

POLITICAL PARTIES AND GENDER EQUALITY

A Guide to Inside-Out Transformation



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ACRONYMS AND ABBREVIATIONS

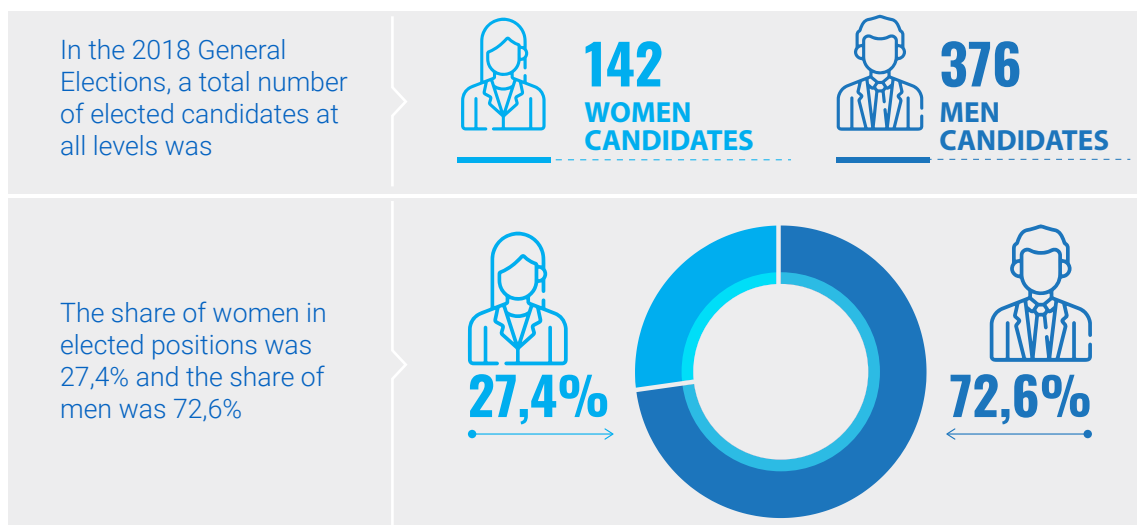
Agency for Gender Equality/MHRR BiH	Gender Equality Agency of Bosnia and Herzegovina, Ministry of Human Rights and Refugees of Bosnia and Herzegovina
AP UNSCR 1325 in BiH	Action Plan for the implementation of UNSCR 1325 in Bosnia and Herzegovina
BiH	Bosnia and Herzegovina
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CDU	Cristlich-Demokratische Union Deutschlands
EIGE	European Institute for Gender Equality
EU	European Union
EMILY	Early Money Is Like Yeast
FBiH	Federation of Bosnia and Herzegovina
FIGAP	Financial mechanism for the implementation of the Gender Action Plan
GCFBiH	Gender Centre of Federation of Bosnia and Herzegovina
GCRS	Gender Centre of the Republika Srpska
GAP BiH	Gender Action Plan of Bosnia and Herzegovina
International IDEA	International Institute for Democracy and Electoral Assistance
IPU	Inter-Parliamentary Union
MHRR BiH	Ministry of Human Rights and Refugees of Bosnia and Herzegovina
NDI	National Democratic Institute
ODHIR	OSCE Office for Democratic Institutions and Human Rights
OSCE	Organization for Security and Cooperation in Europe
PARLINE	Global data of Inter-Parliamentary Union on national parliaments
PA BiH	Parliamentary Assembly of BiH
HoR PA BiH	House of Representatives of the Parliamentary Assembly of BiH
RS	Republika Srpska
SIDA	Swedish International Development Cooperation Agency
UN	United Nations
UNDP	United Nations Development Program
UNSCR 1325	UN Security Council Resolution “Women, Peace, Security”
UN WOMEN	United Nations Entity for Gender Equality and Empowerment of Women
LGE BiH	Law on Gender Equality in Bosnia and Herzegovina

1.

INTRODUCTION

Even though gender balanced representation is crucial in a democracy, women remain underrepresented in public offices. Women make 50% of the world's population, but women's representation in national parliaments globally and in Europe is 25.2 % and 30.1 % respectively.¹ In Bosnia and Herzegovina, women make for 50.9% of the population. In 2018 General Election, 142 women and 376 men in total were elected to office at different levels of the government. Thus, the share of women in elected office was 27.4 % versus 72.6% of men.² At the same election, the share of women elected to the House of Representatives of the Parliamentary Assembly of BiH was 16.1%, 26.5% in the Parliament of the Federation of BiH and 18.1% in the National Assembly of RS.³ In the executive branch, women's representation rate is 28.5% at the level of Bosnia and Herzegovina, 37.5% in the Government of the Republika Srpska and 25% in the Government of the Federation of BiH.⁴

Figure 1. Representation of women and men, according to the results of the 2018 General Election



1 Inter-Parliamentary Union. Global and regional averages of women in national parliaments, available at: <https://data.ipu.org/women-ranking?month=10&year=2020>, access on 20 December 2020.

2 BiH Agency for Statistics. (2020). Women and men in Bosnia and Herzegovina, available at: http://www.bhas.gov.ba/data/Publikacije/Bilteni/2020/FAM_00_2019_TB_0_BS.pdf, access on 5 December 2020.

3 Compensatory mandates have led to a higher number of women MPs in parliaments.

4 According to the official web sites, there are seven male and two female ministers in the Council of Ministers of BiH, ten male and six female ministers in the Government of the Republika Srpska and four female and twelve male ministers in the Government of the Federation of BiH. Access on 20 December 2020.

Reasons for underrepresentation of women in public and political life in Bosnia and Herzegovina over the past two decades have been studied and analysed at length, both by public institutions and civil society organizations, as well as international organisations active in Bosnia and Herzegovina. Gender stereotypes and patriarchal values, inconsistent implementation of the legal framework, lack of affirmative approach of political parties, stereotypical media coverage, were identified as contributing to the marginalization of women in politics. In 2019, Women in Elections in BiH, a project implemented by the United Nations Development Program (UNDP) with the support of BiH institutions and UN Women in Bosnia and Herzegovina, published the Baseline Study on Barriers to Political Participation of Women in Bosnia and Herzegovina.⁵ The Study examines the complex issue of political participation of women in BiH, analysing among other factors, how political parties support active political engagement of women.⁶ According to the Study, analysed political parties in BiH are not the only gatekeepers preventing equal participation of women in political processes. There are also practices discouraging active participation of women in politics, and side-lining policies.⁷

This Guide is a response to the findings of the Barriers to Political Participation of Women in Bosnia and Herzegovina. It is intended to inform political parties in considering different strategies for the strengthening of political participation of women and their political influence in political processes by reinforcing the party's internal structure. The first section of the Guide presents the strategic approach to achieving gender equality, explaining the stages and methods used to develop gender equality policy. Section two draws from international practice and experience presented in an array of studies and publications of international organizations,⁸ and different publications and studies of BiH political parties, and highlights some of the most frequently used strategies to ensure political participation of women in party structures and decision making processes, and to strengthen women's participation in political life. Strategies presented in this document target internal structure, and institutional strengthening of the political party by formalizing party rules and procedures.

The Guide is intended for all political parties in Bosnia and Herzegovina, both those with already developed internal structures and applying some of the strategies for gender equality, and the newly formed political parties, or parties which have not dealt with gender equality issues on a systemic level before.

5 Kadribašić, Adnan et al. (2020): Baseline Study on Barriers to Political Participation of Women in Bosnia and Herzegovina. Sarajevo: UN Women/UNDP.

6 Baseline Study on Barriers to Political Participation of Women in Bosnia and Herzegovina has examined nine political parties represented at all levels of government in BiH. This analysis has shown that the majority of political parties refer to gender equality as one of the main principles in their statutes, however they fail to implement it consistently or fully. Women are most often equally represented as men in the party membership, but underrepresented in the party structures and their average share in the top party bodies amounts to around 17%. Political parties have special structures for women, but most of them are not properly mandated and do not hold positions within the party. Women in political parties can hardly raise their political profile by self-made agendas and personal image.

7 Kadribašić, Adnan, et al. (2020), p. 55.

8 This Guide is based on the publications of the International Institute for Democracy and Electoral Assistance (IDEA), Inter-Parliamentary Union (IPU), National Democratic Institute (NDI), United Nations Development Programme (UNDP), United Nations Entity for Gender Equality and Empowerment of Women (UN Women), and the Organization for Security and Cooperation in Europe (OSCE).

1.1. Benefits of integrating gender equality as a principle in party operations

Political parties establish standing organizations, in order to pursue their interests and goals. The procedures of such organizations allow for coordinated work of their members. The party demonstrates its internal democracy, among other things, in the degree of transparency of its decision making, consultations with members in enacting or amending the statutes, and the nomination process of election candidates.⁹

The higher the internal party democratisation, the bigger the window for merit based advancement for both women and men. International practice has shown that parties which are well ordered, with clear structure and defined and transparent decision making processes tend to be more responsive to a policy agenda that promotes women's political advancement.¹⁰ On the other hand, the selection and implementation of different strategies for political empowerment of women and achieving greater representation of women in decision making processes additionally **advances internal democracy and transparency of the party.**¹¹

To create enabling environment for equal participation of women, political parties committed to the empowerment of women in political and public life should consider the party's organization, procedures and policies, and political processes in their entirety. This approach includes integrating gender equality provisions in the party's vision and values, its internal documents and political agendas, as well as the implementation of strategies for the empowerment and capacity building of women, ensuring the representation of women in party bodies and decision making processes and compliance with the Law on Gender Equality in BiH.¹²

By strengthening political participation of women, political parties can lead by example, demonstrating actual commitment to equality and democracy in society, and openness to their electorate. Women in political parties where they are both seen and heard have the opportunity to influence the **development of gender responsive party programmes and policies** and to contribute to enhancing the party's image.

With that in mind, it is not surprising that the empowerment of women within parties can additionally **galvanize the electorate** and result in the creation of the **new support base** and the **strengthening of relationships with civil society organizations.**¹³ Greater meaningful participation of women in political parties can also bring financial benefits to the party in the form of **additional public funding** for the empowerment of women in politics.

9 OSCE/ODHIR (2010), p. 49.

10 OSCE/ODHIR (2014), p. 46.

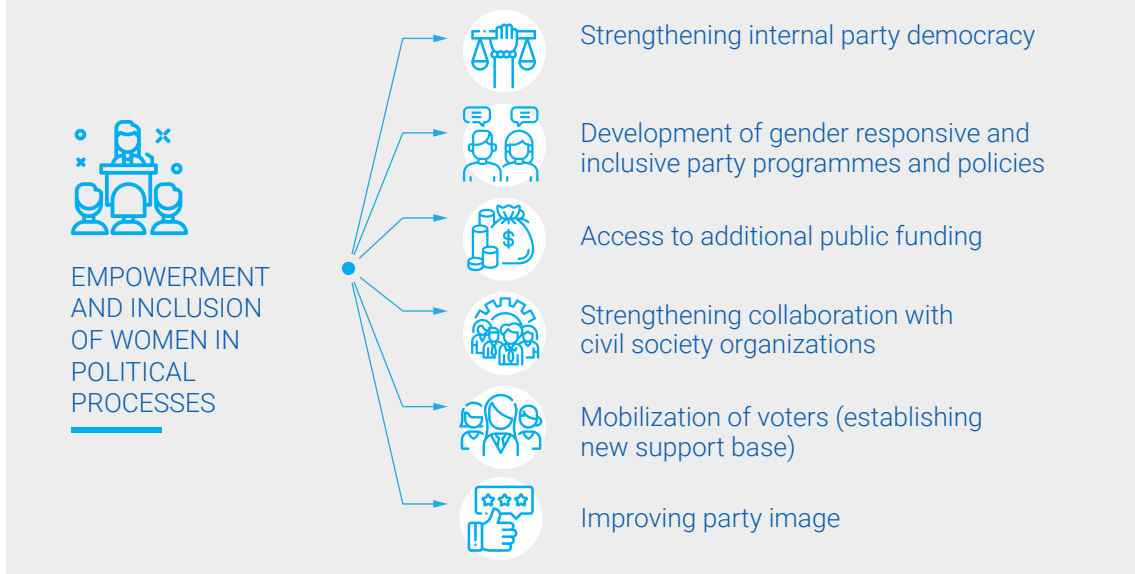
11 Ballington, Julie (2012), p.16.

