welcomed the amendment to the Law on Prohibition of Discrimination which added age, disability and sexual orientation as prohibited grounds of discrimination and revised the definition of sexual harassment.⁴¹

The BiH Gender Action Plan (GAP) is the key mid-term public policy document, which is adopted by the BiH Council of Ministers in line with the Gender Equality Law. According to the Law, the BiH Agency for Gender Equality (AGE) is tasked

to initiate and coordinate, in cooperation with entity Gender Centres, the development of the GAP and to monitor its implementation and coordinate activities with all relevant bodies in the process of implementation. As summarised by UN Women, “the goal of the GAP is to guide ministries and other institutions in mainstreaming gender equality principles in their work in accordance with the Law on Gender Equality. The BiH institutions are expected to adopt annual operation plans to enable systematic and coordinated action in the process of mainstreaming gender into the work of institutions based on the GAP.”⁴²

GAP has been developed and implemented in the periods 2006-2011, 2013-2017, and 2018-2022. The current GAP⁴³ has three strategic goals and related priorities and measures:

Strategic goal 1: Development, implementation and monitoring of the programme of measures for the advancement of gender equality within governmental institutions, as per priority areas:	Preventing and combatting gender-based violence, including domestic violence and trafficking in human beings
	Public life and decision making
	Labour, employment and access to economic resources
	Education, science, culture and sport
	Health, prevention and protection
	Social protection
Strategic goal 2: Establishing and strengthening the system, mechanisms and instruments for the achievement of gender equality	Gender and security
	Coordination and supervision of the implementation of the Gender Action Plan of BiH
	Monitoring and improvement of the application of international and domestic gender equality standards
	Strengthening and cooperation of institutional gender equality mechanisms
	Raising awareness of gender equality in all segments of society
	Support to institutional and non-institutional partners in the process of inclusion of the gender equality principle
Strategic goal 3: Establishing and strengthening cooperation and partnership	Monitoring and assessment of progress in the achievement of gender equality
	Cooperation at regional and international level
	Cooperation with civil society organizations, social partners, academic community

⁴¹ CEDAW Committee (2019).

⁴² UN Women (2021), p. 30.

⁴³ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2018).

The BiH Council of Ministers established a Steering Board for the coordination and monitoring of the implementation of GAP, which is tasked with the adoption of guidelines for the development of annual operational plans and their approval as well as for reporting on the progress made regarding the implementation of the GAP to the BiH Council of Ministers and the Parliamentary Assembly.⁴⁴ The latest report on the implementation of GAP developed for the period November 2018 – September 2019⁴⁵ was adopted by the BiH Council of Ministers in June 2020, while the report for the period 2019-2020 currently awaits adoption. The CEDAW Committee, however, is concerned that “The State party has not established monitoring and impact assessment mechanisms for the Action Plan and that representatives of civil society organizations did not participate meaningfully in the development of the plan.”⁴⁶ This position was confirmed in the EC’s Bosnia and Herzegovina 2020 Report, which stated: “Gender impact assessments of policy and legislative processes are not carried out, although they are required by law.”⁴⁷ The EU-funded project Gender Equality Facility (EU GEF) is currently working with gender institutional mechanisms to establish a framework for monitoring of implementation of the GAP.

The RS and FBiH Gender Centres (GC RS and GC FBiH) coordinate specific sector strategies and action plans at the entity level pertaining to: domestic violence, advancement of women in rural areas, introduction of gender responsive budgeting and response to natural disasters.⁴⁸ Moreover, in accordance with the Gender Equality Law, a number of local self-governance units have adopted local gender action plans (LGAP) which operationalise GAP’s high-level priorities at the local level.⁴⁹ The BiH Agency for Gender Equality has also developed and implemented, in cooperation with other gender institutional mechanisms and other partners, the Framework Strategy for the Implementation of the Council of Europe Convention on Preventing and Combatting

Violence against Women and Domestic Violence and action plans for the implementation of UNSCR 1325. The Agency has participated in drafting of the Action Plan for Lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI) persons’ equality in BiH, which is currently subject to public consultation.⁵⁰

Institutional framework for gender equality

The institutional framework for gender equality in BiH consists of the BiH Agency for Gender Equality, the FBiH Gender Centre and the RS Gender Centre as the key gender institutional mechanisms placed within the executive. Their mandates are similar, but highly dependent on the division of competences between the state and entity levels. The Agency for Gender Equality performs functions related to gender equality in state-level matters, such as elections and political parties, defence, reporting to international committee bodies, etc. Gender Centres focus on gender mainstreaming in the areas under entity competences – education, labour, agriculture, internal affairs, protection from domestic violence, among others, in cooperation with lower levels of government. In the legislative branch, the most important gender institutional mechanisms are the Parliamentary Committee for Gender Equality at the BiH Parliamentary Assembly, Committees for Gender Equality/Equal Opportunities at the entity parliaments and the BD BiH Assembly, as well as the gender equality commissions at cantonal and municipal assemblies/councils.

According to UN Women, “the three gender institutional mechanisms are key drivers of initiatives, policy makers and proponents of measures for the introduction and implementation of the principles of gender equality, including oversight of these processes, enjoying independence guarantees in accordance with the institutional form of establishment.”⁵¹ In line with the Gender Equality Law, all government

44 BiH GREVIO Report (2020).

45 Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2019).

46 CEDAW Committee (2019), p. 5.

47 European Commission (2020a), p. 32.

48 UN Women (2021).

49 Ibid.

50 Ministry of Human Rights and Refugees of Bosnia and Herzegovina (not dated).

51 UN Women (2021), p. 33.

policies and regulations should be submitted to gender institutional mechanisms for review and feedback regarding gender mainstreaming. The CEDAW Committee recommended that BiH: “allocate sufficient human, technical and financial resources to monitoring and assessing the impact of legislation on gender equality at the state, entity, district and cantonal levels.”⁵² Namely, the Agency for Gender Equality, which employs six permanent staff and three staff on contractual basis, has an annual budget of 180,000 EUR (data from 2019). This budget covers salaries, operational costs and financing of programme activities, including grants provided to NGOs. The FBiH Gender Centre’s budget in 2018 was 205,187 EUR and this institution employs nine persons. The RS Gender Centre had 14 employees and a budget of 254,879 EUR in 2019.⁵³ The CEDAW Committee notes disparities in gender mainstreaming efforts due to decentralisation.⁵⁴ Other observers have also noted challenges in mutual cooperation between gender institutional mechanisms, particularly in reporting to international bodies, but also in administration and implementation of international assistance.⁵⁵

On the other hand, BiH initiated regional collaboration in the area of gender equality with the signing of the Declaration on Collaboration of Gender Institutional Mechanisms of the Western Balkans (the Sarajevo Declaration) in 2005 by representatives of BiH, Croatia, North Macedonia, Montenegro and Serbia, with other interested countries in the region also permitted to join.⁵⁶ The declaration highlighted the women, peace and security agenda, women’s economic empowerment and implementation of the Istanbul Convention. Since the Declaration, BiH has sought to lead the way on gender equality by initiating, organising and funding meetings of the Regional Coordination Board and other regional events, the latest one having taken place in March 2018 in Sarajevo. According to the European Institute for

Gender Equality (EIGE), the Regional Coordination Board is a respected mechanism gathering relevant representatives and showing potential for future actions.⁵⁷

Funding for the implementation of gender equality policies

One mechanism that has steadily united gender institutional mechanisms over the past years is the Financial Instrument for the Implementation of the Gender Action Plan – FIGAP. According to the BiH Gender Country Profile 2014, FIGAP was “one of the most interesting innovations in the region”⁵⁸ for providing a joint framework for gender mainstreaming and enabling well-coordinated activities related to the promotion of gender equality in BiH not only among the key gender institutional mechanisms, but their cooperation and coordination with the civil society too. FIGAP 2009-2014 was initially a basket fund of a group of donors – Sweden, Austria and Switzerland, amounting to around 2.865 million EUR, which the BiH authorities formally agreed to supplement and which was managed by elaborate management and oversight structures, where the gender institutional mechanisms played a critical role.⁵⁹ FIGAP emerged “as a result of a clearly articulated need of the gender institutional mechanisms in BiH to build their own capacities as well as the capacities of a wide range of governmental institutions and non-government organizations in order to be able to implement GAP and effect gender mainstreaming.”⁶⁰ In 2016, the FIGAP evaluation confirmed the relevance and effectiveness of this instrument in terms of capacity building of gender institutional mechanisms and strengthening of their role in gender mainstreaming of government policies, as well as working together with civil society to implement specific GAP priorities.⁶¹ Following the evaluation, FIGAP II was developed for the period 2018-2021⁶² and established with

52 CEDAW Committee (2019), p. 3.

53 BiH GREVIO Report (2020).

54 CEDAW Committee (2019).

55 MEASURE-BiH (2019).

56 Available at <https://eige.europa.eu/about/our-work/cooperation-eu-candidate-countries-and-potential-candidates/good-practices/regional-network-gender-institutional-mechanisms-window-opportunity>.

57 Ibid.

58 European Commission (2014), p. 24.

59 Lucid Linx and Nycander, L. (2016).

60 Ibid., p. 4.

61 Ibid.

62 FBiH Gender Centre, BiH Agency for Gender Equality, RS Gender Centre-Centre for Gender Equity and Equality (not dated).

Swedish funds (1.54 million EUR), while it continued to be implemented by the gender institutional mechanisms. Of the total FIGAP amount, the entity gender centres each administer 428,846 EUR, and the Agency for Gender Equality administers the remaining funds.⁶³ The CEDAW Committee welcomed secured funding for the implementation of GAP under FIGAP.⁶⁴ However, the Committee still expressed concern that: “Decentralisation has resulted in disparities in gender mainstreaming efforts and budget allocations and in a continued dependence on international donor funding.”⁶⁵ According to BiH’s report on the implementation of the Beijing+25 Report, BiH invests 0.05% of its state institutions’ budget in promotion of GEWE. It is estimated that the same percentage is invested in FBiH, and 0.04% in RS.⁶⁶

The CEDAW Committee recommended that BiH should intensify its efforts to pursue gender-responsive budgeting in all government departments.⁶⁷ It should be noted that numerous efforts have been invested in embedding of gender responsive budgeting (GRB) in institutions at all levels in BiH. There are examples of good policy initiatives and practice across BiH. For example, the Agency for Gender Equality, with the support of UN Women, carried out a gender responsive analysis of the budgeting process, programming and results of two departments at two state-level ministries (Sector for Human Rights at the BiH Ministry of Human Rights and Refugees and Sector for Sport at the BiH Ministry of Civil Affairs). This was followed by specific recommendations for GRB, a GRB guide, and a GRB e-learning module for civil servants.⁶⁸ Despite this and similar examples, it has been observed that the results achieved did not entirely justify the investments, and that GRB initiatives focused largely on the expenditure side with little understanding about the importance of GRB on the revenue side of public budgeting.⁶⁹

Gender-disaggregated data collection and gender equality research

Lack of readily available gender-disaggregated data in all spheres is a serious impediment to monitoring of implementation and effects of gender equality policies. Certain sets of official gender-disaggregated statistics are available, most notably in the areas of demography, employment, social services and education, as statistical institutions in BiH regularly collect and publish this data. However, data concerning Roma, persons with disability, and other marginalised and hard-to-reach groups in the context of gender equality is generally not available. According to the EC 2020 Bosnia and Herzegovina Report, “The authorities also need to improve data collection, including gender-disaggregated data on women and men with disabilities.”⁷⁰ Gender-segregated data is not readily available in the sectors of health, election, police and security structures. Even when gender-disaggregated data is available, it is not always regularly updated for the purpose of measurements. There have been efforts to improve data collection, particularly in the sphere of violence against women. The Agency for Gender Equality has issued recommendations for gender sensitive data collection to institutions.⁷¹

Furthermore, there is extensive research on various aspects of GEWE in BiH. Gender institutional mechanisms, non-governmental organizations (NGOs), international organizations have produced a large number of research publications, some of which are quoted in this document. However, a single data and knowledge hub on gender equality has not been established. The Agency for Gender Equality, is working with EIGE to produce a partial Gender Equality Index in line with EIGE methodology and taking into account the data available in BiH.

⁶³ BiH GREVIO Report (2020).

⁶⁴ CEDAW Committee (2019).

⁶⁵ Ibid., p. 5.

⁶⁶ BiH Beijing+25 Report (2019).

⁶⁷ CEDAW COMMITTEE (2019).

⁶⁸ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2019).

⁶⁹ MEASURE-BiH (2019).

⁷⁰ European Commission (2020a), p. 33.

⁷¹ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2019).

Role of civil society in gender equality and women's empowerment

The EU GEF Project Team has identified close to 70 civil society organizations (CSOs) that are active in the promotion of gender equality and women's empowerment. This indicative figure is further supported by findings of the FIGAP Evaluation from 2016 that "Over the five years of the implementation of FIGAP, a total of 74 non-governmental projects were supported."⁷² Analysing the addressed GAP priorities, the majority of projects aimed at economic empowerment of women and preventing and combatting violence against women, while other projects focused on the priorities related to cooperation and capacity building, women's political participation, health, implementation of UNSCR 1325, and education.

The BiH Gender Country Profile 2014 contained the following assessment: "The relationship between women's NGOs and institutional mechanisms has a long history of competition, confrontation and negotiation, mutual learning and inventing new methods for collaboration. Since their establishment, gender mechanisms have been considered by women's organizations to be non-authentic defenders of women's rights."⁷³ However, there are a few examples of gender institutional mechanisms working together with CSOs either through advocacy for legislation changes, joint delivery of interventions and campaigns, or CSO representation in coordination bodies appointed for monitoring the implementation of gender equality policies. This suggests that the relationship as assessed in 2014 has evolved into a more active cooperation. According to UN Women, "civil society in BiH is closely following all reporting processes and is submitting alternative reports accordingly. More than 20 BiH civil society organizations have drafted the Alternative CEDAW Report in 2016 and the Alternative GREVIO report

in 2019."⁷⁴ The establishment of networks of CSOs, such as Women's Network and Safe Network, has contributed to a more unified approach to governments and sources of funding.⁷⁵ For example, the 2019 GAP report elaborates on activities and cooperation of gender institutional mechanisms with a wide array of CSOs. Still, according to CSOs, gender institutional mechanisms need to further strengthen cooperation with civil society, an assessment that is further amplified by assessments of the 2019 EC Opinion⁷⁶ and the CEDAW Committee.⁷⁷

Enforcement of legislation, key human rights issues, including redress

Human rights and fundamental freedoms are defined as one of the central pillars of the BiH Constitution and human rights treaties have an important status in the legal system, where the European Convention on Human Rights (ECHR) applies directly. The BiH Constitutional Court established by the BiH Constitution has an appellate jurisdiction over issues arising from the Constitution including in relation to human rights. In line with this, all branches of government are obliged to apply these standards, or their decisions can be found unconstitutional by the Constitutional Court. The BiH Constitutional Court has identified discrimination on the grounds of sex in two of its decisions.⁷⁸

The 2019 EC Opinion finds that "the legislation and institutions on fundamental rights are largely in place; they should be fully implemented and substantially improved, including by harmonising legislation within the country and aligning it with European standards, strengthening administrative capacity and providing adequate resources for the effective enforcement of fundamental rights. There are no countrywide strategies on human rights and on anti-discrimination. The equality

⁷² This number could be much bigger. "Civil society in BiH is dominated by organisations active in the field of sport and recreation (6,511 or 28.81 percent) and in promotion of socio-economic rights of specific social groups (4,871 or 21.55 percent), out of which 464 organisations work on the promotion and protection of interests of women." From Žeravčić, Goran. Mapping Study of CSOs in Bosnia and Herzegovina. EPRD Office for Economic Policy and Regional Development Ltd. (EPRD), 2016, as cited in UN Women (2021), p. 56.

⁷³ European Commission (2014), p.31.

⁷⁴ UN Women (2021), p. 28.

⁷⁵ Ibid., p. 57.

⁷⁶ European Commission (2019).

⁷⁷ CEDAW Committee (2019).

⁷⁸ Kadribašić, A. et al. (2020).

of all citizens is not ensured. The laws on non-discrimination and on gender equality are in place but not sufficiently enforced, including on gender-based violence [...] The protection and inclusion of vulnerable groups is not yet adequate, in particular for persons with disabilities, children, LGBTQI people^[...], members of the Roma community, detainees, migrants and asylum seekers.”⁷⁹ According to UN Women, reports on threats against women’s human rights defenders and LGBTQI activists are particularly concerning and call for government action.⁸⁰ The EC 2020 Bosnia and Herzegovina Report notes that “serious concern persists over political pressure, intimidation and threats against journalists, and particularly women journalists. The authorities continue to downplay the intimidation of journalists, and their reaction remains weak.”⁸¹

Following the third cycle of the Universal Periodic Review of BiH, the High Commissioner for Human Rights wrote to the BiH authorities⁸² urging action in specific areas of human rights, including some of the following in the area of gender equality and women’s rights:

- Support to the implementation of gender equality policy, particularly through the Gender Action Plan for 2018-2022, and strengthening cooperation with women’s organizations in the implementation of the Gender Action Plan;
- Effective implementation of the Anti-Discrimination Law;
- Promotion of full political, economic and social participation of women; Harmonisation of legislation with the Istanbul Convention;

- Ensuring access to justice for wartime victims of rape and sexual violence;
- Effective implementation of the national Action Plan to Combat Trafficking in Human Beings.

⁷⁹ European Commission (2019).

⁸⁰ UN Women (2021). EU, Sweden and The Netherlands, among others, have been supporting human rights defenders and activists (information obtained through questionnaires).

⁸¹ European Commission (2020a), p. 28.

⁸² Letter of the High Commissioner for Human Rights to BiH Minister of Foreign Affairs (2020).

KEY GENDER EQUALITY ISSUES, BARRIERS AND CHALLENGES

Ensuring freedom from all forms of gender-based violence

BiH has adopted legislation that incriminates violence against women and stipulates protection of victims. Criminal legislation remains largely gender neutral in terms of definition of offences of violence and domestic violence. As a result of harmonisation with the Istanbul Convention, the RS Criminal Code⁸³ includes three specific criminal offences: female genital mutilation, stalking, and sexual harassment. The laws on protection from domestic violence were adopted in both entities as special legislation focusing solely and comprehensively on the protection of victims of domestic violence, most notably by means of a series of protection measures. The RS Law on Protection from Domestic Violence was adopted in 2012 and amended in 2019⁸⁴ in order to improve protection, assistance and support for victims of domestic violence as well as to harmonise this law with the Istanbul Convention by defining domestic violence solely as a criminal offence (previously, domestic violence was also treated as a minor offence). FBiH adopted the Law on Protection from Domestic Violence in 2013,⁸⁵ and BD adopted the relevant law in 2018.⁸⁶ Relevant bylaws for the implementation of these laws are in force. The Gender Equality Law defines gender-based violence as any act that causes or could cause physical, psychological, sexual or economic damage or suffering, including the threat of such acts, and limits a person's or a group of people's ability to enjoy their human rights and freedoms in the public or private sphere.⁸⁷

Policies for the implementation of the Istanbul Convention have been adopted. In 2015,

BiH adopted the Framework Strategy for the Implementation of the Istanbul Convention for the period 2015-2018.⁸⁸ This strategy had the goal to ensure a consistent, comprehensive and effective implementation of the Istanbul Convention targeting four key strategic objectives concerning effective and inclusive prevention of violence against women and domestic violence; establishment of a multidisciplinary and coordinated system of protection for victims of violence against women and domestic violence in line with the Convention; improvement of conditions for prosecution and sanctioning of perpetrators of violence and access to justice for victims; and improvement of the framework for monitoring of the implementation of integrated and gender sensitive policies for preventing and combatting violence against women and domestic violence. BiH reported to the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) on the implementation of the Istanbul Convention at the beginning of 2020, elaborating progress, but also noting that the RS Government did not accept the implementation of the Framework Strategy and formation of a joint coordination body for monitoring of its implementation. Instead, RS adopted its own Action Plan for the implementation of the Istanbul Convention in RS for the period 2019-2020.⁸⁹ Moreover, RS and FBiH adopted and have been implementing specific strategies for the prevention and combatting of domestic violence. Also, the High Judicial and Prosecutorial Council of Bosnia and Herzegovina (HJPC) adopted and is implementing the Guidelines for the Prevention of Sexual and Gender-based Harassment in the Judiciary in BiH, and the BiH Council of Ministers requested from state-level

83 Krivični zakonik Republike Srpske ("Official Gazette of Republika Srpska", No. 64/2017, 104/2018 – Decision of the Constitutional Court and 15/2021).

