



Gender equality commissions in Bosnia and Herzegovina: improving capacity

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Summary

Despite the fact that the legal framework in the field of promoting and protecting women's human rights has been in effect for several years in Bosnia and Herzegovina, discrimination against women in different spheres is still widespread, particularly at the local level, where it should be easy for an individual to exercise his or her rights. There have been efforts to improve the situation through the existing mechanisms; however, this top-down approach has not delivered the expected results.

The implementation of the Bosnia and Herzegovina (BiH) Gender Equality Law (GEL) at the local level is the responsibility of Gender Equality Commissions (GECs) established within municipal councils or municipal assemblies. Yet, the GECs are not very active. There are few examples good practices, however, these always lead back to donor assistance. This research consulted international organizations working in this field, relevant civil society organizations (CSOs), municipal representatives, entity gender centers as well as significant literature elaborating on the conditions in BiH and in the European Union (EU).

Have local communities already done everything possible within their capacities? Would it be possible to change practices through the existing legislative framework? Could BiH apply the Austrian model in educating GEC members? Do gender centers have enough capacity to educate and facilitate the work of the GECs? This research gives an overview of the current state of gender equality on the local level and gives recommendations for the betterment of the GECs' work and for improvement with respect to women's rights at the local level.

List of abbreviations

BiH	Bosnia and Herzegovina
CEDAW	Convention on the Elimination of Discrimination against Women
CSO	Civil society organization
EU	European Union
FBiH	Federation of Bosnia and Herzegovina
GAP	Gender Action Plan
GEA	Gender Equality Agency
GEC	Gender Equality Commission
GEL	Gender Equality Law
IGMM	Implementation of the Gender Mainstreaming Mechanism
MC/MA	Municipality Council/Municipality Assembly
NGO	Non-governmental organization
RS	Republic of Srpska
RoP	Rules of procedure
ToR	Terms of reference
OHCHR	Office of the High Commissioner for Human Rights
CEC	Central Election Commission
MDG	Millennium Development Goals
FIGAP	Financial Mechanism for the Implementation of GAP

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1. Introduction

Bosnia and Herzegovina signed and adopted several documents to improve the gender equality situation from the Convention on the Elimination of Discrimination against Women (CEDAW)¹ to the national Gender Equality Law (GEL)² and the Gender Action Plan (GAP)³. However, failure to engage all institutional mechanisms in the implementation of gender equality standards has resulted in the overall, secondary status of women in BiH across all sectors of society.

This policy study is concerned with identifying the key obstacles to improvements at the local level where it should be easier for men and women to exercise their rights and participate in decision-making processes. Looking at the concerns raised by the Alternative Report on the Implementation of CEDAW, Women's Human Rights in BiH⁴ and other relevant documents, it is apparent that local authorities only deal with formalities and fail to actually address any issues of gender equality⁵. This policy study will: look into the missing legislature at the local level (municipal statutes, municipal councils/assemblies⁶ rules of procedures, Municipal Gender Equality Commissions terms of reference) and explore the competencies and knowledge of GECs in monitoring the implementation of the GEL and GAP. Furthermore, it will assess decisions made by municipal authorities, as well as their cooperation with non-governmental organizations (NGOs) and citizens in implementing activities to promote gender equality in their municipalities.

The goals and objectives of the research are to improve the gender equality situation at the local level and, eventually, contribute to the country's goals in improving gender equality by addressing the position of the municipal GECs with regards to their mandates and activities in promoting, educating and monitoring the implementation of the GEL, GAP and international standards. The study will point to the potential remedies in the current institutional setup and also indicate ways to incorporate the recommendations into existing strategic documents in order to make them sustainable. Through selected cases of municipalities from both RS and FBiH that provide examples of good practices⁷, the study will illustrate the different levels of understanding of gender equality among the councilors. It will also show discrepancies in the level of engagement of the GECs in activities within their mandate according to the GEL and the GAP.

By offering policy options that would better define their scope of work, educating the Municipality Council/Municipality Assembly (MC/MA) members and the GECs members, in particular, and adopting good practices from EU countries, this proposal will provide possibilities for the GECs to resume their primary role of gender equality promoters and monitors in their local communities. Based on the findings and the applicable good practices examples from the EU, the European Institute for Gender Equality⁸, this paper will produce recommendations for the improvement of the gender equality situation at the local level thus contributing to the overall situation in the country.

1.1. Methodology

The basic working hypotheses included in this paper are:

Hypothesis 1: The facts that some of the municipal GECs are located within mayors' offices while the majority function within MAs/MCs, and that GECs in the majority of cases do not have a written rules of procedure (RoP), terms of reference (ToR) or mandate (let alone an annual plan of activities) render them ineffective in monitoring the implementation of the BiH GEL and in participating in the implementation of the BiH GAP.

¹ CEDAW available at: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>

² GEL available at: http://www.arsbih.gov.ba/images/documents/zors_32_10.pdf

³ BiH Gender Action Plan can be accessed through: <http://www.arsbih.gov.ba/en/legal-framework/strategies/gender-action-plan-gap>

⁴ Petric, A., Idžakovic, F., Vidovic, G., Petric, N., Radovanović, M., & Sehic, D. (October 2010). *Alternative Report on the Implementation of CEDAW and Women's Human Rights in BiH*. "Rights for All" Sarajevo and "Helsinki Citizens' Assembly" Banja Luka.

⁵ According to the Law on Gender Equality, equality exists when one of the genders is represented with at least 40% in all government bodies at all levels. *The Official Gazette of BiH*, No. 32/10, Article 20, Paragraph 2.

⁶ In FBiH, local parliaments are called Municipal Councils, and in the RS they are Municipal Assemblies.

⁷ Provided during an unofficial interview with an OSCE Gender Unit Representative.

⁸ European Institute for Gender Equality. *Towards Effective Gender Training: Mainstreaming Gender into the Policies and the Programs of the Institutions of EU and the EU Member States*

Hypothesis 2: The current selection of members to the GECs is based on political party affiliation with no regard for expertise, even for members outside the MA/MC. This obstructs the implementation of their activities and hinders the continuity of the GECs' work.

Hypothesis 3: Insufficient skills and competencies of GEC members prevent their further engagement in the promotion of gender equality, the education of people in their communities about equal rights for men and women and the monitoring of gender equality in the social and economic life of each municipality (gender-based budgeting, equal allocation of resources).