12 Law on Gender Equality in Bosnia and Herzegovina - consolidated text (Official Gazette of BiH, 32/10).

13 National Democratic Institute (2017), p. 31; Ballington, Julie (2012), p. 12.

For example, according to the Law on Financing Political Parties¹⁴, 10% of funds earmarked for the financing of political parties represented in the Parliamentary Assembly of BiH is proportionately distributed among political parties with mandates held by underrepresented sex (women).

Figure 2. Benefits of empowerment and inclusion of women in political processes



1.2. Short overview of international and national legal framework

Equal participation of men and women in the government and the prohibition of gender based discrimination are guaranteed by several international instruments. **Charter of the United Nations** (1945) prescribes the equality of men and women and prohibits discrimination on grounds of sex. These principles are contained in the **Universal Declaration of Human Rights** (1948) which includes in the equal rights of men and women the right to participation in the government of one's country. Equal rights of men and women in political and public life are also guaranteed by the **International Covenant on Civil and Political Rights** (1966) and the **International Covenant on Economic, Social and Cultural Rights** (1966).

Convention on Elimination of Discrimination against Women (CEDAW) from 1979, as the magna carta of gender equality, defines different forms of discrimination and prohibits discrimination against women in all spheres of society. CEDAW obliges the States parties to take all appropriate

¹⁴ Law on Financing Political Parties, (Official Gazette of BiH, 95/12 and 41/16).

measures to ensure the principle of gender equality, and measures to ensure equal participation of women in elections, formulation and implementation of government policy and performing leading and public functions at all levels of government.¹⁵

Beijing Declaration and Platform for Action (1995) adopted at the Fourth World Conference on Women, as the most comprehensive global agenda for gender equality obliges States members to integrate gender perspective in the legislation, public policies, programs and projects, and to act in twelve key areas. Beijing Declaration and Platform for Action provide concrete guidance for political parties and call on them to consider examining party structures and procedures to remove all barriers that discriminate against the participation of women and develop initiatives that allow women to participate fully and incorporate gender issues in their political agenda.¹⁶

United Nations 2030 Agenda for Sustainable Development lists gender equality and the empowerment of women and girls as an independent development goal (SDG 5), including the target (5.5.) 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,¹⁷ while the **UN Security Council Resolution 1325** "Women, Peace, Security" (2000) calls on the States parties to ensure greater participation of women in decision making at all levels.

Seeking to implement the UNSCR 1325 consistently, well and effectively, Bosnia and Herzegovina is currently implementing its Third Action Plan for the Implementation of the UN Security Council Resolution 1325 "Women, Peace, Security" in Bosnia and Herzegovina for the period 2018-2022¹⁸, which includes as an important strategic goal the *"increased participation of women in the military, law enforcement and peacekeeping missions, including participation in decision making positions"*¹⁹.

Council of Europe also defines international standards for equal representation of women and men. **Recommendation Rec(2003)3 of the Committee of Ministers of Council of Europe** to member states on balanced participation of women and men in political and public decision making provides 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%.²⁰

15 CEDAW, Article 7. Available at: <https://www.un.org/womenwatch/daw/cedaw>, access on 1 November 2020.

16 Beijing Declaration and Platform for Action, 1995, available at: https://www.un.org/en/events/pastevents/pdfs/Beijing_Declaration_and_Platform_for_Action.pdf, access on 1 November 2020.

17 Transforming our world: 2030 Agenda for Sustainable Development, UN General Assembly Resolution, 2015, for more information see: <https://sustainabledevelopment.un.org/post2015/transformingourworld>, access on 1 November 2020.

18 Decision on adoption of the Action Plan for the Implementation of the UN Resolution 1325 in Bosnia and Herzegovina for the period 2018-2022 (Official Gazette of BiH, 1/19).

19 Strategic goal 1 in the area of Equal Participation. Available at: http://www.sluzbenilist.ba/page/akt/8MeBiDXer3E=_, access on 20 December 2020.

20 Available at: [https://ravnopravnost.gov.hr/UserDocsImages/arhiva/preuzimanje/dokumenti/ve/Preporuka%20\(2003\)%203%20Odbora%20ministara%20VE%20o%20uravnote%C5%BEenoj%20participaciji%20%C5%BEena%20i%20mu%C5%A1karaca%20u%20politi%C4%8Dkom%20i%20javnom%20odlu%C4%8Divanju%20.pdf](https://ravnopravnost.gov.hr/UserDocsImages/arhiva/preuzimanje/dokumenti/ve/Preporuka%20(2003)%203%20Odbora%20ministara%20VE%20o%20uravnote%C5%BEenoj%20participaciji%20%C5%BEena%20i%20mu%C5%A1karaca%20u%20politi%C4%8Dkom%20i%20javnom%20odlu%C4%8Divanju%20.pdf), access on 1 November 2020.

Recommendation CM/Rec(2007)17 of the Committee of Ministers of Council of Europe to member states on gender equality standards and mechanisms clarifies further the standards and mechanisms to achieve balanced representation of women and men. Both Recommendations call for the adoption and implementation of laws in the area of gender equality, adoption of special measures through positive action or introducing special temporary measures to ensure gender equality.²¹

Bosnia and Herzegovina has a solid legal framework for gender equality. **The Constitution of Bosnia and Herzegovina**²² prohibits discrimination and guarantees the right of all citizens of Bosnia and Herzegovina to join political parties, participate in public affairs, vote in elections and be elected. Pursuant to Article 2 of the Constitution of BiH, the European Convention on Human Rights and Fundamental Freedoms is directly applied in BiH, with the list of international human rights treaties applicable in Bosnia and Herzegovina provided in Annex I to the Constitution of BiH. The list includes CEDAW and the International Covenant on Civil and Political Rights, as well as the International Covenant on Economic, Social and Cultural Rights.

Law on Gender Equality in Bosnia and Herzegovina²³ regulates, promotes and protects gender equality, guarantees equal opportunities and treatment of all individuals, regardless of gender, in public and private spheres, and regulates the protection against gender based discrimination. Article 20 of the Law (pertaining to public life) provides for gender balanced representation in decision making and representation, and in line with the recommendations of the Committee of Ministers of Council of Europe, sets forth that balanced participation of women and men means that the representation of either women or men does not fall below 40%. This article also provides for the obligation to adopt special measures to achieve gender equality and eliminate discrimination in this area.

Gender Action Plan of BiH for the period 2018-2022 (GAP BiH)²⁴ is a strategic document defining strategic goals, policies and measures to achieve gender equality in all areas of life and work, in public and private spheres, and provides guidelines for the drafting of annual operative plans at entity, cantonal and local levels. GAP BiH identifies “public life and decision making” as one of the priority areas of improvement of gender equality in government institutions, and lists the measures for achieving gender equality in policy making and decision making at all levels of government in Bosnia and Herzegovina.

Election Law of Bosnia and Herzegovina has been harmonized with the Law on Gender Equality in Bosnia and Herzegovina. Article 4.19 paragraph 4 of the Election Law of BiH provides for gender balanced representation on candidate lists, with mandatory ranking of candidates. According to this rule, at least one candidate of underrepresented gender must be ranked first or second on the list, two candidates of the underrepresented gender must be ranked among the

21 For more, see: https://search.coe.int/cm/Pages/result_details.aspx?ObjectID=09000016805d4aa3, access on 1 November 2020.

22 Available at: http://www.ccbh.ba/public/down/USTAV_BOSNE_I_HERCEGOVINE_bos.pdf, access on 1 November 2020.

23 Law on Gender Equality in Bosnia and Herzegovina - consolidated text (Official Gazette of BiH, 32/10).

24 Decision on adoption of the Gender Action Plan of Bosnia and Herzegovina for the period 2018-2022 (Official Gazette of BiH, 89/18). Available at: <http://www.sluzbenilist.ba/page/akt/VMFsM85DiGg=> access on 1 November 2020.

first five candidates, three candidates of the underrepresented gender must be ranked among the first eight candidates on the list, etc. If the list does not comply with this rule, the Central Election Commission of BiH refuses the list of that party.

Law on the Financing of Political Parties encourages political parties to promote female candidates for parliamentary elections by allocating additional funds to parties which have female MPs in the Parliamentary Assembly of BiH. Accordingly, 10% of the total funds for the financing of political parties represented in the Parliamentary Assembly of BiH is allocated to political parties proportionally to the number of representative positions held by the underrepresented gender.²⁵

25 Article 7 paragraph 3 of the Law on the Financing of Political Parties, (Official Gazette of BiH, 95/12 and 41/16).

2.

GENDER EQUALITY AS THE POLITICAL PARTY'S COMMITMENT

The basic precondition for achieving genuine gender equality in the political party processes is the party's commitment to gender equality.

In 2014, the BiH Agency for Gender Equality, within the initiative "Party Allegiance to Gender Equality in BiH", implemented jointly with the OSCE Mission to BiH, presented to the political parties the ***Gender Equality Pledge for Political Parties***, which was subsequently signed by several political parties in BiH.²⁶ The pledge was a sign of recognition of the need for equal participation of women and men in public and political life and the importance of equal participation. However, the steps taken by the political parties since then have not brought about significant change.

A good indicator of the party's commitment to gender issues is:

the number of women in the party's governing structures, the initiatives taken to increase the presence of women in various domains of political decision-making and the seriousness with which the task of promoting gender equality through political activities is approached.

Teresa Sacchet, Gender Equality Expert, 2006

The party's pledge to gender equality, inclusion of gender equality and non-discrimination principles in its statute will have genuine impact only if it is accompanied by specific policies, activities and implementing measures. Regardless of the strategy and the approach adopted by the party towards gender equality, **it is the party's consistent commitment to gender equality** that will ultimately determine the success in the realization of the set objectives.

²⁶ See: <https://arsbih.gov.ba/izjava-o-opredijeljenosti-politickih-stranaka-za-ravnopavnost-spolova-predstavljena-u-sarajevu/>, accessed on 10 December 2020.

GENDER EQUALITY PLEDGE FOR POLITICAL PARTIES ²⁷

We, the leaders of political parties signed below, hereby demonstrate our commitment to gender equality. We fully acknowledge the need for, and value of, equal participation of women and men in public and political life. As political leaders recognizing gender equality as a cornerstone of democracy, we pledge the following:

1. *To fully respect the BiH Law on Gender Equality and to ensure adherence to legally defined levels of women's participation in decision making bodies, including, but not limited to, executive structures and legislative and representatives bodies.*
2. *To equally promote men and women candidates and to provide all with equal access to campaigning tools, media and financial assistance, in order to ensure fair treatment of party members running for office.*
3. *To actively advocate for gender equality issues, demonstrating genuine commitment and serious intentions towards gender mainstreaming and progressing towards gender equality.*
4. *To not consider women politicians solely responsible for promoting gender equality issues, recognizing the important role men play in progressing towards gender equality.*
5. *To include topics of gender equality in political party programmes, internal documents and trainings as a means to enhance understanding of the importance of gender equality issues among party members.*
6. *To not tolerate sexist remarks, hate speech or any form of discrimination by, or directed towards, party members, demonstrating commitment to principles of non-discrimination.*
7. *To welcome co-operation with gender institutional mechanisms, NGOs, media and citizens as partners in promoting gender equality.*

Recognizing the need for further investment in the implementation of public policies in the area of gender equality; that social development can have a different impact on women and men; and that women face specific forms of gender-based discrimination, we further pledge the following:

8. *To support equality and equal opportunities for men and women, including those belonging to vulnerable groups, in the labour market, recognizing Bosnia and Herzegovina's low rate of participation of men, and especially women, in the labour market.*
9. *To support the development and implementation of policies where women receive proper maternity leave benefits and to support policies that increase the quantity and quality of facilities for Preschool and Early Childhood Education.*
10. *To support programmes and policies that reconcile professional and private life for women and men.*

²⁷ Retrieved from: <https://arsbih.gov.ba/izjava-o-opredijeljenosti-politickih-stranaka-za-ravnopavnost-spolova-predstavljena-u-sarajevu/>

11. *To provide support to safe houses, SOS helplines and multi-disciplinary teams in efforts to protect victims of domestic violence in BiH – the vast majority of whom are women.*
12. *To ensure policies focusing on social inclusion take into consideration the special needs of Roma women, women with disabilities, women from rural areas, migrant women, women victims of war and internally displaced women, recognizing the multiple forms of social exclusion women face in BiH.*

3.