84 Zakon o zaštiti od nasilja u porodici RS ("Official Gazette of Republika Srpska", No. 102/2012, 108/2013, 82/2015, 84/2019).

85 Zakon o zaštiti od nasilja u porodici FBiH ("Official Gazette of the Federation of Bosnia and Herzegovina", No. 20/13).

86 Zakon o zaštiti od nasilja u porodici u Brčko distriktu BiH ("Official Gazette of Brčko District of Bosnia and Herzegovina", No. 7/2018).

87 Zakon o ravnopravnosti spolova u BiH ("Official Gazette of Bosnia and Herzegovina", No. 16/03, 102/09 and 32/10).

88 Ministry of Human Rights and Refugees of Bosnia and Herzegovina (not dated).

89 BiH GREVIO Report (2020).

institutions to adopt decisions in line with the Guide on Zero Tolerance Policy for Acts of Sexual Harassment and Gender-based Harassment by the end of 2020.⁹⁰

Protection of victims is regulated by legislation on social protection, but not in a harmonised manner. The current FBiH Law on Social Protection⁹¹ does not recognise victims of domestic violence as beneficiaries of social protection. Amendments to legislation have been under consideration and have envisaged defining victims of violence as social protection beneficiaries with a view to extending consolidated protection of victims of domestic violence (children and adults). Proposed legal amendments also define shelters as institutions of social protection and prescribe their establishment as part of the institutional social protection system.⁹² In the meantime, individual cantons in FBiH treat victims of violence as beneficiaries of social protection differently. In RS, victims of domestic violence exercise their right to access all services of social protection as established by legislation.⁹³

Specialised protection services are provided in shelters for victims, but their funding is not consistent. There are eight shelters for victims of violence, run by non-governmental organizations, with a total capacity of 181 beds in BiH. In FBiH, there are five shelters and they dispose of a total of 126 beds. Despite domestic violence legislation, which envisages that 70% of the total costs are covered by the entity governments and the remaining 30% by cantonal budgets in FBiH and municipal budgets in the RS, according to UN Women “the most significant challenge that women’s shelters in Bosnia and Herzegovina are facing pertains to funding.”⁹⁴ In FBiH, only the Sarajevo shelter receives consistent government funding, while other shelters, such as the ones

in Tuzla and Zenica, receive only 10 to 15% of their financing from the entity government, while cantonal funding remains inconsistent.⁹⁵ In RS, there are three shelters with a total of 55 beds.⁹⁶ There is no shelter in BD, but funds for a temporary stay and accommodation of victims of domestic violence in shelters in the two entities are provided from the BD budget.⁹⁷ According to UN Women, in order to meet the standards of the Istanbul Convention, BiH needs an additional 166 bed-spaces in specialised women’s shelters across the country.⁹⁸ There are two SOS free of charge phone helplines for victims of violence in BiH: the 1265 helpline in FBiH and the 1264 helpline in RS. Shelters and SOS lines continued to operate during the COVID-19 crisis under difficult circumstances, although having to discontinue all public activities.⁹⁹ Gender institutional mechanisms¹⁰⁰ and donors have intensified support to shelters during the crisis.¹⁰¹

FIGURE 5

Number of shelters in BiH



Source: UN Women (2021), p. 49 | BiH GREVIO Report, 2020

⁹⁰ Ibid.

⁹¹ Zakon o osnovama socijalne zaštite, zaštite civilnih žrtava rata i zaštite porodice sa djecom (“Official Gazette of the Federation of Bosnia and Herzegovina”, No. 36/99, 54/04, 39/06 and 14/09).

⁹² BiH GREVIO Report (2020).

⁹³ Zakon o socijalnoj zaštiti (“Official Gazette of Republika Srpska”, No. 37/2012, 90/2016, 94/2019 and 42/2020 – second regulation).

⁹⁴ UN Women (2021), p. 49.

⁹⁵ K. Delbyk, Mapping of Policies and Legislation on Violence against Women and the Istanbul Convention in Bosnia and Herzegovina, European Women’s Lobby, 2019, pp. 11-12, as cited in UN Women (2021).

⁹⁶ BiH GREVIO Report (2020).

⁹⁷ Ibid.

⁹⁸ UN Women (2021), p. 49.

⁹⁹ UN Women (2020).

¹⁰⁰ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2020).

¹⁰¹ Donor responses to questionnaires.

GBV prevention, protection and response have been integrated into the health system in BiH.

This was achieved by producing two comprehensive resource packages, containing guidelines and training material for health professionals on the response of health sectors in FBiH and RS to GBV and CRSV conflict/related sexual violence. In FBiH, the resource package consists of 12, and in RS of eight knowledge and operational products. These resource packages have been endorsed by the entity ministries of health. By the end of 2018, a total of 277 service providers in the health and social sectors received training on the response to GBV/CRSV (47 men and 230 women). The training covered primary health care professionals, but also professionals from mental health centres and social welfare centres. Thanks to this technical assistance, the health system's internal protocols for GBV were developed and endorsed by line ministries in FBiH and RS, and implemented in individual local communities.¹⁰² Moreover, the Agency for Gender Equality has established contact with clinical centres in Sarajevo, Banja Luka and Mostar in order to start cooperation in relation to the establishment of rape crisis centres in line with the Istanbul Convention.¹⁰³ The Sarajevo Open Centre has received support from the European Instrument for Democracy and Human Rights (EIDHR) to create a social environment in which LGBTQI people are encouraged and supported to access a mental health care system that provides inclusive and sensitised services in BiH.¹⁰⁴

Cooperation protocols were signed between individual health care, social institutions, schools, police, CSOs, and other relevant actors at the local level in order to ensure adequate reporting mechanisms and swift protection of victims. Protocols were signed in 10 cantons in FBiH, and 36 local communities in RS. The General Protocol on Handling Cases of Domestic Violence was signed in RS in order to improve and strengthen mutual cooperation related to protection, assistance and support to victims of domestic violence and a coordinated response to combatting and preventing the repetition of violence.¹⁰⁵ UN Women has been particularly active

in supporting a multi-sector response to domestic violence through the programme Standards and Engagement for Combatting Domestic Violence and Violence against Women in BiH. UN Women reports that marginalised women, such as Roma women, women with disabilities, rural, elderly and returnee and internally displaced person (IDP) women do not exercise their rights to services equally.¹⁰⁶

Civil society organizations are seen as active and key partners in combatting violence against women.

As noted above, these organizations have been the sole providers of shelter to victims of violence. This is a result of their capacity development with the help of international funds in the past, as well as local governments' commitment to outsource these services to the non-governmental sector (albeit funding issues mentioned above). Apart from providing specialised protection services to victims of violence, CSOs have been recipients of grants for the delivery of interventions for the prevention and protection of victims of violence against women and domestic violence. International sources of funding are numerous, including the EU, Sweden, Norway, The Netherlands, Germany, United Kingdom, as well as the United States of America (USA).

Actions to prevent violence against women and domestic violence comprise campaigns, training of professionals, as well as engaging men in the prevention of violence against women.

Gender institutional mechanisms, other institutions, CSOs and international organizations have organized numerous campaigns for raising the awareness of violence against women and domestic violence, most notably during the "16 Days of Activism against Violence against Women".¹⁰⁷ Professionals have been receiving training on addressing violence against women and domestic violence. More specifically, prosecutors and judges have received specialised training on processing of cases of domestic violence based on contents designed by the Atlantic Initiative as part of the Sweden and Norway-funded project Gender and the Judiciary and delivered through the RS and FBiH Judicial and Prosecutorial Training Centres. However, these

¹⁰² Karađinović, N. et al. (2019).

¹⁰³ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2020).

¹⁰⁴ The response of the EU Delegation to the questionnaire.

¹⁰⁵ BiH GREVIO Report (2020).

¹⁰⁶ UN Women (2021).

¹⁰⁷ BiH GREVIO Report (2020).

trainings are not mandatory and the coverage of prosecutorial and judicial community with this training depends on individual applications. On the other hand, training on domestic violence is mandatory for police academy cadets, although this training is generally limited in scope. Training modules for acting police officers have been developed in FBiH with the support of UN Women as a sustainable resource,¹⁰⁸ and similar efforts have been invested in RS.¹⁰⁹ Consistent monitoring of delivery and participation is yet to ensue.

There are formal measures and NGO initiatives for work with men on the prevention of violence against women and domestic violence. These interventions have several strands – mandatory protection measures, self-help, and transformative actions involving boys. According to domestic violence legislation, one of the measures that can be pronounced by courts for perpetrators is the protection measure of mandatory psychosocial treatment. Although issues were found with payments for this measure, research in the Sarajevo Canton showed that this measure yielded the best results in terms of long-term occurrence of recidivism, and highlighted positive changes in family relations for the majority of perpetrators.¹¹⁰ Self-help and voluntary groups work for men, which have been organized mostly by NGOs that are also working with victims, are also reported to have yielded significant results in terms of prevention of repeated domestic violence.¹¹¹ One example is the Men's Centre in Modriča, which is operated by NGO Budućnost. Further transformative actions have been implemented by NGOs, for example the Association XY's Young Men Initiative project and Be a Man Club campaign, promoting non-violence and challenging stereotypes among boys and young men.¹¹² These are only some examples of the work with men and gender transformative actions, while others have been supported by gender institutional mechanisms and donors.

Significant efforts have been invested in building mechanisms for an adequate and comprehensive official data collection on violence against women and domestic violence, but this data is not aggregated in one place or easily accessible.

The Agency for Gender Equality has analysed all data on gender-based violence and domestic violence available in the judiciary and found that the automated case management systems allow for collection and disaggregation of data by gender and other indicators, but this depended on voluntary recording of this data in the system. Still, in cooperation with the HJPC, the data recording system was improved in 2020 by recording the sex of victims and perpetrators and the relationship between perpetrators and victims.¹¹³ Entities have established databases for the collection of information and monitoring of domestic violence from actors involved in detecting and responding to domestic violence cases. A considerable number of indicators is included and this data is accessible for research and reporting purposes, but it is not regularly published. Entity data is not regularly aggregated at the BiH level for the purpose of analysis, monitoring and reporting. NGOs report that data systems have not actually been fully operational.¹¹⁴ Also, the focus on domestic violence leaves out data on other forms of violence against women.

Alternative data sources offer insight into the prevalence and consequences of violence. Prevalence of violence against the women is lower than the average reported across EU, but still high and further impacted by the COVID-19 crisis.

According to the 2013 Survey on the Prevalence of Violence against Women in BiH,¹¹⁵ more than half of women surveyed (47.2% in BiH, 47.2% in FBiH and 47.3% in RS), experienced at least one form of violence since the age of 15. During the 12 months preceding the survey, 11.9% of women in BiH had experienced some form of violence (FBiH 12.7% and 10.6% in RS). Findings indicate that the most

¹⁰⁸ Zahiragić et al. (2021). In cooperation with the FBiH and cantonal ministries of the interior, UN Women developed two training modules for police officers on response to domestic violence and violence against women in line with the pertinent legislation and Istanbul Convention.

¹⁰⁹ Šikman (2020).

¹¹⁰ Kovač, R. et al. (2018).

¹¹¹ BiH GREVIO Report (2020).

¹¹² Ibid.

¹¹³ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2020).

¹¹⁴ Hasanbegović, D. et al. (2019).

¹¹⁵ Babović, M. et al. (2013).

frequent form of violence is psychological violence, followed by physical and sexual violence. A more recent OSCE 2019 Survey on the Well-being and Safety of Women in BiH suggests that “just under half (48%) of women in BiH have experienced some form of abuse, including intimate partner violence (IPV), non-partner violence, stalking and sexual harassment, since the age of 15. More specifically, nearly four in ten (38%) say they have experienced psychological, physical or sexual violence since the age of 15 at the hands of a partner or non-partner (FBiH: 36%; RS: 39%). One in seven women (14%) say they have experienced physical or sexual violence since the age of 15 at the hands of a partner or non-partner.”¹¹⁶ OSCE notes that the prevalence is still lower than the average reported across the EU, taking also into account cultural differences and openness in reporting violence. Non-governmental organizations report at least a 20% increase in domestic violence in the COVID-19 pandemic judging by the number of calls on the SOS telephone line.¹¹⁷ On the other hand, police data does not confirm this increase,¹¹⁸ which could be a consequence of women not being able to report offences due to lockdown and other restrictions. An analysis of the cost of domestic violence found that the total cost of domestic violence in BiH amounted to more than 14 million EUR annually for an estimated number of 13,158 survivors.¹¹⁹

Court sentencing policy in cases of domestic violence is becoming stricter. According to an assessment of the Atlantic Initiative regarding the effects of domestic violence resources provided for judges by this organization with Swedish and Norwegian funding, the sentencing policy in domestic violence cases in 2019 differs significantly as compared to their previous research in 2017 and as compared to the 2011 OSCE report.¹²⁰ Namely, according to information received from HJPC, in 2019, prison sentences were imposed in 77% of domestic violence cases, fines were imposed in 12% of cases, and suspended sentences in 5% of

cases. In comparison to the 2011 OSCE data, the majority of cases in 2011 carried a suspended prison sentence – almost 77.2%, custodial prison sentences made up only 8.3% of the total, and offenders were required to pay fines in 13.5% of cases.¹²¹

Victims of violence are not identified as specific beneficiaries of free legal aid across the country.

BiH adopted the Law on Free Legal Aid in 2016, envisaging victims of violence as beneficiaries in procedures before BiH institutions.¹²² RS also adopted the Law on the Right to Free Legal Aid,¹²³ defining victims of domestic violence as persons who are entitled to free legal aid based on the criterion of personal quality or status before a competent body, irrespective of the financial criteria. According to this law, the body processing a report on domestic violence must inform the victim of this legal aid right. On the other hand, legal aid systems in FBiH and BD do not recognise victims of violence as specific beneficiaries, but these persons are not excluded from rights to legal aid.¹²⁴ NGOs have also been providing legal aid to victims of violence.¹²⁵

Promoting sexual and reproductive health and rights

In line with legislation, health care is in principle available to all without discrimination on any grounds. However, according to the Beijing+25 Report, there are differences in access to public health care among cantons in FBiH due to different financial and institutional arrangements.¹²⁶ The level of women’s participation in payment for health care services varies among jurisdictions in FBiH. Namely, not all cantons have implemented the FBiH decision on exempting different groups of women (including pregnant women, women with cancer, women over the age of 65, retired women, unemployed women, persons with disabilities) from participation in treatment costs. This

¹¹⁶ OSCE (2019), p. iii.

¹¹⁷ Grbić Pavlović, N. (2020).

¹¹⁸ Ibid.

¹¹⁹ Halilović, M. et al. (2019).

¹²⁰ Lucid Linx (2020).

¹²¹ OSCE (2011).

¹²² Zakon o pružanju besplatne pravne pomoći (“Official Gazette of Bosnia and Herzegovina”, No. 83/16).

¹²³ Zakon o ostvarivanju prava na besplatnu pravnu pomoć u Republici Srpskoj (“Official Gazette of Republika Srpska”, No. 67/20).

¹²⁴ BiH GREVIO Report (2020).

¹²⁵ Ibid.

¹²⁶ BiH Beijing+25 Report (2019).

FIGURE 6

Percentage of women having experienced some form of abuse or violence, year 2019



Source: Survey on the Well-being and Safety of Women, OSCE, 2019

particularly affects unemployed women, women working in the informal economy, and victims of violence, among others.¹²⁷

Despite universal regulation, certain groups have poorer physical and practical access to health care institutions and services. These include, among others, poor women, women with disability, women living in rural and remote areas, and the Roma women. For example, most health care institutions in BiH do not have accessibility architecture and instruments for the treatment of persons with disability.¹²⁸ This particularly affects the access of women with disabilities to gynaecological protection, which is why they are discouraged from regular preventive check-ups.¹²⁹ Women with disability also have inadequate medical treatment in the postnatal period.¹³⁰ Roma women, and Roma community as a whole, have generally poorer health as compared to the wider population, as they do not have access to free health care, which is a direct consequence of the lack of health insurance¹³¹ which is afforded to employed persons and their families, as well as registered unemployed or retired persons. This further exacerbates the condition of Roma women, who are particularly vulnerable to early marriage¹³²

and gender-based violence, which remains largely invisible to the rest of the population and institutions.

Health care strategies in FBiH and RS integrate the needs of women as specific target groups.

Individual jurisdictions in BiH have engaged in the development of specific health care policies and delivery of interventions targeting women and individual categories of women, depending on their specific needs. For example, sexual and reproductive health (SRH) policy development started to materialise more dominantly from 2017. The RS SRH Strategy was adopted in 2019. This strategy considers the specific needs of women and vulnerabilities of marginalised groups and focuses on family planning, maternal health, reproductive health and prevention of sexually transmitted diseases, SRH services and information, as well as SRH in crises. In FBiH, a Strategic Framework for SRH was drafted for the period 2020-2026, but has not yet been adopted.

It has not been systemically measured to what extent SRH and other health policies are being successfully implemented. Public health institutes and statistical agencies collect and publish some

¹²⁷ Hasanbegović, D. et al. (2019).

¹²⁸ Ibid.

¹²⁹ Helsinški parlament građana Banja Luka, Prava za sve (2019), as cited in in Džever, A. et al. (2020).

¹³⁰ Džever, A. et al. (2020).

¹³¹ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2019).

