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BOSNIA AND HERZEGOVINA

Ministry for Human Rights and Refugees

*Gender Equality Agency of
Bosnia and Herzegovina*

Action plan for implementation of UNSCR 1325 In Bosnia and Herzegovina For the period 2014-2017

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1. Introduction

UN Security Council Resolution 1325 (2000) „Women, peace and security“, adopted on October 31 2000, is first UN SC Resolution that underlines the importance of the role and equal participation of women when it comes to prevention and resolution of conflicts and building sustainable peace. It calls upon member states to ensure greater participation of women in decision-making on all the levels. That is a prerequisite for greater inclusion of a gender perspective in the sectors of defense and security, and greater protection and respect of human rights of women and girls, in armed conflicts, and in the process of achieving peace and security.

UN Secretary General issued a directive (S/PRST/2008/39) on October 29 2008 related to implementation and reporting processes in accordance with UN SC Resolution 1325 „Women, peace and security“ which made it mandatory to member countries to make action plans for implementation of UNSCR 1325.

First **Action plan for implementation of UNSCR 1325 in Bosnia and Herzegovina**, 2010 – 2013 has been adopted on July 27 2010 by decision of Council of ministers of BH („ BH official Gazette“92/10). Action plan of Bosnia and Herzegovina is first action plan for implementation of UNSCR 1325 in the region of Southeast Europe and has been an example to the other countries in the region in process of making national action plans for implementation of UNSCR 1325.

By the decision of BH Council of Ministers at 154th session held on June 29 2011 **Coordination board to monitor the implementation of the Action Plan** was formed. Board consists of representatives from all the institutions from the sector of security in Bosnia and Herzegovina who also took part in making of Action plan: BH Ministry of Security, State Investigation and Protection Agency (SIPA), BH Border police, BH Ministry of Defense, BH Ministry of Foreign Affairs, BH Ministry of Finance and Treasury, Gender center of Federation BH, Gender center of Republic of Srpska, Ministry of Interior of Federation BH, Ministry of interior of Republic of Srpska, BH MAC and Association „United Women“ as representatives of non-government sector (NGO Women to Women was previous representative of NG sector). Members of Coordination board took active part and gave their contribution to implementation and promotion of Action plan, as in institutions where they come from, as well as to general and international public.

BH Council of Ministers adopted first **annual Report on execution of Action plan for implementation of UNSCR 1325 „Women, peace and security“ in B&H** on September 15 2011. Second annual Report was adopted by Council of Ministers on December 4 2012. In third year, before the end of implementation of Action plan, there was independent evaluation of implementation of the Plan for the period 2010-2013. Results and recommendations of this evaluation and lessons learned have been a foundation for making **new Action plan for the period 2014-2017**.

This Action plan was made in full cooperation of Agency for Gender Equality and institutions represented in Coordination board for monitoring AP, and with consultations with NGOs. Expert and technical support to making the Plan was provided by Institute for Inclusive Security within the „Resolution to Act“ program and UN Women in Bosnia and Herzegovina.

2. International and domestic legal framework

2.1. International legal framework

UN Security Council Resolution 1325 “Women, peace and security” (2000), calls for full and equal participation of women in prevention and resolution of conflicts and building of international peace and security. Adopting Resolution 1325 is particularly significant in view of the fact that in the last decades the nature of war has changed and civilians are more often exposed to warfare. Women and girls are involved in conflicts, molestation and rape of women has become an important weapon and one of the methods of extreme torture in the wars all over the world. There is greater need for protection of women and girls, as in conflicts, as well as in post conflict situations. That is underlined by adopting resolutions related to UNSCR 1325: 1820 (2008), 1888(2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013).