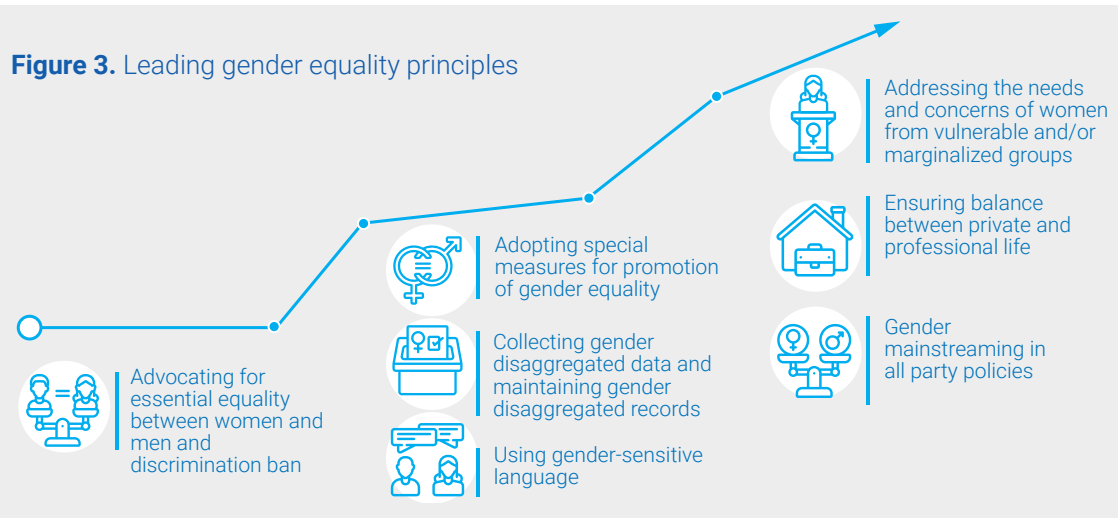
STRATEGIC APPROACH TO ACHIEVING GENDER EQUALITY WITHIN POLITICAL PARTIES

Comprehensive and systemic approach to gender equality in party's structures and proceedings requires that the party determines and develops its own policy for gender equality and empowerment of women.

Gender equality policy demonstrates party's commitment to achieving gender equality and empowering women and determines the long-term course of action for gender equality in the party through identification of specific objectives and development of internal mechanisms to monitor their implementation. The party's gender equality policy contributes to development of guidelines and lobbying for gender-responsible public policies.

GENDER EQUALITY POLICY should include the review of the current situation in the party and the rationale for the policy, its vision, basic principles, and objectives. In the context of the political parties in BiH, gender equality policy should include the principles envisaged in the Law on Gender Equality in BiH and the relevant international standards (see Figure 3). The objectives of the party's gender equality policy are determined by the specific social, political, and electoral context in which the party operates as well as the current situation in terms of gender equality.²⁸

Figure 3. Leading gender equality principles



²⁸ For example, the party's objectives may be as follows: promotion of equal rights and opportunities for women and men to participate in political decision-making; equal representation of women and men in party bodies; promotion of women's participation in party's executive bodies and elected bodies; establishing and/or strengthening women's sections; increased participation and influence of women in the development of party programs; promotion of gender-sensitive public policies, etc.

Successful implementation of any policy in the political party requires common understanding and engagement of both men and women; gender equality policy is no different. Also, as with any policy, full implementation depends upon the open support of the party's leadership.

Gender equality policy of the political party may be presented in the form of a **GENDER ACTION PLAN**. According to this approach²⁹, gender action plans are strategic documents (plans or maps) developed on the basis of the party's gender audit, assessment of the current situation, the party's vision, mission, strategic objectives, and activities.

In Slovenia, for example, political parties have a legal obligation to prepare gender action plans. They are required to adopt the action plan every four years setting out measures and methods for ensuring a more equitable representation of women and men in party bodies and on candidate lists.³⁰

USEFUL RESOURCES

Framework for Developing Gender Policies for Political Parties (International IDEA, 2016) provides an overview of the key issues relevant for the party's development of a gender policy. This handbook covers thematic areas important for the advancement of women's status and promotion of gender equality in the political parties, including leadership appointments, internal decision-making, internal control and institutional development, candidate recruitment, development of party programs and platforms, outreach to voters, and campaign implementation.

<https://www.idea.int/sites/default/files/publications/a-framework-for-developing-gender-policies-for-political-parties.pdf>

Within the INFOHOUSE project entitled "Gender equality is NOT just a woman's issue!", funded by the Heinrich Böll Foundation, a gender equality map was prepared in 2015 following the training of the members of the seven political parties that won the most votes for the highest legislative body in BiH in the 2014 general elections. Proposals of the strategic gender equality roadmap for political parties were developed in close cooperation with the party members who participated in the project and are based on their suggestions and conclusions as well as the comparison with the European practices in terms of party's professionalization and its focus on human rights protection.

Available at: <http://infohouse.ba/doc/maparavnopravnosti.pdf>

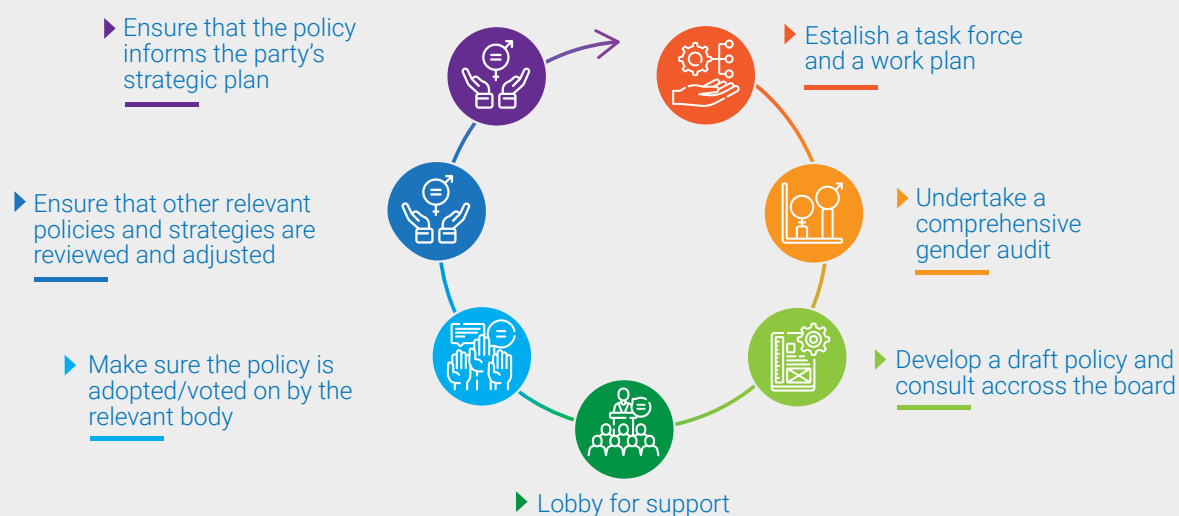
29 Gender action plan, as a strategic document, is a result of the party's gender audit conducted in line with the OSCE/ODHIR methodology. Comprehensive gender action plans are the outcome of the NDI's methodology Win with Women Assessment. For more details, see Section 3.2 herein.

30 Kuratko Pani, Aleksandra (2015).

3.1. Developing a gender equality policy

This chapter summarizes the most important steps of the methodology for the development of the gender equality policy of the International Institute for Democracy and Electoral Assistance, as shown in Figure 4.

Figure 4. Steps for developing a political party's gender policy, International IDEA 2016.



Establish a task force and a work plan

The first step in developing a gender equality policy is determination of the baseline objective and establishment of a leading working body (task force), in line with the party's procedures. The task force is mandated by the relevant decision-making body (e.g. management board, political bureau, etc.) to develop the policy aligned with the objectives and the work plan. The task force should be gender balanced and include individuals from within central and sub-national level party structures and different parts of the country, members with institutional expertise who are well familiar with the party's organisation and rules, who are experienced and influential, and who possess subject-matter expertise (expertise in the areas important for the party's operations such as public finances, social protection, security, etc.) and gender equality expertise (e.g., representatives of the party's gender equality mechanism, women's commission or women's organisation).

If the party does not possess the necessary gender equality expertise, it can hire external gender equality experts and include in the process the civil society organizations working to empower women or consult the institutional gender equality mechanisms (GEA BiH/MHRR BiH, GC FBiH, GC RS).

Undertake a comprehensive gender audit or gender assessment of the party

Political parties can identify obstacles to equal participation of women and men and ways to overcome these obstacles through a comparative overview of the status and the opportunities of women and men in the party based on the gender-disaggregated statistics and information obtained through consultations. The party's gender assessment includes, among other things, the analysis of the compliance of all party documents with the legal and international obligations in the field of gender equality.

The gender audit, in the context of the party's gender equality assessment, is a method commonly used by organizations to assess their operational capacity, efficiency, and needs in terms of gender equality. Depending on the gender assessment objectives, political parties can opt for a situation analysis (the so-called SWOT analysis - Strengths, Weaknesses, Opportunities, and Threats) to determine the positive and negative as well as internal and external factors, or other similar methods.

Develop a draft policy

When developing a policy which entails identification of applicable strategies, temporary special measures and affirmative action, it is useful to consider the solutions and good practice of other political parties in the country. This will enable the party to predict the short- or medium-term results of specific measures or activities. Parties can also consider good practice of the political parties from other countries and the use of diverse and innovative approaches. For example, one of the parties in BiH has successfully applied the principle of parity between men and women by implementing the "50% Initiative" with the aim of achieving "full equality between men and women, within and outside the party, and in its voter outreach".³¹ (this paragraph can be a footnote, if it would be more appropriate)

Conduct consultations in all stages of policy development

Openness, transparency, and inclusion in the process of developing a gender policy should be ensured in all stages of the process. The first policy draft is followed by the first round of consultations in the party to identify objectives and solutions (measures and activities), while the second round of consultations, once the proposed policy is developed, is aimed at validating the proposal.

31 For more information go to: <http://podlupom.org/v2/bs/clanak/da-li-su-zene-u-politici-samo-radi-broja/203> , accessed on 5 December 2020

Lobbying for support and formal adoption of the gender equality policy

Gender equality policy adopted in a participatory process ensures ownership and agreement across the party on the objectives committed in the gender policy, the strategies, and implementation measures. For the policy to enjoy full legitimacy and form part of the party's internal regulatory and policy frameworks, it must be adopted in line with the party's internal rules.

Harmonizing party documents and policies with the gender equality policy

Modification and harmonization of all internal documents of the political party governing different segments of the organization and its activities, including party programs and strategies, with the gender equality policy is necessary to ensure cross-sectoral coherence and the policy's full implementation. Therefore, it is the first step in the implementation.

A good example of the steps involved in the gender equality policy development is the current reform undertaken by German Christian Democratic Union (Christlich-Demokratische Union Deutschlands (CDU)).³² CDU has been undergoing an internal reform with gender equality policy as one of the key issues. The reform envisages implementation of special measures for empowerment of women and their representation in party membership, bodies, functions, and mandates. In the proposed internal reform document, it is written that the party membership can reflect social reality only through equal representation of women and thus better connect with the knowledge, experience, and views of women in the party.