¹³² Ibid.

information on women's and men's health. Available information suggests that, on average, women live 2.5 years longer than men, and that they significantly outnumber men only in case of diseases of the circulatory system, and endocrine, metabolic and nutritional diseases to a lower extent.¹³³ However, it should be noted that the latest Multiple Indicator Cluster Survey (MICS) and the MICS for Roma in BiH was conducted for the years 2011-2012 and published in 2013. Moreover, a comprehensive Demographic and Health Survey has not been conducted by statistical agencies.¹³⁴

Similarly, data on sexual and reproductive health in BiH is limited. Public health institutes are tasked with collecting data and producing statistical reports, but the data is not considered fully reliable as a result of a combination of factors, not least the issues with detection and reporting of diseases and interventions, and consistency of reporting by individual data sources. The existing system of monitoring of sexual and reproductive health, which has specific limitations mentioned above, and which is not systemically complemented with alternative data sources, does not yield conclusive findings on the state of sexual and reproductive health.¹³⁵

Specific interventions related to family planning have been delivered. UNFPA supported the development of training on family planning, which was delivered to 318 family physicians. Physicians were trained to provide human rights-based and patient-centred family planning counselling and services. Still, social marketing of family planning remains limited due to a generally unfavourable environment for such discourse.¹³⁶ Because of this, the rate of the use of modern contraception remains low. This is further complemented by the fact that the beneficiaries pay the full price of all modern contraceptives in BiH, with the exception of two contraceptives in RS and one contraceptive in Canton 10, which are on the lists of essential medicines, and that the emergency contraception is covered by health insurance in FBiH.¹³⁷

Abortion prevalence is unknown as information is not systemically recorded and abortion rights are not afforded to everyone. Both public and private medical practices perform pregnancy termination procedures. However, although under the current entity-level laws every woman has a right to choose to end a pregnancy during the first 10 weeks of pregnancy, this right is not fully respected in all parts of BiH. This depends on individual medical institutions' policies and decisions whether and when to perform abortions, different costs of abortions at the request of women, availability of institutions and equipment in smaller and remote communities, among other factors. Also, pregnancy termination is done in a number of cases without anaesthesia or with inadequate anaesthesia, while in some parts of BiH, patients are charged an extra amount of money for general anaesthesia.¹³⁸

Significant interventions have been delivered for the protection of maternal health. UNFPA supported health care institutions in the development and implementation of relevant clinical guidelines.¹³⁹ Still, waiting times for medical examinations at public sector health care facilities are long; insufficient attention is paid to counselling; patients are not satisfied with the quality of services provided or with the medical staff's behaviour towards patients, which is the reason why an increasing number of patients choose private sector health care facilities. Moreover, postpartum home care services are not equally available throughout BiH.¹⁴⁰ In relation to this, monitoring of maternal deaths is not yet consistent. The introduction and implementation of specific monitoring methodologies has been delayed partly due to the perception that BiH has a very low maternal mortality rate. There is some resistance by professionals to expand the current statistical monitoring by applying the Beyond the Numbers methodology, which extends surveillance to near miss cases during pregnancy and 42 days after delivery.¹⁴¹

133 Agency for Statistics of Bosnia and Herzegovina (2020b).

134 Karađinović, N. et al. (2019).

135 Ibid.

136 Ibid.

137 The Institution of Human Rights Ombudsman of Bosnia and Herzegovina/UNFPA/Promente (2021).

138 Ibid.

139 Karađinović, N. et al. (2019).

140 Institution of Human Rights Ombudsman of Bosnia and Herzegovina/UNFPA/Promente (2021).

141 Karađinović, N. et al. (2019).

Medically assisted reproduction is regulated in BiH, but the implementation depends on the jurisdiction. In FBiH, there are different solutions regarding eligibility in terms of age and the level of public financial support to couples varies from canton to canton. In RS, three attempts are publicly funded, and in BD two attempts for couples with women up to the age of 42.¹⁴²

Although malignant diseases are one of the leading public health problems in BiH, a system for screening of breast, cervical, or prostate cancer has not been established in BiH.¹⁴³ The Human papillomavirus (HPV) vaccination programme does not exist either. The healthcare service package for cervical and breast cancer patients is defined differently in different administrative parts of BiH, while prevention and treatment services are not equally covered by compulsory health insurance. Moreover, women have to pay for the cytostatic drugs that are not on the list of essential medicines. Due to problems with the procurement of cytostatic drugs, women are often forced to procure this medication themselves and later go through administrative procedures for a reimbursement from health insurance funds.¹⁴⁴

Comprehensive Sexuality Education (CSE) is not systemically introduced in the education system in BiH. A youth survey suggested that the Internet was a common source of knowledge in this area, followed by peer education and teachers. Almost all respondents said that reproductive health should be taught at school.¹⁴⁵ With the help of UNFPA and the Association XY, the integration of the subject Youth Health into primary school curricula in the Bosnian Podrinje Canton was successful during the period 2016-2018. Sarajevo Canton had previously also introduced age-adapted CSE in primary education. The current CSE coverage of primary schools in BiH amounts to 5.61%.¹⁴⁶ The lack of formal education has to some extent been compensated for by the development of web platforms providing information about sexual and reproductive health¹⁴⁷ and organising

a hackathon to develop a smartphone application, with the support of UNFPA. The CEDAW Committee has called for the inclusion of age-appropriate education on SRHR into school curricula in BiH.¹⁴⁸

There have been efforts to integrate a Minimum Initial Service Package (MISP)¹⁴⁹ for SRH in crisis in emergency preparedness plans in BiH as a resource and guidance in response to emergencies. An assessment of MISP readiness was conducted with the support of UNFPA and it showed an increased need for continuous support to health authorities in preparation for emergency situations. UNFPA supported MISP Training of Trainers, thus creating local expertise for this field of intervention. Subsequently, the capacities of 45 institutional representatives (primary health care centres, civil protection, police, centres for social welfare, NGOs and municipal authorities) were built on MISP. Elements of MISP have been integrated into local policies, e.g. in the RS SRH Strategy. Apart from this, UNFPA has contributed to the country's emergency preparedness by delivering direct interventions, most notably during the 2014 floods and refugee crisis.¹⁵⁰

Under the circumstances of the COVID-19 pandemic, accessibility and quality of SRH services in BiH has been reduced. Health care services are available in emergency cases, to pregnant women and oncology female patients. However, the scope of services has been reduced in hospitals, waiting times are longer, and surgical services have been reduced to a minimum. In the second phase of response to the pandemic, COVID delivery rooms and COVID ambulatory care services for pregnant women who test positive for coronavirus were opened.¹⁵¹ Still, it has been found that, "the pandemic has the strongest impact in terms of reduced accessibility of family planning services (52%), sexual and reproductive health education (43%), breast and cervical cancer prevention and treatment services (39%), contraceptives (32%) and pregnancy termination services (29%)."¹⁵²

142 Hasanbegović, D. et al. (2019).

143 Karađinović, N. et al. (2019).

144 Institution of Human Rights Ombudsman of Bosnia and Herzegovina/UNFPA/Promente (2021).

145 Promente (2018).

146 Karađinović, N. et al. (2019).

147 Available at <http://www.spolnozdravlje.ba> and <http://www.sveos.info/>.

148 CEDAW Committee (2019).

149 Details on MISP available at <https://www.unfpa.org/sites/default/files/resource-pdf/MISP-Reference-English.pdf>.

150 Karađinović, N. et al. (2019).

151 Ibid.

152 Institution of Human Rights Ombudsman of Bosnia and Herzegovina/UNFPA/Promente (2021), p. 35.

Promoting economic and social rights and empowering girls and women

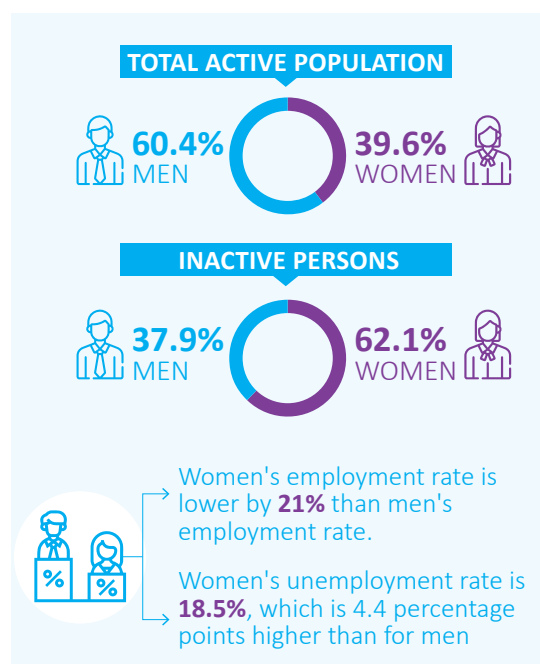
Gender equality on the labour market

There are considerable differences in activity and employment among women and men in BiH. Of the total active population, 60.4% persons are men and 39.6% are women. Women's activity rate is at 36.7% as compared to men's at 59.2%. Of the total number of inactive persons, 37.9% are men and 62.1% are women. Women constitute 38.3% of employed persons, and 46.3% of unemployed persons. Women's employment rate is lower by 21% than men's employment rate. Furthermore, the unemployment rate for women is 18.5%, which is 4.4 percentage points higher than for men. The highest unemployment rate, 42.8%, is found for women in the age group of 15-24, which is around 10 percentage points higher than the unemployment rate of men of the same age.¹⁵³ The labour force participation of marginalised Roma women is 13%, as compared to 39% among their male counterparts.¹⁵⁴ According to UNDP,¹⁵⁵ "The pandemic is a particular threat to women, as their situation was already somewhat precarious, making them additionally vulnerable to negative consequences." UNDP's assessment anticipates disruption from the COVID-19 pandemic in the top five sectors, where women constitute +50% of the workforce.¹⁵⁶

The level of education does not have an impact on the gender gap in employment and activity. Most unemployed women, like men, have completed secondary education, which was followed in 2019 by the second highest percentage of individuals without any qualifications for men and higher education degrees for women. Having a higher education degree does not necessarily impact women's employment, as 15.3% women with a higher education degree, as compared to 8.5% of men, featured in the educational structure of the unemployed in 2019.¹⁵⁷ In 2020, although the gender breakdown of data is not available, the educational structure of unemployed persons shows that 70.8% persons completed secondary

FIGURE 7

Gender and the labour market in BiH in percentages from the year 2020



Source: Agency for Statistics of Bosnia and Herzegovina, 2020

education and specialisation, followed by persons who completed higher education – 15.1%, and persons with completed primary school or lower – 14.1%.¹⁵⁸

Unemployment is among the factors that directly contribute to poverty. According to the latest Household Budget Survey (2015),¹⁵⁹ poverty is directly related to age, education, unemployment, and inability to work. Gender of the household head also has a certain effect on relative poverty. At the level of BiH, the poverty rate for households where women are heads of households is 18.7%, as compared to 15.7% of households headed by men. Certain groups of women, most notably Roma women, women living in social isolation, women living in remote areas, mothers of children with disability, women who have several years until retirement, women with disability, single mothers in rural areas and older women, are in an even more difficult economic position.¹⁶⁰

¹⁵³ Agency for Statistics of Bosnia and Herzegovina (2020).

¹⁵⁴ UNDP (2017). Regional Roma Survey 2017: Country fact sheets, as cited in UN Women (2021).

¹⁵⁵ UNDP (2020).

¹⁵⁶ Ibid.

¹⁵⁷ Agency for Statistics of Bosnia and Herzegovina (2019).

¹⁵⁸ Agency for Statistics of Bosnia and Herzegovina (2020).

¹⁵⁹ Agency for Statistics of Bosnia and Herzegovina (2015).

¹⁶⁰ Friedrich Ebert Stiftung (2020).

Women's lower employment and activity rates are direct consequences of women's assumed roles as primary family carers of children and elderly, which stem from deeply embedded social stereotypes and unequal distribution of family responsibilities between women and men. Research conducted in RS found extremely patriarchal patterns in the division of household duties and care for family. This research indicated that women and men did not equally share parental responsibilities, with almost a half of the fathers not assuming any obligation of care for small children.¹⁶¹ This was confirmed by the AGE's research on impact of gender-based division of family and household duties, which found that in 93.8% of partnerships, all routine household duties are performed by women, while more balance is seen in care for children and occasional household chores.¹⁶² Women's family priorities tend to affect the length of women's search for employment, work interruptions due to maternity leave or care for family members, as well as difficulties in finding employment an older age.

Options for recognition of unpaid household work and family care have been explored, but have not materialised in regulations. Civil society organizations and gender institutional mechanisms have explored implications of unregulated household work on women's income and future retirement.¹⁶³ However, CSOs have noted that "no specific and practical measures to ensure protection and right to decent work of women in households have been introduced [author's translation]."¹⁶⁴ In the meantime, women's share of unpaid work in households (including work in agriculture) is at least one-tenth higher than that of men, for the age group 25-44, while it increases to a difference of up to eight times higher after the age of 45.¹⁶⁵ The CEDAW Committee recommended an intensification of BiH efforts to ratify the ILO Domestic Workers Convention, 2011 (No. 189).¹⁶⁶

Reconciliation of family life and work

Lack of widely available child care and care for the elderly and sick is one of impediments to women's higher employment. Access to affordable child care services is considered to be one of the key determinants of women's employment. However, according to UNICEF,¹⁶⁷ early childhood education and care is not readily available to all children in BiH, especially those from vulnerable families. The preschool enrolment rate in BiH for children 3 to 6 years of age is the lowest in Europe (25%). There are significant inequities in access, with children from rural areas making up about 0.5%, and children from families with unemployed parents representing only 2% of all those attending preschool. Similarly, the attendance rate for Roma children is less than 2%. Of all children enrolled in early childhood education and care, only 2% are children with disabilities. According to official statistics, there are 328 pre-school institutions in BiH in 2020/2021, of which 159 public institutions and 169 private institutions.¹⁶⁸ The number of children at pre-school institutions also increased – by more than 30% since the school year 2014/2015.¹⁶⁹ According to the World Bank, "the supply of eldercare is characterised by the lack of day-based services and a limited number and expense of residential care centers. Social norms are a strong deterrent to the use of residential eldercare, suggesting that the use of daycare centers and home-based formats – if they were available – would be more compatible with prevailing standards."¹⁷⁰

Regulation concerning parental leave and benefits is in place but not equal for all. In RS, benefits are uniform and paid largely from a specifically established fund, while these benefits differ from canton to canton in FBiH in terms of duration, amount and regularity of payment. The Agenda 2030 Voluntary Review summarises the regulation as follows: "Under the Federation of Bosnia and Herzegovina Labour Law, women are entitled to take up to a year of maternity leave;

¹⁶¹ BiH Beijing+25 Report (2019).

¹⁶² Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2020).

¹⁶³ Ibid., p. 25-6.

¹⁶⁴ Helsinški parlament građana Banja Luka, Prava za sve (2019), p. 85.

¹⁶⁵ Agency for Statistics of Bosnia and Herzegovina (2020).

¹⁶⁶ CEDAW Committee (2019).

¹⁶⁷ UNICEF (2020).

¹⁶⁸ Agency for Statistics of Bosnia and Herzegovina (2021a).

¹⁶⁹ Agency for Statistics of Bosnia and Herzegovina (2020b); Agency for Statistics of Bosnia and Herzegovina (2021a).

¹⁷⁰ World Bank Group (2017), p. 4.

the relevant cantonal law defines the amount of maternity pay. The mothers of newborns that work in the public sector in the Federation of Bosnia and Herzegovina are paid 100% of their average salary, while mothers of newborns that work in the real and private sector are paid between 50 and 90% of their average salary or receive no payment. The Law on Child Protection in Republika Srpska that was adopted at the end of 2017 increased the 12-month maternity payment for new mothers who were unemployed at least six months prior to giving birth, regardless of their financial status. The same Law defines a pro-natal benefit for a third and a fourth child as one of the child protection rights.¹⁷¹ The BiH Agency for Gender Equality developed the Framework Guidelines for the Protection of Mothers' Human Rights and Development of Parenthood, proposing options for the harmonisation of legislation and other protection instruments.¹⁷² Still, until the issue of parental benefits is finally resolved, it will continue to affect women mostly, particularly if the benefits are their only source of income after child birth. Similarly, the issues of lack of compensation for care of family members, and difficulties in enforcing alimony, have been frequently raised, but this financial burden continues to be paid mostly by women.¹⁷³ Moreover, although parental leave is recognised by the RS and FBiH labour laws in order to promote sharing of responsibilities as well as equal participation in labour and economic relations, this right has not been exercised by fathers to a great extent.

Discrimination at work

Gender equality, anti-discrimination and labour legislation contain provisions on gender equality and prohibition of gender-based discrimination, including discrimination on the basis of sex, sexual orientation, marital status, pregnancy, age, and disability, among other grounds, in employment, labour relations, labour

conditions, education, training and professional qualification and membership of professional associations. Legislation prohibits direct and indirect discrimination, harassment, sexual harassment, gender-based violence, and mobbing, and provides for court protection.¹⁷⁴ Gender institutional mechanisms, the Institution of Human Rights Ombudsman and labour inspections are institutions in charge of receiving, addressing and resolving discrimination claims.

The enforcement of anti-discrimination regulatory provisions is deficient. It is reported that 76.3% victims of gender-based discrimination at work did not contact any of the aforementioned or other institutions regarding discrimination.¹⁷⁵ Women working in the private sector are particularly vulnerable to informal work, overtime work and pay gap as compared to employees in the public sector, as well as discrimination.¹⁷⁶ Gender institutional mechanisms generally report receiving very few of these claims. The BiH Agency for Gender Equality issued a Recommendation for Employers and Competent Bodies Regarding Gender Equality in Labour Relations and Employment, highlighting for the public and private sector employers, as well as relevant institutions and the wider public, that placing female workers in unfavourable conditions on the basis of their sex and intrinsic features, such as pregnancy or motherhood, is a form of direct discrimination on the grounds of gender, which is prohibited by the law. The Recommendation called on institutions, particularly inspections, law enforcement agencies and judiciary, to step up the efforts to protect the rights of female workers.¹⁷⁷

The extent of gender-based discrimination is unknown and awareness is generally low. The Institution of Human Rights Ombudsman, the BiH Ministry of Human Rights and Refugees, labour inspections, and ultimately the courts, do not have comprehensive and searchable registers of claims that would allow for an analysis of discrimination

171 BiH Voluntary National Review Report (2019), p. 61.

172 Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2020).

173 Helsinški parlament građana Banja Luka, Prava za sve (2019).

174 BiH Beijing+25 Report, p. 22.

175 Gačanica, L. (2019).

176 BiH Beijing+25 Report (2019). Also MEASURE-BiH (2019) notes that the top choice for employment among women is the public sector (39%), and top choice for men the private sector (39%).

177 Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2019).

claims by content and discrimination grounds.¹⁷⁸ OSCE research indicates that three of four discrimination claims regarding any form of discrimination were filed by male plaintiffs, although women are more often victims of discrimination, including in the domain of labour relations.¹⁷⁹ Other research explains that the awareness of gender-based discrimination at work is extremely low, both among employers and employees, and that there is justified fear from reporting discrimination. This is further exacerbated by scarce and inconsistent court practice in cases of discrimination.¹⁸⁰

Gender pay gap has been observed in BiH.

According to the 2019 EC Opinion, estimates are that women earn around 78% to 85% of men's salary for equal work.¹⁸¹ The World Bank and statistical agencies' research from 2015 estimated an hourly pay gap of 9%.¹⁸² It was assessed that men earned more than women in all sectors of economy except agriculture, mining, real estate trade, and administrative services.¹⁸³ The CEDAW Committee has called on BiH to "undertake a comprehensive study of the root causes of the gender wage gap and use the results of the study to develop further measures to close the pay gap".¹⁸⁴

Measures for women's economic empowerment

There have been individual active measures for women's employment and economic empowerment across BiH. Gender institutional mechanisms regularly report on all institutional and other activities that promote the employment of women and women's economic empowerment. There have been a series of individual measures by institutions and civil society organizations. This is summarised in BiH's CEDAW report as follows: "Active employment policies have been implemented, focusing on training, further qualification and retraining, preparation for the labour market and creation of equal opportunities. Support is provided to target groups such as hard-to-employ persons, and in particular young people

and women. The incentives for employment and development of women entrepreneurship have been increased".¹⁸⁵ For example, the EU-funded EU4Business project is planning to create 300 jobs by 2022 in export-oriented sectors, tourism and rural value chains, of which 115 will relate to women. So far, out of 70 new businesses registered in 2020, 30 are owned by women. Out of around 200 young persons trained for innovative start-up ideas, around 60 trainees were young women. Out of 80 business plans developed as a result of training, 30 were developed by women. Also, within 37 business ideas supported with grants and new companies registered, 19 are owned by women. The EU4Business Recovery project is planning for up to a half of the new innovative start-ups which will be created to be attributed to women.¹⁸⁶

The effects of active measures have not been systematically quantified across BiH and their impact is not closely monitored. Employment offices, as well as statistical institutions and gender institutional mechanisms, report on employment of women and men. However, short-term affirmative actions do not necessarily guarantee sustainability and continued employment and economic empowerment of women under decent conditions. Also, the funds invested in women's employment are not systematically recorded and compared with effects of employment measures. It is clear that women are still largely underrepresented in the labour market, particularly socially isolated women, such as women with disability, Roma women, and women living in remote rural areas.¹⁸⁷

A study on what works in economic empowerment of women found that successful examples of economic empowerment combined training, equipment, access to space, funds and market for women (e.g. in agriculture, textile manufacture, and care-giving).

¹⁷⁸ Gačanica, L. (2019).

¹⁷⁹ OSCE Mission to BiH (2017).

¹⁸⁰ Gačanica, L. (2019).

¹⁸¹ European Commission (2019a); European Commission (2020a).

¹⁸² BiH Beijing+25 Report (2019).

¹⁸³ Ibid.

¹⁸⁴ CEDAW Committee (2019), p. 10.

¹⁸⁵ BiH CEDAW Report (2017), p. 26.

¹⁸⁶ The response of the EU Delegation to the questionnaire.

¹⁸⁷ Ibid.