In order to test these hypotheses both primary and secondary research techniques were used. Data necessary for the implementation of this research were collected in the period from October 2012 to March 2013. At the beginning of the research interviews with the representatives of international organizations familiar with these issues were conducted in order to verify the relevance of the topics engaged in this study. Using secondary research techniques all relevant documents related to this field in BiH were reviewed. Also, all the reports and analyzes that might be of importance for this study were consulted.

Primary research techniques included a series of semi-structured interviews with representatives of relevant, local level institutions and organizations working in this field. For interviews with respondents, semi-structured questionnaires were chosen because the interview was based on a previously determined structure of conversation that allowed enough freedom for the researcher to adjust to each participant. In addition, questionnaires were sent to 113 MCs/MAs⁹. The next phase of the research reviewed examples from the EU on how to address issues of gender equality at the local level, which were, to some extent, applicable to the BiH context.

1.2 Overview of the policy study

This study is divided into five chapters and begins with an introduction presenting basic information and key definitions as well as the review of the methodology used in the research. The second chapter illustrates an overview of the policy problem and provides background information on the lack of political representation of women on all government levels with a special emphasis on the local level. This chapter also further elaborates an issue of the municipal GECs as an instrument for achieving gender equality at the local level. The third chapter illustrates possible policy options as well as their validity and limitations. The fourth chapter offers recommendations for solving the problems and the last section provides the conclusion of the overall policy study.

2. Policy problem

Both the BiH Gender Equality Law and the BiH Gender Action Plan provide utilizing mechanisms established through existing structures, however, very little has been done at the local level. The Office of the High Commissioner for Human Rights (OHCHR) stated, "Effective human rights protection at the municipal level is the foundation of justice, peace and social and economic development throughout the world"¹⁰. In this respect, BiH should start to consider a bottom-up, instead of the current top-down approach in implementation of all relevant gender equality documents, including the BiH Law on Gender Equality, Gender Action Plan for BiH and the Guide for Gender Equality Implementation.

⁹ The questionnaire is attached as an annex to this paper. Twenty-three responses were received. The table attached to the annex provides proof of lack of knowledge about the mandate, insufficient number of rules of procedure to detail and clarify the work, select members, etc. and the need for training and education.

¹⁰ OHCHR. (2003). *Human Rights in the Administration of Justice: A Manual on Human Rights for Judges, Prosecutors and Lawyers, Chapter 1*. New York: UN. pg. 5, <http://www.ohchr.org/Documents/Publications/training9chapter1en.pdf>



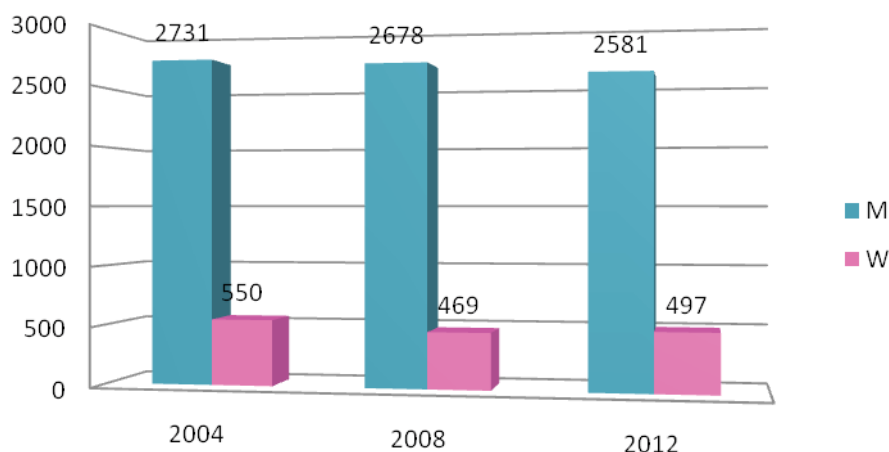
Despite the fact that the legal framework in the field of promoting and protecting women's human rights has been in effect for several years in Bosnia and Herzegovina, discrimination against women in different spheres is still widespread.

BiH has committed itself to ensure the achievement of the highest level of protection of internationally recognized human rights and fundamental freedoms. Article II of the Constitution of BiH sets forth that the rights and freedoms provided for under the European Convention for the Protection of Human Rights and Fundamental Freedoms and the accompanying protocols shall be directly applied in the legal system of BiH, so they are given priority over other domestic positive legal regulations. Besides the BiH Constitution, the primacy of human rights is also provided in the constitutions of the entities, the Statute of the Brcko District BiH, and the constitutions of ten cantons in the Federation (UN General Assembly, February 2010)¹¹. Hence, municipalities, as the organizational units of both entities, share responsibility to implement this and other documents related to equal opportunities, such as the CEDAW¹², and the subsequently adopted legislation, the GEL and the BiH GAP¹³.

Despite these measures, some trends pertaining to gender equality in BiH continue to be of great concern. Women are particularly under-represented in participatory processes in local governance. The citizen review shows that, women have less knowledge of and interest in political procedures or in their own rights. Men are more likely to represent households at public assemblies with 42% of the time, compared to only 4% of the time for women representation¹⁴.

There is no exact data on women's turnout at elections at the municipal level. Neither Central Election Commission (CEC), the gender centers nor the agencies for statistics analyze data at the local level. Instead, the only available data, from the Alternative Report on the Implementation of CEDAW and Women's Human Rights in BiH¹⁵ and the CEC, refer to election results. In 2008 four of 140 women were elected mayors (2.85%), and 469 of 3,147 mandates (14.9%) were confirmed for women in MCs/MAs. Far from any standard, in seven municipalities of BiH there were no women representatives elected. Similar scenarios repeated in local elections in 2012 with seven municipalities of BiH with no women representatives elected¹⁶. The local elections of 2012¹⁷ brought similar statistics with only five of 144 women elected mayors¹⁸ (3.47%), and 497 of 3,078 mandates (16.15%) confirmed in the MAs/MCs.

MANDATES OF LOCAL REPRESENTATIVES



¹¹ UN General Assembly, February 2010. *National Report Submitted in Accordance with Paragraph 15 (A) of the Annex to Human Rights Council Resolution 5/1 Bosnia and Herzegovina on the Universal Periodic Review*

¹² BiH ratified numerous international documents, including CEDAW in 1993, which is an integral part of the Constitution, and the Optional Protocol in 2002.