The process was initiated in November 2019 when the Federal Executive Board of CDU established a Commission for Structure and Statutes mandated to formulate a proposal of party's renewal in terms of the content, membership, and organisation. Commission members are representatives of 17 federal organizations, unions, and special bodies within CDU, reflecting party's gender balance (parity) as well as territorial and content-wise diversity. The Commission is chaired by Paul Ziemiak, party's general secretary.

Following the first round of consultations, the Commission came up with the proposal entitled "People's party for the future- CDU renewal". The proposal was published on the party's official webpage in July 2020 giving enough time to party members to familiarize themselves with the proposed measures for increased participation of women in the party, application of female quota and introduction of the so-called "political parental leave". The Commission's proposals were discussed with the party members and in October 2020, the Federal Executive Board of CDU officially adopted the proposal to be discussed on the party's next congress when 1001 delegates will vote on the proposed measures pertaining to the party's organisation and statute.

32 Source: <https://www.cdu.de/strukturundsatzungskommission> accessed on 20 December 2020.

3.2. Gender audit or gender assessment of a political party

Council of Europe defines gender audit as a tool to assess and check the institutionalisation of gender equality into organisations, including in their policies, programmes, projects and/or provision of services, structures, proceedings, and budgets.³³

The European Institute for Gender Equality (EIGE) describes gender audit as a participatory process of organisational analysis and guided self-assessment which addresses the issues of concern, increases awareness about the norms and attitudes and encourages organisational learning. As such, gender audit entails a sophisticated approach to social, cultural, and informal aspects of the organisation's work.³⁴

According to the International Institute for Democracy and Electoral Assistance, political parties should conduct gender audits in the following key areas:

- Participation of women and men in leadership and decision-making in the management and executive bodies of the party;
- Function and influence of women's sections (women's organisations within the party and other specialised working bodies);
- Ranking and selection of candidates for internal managerial positions and/or publicly elected bodies;
- Effect of the party rules and practices on the ability of women and men to balance professional and private life;
- Access to finances and strengthening of capacities of both women and men;
- Existence of internal procedures and rules for addressing gender-based discrimination and harassment and the current practice in such cases.³⁵

Gender audits and/or gender assessment of the political party should particularly focus on: 1. Practices and proceedings that impede the creation of equal opportunities and conditions for women and men in accessing party resources, participating in decision-making and informing party's policies and programmes; 2. Good practices that support women's participation and as such strengthen party's capacities.

33 Council of Europe, (2009). Available at: <https://rm.coe.int/1680599885>.

34 See: <https://eige.europa.eu/gender-mainstreaming/methods-tools/gender-audit>

35 International IDEA, (2016).

A comprehensive gender assessment should rely on the following:

- gender disaggregated statistical data (e.g., the number of women and men in the party; the number of women and men in the party's bodies- presidency, leadership positions, management board, and supervisory board; the number of women and men on candidate lists; the number of women and men elected to legislative bodies or proposed for the position in the executive branch, etc.),
- the assessment of needs of female and male party members, their attitudes towards gender equality and perceptions about the availability of opportunities in the party (through consultations, internal interviews, focus groups, etc.).
- survey of attitudes and opinions among former party members (interviews, surveys, questionnaires), and
- analysis of the party's internal documents in terms of their compliance with the legislative framework and international standards relative to women's participation in political decision-making.

Political parties can identify obstacles to equal participation of women and men and ways to overcome them through a comparative overview of the status and the opportunities of women and men in the party informed by the gender-disaggregated statistics and feedback received during consultations.

Gender audit should take into account the party's specificities, its territorial coverage, internal organisation and membership. It may also be conducted for the party's specific organizational units. Parties with fewer members and/or newly established parties may conduct a gender audit using gender disaggregated data on membership and participation of women and men in all segments of party's activities, desk review of internal documents and consultations (interviews).³⁶

36 See Annex 2. Examples of questions for gender audit.

USEFUL RESOURCES

Gender audit of the political party or “self-assessment” is a methodology developed by the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR) for the assessment of proceedings, procedures, structures, culture, and activities of internal political parties from a gender perspective. Gender audit provides the party leadership with the information necessary for harmonization of the party’s policies, programmes, and campaign strategies with the gender equality principles. ODIHR has supported gender audits in 42 leading political parties in eight OSCE member states, including Bosnia and Herzegovina. Online tool for gender audit of political parties is available at: <https://genderaudit.osce.org/>

Win with Women Assessment is an initiative intended to assist political parties in becoming more inclusive and representative. It assesses the perception of women and men about female leaders, the social norms supported by the party members and individual, institutional, social, and cultural impediments to gender equality. This methodology, developed by the National Democratic Institute (NDI), includes comprehensive guidelines and resources for gender assessment of political parties and an updated tool explaining each step in the process. The resources include instructions for surveys, interviews, and focus groups and samples of documents, presentations, and other materials. Available at <https://www.ndi.org/publications/2019-win-women-assessment-toolkit>

4.

STRENGTHENING GENDER EQUALITY THROUGH PARTY'S INTERNAL STRUCTURE

Effective advocacy for equal and democratic society requires political parties to consider first their internal democracy and positioning and visibility of women. The forms of women's participation in political parties, and the ways in which the parties enable or strengthen participation of women in party processes will define political empowerment of women. This section presents some approaches and some of the measures used most often to include women in party structures and processes.

4.1. Including gender equality principle and non-discrimination principle in party's internal documents

Reaffirming the party's vision, core principles and goals, the **STATUTE** provides a framework of party's overall operations, including in the context of gender equality. The first step towards the enforcement of the Law on Gender Equality in BiH and balanced representation of women in the party's overall activities is to include the gender equality and non-discrimination pledge in the party's Statute. Parties which have not yet integrated the gender equality principle in their internal documents can consider good practice established by other political parties in Bosnia and Herzegovina.³⁷

Additionally, gender equality and non-discrimination principles should be included in all party documents - programmes, agendas, manifestos, resolutions, codes of conduct, etc. This includes compliance with the Law on Gender Equality in BiH and ensuring gender balanced representation in decision making structures, election lists, nominations and appointments, and equal access to party resources. Changing practices will bring about the change in internal procedures, which will undoubtedly influence internal party culture, interpersonal relations, and contribute to the overcoming of firmly rooted gender stereotypes and convictions. Clearly articulated and prescribed gender equality standards in internal party documents create an enabling environment for the empowerment of women and the culture promoting gender equality.

³⁷ According to the findings of the *Baseline Study on Barriers to Political Participation of Women in Bosnia and Herzegovina* from 2019, parties that declare themselves as left and centre left parties pay significant attention to gender equality in their party documents. For more, see Kadribašić A., et. al. *Baseline Study on Barriers to Political Participation of Women in Bosnia and Herzegovina*

USEFUL RESOURCES

In 2020, the *Foundation Academy for Women* published a study report *Harmonization of the Statutes of Political Parties with the Law on Gender Equality of B&H and the Law on Prohibition of Discrimination of B&H*. The study was conducted within the project Political Literacy of Youth in BiH, supported by the Ministry of Foreign Affairs of the Federal Republic of Germany and the Embassy of the Federal Republic of Germany in BiH.

The study is available at the following link: <https://afw.ba/wp-content/uploads/2020/04/Analiza-uskla%C4%91enosti-statuta-politi%C4%8Dkih-subjekata-sa-Zakonom-o-ravnopravnosti-spolova-BiH-i-Zakona-o-zabrani-diskriminacije-BiH.pdf>

Inclusion of the gender equality principle in the party documents also includes the use of **GENDER SENSITIVE LANGUAGE**.

According to the *Instruction on using gender sensitive language in the Parliamentary Assembly of Bosnia and Herzegovina*, gender sensitive language contributes to the visibility of women, their work and economic equality for which they have fought in the labour market. The habitual use of masculine gender as generic frustrates the efforts of BiH society to achieve equality foreseen by the laws and adopted human rights conventions.³⁸

The use of masculine nouns for functions, titles, professions or occupations, when talking about women, is unjustified given the structure of Bosnian, Serbian and Croatian languages³⁹. Moreover, such use constitutes gender based discrimination in language. According to the Law on Gender Equality in BiH, the use of only one grammatical gender as generic is discrimination in language.⁴⁰

38 Article 2 of the Instruction on using gender sensitive language in the Parliamentary Assembly of Bosnia and Herzegovina (*Official Gazette of BiH*, 23/15).

39 Authors Jasmina Čaušević and Sandra Zlotrg (2011) argue that the structures of Bosnian, Serbian and Croatian languages have the linguistic systems allowing for gender balanced visibility.

40 Article 9, subparagraph e Law on Gender Equality in Bosnia and Herzegovina– consolidated text (*Official Gazette of BiH*, 32/10).

USEFUL RESOURCES

In 2013, the Parliamentary Assembly of BiH integrated the use of gender sensitive language in the Common Rules of drafting legal regulations in the institutions of BiH and rules of procedure of the House of Representatives of the PA BiH and the House of Peoples of the PA BiH. Additional documents are the Instruction on using gender sensitive language in PA BiH, with Specific instructions with examples and the Table of functions, professions and occupations in PA BiH and the Secretariat of the PA of BiH, and the manual titled Using gender sensitive language in the Parliamentary Assembly of BiH (2014). The manual is available at: <https://www.parlament.ba/Publication/Read/3588?title=uporaba-rodno-osjetljivog-jezika-u-parlamentarnoj-skupstini-bosne-i-hercegovine&pagelid=239>

“Ways to Overcome Discrimination in Language in Education, Media and Legal Documents” is a manual by Jasmina Čaušević and Sandra Zlotrg developed within the project *Gender Sensitive Language in Education, Media and Legal Documents* financed by Financial Instrument for the Implementation of the Gender Action Plan in Bosnia and Herzegovina in 2011. This manual offers tips and proposals how to introduce gender sensitive and politically correct speech into school textbooks, related literature, teaching professions, media and legal documents, with the aim of encouraging the introduction of gender sensitive language into the public discourse. The manual is available at: <https://www.lingvisti.ba/media/1605/rodno-osjetljiv-jezik.pdf>

4.2. Preventing gender based discrimination, harassment and violence

Women in politics are often exposed to various forms of violence,⁴¹ ranging from verbal to physical.⁴² Threats and violence women are exposed to when nominated as candidates or during election campaigns are one of the greatest challenges to political participation of women in

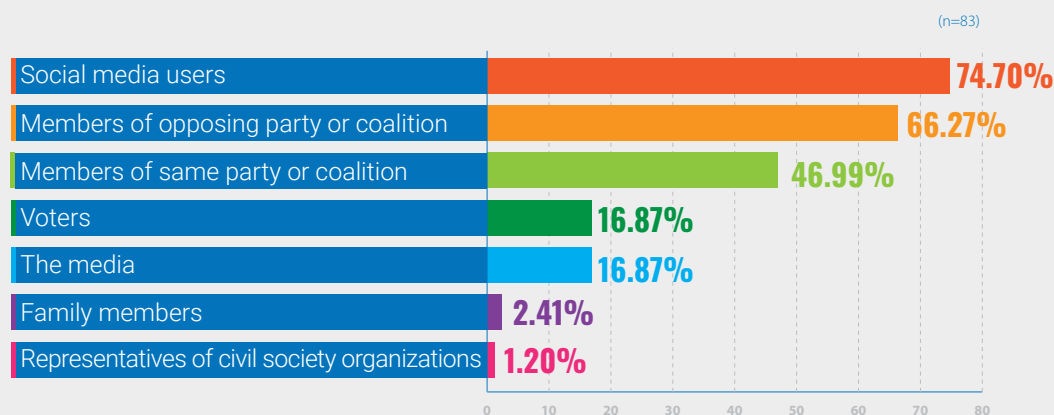
41 UN Women (2017) defines violence against women in political life during and outside the election as any act or threat of gender based violence, which results in physical, sexual or psychological injury or suffering of women, and which prevents them from enjoying and exercising their political rights in public or private sphere, including their right to vote and run in the elections, the right to secret vote and free campaigning, association and gathering, and the right to freedom of opinion and expression.