The study observed a lack of guarantees of sustainability in the case of employment of women through funds allocated for affirmative actions of job-brokering institutions, and it also observed female borrowing from microcredit organizations. Potential reinforcement of stereotypical interpretations of the roles of women in BiH and traditional occupational segregation is noted, too.¹⁸⁸ A more recent analysis found that “Government programs and international development assistance do not approach women’s low participation in the labour market in a strategic manner and business incentives often not only disregard the business ethics, but are also blind to violations of labour rights, including gender-based discrimination, as well as structural obstacles such as low access to childcare services.”¹⁸⁹ The women empowerment index, which takes into account five indicators, ranks BiH second lowest among all EU Member States and six Western Balkans countries.¹⁹⁰

Women’s unemployment is not consistently addressed by economic policy. Gender institutional mechanisms have supported institutions in drafting legislation and strategies concerning economic, labour, business, social and developmental issues that integrate gender perspectives. FBiH and RS employment strategies/ action plans contain specific measures for the employment of women, along with a specific regulation that stipulates affirmative action in relation to women’s employment. However, MEASURE-BiH concluded that “high-level planning of economic reforms continues to be gender-blind, despite formal requirements for gender review; gender responsive budgeting is not meaningfully applied to the expenditure side, and not even discussed when it comes to the revenue side.”¹⁹¹ BiH’s Economic Reform Programme 2021-2023 considers women, including women with disability, as target groups of reforms related to agriculture,

forestry, water management, tourism, improving of social protection, and establishing links between education and the labour market. This policy also takes into account the impact of the COVID-19 pandemic on women’s business.¹⁹² The overall reform measures are described as contributing to the economic empowerment of women. However, there have been few considerations of how women’s employment affects economic growth and which strategic measures should be taken to address women’s economic activity as an asset. According to research cited by the World Bank, “for BiH, differences in labour market activity rates between men and women amount to potential economic losses in gross income per capita of roughly 16 percent.”¹⁹³ A more recent study suggested that a positive relationship between female labour participation and GDP per capita exists, and on average, an increase in female participation by 5% under a slow progress scenario and 10% under a rapid progress scenario will raise the GDP per capita by 0.7% and 1.5%, respectively in six Western Balkans countries by 2035 compared to the baseline.¹⁹⁴

Occupational segregation among women and men presents a barrier to women’s economic empowerment. Women are considerably represented in rural economy, most notably in agriculture. According to the World Bank, young women’s educational choices influence their labour market prospects.¹⁹⁵ Women are dominantly represented in care-giving (health, education, social services), other services, textile industry, and agriculture.¹⁹⁶ A total of 20.5% of the female workforce is registered in agriculture¹⁹⁷ and 38% of employees in agriculture are women.¹⁹⁸ Individual jurisdictions in BiH have recognised the role of women in rural life and economy. This is evidenced in FBiH and RS rural development and employment strategies, as well as planning documents and regulation specifically targeting

¹⁸⁸ World Bank Group (2018).

¹⁸⁹ MEASURE-BiH (2019), p. 68.

¹⁹⁰ Suta, C. et al. (2021).

¹⁹¹ Ibid., p. 57.

¹⁹² Economic Reform Programme of Bosnia and Herzegovina 2021-2023.

¹⁹³ Cuberes, David, and Marc Teignier. 2015. “How Costly are Labour Gender Gaps? Estimates for the Balkans and Turkey.” World Bank Policy Research Working Paper 7319. World Bank, Washington, DC., as cited in World Bank Group (2017), p. 4.

¹⁹⁴ Suta, C. et al. (2021).

¹⁹⁵ World Bank Group (2017), p. 4.

¹⁹⁶ Friedrich Ebert Stiftung (2020).

¹⁹⁷ Agency for Statistics of Bosnia and Herzegovina (2019). Labour Force Survey 2019.

¹⁹⁸ BiH Voluntary National Review Report (2019).

rural women. Also, various promotional activities are organized on the International Day of Rural Women in order to promote women's produce and contribute to their economic empowerment. The CEDAW Committee recommended an increase in investments in services for rural women and girls, including in the field of health care, education and social protection, as well as the adoption of programmes to reduce the engagement of rural women and girls in unpaid work.¹⁹⁹

Women are generally not landowners and they take fewer financing opportunities. Dated information suggests that "women's participation in property ownership is very low in BiH. Only 26.8 percent of property owners - i.e. with property registered in their name - are women, compared to 73.1 percent who are men."²⁰⁰ UN Women states that, within the context of rural development, "women suffer most from the lack of access to and control over productive resources such as land, property, financial resources, education, marketable skills and access to information and modern technology."²⁰¹ Still, a rise in registrations of agricultural homesteads and women-headed farming households is noted.²⁰² Owning land and business registration is the key assumption for access to financial products. Access to these products is theoretically universally available, but it is harder for women to meet the conditions for incentives or loans since they are often not formal owners of land or businesses.²⁰³ GIZ has been implementing a regional project providing support to notaries public and land registry authorities to take gender equality into account in their daily work and inform women of their rights concerning property rights and land ownership.²⁰⁴ According to World Bank research, female-led enterprises show lower use of bank accounts and more experience regarding barriers and obstacles in accessing financial products and services, with low usage of loans due to collateral.²⁰⁵ The position of women in

rural areas is further exacerbated by poor access to infrastructure and services.

Women's entrepreneurship is addressed by specific strategic documents, but not by the overall economic policy. FBiH and RS have adopted strategic documents on women's entrepreneurship, most specifically the FBiH Action Plan for Development of Women's Entrepreneurship (2018-2020) and RS Strategy for Development of Women's Entrepreneurship (2019-2023). The two documents provide for a collection and analysis of data on the current state of women's entrepreneurship and existing incentives, allocation of funds for business development, business training and exchange of information among women entrepreneurs. The Organization for Economic Co-operation and Development (OECD)²⁰⁶ notes, however, that "policy on women's entrepreneurship has also improved since 2016, but better coordination involving all the competent authorities, as well as an exchange of good practices and know-how, would help the wider women's entrepreneurship ecosystem. The inclusion of women's entrepreneurship within the wider economic policy landscape remains weak." Also, the same source notes that BiH does not consistently record data on the share of businesses owned by women.²⁰⁷ According to World Bank research, women mostly lead microenterprises, which have been recently established, in the services sector, and most are sole-proprietorships with lower level of assets than men.²⁰⁸ UNDP has assessed that women appear to be more adversely affected by the impact of the COVID-19 pandemic on the economy than men. Companies owned by women have experienced a deeper initial turnover shock than companies owned by men. Also, the number of companies with a majority female workforce that had to completely shut down is more than double of those with a majority male workforce.²⁰⁹

199 CEDAW Committee (2019).

200 FAO (Food and Agriculture Organisation) and the World Bank. 2014. "Land and Gender: Improving Data Availability and Use in the Western Balkans." FAO and the World Bank, Rome and Washington, DC., as cited in the World Bank Group (2017).

201 UN Women (2021), p. 12.

202 Ibid.

203 UN Women (2020a).

204 The response of GIZ to the questionnaire. Also see <https://gender-works.giz.de/events2017/empowering-women-through-access-to-land/>.

205 World Bank Group (2018a).

206 OECD et al. (2019), p. 541.

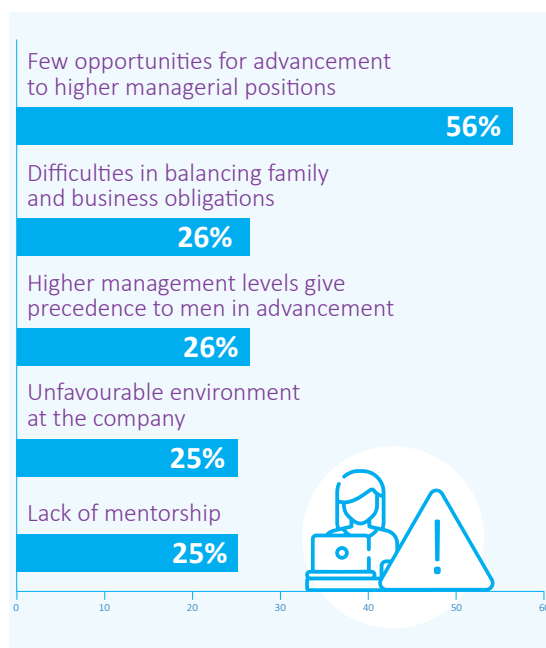
207 Ibid.

208 World Bank Group (2018a).

209 UNDP (2020), p. 16.

FIGURE 8

Top five barriers for women's advancement to higher managerial positions in 2021



Source: Selimović, J. et al. (2021)

Increased attention has been paid over the past years to women and business in BiH, but women still experience the glass ceiling. This is exemplified by the Agency for Gender Equality research on the glass ceiling in the labour market in BiH. This research showed that women who graduate from higher education institutions largely outnumber men, but that women are represented with 15.7% in management boards of companies, the 12.5% were presidents of boards, while 50% of management structures did not include women at all.²¹⁰ A more recent study indicated that women were represented with 23% within management structures of public companies at BiH level (20% in FBiH, 15% in RS and 33% in BD). Among general managers of public companies in BiH, 5.55% are women.²¹¹ Another recent study (for FBiH) gives indication of the representation of women in management structures of public companies,

suggesting that the percentage of women in company management structures is increasing, but is still below 20%. Interestingly, in the period 2010-2020 men have spent a total of 796 years in management, as compared to 125 years in case of women.²¹² According to the same research, the top five barriers for women in advancement to higher managerial positions are: few opportunities for advancement to higher managerial positions (56%), difficulties in balancing family and business obligations (26%), higher management levels give precedence to men in advancement (26%), unfavourable environment at the company (25%) and lack of mentorship (25%).²¹³

Access to education and gender sensitive curricula

There is gender parity in pre-school, primary and secondary education, at least among boys and girls who do not come from vulnerable groups of the population. Legislation on preschool, primary, secondary and higher education in BiH guarantees the right to education regardless of gender. The percentage of girls in pre-school education remains at almost 48% in the academic year 2020/2021.²¹⁴ However, the percentages are lower for girls with disability, at 36.6%.²¹⁵ The percentage of girls in primary education is at 48.7%, while the percentage of girls with disability is at 33%.²¹⁶ Girls constitute 50% of students in secondary education, while the percentage of girls with disability is currently at 35.7%.²¹⁷ Data indicates that the majority of repeaters in primary and secondary education are boys (around 78% in primary schools and around 77% in secondary schools in the school year 2018/2019).²¹⁸ According to the 2013 census, of the total illiterate population (2.82% of the total population), 0.79% are men and 4.76% women.²¹⁹ Literacy of Roma girls is also lower (68.9%) than literacy of Roma boys (90.4%).²²⁰ These figures generally indicate educational and social isolation of specific groups of women.

²¹⁰ Available at <https://arsbih.gov.ba/stakleni-krov-na-trzistu-rada/>.

²¹¹ Dizdar, A. (2020).

²¹² Selimović, J. et al. (2021).

²¹³ Ibid.

²¹⁴ Agency for Statistics of Bosnia and Herzegovina (2021a).

²¹⁵ Ibid.

²¹⁶ Agency for Statistics of Bosnia and Herzegovina (2021b).

²¹⁷ Agency for Statistics of Bosnia and Herzegovina (2021c).

²¹⁸ Agency for Statistics of Bosnia and Herzegovina (2019a).

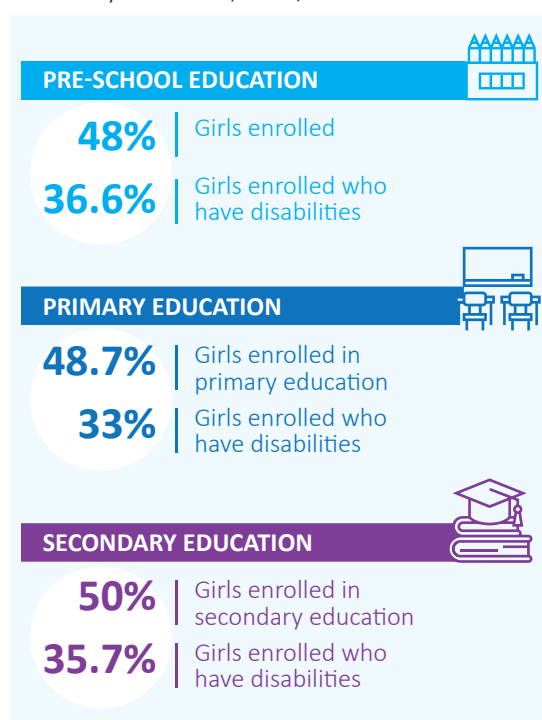
²¹⁹ Agency for Statistics of Bosnia and Herzegovina (2016).

²²⁰ Šesti CEDAW izvještaj BiH (2017).

Gender parity is not found among Roma girls, who are generally underrepresented in education as compared to Roma boys and men, as well as in comparison to other girls and women. School attendance percentages are similar for Roma girls and boys in primary education (around 70%), but 80% of Roma girls do not complete primary education. Secondary school enrolments are generally low for both Roma boys and girls (26.6% and 18% respectively), while only 4.5% Roma girls complete secondary education (compared to 9.2% Roma boys).²²¹ The CEDAW Committee has called for enhanced accessibility and quality of education for all children, including Roma, rural, refugee and asylum-seeking girls, girls with disabilities, and girls who are victims of child marriage, gender-based violence and trafficking.²²²

FIGURE 9

Percentage of girls in preschool, primary and secondary education, 2020/2021



Source: Agency for Statistics of Bosnia and Herzegovina, 2021

A UNDP/UNICEF survey of households on COVID-19 consequences indicated that access to education was jeopardised, particularly for the most vulnerable children. This partly resulted from the lack of access to ICT equipment, particularly in families with more children and Roma families.²²³

Women generally dominate in higher education, both in terms of enrolment and completion rates. The percentage of girls who enrolled in higher education is 58.88% in 2020/2021, while the percentage of women who graduated from a university in 2020 was 60.2%. The percentage of women who obtained a master's degree was 63.62% in 2020, while the percentage of women who obtained a PhD was 40.29% in 2020.²²⁴ This represents a significant change from the previous period, as women obtained 51.55% of PhD degrees in the academic year 2015/2016.²²⁵

There is gender disparity in chosen fields of study, which affects the future position of women and men in the labour market. There is a continuing trend of boys enrolling into vocational schools and girls enrolling into grammar and arts schools.²²⁶ Only 10% of women are educated in fields such as mechanical or electronic engineering, and less than 25% are represented in physical education, transport, criminal science and mining.²²⁷ This is confirmed by a more recent analysis, which found that women predominantly study in the field of health and social welfare, education, humanities and arts, social sciences, business and law, and agriculture and veterinary sciences. On the other hand, most students in the field of engineering and manufacturing, natural sciences, mathematics, and services are men. There seems to be gender parity in the field of law, economics, architecture and biotechnology.²²⁸ It is important to note that the EC Analytical report accompanying the 2019 EC Opinion highlighted that this type of educational segregation does not respond to needs of the labour market.²²⁹

²²¹ Ibid.

²²² CEDAW Committee (2019).

²²³ UNICEF/UNDP (not dated).

²²⁴ Agency for Statistics of Bosnia and Herzegovina (2021d).

²²⁵ Šesti CEDAW izvještaj BiH (2017).

²²⁶ Agency for Statistics of Bosnia and Herzegovina (2019a).

²²⁷ Šesti CEDAW izvještaj BiH (2017).

²²⁸ MEASURE-BiH (2019).

²²⁹ European Commission (2019a).

Women are significantly more represented than men in the teaching profession, although the gap decreases as the level of the educational institution increases.

Women constituted almost 99% of teaching staff at preschool institutions in the school year 2020/2021,²³⁰ as compared to 92.54% in 2015/2016.²³¹ Women teachers at primary schools are dominant (73.4% in the school year 2020/2021),²³² they constitute 62.2% of teachers at secondary schools²³³ and 47.1% at higher education institutions.²³⁴ Men are overrepresented in managerial positions at the institutions of higher education. Among eight chancellors of public universities in BiH, only one is a woman (12.5%). Vice-chancellors' positions at public universities are evenly split between men and women (16 male and 16 female vice-chancellors). Men constitute the majority in steering boards and senates at public universities in BiH (76.6% of members of steering boards and 68.7% of senate members). Finally, only a quarter of schools and academies at public universities in BiH are led by women.²³⁵

Gender equality teaching does exist, but it is not consistent across educational institutions.

Depending on jurisdiction, gender equality topics are addressed as part of either homeroom classes, healthy lifestyles, culture of living, or democracy and human rights classes at primary and secondary schools. It is uncertain to what extent gender equality content is detailed, or whether teachers underwent comprehensive and regular training for the delivery of this topic to pupils. Moreover, teaching curricula and textbooks are not regularly analysed from the aspect of gender equality. There are isolated examples of such analysis by CSOs, and they show gender biased and gender exclusive teaching materials.²³⁶

Gender Studies are offered at the University of Sarajevo both at master's and PhD levels.²³⁷ Moreover, a Gender Equality Summer School has

been regularly organized at the Faculty of Law of East Sarajevo.²³⁸ Also, the Atlantic Initiative BiH/ Democratic Control of Armed Forces (DCAF) produced a Handbook on Gender Bias and the Law in 2017.²³⁹ This resource analyses gender bias in general, as well as its particular manifestations in criminal (domestic violence, rape and sexual and gender-based harassment) and civil law matters (family law, labour law, and property law). The Handbook on Gender Bias has been promoted across universities in Sarajevo, East Sarajevo, Tuzla, Mostar, Zenica, Travnik and Banja Luka. Stakeholders from law faculties testified about the integration of the Handbook in exam literature for students (for example, for the optional subject of Gender and Law) and relevant subject teaching.²⁴⁰

Promoting equal participation and leadership

BiH adopted important legal standards for equal participation of women and men which are in line with international human right agreements.

The Gender Equality Law regulates participation in public life by imposing the obligation for state bodies to ensure and promote equal gender representation in the processes of managing, decision making and representation at all levels of organizations, including political parties, legal persons with public powers, and legal entities that are state-owned and controlled. This applies to appointments in the executive, public enterprises' management structures and local communities.²⁴¹ Equal gender representation is defined as at least 40% representation of the less represented sex and the law regulates that responsible subjects are obliged to adopt special temporary measures with the aim of achieving equal gender representation.

The BiH Election Law²⁴² was harmonised with the Gender Equality Law stipulating that

²³⁰ Agency for Statistics of Bosnia and Herzegovina (2021a).

²³¹ Šesti CEDAW izvještaj BiH (2017).

²³² Agency for Statistics of Bosnia and Herzegovina (2021b).

²³³ Agency for Statistics of Bosnia and Herzegovina (2021c).

²³⁴ Agency for Statistics of Bosnia and Herzegovina (2021d).

²³⁵ MEASURE-BiH (2019).

²³⁶ Mujić, M., Knežević, S. (2016).

²³⁷ Lucid Linx and Nycander, L. (2016); Šesti CEDAW izvještaj BiH (2017).

²³⁸ Lucid Linx and Nycander, L. (2016).

²³⁹ Halilović, M. et al. (2017).

²⁴⁰ Lucid Linx (2020).

²⁴¹ BiH Beijing+25 Report (2019).

²⁴² Izborni zakon Bosne i Hercegovine ("Official Gazette of Bosnia and Herzegovina", No. 23/01, 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 and 31/16).

equal representation of sexes is ensured by a representation of at least 40% on election lists.

Before this amendment in 2013, the Election Law stipulated a quota of 33%. The law also regulates the mandatory rank-order on election lists for different sexes. If the political parties do not observe these rules, the BiH Central Election Commission is entitled to reject their election lists. There were joint initiatives of gender institutional mechanisms and civil society organizations, as well as interventions by female politicians, for the introduction of gender parity in the Election Law, as well as a mandatory 40% quota for the appointment of the less represented sex to the BiH Council of Ministers. The BiH Parliamentary Assembly's House of Representative adopted amendments to the Law on BiH Council of Ministers envisaging a 40% representation of the less represented sex in June 2021, and these amendments are yet to be debated by the House of Peoples.²⁴³

The gender quota had a positive initial impact on the participation of women in parliaments in BiH, but it is not the sole determinant of women's political participation. Namely, before the existence of quota (pre-1998), the number of women in legislature was minor.²⁴⁴ However, a later increase of quota did not have significant impact: "...looking at data since 1998, the impact of the quota varied between 7.1% and 26%, meaning that factors other than the design of the quota have an impact on participation of women in politics. The amendments to the Election Law of BiH from 2013, which increased the quota from 33% to 40% did not have a significant impact and the slight increase for the PA BiH [BiH Parliamentary Assembly, author's note] and PFBiH [FBiH Parliament, author's note] cannot be attributed to this change."²⁴⁵

Individual special measures provided for by the Election Law had an impact on the number of women in the legislature. The 2016 Election Law amendments referred to raising the threshold for the allocation of mandates to

individual candidates on party lists from 5% to 10% at the local (municipal) level, and from 5% to 20% at higher levels. This measure significantly impacted women's participation, particularly at the cantonal level. As a result, the representation of women increased in all but one cantonal legislature, parity has almost been achieved in one canton (Herzegovina-Neretva Canton, with the participation of women in the Cantonal Assembly of 47%), two cantonal legislatures are gender balanced in line with the Gender Equality Law, while representation is over 30% in three cantonal legislatures. Women's participation is at 31% across cantonal assemblies.²⁴⁶ Another affirmative measure for women's political representation involves the allocation of state budget funds to parliamentary groups according to the number of female representatives or delegates they have, but this measure did not significantly impact the number of women in legislature.