¹³ Council of Ministers of BiH adopted the BiH Gender Action Plan as a strategic document for achieving gender equality in BiH, and the financial mechanism for the implementation of GAP (FIGAP program) was drafted, as a five-year plan, for which the donor community in BiH provided support. <http://www.arsbih.gov.ba/en/legal-framework/law-on-gender-equality-in-bih>

¹⁴ McNeil, Herzog, Cosic, PRISM Research, October 2009.

¹⁵ Petric, Idžakovic, Vidovic, Petric, Radovanović, & Sehic, October 2010.

¹⁶ Those municipalities are: Rudo, Kladanj, Tomislavgrad, Novi Travnik, Donji Zabar, Ribnik, Kakanj.

¹⁷ The BiH Central Election Commission responded to my query with a document no. 06-1-07-1-460-2/13 dated 25.02.2013.

¹⁸ Women mayors elected are in: Visoko, Doboj Jug, Mrkonjic Grad, Novi Grad, Kalinovik.

In addition, the latest Millennium Development Goals (MDG) Progress Report findings show that participation of women in the government of BiH is only 10%. Totalling only 35%, BiH has the lowest percentage of women in the labor market in Southeast Europe¹⁹. In BiH, political representation of women at the municipal level is lower than at the cantonal, entity and state levels. In the Parliamentary Assembly of BiH, 19.3% of the total elected representatives are women (21.4% in the House of Representatives and 13.3% in the House of Peoples), while there are no woman ministers in the Council of Ministers of BiH. In the Parliament of the Federation of BiH, 23.1% of the total elected representatives are women (22.5% in the House of Representatives and 24.1% in the House of Peoples), and in the Government of the Federation of BiH only one woman minister is appointed. In the National Assembly of the Republic of Srpska, 21.7% of the total elected representatives are women, and in the Council of Peoples of the Republic of Srpska, this number is 14.3%, while the Government of the Republic of Srpska has five women ministers (11 men) and the newly elected female Prime Minister²⁰.

¹⁹ <http://www.undp.ba/index.aspx?PID=32&RID=17>

During the 2008 local elections, only 15% of those elected to MA/MCs were women and seven municipalities failed to elect a single woman representative. Women voters, especially young women voters, have a lower voter turnout than men during elections. Furthermore, at the grassroots level, in local community (MZ) councils, women enjoy even less representation.²¹

²⁰ New Government appointed 12 March 2013 http://www.vladars.net/sr-SP-Cyrl/Vlada/media/vijesti/Pages/Izabrana_nova_Vlada_Republike_Srpske_.aspx

It should be reiterated that gender equality by no means equals the same number of men and women in a body or an institution. That could be the starting point of the efforts to improve the position of women and ensure gender equality. However, the primary focus is on the establishment of gender inclusive communities, providing equal opportunities for both men and women to participate in all segments of life and exercise their rights. This should be mirrored through gender sensitive budgeting, policies and decision-making processes. In summary, gender equality should not be only about numbers but also, more importantly, about quality, for that is the point of equality.

²¹ <http://www.oscebih.org/Default.aspx?id=130&lang=EN>

Taking into account all of the above data which are disappointing, additionally, the issue of gender equality is understood as solely a women's issue and, as such, is not given significant attention.

All this indicates that determined and systematic measures must be taken at the local level, in particular, using a bottom-up approach in order to try to improve gender equality and improve political participation of women. One of these measures and instruments is municipal GECs.

This study is focusing on the municipal level GECs and the ways they can contribute to the necessary changes in the field of gender equality. The GECs are involved in the implementation of the institutional gender mainstreaming mechanism (IGMM) and, along with others, have the mandate to monitor the status of women in each municipality, to promote gender equality, and to monitor the passing of relevant decisions (United Nation Economic Commission for Europe, 2009) that are directly affecting men and women in that particular municipality. Therefore, this study will try to show the lack of communication between the municipal and higher levels in the GAP implementation structures and the need to improve:

- The setup of the municipal GECs, their ToRs and the way they operate (located within the council or the mayor's office);
- The selection of members outside of political parties who would offer continuance in work and expertise regardless of elections and changes in the composition of GECs;



- The skills and competencies of the GEC members and of all other municipal councilors and municipal officials (through RS and FBiH training strategies for local self-government employees), in order to promote gender equality, educate people in their communities and ensure equality in the social and economic life of each municipality (gender-based budgeting, equal allocation of resources).

2.1. GECs and their mandate – road to decreasing discrimination?

Gender Equality Commissions at the local level have the mandate to:

- Monitor and report to the MC/MA on the status of women and on the implementation of laws that protect their rights;
- Promote gender equality;
- Review suggestions of the citizens, NGOs, institutions and administration for improvement of gender equality and report these suggestions to the MC/MA with recommendations for further actions and measures;
- Review drafts, proposed decisions and other documents adopted by the MC/MA and comment on their gender equality aspects;
- Cooperate with other commissions in the MC/MA;
- Propose measures and activities to alleviate breaches of gender equality requirements by the MC/MA;
- Organize women in local communities;
- Cooperate with the GECs within the mayor's office, with cantonal commissions and with the gender center.

As holders of responsibility for GAP implementation, GECs are mentioned in several chapters of GEL, specifically in:

Chapter II: to harmonize all State and Entity laws, as well as other appropriate regulations with the Law on Gender Equality in Bosnia and Herzegovina²² and to establish procedures for successful implementation and execution of the mentioned law, in accordance with the recommendations of the UN CEDAW Committee; to strengthen political will and support for implementation of the Law on Gender Equality at all levels of authority in Bosnia and Herzegovina; to cooperate and coordinate with all institutions of authority in the gender integration process; to develop procedures and methods of cooperation with the civil sector within the process of implementation of the Law on Gender Equality in Bosnia and Herzegovina.

Chapter V: to develop a strategy for increasing a number of women from rural areas and Roma women in decision-making organs at local level, in accordance with Article 14 of the UN Convention on Elimination of All Forms of Discrimination Against Women.

At the local level GAP also mentions municipal services as one of the institutions responsible to: establish gender disaggregated records of final beneficiaries of funds allocated to ministries and services at all levels of State authorities; work on raising awareness of citizens of Bosnia and Herzegovina on the importance of protection and decoration of green city areas; render assistance in the creation of programs for psychosocial treatment of men resorting to violent behavior in a family and other environments, as well as legal and psychosocial aid to men victims of violence and trafficking in human beings; educate public servants in municipalities, so that they are able to provide free legal aid to victims of domestic violence, violence on the grounds of sex, sexual harassment.