42 Miftari (2019) states that women in BiH politics are experiencing all forms of gender based violence: psychological, physical, sexual and economic violence, with psychological violence being the most frequent form of violence against women in politics. According to the Law on Gender Equality in BiH (Article 6 paragraph 2) violence on grounds of gender shall be considered every action that causes or may cause physical, mental, sexual or economic damage or suffering, as well as threat to such action which prevents this person or group of persons to enjoy their human rights and freedoms in public and private sphere of life.

many countries.⁴³ In Bosnia and Herzegovina, non-discrimination and prohibition of harassment are most often regulated by **(ELECTION) CODES OF CONDUCT** for members of a political party (candidates, officials, volunteers, members and supporters) in a certain territory, and in some cases by Codes of Conduct of certain political parties during the election. By signing election codes of conduct (ethics), political parties commit to fair and peaceful election process, in line with the democratic principles, respect for the legality of the election, protection of integrity, prohibition of political pressure on citizens, prohibition of discrimination and harassment, use of appropriate language, etc. Similarly, **CODES OF ETHICS** of political parties regulate the conduct of their members in interpersonal relationships and internal communication, as well as external communication with citizens and general public, in order to define standards of appropriate behaviour and cultural dialogue free from any form of harassment and violence against any one person.

However, experience in Bosnia and Herzegovina paints a different picture. The study on violence against women in politics conducted by the Westminster Foundation for Democracy in Bosnia and Herzegovina⁴⁴ has shown that 60.2%, out of 83 women respondents in total, experienced some form of violence in the course of their political careers, while 45.8% experienced violence only because they were women. Most often violence against women in politics is perpetrated by social network users, members of the opposition parties/coalitions and members of the aligned political parties (see Figure 5). As many as 60.5% of respondents who experienced violence never contacted anyone about that. Those who had reported the incident did not see the sanctioning of the perpetrators. It therefore comes as no surprise that a shocking 80% of interviewed women politicians see violence as a standard occurrence in politics.

Figure 5. Most frequent perpetrators of violence against women in politics in BiH



43 For more, see: <https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2017/preventing-vaw-in-elections-en.pdf?la=en&vs=3742>

44 Miftari, Edita (2019), Violence Against Women in Politics in Bosnia and Herzegovina, Westminster Foundation for Democracy, Sarajevo.

Most often, these behaviours seek to discourage women from engaging in politics. Therefore, each political party should demonstrate its commitment to providing a safe environment and protection to their female members. Political parties should ensure appropriate protection mechanisms for their members and include in their codes of ethics the provisions on specific measures to prevent discrimination, gender based harassment, including sexual harassment, and violence. When defining procedures (the ways to report incidents, steps in the procedure, decision making in procedures and sanctions against perpetrators), party leadership should demonstrate zero tolerance to any form of violence against women, work towards sensitizing party members about the issue and set an example for their electorate.

In cases of (gender based) discrimination, harassment and violence, political party can conduct the procedure before a designated body or committee, or before the ethics committee or a special disciplinary committee.⁴⁵ A good example of proactive action in this area is the German Green Party (Bündnis 90/Die Grünen), which established the institution of the ombudsman in its regional associations and its federal office. This institution is in charge of all cases of sexual violence involving party members or party activities.⁴⁶ German political party CDU, in its 2020 reform decree, refers to the establishment of ombudsman for all cases of discrimination, including gender based discrimination and hate speech.⁴⁷

USEFUL RESOURCES

Edita Miftari's 2019 study about violence against women in politics in Bosnia and Herzegovina commissioned by the Westminster Foundation for Democracy in Bosnia and Herzegovina examines the frequency and forms of violence against women in politics in Bosnia and Herzegovina, including psychological, online, economic, and sexual and physical violence against women in politics. This study also makes recommendations regarding prevention and elimination of violence against women in politics in Bosnia and Herzegovina. <https://www.wfd.org/wp-content/uploads/2019/07/Violence-Against-Women-in-Politics-BiH-WFD2019.pdf>

45 Susmel, Jasminka (2019), p. 19.

46 Ombudsman is a contact person for all cases within the party, and cases related to political activities. For more, see: <https://www.gruene.de/parteistruktur-und-gremien>, access on 10 December 2020.

47 This is a current proposal of the CDU Executive Board, which has not yet been discussed at the party congress. <https://www.cdu.de/strukturundsetzungskommission> access on 20 December 2020.

In 2019, Council of Europe published its publication *Violence against Women in Politics in Bosnia and Herzegovina*, which is the result of the research conducted by Association for the Improvement of Living and Culture Bonaventura. In addition to the situation analysis, the publication provides a set of recommendations to political parties and other stakeholders.

<https://rm.coe.int/violence-against-women-in-politics-in-bosnia-and-herzegovina/16809fa90f>

UN Women and the United Nations Development Program have been actively looking into the global problem of violence against women. "Preventing violence against women in elections: a programming guide" is a publication informed by research, data collection and analysis in over 40 countries. This Programming Guide provides a comprehensive overview of gathered knowledge about violence against women in elections, including the definitions of violence against women in elections, victim and perpetrator, and presents the instrument and programming framework for prevention and response.

This publication is available at:

<https://www.unwomen.org/-/media/headquarters/attachments/sections/library/publications/2017/preventing-vaw-in-elections-en.pdf?la=en&vs=3742>

4.3. Special measures to secure participation of women in party management boards and decision-making

Law on Gender Equality in BiH sets forth the obligation of the political parties to ensure and promote gender balanced representation in management, decision making and representation.⁴⁸

Representation of women in decision making processes is a litmus test of effective gender equality within political parties. Inclusion of women in decision making processes includes their participation in different party bodies (presidency, management board, oversight committee, different sections and committees) and executive functions (general secretary, spokesperson, etc.). Women, as well as men, benefit from participating in these bodies, as they gain the opportunity to acquire experience and skills needed for positions of responsibility, and strengthen their own influence and political capital, which directly affects the advancement in their political career.

Both female and male party members should jointly define the measures to ensure participation of women in decision making processes. Special measures which political parties can implement in this context are as follows: defining voluntary party quotas, establishing dual functions in party bodies and introducing parity.

48 Article 20 paragraph (1) of the LGE BiH.

Quotas are provisional incentives which determine a minimum share or number of women on election lists or in political bodies. Quotas have been globally recognized as an efficient tool and are foreseen in national legislation. BiH Election Law explicitly defines the order of the candidates from underrepresented gender on candidate lists, observing the gender neutral quota of 40% pursuant to the Law on Gender Equality in BiH.⁴⁹ In the context of gender balanced representation in public offices in BiH, these quotas primarily seek to correct underrepresentation of women.⁵⁰

Political parties can also introduce into their statutes or internal documents **VOLUNTARY QUOTAS**, or provisions to ensure minimum representation of each gender in the party bodies and working bodies, decision making processes and activities. Good practice examples can be found in statutes of European political parties, as well as other parts of the world. For example, the statute of Icelandic Progressive Party (Framsóknarflokkur) provides mandatory 40% representation of both genders in selection of candidates at all levels of party structures and in election lists, except when that is obviously impossible.⁵¹

Voluntary minimum representation quotas for both genders were also incorporated in the statutes of German political parties. For example, in 1996 the Christian Democratic Union (die Christlich Demokratische Union Deutschlands (CDU)) introduced a 33% quota for party officials in its statute. If the quota is not met in internal party election, the election must be repeated.⁵² In 2021, additional measures were proposed to strengthen the party by increasing women's participation. Women's quotas should be applied to: a) election of CDU Board members, b) dynamic women's quota for selection of delegates, and c) women's quota for elections for the European Parliament, German Bundestag and federal parliaments. Women's quotas for the election of Board members and election lists will see incremental increase, so that the quota of 33.33% will be applied until 2023, when the quota of 40% will start applying, and as of 2025 the women's quota will be 50%. With reference to the selection of delegates, quotas will rise proportionally to the increase in the number of female party members.⁵³

49 Article 4.19 paragraph (4) of the Election Law of BiH.

50 Quotas, which were primarily developed as a corrective measure for underrepresentation of women, are also known as women's quotas.

51 Inter-Parliamentary Union Global voluntary political party quotas data base, URL <https://www.idea.int/data-tools/data/gender-quotas/voluntary-overview>, access on 10 December 2020.

52 Ibid.

53 See: <https://www.cdu.de/>, access on 20 December 2020.

USEFUL RESOURCES

Global data base on gender quotas in parliaments across the world is available on the website of the International Institute for Democracy and Electoral Assistance (International IDEA). The data base is a joint project of International IDEA, Inter-Parliamentary Union and the University of Stockholm. Data base also provides overview of voluntary quotas introduced by the political parties in countries across the world.

<https://www.idea.int/data-tools/data/gender-quotas/voluntary-overview>

Parties can also introduce **DUAL FUNCTIONS** in some party bodies. This was done by the German Green Party (Bündnis 90/Die Grünen), which established a “dual presidency” including both men and women⁵⁴, both for the function of the presiding person and their deputies.⁵⁵

Parties can also strive for **PARITY**, or gender balanced representation across party bodies and functions (50:50 ratio), by incorporating the provisions on parity into their statutes and other internal documents. For example, the Statute of the Austrian Green Party (die Grünen – die Grüne Alternative) provides that the provisions of party documents shall ensure at least 50% of women in all elected party bodies and functions.⁵⁶ Parity in public offices in the EU countries is promoted by various campaigns, such as the 50:50 campaign for gender balanced representation in the UK Parliament⁵⁷, or it is incorporated in the election laws, such as in France.⁵⁸

Postizanje rodne ravnoteže u donošenju odluka i politici jedan je od ciljeva Strategije za ravnopravnost žena i muškaraca u Evropi za period od 2020. do 2025. godine, kojom se naglašava da je ravnopravnost spolova jedno od glavnih vrijednosti Evropske unije, temeljno pravo i jedno od glavnih načela evropskog stuba socijalnih prava. Kroz ovaj strateški dokument kojim se utvrđuje politika aktivnog djelovanja Evropske unije u oblasti ravnopravnosti spolova, vidljivo je opredjeljenje Evropske komisije da perspektiva ravnopravnosti spolova bude uključena u sve politike EU, na svim nivoima i u svim fazama donošenja, te kroz sastav svih institucija i tijela EU.⁵⁹

54 <https://www.gruene.de/parteistruktur-und-gremien> access on 10 December 2020.

55 The practice of dual presidency (co-leadership) is also applied by green parties in other countries, e.g. UK Green Party (<https://www.greenparty.org.uk/people/>, access on 20 December 2020), or New Zealand Green Party (https://www.greens.org.nz/our_people/, access on 20 December 2020).

56 For more, see: <https://www.gruene.at/partei/organisation/die-gruenen>, access on 10 December 2020.

57 For more, see: <https://5050parliament.co.uk/about/>, access on 10 December 2020.

58 Gender reform in France started with the amendments to the Constitution in 1999, and continued with the introduction of the so-called parity laws, under which the political parties should have an equal number of male and female candidates in elections at all levels, with the exception of towns with population under 3500. This reform is yet to yield desired results (gender parity), however. Political parties are more likely to opt to pay fines, than include more women on their lists.

59 Dostupno na: <https://eur-lex.europa.eu/legal-content/HR/TXT/PDF/?uri=CELEX:52020DC0152&from=EN>, pristup 01.11.2020.

In some countries parity is successfully applied in the context of party activities, in particular **PARTICIPATION IN PARTY CONVENTIONS OR CONGRESSES**. The US Democratic Party Charter foresees equal number of male and female delegates at the National Convention. The Republican Party has similar provisions.⁶⁰

The most important party decisions and decisions on party policies are made at party conventions and congresses. Parties in Bosnia and Herzegovina can also define **clear targets** for equal participation of women in congresses/conventions.