- **UN Resolution 1820 (2008)**, is related to sexual violence in conflict and post-conflict situations. It emphasizes the importance of prevention of sexual violence against women and punishing the perpetrators which is extremely important in process of reconciliation and establishing lasting sustainable peace. Rapes and other forms of sexual violence during and after armed conflicts can be perceived as a war crime and crime against humanity.
- **UN Resolution 1888 (2009)** pays special attention to protection of women and girls in armed conflicts. It leans on UNSCR 1820 and demands appointing of special representative of Secretary General, forming expert teams which would function within UN forces on the ground in order to more effectively coordinate, implement and report on application of UNSCR 1820.
- **UN Resolution 1889 (2009)** accentuates protection of women and girls in post conflict situations. It calls for additional measures for increasement participation of women in all the phases: conflict resolution, post-conflict planning and peace building, including making of political and economic decisions, combating stereotypes and promotion of woman leadership and capacities, management of help programs and support to women's organizations.
- **UN Resolution 1960 (2010)** was adopted as an answer to slow progress in resolution of issues connected with sexual violence in armed conflicts, especially against women and children. It calls for making concrete steps and institutional mechanisms for prevention and protection from sexual violence in conflicts, as severe abuse of human rights and international law.
- **UN Resolution 2106 (2013)** points out slow progress in implementation of important aspects UNSCR 1960 and calls for more effective steps in prosecution and reacting to the cases of sexual violence, which would significantly contribute to maintaining international peace and security.
- **UN Resolution 2122 (2013)** calls for continuing implementation of UNSCR 1325 and national action plans, and improving the system of coordination, monitoring and evaluation. It puts a special focus on female leadership and greater participation of women in monitoring progress in conflict resolution and maintaining peace.

UN Convention to Eliminate all forms of Discrimination against Women (CEDAW 1979), is implemented in Bosnia and Herzegovina from 1993, while Optional protocol was signed in 2002. Bosnia and Herzegovina, as a member country, submits regular reports to UN CEDAW Committee (CEDAW report). During 2013, 4th and 5th reports were defended and CEDAW Committee provided concluding observations and recommendations for Bosnia and Herzegovina (CEDAW recommendations). Some of the recommendations are related to significant areas for implementation of UN Resolution 1325 in BH, and the most important were:

- In the area **Women in post-conflict** situations, Committee recommends that Member state, among other things:
 - *Ensures full implementation of UN SCR 1325 (2000) through Action plan for BH and develops concrete measures for increasing participation of women in decision making in post-conflict policies and strategies, taking into consideration needs of women and girls, especially those related to their social rehabilitation and reintegration.*
 - *Develops comprehensive approach to improvement of status and position of all the women victims of war, including repression of stigma that follows sexual violence, enlargement of measures and restitutions, support and rehabilitation, and ensure equal access to these services for all women victims of war, no matter where they live.*
- In the area **Trafficking and exploitation of prostitution** Committee recommends that Member state, among other things:
 - *Strengthen the mechanisms aimed at early identification and referring victims of trafficking, with special retrospect on Roma women and internally displaced people, as well as preventive measures, i.e. raising awareness about risks of human trafficking among endangered groups of women.*
- In the area **Participation of women in public and political life** Committee recommends that Member state, among other things:
 - *Develops effective mechanisms for applying quotas in order to increase political representation of women by appointing women who have chance to win and establishing benchmarks with specific timelines and penalties for failure to fulfill the obligations.*

Most of CEDAW recommendations for above mentioned areas have served as a basis for making Action plan for implementation of UNSCR 1325 in Bosnia and Herzegovina for the period 2014-2017.

Beijing Declaration and Platform for Action (1995) in the chapter: *Women and armed conflicts*, calls for comprehensive institutional changes in order to decrease military expenditure and enable global promotion of human rights and non-violent resolution of conflicts. Also, Declaration emphasizes the necessity of participation of women in conclusion of the peace processes and conflict resolution, as well as protection of women in war zones and refugee camps.

Recommendation CM / Rec (2007) 17 of the Committee of Ministers of the Council of Europe "Standards and Mechanisms for Gender Equality" in the area: *Conflict and post-*

conflict period, calls for the full implementation of relevant international legal instruments, in particular the UN resolution 1325 and emphasizes the need to:

- Increase participation of women in decision-making when it comes to preventing and resolution of conflicts since women can significantly contribute, especially when it comes to peace building and preventing further conflicts. Their participation in decision-making and within protection mechanisms, leadership and conflict solution, including peace negotiations, democratization of societies after the conflicts, cannot be under 40% which is minimum threshold of equality.