More than 40% of political candidates at elections are women, but the number of elected women is generally much lower. At the 2018 General Elections, 7,497 political candidates ran for different positions in the state, entity, and cantonal governments, including 3,119 women (41%).²⁴⁷ Although the candidates' lists for the election reflected gender equality as prescribed by the law, the number of elected women remained far below 40%. The percentage of women elected into BiH Parliamentary Assembly's House of Representatives is 21.4%. The percentage of women elected into the FBiH Parliament's House of Representatives is 28.5%, and 21.6% in case of the RS People's Assembly.²⁴⁸ The percentage of women in cantonal assemblies ranges from 13% in Canton 10 to 47% in the Herzegovina-Neretva Canton²⁴⁹ and amounts to 31% on average.²⁵⁰ The situation is different in the executive branch. When it comes to the BiH Council of Ministers, out of nine ministries, two are headed by women (22%). In case of the FBiH Government, women constitute 19% of ministers (heading three of a total of 16 ministries). Figures are higher in RS, where women constitute 37.5% of ministers,

²⁴³ Amendments available at http://static.parlament.ba/doc/142365_Prijedlog%20zakona-uskladjjen.pdf.

²⁴⁴ Kadribašić, A. et al. (2020).

²⁴⁵ Ibid., p. 21.

²⁴⁶ Ibid.

²⁴⁷ European Commission (2019a).

²⁴⁸ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2019).

²⁴⁹ Kadribašić, A. et al. (2020).

²⁵⁰ Friedrich Ebert Stiftung (2020a).

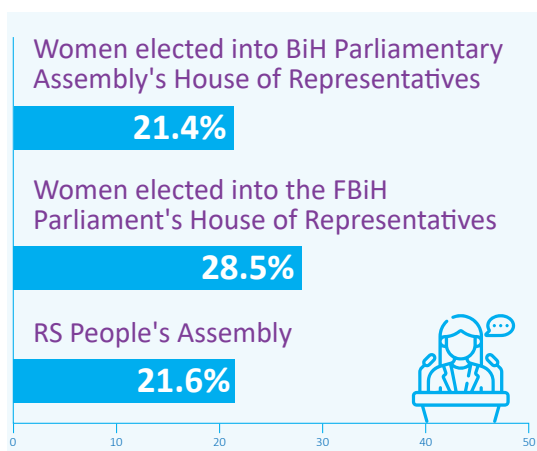
heading six of 16 ministries. It should be noted that the RS President is a woman, who previously acted as prime minister. Women's representation in cantonal governments is low. For example, there is only one female minister of 11 in the Tuzla Canton Government, In Sarajevo Canton, four ministers are women, out of a total of 12. There are no female prime ministers at any level of government in BiH. When it comes to the 2020 Local Elections, only 29 women as compared to 396 men ran for the position of mayor – and only five were elected. Women were represented with 42.27% on election lists for local councils. The percentages of elected women at local elections are 21.8% for FBiH and 17% for RS.²⁵¹ Minority women are hardly represented at all in decision-making processes and there are no measures to promote the political representation of disadvantaged groups of women.²⁵² The CEDAW Committee therefore called for strengthening of the application of special temporary measures targeting women belonging to disadvantaged groups.²⁵³

Factors that affect women's success at elections and their consequent participation are structural, including the design of the electoral system, the role of political parties, gender-biased electorate, the role of the media, among others. Political parties have been seen as gate-keepers and they frequently do not allow substantial and meaningful participation of women in the election and post-election processes. Most political parties define gender equality as one of their principles and have women's organizations within party structures. The Office for Democratic Institutions and Human Rights (ODIHR) and the OSCE have conducted gender audits in eight political parties and supported them in the development of gender strategies.²⁵⁴ However, with the exception of only few parties, the commitment to gender equality is yet to materialise in the form of genuine support for women candidates, while women's structures still have little influence on party decision making.

Women in local politics are under-represented because they are also perceived to have insufficient political skills. According to the 2018

FIGURE 10

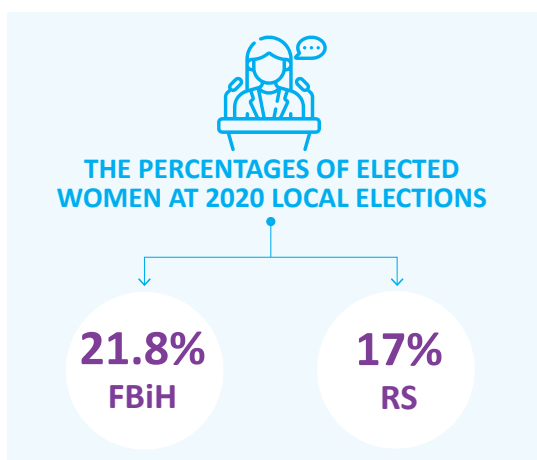
Percentage of women elected in 2018
General Elections



Source: Ministry of Human Rights and Refugees of Bosnia and Herzegovina, 2019

FIGURE 11

Percentage of women elected in the 2020
Local Elections



Source: UNWomen, 2021a

National Survey of Citizens' Perceptions,²⁵⁵ 40% of the BiH population believe that men make better political leaders than women and should be elected in preference to women. Furthermore, a Study on Differences in Development Priorities of Male versus Female Politicians and Voters²⁵⁶ revealed that most voters did not vote for women at the

²⁵¹ UN Women (2021a).

²⁵² European Commission (2020a).

²⁵³ CEDAW Committee (2019).

²⁵⁴ Overview of activities available at <https://www.osce.org/files/f/documents/a/b/468558.pdf>.

²⁵⁵ MEASURE-BiH (2019a).

²⁵⁶ MEASURE-BiH (2017).

2016 Local Elections because their names did not sound familiar or they did not know anything about these candidates, and because there were more skilled and competent candidates on the list to vote for. This indicates that women are invisible at elections and further confirms the voter perception of women candidates. Moreover, CSOs such as Infohouse, United Women Banja Luka, Foundation Cure, Forum of Left Initiative, among others, have been active in delivering training to female candidates at elections. The CEDAW Committee expressed concern over the “lack of training on political leadership, negotiation and campaigning skills for women candidates.”²⁵⁷

Gender bias in media reporting reiterates dominant ideologies and attitudes which in the case of women in politics are based on gender stereotypes. Although some media are active in the promotion of female candidates at elections, UN Women found that during the 2018 General Elections campaign, women candidates appeared in only 3% of media reports in the analysed sample and only three women appeared as political commentators/experts.²⁵⁸ Moreover, research found that women in politics experienced online GBV. According to the Westminster Foundation for Democracy, “violence against women in politics takes many forms, from misogynistic and sexist verbal attacks, to petty forms of mostly online harassment and sexual harassment.”²⁵⁹ More than 60% of 83 participants encompassed by the research experienced some form of violence over the course of their engagement in politics, with psychological violence being the prevalent form of violence against women in politics and with most violence taking place in the electoral process and through online channels of communication. It is further found that violence has a serious impact on women’s and their family’s lives, it is hardly recorded and sanctioned, but according to respondents it does not necessarily discourage women from political participation.²⁶⁰

The media portrayal of women has been observed as generally stereotypical and gender biased. According to UN Women, “the biased and sensationalistic portrayal of women and girls in the media further reinforces the existing traditional gender roles and stereotypes as media outlets in BiH rarely place women in the center of news reports about political processes.”²⁶¹ Reporting on violence against women is generally sensationalist, but there have been initiatives to train journalists on GBV reporting. For example, UNFPA supported training of journalists on CRSV reporting.²⁶² The Atlantic Initiative BiH, with Swedish funds, also trained journalists on investigative journalism in the sphere of GBV.²⁶³ These are only some among a number of initiatives involving journalists in training on unbiased reporting.²⁶⁴ Due to observed gender bias and sexism in the media, despite the integration of gender equality in normative acts of self-regulatory communication bodies in BiH,²⁶⁵ the Agency for Gender Equality issued a recommendation for the media calling on them to prevent using gender stereotypes and prejudices in their reporting, and to strive for a more balanced representation of women in the media.²⁶⁶ Also, the BiH Ministry of Human Rights and Refugees adopted the 2016-2019 Action Plan for Trainings in Human Rights for Journalists and Media Professionals.²⁶⁷ Moreover, the Agency for Gender Equality, in cooperation with the Women’s Rights Centre from Zenica, organized a conference on the establishment of a legislative framework prohibiting criminal offences involving the use of ICT.²⁶⁸

257 CEDAW Committee (2019), p. 8.

258 Kadribašić, A. et al. (2020).

259 Westminster Foundation for Democracy (2019), p. 5.

260 Westminster Foundation for Democracy (2019).

261 UN Women (2021a), p. 16.

262 Karađinović, N. et al. (2019).

263 Lucid Linx (2020).

264 BiH GREVIO Report (2020).

265 Ibid.

266 Available at <https://arsbih.gov.ba/preporuka-medijima/>.

267 Available at http://www.mhrr.gov.ba/pdf/konacan_%20ap_24%2001%202017%20.pdf.

268 BiH GREVIO Report (2020).

The CEDAW Committee recommended the establishment of a mechanism to monitor the use of sexist and misogynistic language and hate speech in public discourse and sexist portrayals of women in the media, sensitisation of journalists and media professionals on the importance of positive portrayals of women as active agents of change, and adoption of effective measures for the protection of women politicians, journalists, human rights defenders and women's non-governmental organizations to enable them to freely perform their important work without fear or threat of violence or harassment.²⁶⁹

Gender institutional mechanisms and other institutions have engaged in numerous actions to promote women's political participation. After the 2018 General Elections, the Agency for Gender Equality issued recommendations on equal gender representation to the BiH Council of Ministers and leaderships of parliamentary committees, to political parties represented in the BiH Parliament and Parliament leadership bodies, as well as other relevant appointment bodies.²⁷⁰ The Central Election Commission signed a Statement on Commitment to Gender Equality to further express its determination to respect relevant international conventions and the BiH Law on Gender Equality, advocate for gender equality and strive for its progress.²⁷¹

The effects of women's political participation on gender equality and women's empowerment in other spheres of life have not been thoroughly assessed or promoted. A Club of Female Parliamentarians was formed in the FBiH

Parliament as a voluntary initiative of women members of parliament from different parties. With the support of international organizations and civil society organizations, this club drafted a number of gender equality policies and advocated the adoption of some of them. This club had been particularly vocal regarding the adoption of the Law on Medically Assisted Reproduction in FBiH.

Judiciary is the only branch of government where women are not underrepresented. According to the HJPC 2020 Report,²⁷² women constitute 61% of judges and 46% of prosecutors in BiH. However, percentages of women in the judiciary have dropped since 2018, when they constituted 64% of judges and 49% of prosecutors. When it comes to higher and managerial positions, women constitute 50% of court presidents and 37% of chief prosecutors. The chief prosecutor of the BiH Prosecutor's Office is a woman. A woman was the president of the Court of BiH for a number of years, until 2016. The president of the FBiH Constitutional Court is currently a woman. Of the five judges of the FBiH Constitutional Court, four are women, including the president. Of nine judges of the RS Constitutional Court, two are women. Of eight members of the BiH Constitutional Court, four are women.

The Law on HJPC BiH²⁷³ regulates specific gender equality issues. This law stipulates the following: composition of the Council reflects the ethnic and gender composition of BiH; appointments of judicial office holders should aim to achieve gender equality at all levels of the judiciary; conduct with bias and prejudice based on race, colour, gender, religion, ethnicity, sexual orientation, or social and economic status is defined as a disciplinary offence of judicial officer holders; judicial office holders' membership in, or using premises of an organization discriminating against anyone on the grounds of race, colour, sex, sexual orientation, religion, or ethnicity, is incompatible with judicial office. Of the total of 15 members of the HJPC, eight are women (five of the total of 10 judicial members). Two women are deputy presidents of the HJPC and members of the tripartite HJPC presidency. The HJPC has never had a female

269 CEDAW Committee (2019).

270 BiH Beijing+25 Report (2019).

271 UN Women (2021a).

272 The High Judicial and Prosecutorial Council of Bosnia and Herzegovina (2021).

273 Integral text available at <https://vstv.pravosudje.ba/vstv/faces/vijesti.jspx?id=8236>.

president. The Office of Disciplinary Counsel, which also forms part of HJPC, is currently headed by a female chief disciplinary counsel.

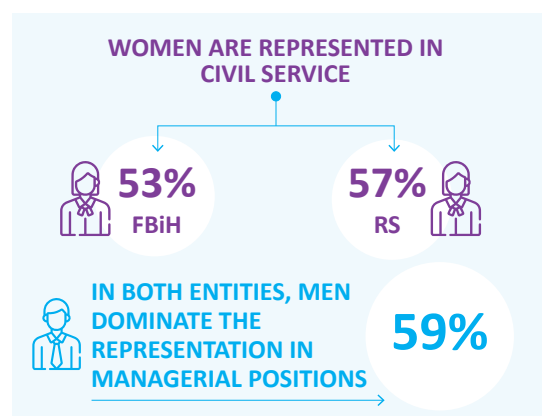
HJPC adopted a Judiciary Gender Equality Strategy. The HJPC explains: “The development of the Strategy was one of the recommendations arising from the survey on gender equality in the BiH judiciary, conducted by the HJPC BiH in 2018. The survey results showed that the majority of respondents who experienced sexual and/or gender based harassment at work or in connection with work did not report the incident due to fear of consequences. In addition, the majority stated they believed that awareness of gender equality in the judiciary was at a medium level and that it was an important issue that needed to be addressed, primarily through appropriate trainings. Also, the results of research conducted by non-governmental and international organizations that focus on gender equality, indicated the existence of gender stereotypes and prejudices among some members of the judicial community.”²⁷⁴ The Strategy will be implemented using the method of gender mainstreaming and HJPC will coordinate the process of adopting action plans by judicial institutions and provide support and guidance within this process, with the ultimate goal of enabling equal access to justice and equality before the law for all citizens.

Women constitute the majority of civil servants, but not at senior levels. According to the BiH CEDAW Report, the BiH state-level institutions employed a total of 3.789 civil servants – 47% of men and 53% of women at the time of reporting.²⁷⁵ The percentage of women has remained the same in the period after CEDAW reporting.²⁷⁶ Women are represented with 53% in FBiH civil service²⁷⁷ and with 57% in RS civil service.²⁷⁸ However, in both entities men dominate at managerial positions – 59%.²⁷⁹ Senior civil servant positions in the state-level ministries are mainly filled by men and percentages of women progressively decrease as the level of hierarchy increases. For example, there

is only 17.5% of women among secretaries with special assignments in BiH state-level institutions, 31.6% of secretaries of ministries, 43.7% of assistant ministers, and 47.1% of heads of internal organizational units. Out of nine ministries that constituted the BiH Council of Ministers at the time of CEDAW reporting, four had no women in senior positions. On the other hand, at two ministries, namely the Ministry of Human Rights and Refugees and Ministry of Finance, women occupied the majority of senior positions.²⁸⁰ In 2018, women constituted 26.5% of BiH ambassadors and general consuls.

FIGURE 12

Representation in civil service since 2017



Source: Šesti CEDAW izvještaj BiH, 2017 | Agency for Statistics of Bosnia and Herzegovina, 2020

Integrating the women, peace and security agenda

Participation of women in police, army and peacekeeping missions

The participation of women in police, army and peacekeeping missions has increased to some extent as compared to previous years, but equal participation has not been achieved.²⁸¹ The BiH Defence Minister was a woman during a four-year

²⁷⁴ Available at https://www.pravosudje.ba/vstv/faces/vijesti.jsp?id=95500&vijesti_jezik=E.

²⁷⁵ Šesti CEDAW izvještaj BiH. Šesti periodični izvještaj Bosne i Hercegovine o provedbi Konvencije o eliminaciji svih oblika diskriminacije žena (2013-2016) (2017).

²⁷⁶ Agency for Statistics of Bosnia and Herzegovina (2020b).

²⁷⁷ Šesti CEDAW izvještaj BiH (2017).

²⁷⁸ Agency for Statistics of Bosnia and Herzegovina (2020b).

²⁷⁹ Šesti CEDAW izvještaj BiH (2017).

²⁸⁰ Ibid.

²⁸¹ Šesti CEDAW izvještaj BiH (2017); Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2019).

period, until 2019, but the percentage of women at managerial positions in BiH Armed Forces remains low (at 2.5%).²⁸² According to the BiH CEDAW Report, the BiH Defence Ministry employs 38% women, BiH Armed Forces 6.8% women, of which 24% civilians and 5.5% of military personnel.²⁸³ An increased interest of women in positions in Armed Forces has been reported. The number of women who applied for admission to the Armed Forces of Bosnia and Herzegovina increased steadily and across the ranks. The percentage of women in officer training for admission in service in the period from 2016 to 2019 rose from 12 to 25%.²⁸⁴

There was a slight increase in women's participation in police structures in 2018 as compared to 2017, so women were represented in 2018 with 6.2% in the Directorate for Coordination of BiH Police Bodies BiH, 15.1% in the State Investigation and Protection Agency, 8.7% in the BiH Border Police, 9.3% in the RS Ministry of Interior, 6.1% in the BD Police, 10.4% in the FBiH Police Administration, and 8.5% across cantonal ministries of internal affairs. This suggests that the average representation of women in police agencies in BiH (excluding information on the Office for Foreigners' Affairs) was around 9.2% in 2018. Moreover, women remain largely underrepresented in police managerial positions and senior ranks.²⁸⁵ Still, female police officers have established their own association and have been implementing projects in the sphere of GBV and UNSCR 1325.

As regards to participation in peacekeeping missions, the number of women participating in international peacekeeping missions on behalf of BiH has increased considerably. The percentage of female police officers from BiH that participate in UN peacekeeping missions exceeds many Member States of the European Union and the

North Atlantic Treaty Organization (NATO), as well as the UN average.²⁸⁶ The percentage of women delegated by the BiH Security Ministry for peacekeeping missions was 30% in 2016, which represents an increase by 6% since 2014, and 14% since 2010.²⁸⁷ Similarly, the percentage of women delegated by the BiH Defence Ministry increased from 3.5% in 2013 to 6.7% in 2016. These increases are direct results of specific affirmative measures relating to a reduction of the required number of years of experience.²⁸⁸

Women, peace and security policies and implementation

The Agency for Gender Equality reports an increased number of requests for review of defence and security regulations and policies in relation to the Gender Equality Law and gender mainstreaming principles. For example, a number of normative acts of the Defence Ministry regarding recruitment, status, ethics, training, even legal drafting have been reviewed and harmonised with the Gender Equality Law.²⁸⁹ The BiH Defence Ministry adopted the Gender Equality Policy applicable to the BiH Defence Ministry and BiH Armed Forces and conducted an analysis of the status of women in order to take necessary measures.²⁹⁰ Moreover, the BiH Ministry of Security has actively involved the Agency for Gender Equality in the development of regulations and policies, including action plans in various security areas, for example the Strategy for Integrated Border Management 2019-2021, the Action Plan for Preventing and Combatting Trafficking in Humans 2016-2019, and the Small Arms and Light Weapons Strategy 2016-2020, integrating the role of women and needs of vulnerable groups such as unaccompanied minors, victims of sexual abuse and human trafficking, pregnant women and new mothers, among others.²⁹¹ The Agency for Gender

²⁸² Šesti CEDAW izvještaj BiH (2017).

²⁸³ Ibid.

²⁸⁴ The response of HQ EUFOR to the questionnaire.

²⁸⁵ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2018a).

