

BASELINE STUDY ON BARRIERS TO POLITICAL PARTICIPATION OF WOMEN IN BOSNIA AND HERZEGOVINA





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FOREWORD

Gender equality principles are at the core of the mandate of both the Swedish Government and the United Nations. Sweden has the first feminist government in the world, making gender equality central to the Government in decision-making and resource allocation. In relations to other countries, this is also reflected in Sweden's Feminist Foreign Policy where the focus is on equal rights, equal access to resources and equal representation for men and women. The UN puts forward the promotion of gender equality and women's empowerment as a centrepiece of its development approach by endorsing it as one of UN Six Signature Solutions for achieving the 2030 Agenda for Sustainable Development. One of the targets for Sustainable Development Goal 5 is to ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. Participation of women in politics remains one of the priorities of the BiH government, as it is clearly stated in the current Gender Action Plan of Bosnia and Herzegovina (2018 - 2022) and the Action Plan to Implement United Nations Security Council Resolution 1325 on Women, Peace and Security.

Despite that, this Study finds that women are underrepresented in decision making across the board in Bosnia and Herzegovina. The visibility and public presence of women politicians in Bosnia and Herzegovina are at their particular low in the run-up to the elections. This is due to both gender-based domination techniques applied by political party elites and the fact that media outlets echo dominant ideologies and gender stereotypes against women in politics. This inevitably affects their election results.

Women and men must have equal power to shape society and their own lives. This is not only a human right, but also a matter of democracy and justice. Thus, as this Study shows, it is essential to go beyond silos and take an integrated approach to development interventions and gender equality. Identifying and removing both structural and cultural barriers to participation of women in public and political life is a crucial step towards reducing gender inequality and pushing toward its elimination.

This publication has been developed as a part of the "Women in Elections in Bosnia and Herzegovina" project, funded by Sweden and implemented by UNDP with UN Women. It demonstrates how these concepts can be applied in practice and suggests how to tackle root causes of gender inequality, activating agency and releasing the leadership potential of women, as well as addressing the last mile of gender-based exclusion.

The timing of this publication is appropriate in the light of the forthcoming 2020 Local Elections in Bosnia and Herzegovina. It offers new evidence to re-examine and re-visit this important topic, provides fresh insights for policy makers, and serves as an advocacy tool for champions of gender equality agenda.

We are committed to continuing close cooperation in advancing gender equality agenda as an important accelerator for societal transformation.



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EXECUTIVE SUMMARY

Equal participation of women and men is at the heart of modern democracy in many countries. In addition to suffrage, the UN Convention on Elimination of All Forms of Discrimination of Women Convention (CEDAW) defines rights of women and men to “participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government”. The obligation of state parties of CEDAW to respect, protect and fulfill this right include not only de iure guarantees but also de fact enjoyment of these rights. In Bosnia and Herzegovina, equal representation is one of the central issues of gender equality. It is guaranteed by the Law on Gender Equality and includes an obligation for action if representation of women and men drops below 40%. Globally, women make up slightly more than 50% of the population, yet average only 23.4% of the world’s elected political posts. Underrepresentation of women in elected office has resulted in calls for action to increase the number of women in legislatures by international organisations, treaty bodies and relevant regional organisations. The situation in Bosnia and Herzegovina is not much different and since 1995, women remain the under-represented gender in politics. The situation has not changed after the 2018 General Elections with 21.4% elected women in the Parliamentary Assembly. This result comes despite the Election Law quota for the less represented sex on the list of candidates and despite a number of actions targeting capacity building and promotion of women in politics. This is below the European average of 26.4% and below the 40% threshold of the Law on Gender Equality in BiH, the Council of Europe standards and even below the Beijing benchmark of 30%.

This Baseline study is conducted in the context of the Project “Women in Elections in Bosnia and Herzegovina”,¹ which applies two complementary set of activities: 1. Contextualizing and applying the Gender Equality in Elected Office: 6 Step Action Plan

¹ Women in Elections is the project of Government of Sweden, implemented by UNDP in coordination with UN Women as a responsible party for aspects of the second output of the project

to ensure structural changes that provide an enabling environment, legislatively, institutionally and substantively, and 2. Empowerment of women locally to identify, strengthen and nourish the next generation of women leaders.

This Baseline study compiles the results of primary and secondary research, as well as review of international and domestic legislation, gender impact analysis, analysis of policy documents, collection and analysis of data on the socio-economic position of women and men, secondary research of previous studies, comparative research, identification of best national, regional and international practices, stakeholders interviews, analysis of political party documents, interviews with women from political parties and collection of responses on preliminary findings using an online questionnaire.

The Study is divided into five sections which include analysis of data collected, identification of findings and recommendations.

The first part outlines international and domestic legal standards regulating the issues of equal participation of women and men. It concludes that Bosnia and Herzegovina has adopted important legal standards for equal participation of women and men which are in line with international human right agreements and has without any doubt significantly contributed to participation of women in politics. Identification of these standards is important before any gap analysis. The gap analysis was conducted in relation to the Election Law of BiH and concluded that the existing gender quota is designed in line with the key success factor identified in comparable election system and that it results in similar results as in these election systems. The gender quota represents an important (if not the most important) top-down instrument and has had an important impact on participation of women in politics. This part also identifies potential policy options for further improvement of impact of the gender quota.

The second part of the study outlines the activities of key contextual enablers.

Participation of women in politics is one of the priorities of the governments as it is clearly stated in the current Gender Action Plan of BiH 2018-2022 and the Action Plan to Implement UNSCR 1325. It concludes that there is a myriad of international and national stakeholders which have implemented activities focusing on equal participation of women and men and that a holistic approach to enhancing women political participation is still missing even though most stakeholders connect this issue with advancement of gender equality and empowerment of women. Many organisations see the BiH Election Law as the key obstacle for participation of women but there is only one proposal even though the findings of this study contradict these statements. Most enablers focus in their activities on women in politics and see political parties as gate keepers for participation of women. When these initiatives have provided relevant information what gender equality issues and priorities are to potential, elected or appointed officials it they have resulted in change of laws and policies.

The third part assesses to which extent political parties can be considered as gate keepers for participation of women in politics. It found that without any doubt the political parties have an important role in all three phases of political cycle: identification of aspirant persons, supporting development of their political skill and support them during election campaigns. However, most political parties seem to have some practices supporting women in the second transition phase but fail short to standardize these practices and to engage in the other two phases. In terms of gender equality most parties place gender equality as one of the principles in internal party documents and have internal party structures for women are not mandated and have no resources to recruit aspirant women in politics.

In the fourth part the focus is on the entry points for promoting political participation of women and participation of women in public life with a zoom in on the situation in 10 local municipalities selected by this project. This study has confirmed that in these communities socio-economic gender inequalities are prevalent but that policies to respond don't exist. Women in local assemblies/councils are underrepresented, lack political skills and are perceived not to be active once elected. Most statutes of selected municipalities have no or

a limited focus on gender equality however all but one have a commission focusing on gender equality communities which are largely inactive but could play a role of contextual enablers if provide with know-how. Even though localisation of gender equality was an approach in the past the support for such activities decreased in the past few years.

The fifth part includes a deeper analysis of media and the presentation of women in politics. It found that gender stereotypes on women and men in politics exist in BiH and have a negative effect on women candidates. Most media translate the dominant gender stereotypes on women in elections and women receive less attention than men. A tailored study of the portrayal of women in the 2018 elections showed the women candidates appeared in only 3% of analyses media reports and only three women appeared as political commentators/experts.

Each part of the study contains an outline of key findings and recommendations which are highlighted once more in the conclusion of the study. **This Study confirms that structural barriers to political participation of women in Bosnia and Herzegovina exist.** At the same time this study concludes that **investing in the bottom-up approach, combining it with the top-down approach and harvesting on the existing results can lead to more equal participation of women in Bosnia and Herzegovina.** The Women in Election project with its combination of the two approaches the bottom-up approach: "Strengthening Women's Leadership" and the top-down: "Fostering Political Participation of Women", should contribute to structural adjustments to accommodate greater numbers of women in politics in medium and long term.

I INTRODUCTION

The concept of representation is at the heart of modern democracy, which means that the general interests of the people are expressed through democratically elected representatives. The right to be represented and the right to choose a representative have become universal and fundamental rights to be constitutionally guaranteed. However, universal suffrage, introduced progressively, was at first reserved for men. The right to vote and to stand for all elections was the primary demand of women's rights movements throughout the nineteenth century and the first half of the twentieth century. As a result in most countries universal suffrage is provided for women and men. In addition to suffrage the UN Convention on Elimination of All Forms of Discrimination of Women Convention (CEDAW) defines rights of women and men to "participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government". The obligation of state parties of CEDAW to respect, protect and fulfill this right include not only de iure guarantees but also de fact enjoyment of these rights. In Bosnia and Herzegovina, equal representation is one of the central issues of gender equality. It is guaranteed by the Law on Gender Equality and includes an obligation for action if representation of women and men drops below 40%.

Globally, women make up slightly more than 50% of the population, yet average only 23.4% of the world's elected political posts. Underrepresentation of women in elected office has resulted in calls for action to increase the number of women in legislatures by international organisations, treaty bodies and relevant regional organisations. The situation in Bosnia and Herzegovina is not much different and since 1995, women remain the under-represented gender in politics. The situation has not changed after the 2018 General Elections with 21.4% elected women in the Parliamentary Assembly. This result comes despite the Election Law quota for the less represented sex on the list of candidates and despite a number of actions targeting capacity building and promotion of women in politics. This is below the European average

of 26.4% and below the 40% threshold of the Law on Gender Equality in BiH, the Council of Europe standards and even below the Beijing benchmark of 30%.

Lucid Linx Sarajevo was contracted by UN Women for Provision of services to produce a Baseline Study on barriers to political participation of women in Bosnia and Herzegovina (Reference No.: RFP/UNW/BiH/06/2018) under the Women in Elections Project. This project is funded by the Government of Sweden and implemented by UNDP BiH and UN Women BiH, in partnership with local governments (Agency for Gender Equality BiH, Central Election Commission BiH, and Parliamentary Assembly of BiH-Committee on Gender Equality).

The overall objective of the Women in Elections Project is to strengthen women's leadership and participation in political life, vertically by making structural adjustments to accommodate greater numbers of women in politics, as well as horizontally by nourishing the next generation of women leaders in communities through tailored networking and capacity building initiatives and increased democratic participation and accountability. For the purposes of task at hand, Lucid Linx has made a team of four members with significant experience in this area with complementary experience.

This Baseline study identifies, analyses and interprets the current barriers to political participation and representation of women in BiH and aims to further inform the implementation of this project in this phase and possible next phases. The Study elaborates in detail structural barriers to participation of women in political life in in BiH, and defines contextual enablers, entry points, and proposed interventions for a.) immediate action, b.) medium and c.) long term change to address structural issues and practices impeding political participation of women reflected in legal, electoral, institutional set up, party rules, etc.

II METHODOLOGY

2.1. RELEVANCE OF THE WOMEN IN ELECTIONS APPROACH

This Baseline study is conducted in the context of the Women in Election project which applies two different, but complementary set of activities: 1. Contextualizing and applying the Gender Equality in Elected Office: 6 Step Action Plan to ensure structural changes that provide an enabling environment, legislatively, institutionally and substantively, and 2. Empowerment of women locally to identify, strengthen and nourish the next generation of women leaders.

It presents a combination of the top-down and bottom-up approach which presents a double strategy aim to: create an enabling environment for equal participation and strengthening leadership of women at the local level. This two pronged strategy is building on the experience of the two implementing partners the UN Women and UNDP. According to the **Women in Elections in Bosnia and Herzegovina** Project Document, the Gender Equality in Elected Office: Six Step Action Plan is an official approach of this project. It is a “holistic approach aiming to bring in, and to keep, more women in politics and the decision making arena. Although the approach is context dependent and allows flexibility in this respect- it requires work on six fronts, these being: constitutional rights, electoral systems and party laws, legal quotas, party rules, capacity development, gender-sensitive rules and procedures in elected office”. Figure 1 below presents the Six-Step Action Plan, a series of strategic areas which are key for gender equality in elected office and which represent a holistic approach.

This approach is grounded in international standards on gender equality that focus on equal participation of women and men in politics. These include the Convention on Elimination of all forms of Discrimination Against Women, the Beijing Platform Commitments and recently the new United Nations 2030 agenda and its **Sustainable Development Goals** and its Sustainable Development Goal 5: “Achieve gender equality

and empower all women and girls” in particular the target 5.5: “Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.”

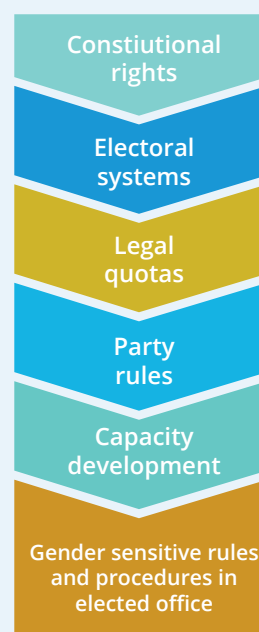


Figure 1. Gender Equality in Elected Office: Six Step Action Plan

This approach is accepted by other regional organisations as well such as the Organization for Security and Co-operation in Europe which applies a similar approach which is outlines in the “**Gender Equality in Elected Office: A Six-Step Action Plan**”.² The Council of Europe in its Recommendation Rec (2003) of the Committee of Ministers to member states on balanced participation of women and men in political and public decision³ outlines more or less similar areas which are seen as requirements for balanced participation of women and men in political and public decision making.

² Gender Equality in Elected Office: A Six-Step Action Plan, Organization for Security and Co-operation in Europe, 2011, available here <https://www.osce.org/odihr/78432?download=true>

³ Balanced participation of women and men in political and public decision-making, Recommendation Rec (2003) 3 of the Committee of Ministers and explanatory memorandum, Council of Europe, 2003

The Six Step Action Plan is based on best international standards and therefore represents a good starting point for action. In the process of development of the “Baseline Study on barriers to political participation of women in Bosnia and Herzegovina” a methodology tailored for the context of Bosnia and Herzegovina was developed and was based on the Gender Equality in Elected Office - Six Actions to Expand Women’s Empowerment. This approach ensured a comprehensive review of the remaining barriers to political participation of women in Bosnia and Herzegovina are identified and that opportunities for future interventions to address structural issues and practices impeding political participation of women in BiH are elaborated. This allows contextualisation of the Six Steps approach for Bosnia and Herzegovina and takes into consideration the variety of different cultural, political and electoral factors.

2.2. RESEARCH METHODS

The Six Step Action Plan approach along with the Terms of Reference developed for this Baseline study defined the focus of the research and analysis of the situation in Bosnia and Herzegovina. A strong focus was placed on local government units (LGU) that the project identified as partners and plans to focus during the implementation of the Women in Elections project.

Primary and secondary research was conducted and included review of international and domestic legislation, gender impact analysis, analysis of policy documents, collection and analysis of data on the socio-economic position of women and men, secondary research of previous studies, comparative research, identification of best national, regional and international practices, stakeholders interviews, analysis of political party documents, interviews with women from political parties and collection of responses on preliminary findings using an online questionnaire. A Questionnaire on the position of women in politics in Bosnia and Herzegovina⁴ was developed to verify and triangulate the findings of the research. The questions were closed-ended and open-ended which allowed for collection of quantitative

and qualitative data. They aimed to verify preliminary findings in following areas: performance of political parties for gender equality (questions were open to members of political parties only), political parties as gatekeepers and main reasons why respondents left political parties (questions were open only to persons which were members of political parties), development priorities of women and men in politics, obstacles for equal participation of women, impact women have in politics, promotion of women in politics and finally tested policy options which aim at increasing of number and impact of women in politics. This questionnaire targeted women and men in political parties, women and men that had been members of political parties, representative from statutory mechanisms for gender equality and representatives of NGOs and International organisation which focus on gender equality. This questionnaire was e-mailed to over 500 individuals and a total of 87 responses were collected. The sample can be considered representative⁵ for the purposes of this study and the findings are used in relevant parts of this study.

Due to the size and the volume of this Baseline study additional information on the research methods are presented in relation to each chapter.

INTERNATIONAL AND NATIONAL LEGAL FRAMEWORK

For the purpose of this Baseline study we have identified and conducted a legal analysis of key international and domestic standards which are enshrined in international and domestic legal documents. Identification of these standards was used to conduct a gap analysis of the legislation regulating the electoral process. This was followed by a gender impact analysis identifying what impact current electoral design has on equal participation of women and men and what obstacles can be identified. These findings were further discussed and interpreted based on the findings of secondary and comparative research of comparable electoral systems. Finally, the interviews were conducted and

⁴ Questionnaire on the position of women in politics in Bosnia and Herzegovina is annexed to this Study

⁵ The sample included respondents of both genders (80% women, 20% men), 25 respondents which are active in political parties and 17 which were active, respondents which work in institutions (29%), NGOs (23%), IOs (4.6%) and the private sector (15%), respondents which are elected or appointed (12.6%) etc

responses collected from interviews allowed for further contextualisation and interpretation of findings and identification of priorities of stakeholders active in this area.

CONTEXTUAL ENABLERS

To understand which organisations could be considered contextual enablers, secondary research of activities organisations active in the area of gender equality, empowerment of women and human rights. This allowed for a focused approach to analysis of policy documents, stakeholders interviews and targeted secondary research of data available which resulted in triangulation of findings on their activities and impact.

POLITICAL PARTIES AND GENDER EQUALITY

Due to the complex political landscape of Bosnia and Herzegovina this study has proposed which parties could be considered major political parties. To confirm the relevance of this proposal the team has conducted research of the election results which has confirmed that these 9 political parties make over 50% of all seats at relevant levels of governance. This has allowed for a focused research of the documents governing these parties (statutes, rulebooks, programs and manifestos), an analysis on participation of women and men in political party structures and on the existence, mandate and performance of party structures for women. To allow for interpretation of findings and identification of informal practices interviews with women active in political parties and women which were active in political parties were conducted. A two specific sets of questions were included in the Questionnaire to conduct additional layer of information.

ENTRY POINTS FOR PROMOTING POLITICAL PARTICIPATION OF WOMEN AND PARTICIPATION OF WOMEN IN PUBLIC LIFE

In this part of the study a particular focus was placed on the situation in the local government units (LGUs) which are targeted by the Project. In this part of the study research methods applied in previous parts were used and included the gap analysis of local statutes, the gender impact analysis of the Election Law in relation to these LGUs and the institutional analysis of the mandates, structures and performance of statutory gender mechanisms.

In addition, data was collected to identify the socio-economic inequalities in the selected LGUs. Stakeholders interviews and secondary research was conducted to assess to what extent current bottom-up and top down approaches have had an impact on gender equality in these LGUs and what entry points for political participation of women and participation of women in public life exist.

DEEPER ANALYSIS ON THE ROLE OF MEDIA

Prior to commencing with the deeper analysis on the role of media the focus was on secondary research on existing data on gender stereotypes and the role of media. Following this a methodology for collection of quantitative data on participation of women in media prior and during the election campaign for the General Elections 2018 was developed. This methodology allowed for collection of a representative sample to draw conclusions on participation of women as candidates which was followed by a qualitative analysis on presentation of women candidates in this period.

These research methods allowed for an evidence-based analysis of the collected data, interpretation of the current situation against gender equality commitments of Bosnia and Herzegovina and formulation of recommendations which are based on analysis of available policy options.

III INTERNATIONAL AND NATIONAL LEGAL FRAMEWORK

3.1. KEY INTERNATIONAL STANDARDS IN RELATION TO PARTICIPATION OF WOMEN IN PUBLIC LIFE

Key points in this section

The international standards regarding participation of women in public life stipulate the following:

- equal right to vote and to run in elections
- equal participation in formulation of government policies
- balanced participation by at least 40% of women and men
- adoption of temporary special measures aiming to ensure equal participation of women and men

The right to be represented and the right to choose a representative have become universal and fundamental. However, universal suffrage, introduced progressively, was at first reserved for men. The right to vote and to stand for all elections was the primary demand of women's rights movements throughout the nineteenth century and the first half of the twentieth century. The **Universal Declaration of Human Rights**⁶ (UDHR) enshrines the equal rights of men and women, including the right to participate in government and protects the entitlement of all persons to non-discrimination, including on the basis of sex. UDHR states that everyone has the right to take part in the Government of his/her country. The obligation of state parties of the **UN Convention on Elimination of All Forms of Discrimination against Women Convention** (CEDAW) to respect, protect and fulfill this right include not only de

iure guarantees but also de facto enjoyment of these rights. The **International Covenant on Civil and Political Rights**⁷ (ICCPR) and the **International Covenant on Economic, Social and Cultural Rights**⁸ (ICESCR) provide more specific agreements on the right to equality between men and women in public and political life.