2.2. Domestic legal framework

Constitution of Bosnia and Herzegovina, Constitution of Federation BH, Constitution of Republic of Srpska, constitutions of cantons and Statute of Brcko District BH guarantee to all the citizens of Bosnia and Herzegovina right of participation in political parties, public affairs, equality of access to public services and the right to vote and be elected. Constitution of Bosnia and Herzegovina, however, does not provide general obligation does not provide for a general obligation of certain gender representation (quota, proportion, parity etc.) in public life, or any special obligation when it comes to representation in legislative, executive or judicial power, but it includes provision about prohibition of gender based discrimination in the process of enjoying the rights and liberties defined by BH Constitution and in international agreements listed in Annex I of the Constitution.

Gender equality issue is regulated in numerous other legal and subordinate regulations of country and entities.

Law on gender equality in Bosnia and Herzegovina – revised text („Official Gazette BH“, no: 32/10) in article 20 (area referring to *Public life*) demands equal representation of both genders in governance and decision-making processes. For the purpose of rapidly achieving equal representation of genders in creating policies and adopting measures on all the levels of power in BH, during the revisions of Law on gender equality in BH, article 20 was harmonized with Recommendation 3 (2003) Committee of Ministers of the Council of Europe, which regulates that: „Equal representation of genders exists in the case when one of the genders is represented at least at 40% in in government bodies at all levels of government and local government bodies, including the legislative, executive and judicial powers, political parties ... ”

Election law of Bosnia and Herzegovina („BH Official Gazette“, no.23/01, 07/02, 09/02, 20/02, 25/02, 04/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/13 in 07/14) has been harmonized with Law on gender equality in BH. In the article 4.19, paragraph 4; it states that equal representation of genders exists in the case when one of the gender is represented with at least 40% from total number of candidates on the list. Alongside obligatory percentage, quotas, BH introduced compulsory order at ranking. That rule imposes that at least one (1) candidate of less represented sex among first two (2) candidates, two candidates (2) of less represented sex among first five (5) candidates and three (3) candidates of less represented sex among first eight (8) candidates, etc. Central election Commission will reject party's list if it is not created by quota rules.

Gender action plan of Bosnia and Herzegovina for the period 2013-2017 (GAP BH; „BH Official Gazette“, 98/13) is strategic document that includes strategic goals, programs and measures for achievement of gender equality in all the spheres of social life, both public and private. It gives guidelines for making annual operative plans on the levels of entities, cantons and local. GAP BH follows priorities on all the levels of power in Bosnia and Herzegovina, leaning on previous Gender action plan BH (2006-2011) and other relevant strategic country and entity documents, and also documents of Council of Europe, European Union and United Nations.

Gender action plan states that UN SC Resolution 1325 and European Parliament Resolution about participation of women in peaceful resolution of conflicts (2000/2025(INI)) give directions and guidelines to the governments of Bosnia and Herzegovina and entities, as well as to other actors for undertaking relevant measures in order to improve position of women in the society and to prevent every form of violent resolution of problems.

- Priority area under the second strategic objective of GAP: Monitoring and improving the implementation of national and international standards for gender equality, defines the obligation of the Agency for Gender Equality to coordinate and monitor the implementation of UN Resolution 1325, as well as the development and implementation of the Action Plan for the implementation of this resolution in Bosnia and Herzegovina.

3. Gender equality analysis in priority areas

3.1. Participation of women in decision-making positions on all levels of government in Bosnia and Herzegovina

State of gender equality in the public life in Bosnia and Herzegovina is primarily examined through the possibility of equal participation of women and men in decision-making. BH Agency for Gender Equality and Entity Gender Centers in cooperation with all institutional and non-institutional partners working on the introduction of the principle of gender equality in the legal documents and strategic character from various fields, both in the process of their development and in the process of their implementation. The process of legal harmonization gives possibility for ensuring **equal participation of women and men in all bodies and processes for decision-making.**

As already noted in the previous section, this area is regulated by the Law on Gender Equality in Bosnia and Herzegovina and the Election Law of Bosnia and Herzegovina which provide equal representation of the sexes exists in the case when one of the sexes is represented with at least 40% of the state bodies at all levels of government and local government bodies, including the legislative, executive and judicial powers, political parties, etc.