²² BiH Gender Equality Law, Article 30, paragraph 2

²³ Article 24, Paragraph 3: Competent legislative, executive bodies and administrative bodies at all levels of authorities in Bosnia and Herzegovina shall be obliged to establish adequate institutional mechanisms for equality that shall implement the Law on Gender Equality in Bosnia and Herzegovina, coordinate realization of programmatic goals from the Gender Action Plan of Bosnia and Herzegovina and ensure implementation of international standards in the gender equality area.

BiH GEL allows for establishing mechanisms²³ for implementation of both the law and GAP and the international standards in this area. However, only at the state level has the BiH Agency for Gender Equality initiated the appointment of focal points. These focal points for gender equality are civil servants already employed by a state institution whose scope of work has been expanded by the gender equality segment, i.e. monitoring, implementation and acting in accordance with the GEL.

With such a defined mandate, GECs have a legal framework to effectively work on improving gender equality at the local level and eventually to contribute to the country's goals in improving gender equality. In addition, conducting activities within their mandate, GECs have the possibility of promoting, educating and monitoring the implementation of the GEL, GAP and international standards.

2.2 How does it work in practice?

The Alternative Report on the Implementation of CEDAW and Women's Human Rights in BiH²⁴ has established that representatives of legislative authorities are not sufficiently familiar with the work of all national, entity and local institutional mechanisms comprising the state apparatus. This report also states that even though most of the local authorities have set up GECs, they have not taken any actions to support them in performing activities defined by the rule-books, nor have they shown any interest in improving the situation of gender equality and quality of life for all citizens. The report continues to state that the local authorities do not attach any importance to the GECs, as they do not request them to do any work, nor do they ask them to submit reports on their activities. Thus, it is not surprising that the GECs' members at the local level have no knowledge of the mission and mandate of the entity and state institutional mechanisms. The Guide for Harmonization of Legislation with the BiH Gender Equality Law and the International Standards in the area of Gender Equality (BiH Gender Equality Agency, 2011) states that institutional mechanisms exist. However, certain commissions at cantonal and municipal levels do not function, and it is, therefore, necessary to strengthen the capacities of these commissions and enable them to perform activities within their scope of work. For these reasons, important issues that the entity institutional mechanisms should address in the future are how best to reach out to all local communities and improve the knowledge of the representatives of legislative and executive authorities, to sensitize the GECs members, and to provide them with the appropriate "tools" and to empower them to be more efficient and to develop effective programs of measures for gender equality.

Although, according to the Midterm Review of the Financial Mechanism for the Implementation of GAP (FIGAP)²⁵ gender institutional mechanisms successfully cooperated with entity and municipal GECs within the legislative power through the implementation of various activities in gender equality (drafting of laws, strategies, conduct of training, etc.). This review further claims that these activities resulted in the creation of sustainable local initiatives and local gender action plans, which show the greater acceptance of local authorities in regards to the implementation of gender equality standards. The review reiterates that gender commissions are very important for all legislative processes and their involvement ensures and provides the political will and strong support for gender mainstreaming activities. Nevertheless, there are no examples provided in the aforementioned review and, overall, there are very few suggestions for actual improvements in the situation in this respect.

²⁴ Petric, Idžakovic, Vidovic, Petric, Radovanović, & Sehic, October 2010

²⁵ Golemac Powell, Kadic, & Koren Holm, 2011.



During the research, some respondents stated that the biggest problem in practice is the lack of continuity in assemblies of the GECs. Every four years the GEC has to start over with new members while other members of the assembly who have already had some education and who, in some way, have developed awareness of the importance of gender equality issues are no longer members of the GECs. In fact, as with all other municipal committees, their appointment is mainly political and very few are paying attention to the real competencies and preferences of persons appointed to the GECs. This is supported by the RS Gender Center claim that GECs still did not have the deserved authority or credibility within local government structures. The report prepared by the RS Gender Center²⁶ states that apart from the GECs, the local administrations do not have the established mechanisms that should be working on GEL implementation and other binding standards.

²⁶ Milinovic & Kronic, February 2011.

In addition, some respondents particularly emphasized that the GECs are more active in municipalities that implement some projects of international/civil society organizations that deal with issues of improving gender equality.

As mentioned above, when it comes to the institutional structure, there are two models for the commissions - GECs established within the mayor's office and GECs established as an assembly body. The GECs established within the mayor's office are appointed by the mayors with the staff already employed within the municipality departments. As such, they are part of the executive authority, respond to the mayor, and implement policies of the administration. They do not read their reports in the MC/MA sessions. Therefore, the MCs/MAs are not familiar with their work and job they deal with. Since they are not part of the legislative authority, the GECs established within the mayor's office, have no possibility to influence decision-making on strategic documents of the municipality, budgets, etc. However, in the long run, the RS Gender Center feels that these structures can provide sustainability and continuity of work on gender equality issues in a given local community. Their role can be quite significant as the administrative staff prepares all the documents adopted by the MCs/MAs. Therefore, a person or a group appointed by the mayor to deal with issues significant to gender equality could, in fact, be responsible for implementation of the GEL at the first stages of documents' drafting, as well as continuous education of the elected and appointed municipal staff (including the councilors and GEC members in particular).

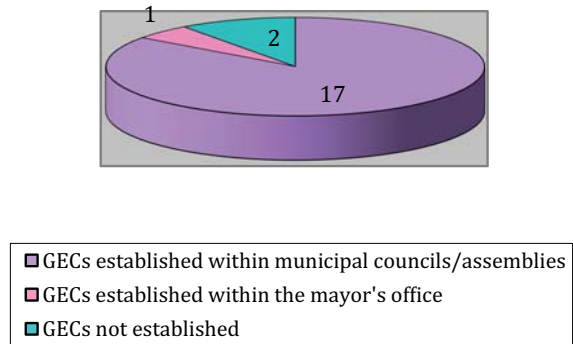
Commissions established by the Office of Mayor are just part of the executive authority and have no real power or effect.