As a result, in most countries universal suffrage is provided for women and men. In addition to suffrage, CEDAW defines rights of women and men to "participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government". CEDAW Committee has been actively monitoring implementation of these commitments and has issued a number of recommendations in this area. General Recommendation n. 23⁹ reinstates the obligations of the States, stemming from Art. 7 of the CEDAW, to take all the appropriate measures to eliminate discrimination against women in political and public life and to ensure that they enjoy equality with men in political and public life. This Recommendation introduces the measures necessary in order to assure women's rights to political participation, such as general positive measures and temporary special measures to ensure that women have the right to participate fully in public policy formulation in senior level positions. In addition, the general Recommendation n. 25¹⁰ on Temporary Special Measures, stresses

⁷ Art. 3 ICCPR

⁸ Art. 2 ICESCR

⁹ United Nations, Committee on the Elimination of Discrimination against Women, General Recommendation No. 23

¹⁰ General recommendation No. 25, on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures: [http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20\(English\).pdf](http://www.un.org/womenwatch/daw/cedaw/recommendations/General%20recommendation%2025%20(English).pdf)

⁶ Art. 1 UN Charter

the importance to address the root causes of discrimination against women within each country context; the CEDAW Committee gives a broad definition of these measures which embody “a wide variety of legislative, executive, administrative and other regulatory instruments, policies and practices, such as outreach or support programs; allocation and/or reallocation of resources; preferential treatment; targeted recruitment, hiring and promotion; numerical goals connected time frames; and quota systems”.¹¹

Through its work, the CEDAW Committee has reinforced the conclusion of the **Beijing Platform and Plan for Action** that has also called for governments to ensure equal representation of women in politics. Most recently, the issue of representation has become a part of the **United Nations 2030 agenda** and its **Sustainable Development Goals**. The Sustainable Development Goal 5 defines a target 5.5: “Ensure women’s full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life.” The indicator for measurement of this target is defined as the “proportion of seats held by women in national parliaments and local governments”.

The Council of Europe has also set standards in the area of participation of women and men. In its **Recommendation Rec (2003) of the Committee of Ministers to member states on balanced participation of women and men in political and public decision**, the Council of Europe says that balanced participation of women and men is taken to mean that the representation of either women or men in any decision-making body in political or public life should not fall below 40%.

This short outline of key international documents manifests the development of standards in relation to participation of women in public life. These standards entail not only the right to vote and to run for election, but also include the obligation to ensure equal participation of women and men in formulation of government policies. The CEDAW Committee, the UN Sustainable Development Goals, the Council of Europe all call for governments to adopt measures that aim at ensuring equal participation of women

KEY INTERNATIONAL STANDARDS	Equal right to vote and to run in elections
	Equal participation in formulation of government policies
	Balanced participation means at least 40% of women and men
	Member states should adopt temporary special measures aiming to ensure equal participation of women and men

Figure 2: Outline of key international standards

and men and include standards which define the threshold for balanced participation. The figure below outlines the key international standards. These standards are important to conduct a gap analysis in of the response of BiH government(s).

3.2.CONSTITUTIONAL SYSTEM OF BOSNIA AND HERZEGOVINA AND GENDER EQUALITY

Key points in this section

The Constitution of BiH enshrines human rights and fundamental freedoms as some of the key constitutional pillars and principles, and discrimination based on sex is prohibited. Gender equality principles are not spelled out in the Constitution, and proposals to amend the Constitution have constituted measures for better visibility of gender equality principles. As a result the Constitution is not a barrier to gender equality in public life, and the Constitutional Court has ruled in cases of discrimination on grounds of sex.

The Constitution of Bosnia and Herzegovina is annexed to the Dayton Peace Accords as it was negotiated as part of the peace negotiations.¹² The preamble of the Constitution declares

11 Ibid

12 Both entities and all ten cantons have their respective constitutions.

that BiH will be based on respect for human dignity, liberty and equality, peace, justice, tolerance, and reconciliation and that Bosnia and Herzegovina is a parliamentary democracy which “shall operate under the rule of law and with free and democratic elections”.¹³ Article II and the Annex I of the Constitution define the constitutional system of human rights and fundamental freedoms. Article II contains a list of human rights and Article II/4 prohibits discrimination on any ground or status, including sex¹⁴. According to the Constitution, the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols (ECHR)¹⁵ shall apply directly. Annex I of the BiH Constitution specifies a list of additional human rights agreements to be applied in BiH including CEDAW.

As a result, human rights and fundamental freedoms are defined as one of the central pillars of the Constitution and human rights treaties have an important status in the legal system, where the ECHR applies directly. The Constitutional Court of Bosnia and Herzegovina established by the BiH Constitution has an appellate jurisdiction¹⁶ 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 of BiH. The Constitutional Court of BiH has identified discrimination on the grounds of sex in its decisions.¹⁷

Over the years there were several initiatives¹⁸ that have resulted in proposals for amendments of the Constitution of BiH in relation to gender equality. These initiatives were a result of the ongoing negotiations to amend the Constitution which started in 2006 and which intensified after the ruling of the European Court for Human Rights in the case of “Sejdic & Finci vs. BiH”¹⁹. As most of these negotiations among political parties were not organised in an institutional setting there is no evidence that they targeted gender equality and there were no attempts to include the civil society organisations in these processes. It was also visible that women did not participate in these meetings. Analysis of proposals by the Gender Equality Agency and the Women Citizens for Constitutional reforms indicates that no significant problems in the text of the Constitution were identified and that proposed amendments could be seen as platforms to advocate better visibility of gender equality principles. Only 11 countries in the world²⁰ have clauses on gender equality in electoral process, many of which are new democracies (Afghanistan, Bangladesh, Burundi, Iraq, Malawi, Pakistan, Rwanda, Somalia, Swaziland and Tanzania), with the exception of France, which amended its constitution in 1999 to include parity as one of the constitutional principles.

¹³ Article I.2. of the Constitution of BiH

¹⁴ Article II/4 of the Constitution “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 BiH without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.”

¹⁵ Article II.2 of the Constitution reads “The rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols shall apply directly in Bosnia and Herzegovina. These shall have priority over all other law”

¹⁶ This appellate jurisdiction represents a novelty in the system of constitutional judiciary in BiH, and implies introduction of individual constitutional action, i.e. an opportunity to review legal acts and decisions if they are in violation of the appellant’s rights and freedoms.

¹⁷ Constitutional Case decisions in cases No. U 12/09 and No. AP 369/10

¹⁸ Agency for Gender Equality of Bosnia and Herzegovina – amendments to the Constitution of BiH from 2008 and more recently the initiative „Women Citizens for Constitutional Reform”, available here: https://womencitizensforconstitutionalreform.files.wordpress.com/2016/02/platform-of-women_s-priorities-for-constitutional-reform-and-amendments-to-the-constitution-of-bosnia-herzegovina-from-a-gender-perspective.pdf

¹⁹ Sejdic and Finci v. Bosnia and Herzegovina, Application nos. 27996/06 and 34836/06, Council of Europe: European Court of Human Rights, 22 December 2009, available at: <https://www.refworld.org/cases/ECHR,4b44a28a2.html> [accessed 20 December 2018]

²⁰ Gender Equality in Elected Office: A Six-Step Action Plan Publisher Organization for Security and Co-operation in Europe, 2011

3.3. LAW ON GENDER EQUALITY IN BOSNIA AND HERZEGOVINA

Key points in this section:

The Law on Gender Equality in BiH is in line with international standards and defines:

- obligation of all public bodies to ensure and promote equal gender representation
- the lowest threshold for equal participation at 40%
- obligation to adopt temporary special measures in situation where either of the sexes is represented under 40%.

The focus of implementation should be on temporary special measures and analysis of their impact.

The Law on Gender Equality in BiH²¹ (GEL) was adopted in 2003 and was amended 2009. In 2010, an official consolidated version of the Law was published, which is the version that is currently in force. In its structure, GEL is mainly based on CEDAW. The main aim of GEL is to regulate, promote and protect substantive gender equality and to guarantee equal opportunities to all citizens, in public as well as private life. The Law has a dual function – it prohibits discrimination on the grounds of gender (and sexual orientation), and it establishes legal standards in the area of gender equality.

In terms of participation in public life, Article 20 of the Law is focusing on the obligations of relevant state bodies in relation to equal gender representation. The Law stipulates this obligation to ensure and promote equal gender representation in process of managing, decision making and representation for all state bodies at all levels of organizations including political parties, legal persons with public authorities, legal persons that are in the state's property or under the state's control.

The Law defines lowest threshold for equal participation of 40%²² based on the standard

²¹ Law on Gender Equality in Bosnia and Herzegovina – consolidated version (Official Gazette of BiH, No. 32/10), available at: <https://arsbih.gov.ba/?project=zakon-o-ravnopravnosti-spolova-u-bih>

²² The 40% threshold was introduced with the 2009 amendments of GEL

KEY DOMESTIC LEGAL STANDARDS

Obligation to ensure and promote equal gender representation

Defines a lower threshold of 40% for equal representation

Establishes obligation to adopt temporary special measures in situation where women or men are represented less than 40%

Figure 3: Outline of key legal standards in Bosnia and Herzegovina

established by the Council of Europe Recommendation Rec(2003)3²³. The Law continues to define that discrimination on grounds of gender shall be considered to exist in situations in which where women or men are represented less than 40%. However, this provision is not based on international standards and it is highly unlikely that such cases could be litigated. Qualifying failure to have equal representation as discrimination can only create additional tensions and there were unsuccessful attempts to litigate such situations²⁴.

More important is the paragraph 4 of Article 20 of GEL, which regulates that responsible subjects are obliged to adopt temporary special measures defined in Article 6 of GEL that should aim to achieve equal gender representation. This approach is much more grounded in international human rights standards, such as the UN CEDAW, Beijing Declaration and Platform for Action²⁵ and the Council of Europe

²³ Recommendation Rec(2003)3 of the Committee of Ministers to member states on balanced participation of women and men in political and public decision making (Adopted by the Committee of Ministers on 12 March 2003 at the 831st meeting of the Ministers' Deputies)

²⁴ Such was the appeal of United Women Banja Luka from March 2007 against the decision of to the Central Election Committee of BiH approving an all male list of candidates for the Council of Ministers of Bosnia and Herzegovina, available in: http://unitedwomenbl.org/udruzenezene/unitedwomenbl.org/docs/lzvjestaj_2007_nas.pdf

²⁵ Strategic objective G.1, Take measures to ensure women's equal access to and full participation in power structures and decision-making

Recommendation Rec(2003)3²⁶. This approach manifests that equal participation of women and men is seen as one of the aims of gender equality, which requires adoption of temporary special measures when the representation of one sex is below 40%.

The figure above outlines key legal standards in Bosnia and Herzegovina that are enshrined in the Law of Gender Equality and provide additional domestic legal standards and obligations which are important for the gap analysis in relation to the election system and provide for a framework for interpretation of the situation in BiH.

Many stakeholders consulted in drafting of this study stated that the GEL is not being implemented and in particular in relation to Article 20. This statement can be considered to be correct in cases where women (or men) are under-represented and where no temporary special measures were adopted. However, even in situations where temporary special measures are adopted and women or men are underrepresented it would not be correct to state that the GEL is not implemented without conducting a gender impact analysis of that measure.

3.4. ELECTION LAW OF BOSNIA AND HERZEGOVINA AND ELECTORAL-DESIGN FIT FOR PARTICIPATION OF WOMEN

Key points in this section

The quota applied in BiH meets all four success factors:

1. it is legislated by the Election Law of BiH,
2. it is mandatory,
3. it regulates a relatively high percentage of 40% and
4. it has a mandatory rank-order rule.

The Central Election Commission of BiH is authorised to reject any list that is not created following this rule.

²⁶ Recommendation V. "promote and encourage special measures to stimulate and support women's will to participate in political and public decision making"

Following factors which prevent full impact of the quota applied are linked to the electoral designs:

- The size of the ballot
- The open ballot system
- cultural factors and in particular the
- Gender biased electorate

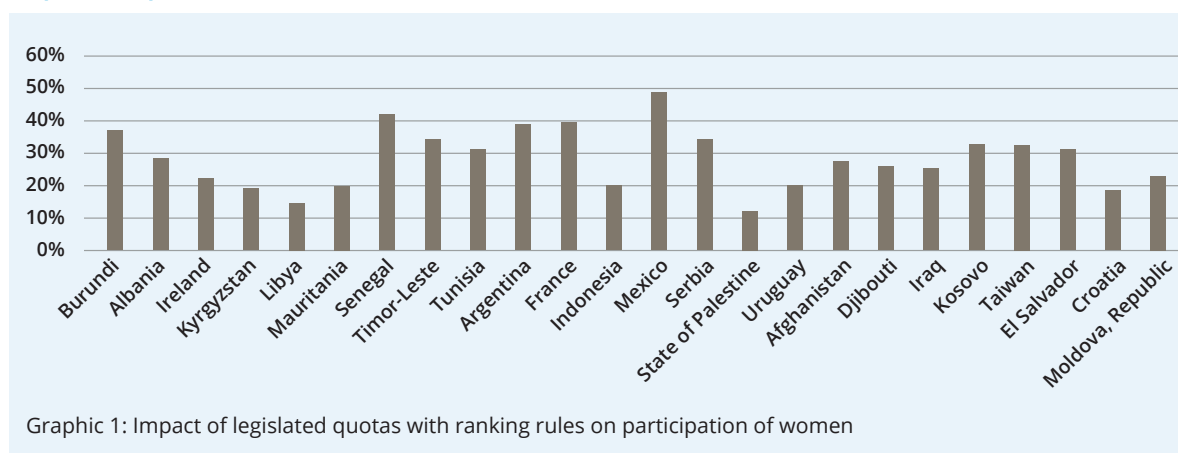
The Election Law of Bosnia and Herzegovina regulates the election of members and delegates of the Parliamentary Assembly of Bosnia and Herzegovina and members of the Presidency of Bosnia and Herzegovina. This law also stipulates the principles governing the elections at all levels of authority in Bosnia and Herzegovina. Bosnia and Herzegovina has one of the most complex constitutional systems and as a result one of the most complex election systems in the world. The Law defines universal suffrage as each citizen of Bosnia and Herzegovina older than eighteen years of age has the right to vote and to be elected. This right is subject to certain restrictions.²⁷ The election system of Bosnia and Herzegovina, when it comes to elections for all assemblies, is qualified as the List Proportional Representation system²⁸. Elections for the members of Presidency and for mayors are conducted on the basis of First Past The Post system²⁹.

²⁷ Right to vote is restricted for persons under indictment of the ICTY or which are serving a sentence for serious violations of humanitarian law. Persons holding positions in judiciary, police, armed forces, civil servants etc. are incompatible to be candidates for any position. Prior to a candidacy to any position these persons had to resign.

²⁸ Under a List Proportional Representation system, each party or grouping presents a list of candidates for a multi-member electoral district, the voters vote for a party, and parties receive seats in proportion to their overall share of the vote. The lists are "open" or "free" and the voters can influence the order of the candidates by marking individual preferences. In BiH in order for a candidate in the General Election to benefit from preferential votes s/he has to receive at least 20 percent of individual votes of the total number received by that list and at least 10 percent of individual votes of the total number received by that list in the local elections

²⁹ This is the simplest form of plurality/majority electoral system. The winning candidate is the one who gains more votes than any other candidate, even if this is not an absolute majority of valid votes. Mayors are elected by single-member districts and voters vote for candidates rather than political parties. Member of the Presidency from Republika Srpska is elected by a single-member district, while two-member district elect members of the Presidency elected from Federation of BiH.

Impact of quotas in the world



Graphic 1: Impact of legislated quotas with ranking rules on participation of women

Women in parliaments in Bosnia and Herzegovina are underrepresented and make 23.8% which is under the European average of 26.4% and just above the world average of 23.4%

Research in Bosnia and Herzegovina and elsewhere indicates that in comparison to their male counterparts, women face numerous obstacles when entering politics³⁰. Looking at the percentages of women in parliaments, the world average for the lower house in 2017 was at 23.4%³¹ and the European average was at 26.4%³². Bosnia and Herzegovina is no exception and women made up 23.8%³³ members of the House of Representatives of Parliamentary Assembly of BiH in 2017, whereas after the 2018 General Elections participation of women dropped to 21.42%³⁴.

As a response to underrepresentation of women, gender quotas are a popular temporary special measure as they exist in one third of countries globally.

As a response to current levels of underrepresentation of women, almost 1/3 countries in the world introduced temporary special measures in forms of quotas in their election systems to boost participation of women. These quotas include legislated gender quotas,

political party gender quotas and/or reserved seats.

The impact of these quotas depends on how they are designed. The average representation of women for 68 countries that use one type of quota is below the world average and is currently at 23.9%. There are four main success factors that influence the impact of the quota: origin (is it legislated or voluntary), the percentage, the ranking order, and the existence of non-compliance sanctions. Quotas proved to be most effective if they are legislated compared to when they are voluntary party quotas. They usually define a percentage of at least 25-50% of all candidates for parliamentary elections. Some quotas specify that this percentage relates to women and some use a gender-neutral language and use the term “the under-represented sex”. Ranking order rules relate to rules related to placement and regulate the rank order of women and men candidates on party lists³⁵. Finally, some quotas include penalties for non-compliance that is formulated as financial sanctions, or the rejection of nomination lists which do not comply with the law.

Even when quota meet all success factors they don't result in parity or reach the 30%/40% target.

If quotas meet all of these requirements they result in a more gender-balanced parliament. The average participation of women in 26

³⁰ International Institute for Democracy and Electoral Assistance, Women in Parliament: Beyond Numbers (2005)

³¹ Women in Politics: 2017, IPU

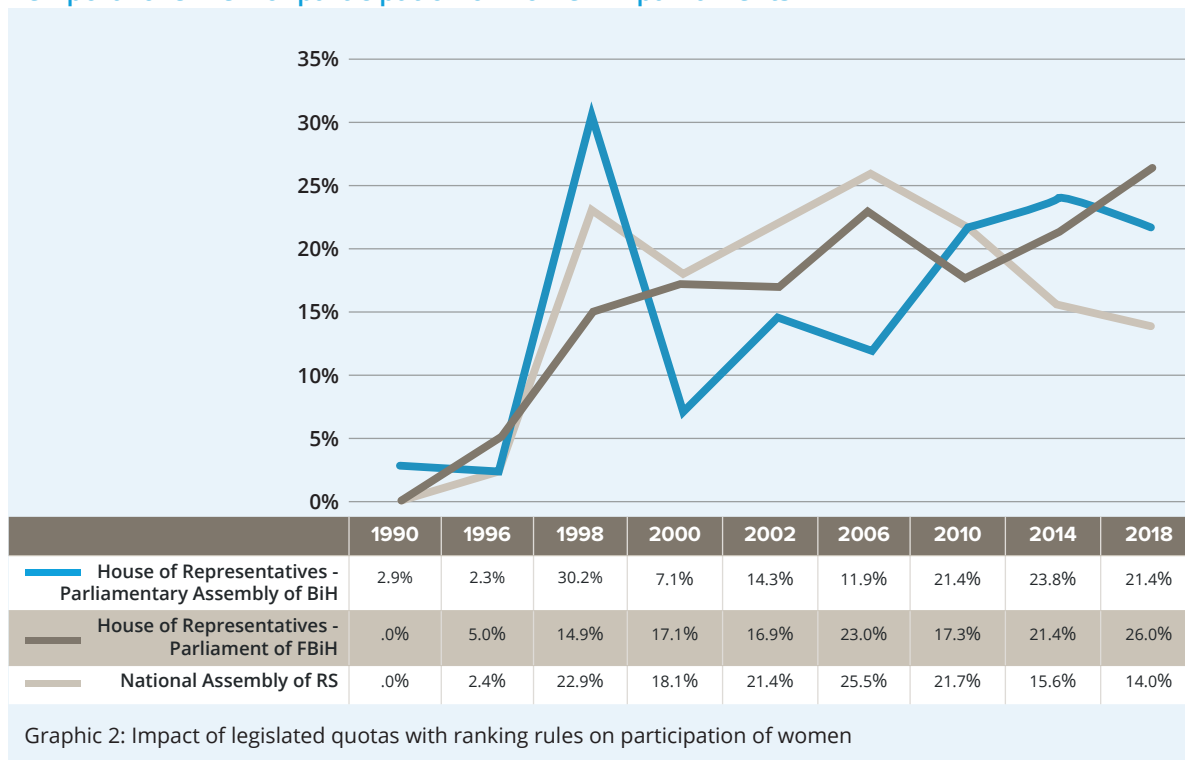
³² Ibid

³³ Calculation based on the data presented at the website of the Parliamentary Assembly of BiH, <http://parliament.ba/Representative/List?page=1&mandateId=8>

³⁴ Ibid

³⁵ Ranking order rules can be the “zipper system” or “zebra system”, where every other candidate on the list must be a woman or they define a certain percentage ceiling—for example, in the first half of the candidate list, the minimum number of either sex (men or women) is one-third of the total number of candidates

Temporal overview of participation of women in parliaments in BiH



countries that meet all of these four factors is 28% that is above the world and European average but still not reaching parity or the 30%/40% target.