In choosing any of the foregoing measures, political parties in Bosnia and Herzegovina should make sure to **formalize** them **through their statutes, and to apply them consistently**. Voluntary quotas, for example, should be applied systematically, across all levels, all bodies in the party's organization, including participation in nomination committees, party's financial managing, etc.

Monitoring the application of the gender equality policy and consistent application of certain special measures for the empowerment of women should be the responsibility of a special gender equality body (committee), which would function as the **PARTY'S GENDER MECHANISM**. Some parties have relegated this to their women's wings, or women's sections.

4.4. Establishing women's structures in political parties

In international practice WOMEN'S STRUCTURES (known as women's wings, women's organizations, collectives, groups, fora or special committees/sections, etc.) have been recognized as an important mechanism of joint action and empowerment of women. They should enable the exchange of experience, identification of problems affecting women, priorities for action, development of special policies, advocacy and female voter mobilization. **Their purpose is to enhance the representation and participation of women in the party and overall political processes.**⁶¹

The tasks or activities of women's structures in political parties most often include the following: Mobilizing female voters and party activists⁶²; strengthening the capacities of female candidates and their empowerment by delivering various forms of training; demanding greater representation of women in nominations and selection for public office and internal party structures; proposing and participating in the party policy making, cooperating with civil society organizations and working to sensitize all party members to gender issues.

60 OSCE/ODIHR, (2014).

61 See: https://iknowpolitics.org/sites/default/files/cr_best_practices_used_by_political_parties_to_promote_women_in_politics.pdf.

62 Women's Forum of the Social Democratic Party of Croatia is an interesting example in this context. Membership in the party is not a prerequisite for participation in its activities. Women's Forum also delivers capacity building trainings, develops and advocates for policies of interest to women, etc. <http://www.sdp.hr/>

Establishing internal party structures for women is a standard practice of political parties in Bosnia and Herzegovina. However, studies have shown that these structures tend to work on mobilizing female electorate or charity issues, instead of advocating for gender equality and empowerment of women in their party.⁶³

In order for the internal party structures for women to be able to conduct activities aimed at strengthening the participation of women in the political process, they should be recognized in the party structure, not only as a structural unit, but also as the beneficiaries of funds and holders of authority (mandate).

Effective participation of women's structures in party's operations requires the following:

- a. Clear mandate for promoting gender equality and empowerment of women in party procedures and practices
- b. Participation in the party's executive body and bodies with decision making authority according to the Statute
- c. Budget, or adequate financing of activities.

Good practice examples of strong women's structures can be found in political parties throughout the world. The Australian Labour Party regulates in its Statute the mandate and authority, and regular financing of the National Labour Women's Network. In Mexico, National Action Party refers draft policies to its Women's Fraction for gender review.⁶⁴ In Finland, political parties are obliged to divert 5% of the allocated public funding to the strengthening of gender equality. The majority of parties use these funds to finance their women's wings.⁶⁵ In Sweden and Slovenia women's wings of political parties also receive direct allocations from public funds.⁶⁶

One of the benefits of (and arguments in favour of establishing) women's structures in political parties is the forum for exchange of ideas and development of gender responsive and targeted policies. Using modern technology, these fora can migrate to online platforms.

63 National Democratic Institute, (2019); INFOHOUSE, (2015).

64 Ballington, Julie (2012), p. 18.

65 Ohman, Magnus (2018), p. 23.

66 Ibid, p. 23. In Sweden, funds for women's wings of political parties are separate from those allocated to political parties. Women's organizations in Slovenia can also apply for/receive state funding for women's empowerment.

USE OF DIGITAL TOOLS - CREATING VIRTUAL FORA FOR EXCHANGE OF IDEAS AND POLICY DEVELOPMENT

In 2020, due to the global pandemic, there was a sharp rise in use of online communication and innovative digital solutions in social and economic activities. Having in mind the limited resources for campaigning and promotion, women in political parties can use digital technology, such as social networks (*Facebook, Twitter, Instagram*, etc.) to communicate with citizens, or digital innovation to develop policy proposals (*Party Innovation Hub, Democracy Labs* or similar platforms).

Democracy Labs is a methodology designed to encourage innovation in the work of political parties by applying new methods of work. The methodology is based on fast prototyping, by monitoring practice and examples of activities of related political parties, in order to facilitate innovative practices of political parties.⁶⁷ Democracy Labs examines technological implications on democratic policies and provides a useful tool for networking, political communication, digital democracy and public surveys, exchange of opinions and ideas, etc.⁶⁸

Using online platforms and digital tools, women in political parties, and thus the parties as a whole, can build a virtual forum for networking and exchange of opinions, organizing trainings, fundraising, active promoting of certain policies, election campaigns, public opinion surveys, volunteer mobilization.

USEFUL RESOURCES

<https://www.coe.int/en/web/electoral-assistance/eleclab>

Eleclab, Election Laboratory of the Council of Europe, concentrates on the division's research and thematic work in order to innovate and produce useful and relevant guidelines in various areas of electoral matters ranging from primo voters to better representation of women and modern strategic planning.

<https://www.idea.int/data-tools/tools/digital-parties-portal>

The web platform for political parties of the International Institute for Democracy and Electoral Assistance (International IDEA) provides tools necessary for efficiency of a political party, including using new technologies for fundraising, or mastering innovative communication channels. The tools on the portal were chosen carefully so that they can be used by established and upcoming parties, in contexts with stable internet infrastructure as well as in settings that lack sufficient connectivity.

67 International IDEA, (2018).

68 Some of the platforms for political parties: <https://democracylab.de/topics/>, <https://digdemlab.io/>

For example, the platform offers a simple tool *Why vote Macron?* which used an innovative approach to the campaign of the French President, relying on interpersonal relations.⁶⁹ The open code platform *Madison* is designed to enable participation of the broader public in the decision making process⁷⁰; free digital polling or citizen engagement tools; and various paid applications for party communications, etc.

4.5. Providing adequate access to party's financial resources

In terms of access to party's financial resources and overall resources for the purpose of strengthening the capacity and visibility of female candidates, political parties in Bosnia and Herzegovina primarily invest in campaigns related to overall candidate lists, with the spotlight on the leading candidates on the lists, with the exception of campaigns for presidency.⁷¹ Regardless of the election period, party members should have equal and regulated approach to all party resources, both financial and others, such as trainings and education, including mentorship, media access, engagement of activists and volunteers, support of the party's staff, etc.

Parties can adopt certain measures to improve access of candidates to party resources, or to fund activities in direct support of women. Some of the measures applied in international practice are:

- a. **CREATING SPECIAL INTERNAL PARTY CAMPAIGN FUND or SUBSIDIES TO FEMALE CANDIDATES.** Thus, the Canadian Liberal Party uses the party's fund to finance candidate campaigns and provides subsidies to candidates that include compensation of costs of childcare during election activities, travel costs reimbursements, printing costs of materials, etc.⁷²
- b. **EARMARKING PUBLIC FUNDING ALLOCATIONS** for promotion of gender equality and political empowerment of women. Bearing in mind that public funding is regulated by law, and most often there are no rules on the use of funds, political parties are free to allocate a percentage or particular share of these funds to activities aimed at empowering women. Some countries prescribe the mandatory percentage which political parties must allocate to the empowerment of women (e.g. in Italy and Brazil, parties must invest at least 5% of allocated funds in the strengthening of capacities

69 The web site of the French party En Marche! presents an adaptable e-mail template which the party members and activists sent to undecided friends and acquaintances to persuade them to vote for their candidate.

70 It enables members of public and party officials to comment on policy proposals which the party uploads to the platform. It can be used free of charge and adapted to the needs of the party, e.g. as a tool for internal cooperation within the party.

71 Kadribašić, Adnan et al. (2020).

72 Ballington, Julie (2012).

of female candidates and politicians).⁷³ In Bosnia and Herzegovina, political parties receive additional funds based on the representation of women in parliaments⁷⁴. These funds could be reallocated to the capacity building and activities of women's wings in the parties, or to campaigns by female politicians.

- c. **ESTABLISHING FUNDRAISING NETWORKS** to support the campaigns of female candidates is a frequent measure in the UK, Canada, Australia, USA, as countries where it is important to secure funds in the initial phase of party nominations. A good example of donation networking is EMILY list (Early Money Is Like Yeast)⁷⁵, an online community established to help women in nominations for positions in the Democratic Party in the United States.⁷⁶

USEFUL RESOURCES

Financing political parties and election campaigns: Handbook on Political Finance published in 2014 by the International IDEA, addresses the problems of money in politics by analysing political finance regulations around the world and providing guidance for reform. The chapters are divided by region; each assesses the current state of regulations in relation to its challenges and offers a series of recommendations to tackle the identified shortcomings. An additional chapter focuses on gender, reflecting the reality that women remain grossly under-represented in politics, and how the increasing influence of money in politics perpetuates this inequality.

<https://www.idea.int/publications/catalogue/funding-political-parties-and-election-campaigns-handbook-political-finance?lang=en>

73 Ohman, Magnus (2018), p. 23.

74 Political parties are allocated public funds at all levels of government in BiH.

75 EMILY stands for "early money is like yeast" (which makes the dough rise).

76 For more, see: <https://www.emilyslist.org/> access on 20 December 2020.

5.

CONCLUSIONS AND RECOMMENDATIONS

Effective equality between women and men is crucial in modern democracy. Political parties propose candidate lists for representative bodies and holders of executive positions, and participate in the development and implementation of public policies. By doing so, they also assume their share of responsibility for promoting gender equality in political and public life. Pursuant to Article 20 of the Law on Gender Equality in BiH, political parties are obliged to ensure and promote gender balanced representation in management, decision making and representation.

This document explains the strategies for achieving gender balanced representation in political life, focusing on internal structure of political parties and integration of the empowerment of women in formal party rules and procedures. Female and male party members should jointly define clear targets and strategies for increasing the representation of women in political parties and their stronger role in party operations. Both women and men should decide what measures should be taken to support meaningful and significant participation of women and how that will affect the organization, activities and image of the party.

There is no doubt that true change in party and political culture goes beyond “changing the rules” and requires consistent compliance and changing of traditional patterns and opinions. In order to do that, approaches explained here should be combined with additional mobilization and capacity building of female candidates, development of their political skills through targeted training and mentoring, and gender sensitization of male members of the party.

Recommendations for action

- Create and formalize party's gender policy which will be informed by the gender audit of the party and ensure that gender equality principle is integrated in internal processes and practice of political parties.
- If the party does not have a gender equality mechanism, establish a body which will monitor policy (strategy) implementation, and address gender equality issues.

- Collect, disaggregate and record gender disaggregated data on the number of party members, their representation in decision making bodies, functions, candidate lists for elections, nomination lists for executive branch, participation in congresses/conventions, trainings, party activities, etc.
- Review founding documents and other party documents (statute, manifesto, procedures, strategic documents) in terms of their harmonization with the Law on Gender Equality in BiH. Include objectives regarding gender equality and non-discrimination and equal representation in managing and decision making processes, as well as on candidate lists.
- Use gender sensitive language in all party documents.
- If needed, revise existing codes of ethics, so as to include specific provisions on prevention and protection against gender-based harassment and sexual harassment and gender-based violence. If the political party has no code of ethics, it should adopt one.
- Promote consistent compliance with the rules on gender balanced representation in appointments to different party bodies and adopt and apply measures to ensure participation of women in party management boards and decision making structures.
- Set targets for equal participation of women in party conventions/congresses. At party conventions/congresses, discuss topics proposed by women's wings.
- Strengthen and redefine the position and role of women's structures of the party in relation to their influence on strategic political decisions, representation in decision making bodies and allocation of funds. Parties without designated women's structures should consider options for their establishment.
- Ensure allocation of funds of political parties to support capacity building of female members and candidates, in particular, the funds required for female candidates' election campaigns.