Stanojka Tesic, Forum Zena, Bratunac

According to the BiH Agency for Gender Equality, this model is efficient and the Agency is currently testing the model of an officer appointed by the administration as a member of the Brcko District Assembly. The GECs established as an assembly body are responsible to the MC/MA for their work and submit annual reports to it. Depending on the GECs themselves and their persistence, their annual reports are read or not read at the MC/MA sessions. As part of the legislative authority, they have the possibility to influence the adoption and content of the strategic documents of the municipality, to take care of gender sensitive budgeting and to propose some measures and acts. With these opportunities afforded to them, their influence is far greater than of the GECs appointed by the mayor. In addition, 30% of members from among the citizens are elected to these commissions. Although this formulation leaves room to choose prominent citizens with significant experience and work on issues of gender equality, and thereby contribute to the quality of GECs composition, in practice, it looks different. Namely, the political parties have their influence here and the elected GEC members from among the citizens are political party candidates who were not appointed in the Parliament Assembly or otherwise politically engaged in the municipal administration.

Since the local elections held in October 2012, most municipal GECs have been established at the end of the first and beginning of the second quarter of the year. There is no available data when it comes to the institutional structure of the GECs. The available data obtained on the basis of the 20 municipalities that are part of the OSCE monitoring project are as presented.

Overview of GECs institutional setup at the municipal level (sample)



As seen from the chart, from 20 municipalities monitored, 17 were established as parliamentary bodies, one GEC was appointed as part of the mayor's office and, in two municipalities, GECs have not been established at all. We now can safely say that in 2013 in the already observed two municipalities²⁷, the GECs were appointed by the mayor's office. Initiated by the RS Government Gender Center, all 63 municipalities will have a GEC established within the municipal assembly. Yet, there is no similar initiative by the Gender Center of the Federation BiH.

²⁷ Municipality of Zvornik and Municipality of Lopare.

All of the above indicates that, although the GECs are, a well conceived mechanism for ensuring gender equality at the local level, it is not yet well worked out and still has no power and impact needed to influence the improvement of the situation of gender equality and eventually to contribute to the country's goals in improving gender equality.

2.3. From education to gender equality

The education of municipal employees and elected officials has been carried out sporadically, on an ad hoc basis and without any elaborated annual or multi-annual mandatory training programs. The education and training that was conducted was mainly initiated and carried out by international organizations and local CSOs. This (un)arranged training system differed significantly from the one created at the entity and state level where there are agencies for civil servants in charge of the training of civil servants and some politically elected officials. Training is conducted in accordance with the estimated needs and on this basis of developed annual plans for training. Presence in a certain number of trainings annually is mandatory and contributes to the overall assessment of a civil servant during the evaluation of his/her work.

²⁸ Strategy for the Training of Employees in the Units of Local Governments in the Republic of Srpska for the period 2011-2015 can be found at: <http://www.vladars.net/sr-SP-Cyrl/Vlada/Ministarstva/muls/Documents/strategija%20obuke%20za%20zaposlene%20u%20jedinicama%20lokalne%20samouprave%20u%20republici%20srpskoj%202011-2015.pdf>

The encouraging fact is that the training of municipal employees and elected officials is finally regulated in a systematic way. The Strategy for the Training of Employees in the Units of Local Governments in the Federation of BiH for the period from 2011 to 2015 and in the Republic of Srpska²⁸ was elaborated in 2012 and adopted at the entity level. Training strategies in the units of local government define key solutions and actions for the development of skilled and professional local government by establishing a sustainable training system for employees in



administrative bodies. In addition, the strategies define and prioritize training programs for employees and elected officials in the units of local government, which were identified based on earlier training needs assessment²⁹. However, by carefully reading a training plan and an anticipated module one can notice the absence of gender issues³⁰.

It is important to note that some of the major obstacles to the active and efficient operation of the GECs, which have been identified through research, include the lack of basic knowledge on issues of gender equality, gender discrimination and the possible methods for gender sensitizing of citizens. The barriers identified in this manner provide a basis for introducing gender topics in standardized and obligatory plans and training programs for municipal employees and elected officials. Therefore, it is possible to eliminate the initial obstacles that the GEC members meet at the beginning of their work and to provide the necessary knowledge and working skills to promote gender equality. So far, the trainings in this area have been performed by the gender centers of both entities, but only on an ad-hoc basis or, in a few selected municipalities, included in projects funded by donors.³¹

The method in which the education of officials in the gender field has been carried out in the province of Styria, Austria can be presented here as an example of good EU practice, with the elaborated complete project to implement gender mainstreaming and, therefore, the training for gender agents as a part of the project. The qualification for "Gender Agents" is a certified 12-day seminar that intends to support gender-mainstreaming processes throughout the legislative level in the Austrian province of Styria. The seminar was provided for representatives and employees of the parties of the provincial parliament. Training lasts 1½ years, with modules every two months, and ends with the certificate of "Gender Agent". It aims to enhance gender-mainstreaming processes throughout the legislative level in the Austrian province of Styria. The seminar was embedded in a wider three-year strategy to implement gender mainstreaming/gender budgeting in the Styrian government and administration. Main target groups were people in leading positions who are expected to be able to change organizational structures through equal opportunity offers. The training helped in developing procedures to change the working climate and gender equality in institutions.³² Defining modules, target groups, learned lessons and other characteristics of this project could certainly be applied to the context of BiH and the training of municipal officials and the elected political officials.

2.4. Good practices examples: Bratunac and Orašje

The original intent of this paper was to present smaller municipalities placed outside the political and administrative centers of the country as examples of good practices that manage to work with their limited resources on the improvement of gender equality in the field. The intention was to find municipalities that have started initiatives by themselves and have carried out the activities independently. However, after extensive research and consulting the projects of international organizations dealing with these issues, it has been determined that such examples do not exist. As already mentioned in the text, the GECs at the local level are more active when there is parallel external assistance as a generator of change or a project of a civil society organization or an international organization that in some way facilitates and ensures the process of establishing and continuing work of the GECs.

In this regard, the text below illustrates two examples of good practices that were identified as such through the research. Those are the municipality of Bratunac and the municipality of Orašje. In both of these municipalities external assistance is present as a generator of change.

²⁹ <http://www.adsfbih.gov.ba/index.php?lang=ba&sel=3&view=324>

³⁰ Topics covered by the plan and programs include: local development planning, environmental protection, urban planning, budget (this does not include gender-sensitive budgeting), European integration, etc.

³¹ Projects with different targets such as: women politicians (101 razlog zasto glasati za zenu, International Republican Institute, NDI...), women and men voters (Glasajmo za zenu, Women in Local Elections...) or the municipal policies (localizing gender).