The Election Law adopted in 1998 introduced a gender quota for candidates in Bosnia and Herzegovina. Following a number of interventions to the Election Law of Bosnia and Herzegovina, an electoral quota is stipulated in Article 4.19³⁶.

The quota applied in BiH meets all four success factors. It legislated by the Election Law of BiH, it is mandatory, it regulates a relatively high percentage of 40% and it has a mandatory rank-order rule. The Central Election Commission of BiH is authorised to reject any list that is not created following this rule.

The gender quota had a positive impact on participation of women in parliaments in Bosnia and Herzegovina.

³⁶ "Every candidates list shall include candidates of male and female gender, who are equally represented. The equal representation of the genders shall exist in case when one of the sexes is represented with minimum of 40% of the total number of candidates on the list. The minority gender candidates shall be distributed on the candidates list in the following manner. At least one (1) minority gender candidate amongst the first two (2) candidates, two (2) minority gender candidates amongst the first five (5) candidates, and three (3) minority gender candidates amongst the first eight (8) candidates et seq."

Without any doubt, this quota has had a positive impact on participation of women in parliaments³⁷. Before the quota was introduced, participation of women was minor. After the 1996 General elections, there were one women MPs elected in the Parliamentary Assembly of BiH (PA BiH) and the National Assembly of RS (NA RS) each, and two women MPs in the Parliament of FBiH (P FBiH). After the quota was introduced for the 1998³⁸ General elections, there was a significant increase of participation of women to over 30% at the PA BiH, 14.95% in the P FBiH and 22.9% in the NA RS. However, 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 changes of 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 and PFBiH cannot be attributed to this change. Even if we take a look at the sample of countries that

³⁷ It should be noted that the Central Election Commission doesn't publish gender segregated data and all data presented below is based on primary research of the election results

³⁸ 1998 Provisional Election Commission (PEC) Rules and Regulations, Article 7.5 mandated that one third of all candidates should be from the minority gender

	Presidency of BiH/President of RS	PA BiH	PFBiH/NA RS	Cantonal assemblies	Mayors	Local legislatures
Electoral system	FPTP	LIST PR	LIST PR	LIST PR	FPTP	LIST PR
Ballot structure	Not applicable	Open + 20%	Open + 20%	Open + 20%	Not applicable	Open + 10%
District magnitude	Not applicable	Small	Medium	Big	Not applicable	Big
Party magnitude	Medium	Big	Big	Big	Big	Big
CONCLUSION	Non-favourable	Medium fit	Medium fit	Medium fit	Non-favourable	Medium fit

Table 1: Overview of variables against elections for different levels of government

apply a similar quota, the average varies from 13% (State of Palestine) to 48% (Mexico).

The type of the electoral system, the district magnitude, party magnitude and the ballot structure influence the impact of the gender quota.

There is an abundance of research manifesting that the design of the electoral system impacts the gender (dis)balance of the parliaments and the outcome of gender quotas. Key variables of the electoral system design which impact the gender (dis)balance of the parliaments are: the **type of the electoral system, the district magnitude, party magnitude and the ballot structure**.

Electoral systems can be classified into families based on the processes by which they translate votes into seats. Electoral systems that are based on list of candidates and where parties receive seats in proportion to their overall share of the vote (List PR systems) do better when it comes to the representation of women³⁹. The ballot structure defines how voters are allowed to express their choice. Electoral systems can be either candidate-centered or party-centered. Ballots can be “closed”, where voters can only opt for a party, or “open”, where voters can opt to give their preference to any name on the list. The size or magnitude of the electoral district has a direct impact on the likelihood of women being nominated and elected. If parties can nominate more than one person they will be

more likely to nominate a balanced slate than if they are only able to nominate one person per district. Related to the district magnitude is the party magnitude, as the number of candidates elected from one party in one electoral district directly impacts the likelihood of women elected and the impact of gender quota.

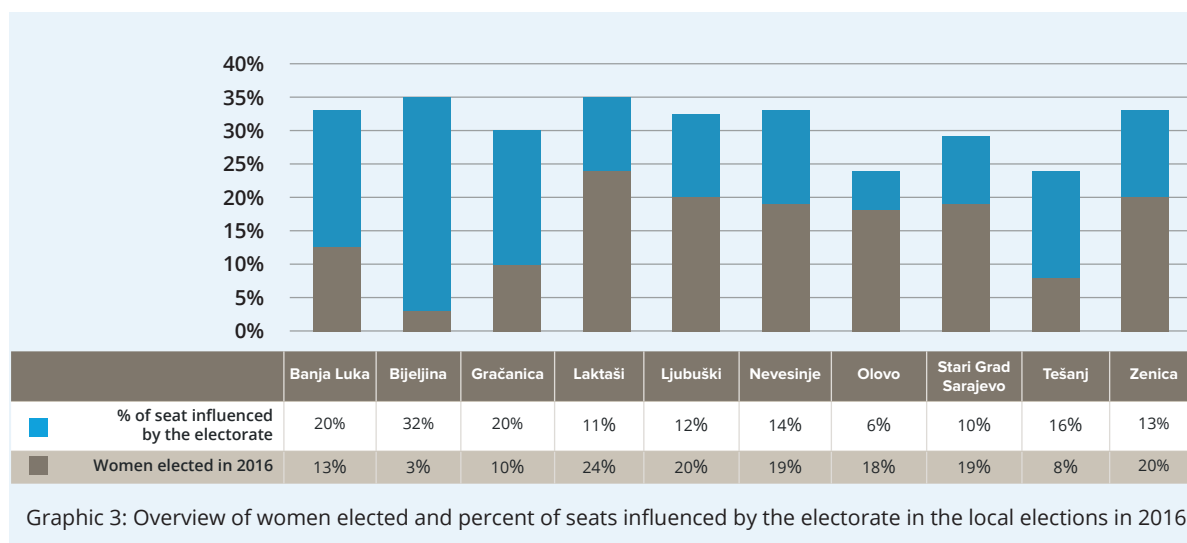
If we apply these variables for all levels in Bosnia and Herzegovina we can assess to which extent the current electoral design favours election of a gender-balanced parliament. The chart below will assess the impact of the electoral design for all directly elected representatives in legislatures, members of presidency and mayors.

As it is visible the election design for the Presidency of BiH, President of RS and mayors are non-favourable for any gender balance since they are all based on the First Past the Post system. Under this system, the winning candidate is the one who gains more votes than any other candidate. Only for the member of Presidency of BiH the system uses two-member districts, however even here the voters vote for one of the candidates running for the Croat or Bosniak Member of Presidency. To date, all members of the Presidency of BiH have been men.

Elections for the PA BiH, PFBiH, NARS, cantonal assemblies or local legislatures are assessed as medium fit. As already elaborated, the List PR system is assessed as the most favourable election system for a gender balanced parliament. However, the one variable that commonly prevents the full impact of this election system is the fact that BiH has a complex party system with over 150 political

³⁹ Electoral System Design: The New International IDEA Handbook, 2008; Gender Equality in Elected Office: A Six-Step Action Plan Publisher Organization for Security and Co-operation in Europe, 2011

Women elected vs lost seats for women



parties. The number of political parties that participate in governments is also significant, with 12 parties currently in the PA BiH sharing 42 seats.

The other major variable is the district magnitude, which impacts the number of MPs elected from each electoral unit. The complex party system and the district magnitude for the PA BiH is the most unfavourable as in only three out of eight electoral units parties managed to win more than one seat. And in all but one of these cases the first person on the list won the seat⁴⁰.

And finally, the ballot structure has a significant impact on the gender balance of the parliaments. As the open ballot system is applied for elections for legislatures, it allows the electorate to decide which of the candidates on the lists will be elected. In cases where the electorate is biased, the final composition of the legislature will depend on their gender preference. The ballot can be considered to be partially open in BiH, as candidates must not to get a simple majority of more votes, but rather need to have at least 20% (10% at the local level) of votes of the entire list.

These variables add an additional layer on the analysis of the election results since 1996. In the General Elections in 1996⁴¹, women

were largely underrepresented on all lists of candidates. Following the introduction of the gender quota, over one third of candidates were women. Since the ballots were “closed” for the 1998 elections, the quota had a significant impact. Since 2000 the ballots were “opened” allowing preferences of the electorate. This change is the most significant change of the election system since 1998, and it is believed to be the variable with the most significant impact on the gender balance of parliaments and the impact of the gender quota. If we analyse the gender balance since the 1998 elections, we can notice that women continue to be under-represented and have never reached the 30% from the 1998 PA BiH.

Obviously, leaders of each list have the highest chances to be elected. In nine parties which are in focus of this research, six parties had exclusively men as leaders of lists, SDP had one woman leading the list, while Nasa Stranka and HDZ BiH had 40% and 43% of women as leaders⁴² respectively.

Previous research⁴³ showed that the electorate is biased and that if it makes a preference in the elections that they prefer men over women. Additionally, research on gender

⁴⁰ In all of instances except for one, the first person on the list was a man.

⁴¹ Rezultati izbora u Bosni i Hercegovini od 14. rujna 1996, Privremeno izbornog povjerenstvo, OSCE – Misija za Bosnu i Hercegovinu

⁴² The calculation was based on lists of candidates for PA BiH, P FBiH and NA RS.

⁴³ How to achieve 40% of women in the legislative bodies in BiH? - An Analysis of the Possible Interventions to the Electoral System of BiH, Sarajevo Open Centre, 2015; “A critical analysis of the level of substantive representation of women achieved with quotas”, Policy Development Fellowship Program 2012-2013, Open Society Fund BiH, A. Kadribašić, 2013

	Women elected in 2014 (percentages)	Women elected in 2018 (percentages)	Total increase or decrease of women (-) (percentages)	Total seats influenced in favour of men
Una-Sana	7%	30%	23%	10%
Posavina	24%	19%	-5%	14%
Tuzla	23%	37%	14%	3%
Zenica-Doboj	20%	40%	20%	0%
Goražde	16%	20%	4%	8%
Central Bosnia	13%	40%	27%	0%
Herzegovina-Neretva	23%	47%	24%	0%
West Herzegovina	30%	35%	5%	13%
Sarajevo	17%	34%	17%	3%
Canton 10	4%	13%	9%	17%
Total Cantons	18%	31%	13%	

Table 2: Impact of the 2016 Election law amendment on equal participation of women and men

stereotypes⁴⁴ confirms that over 42% of voters believe that “on the whole, men make better political leaders than women and should be elected rather than women” and over 52% believe that “public life activities are closer to men, and private life activities to women”. Over 75% of respondents of the Questionnaires conducted for the purpose of this research agree that traditional attitudes, lack of support from women and men and generally lack of support from the electorate are elements which prevent women from entering politics and office. The research conducted for the purposes of this study identified to which extent these stereotypes impact the election results, in particular in relation to the elections for parliaments.

The gender bias of the electorate is most visible at the local level where the percentage of seats influenced by the electorate in favour of men climbs up to 32%.

This research points to the conclusion that the gender bias and stereotypes have resulted in up to over 30% of seats influenced by the electorate in favour of men. If we analyse the situation at the local level, where the ballot structure is an important variable, we

can notice that this is where this bias is most visible. The percentage of seats influenced by the electorate in favour of men climbs up to 32%.

The introduction of the additional requirement of 20% (10% for the local elections) of votes of the list in 2016 limited the “openness” of the ballot and limited the impact of gender bias. In the case of the election of MPs for the House of Representatives, the electorate influenced 10% of all available seats for the PA BiH in favour of men. This new requirement had a positive impact on the slight increase of women in the PFBiH of 4.6% after the 2018 elections. Election results point out that for the elections for PA BiH and NA RS other factors prevailed (district magnitude, party magnitude and structure of the ballot).

The 2016 amendments resulted in a significant increase at the cantonal level averaging with 31%, with an almost gender balanced Herzegovina-Neretva Cantonal Assembly.

This change had the most impact on the level of cantons as district magnitude in cantons works in favour of a gender balanced parliaments. Data from the table below shows that only one canton (Posavina) had a decrease whereas all other cantons had an increase from 4% to the record-breaking 27% in Central Bosna Canton. As a result, assemblies in three cantons can

⁴⁴ Difference in development priorities of male versus female politicians and voters: Evidence from Bosnia and Herzegovina, USAID's Bosnia and Herzegovina Monitoring and Evaluation Support Activity, 2017,

	Closing the electoral lists	Increasing the quota in the Article 4.19 to 50% and the zipper system	Combination of closing the lists and the quota of 50%	"Lucky loser" system	Customised "Lucky Loser" system
Calculated increase at the level of BiH/ Aggregated increase	6,66% / 31,46	0%	Bez uticaja	16,2%	19%
Calculated increase at the entity level/ Aggregated increase	15–20%	Izračun nije moguć	15–20%	15–20%	15–20%
Calculated increase (local level)	3–20%	0%	Zastupljenost preko 40%	Preko 30% ili preko 40%	Nije primjenjivo
Limiting the will of voters (level of BiH)	Srednje	Bez uticaja	Srednje	Srednje	Nisko
Limiting the will of voters (entity level)	Srednje	Bez uticaja	Srednje	Srednje	Nisko
Limiting the will of voters (local level)	Visoko	Bez uticaja	Visoko	Visoko	Nije primjenjivo

Table 3: Impact of potential changes of the Election Law in relation to the calculated increase of women in parliaments and the impact on the will of voters

be considered to be gender balanced in accordance with the Law on Gender Equality in BiH, and if additional four cantonal assemblies can be considered to meet the Beijing standard of 30%.

The remaining variable which influences lower participation in cantons is the party magnitude, that is, the number of parties elected. This is particularly correct for Goražde, where 11 parties share 25 seats, Canton 10 where 10 parties share 24 seats, and Posavina where seven parties share 21 seats. In these cantons, the electorate also used their preferences to vote for male candidates and has influenced between 8% and 17% of all seats in favour of men.

Stakeholders (including women in political parties) consulted in the development of this study believed that

- a. The quota from the Election Law is not implemented;
- b. The Election Law needs to be amended to ensure that at least 40% of women are elected.

Contrary to these beliefs, this study has confirmed that the quota from the Election law in BiH was designed in line with relevant success factors identified in comparative research and it is fully implemented. All list of candidates need to comply with the quota and the ranking system in order to be verified by the Central Election Committee of BiH. The analysis of other variables, namely the design

of the electoral system and the impact of gender stereotypes, show that these variables impact the overall impact of the quota from the Election Law. Even though, this quota has two significant impacts: it ensures that both women and men are presented on lists of candidates and increases the opportunities for both to be elected placing them at winnable positions. Still it is clear that an expectation gap exists between what the law regulates in terms of the quota and what impact stakeholders expect from the quota. Generally speaking, this gap in expectations prevented most stakeholders consulted to identify what are other variables preventing gender balanced parliaments and even to recognise positive changes the 2016 amendments had in some cantons. The only other variable identified by stakeholders is the political parties as gate-keepers a topic which will be discussed in this study.

A connected issue raised by stakeholders is the expectation that the Election Law needs to be amended to ensure that at least 40% of women are elected. Most stakeholders could not verbalise what amendments are needed and to this date only Sarajevo Open Centre presented a policy paper⁴⁵ that discusses different models of amendments and analyses their impact on gender balance in parliaments. The table below presents the impact of models proposed in this analysis⁴⁶ and includes

⁴⁵ How to achieve 40% of women in the legislative bodies in BiH? - An Analysis of the Possible Interventions to the Electoral System of BiH, Sarajevo Open Centre, 2015

⁴⁶ Ibid, page 18

updated data following the 2018 General Elections.

It is interesting to note that increase in the percentage of the quota with the alternate ranking rule ("zipper system") was calculated to have no increase. Closing of the lists would have a significant increase only at the local level (calculated at 31%). The combination of the two models would lead to a significant increase at the local level to over 40% and at the level of BiH and the level of entities above 30%. The "lucky loser"⁴⁷ model applied in Kosovo⁴⁸ was analysed which would have a significant impact of overall gender balance but would limit the preferences of voters and could lead to "lost" votes. This model is often contested due to its impact on the preferences of voters although a simplified form of this model is already applied in BiH in relation to minimal representation of the constituent peoples in the P FBiH⁴⁹ and the NA RS⁵⁰. This policy paper includes a proposal of a customised "lucky loser" system that would be applicable to the state and entity level parliaments, which would have no impact on the will of voters. However, it could be anticipated that such proposal would face opposition from political parties as most use the current model as a safety net for high ranking politicians.

⁴⁷ Lucky loser or best loser models are a results-based quota which means that among the women candidates, those who received the most votes, up to the number set by the quota, are elected even though male candidates may have won more votes. This system is often criticized for its impact on the will of the electorate.

⁴⁸ Under the General Elections Law, Article 27.1 in Kosovo "In each Political Entity's candidate list, at least 30% shall be male and at least 30% shall be female, with 1 candidate from each gender included at least once in each group of 3 candidates, counting from the first candidate in the list". In addition, according to the General Elections Law, Article 111.6 "If, after the allocation of seats, the candidates of the minority gender within a Political Entity have not been allocated at least 30% of the total seats for that Political Entity, the last elected candidate of the majority gender will be replaced by the next candidate of the opposite gender on the reordered candidate list until the total number of seats allocated to the minority gender is at least 30%".

⁴⁹ Article 10.1.(3), Election Law of BiH

⁵⁰ Article 11.1.(2), Election Law of BiH

3.5. OUTLINE OF KEY FINDINGS AND RECOMMENDATIONS

Bosnia and Herzegovina has adopted important legal standards for equal participation of women and men which are in line with international human right agreements and has without any doubt significantly contributed to participation of women in politics.

The status of international legal norms, national legislation and the electoral design have a significant impact on equal representation of women and men in politics. This research showed that The Constitution of BiH places human rights and non-discrimination as one of its central pillars and, by the letter of the Constitution, the Convention on Elimination of All Forms of Discrimination Against Women applies directly in Bosnia and Herzegovina. Moreover, the Law on Gender Equality in BiH is based on these commitments defines an obligation to promote and ensure equal representation of women and men and defines a threshold for under-representation of 40%. These guarantees represent important legal standards and opportunities for promoting more women in politics.

The Election Law of Bosnia and Herzegovina regulates elections and defines a gender quota for candidates list for parliaments at all levels of government. This quota meets all criteria identified in comparative research but its impact remains limited due to the interplay between the electoral design and the gender biased electorate. Conducting a gender impact assessment of this gender quota takes significant time and resources as the Central Electoral Committee doesn't publish any similar analysis and data on gender of candidates and elected MPs can be identified by their name. Our research confirmed that the Central Electoral Committee has this data in its data system and that they are yet to adopt the practice to publish such data. To some extent lack of accessible data contributes to the expectation gap.