²⁸⁶ BiH Security Minister's statement available at <http://msb.gov.ba/vijesti/najave/default.aspx?id=17356&langTag=en-US>.

²⁸⁷ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2018a).

²⁸⁸ Ibid.

²⁸⁹ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2019).

²⁹⁰ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2020).

²⁹¹ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2018a).

Equality ensured training for gender focal points at security and defence institutions in BiH, and training of trainers.²⁹²

Integrating the Women, Peace and Security agenda has been approached in a planned manner. BiH was the first country in the region to adopt an Action Plan for the Implementation of the UN Security Council Resolution 1325 on “Women, Peace and Security”, in July 2010 for the period 2010-2013, which was followed by the second Action Plan for the period 2014-2017. BiH institutions are currently implementing the third

Action Plan for Implementation of the UNSCR 1325 “Women, peace and security” for the period 2018-2022, which brings the concept of human security from the aspect of gender equality. This concept integrates issues that are specific to post-conflict societies and recognises new security threats and challenges at the global level (natural disasters, refugee crisis, violent extremism) as well as their implications on BiH. The strategic goals and mid-term objectives of the Action Plan for the implementation of UNSCR 1325 (2018-2022)

²⁹³are:

1. Increased participation of women in the military, police and peacekeeping missions, including participation in decision-making positions	Key policies, laws and other regulations enable increased participation of women in the military, police, peacekeeping missions, including decision-making positions
	Conditions are created for the improvement of status and career advancement of women in the military, police, peacekeeping missions, including decision-making positions
	Awareness is raised of the importance of women’s participation in decision-making and preservation of peace and security
2. Increased human security through the prism of gender equality	Decreased human trafficking rate in BiH
	Improved support and assistance to survivors of sexual violence and other conflict-related suffering
	Improved gender responsive approach to and systems of support under security threat and challenges
3. Improved conditions and access to the implementation of the Action Plan on UNSCR 1325	Improved coordination mechanisms and instruments for the implementation of the Action Plan on UNSCR 1325
	Improved cooperation with other actors

The implementation of action plans has been monitored by the specifically appointed coordination boards made up of representatives of gender institutional mechanisms, defence and security institutions, and non-governmental sector in BiH. The coordination board is generally tasked with the review and adoption of operational plans for the implementation of the Action Plan, coordination of implementation of activities by relevant institutions, international and non-governmental organizations, review and submission of annual reports on the implementation of the Action Plan

to the BiH Council of Ministers, and monitoring of other actions related to the implementation of the Action Plan. A specific monitoring and evaluation plan, including quantitative and qualitative indicators for every goal and expected result, has been developed and applied.²⁹⁴ As of 2012, civil society organizations and gender institutional mechanisms have been developing municipal plans for the localisation of the UNSCR 1325 Action Plan.²⁹⁵ There is no comprehensive information about the coverage of local communities by these plans today.

²⁹² Lucid Linx and Nycander, L. (2016).

²⁹³ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2018a).

²⁹⁴ Ibid.

²⁹⁵ Lucid Linx and Nycander, L. (2016); UN Women (2021).

The UNSCR 1325 Action Plan acknowledges that terrorism and violent extremism have different implications on women and men, and it includes measures relating to the prevention of these phenomena. However, OSCE assessed that the implementation of the prevention pillar of the 2015-2020 BiH Strategy for Preventing and Combatting Terrorism had shortcomings in the inclusion of gender considerations in the Strategy, which is why OSCE will be working with the government and civil society in BiH to ensure their inclusion in the 2021-2026 Strategy and Action Plan, as well as to establish substantive cooperation with the BiH Agency for Gender Equality. OSCE also advised the relevant authorities to include gender considerations in the planning and implementation of steps to rehabilitate and reintegrate foreign terrorist fighters and their family members, also through the provision of specialised training programmes for social welfare professionals.²⁹⁶

BiH's commitment to the Women, Peace and Security agenda and implementation of the UNSCR Resolution 1325 was recognised at the summit of G7 foreign ministers in 2018, when G7 members selected a country for partnership on Women, Peace and Security as part of an initiative launched by the Canadian Presidency, with the EU being the only one to select a European country—Bosnia and Herzegovina.²⁹⁷ “We felt it has set an impressive track record on Women, Peace and Security until now, and we are proud that this cooperation is now starting,” European External Action Service (EEAS) Principal Adviser on Gender, Ambassador Mara Marinaki, said about BiH on the occasion of the high-level conference on Women, Peace and Security organized by NATO and the EU, in partnership with the Foreign & Commonwealth Office, which started on 4 March 2019 in Sarajevo.²⁹⁸ Following this, a roadmap of cooperation defining joint actions in the following two years was developed.²⁹⁹ Moreover, HQ EUFOR

has supported the efforts of the BiH Agency for Gender Equality, BiH Ministry of Defence, BiH Armed Forces and the BiH Ministry of Security, and other partners to improve the position of women in the security sector, increase their presence, and support affirmative measures and retention policies.³⁰⁰ The CEDAW Committee has called for the allocation of adequate resources for the implementation of the UNSCR 1325 Action Plan at all levels of government.³⁰¹

Small Arms and Light Weapons Control

Gender perspective has been integrated into Small Arms and Light Weapons (SALW) considerations.

The Agency for Gender Equality has participated in the drafting of the BiH SALW Strategy for the period 2016-2020.³⁰² According to this strategy, special significance is attached to the influence of the use of arms in cases of domestic violence as well as the different influences that SALW have on men and women.³⁰³ OSCE is supporting the development and implementation of a gender monitoring framework for projects in BiH related to SALW, and thereby also helping to establish the best way to integrate gender perspectives and collect gender-disaggregated data.³⁰⁴ Previous extensive contributions by the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) identify the role of men and women in the SALW sphere, noting considerable differences in the perceptions and attitudes, the possession and use of SALW and the risk of being victims of violence and other incidents related to SALW.³⁰⁵

Combatting trafficking in human beings

Human trafficking remains a problem in BiH and the country has been on the Tier 2 Watch List of the US State Department over the past two years.³⁰⁶

According to the 2020 Trafficking in Persons (TIP)

²⁹⁶ The response of OSCE to the questionnaire.

²⁹⁷ Available at <https://europa.ba/?p=62353>.

²⁹⁸ Ibid.

²⁹⁹ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2019).

³⁰⁰ The response of HQ EUFOR to the questionnaire.

³⁰¹ Not published, available at BiH Agency for Gender Equality.

³⁰² Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2018a).

³⁰³ Available at http://msb.gov.ba/PDF/SALW_ENG%20FINAL_web.pdf.

³⁰⁴ The response of OSCE to the questionnaire.

³⁰⁵ SEESAC (2019).

³⁰⁶ U.S. State Department (2020).

report on BiH, “human traffickers exploit domestic and foreign victims in BiH, and traffickers exploit victims from BiH abroad.”³⁰⁷ Trafficking particularly, though not exclusively, affects women. According to the TIP report, traffickers exploit “Bosnian women and girls in sex trafficking within the country in private residences and motels. Marginalised Roma children are exploited in forced begging, sex trafficking, and domestic servitude in forced marriages. Foreign women and girls from European countries are vulnerable to sex trafficking within the country. Traffickers exploit Bosnian victims in sex trafficking and forced labour in the construction and other sectors in neighbouring Balkan countries and other countries across Europe.”³⁰⁸ Moreover, “thousands of migrants and refugees from Afghanistan, Bangladesh, Iraq, Morocco, Syria, and neighbouring countries traveling through, stranded in, or being smuggled through BiH are vulnerable to trafficking, particularly women and unaccompanied minors.”³⁰⁹

BiH authorities adopted a new Strategy for Combatting Human Trafficking in BiH for the period 2020-2023. This strategy³¹⁰ is based on the principles of respect for human rights, participation and government accountability, interdisciplinary and multi-sectoral approach, anti-discrimination, community participation, sustainability, international and regional approach, protection of children’s rights, and gender specific approach. This strategy outlines strategic priorities for the coming period including: support systems (implementation, coordination, legal harmonisation, and monitoring mechanisms, capacity building), prevention (awareness raising, special measures for groups at risk, prevention by target groups), criminal prosecution of perpetrators (capacity building, support to witnesses, asset seizure), protection of victims (and reparation), and partnerships (with various local and international actors). The council of Europe has supported the efforts to localise the implementation of the Strategy by providing guidelines for integrating a gender dimension in

local action plans.³¹¹

There is a comprehensive institutional and legislative framework for the implementation of anti-trafficking policies. It comprises the state coordinator for combatting human trafficking and irregular migration and the BiH Ministry of Security’s Section for Combatting Human Trafficking that supports the work of a state coordinator; a specially appointed anti-trafficking strike force gathering representatives of prosecutors’ offices and law enforcement agencies; and a network of regional monitoring/coordination teams. According to the Analytical Report accompanying the 2019 EC Opinion, “At all levels of government, legislation on trafficking in human beings is broadly aligned with the *acquis*. Further improvements are needed, notably regarding sanctions.”³¹² The CEDAW Committee has welcomed the adoption of the Law on Aliens, which provides for support to victims of human trafficking who have been granted temporary residence and the Law on Asylum, which prohibits discrimination on the grounds of sex, sexual orientation, gender identity and sexual characteristics, among others.³¹³ BiH reported gender sensitive asylum procedures in its report to GREVIO.³¹⁴

Prosecution of perpetrators is low and not victim-centred. According to the TIP report data for 2019, “the government identified 61 potential trafficking victims (36 in 2018). Of these, 19 were victims of sex trafficking, 36 of forced begging, three of forced marriage for the purpose of forced begging and sexual exploitation, and three of multiple types of exploitation [...]; 49 victims were female and 12 were male (21 victims were female and 15 were male in 2018); 36 were children (12 in 2018) and six were foreign victims (eight in 2018).”³¹⁵ Still, according to the same report, the prosecution of perpetrators remains low, with only the RS Prosecutor’s Office indicting two persons in 2019, while the state and FBiH prosecutors’ offices did not issue indictments. The TIP report stated

307 U.S. State Department (2020), p. 7.

308 Ibid, p. 8.

309 Ibid.

310 Available at http://msb.gov.ba/anti_trafficking/dokumenti/planovi/default.aspx?id=18185&langTag=bs-BA.

311 From <https://www.coe.int/bs/web/sarajevo/-/elaborating-gender-responsive-action-plans-and-measures-to-combat-trafficking-in-human-beings>.

312 European Commission (2019a), p. 58.

313 CEDAW Committee (2019), p. 2.

314 BiH GREVIO Report (2020).

315 U.S. State Department (2020), p. 4.

that “Law enforcement lacked victim-centered investigations and prosecutions, and the anti-trafficking strike force remained ineffective. In addition, the government continued to penalise victims and did not disburse annual funds to NGOs for victim protection efforts, while victim assistance providers continued to lack resources and could not assist all domestic victims.”³¹⁶ According to the Analytical Report accompanying the 2019 EC Opinion, BiH “must develop a comprehensive, multidisciplinary and victim-oriented approach to better identify and protect victims, especially children. International cooperation should also be stepped up, in particular through a more active use of joint investigation teams and joint operations.”³¹⁷

Protection of victims of CRSV

The exact number of CRSV survivors is unknown and stigmatisation continues. There is no reliable data on the number of women and men who suffered sexual violence during the 1990s war.³¹⁸ It is estimated that 20,000 to 50,000 women were raped during the war.³¹⁹ Research has been limited, but the exact numbers could not be determined because of diverse practices of recognition and registration of CRSV survivors and the inherent stigma. According to UNFPA research, “Survivors of conflict-related sexual violence in BiH are marginalised in every aspect of life. Condemnation that they experienced and/or continue to experience from family, acquaintances and the communities where they live resulted in a situation in which survivors refuse to talk about the violence that happened to them. [...] Survivors do not feel they are adequately treated by government institutions, emphasising the need for further psychological and medical support. They see the support that they get from non-governmental organizations as a positive element in reducing marginalisation. In the overall support to survivors of conflict-related sexual violence there is an obvious gender insensitive approach and then

there is neglect and marginalisation of men who were sexually abused in the conflict.”³²⁰

Stigma alleviation interventions have been delivered in cooperation with youth, religious communities, and the media. In 2017, a Declaration on Denouncing Stigma against CRSV Survivors was prepared by the Interreligious Council (IRC) and publicly signed by religious leaders. As a result of work with the IRC and local communities, it was reported that clergy of all four faiths started engaging in local dialogue to prevent stigmatisation of CRSV victims and ensure referral to relevant services. Moreover, media professionals received training on contextualised reporting on CRSV and guidelines on reporting on CRSV were developed.³²¹

Gender institutional mechanisms report work on the harmonisation of existing and adoption of new laws in line with international standards with the aim of ensuring protection of rights of victims of CRSV, including the right to compensation and rehabilitation.³²² Legal harmonisation is related to criminal legislation and social protection.³²³ The CEDAW Committee welcomed the amendments to criminal legislation which define certain forms of sexual violence as a war crime.³²⁴ Earlier efforts to pass an integral law at the level of BiH regulating rights of survivors, reparation, rehabilitation and support services, as well as to adopt the Programme for the Improvement of Status of Women Victims of Conflict Related Sexual Violence and Torture in BiH, which was developed by the BiH Ministry of Human Rights and Refugees and UNFPA, did not result in a formal adoption of these policies. Instead, RS, FBiH, BD and cantons adopted new, or amended existing legislation to regulate the status and protection of victims of CRSV. UN Women notes that “recent legislative amendments at the entity level now enable CRSV survivors to enjoy a more equal access to services and overall rights.” This includes access to healthcare and health insurance, psychosocial, legal, and financial support. However,

³¹⁶ U.S. State Department (2020).

³¹⁷ European Commission (2019a), p. 60.

³¹⁸ UN Women (2021).

³¹⁹ Bari, Farzana; Kovač, Vanja. Gender Brief Bosnia and Herzegovina: Gender equality state of play and recommendations for BiH GAP and EU GAP implementation. Sarajevo: UN Women CO in BiH, 2019, as cited in UN Women (2021).

³²⁰ UNFPA (not dated).

³²¹ Karađinović, N. et al. (2019).

³²² Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2018a).

³²³ Ibid.

³²⁴ CEDAW Committee (2019).

women who survived rape during the war are treated differently in both entities and BD, on the grounds of their legal status which determines the compensation that they are entitled to (monthly allowance, health care, rehabilitation, psychological support, etc.). Moreover, male victims of wartime rape are generally unprotected and “stigmatised in their communities as a result of patriarchal norms which punish additionally those who “offend” the ideal of masculinity.”³²⁵

Following an increase in the number of CRSV cases processed by the judiciary in BiH, the prosecution of cases slowed down. According to Amnesty International (based on data received from OSCE), in the period 2004-2020, courts registered 219 cases against 346 defendants involving rape or sexual violence committed in conflict. Of those, 161 cases (involving 229 defendants) have been closed.³²⁶ In 2011, 13 persons were prosecuted, and this number rose to 22 in 2016. In 2017, the Court of BiH had 46 cases with elements of CRSV.³²⁷ From 2002, when the Court of BiH started its work, until the end of 2016, proceedings against a total of 70 persons were completed (67 men and three women) for criminal offences of war crimes with elements of sexual violence committed against women. Out of this total number, 53 persons (51 men and two women) were convicted and 17 persons (16 men and one woman) were acquitted of all charges. The total of 695 years of prison/long-term imprisonment was pronounced.³²⁸ In 2019, 16 cases, involving 24 defendants, were closed; including 13 cases before Court of BiH and three at entity levels and BD. In total, 17 defendants were sentenced to a total of 125 years in prison; five were acquitted; one defendant died during the trial and the proceedings against one defendant were discontinued due to the defendant’s illness. In 2020, 58 cases, involving 117 defendants, are pending before various

courts in BiH; 38 are pending before the Court of BiH and 20 before courts at the entity level and in BD.³²⁹ According to Amnesty International, “despite considerable progress made until 2016, the prosecution of war crimes cases, including cases of wartime rape and sexual violence, dramatically slowed down over the last several years.”³³⁰ The High Commissioner for Human Rights urged full implementation of laws related to wartime victims of rape and sexual violence throughout BiH and developing a comprehensive rights-based framework for redress and ensuring that rights to compensation in civil and criminal proceedings are enforceable in practice.³³¹

Institutions and legislation are in place for the protection of and support to witnesses during court proceedings, as embodied mostly in witness support departments of courts and prosecutors’ offices, legislation on witness protection, and a network of non-governmental organizations that signed mutual cooperation protocols with competent ministries and institutions for the provision of comprehensive and efficient support to victims and witnesses in cases of war crimes, sexual violence and other forms of criminal offences.³³² However, reports from 2016³³³ and 2020³³⁴ still highlight issues with protection of witnesses’ identities and consistent support to witnesses, and call for continued funding of witness support networks, so that support could be rendered even after criminal trials. Namely, Amnesty International notes support during criminal proceedings, but not in subsequent civil proceedings for reparation claims.³³⁵

CRSV survivors continue to face numerous challenges in accessing all forms of reparation. According to Amnesty International,³³⁶ courts in BiH made final decisions in 17 final criminal proceedings ordering convicted perpetrators

³²⁵ UN Women (2021), p. 50.

³²⁶ Amnesty International (2020).

³²⁷ Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2018a).

³²⁸ Ibid.

³²⁹ Amnesty International (2020).

³³⁰ Ibid., p. 9.

³³¹ Letter of the High Commissioner for Human Rights to BiH Minister of Foreign Affairs (2020).

³³² Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2018a).

³³³ Korner, J. (2016).

³³⁴ Korner, J. (2020).

³³⁵ Amnesty International (2020).

³³⁶ Ibid.

to pay compensations to the victims of CRSV, but these decisions have been enforced in only one or two cases. BiH does not have a victim compensation fund or alternative mechanism to compensate survivors of criminal acts in cases when the convicted perpetrators are not able to pay damages, leaving the victims unable to effectively enforce their right to this form of compensation. Pursuing compensation claims through civil proceedings threatens survivors' privacy and exposes them to considerable costs, while their claims often get rejected due to the application of statute of limitations on reparation claims from the state.³³⁷ Consequently, the UN Secretary General noted in the report to the Security Council at the end of March 2021 that "survivors of conflict-related sexual violence have struggled to achieve recognition as legitimate victims of war and to access reparations and redress. In August 2020, in response to an individual complaint, the Committee on the Elimination of Discrimination against Women concluded that investigations into conflict-related sexual violence in Bosnia and Herzegovina had been ineffective and slow and that compensation and support for the victims were inadequate."³³⁸ Moreover, the 2020 EC Progress Report for BiH notes, concerning a petition of wartime sexual violence victims, "the UN Committee against Torture condemned the practice of application of the statute of limitations in compensation claims and requested Bosnia and Herzegovina to establish an effective reparation scheme at the national level to provide adequate and just satisfaction to victims of torture."³³⁹

Natural disasters and humanitarian crises

BiH has been severely affected by three major crises over the past years – the devastating floods in 2014, the migrant crisis continuously ongoing since 2014 and the COVID-19 pandemic since 2020. Gender institutional mechanisms in BiH reacted to floods by analysing the implications on women, men, children and elderly and report developing action plans for gender equality in disasters. Intervention funds were allocated from FIGAP to the most affected areas. Also, gender institutional

mechanisms recommended to authorities the ways to integrate gender equality in relief actions.³⁴⁰

There are examples of specifically designed interventions in response to GBV in the case of the migrant crisis, which have replication potential. UNFPA supported institutions in the Una-Sana Canton in their response to the migrant crisis in 2018. A rapid assessment was carried out and one surge specialist for GBV in emergencies was deployed to the field. Standard operating procedures (SOPs) for the treatment of GBV victims were drafted in cooperation with the Una-Sana Canton Ministry of Health and Social Policy, trainings and awareness raising activities for humanitarian workers and other frontline workers were delivered, safe spaces for women and girls were established and daily activities tailored to the needs of female migrants and their cultural and other needs organized. The drafted SOPs could also apply to other emergency situations, not only to the particular migrant crisis. Also, UNFPA has been working on the integration of MISP into local emergency preparedness plans in order to guarantee relevant SRHR and GBV supplies and services in emergencies.³⁴¹ UNFPA has upheld its support to migrant women and youth under COVID-19 circumstances.³⁴² Also, with EU and own funds, UNFPA implemented activities to alleviate suffering and strengthen capacities of migrant and refugee women and girls, within the UNFPA Women and Girls Centres, which are complementary to its GBV and mental health and psycho-social support programmes.³⁴³

Gender institutional mechanisms, UN and other agencies have been quick to analyse COVID-19 implications on women under the human security umbrella of the UNSCR 1325 Action Plan. The Agency for Gender Equality and Women's Network carried out a pilot survey on the situation of women from vulnerable categories of population in BiH during COVID-19 pandemic. This survey indicated that women were struggling financially and depending on men's benevolence for certain expenses, that access to medical care and social protection was limited, and that violence against

³³⁷ Ibid.