³² More on this see: <http://www.scribd.com/doc/75463537/Good-Practices-in-Gender-Mainstreaming-Towards-effective-gender-training#download>

2.4.1. Bratunac

The Bratunac municipality is located in the eastern part of Bosnia and Herzegovina in the Republic of Srpska entity with an average population of the 26,000. In this municipality the first municipal GEC was established at the mayor's office in 2003 on the initiative and lobbying of local civil society organizations. It soon proved non-functional and later this GEC was established as a parliamentary body. The work of the first GEC assembly was obstructed for political reasons and concrete activities were initiated only during the second assembly.

The organization, Forum Zena, from Bratunac, which was the initiator of the establishment of GECs for many years, is active in the field of advocating gender equality and the improvement of the women's position and their empowerment in politics. As such, the organization and its members are recognized by the municipal government as a key partner with the necessary knowledge and skills in this field. Multi-year projects related to empowering women in politics and improving their position in society were continued by implementing education with members of the first assembly of the GEC. Training sessions were performed in the field of gender equality, gender sensitive budgeting, prioritization, etc.

Forum Zena, in collaboration with other organizations working in this field, e.g. Maja and Priroda, has initiated development of the Gender Action Plan 2012 - 2016 and, together with the municipal authorities, created a complete project. Special success was achieved when the municipality of Bratunac issued a decision on co-financing the project and, therefore, more decisively supported the implementation of the Action Plan itself and showed a willingness to work on the improvement of gender equality at the municipal level. Forum Zena is currently working on the development of the monitoring plan for implementing the Action Plan.

Furthermore, there is a general acknowledgement that this cooperation has been instrumental in a series of measures undertaken in the municipality in order to enhance gender equality. Together they have advocated for change in a variety of areas that are all vital for the achievement of gender equality. One example would be the 15% increase of women in steering and supervisory boards of institutions founded under the auspices of the municipal authorities: the health care center, a public utility company, the high school, the kindergarten, the library, the house of culture, and the sports center. In addition to that, many initiatives came as a result of this co-operation, such as earmarks within the 2007 municipal budget for victims of domestic violence.³³ However, this is not mirrored in the last elections as the number of women elected in the assembly decreased from 22.5% in 2008 (7 out of 31) to 16% in 2012 (4 out of 25).

However, they stated that one challenge in their work is the lack of continuity in the GEC's membership. The members of the GEC pass the necessary training and yet in the following assembly completely different persons are appointed and the education must be conducted from the very beginning. Therefore, the implementation of specific activities related to the enhancement and improvement of gender equality is difficult. However, specifically in the municipality of Bratunac, this obstacle has been overcome by lobbying and influencing to ensure the presence of two members from the previous assembly in the 2009 assembly. However, after the municipal elections in October 2012, the GEC in this municipality was appointed only in April 2013³⁴. In spite of the advocacy activities focused on keeping some of the same members of the GEC, to ensure continuity in the work, this did not happen. In this term, the GEC has five members, 3 men and 2 women. For this reason, Forum Zena stated that it is of key importance

³³ OSCE BiH. (August 2009). *The Status and Activities of Municipal Gender Equality Commissions in Bosnia and Herzegovina*. Sarajevo: OSCE Mission to BiH.

³⁴ Due to the political turmoil, MA commissions's establishment happened later than expected



to establish a partnership with some of the representatives of many political options that can further change consciousness within their environments. It is important to emphasize that Forum Zena, through activities of empowering women in politics, has worked with a large number of woman politicians and further developed their awareness, skills and knowledge about the issues of gender discrimination and gender equality. In this way, they mobilized a large number of female activists in politics who will later be able to influence the decision-making regarding gender equality and specifically, to affect the achievement of the continuity in GEC membership. Since in this term the advocacy activities did not result in continuity of membership, Forumu Zena are happy that they had one of their activists who is educated and knowledgeable in the area of gender equality and other gender issues, appointed as a member.

Furthermore, Forum Zena with three other civil society organizations initiated the drafting and signing of the Protocol of Gender Equality in the Bratunac³⁵ municipality with ten political options. This protocol provides advocacy on the improvement of women's entrepreneurship through various incentives. These include increasing the number of women in the work of the formal local community council as the smallest local government unit and an increase in health and social welfare of women and others. In this way, the political options are obliged to cooperate and work in the field of eliminating all forms of gender discrimination and improving gender equality. The protocol is also an instrument the political parties use for action and thereby the sustainability of work on gender equality issues is ensured. Forum Zena believes that just signing this protocol is a model to secure political will in dealing with issues of gender equality. Kako u ovom sazivu nisu uspjeli izhoditi kontinuitet članstva, u *Forumu žena* su zadovoljne što je jedna od članica komisije njihova aktivistkinja koja je obrazovana i stručna u oblasti rдне jednakosti i drugig *gender* pitanja.

2.4.2. Orašje

The Orašje Municipality is located in the northeast of Bosnia and Herzegovina, in the Posavina Canton. In the Orašje Municipality there is a steady increase in the percentage of women on candidate lists made by political parties. In 1997 there were only 5.2% of women on the candidate lists; in 2004 political parties had nominated 35.3% of women and 36.7% in 2008. However, 12% of female councilors indicate that the percentage of women on electoral lists did not transform into a corresponding percentage of women elected to the Municipal Council. There has been a significant change in the management of the municipal administration in Orašje. From 14.3% of women in managerial posts in the municipal administration in 2000, the number increased to 42.85%³⁶ after the elections in 2008. In addition, there was an increase in women participating in the municipal council from 12% (3 women out of 25) in 2008 to 28% (7 out of 25) in 2011.

The first GEC assembly was not active and held only one session. In the second assembly, established after the local elections in 2008, more specific activities commenced. It consisted of five members (two women and three men) and, at the very beginning they completed training on gender equality and basic human rights.

In this municipality, the Netherlands Development Organization SNV had already implemented projects related to the integration of women in the various labor actions. The respondents point out that it is easier to work in the environments in which the international organizations and civil society organizations had implemented the projects that treat the issues of gender equality and raising public awareness.³⁷

³⁵ Protocol available in Annex 1.

The FBiH Gender Centre needs to be more involved at the local level and support the GECs regarding the basic education about the issues and provide general guidelines for the work of GECs at the local level.