The gender biased electorate impact between 6% and 32% of seats in favor of men.

Research of election results confirms that the **electorate is gender biased** and that it gives preferences to men over women. This is particularly visible at the local level where the

bias of the electorate gave resulted in a **“loss” of between 6% and 32% seats for women in the selected LGUs.** The amendments of the Election Law in 2016 resulted in an increase of participation of women in cantonal assemblies whereas its impact on state and entity parliaments gender balanced was neutral.

Potential amendments of the Election Law may reinforce the impact of the gender quota.

Sarajevo Open Centre is the only organization with proposals for further improvement of the design of the gender quota. This policy paper analyzed several interventions and **the customized “lucky loser” system⁵¹ would have the most impact, have least indirect consequences on the political will but would most probably face resistance by most political parties.** Additionally, any change of the factors identified in this study may have an impact on the success of the gender quota and it is expected that **a new inter-agency working group will be established to amend the Election Law before next elections in 2020.** Advocating for changes of elements of the electoral design and/or of the gender quota should focus on that working group. At the same time it should be advocated that the final text of amendments receives a gender impact assessment before it enters the parliamentary procedure. This working group has accepted suggestions that relate to equal representation of women and men in the past and has increased the quota to 40% and has

accepted to give up its amendment to delete the ranking order rule in Article 4.19.

The gender quota represents an important (if not the most important) top-down instrument, however bottom-up strategies are needed

However, changes in equal representation of needs of women and men will require more time and other strategies (discussed in other chapters of this study) should be explored. No affirmative action measure exists for the election of member of Presidency or for mayors and comparative research found no practices where such measures have been implemented in systems that apply the First Past The Post systems and the need for a bottom up approach is more than evident.

A expectation gap on the standards enshrined in the international and domestic legal standards in this area exists, preventing stakeholders to address remaining obstacles.

Finally, the expectation gap of gender equality professionals should be addressed by making available data on the expected impact of gender quota and variables which influences the current participation of women in parliaments. Mitigating impact of this expectation gap could have a potential to focus future actions around remaining obstacles and most importantly the gender bias of the electorate.

Based on these findings following recommendations can be identified and are outlined below:

In a short term the project should use the institutional position of the Agency for Gender Equality, the Gender Equality Committee of the Parliamentary Assembly of Bosnia and Herzegovina and the Central Electoral Committee to engage with the inter-agency working group to ensure that any amendments receive a gender impact assessment and to advocate for further strengthening of the gender quota.

In a medium term the Agency for Gender Equality, the Gender Equality Committee of the Parliamentary Assembly of Bosnia and Herzegovina and the Central Electoral Committee should continue providing technical assistance to the inter-agency working groups to conduct prior (ex ante) and gender impact assessment (ex post) of the gender quota.

In a short term the project should address the expectation gap which exists among many stakeholders.

⁵¹ Under this proposal candidates from the under-represented sex on the compensatory lists would be selected first

IV CONTEXTUAL ENABLERS

Key points in this section

Findings of the interviews and secondary research with international and national stakeholders and an insight on the activities carried out by institutional gender equality mechanisms, international organizations, and civil society organizations illustrate that all actors carried out several initiatives however missing to implement a holistic approach to enhancing women political participation.

Since after the conflict 1992-95 a diverse range of initiatives has been realized in Bosnia to build the capacity of potential women leaders and elected women, by strengthening their skills, experience, and knowledge once they enter elected office, as well as to address broader issues of institutional capacity-building. Interventions included the establishment of Gender mechanisms -such as the Agency Equality of BiH, the permanent Committee on Gender Equality at the House of Representatives and the multi-party Women Caucus formed at the Parliament of the Since after the conflict 1992-95 a diverse range of initiatives have been implemented in Bosnia and Herzegovina to build the capacity of potential women leaders and elected women, by strengthening their skills, experience, and knowledge once they enter elected office, as well as to address broader issues of institutional capacity-building. Interventions included the establishment of Gender mechanisms -such as the Agency for Gender Equality of BiH, the permanent Committee on Gender Equality at the House of Representatives and the multi-party Women Caucus formed at the Parliament of the Federation of BiH and, the adoption of laws, policies and programs aimed at enhancing women human rights including the right to political participation.

While in the post conflict period non-governmental organizations including women's organizations focused on issues related to restoring peace, protection of war-time violence victims and women's access to justice, in the last decade civil society activities relating to enhancing women representation

and participation in the political arena, from the local to the decision making level, have intensified. There have been sporadic though meaningful initiatives in which CSOs and the institutional gender mechanisms engaged jointly⁵² while, NGOs especially in Sarajevo and Banja Luka have implemented different types of activities, ranging from publication of researches, analysis, strategic and position papers on the status of women political participation in BiH to the delivery of training and capacity development initiatives. All these initiatives have been mainly funded by International organizations with a gender mandate and active in the Balkan region: the United Nation agencies; the OSCE ODIHR -Organizations for Security and Cooperation in Europe, the Organization for Democratic Institutions and Human Rights; the National Democratic Institute; International Republican Institute; Kvinna till Kvinna, the Fredrich Ebert Stiftung foundation; the Olof Palme Centre; and the Westminster Foundation for Democracy.

For the purposes of this study contextual enablers are defined as all stakeholders that are active in the scope of this study. This study has identified different groups of contextual enablers which could be grouped as: institutional gender equality mechanisms, international organizations, and civil society organizations. There is a clear interest of organizations that focus on gender equality to engage on the issue of equal participation in politics. Over the years many institutions and organizations have implemented projects and actions in this area but this study focuses on those with most recent activities or those with have reported to have clear outlines in the future.

Findings of the interviews and secondary research with international and national stakeholders and an insight on the activities carried out by institutional gender equality mechanisms, international organizations, and civil society organizations illustrate that all

⁵² E.g. The joint initiative SOC and the Committee for Gender Equality of the House of Representatives of the Parliamentary Assembly of BiH for bringing at the 40% gender quota for the Council of Ministers of BiH (and also briefly described below). <http://soc.ba/en/11996/>

actors carried out several initiatives however missing to implement and holistic approach to enhancing women political participation. The number of stakeholders active in this field is significant however priorities and approach is sometimes overlapping and significantly different. Data collected and interviews conducted show that most stakeholders don't have an overview of the impact achieved or what obstacles for participation of women remain.

The activities of contextual enabler were assessed against the elements of the six steps approach. As a result three areas of activities emerged:

- Attempts to improve the impact of the gender quota through amendments
- Capacity building of women in politics
- Supporting political parties for improve their gender equality commitments.

Many organisations see the Election Law as the key obstacle for participation of women but there is only one proposal.

The Agency for Gender Equality in BiH, the Gender Centre of FBiH and the Gender Centre of RS have had an important impact on setting of policies and priorities in the area of equal participation of women and men in public life and politics. This finding was expected given their mandate as bodies in charge of coordination in the area of gender equality and are mandated by the Gender Equality Law, **Participation of women in politics is one of the priorities of the Agency and the gender centres and is clearly stated in the current Gender Action Plan of BiH 2018-2022⁵³ and the Action Plan to Implement UNSCR 1325⁵⁴.** Moreover the Agency and the Gender Centres are active in this area with a stronger focus on gender-mainstreaming of standards in the work of respective governments and to this date have advocated inclusion of the principle of equal representation and of the 40% quota in a number of laws and policies and the entity, cantonal and local level.

There is an evident misinterpretation of international and domestic legal standards as many believe that equal participation is a guaranteed right and an obligation rather than one of the goals of gender equality. As already indicated in the previous part, most stakeholders believe that the key obstacle is the lack of implementation of the Election Law. This presumption was often repeated and further discussions highlighted that some stakeholders are not fully aware on how the gender quota was designed and believed that it was not implemented as it did not translate in balanced parliaments. A good example is one stakeholder that implemented a project on the presumption that if parties don't meet the quota they are subject to fines. There were also stakeholders that claimed that there is a prevalent practice of forcing women to hand over their mandates to male colleagues. The OSCE reported to have investigated this further and found that rejection of mandates is legal and does occur and that it usually goes in favour of women.

Despite the fact that many stakeholders believe that there is a lack in implementation of the Election Law are only organisations are focusing on the Constitutional rights and the changes of the electoral system. The Initiative **"Women Citizens for Constitutional Reform"** was created in 2013 and since then it advocates for amending the Constitution of BiH from a gender and human rights perspective. The Initiative gathers civil society organizations and activists that consistently focus on promoting human rights and gender equality; members of the initiative advocate for the inclusion of women in the constitutional reform process in order to include a gender perspective in the BiH Constitution given its gender neutral language and its main focus on ending discrimination based on ethnicity and nationality⁵⁵. Except for including a specific reference to gender equality in the text of the Constitution the impact of these proposal on gender equality would not be significant. **Sarajevo Open Centre**, as discussed above, is the only organisation which is engaging with the Agency for Gender Equality and the Committee for Gender Equality at the House of Representatives of BiH Parliamentary Assembly that endorsed

⁵³ Strategic priority I.2 of the Gender Action Plan of BiH 2018-2022, Council of Ministers of BiH

⁵⁴ Strategic priority 1., Action Plan to Implement UNSCR 1325 "Women, Peace and Security" in BiH for the period 2018-2022, Council of Ministers of BiH

⁵⁵ https://womencitizensforconstitutionalreform.files.wordpress.com/2016/02/platform-of-women_s-priorities-for-constitutional-reform-and-amendments-to-the-constitution-of-bosnia-herzegovina-from-a-gender-perspective.pdf

the amendments proposals and put them into parliamentary procedure⁵⁶. These proposals included amendments of the Election Law and the Law on the Council of Ministers both of which were based on previous policy studies.

Most organisations see political parties as gate keepers and work with women candidates and elected and appointed women.

In BiH and elsewhere political parties are considered to be gatekeepers for political participation of women by many stakeholders. As a result most stakeholders place a focus on capacity building of women in political parties prior and during election campaigns and on increasing the visibility of women in election campaigns. Most contextual enablers have been focusing on capacity building although their approach has varied. During the 2014 Election Campaign there were several initiatives which focuses on political skills of women candidates. The **Agency for Gender Equality and the OSCE Mission to BiH** have delivered 8 one day advanced workshops focusing on political skills for 107 women candidates⁵⁷, **Agency for Gender Equality and the foundation Infohouse** delivered trainings for women from 8 political parties and the **Norwegian Embassy** has support the Independent University in Banja Luka to deliver trainings to women candidates on political communications.

United Women Banja Luka has had a focus on elected women. In its recent programs series of workshops organised resulted in the development of the joint Program Platform of priorities for cooperation of women from Legislative and Executive Governance in Bosnia and Herzegovina and Women Representatives of Civil Society Organizations that are Advocating for Women's Human Rights and Gender Equality For period 2016-2018⁵⁸. **Sarajevo Open Centre** has been actively engaging with elected officials through the Equality Academy that aims to develop capacities of political leaders and

provides them with content on priorities in the area of gender equality and equality policies of disadvantaged groups⁵⁹. Several initiatives taken up by previous participant can be identified and has resulted in local and cantonal gender action plans⁶⁰, amendments to laws⁶¹, initiatives to introduce gender sensitive language in parliaments⁶², inclusion of gender equality standards in the coalition programs, support to the 40% initiative etc. The establishment of the **multi-party women caucus**⁶³ was supported through the 2011-2015 USAID Political Processes Support Programme⁶⁴ (NDI and IRI implementing partners). At its inception, the women caucus contributed to a change of climate in the FBiH Parliament and 'to shift the focus of political dialogue from male-dominated nationalist rhetoric to common goals of women from various political, economic and social spheres'⁶⁵ however, despite of the positive start, the Caucus became gradually inactive and its president poorly keen to cooperate.⁶⁶ During the mandate 2014-2018, the Caucus was also supported by US Women Empowerment programme, through five projects implemented by the Foreign Policy Initiative BH⁶⁷ that were different in size, but entirely focused on capacity building of members of the Caucus.

During the 2018 General Elections the **Citizens Association Grahovo**, the **INFOHOUSE Foundation**, the **CURE Foundation** and the **Women's Rights Centre** provided legal assistance to women candidates in relation to their electoral rights. Although according to the project description the focus of free

⁵⁶ <http://soc.ba/en/facing-the-reality-political-parties-are-misogynistic/>

⁵⁷ <http://arsbih.gov.ba/unaprijedeni-kapaciteti-pre-ko-100-kandidatkinja/>

⁵⁸ <http://unitedwomenbl.org/wp-content/uploads/2018/12/Programska-platforma-prioriteta-saradnje-2016-2018.pdf>

⁵⁹ <http://soc.ba/en/overview-of-the-fourth-module-of-the-equality-academy-2018/>

⁶⁰ In Novo Sarajevo and Canton Sarajevo

⁶¹ E.g. Law on Sports of BiH, Law on Council of Ministers

⁶² Committee on Gender Equality, House of Representatives, Parliament of FBiH, 13th Session, June 2017, <https://predstavnickidom-pfbih.gov.ba/bs/page.php?id=1699>

⁶³ <https://www.iri.org/web-story/first-multi-party-women%E2%80%99s-caucus-formed-bosnia-and-herzegovina>

⁶⁴ <https://2012-2017.usaid.gov/results-data/success-stories/>

⁶⁵ Jasmina Zubic, member of the FBiH caucus: <https://2012-2017.usaid.gov/results-data/success-stories/>

⁶⁶ Interview with Almedina Karic, International Republican Institute

⁶⁷ Support to women in FBiH Parliament, <http://vpi.ba/bs/2018/07/08/podrska-parlamentarkama-u-predstavnickom-domu-parlamentarna-fbih/>

legal aid was on assistance in relation to rights connected to elections, according to the Women Rights Centre, 20 candidates availed the legal aid offered; among the issues more recurrently reported by women candidates: verbal attacks by party colleagues, verbal harassment and, defamatory statements through media and social networks⁶⁸.

In the 2018 General Elections the focus of the Agency for Gender Equality was to increase the visibility of women candidates as part of a project supported by the Council of Europe. The campaign titled "We present women candidates – your choice!" resulted in 18 video clips which presented key statements by women candidates. These clips are available on the YouTube channel of the Agency for Gender Equality⁶⁹ and the Association "Bonaventura"⁷⁰.

Fewer organisations have engaged with political parties to support their performance in the area of gender equality.

To this date only few stakeholders have engaged with political parties trying to influence how political parties plan and engage in the area of gender equality. Working with political parties is not seen as one of the obligations of the gender equality mechanisms and to this day they seem reluctant to engage with them. The exception has been the development of the **Pledge on Party Allegiance to Gender Equality**⁷¹ (Gender Equality Pledge for Political Parties) by the Agency of Gender Equality of BiH that articulated eleven commitments to be taken by the political parties⁷².

The organisation of the Forum on Gender Equality in Political Parties organised in 2014

⁶⁸ http://www.infohouse.ba/images/publikacije/newsletter_novembar%20resised.pdf

⁶⁹ <https://www.youtube.com/channel/UCWllsMlZjnFA4y-MjVrpdLfw>

⁷⁰ <https://www.youtube.com/user/bonaventura00>

⁷¹ Pledge on Party Allegiance to Gender Equality, <https://arsbih.gov.ba/wp-content/uploads/2014/07/Gen-der-Equality-Pledge-for-Political-Parties-2014.pdf>

⁷² These included: active gender equality advocacy and enhancing understanding of gender equality within the party; the pledges aim at promoting a 'gender sensitive party' which rejects any form of discrimination against women including the use of sexist language and strive to promotes inclusion policies, equal opportunities, proper maternity leave benefits, support to the referral system of protection of DV survivors, support to programmes to reconcile professional and private life for women and men.

has aimed to coordinate these efforts but it did not become a regular activity. The signing of the Pledge was followed up by the **OSCE Mission to Bosnia and Herzegovina and the Office for Democratic Institutions and Human Rights** which have produced gender audits of 8 political parties⁷³ and has been focusing its activities on providing training to political parties aiming at developing strategies for the promotion of gender equality. The OSCE Mission to BiH has planned activities to continue supporting political parties that have developed their action plans and to elaborate and include gender modules on gender equality principle, legislative and advocacy frameworks in the curricula of the political academies of political parties where they exist. Similarly, **Infohouse** has engaged with women from political parties to support identification of priorities and development of Maps for Gender Equality in political parties⁷⁴. This approach was focusing on women and party structures for women and aimed at providing them with tools to sensitise internal party documents. **Forum for Left Initiatives – Forum Lijeve Inicijative (FLI)** as a local organisation which operates in the social democratic spectrum is well placed to support parties in this spectrum. Part of the mission of FLI is strengthening the social democrats capacities for achieving gender equality. This is achieved through the Social democratic Academy of Gender Equality which has six modules focused on women in legislative and executive power, parenting and maternity leave, protection of children and elderly, mobbing and discrimination, policy making and advocacy.⁷⁵

4.1. OUTLINE OF KEY FINDINGS AND RECOMMENDATIONS

To this date a holistic approach to equal participation of women in politics was not adopted by any contextual enabler even though most stakeholders connect this issue with advancement of gender equality and empowerment of women.

⁷³ According to interviews with OSCE Mission to BiH these reports are confidential

⁷⁴ <http://infohouse.ba/doc/maparavnopravnosti.pdf>

⁷⁵ <http://www.fli.ba/zavrse-na-druga-generacija-polaznika-i-polaznica-fli-socijaldemokratske-akademije-rodne-ravnopravnosti/>

Moreover, the focus of most stakeholder is top-down as most stakeholders focus on the Election Law or work to develop capacities of women in political parties directly or indirectly. No stakeholder did identify the need to develop a bottom-up approach in relation to the topic of equal participation of women and men in politics. Many were unable to see opportunities for any positive developments until a critical mass was achieved. No stakeholder was able to connect the existence of gender stereotypes on women and men in politics and the election results and some blamed the “lack of women solidarity” and the “women-don’t-vote-women” phenomenon.

Adopting of a holistic approach (such as the 6 steps approach) requires capacities and resources and it appears that no contextual enabler has both. Even though, the stakeholders have implemented activities which can be used as lessons learned for future action.

Providing relevant information what gender equality issues and priorities are to potential, elected or appointed officials has a potential for change.

The mandate of the Agency and the Gender Equality Committee places both mechanisms at the heart of government policies and their role in this context is expected. It can be certainly asserted that the institutional gender mechanisms are the main actors responsible for creating conditions for achieving the de facto gender equality, first among them being the Agency and the Entity gender centres. They have developed capacities to identify issues and propose priorities through policies and standards and focus on gender mainstreaming as their primary strategy. **They are well placed in government, offering them a unique opportunity to coordinate these efforts and to utilise the Gender Action Plan of BiH 2018-2022 and the Action Plan to Implement UNSCR 1325 as catalyst to coordinate efforts.** They also focus on a top down approach that aims at improving and further strengthening collaboration among the entity Gender Centres and the GE commissions established at lower levels, cantonal and municipal. Research and activities carried out by the OSCE⁷⁶ in

particular, highlighted the importance for the State and Entity Gender equality bodies to put in place implementation strategies for the Gender Action Plan which caters to the need to develop municipal gender activity plans. Most respondents of the questionnaire don’t see a role for the gender institutional mechanisms in supporting women in politics (78% see a role for other organisations) but most see their role in setting up gender equality priorities. **This presents an opportunity as providing political parties with content could potentially lead to changes in how gender equality priorities are defined in political manifestos.**

What seems to be a good practice is the work of the Sarajevo Open Centre and United Women Banja Luka that were able to partner with elected officials to successfully advocate for substantive changes in laws, policies and practices. In addition, two approaches targeting political parties as partners were identified. **Best practices can be identified in the work of NGOs, in particular the Sarajevo Open Centre and United Women Banja Luka which were able to partner with elected officials to successfully advocate for substantive changes in laws, policies and practices, engaged in public advocacy and produced in depth analysis and assessments on women participation in public life.**

It seems that there is abundance of research on obstacles for equal participation of women in politics. However, this research is not always reliable and some of it is based on misinterpretation of international and domestic legal standards or is based on unreliable methodologies. The International community, in particular UN agencies, the OSCE/ODHIR, IRI, WFD, USAID Kvinna till Kvinna, the Olof Palme Centre have been funding a wide range of programmes and projects supporting both the Gender institutional mechanisms and the civil society sector. The international community has also invested significant efforts in providing training and capacity building initiatives to women and men in elected offices and focused on political parties considered as ‘gate keepers’ and therefore necessary entry points for promoting gender equality. **A positive example of cooperation between the international community and national institutions is, the identification of two approaches targeting political parties as partners.** The first is based on the Gender Equality Pledge, the Gender Audit and the party Gender Action Plans and the latter is based

⁷⁶ The status and activities of municipal gender equality commissions in Bosnia Herzegovina, Overview and Recommendations: <https://www.osce.org/bih/110179?download=true>

on development of Roadmaps for Gender Equality in political parties⁷⁷. Both approaches signalled a shift to supporting political parties and holding them accountable for gender equality commitments.