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ANNEX I

LAW ON GENDER EQUALITY IN BOSNIA AND HERZEGOVINA

Pursuant to the Article 15 of the Law on changes and amendments to the Law on Gender Equality in Bosnia and Herzegovina (Official Gazette of BiH, No. 102/09); the Article 41(1)i) of the Rules of Procedure of the House of Representatives (Official Gazette of BiH, No. 33/06, 41/06, 81/06, 91/06, 97/07 and 87/09) and the Article 26(1)i) of the Rules of Procedure of the House of Peoples (Official Gazette of BiH, No. 33/06, 41/06, 91/06 and 91/07) of the Parliamentary Assembly of Bosnia and Herzegovina, the Constitutional Law Committee of the House of Representatives in the 93rd session held on 22nd February 2010 and the Constitutional Law Committee of the House of Peoples in the 54th session held on 25th March 2010 agreed on the consolidated text of the Law on Gender Equality in Bosnia and Herzegovina (Official Gazette of BiH, No. 16/03 and 102/09) identifying the dates of entering into force of the law and its amendments.

PART ONE - GENERAL PROVISIONS

Article 1

This Law shall regulate, promote and protect gender equality, guarantee equal opportunities and equal treatment of all persons regardless of gender in public and private sphere of society, and regulate protection from discrimination on grounds of gender.

Article 2.

1. Persons of male and female sex shall be equal.
2. Full gender equality shall be guaranteed in all spheres of society, including but not limited to education, economy, employment and labour, social and health protection, sport, culture, public life and media, regardless of marital and family status.
3. Discrimination on the grounds of gender and sexual orientation is prohibited.
4. Discrimination, in terms of this Law, shall not be considered introduction, adoption and implementation of temporary special measures aiming to remove existing inequality, promote equality and protection of gender equality.

5. Discrimination on grounds of gender shall not be considered a norm, criteria or practice which can be justified by achieving legal goal, proportionate to take necessary and justified measures.

PART TWO – DISCRIMINATION

Article 3.

1. Discrimination on grounds of gender shall be putting any person or groups of persons into less favourable position based on gender due to which rights of some persons or groups of persons are protracted or enjoyment and realisation of human rights and freedoms are not recognized.
2. Discrimination may occur in different forms: direct, indirect, harassment, sexual harassment, incitement to discriminate and gender based violence.

Article 4.

1. Direct discrimination on grounds of gender shall exist when one person or group of persons has been treated, is treated or shall be treated less favourably in comparison with other person or group of persons in the same or similar situation.
2. Indirect discrimination on grounds of gender shall exist when there is an apparently neutral legal norm, criteria or practice equal for everyone, that has put, puts or could put a persons or group of persons of one gender in comparison with a person or group of persons of another gender into less favourable position.

Article 5.

1. Harassment shall be considered as any unwanted behaviour based on gender that aims to harm dignity of a person, group of persons and create intimidating, hostile, degrading, humiliating or insulting environment or achieves such effect.
2. Sexual harassment shall be considered every unwanted form of verbal, non- verbal or physical behaviour of sexual nature that aims to harm dignity of a person or group of persons, or has such effect, especially when this behaviour creates intimidating, hostile, degrading, humiliating or offensive environment.
3. Incitement to discriminate based on gender, if committed intentionally, shall be equalised with discrimination in terms of Article 3 of this Law.

Article 6.

1. Violence on grounds of gender shall be prohibited.
2. Violence on grounds of gender shall be considered every action that causes or may cause physical, mental, sexual or economic damage or suffering, as well as threat to such action which prevents this person or group of persons to enjoy their human rights and freedoms in public and private sphere of life.
3. Violence on grounds of sex shall include but shall not be limited to:
 - a. Violence occurring in family or household;
 - b. Violence occurring in wider community;
 - c. Violence committed or tolerated by authorities and other authorised bodies and individuals;
 - d. Violence on grounds of gender in case of armed conflicts.
4. Competent authorities shall be obliged to take appropriate measures to eliminate and prevent gender based violence in public and private sphere of life, and ensure instruments to provide protection, assistance and compensation to victims.
5. Competent authorities shall take appropriate measures, including, but not limiting to area of education in order to eliminate prejudices, customs and all other practices based on idea of inferiority or superiority of any gender, as well on stereotypical roles of male and female sex. This shall include, but shall not be limited to education and raising awareness among civil servants, in public and other ways.

Article 7.

Victimisation as a form of discrimination shall exist when one person or group of persons is put into less favourable position due to rejection of instruction to act discriminatory, report discrimination, testify in procedure of protection from discrimination based on gender or if this person has been in any way involved into the procedure initiated because of discrimination based on gender.

Article 8.

1. Special measures shall be introduced temporarily in order to accomplish substantive gender equality and shall not be considered discriminatory, including norms, criteria or practices that can possibly be justified by a legitimate goal, and have to be proportionate, appropriate and necessary.

2. Competent state, entity, cantonal bodies and local self governance units proclaim special measures through laws and other regulations, other acts, policies, strategies and plans that define specific areas of social life.

PART THREE - DEFINITIONS

Article 9.

In terms of this Law, following shall be understood as:

- a. Sex represents biological and psychological features that differ human beings to persons of male and female sex, and also denotes gender as sociologically and culturally conditioned difference between persons of male and female sex, and is related to all roles and features that are not conditioned or determined exclusively by natural or biological factors, but are product of norms, practice, customs and tradition and are changeable through time.
- b. Gender equality means that persons of male and female sex are equally present in all spheres of public and private life, they have equal status, equal opportunities for realisation of rights, and equal benefit from achieved results;
- c. Equal treatment of all persons of male and female sex assumes ensuring absence of discrimination on grounds of gender;
- d. Equal opportunities for all persons regardless of gender assumes absence of obstacles for economic, political and social participation on grounds of gender;
- e. Discrimination in language exists when only one grammar gender is used as a generic term;
- f. Institutional mechanisms for gender equality represent bodies and persons appointed by competent legislative, executive and administrative bodies of all levels of authorities in Bosnia and Herzegovina for implementation of the Law on Gender Equality in Bosnia and Herzegovina, coordinate and implement programmatic goals of Gender Action Plan of Bosnia and Herzegovina and ensure implementation of international standards in the field of gender equality;
- g. Gender Action Plan of Bosnia and Herzegovina is a strategy that defines programmatic goals for realisation of gender equality in all spheres of social life and labour, in public and private sphere.

PART FOUR - EDUCATION

Article 10.

1. Everyone shall have equal rights to education, regardless of gender.
2. Educational institutions may not discriminate on the grounds of gender in:
 - a. terms of admission;
 - b. refusal of admission;
 - c. the way access to services, facilities and benefits is afforded;
 - d. exclusion from the educational process;
 - e. assessment of results achieved during education;
 - f. equal career opportunities and vocational specialization, training and the acquisition of diplomas and degrees;
 - g. other potential circumstances.

Article 11.

1. The relevant authorities, educational institutions and other juristic persons shall ensure that their plans and methodology provide for the establishment of an educational system that will guarantee elimination of elements of the curriculum that contain stereotypical social roles for men and women and that result in gender discrimination and gender inequality.
2. Contents that promote gender equality shall be an integral part of the curriculum at all educational levels.
3. The relevant authorities, educational institutions and other juristic persons shall provide effective mechanisms for protection against discrimination and sexual harassment and shall take no disciplinary or other punitive measures against a person by reason that that person has brought proceedings for discrimination, harassment or sexual harassment or has given evidence in relation to discrimination, harassment or sexual harassment.

PART FIVE - EMPLOYMENT, WORK AND ACCESS TO ALL TYPES OF RESOURCES

Article 12.

1. Everyone shall be equal on the basis of gender in the employment process.
2. All forms of discrimination on the grounds of gender in the employment process, the advertisement of vacancies, selection procedures, employment and dismissal are contrary to the provisions of the Law other than in the cases stipulated by Article 3 paras. 5 and 6 of this Law.

Član 13.

1. Prohibited discrimination on the grounds of gender at work and in employment is defined as:
 - a. failure to pay equal wages and other benefits for the same work or work of equal value;
 - b. failure to ensure promotion at work on equal terms;
 - c. failure to provide equal opportunities for education, training and professional qualifications;
 - d. failure by an employer to provide work premises, ancillary facilities and equipment appropriate to the biological and physical needs of employees of both sexes;
 - e. different treatment on the grounds of pregnancy, childbirth or exercising the right to maternity leave, including failure to enable an employee to return to the same job or another job of the same seniority with equal pay after the expiry of maternity leave, as well as different treatment for men and women in regard to deciding how to take up maternity leave following the birth of a child;
 - f. any unfavourable treatment of a parent or guardian in balancing their commitments in family and professional life;
 - g. organizing work, the allocation of tasks or other conditions of work or dismissal from work so that on the grounds of gender or marital status an employee is left in a less favourable position than other employees;
 - h. any other act constituting any form of direct or indirect discrimination as defined in Article 3 paras. 3 and 4 of this Law.
2. An employer is required to undertake effective measures to prevent harassment, sexual harassment and gender discrimination at work and in employment as set out in para. 1

of this Law, and may undertake no measures against an employee by reason that that employee has brought proceedings for harassment, sexual harassment or discrimination on the grounds of gender.

Article 14.

1. General and specific collective agreements should comply with the provisions of this Law and ensure equal opportunities regardless of gender.
2. Trade unions and associations of employers will have a particular role to play in ensuring equal protection of the right to work and equal conditions of recruitment and shall ensure that there is no discrimination on the grounds of gender among their members, either direct or indirect.

Article 15.

1. Everyone regardless of gender has an equal right to work for gain, which includes equal treatment in access to all economic resources, privatization, access to credit and other forms of financial assistance, licences and registration of businesses, and the conditions in which they are obtained.
2. Equal treatment and equal opportunities and the elimination of discrimination shall also be assured for women in rural areas, so that they may secure subsistence for themselves and their families.

PART SIX - SOCIAL WELFARE

Article 16.

1. Everyone has equal rights to social welfare regardless of gender.
2. Discrimination on the grounds of gender in the exercise of all forms of social rights stipulated by current legislation is prohibited, in particular:
 - a. when applying to exercise any social welfare right;
 - b. in the process of ascertaining social rights and the manner in which they may be exercised and in identifying beneficiaries;
 - c. when the exercise of ascertained rights ceases.

Article 17.

The relevant authorities shall ensure that laws and other regulations and the mechanisms relating to access to and enjoyment of social welfare are non-discriminatory on the grounds of gender, both directly or indirectly.

PART SEVEN - HEALTH CARE**Article 18.**

1. Everyone has an equal right to health care and access to health care services, including those relating to family planning, regardless of gender.
2. Health care institutions shall undertake all necessary steps to prevent discrimination on the grounds of gender in the enjoyment of all forms of health care.
3. The relevant authorities shall undertake all necessary steps to protect and advance the reproductive health of women.

PART EIGHT - SPORT AND CULTURE**Article 19.**

1. Everyone has equal rights and opportunities to participate in and have access to sport and cultural life regardless of gender.
2. The relevant authorities, institutions and juristic persons are required to undertake all possible measures to prevent discrimination on the grounds of gender and to ensure equal opportunities for:
 - a. access to branches of sport or culture;
 - b. the development and provision of support for individual branches of sport or culture;
 - c. the granting of community awards for outstanding achievement in sport and culture within the same branch of sport or culture.

PART NINE - PUBLIC LIFE

Article 20.

1. State bodies at all levels of organizations of authorities, and local self- government bodies, including legislative, executive and judicial authorities, political parties, legal persons with public authorities, legal persons that are in the state's property or under the state's control, entities, cantons, cities or municipalities whose work is under control of a public body, shall ensure and promote equal gender representation in process of managing, decision making and representation. This obligation shall exist for all authorized proponents during elections of representatives and delegations to international organisations and bodies.
2. Equal representation of women and men shall exist in case when one of sexes is represented with at least 40% in bodies from paragraph 1 of this Article.
3. Discrimination on grounds of gender shall be considered situation in which there is no equal representation from paragraph 2 of this Article.
4. Subjects given in paragraph 1 of this Article, in order to achieve equal gender representation are obliged to adopt temporary special measures prescribed with Article 6 of this Law.