Ruzica Vinkovic, Head of the GEC 2008 - 2012

³⁶ <http://www.localizing-gender.ba/stranica/oraje-municipality>

³⁷ Municipality of Orašje is part of the project Localizing Gender implemented by the SNV. For more information about the project please visit: <http://www.localizing-gender.ba>

At the beginning of its work the GEC met difficulties that have also been encountered by the GECs in other municipalities: lack of knowledge about the subject, unclear expectations about the GEC's work and the lack of clear guidelines for the work. These difficulties have been overcome because the head of the GEC and her members have actively engaged in finding opportunities for further education. They contacted the Gender Center of the Federation of Bosnia and Herzegovina with requests for clarifying the process and gaining specific guidelines for their work. What the respondents and GEC members emphasize as criticism is the lack of engagement and commitment of the FBiH Gender Center to clarify the role of the GEC at the local level and provide specific guidelines and instructions for initiating activities.

After a detailed introduction to the problem, the GEC has taken the first concrete steps by creating the plan and program of the GEC, which is now partially implemented. A new assembly will have a starting point to continue with the implementation of this plan and program.

The respondents recognize the good cooperation within the GEC itself, regardless of the different political options their members belong to and appreciate the general support of the Municipal Assembly for the work of the GEC. Annual reports were read in the closing session of the Municipal Council and thus the councilors were familiarized with the work of the GEC as well as with the issues of gender discrimination.

This GEC assembly began an initiative to exchange experiences and share information with the GECs from neighboring municipalities that proved to be a positive and beneficial initiative.

3. Policy options

This section refers to the potential policy options for the regulation of the issue of more active and more efficient work of the GECs and their actual contribution in improving gender equality at the local level. It will provide a review of the advantages and disadvantages of implementation.

Three options will be presented:

1. Maintaining status quo;
2. External assistance as a generator of change;
3. Appointing an officer or a team within the municipal administration (mayor's office or not) to deal with GEL and GAP implementation.

3.1. Policy option 1: Maintaining the status quo

This option has proved to be non-functional for several reasons. Specifically, when the members are appointed to this GEC they are met with difficulties such as the lack of necessary thematic knowledge, unclear expectations about its work and in some cases, the lack of support from the municipal legislative bodies. Faced with these difficulties the GECs are discouraged to work and, as such, remain inactive. In addition, some of the respondents indicated that it is unlikely that the GECs will self-initiate actively engaging in their work without presence of the some kind of external assistance that will facilitate the whole process, encourage and give directions.



3.2. Policy option 2: External assistance as a generator of change

In this case the projects of international organizations and civil society organizations regarding advocacy for gender equality and sensitizing the public on this topic are present and implemented in the municipalities. These projects closely cooperate with municipal GECs, provide both the necessary training on the issue and the advocating for better positioning of the GECs themselves, and jointly carry out many activities. The advantages are that members of the GEC can gain necessary knowledge and their job is even facilitated because they have a professional and capacitated partner who can help them with advice and advocacy for a particular idea, which both parties stand for. Examples of good practices prove that the most active GECs are precisely in those municipalities that have had the support of civil society organizations or international organizations. The limitations of this policy option are that, in practice, it can easily happen that the work of the GEC is not sustainable or that international organizations or civil society organizations end their projects. If the organizations change the focus of their work, the GEC ceased to be active³⁸.

³⁸ This happened in the municipality of Visegrad where the CSO Most was providing technical support to the municipality GEC. After the CSO shifted focus of its work, the commission was no longer active.

3.3. Policy option 3: Gender Equality Officer within municipal administration

There are examples where municipal administrations have appointed a person or a group within a mayor's office to deal with the gender equality issues, irrespective of an MA/MC GEC. Data collected through the questionnaire pointed towards the Localizing Gender Project and the municipal teams involved in the implementation. Most members are employees of the municipal administration involved in training and other activities and, therefore, have the knowledge necessary to work in the area of gender equality. Since the main concerns of both gender centers are to build the capacity to train all the GEC members, councilors and administrators, and to ensure the continuity of the work due to the four-year mandate of the GEC members, the earlier explained Austrian model might be applied and adapted to BiH circumstances.

The same way the implementation of the BiH Law on Free Access to Information obliged public institutions, including municipalities³⁹, to appoint an Information Officer tasked to respond to inquiries of citizens, there could be a provision in the GEL requiring institutions to appoint a person tasked to implement the GEL and the GAP (perhaps the same person). This person should also be responsible to train councilors/delegates at the beginning of each mandate and be a permanent member of the GEC outside the council. This would not only ensure knowledge transfer, consistency and sustainability but would also make a platform for political cooperation between the MA/MC parties involved and the administrative representative.

³⁹ The law is available at: http://www.predsjednistvobih.ba/o-bih/pdf/zakon_bs.pdf Chapter V, Article 19.

After considering the policy options, the best options for improving the situation are the policy options number 2 and 3 combined. As already mentioned, option 2 carries certain limitations in terms of sustainability issues of the GECs when the projects of civil society and international organizations finish. Therefore, option 3 would ensure the necessary model for the larger local ownership of implemented processes and training of municipal councilors/assembly delegates and the wider public for continuous and determined work on gender equality issues.

4. Recommendations

General recommendations:

- Amend the GEL so that it requires the appointment of a person responsible for its implementation – Gender Equality Officer (Sluzbenik).
- Ensure greater commitment of the entity gender centers in terms of education and determination of the guidelines for the operation.
- Include the topics of gender mainstreaming, like gender equality, discrimination based on gender and gender responsible budgeting, in the existing entity curriculums for training of municipal officials and elected officials.
- In the Federation BiH, have the Gender Center issue the initiative that all MCs establish GECs. Also, have a structured training plan for the gender officer and/or GEC members.
- In the RS, where the Gender Center works more actively, the trainings need to be structural and mandatory.

Recommendations for municipalities:

- Establish the GECs in those municipalities where the GECs have not yet been established.
- Appoint a gender equality officer to be trained, educated, able to provide continuance and to deal with the gender equality issues, since the GEC members change every four years.
- Ensure that the GEC members are elected based on competences and experience in the field of human rights and gender equality.
- Ensure continuity of membership in the GECs in a way that the external members are constant (either a Gender Equality Officer and/or CSO activist).
- Ensure financial support for activities that are foreseen by the elaborated municipal Gender Action Plans or the plans and programs of the GECs.

Recommendations for GECs:

- Develop RoPs to include obligations under the GEL and the GAP as well as the process of selection of members; develop plans and operation programs.
- Develop municipal Gender Action Plans in cooperation with municipal authorities and monitor their implementation.
- Implement an analysis of CSOs that are active in the field of human rights and gender equality and initiate cooperation with them.
- Insist on cooperation with the entity gender centers.