Based on these findings following recommendations can be identified and are outlined below:

Gender institutional mechanisms at the state and entity level have capacities to set-up gender equality priorities. In a short term the project should support the gender institutional mechanisms to engagement with the entire spectrum of political parties through increasing the availability of gender equality priorities in materials targeting political parties (including in the form of online training modules).

In a short term, the project should support the gender institutional mechanisms to provide training to elected and appointed women and men on gender equality priorities and support them in defining of clear action.

In a medium term, the impact achieved by women in office, men champions in office and gender sensitive political parties should be evaluated and promoted.

In a medium term the Gender institutional mechanisms should be encouraged to adopt and promote a holistic approach/policy to increasing the number of women in politics which should combine the top-down and bottom up approach.

In a short term, the project should support the gender institutional mechanisms and the Central Electoral Committee to identify key election related indicators and should support the Central Electoral Committee in analysis of publishing of the data related to the 2018 General Elections and the upcoming 2020 Local Elections.

In a short term, the project should support the Central Electoral Committee to gender mainstream and develop specific gender related media content for the upcoming 2020 Local Elections

⁷⁷ Mapa ravnopravnosti spolova, Prijedlog planova za postizanje ravnopravnosti spolova unutar političkih stranaka u Bosni i Hercegovini, Infohouse, 2015, available at: <http://infohouse.ba/doc/maparavnopravnosti.pdf>

V POLITICAL PARTIES AND GENDER EQUALITY

Key points in this section

Most political parties place gender equality as one of their key principles in party statutes and manifestos, however their impact remains largely limited. It is difficult to conclude if political parties are gatekeepers for equal participation of women despite the fact that side-lining policies have been identified. Their performance in this area needs to be contextualized as it is clear that in other areas political parties have a limited impact as well.

Political parties have long been considered gatekeepers for political participation of women. To analyse this premise the team collected data on internal structures of a selection of major political parties looking at their statutes, levels of participation of women in party structure, existence and performance of party structures for women, the extent to which party manifestos and electoral platforms focus on gender equality.

In the definition of a major political party the focus was placed on analysis of the situation in political parties that are represented in the

Parliamentary Assembly of BiH with more than two Member of Parliament (a total of 9 political parties according to the preliminary results for the 2018 General Elections). These are Party of Democratic Action (SDA), Croatian Democratic Union) HDZ BiH, THE Social-Democratic Party (SDP), Democratic Front (DF), Alliance for Better Future (SBB), Naša Stranka, Alliance of Independent Social Democrats (SNSD), Serb Democratic party (SDS) and Party of Democratic Progress (PDP). This is a valid proposal since these 9 parties are also present in the entity parliament with statistically similar election result. As it can be seen in the table below, the situation is similar in the selected local government units (LGUs) where these parties make have together 50% or over 50% of local councillors.

Data collected was discussed during interviews with women politicians and allowed for collection of personal experiences and perceptions of the current structural and party obstacles that prevent recruitment of women, increase in participation of women in public office and retention of women in political parties.

	SNSD	SDS	PDP	SDA	SDP	DF	SBB	NS	HDZBiH	TOTAL
PSBiH	14%	7%	5%	19%	12%	7%	5%	5%	12%	86%
PFBiH				25%	14%	9%	7%	5%	14%	74%
NSRS	32%	18%	10%	4%						64%
Stari Grad				23%	10%	10%	7%			50%
Gracanica				29%	28%	4%		10%		71%
Tesanj				41%	19%	5%	7%			72%
Laktasi	49%	13%	3%							65%
Olovo				51%	7%		9%			67%
Bijeljina	18%	20%	13%							51%
Ljubuski				57%						57%
Nevesinje	25%	20%	8%							53%
Zenica				32%	9%	7%	11%	3%		62%
Banja Luka	34%	10%	8%							52%

Table 4: Percent of seats each party has in selected LGUs

5.1. COMPLEXITY OF THE POLITICAL PARTY SYSTEM OF BOSNIA AND HERZEGOVINA

Bosnia and Herzegovina has a complex party system with over 150 political parties participating in elections at different levels of governance. As a result for the 2016 local elections, more than 30,000 citizens were nominated by their political parties to run as their candidates for seats in the municipal/city council/assembly and there were 7,488 candidates in the 2018 General elections.

The political system of Bosnia and Herzegovina reflects its multi-ethnic texture and complex history. The issue of equality in BiH has entirely been dominated by different forms of interpretations of equality between “constituent ethnicities” as formulated in the BiH Constitution. Current ethnocentric political elites have structured and firmed up their power structures around their ethnocentric interpretations of equality of people(s), almost entirely annulling significance of constitutional provisions related to civic and human rights of all. Although legislative system is open for formal ratification of international documents relevant for gender equality, application of many of the main principles come into friction with priorities and formal and informal rules and practices introduced, imposed and favored by the so-called Dayton Peace Accord implementation process. Even good pieces of legislation, such as the BiH Gender Equality Law, are not adequately applied.

On local level it can generally be concluded for the cases of selected LGUs that in local communities that tend to be almost mono-ethnic, social climate is more relaxed and therefore welcoming for women candidates for municipal councils. Also, human resources management on local level is in principle more rigid than in party HQs. Generally, under circumstances of political fabrication of inter-ethnic tensions and fear that are to keep current elites on power, social climate becomes tensed and, in principle, uninviting for women candidates. It looks like all parties have their own, individual approach in formally tackling gender equality related issues – or entirely ignoring them. Even when some seats are reserved for women, often they are treated as second-class members of decision-making bodies due to automatism of their appointment. All examined parties have male dominated decision-making processes.

5.2. POLITICAL PARTIES AND GENDER EQUALITY: STATUTES, PROGRAMS, STRUCTURES AND IMPACT

As part of the research the team explored to what extent party statutes, programs and structures include gender equality standards. To this end secondary analysis of all relevant party documents (statutes, programs, manifestos, other internal documents) was conducted to understand what commitments in relation to gender equality exist. Additionally, the team discussed these findings with representatives of political parties to understand to which extent these commitments translated in concrete actions.

Most parties place gender equality as one of the principles in internal party documents.

There seems to be a fatigue when it comes to drafting of election programs and most political parties have no updated (written) programs with the exception of SDP and DF. This analysis included all available programs and manifestos even those that were not updated recently as most documents include commitments that are not time-bound and require continuous attention. When examining the party documents, conclusion can be only roughly shaped along the line of ideological left, center and right part of BiH political spectrum. Based on that, parties that declare themselves as left and center left parties pay significant attention to gender equality in their party documents. Parties that are or aspire to be members of Socialist International, SDP BiH and SNSD, devote space in their documents to organizations of women. Nasa stranka, however, aspires to introduce gender mainstreaming principle and decided not to have an organization of women (liberal approach), but wants 50 per cent throughout. The fact that many socially active women ran on behalf of this party resulted with election of over 60 per cent of women from NS's rolls. DF has documents that could be considered as gender sensitive and a good practice of equal distribution of party resources among all candidates. Still, the main face, force and decision-maker is the male leader who has been generating his popularity over challenging ethnic-based set up of the country. SNSD's organization of women has

eroded in both significance and visibility since initial suspension in 2011 and termination of membership in the Socialist International. The most visible women in SNSD stand firmly by side of very strong and influential male leader.

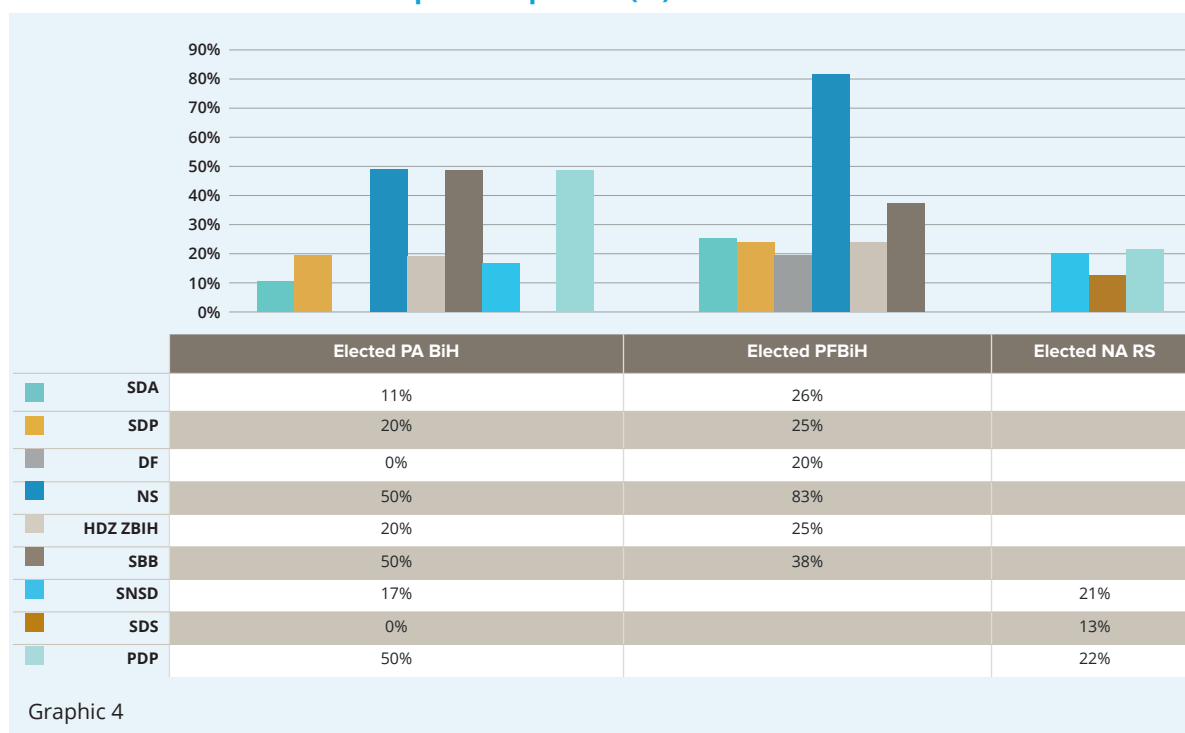
None of these parties have a special, self-grown political agenda and image. SDPBiH women has a well-organized structure and content but its leadership on different levels has hardly been first choice for men-dominated party structures when deciding on appointments. Right wing parties have different approach to gender equality. PDP, which is often seen as a progressive center right party, has rather conservative views on involvement of women, while SDA that has an image of very traditional party, adopted a declaration on advancement of position of women in politics with very concrete requests aiming at improved gender equality in politics and has an active association of women. SBB's center right documents are gender sensitive, but the real power is concentrated with the male party leader. HDZBiH has traditional party documents and entirely leaves content related to gender equality to a decade old founding manifesto of a barely existent organization of women. The most rigid party documents are those of SDS, where there is not a single reference to gender equality.

A good indicator on gender equality in political parties are the percentages of women and men elected. The election results for four political parties have less women elected, 3 had equal numbers of women and men elected and two had no women elected. In the P FBiH, Nasa stranka has 83% or 5 women elected out of 6 seats and only in this case men are under-represented. In interpretation of this data interplay of the current electoral design should be taken into consideration. It should be noted that the decision of Nasa stranka to have 40% of women leading the lists of candidates resulted in more women elected. Moreover, in electoral units where Nasa stranka won seats 2 two out of four lists of candidates were led by women.

Most parties have quotas for women for party decision making bodies, but these quotas often serve as glass ceilings.

Women in political parties can hardly raise their political profile by self-made agendas and personal image. Internal party quotas are almost as a rule glass ceilings rather than windows of opportunities, and in some parties they come across as a quasi-democratic decoration rather than an instrument. Public relations of political parties do not delegate women often for representing them publically and media rarely insists on names of women,

Women elected from selected political parties (%)



as they are in most of the cases considered as unattractive interlocutors, that have very limited freedom to respond on behalf of their parties.

There is no unique internal party structures. Internal structures are regulated by statutes of political parties. This prevents any comparative overview between the parties assessed. In all party structures women are under-represented although there seem to be almost equal numbers of women and men in party membership. On average women make 17% of members of the highest party bodies.

Most political parties have party structures for women but these structures are not mandated to enhance party performance for gender equality and empowerment of women.

What is unique for most political parties are internal party structures for women which seem to exist more for the purpose of mobilization of women voters rather than to focus on gender equality or empowerment of women. The only party structure for women which had focused on gender-mainstreaming of party document was the Women's Forum of SDP which was able to have a significant influence on the new statute and manifesto.

The founding manifesto of the HDZBiH Organisation of Women from 2008 can serve as an example of stable and well-articulated document that aims at introduction of systemic gender mainstreaming. In Nasa stranka, more than 63 per cent of elected officials for the legislative are women. A number of recognisable women leaders. There is an initiative for 50 per cent representation of women. Image of a party that is open for advancement of strong and independent women. Gender sensitive language used in the key party documents. SBB Party programme is in favour of full implementation of the Gender Equality Law and increase of funds for the Gender Equality Agency. SDP Women Forum is rather active and had also influenced raising the party quota from 30 to 40 per cent. Very strong statutory determination to introduction of 40 per cent quota and quota for women in leadership. SNSD has entrusted women on some of the top entity positions. Well-articulated programme of the women's section. Great success in SDA is adoption of the Programme Declaration on Women and their participation in social and political life,

aiming at advancement and affirmation of role of women in the party, politics and the society.

This study has collected evidence that practices to side-line women exist in political parties.

Findings of the secondary research, the interviews conducted and the Questionnaire responses collected confirm the existence of practices to side-line women. When asked to briefly describe engagement of their political party on reaching gender balance, vast majority of respondents stated that this commitment when taken over normally ends with declarative statutory provisions primarily related to quota. A total 40% of respondents, however, think that political parties should be the primary supporters of women in politics, while 24 per cent of respondents would place this role in hands of civil society organisations. On the other side, vast majority of respondents would entrust the leading role in prioritising improvement of position of women on the BiH political scene to the legislative and the executive, envisaging a very limited role of CSOs here. Generally, all interlocutors confirmed importance of political parties in the processes, as they are perceived as extremely important source of power in BiH. Majority of respondents see space for improvement in their political parties through more intensive workshops and trainings that would also cover men involved in decision-making processes. In addition to this, answers generated through interviews point out general decrease of events and trainings on topics related to gender equality.

Most profound practices to side-line women include ghettoization of gender related issues into the party structures form women, domination of men in party structures and low democratisation level. Despite the general philosophy that instructs equality, the party still has a strong domination of men. In some parties, there is a party president dominance in selection of party officials and candidates. Limited democratisation possibilities due to party leader figure dominance in all aspects. Undisputed „food-chain“ in decision-making contributes to passiveness of women.

Among most common reasons for their leaving active engagement in political parties, respondents listed ideological inconsistencies, poor interpersonal relations and manipulations. In addition to this, both

respondents here and some interviewed women also added manipulation of loyalty of women by ruling male-dominated party elites. This is mainly reflected through what is being perceived as party discipline, which often has different criteria for men and women. Both respondents in the survey and interviewed women politicians feel that women candidates are insufficiently promoted in campaigns and during their work.

5.3. OUTLINE OF KEY FINDINGS AND RECOMMENDATIONS

Political parties have an important role in all three phases of political cycle: identification of aspirant persons, supporting development of their political skill and support them during election campaigns.

The main role of political parties is to identify individuals that aspire to become candidates and engage in politics and to provide them with support during the election campaign. It can be concluded that political parties cannot be considered neither as gate-keepers or contextual enablers. However, there are several opportunities that can be identified to support future interventions. The most important gaps can be identified along the key transition moments –phases - for engagement of women in politics: (1) eligible women become politically aspirant, (2) aspirant women are recruited by political parties and become candidates, (3) candidates are elected to office. Political parties seem to have some practices supporting women in the second transition phase but fail short to standardize these practices and to engage in the other two phases.

In political parties documents analyzed, there are no recruitment policies and no policies on campaign funding. Most respondents confirm that political parties do not provide support to women and that gender equality is seen as a mere declaration. The gender quota in the Election Law of BiH mandates that parties have to have balanced lists of candidates and all political parties follow this rule, It remains unclear to what extent women (and men) on these lists are aspiring to become political leaders or to what they can be considered there only to ensure that a full list of candidates is presented. Respondents report that

most political parties do organize basic and advanced training for candidates and some political parties have structured party political academies.

Internal party structures for women are not mandated and have no resources to recruit aspirant women in politics.

Similar situation is with party structures for women that rarely receive funding and have a meaningful impact on party policies. Even where clear gender equality policies were adopted by these structures they had no impact on party manifestos. This study could not identify if these structures engage in recruitment of aspirant women or to what extent they are in the position to influence formulation of lists of candidates. In some parties presidents of party structures for women have a reserved seat in highest party structures that decide on lists of candidates but even in those structures women are under-represented even not making quotas which are defined in party statutes. Several respondents stated that “women are mostly there to fulfill the quota on the candidate’s lists” and that “political parties focused on gender equality until the election night only”.

Aspirant women should be encouraged to develop political skills to run for office.

Therefore actions aiming to increase number of women in politics should focus on all three phases. In the short term focus should be on **identification of eligible women from all walks of life to encourage these women to believe that they have the qualifications and resources to run for office.** In this process a key barrier are the stereotypes that women do not belong in politics (see in Chapter VII below). This can be done through targeted awareness raising campaigns, recruitment and outreach initiatives, capacity development programs and mentoring schemes. A combination of these strategies have the potential to transition women through phase one. Political parties can play an important role in this process. In Canada the Liberal Party of Canada appointed a Women’s Candidate Search Director to help recruit more women to the party to have a broader range of potential candidates. So-called green-light committees have been set-up to meet the party’s 33% target. These committees were designed to compile personal information, interview, evaluate and scrutinize prospective women candidates.

However, there are examples where such strategies have been implemented by non-political actors. Such is the case of the Centre for American Women in Politics of Rutgers University in the United States has established the **New Leadership Programme**, dedicated to expanding the political knowledge and participation of women university students through programmes serving educational institutions in 25 states. The New Leadership Programme runs intensive six-day training workshops during the summer to educate women university students about politics and policymaking and to inspire them to become more politically active. To attract more eligible women political parties could also engage in promotion of their work in the area of gender equality and the impact their elected and appointed officials had. The UK Conservative Party promotes its key priority for gender equality at its website⁷⁸ which raises awareness on different issues and argues why government action is needed.

Locally, a notable attempt to support political parties in formulation of their gender equality commitments was the Gender Equality Pledge in 2014 and the development of the Gender Roadmap by Infohouse in 2016. However, these commitments remained at the level of declarations and appear to have limited impact on political party commitments. Initiatives similar to these two have the potential to familiarize women (and men) in political parties on gender equality issues and priorities. Most respondents have used reports from NGOs and international organisation to identify gender equality priorities but most expect that such priorities should be defined by the governments. This leads to a conclusion that the priorities defined by governments are not effectively communicated to political parties.

Women candidates should be supported to develop campaigning skills prior and during the election campaign.