3.1.1. Legislative power

Women are still underrepresented gender in legislative bodies at all levels and average representation does not exceed 40% of the established law. Although the lists of candidates of political parties in general elections 2010 showed the largest number of candidates,

compared to the two previous election cycles, it does not affect the increase in the number of women in decision-making positions. In the House of Representatives of the Parliamentary Assembly, the House of Representatives of the FBH and the RS National Assembly, women comprise about 21% of all elected representatives.

- *Participation of women in national and entity parliaments/assemblies*

National and entity parliament/assembly	2006 % women	2010 % women
House of Representatives of Parliamentary Assembly of Bosnia and Herzegovina	16,6	19
House of Representatives of Parliament of Federation BH	20,4	17,3
National assembly of Republic of Srpska	24	23

Table 1: Participation of women in national and entity parliaments / assemblies

In the six commissions of House of Representatives of the BH Parliamentary Assembly, from 54 members, there are 13 women, none presidents of Commissions. Six joint committees of Parliamentary Assembly have 72 members, 14 of them women, three women presidents, three first deputies; one is second deputy one and seven women members. Women are at the position of president of the Joint Commission for Defense and Security of BH, for economic reform and development, and human rights, the rights of the Child, Youth, Immigration, Refugees, Asylum and Ethics. The three committees of the House of Peoples of the Parliamentary Assembly have 18 members; three are women, none of them presidents, and only one other deputy.

- *Participation of women in cantonal assemblies*

Cantonal assemblies	2006 % women	2010 % women
Canton Sarajevo	22,8	17,14
Tuzla canton	11,4	17,14
Central Bosnia canton	19,3	20
Bosnia-Podrinje canton	16	28
Una – Sana canton	20	16,62
Posavina canton	10	22,72
Zenica – Doboј canton	17,19	17,14
West Herzegovina canton	8,6	13,04
Herzegovina–Neretva canton	10	13,3
Canton 10	4	12

Table 2: Participation of women in cantonal assemblies

- *Participation of women in local government*

Results of Local elections 2012 indicate that women are still less represented gender in most of the local legislative bodies. The analysis indicates that in relation to the local elections in 2008 when there was elected an average of 15% women in municipal councils / assemblies, during the local elections in 2012 and average 17.1% of women were elected. Although there has been increased participation of women by 2% it is still far from equal

gender representation prescribed by the Law on Gender Equality. Looking at the data by municipalities, it is noticeable that there are fluctuations in relation to the representation of women in relation to the 2008 elections in some local communities. Municipalities in which women are selected for the mayors were Doboju Jug, Mrkonjic Grad, novi Grad, Visoko and Kalinovik. In seven municipalities there were no elected women, while in seven municipalities number of elected women ranges from 35% to 45%, while in the two municipalities percentage of elected women was 45-55%.

3.1.2. Executive power

Women are still underrepresented in the executive branch of government in Bosnia and Herzegovina. Although the formation of the Council of Ministers of Bosnia and Herzegovina, after the last general election, represented an opportunity to ensure women's representation in this body of executive power, not a single woman has been appointed. Women are nominated in five ministries as Deputy Ministers. In the Government of the Federation of Bosnia and Herzegovina only one woman was appointed as a minister. The current composition of the Government of the Republic of Srpska indicates a significant improvement in women's representation. Women in positions of Prime Minister, Deputy Prime Minister and Minister were named in five departments, a total of 16 ministries. The cantonal governments appointed no women as Prime Ministers while the percentage of women, Minister of cantonal governments, was 17.5% (number of cantonal woman ministers varies from 0% to 37.5%, depending on the canton).

3.1.3. Participation of women in courts and prosecution

The composition of the High Judicial and Prosecutorial Council, there is five elected women and six men. Data from the Annual Report of the High Judicial and Prosecutorial Council of Bosnia and Herzegovina from the 2012th point to the fact that the number of women and men in the prosecutors' offices and courts is moving within the standards as stipulated by the Law on Gender Equality in BH. Council appointment to judicial positions take into account the equal representation of the sexes, as can be seen from the statistics listed below.