PART TEN - THE MEDIA

Article 21.

1. Everyone shall have the right of access to the media regardless of gender.
2. The public expression concerning presentation of any person in an offensive, depreciatory or demeaning manner in regard to gender is prohibited.
3. The media are required in their programming to raise awareness on gender equality.

PART ELEVEN - STATISTICAL RECORDS

Article 22.

1. All statistical data and records collected, recorded and processed in state bodies at all levels, public services and institutions, state and private corporations and other entities must be gender disaggregated.

2. Statistical data and information collected, recorded and processed pursuant to para. 1 of this Article must be an integral part of statistical records and accessible to the public.

PART TWELVE - COURT PROTECTION

Article 23.

1. Every person who considers to be victim of discrimination or finds that a certain right has been violated due to discrimination shall be able to seek for protection of that right in the procedure in which this right shall be decided as a main issue, and shall be able to seek for protection in a special proceedings for protection from discrimination in compliance with the Law on Prohibition of Discrimination ("Official Gazette of Bosnia and Herzegovina" No, 59/09).
2. A victim of discrimination according to provisions of this Law shall have the right to compensation according to regulations defining obligations.
3. All decisions of competent judicial bodies related to violation of some provisions of this Law, shall be delivered to the Agency for Gender Equality of Bosnia and Herzegovina by the courts at the BiH level, Gender Centre of the Federation of Bosnia and Herzegovina and the Gender Centre of the Republika Srpska by the Entities' courts.

PART THIRTEEN - OBLIGATIONS OF COMPETENT AUTHORITIES

Article 24.

1. Authorities at the state and entity level, cantonal bodies, local self- governance units, legal persons with public authorities, legal persons who are mainly in the state's property shall be obliged to take all appropriate and needed measures in order to implement provisions prescribed by this Law according to areas, but not limited to:
 - a. Introducing programs of measures for achieving gender equality in all spheres and at all levels of authorities;
 - b. Adoption of new or changing and amending existing laws and other regulations in order to harmonize them with provisions of this Law and international standards for gender equality;
 - c. Implementation of activities and measures from the Gender Action Plan of Bosnia and Herzegovina through regular programs of work and ensuring budget resources;

- d. Collecting data, keeping records, analysing and presenting statistical data classified according to gender.
- 2. Integral part of program measures to achieve gender equality in all spheres shall include, but shall not be limited to:
 - a. Analysing gender equality in specific area
 - b. Implementation of adopted state policies through action plans for gender equality
 - c. Measures for removal of identified gender inequality in a specific area.
- 3. Competent legislative, executive bodies and administrative bodies at all levels of authorities in Bosnia and Herzegovina shall be obliged to establish adequate institutional mechanism for equality that shall implement the Law on Gender Equality in Bosnia and Herzegovina, coordinate realisation of programmatic goals from the Gender Action Plan of Bosnia and Herzegovina and ensure implementation of international standards in gender equality area.
- 4. Competent state, entity and cantonal authorities and local self government units shall be obliged to deliver all sorts of regulations from their jurisdiction to get opinion from institutional mechanisms for gender equality from paragraph 3 of this Article for these to be harmonised with provisions of the Law on Gender Equality in Bosnia and Herzegovina.

PART FOURTEEN - MONITORING AND SUPERVISION OF IMPLEMENTATION OF THIS LAW

Article 25.

- 1. The Ministry for Human Rights and Refugees (hereinafter: the Ministry) shall keep under review implementation of this Law.
- 2. In order to monitor implementation of this Law, the Agency for Gender Equality of Bosnia and Herzegovina (hereinafter: the Agency) shall be formed under the auspices of the Ministry for Human Rights and Refugees of Bosnia and Herzegovina.
- 3. The Agency shall be organized and shall operate pursuant to a separate ruling to be moved by the Ministry specified in para. 1 of this Article and issued by the Council of Ministers of Bosnia and Herzegovina.

Article 26.

1. The Agency for Gender Equality of Bosnia and Herzegovina shall perform following tasks within its jurisdiction:
 - a. Present and analyse status of gender equality in Bosnia and Herzegovina on basis of reports developed by the Agency and reports from entities' gender centres and produces annual report for the Council of Ministers of Bosnia and Herzegovina. On grounds of results from analysis and monitoring, the Agency shall produce special reports, opinions, suggestions and recommendations to be delivered to competent bodies at the state level.
 - b. Determine methodology for developing report on gender equality in Bosnia and Herzegovina;
 - c. Initiate and coordinate development of the Gender Action Plan of Bosnia and Herzegovina, in cooperation with entities' gender centres, which is adopted by the Council of Ministers of Bosnia and Herzegovina;
 - d. Monitor application and coordinate activities with all relevant subjects in the Gender Action Plan of Bosnia and Herzegovina implementation process from Article 21, paragraph 3 of this Law;
 - e. Cooperate with institutional mechanisms for gender equality in institutions at the state level;
 - f. While preparing drafts and proposals of laws, by laws and other norms, strategies, plans and programs, and before these are delivered to the Council of Ministers of Bosnia and Herzegovina, provide opinion on compliance of these acts with the Law and international standards on gender equality;
 - g. Provide initiative and participate in preparation of laws, by laws and other acts, strategies, plans and programs, that are adopted at the state level, in order to determine measures for achieving gender equality in all spheres of social life;
 - h. Give initiative to initiate procedure to change and amend regulations in case of incompliance with provisions of this Law, domestic and international standards in gender equality;
 - i. Consider depositions and complaints of citizens that point to violation of a certain right from this Law;
 - j. The Agency for Gender Equality of Bosnia and Herzegovina shall adopt Unified Rules for Consideration of Depositions and Complaints of Citizens from paragraph 9 of this Article;

- k. Present and coordinate activities, within its jurisdiction, at international and regional level;
- l. Monitor implementation of this Law, and together with the Gender Centre of the Federation of Bosnia and Herzegovina and the Gender Centre of the Republika Srpska shall prepare reports on fulfilment of international obligations in gender equality sphere;
- m. Cooperate within its jurisdiction with non-governmental organizations that deal with protection of human rights and freedoms;
- n. Perform activities in order to promote gender equality;
- o. Perform all other duties in order to implement this Law.

Article 27.

1. The Gender Centre of the Federation of Bosnia and Herzegovina and the Gender Centre of the Republika Srpska shall monitor application of the Law at entities' level and perform following tasks for that purpose:
 - a. Monitor compliance of laws and other acts, policies, strategies, plans and programs adopted at entity level, with domestic and international standards for gender equality;
 - b. Provide opinion on compliance of laws and other acts, policies, strategies, plans and programs that are adopted at entity level with provisions of this Law and other domestic and international standards for gender equality and initiate harmonisation;
 - c. Monitor and analyse status of gender equality in entities;
 - d. Prepare and develop regular and special reports on gender equality, prepare and develop information, opinions and recommendations to be delivered to entities' governments and other competent bodies;
 - e. Receive and process requests, complaints and depositions of persons and groups of persons in which they point out violations of a certain right from this Law in compliance with unified rules from Article 23, paragraph 1, subparagraph 10 of this Law;
 - f. Cooperate with institutional mechanisms from Article 21, paragraph 3 of this Law;
 - g. Present and coordinate activities, within their jurisdiction, at regional level;
 - h. Cooperate with non-governmental organizations that deal with protection of human rights and freedoms;

- i. Provide expertise and advisory support and assistance to all institutions in the system and other partners.
2. Gender Center of Federation BiH and Gender Center of Republika Srpska shall perform other duties in relation to improvement and promotion of gender equality in entities.

Article 28.

The relevant authorities and other state institutions, employers, and other juristic and natural persons are required to provide all necessary information and facilitate the inspection of documentation at the request of the Agency, the FBiH Gender Centre and the RS Gender Centre forthwith, or within fifteen days at the latest.

PART FIFTEEN - PENAL PROVISIONS

Article 29

A person who, on grounds of sex, commits violence, harassment or sexual harassment that endanger serenity, mental health or body integrity shall be punished with a fine or imprisonment for a term of six months up to five years.

Article 30.

1. A fine of from 1,000 KM to 30,000 KM shall be imposed on a juristic person for the following misdemeanours:
 - a. failure to undertake appropriate steps and use effective protective mechanisms against discrimination on the grounds of gender, harassment and sexual harassment;
 - b. failure to undertake appropriate steps to eliminate and prevent prohibited discrimination on the grounds of gender at work and in employment as defined by Articles 7 and 8 of this Law;
 - c. failure to introduce curricula and methodologies in educational institutions that will guarantee elimination of stereotypical contents that give rise to gender discrimination and gender inequality;
 - d. failure to provide gender disaggregated statistical data and information collected, recorded and processed.
 - e. failure to make available statistical data provided in accordance with this Law to the public.

- f. public presentation of any person in an offensive, depreciatory or demeaning manner with regard to gender.
- 2. A responsible person within a legal entity shall also be imposed a fine of from KM 100 to KM 1000 for a breach from the paragraph 1 of this Article, as well as individuals who work independently with resources belonging to citizens.
- 3. No provision in this Article can be interpreted as limitation or reduction of the right to initiate criminal or civic proceedings, under conditions regulated by this Law.
- 4. Criminal proceedings as per provisions of this Law shall be carried out by competent bodies responsible for the proceedings in the Entities and the District Brcko of Bosnia and Herzegovina, until the appropriate Law of offences in Bosnia and Herzegovina is brought.
- 5. The Budget of Bosnia and Herzegovina institutions shall benefit from the fines.
- 6. Rulings on misdemeanours shall be enforced pursuant to the current laws of the Entities or Brcko District Bosnia and Herzegovina as the case may be.

Article 31.

The prosecution and passing of a verdict in cases of criminal offences and misdemeanours as defined by this Law are of an urgent nature and shall take priority in the operations of the relevant authorities.

PART SIXTEEN - TRANSITIONAL AND CONCLUDING PROVISIONS

Article 32.

- 1. The Ministry for Human Rights and Refugees shall move that the Agency for Gender Equality of Bosnia and Herzegovina be formed within three months from the entry into force of this Law.
- 2. All State and Entity laws and other relevant regulations shall be brought into conformity with the provisions of this Law within six months at the latest.

Article 33.

The consolidated version of the Law shall be published in the Official Gazette of Bosnia and Herzegovina.

ANNEX II

MODEL GENDER AUDIT QUESTIONS

<i>Positioning of women within the party</i> How many male and how many female party members are there? How many men and women sit on the party's Executive Board? What roles do women perform? How many women and men are there in the Programming or Political Board? What are their roles? Is the party led by a man or a woman?	<i>Gender equality commitment</i> Have the gender equality principle and non-discrimination principle been integrated into the Statute of the party? Does the party uphold this principle in its activities? If yes, how?
<i>Access to resources</i> Do women and men have equal access to party finances in general? During election campaigns? Do women or men have greater access to resources and support of the parties (organizations, logistics, political, etc.)?	<i>Capacity building</i> Does the party provide regular training for its male and female members? How many women and how many men attend the training? Are training topics different? Does training cover the issues of gender equality?
<i>Internal party structures for women</i> Does the party have a women's wing, or internal structure for women? What are the activities of that wing? Does that structure develop policies and put forward proposals contributing to party policies? Are their proposals accepted? Is this structure involved in the decision making processes or the work of the party's executive structures?	<i>Nominating candidates</i> How does the party nominate candidates for elected offices? Are there rules and criteria for nominations and are they always applied? Did the party adopt a gender balanced representation target? Does it meet the target? Are there women members in the election boards/committees? What is the share of women in the committees?
<i>Internal party communication</i> Does the party have codes of conduct (ethics)? Does the party have measures in place to prevent harassment, including sexual harassment and violence, including gender-based violence? What body implements these rules/measures? What are the consequences for perpetrators? How many cases of gender based harassment or violence were reported in the past three years?	<i>Party programmes and policies</i> How does the party develop its manifestos and programmes? Is that process inclusive, open and accessible to women?