For the second phase, it is clear that political parties are obliged to have women as candidates as mandated by the Election Law. At the same time it appears that most political parties see women only as number which they have to have and that they rarely provide structured support during campaigns

even in cases where party structure structures for women exist. Political parties should be encouraged to engage in this phases the most as any other actor could potentially alienate women from the party. One approach is the online modules for new members and training programs provided through political academies. In BiH the Left Initiative Foundation has provided training for all persons interested in social-democracy, engaged with young local councilors through a long term training program and even organized gender specific training for young social-democrats and an online course of gender equality. Similar example is the British Labour Party that offers online trainings for new party members called "I'm a new member, what next?" The OSCE has reported developing a curriculum for training of members of political parties on gender equality that will be offered to political parties that have political academies. In the past, the Agency for Gender Equality of BiH has provided training to women candidates on campaigning skills and has advocated for development of personal campaign plans for women candidates. All candidates have received an introduction in key elements of this plan and a handout in form of a campaign notebook/ planner. Additionally, development of political skills starts with participation in different party structures. Most political parties have a quota for women that is an important opportunity for women. However, in some parties these quotas are not respected and some are yet to adopt them. Additionally, participation in some party structures are reserved for persons holding function (i.e. presidents of lower level party units or for MPs) which results in women being under-represented in these, often very significant, party structures. In these parties a practice of co-presiding and co-representative could be introduced in particular in most important party structures (such is the presidency of the party congress/assembly). Similar approach is the co-presidency of the Presidency of the Green Party in Germany where presidents are one man and woman.

Women candidates should be supported to maximize the pre-election campaign.

The final third phase is focused on outcome i.e. transition from candidates to elected office. In most cases where candidates have sufficient knowledge on campaigning skills access to sufficient finance is often critical to success. This study found no evidence that such funding is available in any of political parties

⁷⁸ Gender Pay Statistics available at: <https://vote.conservatives.com/gender-pay>

and it appears that most political parties run campaigns which are focusing on the entire candidate's lists and the leader of the list receive most attention. In other countries, political parties recognized that women as the under-represented gender need earmarked funding. In Ireland, the Irish Labour Women – Labour Party's Women's Organisation - established a small grant that is aimed to financially support women candidates within the party. In Canada, the New Democratic Party has a financial-assistance programme that allows women and minority candidates to be reimbursed up to C\$500 (equivalent of 330 EUR) for child care expenses incurred in seeking a nomination, C\$500 for travel costs in geographically large ridings and an additional C\$500 for costs incurred in seeking nomination in ridings where the party incumbent is retiring. During the 2018 General Elections the Agency for Gender Equality of BiH implemented a campaign that aimed to increase the visibility of women candidates at all levels. This effort aimed to mitigate lack of promotion of women in media. As the assessment of this campaign is still not available it difficult to assess its impact. What is clear is that the online campaigns and video received little attention and all video clips received less than 20.000 views which would represent less than 1% of the entire electorate.

In the 2018 General Elections, no political party with the exception of Nasa stranka placed a focused on outcome of election in terms of equal participation of women and men. As already indicated, Nasa stranka implemented the Initiative 50% project which included training for women candidates, promoting women active in Nasa Stranka and established its own outcome target of 50%. This also included placing more women as leaders of lists and promoting women and men as candidates. This initiative resulted in over 50% of women elected. Finally, no political party or any other actor has tried to address the bias of the electorate directly. In Turkey the Association to support women candidates, KA.DER, has carried out campaign in favour of a greater women political participation at the parliament and producing posters and billboards during in the pre-election period against gender stereotypes in casting ballot preference. In 2017 the organization addressed its campaigns to women voters for the constitutional change referendum with the slogan 'Go to Pools and show your power'⁷⁹.

Based on these findings following recommendations can be identified and are outlined below:

In a short term Annual Forum for Political parties should be organized to facilitate dialogue between gender equality professionals and representatives of political parties. This forum could be used as a venue encouraged to develop clear gender quality commitments, actions and outcomes. Political parties should be encouraged to promote commitments and their impact on women and men and gender equality.

In a medium term monitoring and evaluation of gender equality commitments of political parties should be conducted to measure its relevance and the impact.

Women active in political parties should be supported to develop policy, campaigning and fund raising skills as in most cases political parties don't provide such capacity building. Women should also receive training on gender stereotypes and what strategies they can employ to mitigate this risk.

In a medium term, the project should aim to encourage political parties to set-up co-chairing positions in their statutes, set up clear campaign funding gender benchmarks and adopt clear election targets related to participation of women and men.

In a short to medium term campaigns targeting the gender bias of the electorate should be implemented prior to the elections. These campaigns should be based on challenging the existing gender stereotypes on women and men in politics.

⁷⁹ <http://ka-der.org.tr/en/gallery/>

VI ENTRY POINTS FOR PROMOTING POLITICAL PARTICIPATION OF WOMEN AND PARTICIPATION OF WOMEN IN PUBLIC LIFE

Key points in this section

Political participation and participation of women in public life at the local level is not in focus of current policies and action even though there is evidence that the bottom-up approach can contribute to increased participation of women when combined with the current top-down approach.

In this part of the study a particular focus is placed on the analysis of entry points at the local level including leaders in all spheres of social and economic life, activists, formal and informal community leaders and entrepreneurs. The zoom-in is on the local government units (LGUs) selected by the project team: Sarajevo Stari grad, Gracanica, Tesanj, Laktasi, Olovo, Bijeljina, Ljubuski, Nevesinje, Zenica, Banja Luka. In these LGUs the situation was analysed against the Six steps action plan and the structure of this Study. At the beginning, an analysis of available data on socio-economic position of women and men in selected LGUs was presented against data for the entire country.

6.1. ENTRY POINTS AT THE LOCAL LEVEL INCLUDING LEADERS IN ALL SPHERES OF SOCIAL AND ECONOMIC LIFE, ACTIVISTS, FORMAL AND INFORMAL COMMUNITY LEADERS, ENTREPRENEURS

In Bosnia and Herzegovina⁸⁰ women account for 50,9% of the population. The 2013

⁸⁰ Women and Men in Bosnia and Herzegovina, BiH Statistics Agency, Sarajevo, 2018, http://www.bhas.ba/tematskibilteni/FAM_00_2017_TB_0_BS.pdf

census showed that⁸¹ 8.0% of women have no education whatsoever, whereas this percentage among men stands at 1.7%. Also, 12,4% of women and 5,7% of men have incomplete elementary education⁸². This said, there are significantly more women without primary education than men. There are a record of 30% of women without primary education in Olovo. Out of the total number of illiterate women in BiH, according to 2013 Census, more than 90% are women aged 55 and older⁸³. These data point to a conclusion that the high rates of illiterate women and women with incomplete elementary education must have had a significant impact on poor public engagement of women in the past. The increasing number of women with BA, MA and PhD degrees constitutes a very important capital and potential for progress. Women dominate in social sciences, which also points to a significant social capital⁸⁴. A large number of illiterate women belong to Roma population⁸⁵, which is one of potential reasons why Roma women are not present at public and political positions on the local level (not a single Roma woman was detected among members of municipal councils in the 10 analysed municipalities), apart from specific traditional roles and gender stereotypes related to this population.

The analysis indicates that almost all covered municipalities are ethnically homogenous. One nation does not exceed 90% only in Bijeljina (Bijeljina 87%). Stakeholders believe that the

⁸¹ <http://www.statistika.ba/#tab4>.

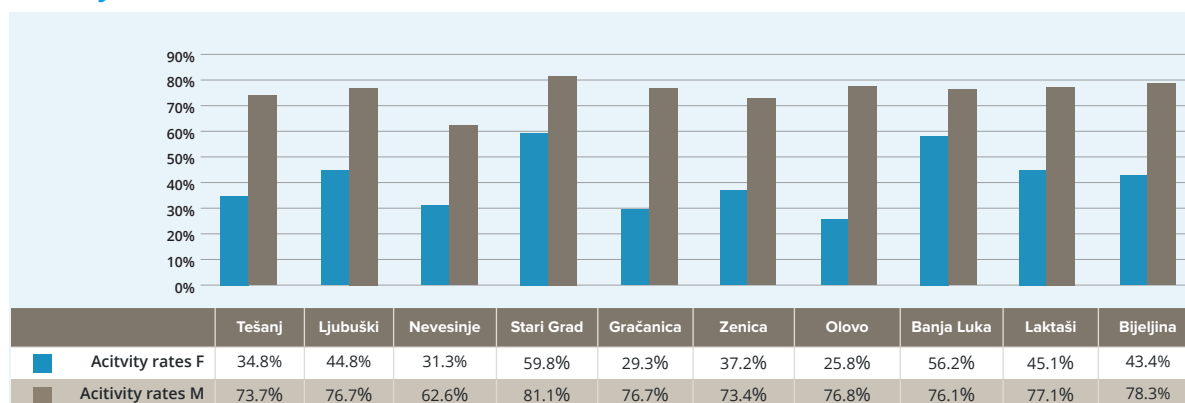
⁸² Ibid 22.

⁸³ Ibid 26.

⁸⁴ Ibid.55.

⁸⁵ Ibid 24.

Activity rates of women and men



Graphic 5: activity rates for women and men in selected local government units

fact that, almost as a rule, local communities became nationally homogenous, indicates additional possibilities for traditionalizing of the society, with prevailing stereotypes about gender roles of men and women. This is very present in almost all municipalities, as indicated by the conducted interviews.

In most local communities women's NGOs are engaged in traditional areas and only in larger urban centres engage in gender equality.

The majority of registered women's NGOs, except for those in large centres such as Zenica, Banja Luka and Bijeljina⁸⁶, work on preservation of old crafts, knitting, crocheting or cooking. In some towns (Gracanica), there is not a single NGO involved in the promotion of women's human rights, protection of women against domestic violence etc. It is evident that the municipalities also support this kind of activities, believing that they support preservation of the tradition and traditional values that are an important part of the BiH population's body, but they are not, and they should not be the only form of women's association. Either younger or older women are often socially active. Awareness that gender equality is a crucial issue both for men and women is not on adequate level, and most stakeholders expressed views which indicate an expectation that only women are expected to work on gender equality. Stakeholders do see that such approach leads to further inequalities and stereotyping.

Socio-economic gender inequalities are prevalent and exist in the selected local government units.

Two out of three inactive persons in BiH are women, and two out of three working age women in BiH are inactive (inactivity rate is 66 percent for women of working age, and 45 percent for men)⁸⁷. As it can be seen from the chart below, inactivity rates in selected municipalities are similar to national averages. Banja Luka and Stari Grad Sarajevo have lower inactivity rates for women and Olovo, Gracanica and Nevesinje have larger averages.

Most statutes of selected municipalities have no or a limited focus on gender equality, however all but one have a commission focusing on gender equality.

Statutes of analysed municipalities do not include or partially include a focus on gender equality. Statutes that include the gender equality issue mostly foresee the obligations relating to the adoption of a program of measures and maintaining gender statistics. Such is the case of the Statute of Nevesinje and the two articles which focus on gender equality are presented in the text box. Where exist, such provisions present an important opportunity for advocacy for adoption of local gender action plans.

Municipal gender equality commissions are appointed for a four-year term and are linked to local elections. Commission members are

⁸⁶ Over 100.000 inhabitants by 2013 census.

⁸⁷ Gender Analysis Report for Bosnia and Herzegovina, Monitoring and Evaluation Support Activity, 2016, available at: <http://www.measurebih.com/uimages/Edited20GA20Report20MEASURE-BiH.pdf>

Gračanica	Commission for the code of ethics, gender equality, human rights and freedoms, petitions and complaints,
Zenica	Commission for gender equality, human rights and civil freedoms
Stari Grad	Commission for gender equality and human rights and freedoms
Banja Luka	Committee for cooperation with religious communities, NGOs, national minorities, other associations of citizens and gender equality
Tešanj	Commission for gender equality
Olovo	Commission for youth and gender equality, sport, culture and NGOs
Laktaši	Commission for gender equality
Nevesinje	Commission for gender equality
Bijeljina	Commission for gender equality
Ljubuški	-

Table 5: Commissions for gender equality

either the councillors or individuals appointed by political parties. As it can be seen from the table below, gender equality commissions were established in all analysed municipalities except for Ljubuški.

In some municipalities, commissions are also responsible for other issues (Gracanica: Commission for the code of ethics, gender equality, human rights and freedoms, petitions and complaints, Zenica: Commission for gender equality, human rights and civil freedoms), and they do not only focus on gender equality. Women are chairs of 9 commissions, and only in Stari Grad Municipality the Gender quality commission is chaired by a man. Most commissions have no male members, or only one member is a man where the exception is Sarajevo Stari Grad where there are 5 women and 4 men. The interview process uncovered a lack of interest and insufficient knowledge about the topic among commission members. This leaves the impression that these are merely formal appointments that are not made in line with preferences, experiences and education of members. Majority of Commissions are inactive, or are performing only administrative work. Nevertheless, some municipalities (and individual members) showed significant endeavours to improve situation and undertook measures and actions to improve status of gender equality in their municipalities.

Tešanj and Gračanica municipalities are good case examples. Both municipalities participated in the activities of MEG project⁸⁸

which supported the analysis of gender equality commissions' work in promotion of equal rights and opportunities for women and men. Representatives of Gračanica and Tešanj GE commissions participated in a specialist training organized by the Project in order to improve the commission's work. Following the submission of the Guidelines: How to integrate the gender equality principle on the local self-government unit level in Bosnia and Herzegovina? which were developed under the MEG project, Commission in Tešanj is aiming to collect data on participation of women and men in decision making in public companies and institutions founded by the Tešanj Municipality and to develop a report on compliance with the Gender Equality Law⁸⁹. Gračanica Commissions plans to develop and adopt GAP in 2019.

Even though localisation of gender equality was an approach in the past, the support for such activities decreased in the past few years.

Cooperation between the commissions and entity gender centres is not on a commendable level. Although contacts have been established with most commissions, only a few activities were implemented jointly. In the Republika Srpska, the cooperation with the RS Gender Centre significantly decreased in the past few years, due to the lack of local initiatives on gender equality promotion.

Some Commissions adopted Plans (e.g. the Action Plan for improvement and gender equality in Nevesinje Municipality 2011-

⁸⁸ https://www.undp.org/content/dam/bosnia_and_herzegovina/docs/Operations/Projects/PR/PR/MEG%20LG%20Selection%20Report_ENG.pdf

⁸⁹ <http://www.opcina-tesanj.ba/index.php/uprava/opinsko-vijece>

2015), but reports on implementation and impact achieved. The Plan is not even put on municipality website as well. There is a visible lack of knowledge transition between “old” and new members of commissions, which results in loss of built capacities.

Municipality of Gradiska is one of the positive examples from BiH, as it developed the municipal GAP⁹⁰ at the initiative of the chairwoman of the Gender Equality Commission. The plan was developed by the inter-sectoral working group consisted of representatives of municipal departments and NGOs. The plan was adopted at the municipal council's session, and its implementation started immediately afterwards. Considering that departments responsible for implementation and monitoring of every activity were defined, the Gender Equality Commission periodically called relevant departments and requested reports on implemented activities and work dynamics. Such oversights resulted in successful implementation of the Plan and inclusion of incentives for new mothers and of lines for accommodation of women - domestic violence victims to a safe house in the municipal budget.

6.2. PARTICIPATION OF WOMEN IN PUBLIC AFFAIRS AND POLITICS AT THE LOCAL LEVEL

Women are under-represented in local assemblies/councils and in all selected local governments men are elected as mayors.

In all analysed municipalities all mayors are men. This fits in the national statistics, according to which only 5 women are municipal mayors. In a large number of municipalities, women are chairs of 1-2 commissions only (Nevesinje – a woman chairs only the Gender Equality Commission). Mostly men run public institutions and companies. There are 17 public institutions on the territory of Bijeljina⁹¹. Of this number, only two institutions are run by women.⁹² The mayor of Banja Luka is a

man. The deputy mayor as well. All 5 working bodies of the city mayor are run by men. The chief of the mayor's cabinet is a man. There are more women who are school principals and more women who are directors of social work centres.

As it can be seen from the chart, women's participation in municipal councils varies and amounts from 8 to 24%. Out of these 5 participation of women in local councils/assemblies is below the national average of 18.2% and 5 have more than this. What impacts the current gender balance at the local level was elaborated in previous parts of this study.

There is a large number of active NGOs in Banja Luka and Zenica dealing with gender equality issues. In these cities, NGOs have been active for years, and they also run safe houses (shelters) for domestic violence victims. Women are far more visible in public and political life of these cities, and there are a few prominent women politicians, well known throughout BiH.

In local communities (mjesne zajednice, MZs), council members are elected through open election system. MZs represent a very important potential for women's participation on local level. The analysis showed that participation of women in MZ is very low and that MZs are predominantly male. For example, Gracanica Municipality is divided to 23 local communities. There are no women among heads of local communities. Tesanj Municipality is divided to 25 local communities⁹³. Women run two local communities (Raduša and Sije), whereas a woman chairs the local community council only in Novi Miljanovci local community. Nevesinje Municipality is divided to 18 local communities. Only two local communities are run by women. The City of Bijeljina is divided to 70 local communities⁹⁴. Only one local community is run by a woman. Stari Grad Municipality is divided to 16 local communities. The information that in the City of Banja Luka, which is divided to 57 local communities, only seven are run by women illustrates that there is no big difference in the level of women's representation between local communities in small and big places. Stakeholders have recognized that MZs are important factors for

⁹⁰ <http://opstina-gradiska.com/wp-content/uploads/2018/11/akcioni-plan-rodne-ravnopravnosti.pdf>

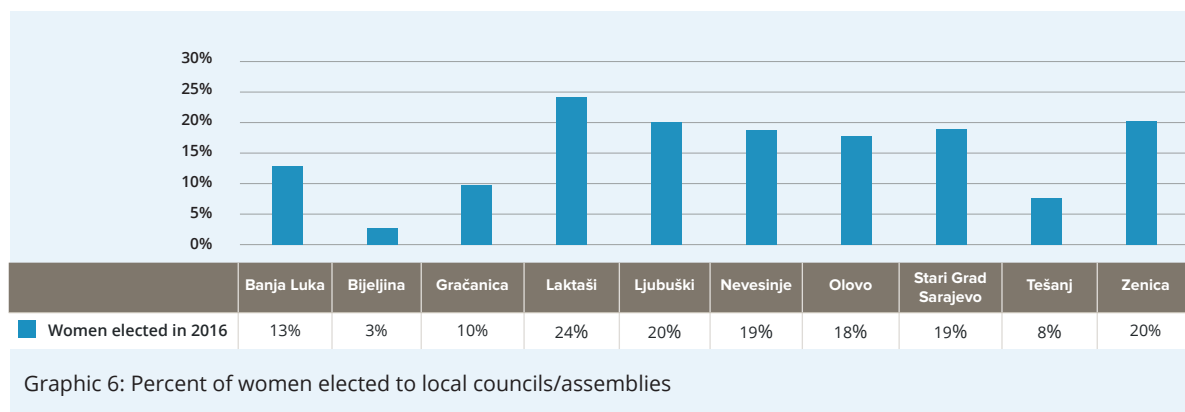
⁹¹ <https://www.gradbijeljina.org/sr/1574.javna-preduze-ca-i-ustanove.html>

⁹² Semberske newspapers and Culture Centre have women directors.

⁹³ <http://www.opcina-tesanj.ba/index.php/podaci-o-opcini/mjesne-zajednice>

⁹⁴ <https://www.gradbijeljina.org/sr/1595.mjesne-zajednice.html>

Women elected in 2016



addressing specific needs of the community and several reported new practices of direct participation through citizens forums.

As most of selected LGUs were also part of the Strengthening the Role of Local Communities the new approach and increased capacities of supported MZs present an opportunity for supporting capacities of women in these MZs to take over roles in public life of their communities. In terms of participation, this project is focusing on ensuring participation and representation of women in the MZ decision-making processes, civic engagement and activism and has to this date facilitate an increased engagement of women in targeted MZs. This project has identified that there is a leadership potential of women that needs additional support and the planned synergy with this project (Women in Elections in Bosnia and Herzegovina) can contribute to strengthened women's leadership and participation in political life.

6.3. OUTLINE OF KEY FINDINGS AND RECOMMENDATIONS

Underrepresentation of women at any level of governance results in a democratic deficit. Diverse government and legislative bodies are key to make decisions that represent needs and attitudes of the entire population. This is particularly true when it comes to representing the interests of citizens at the local level that makes important decisions that affect the lives of women and men. Women's equal participation and representation in local decision-making processes is critical for prioritizing women's practical needs and issues in local governments' agendas and for

localizing the Sustainable Development Goals (SDGs).