³³⁸ Available at <https://www.un.org/sexualviolenceinconflict/countries/bosnia-and-herzegovina/>.

³³⁹ European Commission (2020a), p. 27.

³⁴⁰ BiH Beijing+25 Report (2019).

³⁴¹ Karađinović, N. et al. (2019).

³⁴² Available at https://ba.unfpa.org/sites/default/files/pub-pdf/monthly_operational_update_in_numbers_march.pdf.

³⁴³ The response of UNFPA to the questionnaire.

women was a particular threat under lockdown circumstances.³⁴⁴ Gender institutional mechanisms have issued recommendations to governments on a gender sensitive COVID-19 response.³⁴⁵ Recommendations are given in relation to the prevention of GBV, women in the labour market, economy, and equal participation in decision making, as well as issues of women's health and status of vulnerable groups. The OSCE conducted the analysis COVID-19 Crisis Response: Human Rights and Gender Analysis with the aim of raising awareness of the challenges vulnerable groups in everyday lives and the unintended consequences of emergency measures.³⁴⁶

Addressing the challenges and harnessing the opportunities offered by the green transition and the digital transformation

Green transition

The role of women in environmental protection and green transition was not considered sufficiently until recently. The Green Economic Development (GED) Project, supported by Sweden and implemented by UNDP, aimed to create favourable conditions for investments into energy efficiency measures while contributing to market development and economic progress of the country.³⁴⁷ Project evaluation notes positive effects of the project on gender equality, noting specific implications of energy solutions on women and men.³⁴⁸ The evaluation notes that the project created green jobs encompassing 971 person-months. According to UNDP, in 2020, 12 trainings for 129 (56 or 43% women) end-users and energy managers were held to enable systematic collection of data and supervision of consumption of all types of energy in the public sector. Out of 79,000 beneficiaries of retrofitted

buildings and public lightning system, 40,500 (51%) were women. The Disaster Risk Analysis System (DRAS) has a particular focus on vulnerable categories of women. In 2020, 7 out of the 129 green jobs created can be linked to women.³⁴⁹ Italy has been supporting sustainable economic development and environmental protection of areas with natural constraints, targeting women and men, but with specific objectives relating to women's entrepreneurship in the tourism sector.³⁵⁰ For example, one project reports supporting 26 small businesses in agriculture and tourism, including seven women-owned businesses, and 25 (at least 40%) newly employed women (part-time/seasonal).³⁵¹

Gender institutional mechanisms have not been considerably involved in processes of strategic planning for environmental protection until the recent involvement in drafting of the Environmental Strategy and Action Plan for BiH until 2030 (ESAP 2030+). No systematic approach to women and environment has been observed prior to this, although this area of intervention was included in the first GAP 2006-2011. BiH ESAP project recognises that solutions to environmental change are not socially neutral. For this reason, the project involved gender institutional mechanisms in consultations to get a better sense of existing issues and knowledge at the intersection of environmental protection and gender equality, social equity and poverty (GESEP) issues in BiH, and to invite them to participate in strategy development. Gender institutional mechanisms play an important role and have been driving the inclusion of gender equality considerations in planning.³⁵²

BiH ESAP 2030+ has considered strengthening environmental policy in BiH with a gender equality, social equity, and poverty reduction approach, taking into account "multidimensional

344 Available at <https://arsbih.gov.ba/utjecaj-covid-19-pandemije-na-ravnopravnost-spolova-i-polozaj-zena-iz-drustveno-marginaliziranih-kategorija-u-bosni-i-hercegovini/>.

345 For example, <https://arsbih.gov.ba/wp-content/uploads/2020/05/Preporuke-za-integriranje-perspektive-ravnopravnosti-spolova-u-borbi-protiv-pandemije-COVID-K%C5%A0.pdf>, <https://www.gcfbih.gov.ba/informacija-o-stanju-ravnopravnosti-spolova-to-kom-i-za-vrijeme-oporavka-od-krize-uzrokovane-pandemijom-koronavirusa-covid-19-u-federaciji-bosne-i-hercegovine-s-prijedlogom-mjera-za-unaprijedjenje/>.

346 OSCE (2021).

347 Available at https://www.ba.undp.org/content/bosnia_and_herzegovina/en/home/climate-and-disaster-resilience/GED.html.

348 Bajraktari, E. and Alibašić, G. (2021).

349 The response of UNDP to the questionnaire.

350 The response of the Italian Agency for Development Cooperation to the questionnaire.

351 Ibid.

352 ESAP 2030+ Project information.

inequalities.”³⁵³ Still, the established baseline at the start of strategic planning is as follows: There is low awareness of the importance of inclusion of gender equality principles in environmental policy planning and management, vulnerable groups are not included in these processes, gender impact assessment has not been conducted, gender disaggregated data is unavailable. The strategic goals therefore are to integrate GESEP in all phases of environment management and across other environmental protection aspects.³⁵⁴

Digital transformation

Computer literacy in BiH is gender balanced.

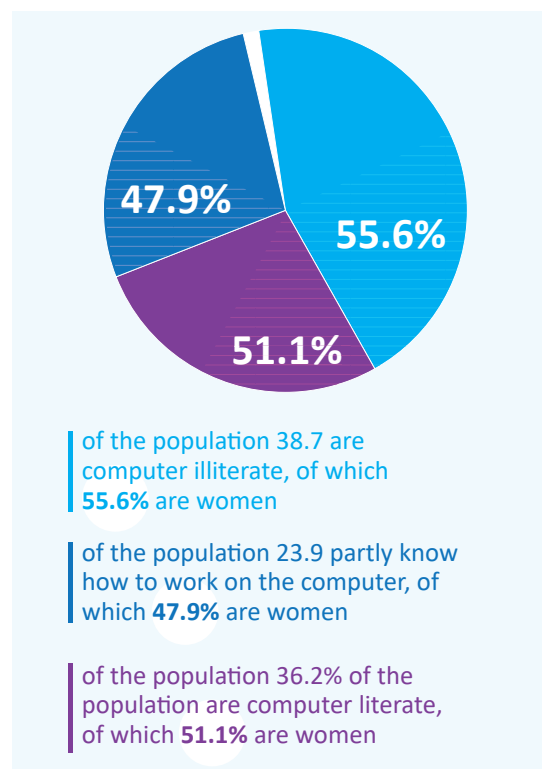
According to the 2013 census, 36.2% of the population are computer literate, of which 51.1% are women, 23.9% partly know how to work on the computer (of which 47.9% are women), while 38.7% (55.6% of which are women) are computer illiterate.³⁵⁵ According to more recent data, 62.2% of households have access to a computer and 88.1% of households with children under the age of 16. According to the same source, 91.4% of households with children under 16 have access to the Internet. The share of computer users by gender is 69.1% for men and 62.8% for women.³⁵⁶ A recent study reported that the skill gap in BiH was at 4 percentage points in favour of women, which is at the EU level.³⁵⁷

Girls’ and women’s interest in science, technology, engineering and mathematics (STEM) differs across sub-areas and international organizations and CSOs have been active in promoting the role of women in STEM. Some sources indicate that women outnumber men only in case of math, whereas in the field of technology every fourth and in the field of engineering every third student is a woman.³⁵⁸ Also, differences in preferred STEM sub-areas are reported. According to MEASURE, “men are more interested in programming (especially computer numerical control (CNC)

programming) and engineering, while women tend to engage themselves in other areas, such as digital marketing.”³⁵⁹ International Girls in ICT Day has been observed in BiH at events organized by gender institutional mechanisms and international organizations with the aim of drawing attention to the critical need for more girls and women in the ICT sector.³⁶⁰ One specific initiative of three UN agencies – UN Women, UNDP and UNICEF, which is funded by Sweden – IT Girls, is noteworthy. This initiative provides training for girls and elementary school teachers on highly digital skills and works with five IT companies to help them revise their workplace standards in line with women’s empowerment principles.³⁶¹ This initiative also

FIGURE 13

Percentage of computer literacy from 2013 Census



Source: Agency for Statistics of Bosnia and Herzegovina, 2016

³⁵³ Strambo et al. (2021).

³⁵⁴ BiH Agency for Gender Equality information.

³⁵⁵ Agency for Statistics of Bosnia and Herzegovina (2016).

³⁵⁶ Agency for Statistics of Bosnia and Herzegovina (2021).

³⁵⁷ Suta, C. et al. (2021), p. 36.

³⁵⁸ Risteska, M. et al. (2020).

³⁵⁹ MEASURE-BiH (2019), p. 51.

³⁶⁰ For example <https://www.unicef.org/eca/stories/girls-ict-day-let%C2%B4s-reimagine-girls%C2%B4-education-toward-stem-and-girl-centered-solutions>, <https://eca.unwomen.org/en/news/in-focus/international-girls-in-ict-day>, <https://www.rcc.int/events/729/international-girls-in-ict-day-sarajevo-bosnia-and-herzegovina>

³⁶¹ Available at <https://www.unicef.org/bih/en/press-releases/support-sweden-it-girls-are-growing>.

promotes girls and women's participation in ICT and science.³⁶² Switzerland has also supported employment and entrepreneurial opportunities for women and men by focusing on IT companies and freelancers, taking into account growth-oriented and gender-responsive, socially-inclusive business practices to overcome gender-specific barriers to business.³⁶³ A recent study argues that "In a changing economic environment where digitalisation is advancing, the possession of digital skills becomes important, if workers want to take advantage of these new economic possibilities. Digital skills are thus key to the economic empowerment of women."³⁶⁴ However, the same study notes that promotion of women in STEM has been done by international organizations and CSOs.³⁶⁵

There is gender balance among researchers at higher education institutions, although there is a gender gap in favour of men when it comes to research managers.³⁶⁶ Women outnumber men in research in humanities, natural sciences, social sciences and medical and health science. However, BiH was singled out in the She Figures report with 2015 data as one of few countries where (47.1%) women researchers were more likely to work in the field of engineering and technology.³⁶⁷ Significant gender gap in favour of men is observed in the age groups of 60-64, 65-69, and 70+.³⁶⁸

The Agency for Gender Equality has been monitoring the implementation of the Strategy for Development of Science 2017–2022, which envisages improvement of gender equality in the research, particularly from the aspect of women in research management.³⁶⁹

Still, there is no evidence of STEM and digitalisation having been considered consistently as potential for women's economic empowerment in formal policies and practices. The International Day of Women and Girls in Science and Technology is observed by individual educational institutions as a way to promote the role and achievements of women in science and portray them as role models.³⁷⁰

362 Available at <http://itgirls.ba/ko-su-it-girls/>.

363 The response of SDC to the questionnaire. See also <https://www.marketmakers.ba/>.

364 Suta, C. et al. (2021).

365 Risteska, M. et al. (2020).

366 Agency for Statistics of Bosnia and Herzegovina (2020b).

367 Directorate-General for Research and Innovation (European Commission) (2019).

368 Agency for Statistics of Bosnia and Herzegovina (2020b).

369 Ministry of Human Rights and Refugees of Bosnia and Herzegovina, Agency for Gender Equality of Bosnia and Herzegovina (2020).

370 For example, <https://www.sarajevotimes.com/international-day-of-women-and-girls-in-science-and-technology-celebrated-in-sarajevo/>, <https://unsa.ba/en/novosti/women-science-discussion-and-conference-bosnian-women-scientists-and-their-research-opus>.

MAPPING OF SUPPORT BY EU ACTORS AND INTERNATIONAL ACTORS

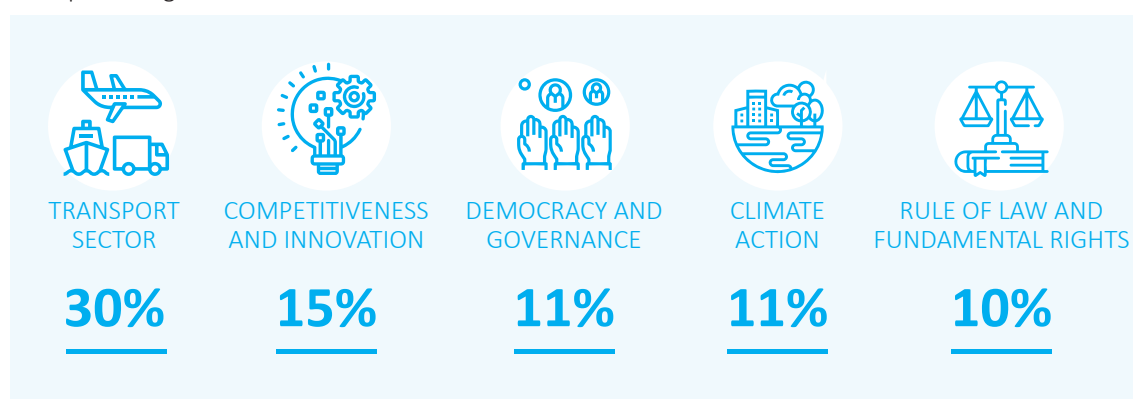
Overview of development assistance

In 2019, the total Official Development Assistance (ODA) allocations for BiH amounted to 751.83 million EUR, of which 258.77 million EUR or 34.4% were grant funds and 493.06 million EUR or 65.6% were loan funds. Total disbursements of ODA funds in 2019 amounted to 535.86 million EUR, of which 200.66 million EUR or 37.4% were grant funds, and 335.20 million EUR or 62.6% were loan funds. The leading development partners in 2019 were the EU, Germany, USA/USAID, Switzerland, UN and Sweden. Creditors in 2019 were the European Bank for Reconstruction and

Development (EBRD), European Investment Bank (EIB), Germany, the World Bank and Japan/JICA. Of the total disbursements, the largest amounts were disbursed in the transport sector – 30%, competitiveness and innovation – 15%, democracy and governance – 11%, and climate action – 11%, and rule of law and fundamental rights – 10%. Gender equality features in assistance in the sectors of democracy and governance, rule of law and fundamental rights, and education, employment and social policies.³⁷¹

FIGURE 14

Total percentage of disbursements based on sectors



Source: Ministry of Finance and Treasury of Bosnia and Herzegovina

EU assistance

The EU's Instrument for Pre-Accession (IPA) is one of the funding instruments and it represents the largest EU financial framework in BiH. Indicative bilateral IPA II funding allocations for the period 2014-2020 amounted to 552.1 million EUR (including funds for the Civil Society Facility (9.1 million EUR), Regional Housing Programme (10 million EUR) and special measures following the 2014 floods (51 million EUR)).³⁷² The priority sectors included: democracy and governance, rule of law

and fundamental rights, competitiveness and innovation, education, employment and social policies, transport, environment, climate action and energy, and agriculture and rural development.³⁷³ Indicative allocations for the period 2014-2017 (IPA II) for BiH amounted to 165.8 million,³⁷⁴ while in the period 2018-2020, an indicative allocation of 314.9 million EUR has been earmarked for BiH (including the Civil Society Facility, the Regional Housing Programme and a special measure in

³⁷¹ Ministry of Finance and Treasury of Bosnia and Herzegovina (not dated).

³⁷² Available at https://ec.europa.eu/neighbourhood-enlargement/instruments/funding-by-country/bosnia-herzegovina_en.

³⁷³ Ibid.

³⁷⁴ Available at https://europa.ba/?page_id=41946.

support to BiH in managing the migration flows).³⁷⁵ As part of the Country Action Programme, a total of 14 actions had gender equality as a significant objective (five for the year 2016, four for 2017 and five for 2018), while two had gender equality as the main objective (one each in 2017 and 2018).³⁷⁶

Under the Annual Action Programme for BiH for the year 2018, the EU Gender Equality Facility Action has been established, aiming at an effective implementation of domestic and international legal frameworks concerning gender equality and women's rights, as well as supporting the country in aligning to the EU gender equality *acquis* in the pre-accession perspective.³⁷⁷ The EU Gender Equality Facility project, which has gender equality as its principal objective, has been implemented by UN Women since October 2020. The total amount allocated for this action is 550,000 EUR, including 10% co-financing by UN Women.³⁷⁸ Under the Annual Programme for BiH for the year 2017, an EU action for human rights and anti-discrimination was planned, with a total budget of 1.65 million EUR. The action targets effective implementation of the BiH Anti-Discrimination Law and the BiH Gender Equality Law, and aims to support an effective fight against torture and ill treatment of all persons deprived of liberty in BiH. Also, as a result of the action, the awareness of human rights and anti-discrimination protection mechanisms in the BiH society will be increased.³⁷⁹

IPA funds are further complemented by 1.33 billion EUR for the period 2014-2020 from the EIDHR, which is a concrete expression of the EU commitment to support and promote democracy and human rights in third countries.

EIDHR is mainly channelled through civil society organizations, whose projects are selected following calls for proposals.³⁸⁰ Currently, just over 3.5 million EUR are committed to projects contributing directly to ending GBV, trafficking in human beings, empowering women and women's rights advocates, encouraging political participation of women, protecting rights of the LGBTQI population, and enhancing participation of women in police structures.

Furthermore, the EU is funding the regional programme "Implementing Norms, Changing Minds, Ending Violence Against Women in the Western Balkan Countries and Turkey" which has been implemented by UN Women with EU support since 2017, and has recently been extended until July 2023, with funding of over 800,000 EUR for BiH. Phase I allocation by the EU amounted to 5 million EUR and UN Women contribution amounted to 681,220 EUR.³⁸¹ The support in Phase II amounts to 2.84 million EUR, including UN Women contribution of 340,586 EUR. The programme focuses on: Building the capacity of service providers (police, justice, social protection, health, shelters) through strengthening referral mechanisms in selected municipalities; improving organizational capacities of shelters/safe spaces, one-stop rape crisis or sexual violence referral centres in service provision for survivors, including for women from minority groups; building CSOs' advocacy capacities to obtain resources needed and to qualify as "essential" and/or guarantee the continuity of specialist services during crises at local and national levels; supporting data collection, analysis, and dissemination of findings at local level with the aim to improve the availability of health care and protection, including for women from marginalised groups.³⁸²

375 Available at https://ec.europa.eu/neighbourhood-enlargement/instruments/funding-by-country/bosnia-herzegovina_en.

376 Ibid.

377 Available at https://ec.europa.eu/neighbourhood-enlargement/sites/default/files/ipa_2018_41501_ad6_bih_eu_gender_equality_facility.pdf.

378 Ibid.

379 Available at https://ec.europa.eu/neighbourhood-enlargement/sites/default/files/ipa_2017_040524.05_eu_for_human_rights_and_anti-discrimination.pdf.

380 Available at https://europa.ba/?page_id=519.

381 UN Women (2020b).

382 EU Delegation information.

Assistance provided by EU Member States and other bilateral donors

According to information received from individual Member States and other bilateral donors in BiH, significant assistance has been invested in GEWE actions, with gender equality being either the principal or significant objective. The following overview is not necessarily exhaustive due to diverging reporting periods and level of information provided.