5. Conclusion

Improvement of gender equality and elimination of all forms of gender discrimination are main issues in ensuring respect for human rights. The GEC as an instrument for the achievement of gender sensitivity at the local level is very well conceived and precisely this bottom-up approach has proved in practice that the accomplishment of basic human rights is most easily achieved at the local level where it should be easier for men and women to exercise their rights and participate in decision-making processes. However, in practice, the GECs are left to themselves and encounter many obstacles in the work, from the lack of knowledge about gender matters, lack of vision for the work of a GEC, and often the lack of political support. The GECs in practice still have the power and the impact that is needed in order to influence the improvement of the situation of gender equality and eventually contribute to the country's goals in improving gender



equality. All this points to necessary changes in the ways the GECs work in practice – from the institutional structure, GECs member appointments, ensuring the membership continuity, introducing systematic training on issues of gender equality and gender discrimination for all municipal employees and elected officials to the more active engagement of the entity gender centers.

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Annex 1: Questionnaire

1. *Has the Gender Equality Commission been established and is it a body within the municipal council/municipal assembly or/and the Mayor's office?*
2. *Are the members of the GEC informed about their mandate, who informed them and how?*
3. *Does the GEC have its own RoP/ToR, submits regular reports? Do GEC members attend trainings (does the gender center organizes trainings)?*

Annex 2: Protocol on Gender Equality in the Bratunac Municipality

Platforma o polnoj ravnopravnosti u Opštini Bratunac

Nevladina organizacija „Forum Žena“ Bratunac i Predsjednice Komisije za ravnopravnost polova SO Bratunac realizovali su aktivnosti za povećanju učešća žena u procesima donošenja odluka, motivisanju žena da glasaju i njihovog angažovanja kao kandidatkinja na lokalnim izborima 2012. godine jer je načelo polne ravnopravnosti jedno od temeljnih vrijednosti modernih demokratskih društava. Sprovedena je anketa o utvrđivanju statusa i prioriteta žena u Opštini Bratunac u projektu Žene i lokalni izbori 2012 i istaknuta potreba kontinuirane podrške principima polne ravnopravnosti u različitim oblastima javnog života u Opštini Bratunac.

Smatra se da izabrani predstavnici i političke partije trebaju da se obavežu da će zastupati principe polne ravnopravnosti u toku svog rada u SO Bratunac u skladu sa prioritetima koji su određeni u zajednici, a u skladu sa dugoročnom politikom Opštine da poštuje međunarodne i domaće zakone kao što su Univerzalna deklaracija o ljudskim pravima, Konvencija o ukidanju svih oblika diskriminacije žena – CEDAW, Pekinška deklaracija i Platforma za akciju, Zakon o ravnopravnosti spolova u BiH, Izborni zakon BiH, Zakon o finansiranju političkih stranaka, Gender Akcioni Plan BiH, Lokalni Gender Akcioni Plan Opštine Bratunac i UNSCR 1325.

U skladu sa rezultatima sprovedene ankete, ustanovljenim prioritetima i međunarodnim i domaćim zakonodavstvom, kandidati koji budu izabrani u SO Opštine Bratunac u okviru ciljeva Platforme o polnoj ravnopravnosti će se zalagati za

- Poduzimanje aktivnosti na podsticanju zapošljavanja i samozapošljavanja žena kroz novčane poticaje i pomoć pri registraciju društava čiji su vlasnici žene, stvaranje pozitivnog poslovnog okruženja i promocija njihovih proizvoda i usluga
- Poduzimanje aktivnosti u saradnji sa opštinskim službama, Komisijom za ravnopravnost polova, udruženjima žena na jačanju svijesti muškaraca i žena u važnosti uloge žena u odlučivanju i promovisanju uloge muškaraca u odgoju i porodičnom životu nastojeći da eliminišu rodne stereotipe
- Poduzimanje aktivnosti na povećanju žena u radu formalnog savjeta mjesne zajednice, kao najmanje jedinice lokalne samouprave, odnosno povećanju žena u izabranim savjetima mjesne zajednice.
- Poduzimanje aktivnosti na unapređenju vidljivosti udruženja žena kroz finansijsku i nematerijalnu pomoć udruženjima žena na području Bratunac
- Poduzimanje aktivnosti na unaprijeđenju zdravstvene i socijalne zaštite žena
- Pružanje podrške u implementaciji Lokalnog Gender Akcionog Plana Opštine Bratunac sa redovnim mehanizmom praćenja stanja u oblasti polne ravnopravnosti.

Nevladina organizacija „Forum žena“ Bratunac i Predsjednica Komisije za ravnopravnost polova se obavezuju da će pratiti realizaciju ciljeva Platforme o polnoj ravnopravnosti u toku četverogodišnjeg mandata i o tome izvještavati SO Bratunac, a političke partije i kandidati potpisnici platforme da će se zalagati za ostvarenje gore pomenutih ciljeva i zadataka.

Udruženja koja su podržala platformu:

Udruženje žena „Forum Žena“ Bratunac <i>Članica: Jasmina</i>	
Udruženje žena "Priroda" <i>Članica: Jasmina</i>	
Udruženje žena "Maja" - Kravica <i>Članica: Nada Nakočević</i>	
Udruženje žena Jadar <i>Članica: Jasmina</i>	
Predsjednica Komisije za ravnopravnost polova SO Bratunac	<i>Jasmina Joković</i>



Upućuje se na potpis i podršku platforme:

Opštinskom odboru SDS-a: <i>[Signature]</i>	
Opštinskom odboru SDA:	
Opštinskom odboru PDP-a: <i>[Signature]</i>	
Opštinskom odboru DNS-a: <i>[Signature]</i>	
Opštinskom odboru SNSD-a: <i>[Signature]</i>	
Opštinskom odboru SDP-a: <i>[Signature]</i>	
Opštinskom odboru SRSRS-a: <i>[Signature]</i>	
Opštinskom odboru DP-a: <i>[Signature]</i>	
Opštinskom odboru SRS -Dr.Vojislav Šešelj	

Opštinskom odboru SP-a: <i>[Signature]</i>	
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A "Policy Development Fellowship Program" has been launched by the Open Society Fund BiH in early 2004 with the aim to improve BiH policy research and dialogue and to contribute to the development of a sound policy-making culture based on informative and empirically grounded policy options. The program provides an opportunity for selected fellows to collaborate with the Open Society Fund in conducting policy research and writing a policy study with the support of mentors and trainers during the whole process. Ninety fellowships have been granted since the starting of the Program.