Courts in BH	2010 % women	2012 % women	Prosecutor's offices in BH	2010 % women	2012 % women
Court BH	44	43	Prosecutor's BH	52	52
Courts FBH	66	36	Prosecutor's FBH	47	55
Courts RS	61	54	Prosecutor's RS	45	40
Courts BD	56	58	Prosecutor's BD	50	50

Table 3: representation of women in courts and prosecutor's offices in BH

Data on gender representation in higher positions, court presidents and chief prosecutors, show a lower proportion of women (14%). President of the BH Court is a woman. The entity courts and prosecutors' offices executives are men. Women, as president, dominate in the cantonal courts (60%). Only two women have been appointed to the position of the main prosecutor at the entity level, one at the cantonal prosecutor's office (out of total of 9 appointees) in the Federation of Bosnia and Herzegovina and one in the District and the Special Prosecutor's Office in Banja Luka (out of total of 6 appointees) in the Republic of

Srpska. Participation of women is higher in district courts (61.46%) and prosecutors' offices (50%) and municipal (67.55%) and primary (62.56%) courts.

3.1.4. Participation of women in diplomatic and consular missions

According to the Ministry of Foreign Affairs, the diplomatic and consular missions of Bosnia and Herzegovina are currently represented by 78 women and 73 men, indicating an increased representation of women by about 20% compared to data from 2009, when there were 56 women and 122 men. There are six women ambassadors and one general consul.

3.2. Military and police structures

It is evident that progress has been made in establishing and updating a database on women in the military and police forces. The existing database on the representation of women in the armed forces was updated, according to the unit, formational duty, military skills, personal rank, information on military and civilian education, interest in participation in peacekeeping missions, as well as other relevant personal data.

3.2.1. Representation of women in military forces

At all levels of the Armed Forces BH there were educations organized and information provided about the importance of participation of women in the armed forces and peace support missions. All organizational units of the Ministry of Defense and the Joint Staff of the Armed Forces of Bosnia and Herzegovina were charged to classify all the data, reports and analyzes by gender.

According to recent analysis of data from the Ministry of Defense of Bosnia and Herzegovina in 2013, the total number of employees in the Ministry of Defense, women are proportionally represented with 35.6%, while women in relation to total number of civilians in armed forces are represented by 23.8%. There is 4, 8% professional military women in BH Armed Forces. Women in peacekeeping missions are represented by 3.5%. Of the total number of members of the Armed Forces, women are proportionally represented 6.5%.

By promoting the military profession and by taking affirmative action measures, we are aiming to eliminate prejudices based on the idea of the inferiority or superiority of either sex. There is an evident trend of increasing interest for the admission of women into the BH Armed Forces, of the 23 candidates who applied to the first ad up to 595, as applied to the final ad. In an effort to increase the number of women professional soldiers, in the five-year development plan of the BH Armed Forces for the period 2010-2015 is provided for increasing the representation of women at 10%. Recommendation of BH Ministry of Defense to each admission is that among the total number of candidates, there should be 10% of women. There is an ongoing pilot project officer from receiving citizenship in the Armed Forces of BH, which will increase the number of women in the category of officers.

Ministry of Defense / BH Armed Forces	2009 % women	2011 % women	2013 % women
Employees in BH Ministry of Defense	41,5	36,4	35,6
Civilians in BH Armed Forces	28	23,8	23,8
Active military personnel in BH Armed Forces		3,8	4,8
Members of BH Armed Forces	5	5,4	6,5
Members of peace missions			3,5

Table 4: representation of women in the defense sector

To this end, BH Ministry of Defense and BH Armed Forces are continuously working to promote the military profession. One of the measures is that public advertisements for the admission of candidates in the professional military service should promote equal gender representation by including the sentence: *"When selecting candidates for admission to the military service an equal gender representation should be taken into account in accordance with the Law on Gender Equality in BH"*. Regulations on admission to the military service state obligatory equal gender representation in the composition of the Commission for Reception.

In commands and units of BH AF up to the level of battalion, gender focal points have been appointed. After the appointment, the network of gender focal points was formed within BH Armed Forces. Gender focal points, alongside their usual duties, should monitor and evaluate current conditions, report and suggest measures for achieving gender equality. All those duties have been specified in „Standard operative procedures for gender focal points appointed in BH AF“. With the support of NATO HQ in Sarajevo, workshops are being organized twice a year in order to introduce duties and obligations to appointed focal points.