Women face gender inequality and are under-represented at the local level .

In Bosnia and Herzegovina, in average women are the under-represented sex in local councils. Similar situation is in the selected LGUs. Local communities can play an important role in addressing gender disparities and in selected LGUs women face socio-economic inequalities. However, most municipalities to date have failed to respond to these challenges. Research conducted elsewhere⁹⁵ point out that in cities with women mayors, more citizens participate in public meetings, those meetings are more inclusive, and a broader set of community groups interact with the mayor. Women in local appointed office also differ in their approach the policy-making process, as they are more likely to report incorporating citizens into important decision-making processes⁹⁶ and to focus on community relations⁹⁷. Women's representation in local office also has the potential to shape policy outcomes. Women mayors increase women's municipal employment⁹⁸. Women in local office in India⁹⁹

⁹⁵ Holman, Mirya R. 2015. *Women in Politics in the American City*. Philadelphia, PA: Temple University Press.

⁹⁶ Fox, Richard L., and Robert Schuhmann. 2001. Mentoring experiences of women city managers: Are women disadvantaged? *The American Review of Public Administration* 31:381–92.

⁹⁷ Fox, Richard L., and Robert Schuhmann. 2000. Gender and the role of the city manager. *Social Science Quarterly* 81:604–21.

⁹⁸ Ferreira, F. V., and G. Gyourko. 2011. Does gender matter for political leadership? The case of U.S. mayors. *Journal of Public Economics* 112:24–39. and Saltzstein, Grace Hall. 1986. Female mayors and women in municipal jobs. *American Journal of Political Science* 30:140–64.

⁹⁹ Chattopadhyay, Raghabendra, and Esther Duflo. 2004.

and Norway¹⁰⁰ shape women-friendly policy outputs. And women in local office change budget decisions.

Gender equality commissions which exist in local communities are largely inactive, but could play a role of contextual enablers if provide with know-how.

Gender equality commission which exist in BiH could play an important role in advancing of position of women on local level if their capacities are increased. However, this is still not the case. There are several factors which influence this situation. Appointed members often lack basic knowledge on policy making and gender equality issues and there is a visible misunderstanding of role of gender commissions among members of some commissions. Women are often only chairing gender equality commissions in municipalities, whereas men are chairs of all other commissions. This information leads to the conclusion that municipal councils see gender equality as a women's issue and that (only) women should work on it. In most cases, gender equality commissions include people from the opposition which has a substantial impact on the results, considering that work of the commissions largely depends on political support. At the same time, where support to gender equality commissions is provided, these commissions are still able to make an impact. Local gender action plans also have a potential to impact how LGUs work for gender equality as long as they define clear action and where regular oversight is conducted.

Interviews with beneficiaries showed a particular focus on the role of NGOs, through which women who wish not to get politically active use to contribute to development of their communities. Although Stari Grad is an urban municipality with high percentage of employed and active population, it is evident that women's engagement is not significant. Women are only active through work of associations that help socially vulnerable categories. Women in such organisations are community leaders and the represent an important resource for engagement in public

life and in politics of their LGU¹⁰¹. This will be possible once these women receive additional policy-making capacity building and when political parties recognise them as a resource.

Women in local assemblies/councils lack political skills and are perceived not to be active once elected.

Interviewees believe that women councillors have not been sufficiently active after the elections, and that their activity during their mandates is often reduced to "reading of initiatives prepared by the parties." Lack of knowledge and presentational skills is an important setback for women political participation. Mentoring and best examples exchange could be very important method in advancement of political participation of women on local level. Czech NGOs drew inspiration from Denmark and Norway, where political parties run mentoring programmes and training courses for women in politics. It thus relied on the methodology of the Danish Centre for Gender, Equality and Ethnicity (KVINFO) which has been at the forefront of developing mentoring initiatives for women politicians in Denmark for more than a decade and has established a broad Mentoring Network. Fórum 50%'s international mentoring programme aimed to increase women's representation in Czech politics by sharing experiences from countries where it is already at a high level. The mentors were women politicians from Denmark and Norway who have long-term experience and have influenced the political scene in their home countries¹⁰².

An interviewed women representative of the Gender Equality Commission in Gracanica confirms this recommendation by stating that women in politics should receive capacity building a finding confirmed by many other stakeholders. Also, women from rural areas should receive support to understand the gender stereotypes which often deter them from politics.

Women as policy makers: Evidence from a randomized policy experiment in India. *Econometrica* 72:1409–43.

¹⁰⁰ Bratton, Kathleen, and Leonard Ray. 2002. Descriptive representation, policy outcomes, and municipal day-care coverage in Norway. *American Journal of Political Science* 46:428–37.

¹⁰¹ This confirms findings of the Gender Study: Towards a Barrier Free Community Strengthening Local Communities/MZ Programme in BiH, Marina Hughson, Phd. 2017

¹⁰² <https://padesatprocent.cz/en/projects/equilibrium-between-women-and-men-2/international-mentoring-for-women-politicians>
<https://padesatprocent.cz/cz/zpravodajstvi/prihlasujte-se-do-unikatniho-mentoringoveho-programu>
<https://padesatprocent.cz/cz/zpravodajstvi/vzdelavaci-program-pro-kandidatky-do-evropskeho-parlamentu>

When provided with support and opportunities women can become drivers of change.

However, focusing on the local level allows for a bottom-up approach to equal participation. Engaging directly with women in local communities can promote their agency by empowering them to assume the role of decision makers in the context of community life and to use their knowledge, experience and skills to improve the quality of life in their communities. The socio-economic inequalities are an obvious obstacle as well as the under-representation of women in local councils/assemblies and MZs. However, the experience of the “Strengthening the Role of Local Communities (Mjesne zajednice/MZs) in Bosnia and Herzegovina” (BiH) Project shows that when women are supported with development of skills and provided with opportunities to engage with decision makers they themselves become drivers of change.

Bottom-up approach to political participation of women in elections is a viable strategy to gender equality in politics.

Focusing on the bottom-up approach requires time and resources and this study could not identify any projects in the past which had both. If effective empowerment tools are applied, the next generation of women leaders aspiring to engage in decision making and politics should emerge. Previous section already found that political parties have not focus on developing or recruiting of aspirant women which can be seen as one of the reasons for the current levels of under-representation of women in politics. The actions planned under the Women in Election Project which include capacity building, networking into women forum for development, partnering with the authorities for gender equality in order to institutionalise changes, empowerment through social innovation and modern technologies and affirmative identity building have the potential to result in next generation of women. Engaging these women in politics should be done in synergy with the top-down approach to the extent needed to compensate the identified obstacles on the side of political parties and the gender biased electorate.

Based on these findings following recommendations can be identified and are outlined below:

In a short term, prior to the 2020 local elections, the project should aim to identify and provide training, networking and mentoring to women aspiring to be candidates in the next local elections. These capacity building efforts should include development of political and policy skills, funding skills and campaigning skills. This action has the potential to overcome the fact that political parties rarely provide such support to aspiring women and the next elections will include over 40% of women candidates which provides an important opportunity for increasing the number of women in local assemblies/councils.

In a medium term, the project should use the bottom-up approach to develop a new generation of women leaders in local communities. This approach based on the previous positive experience of the Strengthening the Role of Local Communities (Mjesne zajednice/MZs) in Bosnia and Herzegovina” (BiH) Project and scaled up under this project should focus on alleviating of current socio-economic gender inequalities which have an impact on local development. Utilizing regular thematic fora between the gender equality commissions, women leaders, MZs, NGOs and the entity gender centres on gender inequalities can institutionalize changes and can result in sustainable changes.

Women Forum for Development should be used as an independent platform for issue coalitions, exchange of information and good practice and networking between women

leaders¹⁰³. These Women Forums and the thematic forums are not mutually excluding.

Empowerment of women and bringing benefits of technologies to women and communities and introducing new concepts such as sharing economy should be approached carefully and should be presented as an approach to development of local communities. Social innovation weekends, sales of the second-hand products or food to gather money for humanitarian interventions in the community, lectures, workshops etc. should be used to promote the contribution of women to development of local communities.

To contribute to institutionalization of changes, in the short term, the project should aim to strengthen the capacities of the gender equality commissions to conduct oversight over the work of municipal governments in the area of gender equality. This will contribute to accountability of these gender mechanisms and can have a multiplying effect on development policies. In this process the experience and guidance from the entity gender centres should be used to the extent possible.

In a medium term the project should evaluate the impact achieved by the current statutory gender mechanisms in relation to gender mainstreaming and empowerment of women and should explore other policy options for improvement of the statutory gender mechanism at the local level.

¹⁰³ Focus on development forums is part of the Women in Elections project document as suggested by the Gender Study: Towards a Barrier Free Community Strengthening Local Communities/MZ Programme in BiH, Marina Hughson, Phd. 2017

VII DEEPER ANALYSIS ON

THE ROLE OF MEDIA

7.1. GENDER STEREOTYPES AND THEIR IMPACT ON EQUAL PARTICIPATION OF WOMEN IN PUBLIC LIFE

Key points in this section

Gender stereotypes on women and men in politics exist in BiH, are reiterated by media and have a negative effect on women candidates.

Scholars argue that in the Balkan countries after the dissolution of the Social Federal Republic of Yugoslavia gender equality in the mainstream politics has been framed in the 'context of belligerent nationalist patriarchal paradigm'.¹⁰⁴ The prevailing of the religious and ethnic discourse throughout the post-war period and in the current political arena has been having an impact on reinforcing a general conservative understanding of women's role in politics as in any other field of life. Moreover, the rise of conservative and extremist resistance to women human rights everywhere and in the Bosnian context persisting economic inequalities and gender discrimination, the over representation of women in grey economy, the very high unemployment rate of women, have a direct effect on women ability to participate in various spheres of life, including in public offices.

Gender stereotyping is an important determinant for the equal representation of women and men in politics; gender stereotypes have structurally influenced women's access to rights, power, resources and knowledge, which denied and blocked women the opportunity to participate in various aspects of life, including in the political realm. The low level of women representation in higher levels of politics

indicates that 'sex', biological differences between men and women and 'gender' -the roles, behaviours, activities and attributes ascribed to women and men by a given society- introduce significant misconceptions; gender roles lead women to have less access to resources and power which, as Lawless and Fox¹⁰⁵ argue, eventually reflects in less political ambitions.

A gender stereotype consists of belief about the psychological traits and characteristics of, as well as activities appropriate to men or women.¹⁰⁶ Beliefs and attitudes about masculinity and femininity lead people to expect different roles for men than women and often translate in what is defined by feminist theories (Carol Pateman) as the public/private divide. Beliefs, attitudes and gender norms have traditionally prescribed different roles in society for the two sexes: men have undertaken roles and responsibilities in the public sphere like politics, the economy, finance and business; while women are given a central role in private sphere: the home and the family; the social construction of gender roles in a society greatly determines the ability of women to run for offices.

Potential women candidates are faced with enduring stereotypes at different levels: among themselves, in the eyes of gatekeepers and among citizens/voters. These perceptions influence the gatekeepers selecting candidates: in the Bosnian context in the 2018 General Elections, only 16% of party lists were headed by a woman, this entailing that 84% of the lists had a man as a party chair. The person at the first place of the winning list is typically the one who will gain the seat at the state or entity parliaments. As argued by David Niven, male leaders of political parties consistently prefer candidates traits associated stereotypically with men with the characters and behaviours

¹⁰⁴ Elena NACEVSKA, Sonja LOKAR The Effectiveness Of Gender Quotas In Macedonia, Serbia And Croatia: https://www.fdv.uni-lj.si/docs/default-source/tip/tip_02_2017_nacevska_lokar.pdf?sfvrsn=2/

¹⁰⁵ Lawless and Fox, Girls just wanna not run; https://www.american.edu/spa/wpi/upload/girls-just-wanna-not-run_policy-report.pdf

¹⁰⁶ On gender stereotypes and employment asymmetries; <https://www.economics.sociology.eu/files/11.pdf>

they recognise in themselves.¹⁰⁷ Thus, given the pervasive presence of men in the party elite, potential women candidates are subject to bias in recruitment. Male elite in political parties as gatekeepers for women political representation have created barriers to women by defining rules, structure and culture within the party which derive from decisions made by those elite; they control the process of candidate selection and recruitment which is the most critical obstacle to political engagement.

Gender stereotypes on women and men in politics exist in BiH and have a negative effect on women candidates.

Stereotypes inform as well the electorate. In 2017 USAID BiH conducted a survey on gender differences in development priorities in the context of 2016 local elections that also provided empirical evidence on political gender stereotyping and gender voting preference as contributing determinants to the underrepresentation of women in BiH¹⁰⁸. The survey revealed that in political gender stereotyping a high percentage of voters (61,7%) believed that the priority sectors of male politicians platforms are typically economic issues, infrastructure and security/ defence, whereas women politicians' priorities are social welfare, education and health; the findings showed instead that there is no significant difference among what women and male politicians identified as top development priorities.¹⁰⁹ These stereotypes exist in male and women respondents and the percentages for male respondents are higher (about 50%) than for women respondents (little over 30%).

Still, almost every second male respondent and every third women respondent which has

¹⁰⁷ Party Elites and Women Candidates: The Shape of Bias. Niven David, 1998. Women & Politics. 19.

¹⁰⁸ Difference in Development Priorities of Male Versus Female Politicians and Voters: Evidence from Bosnia and Herzegovina, Monitoring and Evaluation support activity (Measure-BiH), 2017

¹⁰⁹ In particular business improvement and creation of job opportunities was by far the top development priority of both female (93% of female candidates) and male (89% of male candidates); this is followed by transport infrastructures and communication (58% female candidates and 69% male candidates), agriculture and rural development (48% female and 58% male candidates), general public services (40% female and 39% male candidates) and housing and community amenities (26% female and 30% male candidates). (Measure-BiH)

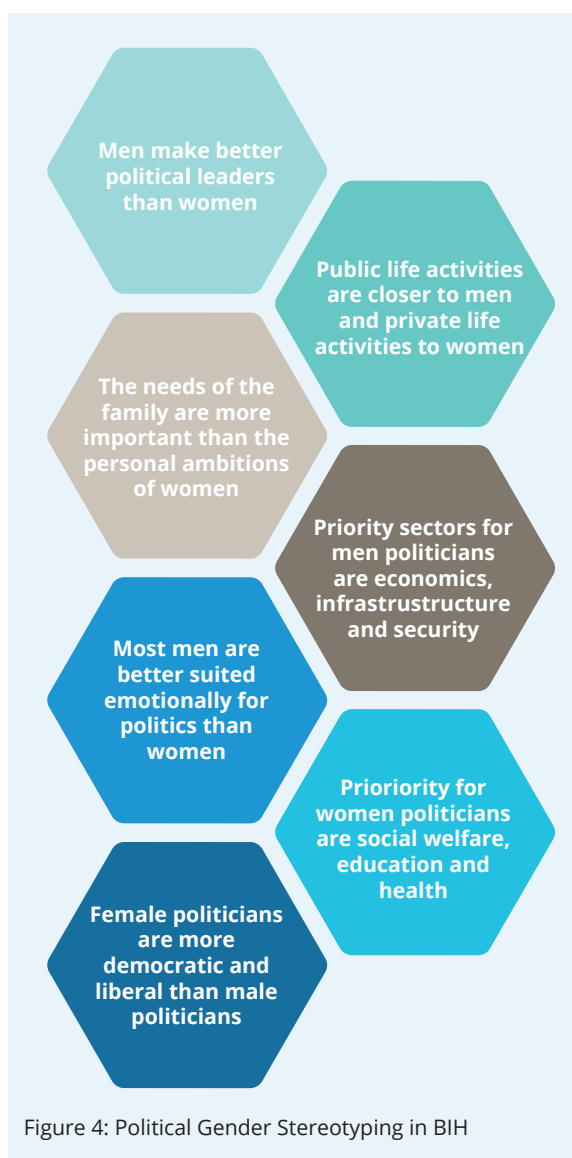


Figure 4: Political Gender Stereotyping in BiH

voted believed that “men make better political leaders than women and should be elected rather than women” which can be seen as one of the prevailing reasons for the phenomenon “women-do-not-vote-for-women” and “men-do-not-vote-for-women”. Similar findings on gender stereotypes and patriarchal values for women and men in Bosnia and Herzegovina were confirmed in other studies in the past¹¹⁰ and in most recent studies¹¹¹.

Evidence confirms as well that the public/private divide is strongly rooted in the Bosnian

¹¹⁰ Rodna ravnopravnost u Republici Srpskoj; Istraživanje javnog mnjenja, Gender Centar – Centar za jednakost i ravnopravnost polova Republike Srpske, 2012

¹¹¹ National Survey of Citizens' Perceptions in Bosnia and Herzegovina 2017, Findings Report, Monitoring and Evaluation support activity (Measure-BiH), 2018

electorate culture with a solid majority of both women and men voters¹¹² believing that women should be devoted to the family rather than pursuing a political career whereas men are best suited to be political leaders. Additionally, according to the survey findings one of the most relevant reasons for not having voted for a women candidate was not knowing anything about the candidate, thus implying that political parties did not support the campaign of women candidates nor they gave visibility to their development priorities for the local communities.

7.2. PORTRAYAL OF WOMEN LEADERS AND POLICY-MAKERS IN THE MEDIA

Without any doubt, the media play an important factor on how the society perceives men and women and their respective roles within it. A key role of the media in any election is to ensure that the public has sufficient information on candidates and political parties in order to be able to make informed choices and decisions. During election campaigns media is obliged to give equal access to all candidates and their political views and platforms, regardless of their gender, while seeking to treat them in the same way and impartially.

Most media translate the dominant gender stereotypes on women in elections and women receive less attention than men.

Beyond the question of equal access, the media should promote the visibility of women candidates and present women political candidates in a manner that promotes public confidence in their capacity as political leaders. However, women politicians usually receive more attention in media coverage in relation to their family life, private issues, sex and appearance. Women and men continue to be subject to significantly different portrayal in the news and the same conclusions can be reached about women and men running for office¹¹³. A number of studies on media coverage of women candidates showed that even when there are sufficient number of

women candidates running in the elections they are often neglected by the media.

Yet there are some good examples of improvement and good practices when it comes to media coverage of women in elections. In the research article "Reporting Germany's 2005 Bundestag Election Campaign: Was Gender an Issue?"¹¹⁴ written by Holli A. Semetko and Hajo G. Boomgaarden and published in 2007 reporting during the 2005 Bundestag election campaign was examined. Germany's first women chancellor candidate, Angela Merkel, and her male opponent, incumbent Chancellor Gerhard Schröder, were the main focus of campaign news. Drawing on an analysis of the four main evening national television newscasts and the most widely read newspaper in the six weeks prior to Election Day, research showed that while the two candidates were rather equal in terms of visibility in the news, and did not differ substantially in terms of the issues on which they were reported, gender did play a considerable role in framing certain stories.

In Belgium, a 2014 report conducted by the National Audiovisual Council (CSA)¹¹⁵ shows women candidates making 30,38% of politicians appearing in pre-electoral debates on Belgium French-speaking television. Results also showed that women tend to be more present in local TV's debates (32,05%) then in major public broadcasters (27,82%) and major private broadcasters (24,24%).

In the Handbook for Monitoring Women's Participation in Elections¹¹⁶ published in 2004 by the OSCE Office for Democratic Institutions and Human Rights (ODIHR) there are several recommendations for election observation missions conducting research on women's participation in elections. The guidance provided in this handbook is intended to ensure that as each Election Observation Mission draws conclusions on the extent to which an election process meets OSCE commitments and reflects universal principles, it takes fully into account how the election process affects both women and men.