Sweden reports having disbursed a total of 943 million SEK (93.6 million EUR) for development cooperation in BiH since 2016, with 13% of these funds including gender equality as the principal objective and 76% as significant objective. Currently, Sweden commits a total of 82.35 million SEK (around 8.17 million EUR) to investments in projects in the field of gender equality, gender and justice, gender and disability, GBV, women in elections, FIGAP and LGBTQI rights.³⁸³



The Netherlands reports current gender equality specific actions (ending GBV, protection of human rights defenders, and enhancing women's economic and social rights) worth 257,000 EUR.³⁸⁴



The German development agency, Deutsche Gesellschaft für Internationale Zusammenarbeit GmbH – GIZ, reports currently committing 12.7 million EUR to projects related to women's access to resources (land ownership and registration), projects contributing to economic empowerment of women and men through vocational training, and a regional project on gender equality in the EU accession process.³⁸⁵



Italy, through the Italian Agency for Development Cooperation, reports committing 5.2 million EUR to sustainable economic development and environmental protection contributing to the economic

empowerment of women and men through vocational training and business skills and capacities development.³⁸⁶



Switzerland has, through the Swiss Agency for Development and Cooperation (SDC), committed around 20 million CHF (18.27 million EUR) to projects contributing to social and economic rights of women, women's political participation, digitalisation (including gender equality and aspects of women's empowerment) and ending GBV.³⁸⁷



USAID reports currently committed funds amounting to 72.5 million USD for projects which have gender equality as a principal and significant objective, aside from other projects where both women and men are intended as beneficiaries. Projects with specific gender equality aspects are related to ending GBV and trafficking in human beings, social inclusion of marginalised groups, vocational training, access to resources and economic empowerment.³⁸⁸

OSCE currently commits around 300,000 EUR per year for actions in the areas of ending GBV, trafficking in human beings, gender equality, gender responsive budgeting, human rights, education, women's political participation, protection of CRSV survivors, and hate crimes. There is an additional total sum of 1.2 million EUR for the portfolio of democratic governance for the period 2016-2020, which includes a gender equality dimension, among others.³⁸⁹

UN agencies have been operating within the framework of 2015-2020 UNDAF (UN Development Assistance Framework), which was agreed with the BiH authorities. UN is currently working on the next five-year programme document for BiH: the UN Sustainable Development Cooperation Framework 2021-2025.³⁹⁰ UN Women, UNDP, UNICEF, UNFPA,

³⁸³ The response of the Embassy of Sweden to the questionnaire.

³⁸⁴ The response of the Embassy of the Netherlands to the questionnaire.

³⁸⁵ The response of GIZ to the questionnaire.

³⁸⁶ The response of the Italian Agency for Development Cooperation to the questionnaire.

³⁸⁷ The response of the Swiss Development Cooperation to the questionnaire.

³⁸⁸ The response of USAID to the questionnaire.

³⁸⁹ The response of OSCE to the questionnaire.

³⁹⁰ UN Women (2021).

International Organization for Migration (IOM) have been among the key implementers of donor funds on projects contributing to gender equality and women's empowerment. UN Women has specifically focused on ending violence against women, peace and security, and national planning and budgeting, along with continuous exercising of its mandate by supporting BiH in the adoption of global standards to achieve gender equality and working with governments and civil society to design laws, policies, programmes and services to implement these standards.³⁹¹ UNFPA in BiH works to end unmet needs for family planning, preventable maternal deaths and GBV and harmful practices, apart from focusing specifically on population matters.³⁹² UNDP focuses on women's empowerment and equality as one of its "signature solutions"³⁹³ and currently the project focus is on women in elections and women leadership.³⁹⁴ IOM has particularly committed to reparations for CRSV survivors and combatting trafficking in human beings, when it comes to projects with significant gender equality elements.³⁹⁵ Moreover, the United Nations High Commissioner for Refugees (UNHCR) is working on humanitarian support to the refugee/migrant situation, incorporating age and gender in its programming.³⁹⁶

It should be noted that the information given above is not in any way exhaustive and it presents only a current indication of the funding invested in various gender equality and women empowerment actions. A single register of international assistance in the field of gender equality does not exist and collecting and analysing information on donor funds and projects remains a challenge. The BiH Ministry of Finance and Treasury issues a donor mapping report on an annual basis,³⁹⁷ but without specific information about actions in the sphere of gender equality and women's empowerment. Actions with gender equality as a principal or significant objective are not detailed, or the key indicators of success and impact on gender equality and women's empowerment. In the

context of a large number of interventions in the area of GEWE, existence and updating of a register/database of actions would considerably contribute to a regular exchange of information, particularly with local government institutions, gender equality mechanisms and civil society organizations, as well as to coordination, monitoring and evaluation. Gender institutional mechanisms confirm that they participate in the shaping of the assistance intended for them, including in IPA programming, and communication channels are open for civil society organizations too, but it is uncertain to what extent civil society organizations can access comprehensive donor information in BiH for participation or coordination purposes.

Political actions and dialogue

There is evidence of political actions and dialogue involving international actors, gender institutional mechanisms, and civil society organizations in issues relating to the promotion of GEWE. For example, representatives of the international community signed a Joint Statement on Commitment to Gender Equality and handed it over to the BiH Minister of Foreign Affairs on the eve of International Women's Day 2020.³⁹⁸ Similarly, the EU selected BiH as its partner in the implementation of UNSCR 1325 in 2018 and committed to a roadmap of actions. Moreover, the Agency for Gender Equality is represented on the Justice, Freedom and Security Sub-Committee as part of the EU-BiH SAA process, as part of which fundamental rights are discussed. Although there are certainly other examples of demonstration of international political commitment to gender equality in BiH and individual diplomatic actions, most other advocacy activities have been carried out at the project level. However, in conclusion of this Gender Country Profile, numerous gender equality issues require a stronger political commitment both by local government structures and the international community.

³⁹¹ Available at <https://eca.unwomen.org/en/where-we-are/bosnia-and-herzegovina>.

³⁹² Available at <https://ba.unfpa.org/en>.

³⁹³ Available at https://www.ba.undp.org/content/bosnia_and_herzegovina/en/home/our-focus.html.

³⁹⁴ Available at https://www.ba.undp.org/content/bosnia_and_herzegovina/en/home/sustainable-development/WomenInElections.html.

³⁹⁵ Available at <https://bih.iom.int/project-types/ongoing>.

³⁹⁶ The response of UNHCR to the questionnaire.

³⁹⁷ Ministry of Finance and Treasury of Bosnia and Herzegovina (not dated).

³⁹⁸ Available at http://www.mvp.gov.ba/aktuelnosti/top_news/default.aspx?id=41802&template_id=16&pageIndex=1.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion 1. BiH avails itself of sound gender equality and anti-discrimination legislation and policies. International human rights standards are embedded in BiH's Constitution and legislation, and discrimination on almost all grounds is prohibited. Specific legislation regulates gender equality and anti-discrimination, which has been commended by international bodies. Comprehensive gender equality policies are in place, as well as gender institutional mechanisms, which are tasked to coordinate and monitor policy implementation. Policies need to be consistently implemented and monitored in order to ensure gender mainstreaming and impact on gender equality and empowerment of women. Local funding for the implementation of gender equality policies is limited, with institutions generally relying on international funds for this purpose. Gender-disaggregated and intersectionality data is not always recorded, collected, updated and analysed, despite positive examples in some sectors.

Recommendation 1.

Robust mechanisms for monitoring of the implementation of gender equality and women's empowerment policies, as well as the measurement of the impact of these policies, should be established, largely through further support to gender institutional mechanisms and their capacity building, as well as the establishment of sound data collection instruments.

Conclusion 2. BiH adopted legislation that incriminates violence against women and stipulates protection of victims. Policies for the implementation of the Istanbul Convention have also been adopted. However, the protection of victims has not been enforced in a harmonised manner due to differences in regulatory social protection and legal aid solutions in individual jurisdictions. Specialised protection services are

provided by shelters for victims run by NGOs across the country, but the public funding of shelters is not consistent. Training of professionals in the health, social protection, police and judiciary sectors has been delivered, but this training is not mandatory or continuous.

Recommendation 2.

Legislation for the protection of victims should be harmonised, taking into account the standards set by the Istanbul Convention. Public funding for shelters needs to be reliable and consistent across the country. Training of professionals on response to GBV, which also needs to integrate the needs of victims coming from marginalised groups, should be firmly embedded in relevant institutions' training plans in the health, social protection, education, police and judiciary sectors.

Conclusion 3. In line with the legislation, health care is in principle available to all without discrimination on any grounds. However, there are differences in access to public health care among jurisdictions due to different financial and institutional arrangements. This particularly affects unemployed women, women working in the informal economy, victims of violence and Roma women, among others. There is no favourable context for wider discourse on family planning, the abortion prevalence is unknown due to an incomplete tracking system, and maternal mortality is not consistently monitored. A system for screening of breast, cervical, or prostate cancer has not been established in BiH. An HPV vaccination programme does not exist either. Despite positive examples in some jurisdictions, Comprehensive Sexuality Education is not systematically introduced in the education system in BiH.

Recommendation 3.

Access to health care should be harmonised across jurisdictions and ensured for marginalised groups. Sexual and reproductive health and rights should be monitored regularly, through the application of sound methodologies and data collection instruments, in order for evidence-based interventions to be planned and delivered. Age-adapted Comprehensive Sexuality Education contents should be integrated into formal education across jurisdictions in BiH.

Conclusion 4. There are considerable differences in activity and employment among women and men in BiH, whereby women's employment rate is considerably lower than men's, and the numbers are even lower for women from marginalised groups. The level of education does not impact the gender gap in employment and activity. Women's lower employment and activity rates are direct consequences of women's assumed roles of the primary family carers of children and elderly, which stems from deeply embedded social stereotypes and unequal distribution of family responsibilities between women and men. Lack of widely available child care and care for the elderly and sick is one of the impediments to women's higher employment. Moreover, regulations concerning parental leave and benefits is in place, but not equal for all, depending on jurisdiction. The awareness of gender-based discrimination in labour relations is generally low and the enforcement of anti-discrimination regulatory provisions is deficient. A gender pay gap has been reported in BiH.

Recommendation 4.

The identified causes of women's inactivity should be addressed in a targeted manner by further reinforcing and harmonising the legislation on parental leave, expansion of institutional network for child care and elder care, and regulation of domestic work. Women and men should be thoroughly informed about their labour rights from the aspect of anti-discrimination, including equal pay for equal work, and pertinent complaint procedures.

Conclusion 5. There have been individual active measures for women's employment and economic empowerment across BiH, but the effects of active measures have not been systematically quantified and their impact has not been closely monitored. Furthermore, women's unemployment is not consistently addressed by economic policy. Gender responsive budgeting has been introduced, but has not developed fully to take into account gender implications on both the expenditure and revenue sides. Increased attention has been paid over the past years to women and businesses in BiH, but they still experience the glass ceiling.

Recommendation 5.

Women's employment and women in business should be integrated as factors of the country's economic policies. Gender responsive budgeting should be fully embedded to take into account the role of women and men in budget planning, collection of revenue and budget execution, as well as the impact of budgets on different sexes.

Conclusion 6. There is gender parity in pre-school, primary and secondary education, at least among boys and girls who do not come from vulnerable groups of the population. There is gender disparity in chosen fields of study in secondary and higher education, which affects the future position of women and men in the labour market. Individual analyses indicate that textbooks and teaching materials used in the formal education of youth in BiH contain biased content and are often gender exclusive. Gender equality does not feature equally in teaching curricula across jurisdictions and educational institutions in BiH.

Recommendation 6a.

More efforts should be invested in ensuring education of women and girls, men and boys from marginalised groups.

Recommendation 6b.

Gender transformative actions should be integrated into the education system, along with a thorough review of curricula and teaching materials in order to include adequate gender equality contents in primary and secondary schools and continued elaboration of gender aspects of different fields of study at higher education institutions.

Conclusion 7. BiH has adopted important legal standards for equal participation of women and men in decision-making and leadership, which are in line with international human rights agreements. The BiH Election Law was harmonised with the Gender Equality Law stipulating that equal representation of sexes is ensured by a representation of at least 40% on election lists. Individual special measures provided for by the Election Law had an impact on the number of women in the legislature. There have been legislative initiatives for ensuring that the less represented sex is also represented by at least 40% in the executive. Still, the number of elected women is generally lower than 40% across jurisdictions, with the exception of only few. The executive is generally male-dominated. There is a prevailing perception that women do not have sufficient political skills, and women are generally invisible as political candidates, particularly at the local level. Women from marginalised groups are hardly represented in political life.

Recommendation 7.

Continued efforts should be invested in ensuring equal participation of women and men in the legislature and executive, including representation of marginalised groups. This should be done through further legislation changes, affirmative measures and continuous leadership training.

Conclusion 8. Integrating the Women, Peace and Security agenda has been approached in a planned

manner in BiH by adopting and implementing action plans for the implementation of UNSCR 1325. BiH's commitment was recognised by the EU, which selected BiH as partner for the Women, Peace and Security agenda. There is a comprehensive institutional, legislative and policy framework for the implementation of anti-trafficking policies. Still, human trafficking remains a problem in BiH and this country has been on the Tier 2 Watch List of the US State Department for the past two years. SALW policy integrates gender perspectives. Anti-terrorism strategy is in place, but it fails to fully integrate implications on different sexes. Participation of women in the police, army and peacekeeping missions has increased to some extent as compared to previous years, but it is still low in the case of the Armed Forces and police agencies, particularly at higher positions. The number of women in peacekeeping has increased as a result of affirmative measures. CRSV survivors continue to face numerous challenges in accessing all forms of reparation, while financial compensation granted to victims in criminal proceedings remains by and large unenforceable. There have been efforts to integrate the MISP for SRH in crisis in emergency preparedness plans in BiH as a resource and guidance in response to emergencies. There are examples of specifically designed interventions in responding to GBV in migrant crisis.

Recommendation 8a.

Policies for the implementation of UNSCR 1325, as well as specific security policies (anti-trafficking, anti-terrorism, SALW) should be consistently implemented and monitored in line with gender equality and women empowerment principles. This should include consistent detecting of human trafficking victims and their protection, and prosecution of perpetrators. This should also include the integration of gender perspectives into SALW interventions, particularly from the aspect of prevention of armed violence and risk of becoming a victim of armed violence. The role and status of women in the context of violent extremism should be consistently taken into account in anti-terrorism efforts.

Recommendation 8b.

Further gender transformative and affirmative measures should be delivered in order to attract more women to the police and military.

Recommendation 8c.

CRSV survivors should be afforded speedy case resolution and effective reparations, with all necessary witness protection measures throughout court procedures.

Recommendation 8d.

Further efforts should be invested in the integration of gender perspectives in country's emergency preparedness.

Conclusion 9. The role of women in environmental protection and green transition was not considered sufficiently until recently. Gender institutional mechanisms have not been considerably involved in processes of strategic planning for environmental protection until the recent involvement in the drafting of the Environmental Strategy and Action Plan for BiH until 2030 (ESAP 2030+). The creation of green jobs for women is low. BiH ESAP 2030+ has considered strengthening environmental policy in BiH with a gender equality, social equity, and poverty reduction approach, taking into account "multidimensional inequalities".

Recommendation 9.

The Environmental Strategy and Action Plan for BiH should fully integrate GESEP considerations and be consistently implemented, ensuring that women and men benefit equally from green transition and their economic empowerment comes from green jobs.

Conclusion 10. Computer literacy in BiH is gender balanced. Girls' and women's interest in STEM differs across sub-areas. There is gender balance among researchers at higher education institutions, although there is a gender gap in favour of men when it comes to research managers.

Recommendation 10.

The promotion of role of women and girls in ICT and STEM should be continued. Digital skills should be promoted and ensured as the key to the economic empowerment of women.

Conclusion 11. International assistance in the sphere of GEWE is considerable with a large number of actions having GEWE as either significant or principal objective. However, a single register of international assistance in the field of gender equality does not exist and collecting and analysing information on donor funds and projects remains a challenge.

Recommendation 11.

A register of international assistance in the area of GEWE should be established, regularly updated and communicated among BiH and international stakeholders for the purposes of information exchange, programming and coordination.

GENERAL AND SECTOR-SPECIFIC ENTRY POINTS AND OPPORTUNITIES FOR THE EU POLITICAL AND OPERATIONAL SUPPORT AND DIALOGUE IN THE CONTEXT OF EU GAP III

The Current Policy Priorities on Gender Equality for BiH,³⁹⁹ based on the Commission's Opinion of May 2019, are:

- Effective implementation of the Gender Equality Law and the Law on Prohibition of Discrimination,
- Increasing the participation of women in politics and public life (implementation of the special measure set out in the Gender Equality Law of having at least a representation of 40% of each gender in legislative, executive and judicial authorities at all levels),
- Conducting a gender impact assessment of policy and legislative processes,
- Improving the data collection in order to enable the development of sound policies targeting key gender gaps,
- Provision and publication of relevant data on gender-based violence and addressing it,
- Work on the effective implementation of the legislation related to the prevention of and from the gender-based violence in particular, domestic violence,
- Harmonisation of the legislation with the Istanbul Convention,
- Ensuring access to free legal aid and court representation; improving the general system of response and victims support at all levels,
- Ensuring adequate funding for safe houses,
- Increasing efforts to reduce the gender pay gap and harmonisation of maternity,

paternity and family law across the country,

- Work on the establishment of departments specialised in gender-based violence in the police and public sector.

The Gender Country Profile generally confirms the validity of these priorities. However, there is further room and need for political and operational actions in the following areas. The recommendations and entry points for action are generally organized around the GAP III engagement areas, which are combined for the purpose of grouping of recommendations as merited.

Gender mainstreaming of policies and measuring their effects – IPA III Thematic Window Rule of Law, Fundamental Rights and Democracy

- Support to gender institutional mechanisms in further developing, adopting, implementing, and monitoring the effects and impact of gender equality policies, most notably the next Gender Action Plan,
- Support to the establishment of mechanisms for data collection, based on gender disaggregated and gender sensitive indicators in all spheres of political, economic and social life, and support to the compilation of a regular update of data and qualitative research in a single GEWE data and knowledge hub,
- Support to the establishment of coordination mechanisms for external assistance in the field of GEWE in BiH, based on regularly updated data and with active participation of local stakeholders, particularly gender institutional mechanisms and CSOs.

³⁹⁹ EU Delegation Information.

Ensuring freedom from all forms of gender-based violence – IPA III Thematic Window Rule of Law, Fundamental Rights and Democracy

- Support to the harmonisation of GBV survivors' (in all their diversity) access to social protection, and legal aid, as well as customised treatment by health sector,
- Support to embedding of training for professionals in GBV response.

Promoting sexual and reproductive health and rights – IPA III Thematic Windows Green Agenda and sustainable connectivity and competitiveness and inclusive growth

- Support to conducting comprehensive health surveys for the identification of disease prevalence among women and men and addressing issues by relevant policies and practices,
- Support women's and men's SRHR in general settings and in crisis, as well as the introduction of Comprehensive Sexuality Education in schools.

Promoting economic, social rights and empowering girls and women – IPA III Thematic Windows Green Agenda and sustainable connectivity and competitiveness and inclusive growth

- Support to the economic empowerment actions for women and men and addressing women's employment and entrepreneurship as one of the economic policy factors, and measurement of actions' effects,
- Support to the development of robust regulation on gender responsive budgeting and its implementation on both revenue and expenditure budgeting sides,
- Support to solutions for the recognition of unpaid household work and work in agriculture,
- Support to vulnerable groups' access to education, health, social services and economic empowerment opportunities,

- Support to comprehensive embedding of gender equality contents in teaching curricula and harmonisation of curricula and textbooks with gender equality principles,
- Support to gender transformative actions in GBV prevention, sharing of family duties, political participation, and media.

Promoting equal participation and leadership – IPA III Thematic Windows Green Agenda and sustainable connectivity and competitiveness and inclusive growth

- Actions to increase the participation of women in politics and public life by support to affirmative measures, building of leadership skills and increasing visibility of female candidates, including from marginalised groups.

Integrating the women, peace and security agenda – IPA III Thematic Windows Green Agenda and sustainable connectivity and competitiveness and inclusive growth

- Consistent implementation of the EU-Bosnia and Herzegovina G7/Women, Peace and Security Partnership Roadmap,
- Support to processing of CRSV cases, endorsement of mechanisms for compensation to CRSV victims, protection, stigma alleviation and rehabilitation,
- Support to the implementation of gender responsive SALW, anti-trafficking and anti-terrorism policies,
- Support to the adoption and implementation of gender responsive emergency preparedness plans and environmental protection policies.

Addressing the challenges and harnessing the opportunities offered by the green transition and the digital transformation – IPA III Thematic Windows Green Agenda and sustainable connectivity and competitiveness and inclusive growth

- Support to the adoption and implementation of gender responsive environmental protection policies,
- Support to sustainable economic empowerment of women through overcoming occupational segregation by exploring options in STEM and digitalisation as well as green and circular economy.

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