112 71,5% men and 68,8% women; (Measure-BiH)

113 Study on media coverage of elections with a specific focus on gender equality, Committee of experts on Media Pluralism and Transparency of Media Ownership, Council of Europe, 2017

114 <https://journals.sagepub.com/doi/10.1177/1081180X07307383>

115 http://www.csa.be/system/documents_files/2575/original/femmes_elections_2014_final.pdf?1452849658

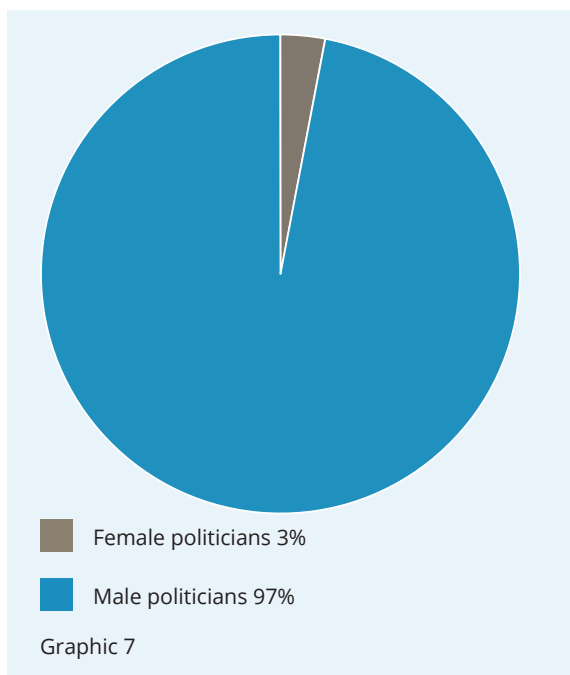
116 <https://www.osce.org/odihr/elections/13938?download=true>

Portrayal of women in politics in media was subject of research conducted in Bosnia and Herzegovina manifesting that this topic is one of central issues for participation of women in politics however there is no sufficient quantitative and qualitative data or research about representation and position of women politicians in media in Bosnia and Herzegovina. From the project done by United Women Banja Luka "Gender Equality in Bosnia and Herzegovina - Informed Public Opinion and Gender Sensitive Media" it is clear that no media in Bosnia and Herzegovina has written procedures related to equal representation of men and women in media.

Previous studies:

- Političarke u medijima: Slika koje nema, Agency for Gender Equality, 2010
- Žene u politici: Da li je veličina važna? INFOHOUSE, 2014
- Mizoginija u BiH: Analiza određenih slučajeva mizoginije i seksizma i reakcija javnosti na njih u periodu od 2013. do 2018. godine, Fondacija Fridrih Ebert Bosna i Hercegovina and Banjalučki centar za ljudska prava, 2018

Also research "Women and Political Life in Post Dayton Bosna and Herzegovina" emphasizes lack of media interest in women in politics in Bosnia and Herzegovina, especially during election campaigns during which most public appearances were reserved for men. One of the interviewed women politicians has emphasised: "When open lists were introduced, we - women, activists, and the OSCE- failed to work on the empowerment of women politicians, we failed to demand that there be at least 30% of women politicians in the media, and also in CIK - to give them as much power as we can and to give them a platform. We didn't do that and then it was too late; everyone had moved on and focused on something else." Another study "Where are women in politics in Bosnia and Herzegovina" proposes actions to increase representation of women politicians by more often promoting changes women are making in politics. "Since the achievement in the area of gender equality and empowerment of women are not high up the political agenda and are not usually promoted by media, the institutions and gender machinery and NGOs need to step in".



The Rulebook on media presentation of political subjects from the day of announcing the elections until the Election Day¹¹⁷ explicitly prohibits any stereotypical presentation of women and/or men and defines that sanctions are based on the existing independent regulatory and self-regulatory bodies, the Communications Regulatory Agency of BiH and the Press Council. During the 2018 Election Campaign the Communications Regulatory Agency of BiH received 6 complaints none of which related to this article of the Rulebook.

For the purposes of this study an in-depth analysis of the portrayal of women leaders and policy-makers in the media in the 2018 General elections was conducted. Due to time constraints the quantitative and qualitative content analysis was restricted to items tagged as elections related news. As the analysis needed to be done retroactively, web portals of two regional media, three portals of public services in BiH portals of three private TV stations (two from Federation of BiH (FBiH) and one from the Republika Srpska (RS)), as well as portals of per two printed media from both entities were analysed, if retroactive access to content is possible.

¹¹⁷ Article 11, The Rulebook on media presentation of political subjects from the day of announcing the elections until the Election Day (Official Gazette of BiH, No 29/18)

Women candidates appeared in only 3% of media reports analyses and only three women appeared as political commentators/experts.

Out of the total of 2,119 news items, in only 64 women are in focus. In all of the examined pieces, only three women have appeared as political commentators/experts.

It can be generally concluded that candidacies of the most exposed women stood chances of gaining media exposure only if they could be associated with the main current topics related to topics that are viewed as those of supreme, sometimes even existential importance of post-Dayton Peace Accord Bosnia and Herzegovina. The 2018 election campaign was focused primarily on daily developments which were generating further domination of primary focus on redefinition of power-structures in BiH along ethnic lines. As proven in the previous campaigns, there are low chances for raising political profiles of women in conditions of constant tension and artificial crisis. Very few women experts were invited to offer their views on political developments during the period. Topics that do not fall under dominating mainstream, could not be presented well enough regardless of their relevance.

Election campaign is generally a period in which male-dominated political party bodies, such as general secretariats and election boards/headquarters normally impose strict rules on all candidates exposed to media. They are normally very rigid and critical should anybody what to make themselves exemption to rules and decisions on public exposure made by leaderships of political parties. Therefore, often presence of women from political parties are seen as creators of opportunities for promotion of male colleagues, rather than articulating their own political platforms and views, even if they are included on electoral rolls.

In addition to this, three web primary web portals are covered – also two from the FBiH and one from the RS, whose editorial policy can be considered a part of the mainstream. This analysis excludes classical TV debates and regular informative programme, as they follow instructive forms of presenting and processing of media content. Due to these rigid rules, they are assessed not to be able to contribute

to establishment of a representative picture. The analysis covers period between 15 August and 15 October 2018. This way, the analysis does not cover only campaign period between 7 September and 8 October, but also the most intensive period prior to the campaign important for the preparations, particularly in political parties. In addition to this, this way the initial period of attribution of initial election results and withdrawal of solutions from compensation rolls is covered.

Ethnocentric political agendas and ethnic-based dominance were the main topics of the 2018 General Elections .

The dominant feature of all media analysed are editorial policies which put primary emphasis on reporting on and through the prism of ethnic collective entitlements, rights and/or political ambitions. Those primarily include ethnocentric political agendas, struggle for ethnic-based dominance in respect to administrative territorial redefinition, corruption and relation to current political elites.

Therefore, the most exposed figure of a women politician throughout the period was Željka Cvijanović, former RS Prime Minister, now elected for position of RS President. This figure is associated with Serb ethnic values and ambitions of RS from increasing independence in decision-making. In news items, she would normally appear side by side with her party leader, Milorad Dodik, who has been elected to the BiH Presidency. Apart from representing a persuasive tandem in the public, these politicians normally transmit messages on primary importance of the RS over the state structures and strong closeness and commitment to Serbia and its interests. Cvijanović's media presence was based on reporting from party rallies, on basis of different press-releases and from a number of events whose content and scope was very targeted and controlled (e.g. putting on the first party poster with Dodik). At one occasion the media outlets reported from a SNSD rally during which Dodik stated that "I guarantee that Zeljka is a greater Serb than Govedarica and, in a political sense, she is a greater man than he is. He is a real woman's body part"¹¹⁸. One of the two regional media, N1 can be

¹¹⁸ See e.g. <https://www.oslobodjenje.ba/vijesti/bih/video-dodik-ja-garantujem-da-je-zeljka-veci-srbin-od->

concluded to have given particular attention to Diana Zelenika, who was the only woman running for the BiH Presidency. Zelenika's profile was otherwise made almost invisible, and strongly subordinated to what has been articulated as „the Croat question“, which has kept the limelight on her two main opponents – Dragan Čović and Željko Komšić.

Party structures for women remained invisible in the 2018 General Election campaign

Organisations of women within political parties were very silent, almost invisible during this period. When made visible, they were recommending their male colleagues, such as in the case of SDS Women, when three women candidates organised a rally of SDS Women in order to promote not themselves directly, but support to their party leader and candidate for RS President, Vukota Govedarica. This can easily result from the fact that all parts of political parties in BiH political culture are normally expected to subordinate themselves to election campaign committees and headquarters. Leader of Uspješna Srpska Movement took the main role at the press conference of the party's women's section, recommending their work. Chairwoman of the section, Stojanka Nikolić just mentioned a couple of things on improvement of material status of mothers in the RS. Even well-known and accomplished SNSD parliamentarian Milica Marković primarily recommended Cvijanović and Dodik for votes, although she was a candidate herself (for the RS National Assembly). Also, one more well-established parliamentarian from HDZBiH Lidija Bradara, was reported once to have spoken only about official party view on amending the election law to ensure what is perceived to be potentials for improvement of political rights of Croats in the country.

What went slightly below the radar under the methodology used for this research, was media attention focused on Sebiha Izetbegović, SDA candidate and wife of SDA leader and former BiH Presidency member. A strong focus of media was kept on her managerial deficiencies and nepotism dominant in all her appointments. Her profile that she had not kept low over the past three years has been primarily used for targeting at her party.

However, the negative publicity of opponents did work out in her benefit. She has won a significant number of votes and got elected to the FBiH Parliament. A single off topic in these media was attributed to Nasiha Pozder from Naša stranka. She stood out as the only politician who was reported to be engaged on something as concrete as a landfill.

Unfortunately of all media examined, none could serve as an example or source of good practice for reporting on women in politics. Same goes for the region. Here, Scandinavian experiences could be further explored, particularly conclusions related to more women in expert base exploited by the media, and more women on editorial and senior reporting positions¹¹⁹.

7.3. OUTLINE OF KEY FINDINGS AND RECOMMENDATIONS

Existing stereotypes of the electorate on women and men in politics are reiterated by media

The media are an instrument through which information is shared to the audience. Information is intended to communicate overt and covert messages to media consumers that (re)present social, cultural, and political discourses. As a result messages most commonly communicated by media aligns with dominant ideologies and attitudes. In Bosnia and Herzegovina, media remain the dominant form of party and candidate communication. To this end, media play a key role in covering electoral processes and in communicating information about competing parties and candidates to the public. This research and previous studies found that media also plays a role in reinforcing of gender stereotypes which exist in relation to women and men in politics. Research on gender stereotypes confirm that political gender stereotyping and gender voting preference exists in BiH and that it one of the contributing determinants to the underrepresentation of women in BiH. Research of the impact of the gender quota in Chapter III of this Baseline study also found evidence of the impact of stereotypes on election results.

govedarice-i-veci-muskarac-od-njega-on-je-bas-ona-zenska-395676

¹¹⁹ <https://norden.diva-portal.org/smash/get/diva2:1092200/FULLTEXT01.pdf>

Globally attention to portrayal of women in media has not gained traction in Bosnia and Herzegovina

Globally, there is an attention to portrayal of women in media. UN Women has invited selected media organizations to join the Step it Up for Gender Equality Media Compact¹²⁰. The Step it Up Media Compact aims to be a mutually beneficial agreement through which valued media partners are invited to scale up their focus on women's rights and gender equality issues through high-quality coverage and editorial decisions, complemented by gender-sensitive corporate practices. UN Women invited leading international, regional and national media outlets to become part of the Step it Up Media Compact by pledging to become gender champions through their reporting, editorial decisions and corporate practices. In other countries the use of new media was used to create content which cannot be found in mainstream media, in particular to provide a "gender perspective"

which the founders felt were missing within mainstream press. In Spain a web site "Pikara" was started by four main partners who are all journalists and has 20 regular contributors. It self identifies as a feminist magazine. Although Pikara is intended as a platform for objective journalism, it has also become a platform for political and feminist activism. Many political parties in Europe and politicians use social media to convey their messages to their electorate directly.

Given the existence of gender stereotypes related to women and men in politics it would be important to engage with journalists on how to objectively portray women in elections and electoral campaigns. In addition, journalists should be encouraged to monitor gender-equality commitments made by political parties and report on the progress (or lack thereof) of their implementation once parties are in office.

Based on these findings following recommendations can be identified and are outlined below:

In a short term the project should focus on building a coalition of journalists and media which are ready to challenge the existing gender stereotypes and objectively present women in politics. This action should not only focus on media outlets but also on bloggers and social media influencers which have the potential to support direct communication with the audience. This coalition should be used to promote the need to address the gender equality issues and the change politically women (and men) make.

In a medium term the project should support development of the regulatory framework of the election campaign to include clear targets for presentation of women and men by media outlets.

In a medium term the project should explore joining or contextualizing the Step it Up for Gender Equality Media Compact approach to address the editorial and corporate practices in media. The focus can be placed on electronic media (radio and TV) as they are subject to regulation and the Communication Regulatory Agency of BiH is mandated to define standards.

In a medium term the project should aim to develop a text book on gender sensitive reporting and should encourage faculties to include this text book in their curricula.

Trainings provided to women leaders and women in politics should incorporate the potential of using of social media and online tools for direct communication with the electorate and they should receive guidance how to develop targeted messages for their audience.

¹²⁰ <http://www.unwomen.org/en/get-involved/step-it-up/media-compact>

VIII CONCLUSIONS

This Baseline study has confirmed that **structural barriers to political participation of women in Bosnia and Herzegovina exist**. This conclusion is based on the holistic assessment of the current situation and the analysis of international and domestic standards, the electoral design, the activities implemented by contextual enablers, the situation of gender equality in political parties and the role of media. In addition to this efforts to this date have been largely influenced by the existing gender inequalities and gender stereotypes which have the most important impact of the current levels of participation of women in Bosnia and Herzegovina.

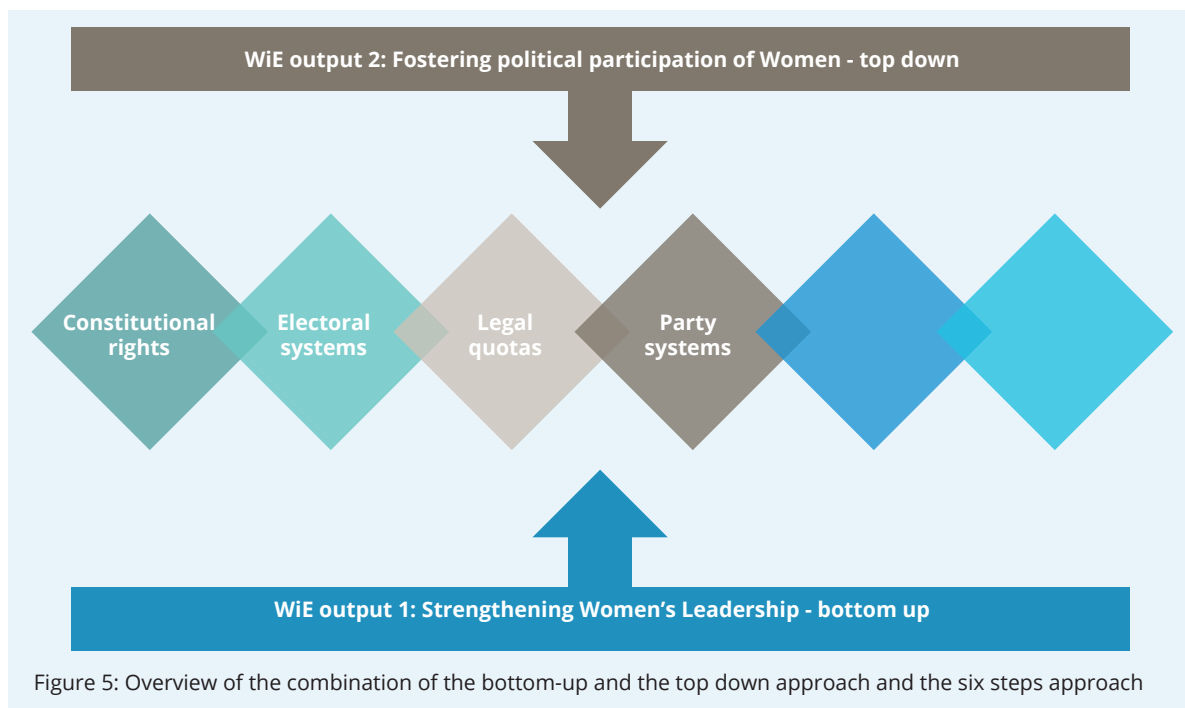
This study has found that **equal participation of women and men in politics is a clear policy priority in Bosnia and Herzegovina** as legislated by the Law on Gender Equality in BiH and as defined in the Gender Action Plan of BiH. However, this study also found that **no contextual enabler had the resources to approach this issue holistically even though there were a number of activities implemented to date**. What is also clear is that most of these activities were ad-hoc, mostly happening just before or during the pre-election campaign and in some cases were not evidence based. At the same time, the analysis of activities implemented to date show that **the primary focus of most stakeholders was based on a top-down approach and the amendments of the Election Law and the impact of the gender quota dominate the discussions**.

The findings on the designs of the gender quota and the electoral system contradict these claims. The gender quota was designed against the key success factors and has had a positive impact on participation of women in parliaments in Bosnia and Herzegovina. However, this study found that in other comparable election systems similar quotas don't result in parity or reach the 30%/40% target. The type of the electoral system, the district magnitude, party magnitude and the ballot structure influence the impact of the gender quota. Due to the open list system applied in the Election Law of BiH, gender stereotypes have the most impact on

participation of women in politics. This is most visible at the local level where the percentage of seats influenced by the electorate in favor of men climbs up to 32%. The gender quota can be further improved and available analysis of proposed models show that such improvements can result in increased participation of women but could limit the will of the electorate and some would hardly receive political support.

Most contextual enablers perceive political parties as gate-keepers and don't engage with them even though political parties are the dominant form of political engagement. This study has collected evidence that most political parties have gender equality as one of their principles and most have internal party structure for women. At the same time political parties rarely translate these principles into policy or action and internal party structure for women receive only limited resources. **Women in political parties are under-represented and the elections results for most political parties show that women are underrepresented in office.** Practices to sideline women in political parties were also identified. That is the reasons most contextual enablers focus on supporting women in politics through training, capacity building and promotion during the election campaigns. The Pledge on Party Allegiance to Gender Equality was an attempt to approach political parties and to communicate the gender equality priorities directly. Parties signatories of the Pledge were gender audited and 7 have developed their Gender Action Plans but the impact of these is still not visible. The OSCE Mission to BiH as one of the drivers of the process continues to engage with these political parties aiming to use the party political academies as the entry point.

During the election campaigns media outlets reiterate dominant ideologies and attitudes which in relation to women in politics are based on gender stereotypes. The role of media is mostly not regulated and most contextual enablers have not been able to develop a comprehensive approach to working with media. As a result women in politics remain invisible which is particularly the case in the pre-election period.



The electoral design, the approach of political parties, role of media and the focus on the top-down approach is most visible when the situation in local communities was analyzed. **Women in local politics are under-represented, perceived to have no political skills and rarely receive support from political parties or other contextual enablers.** At the same time the identified socio-economic gender inequalities don't translate in local development policies even though they affect lives of almost the entire population. **The potential of the bottom-up approach is recognized by some contextual enablers however none had the capacities or resources to engage on the local level meaningfully.** Even though local statutory gender mechanism exist they are mostly under capacitated and lack know-how and resources. The experience of the "Strengthening the Role of Local Communities (Mjesne zajednice/ MZs) in Bosnia and Herzegovina" (BiH) Project shows that when women are supported with development of skills and provided with opportunities to engage with decision makers they themselves become drivers of change. **Investing in the bottom-up approach, combining it with the top-down approach and harvesting on the existing results can lead to more equal participation of women in Bosnia and Herzegovina.**

For that reason the combination of the two approaches in the **Women in Election project should result in desired change** as identified by the Project document. The Output 1 - "Strengthening Women's Leadership" with its key activities should contribute to nourishing the next generation of women leaders in communities and the Output 2 - "Fostering Political Participation of Women" **should contribute to structural adjustments to accommodate greater numbers of women in politics and even more importantly should result in substantive representation of needs of both women and men.** The focus of the Output 2 on the Six steps approach is relevant as it identifies six areas which have an impact on numbers of women in politics. At the same time, the Six steps approach is relevant for the Output 1 as it is expected that women leaders in communities will aspire to become politically active and providing them with opportunities and skills is crucial for the overall success of this project. **This said, clear synergies between the two outputs should exist as they represent two complementary approaches.**

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