BH Ministry of defense has regular cooperation with organizations as NATO HQ Sarajevo, EUFOR, PSOTC and UNDP in implementation of joint projects and activities aiming to improve gender equality in defense and security sector. As a mode of cooperation, numerous joint workshops and seminars have been organized. With the support of NATO HQ acquisition of equipment, footwear and garments for female members of BH AF was made. About 4 thousand members of BH Ministry of defense and units of BH AF have been familiarized with UNSCR 1325 through trainings and field visits. Ministry is part of realization of regional project by UNDP/SEESAC „Strengthening of regional cooperation in integration of gender perspective in reform of security sector in countries of western Balkans“. Within that project, it is significant to mention participation in making Study about position of women in armed forces of countries in western Balkans and, in accordance to needs rendered, special conditions for life and work of women in „Zaim Imamovic“ barracks in Pazaric were improved.

In May 2013 PARP¹ assessment for Bosnia and Herzegovina on the level of North Atlantic Council within which the new Partner goal G4590 „Perspective of gender equality“. BH Ministry of defense was assigned stakeholder for this goal and activities have been undertaken accordingly.

3.2.2. Representation of women in police forces

When analyzing representation of women in law enforcement agencies on national and entity level, it can be stated that women are underrepresented in all the structures, including lower levels of police system in Bosnia and Herzegovina, especially in decision-making positions and among higher ranks. When it comes to structure of employed public servants, representation of women is somewhat better (around 40%), but number of women in managerial positions is significantly lower than mentioned percentage. In the structure of police officers, total number of women is about 13%, while percentage of high ranking women in all law enforcement agencies in Bosnia and Herzegovina is about 0,5%. Analysis shows that after the adoption of Action plan for implementation of UNSCR 1325 (July 2010) number of female police officers doubled in comparison to last analysis done by BH Agency

¹ PARP-Proces of planning and revision – one of the mechanisms of interactive cooperation with NATO

for Gender Equality and EU Police mission (EUPM). Based on the former analysis (2010)² fixed percentage of women in police of Bosnia and Herzegovina is 6, 3%.

From total of 189 employed in **Ministry of security**, there are 90 women (47, 61%). Minister, deputy and secretary are men. Out of 10 aids to the minister, there are 9 men and a woman. Out of 20 chiefs of departments, there are 12 men and 8 women.

In **State investigation and protection agency** within BH Ministry of security, out of total of 736 employed, there are 173 women (23,5%) which is an 9,5% increase in relation to 2009 analysis. From total number of employees, there are 112 employees (64 women or 57, 14%), 78 public servants (39 women or 50%; 3 women or 3, 85% are on managerial positions) and 546 police officers (70 women or 12, 82%; 6 women or 1, 1% of women hold managerial positions – superintendents or team leaders).

When it comes to **BH Border police** under BH Ministry of security, from total 2053 police officers, there are 137 women (6, 67%); managerial positions hold 2 women (0,097%). From total of 45 public servants, there are 23 women (51, 11%), 3 women have managerial position (6, 67%). Among 150 employees, there are 97 women (64, 67%).

According to data from **Federal ministry of interior**, as of December 20 2013, total number of employees was 177, 99 women (56%) and 78 men (44%). Out of 6 senior civil servants, there are 4 women (67%) and 2 men (33%). Out of 55 other civil servants, there are 27 women (49, 1%) and 28 men (50, 9%). From total of 110 employees, there are 68 women (61, 82%) and 42 men (38, 18%).

From total of 773 employees of **Federal police administration**, there are 137 women (17, 72%) and 634 (82, 27%) men. Two senior civil servants are men. Out of 49 remaining public servants, there are 27 women (55, 1%) and 22 men (44, 89). From total of 159 employees, there are 66 women (41, 5%) and 93 men (58, 49%). Out of 565 police officers, there are 44 women (7, 78%) and 521 men (92, 21%). No women have rank of chief inspectors, 2 women are independent inspectors, 2 are superintendent and 10 women are inspector. Most women (22) have the rank of senior police officers.

In **Cantonal ministries of interior** there is total of 7335 police officers, 469 women (6, 39%). From that number, the biggest percent of women hold the rank of police officers, senior police officers and junior inspector. 14 women (0, 19%) hold the rank of inspector, 12 (0, 16%) are senior inspector and 2 (0,035%) have the rank of independent inspectors. No woman has a rank of chief inspector.

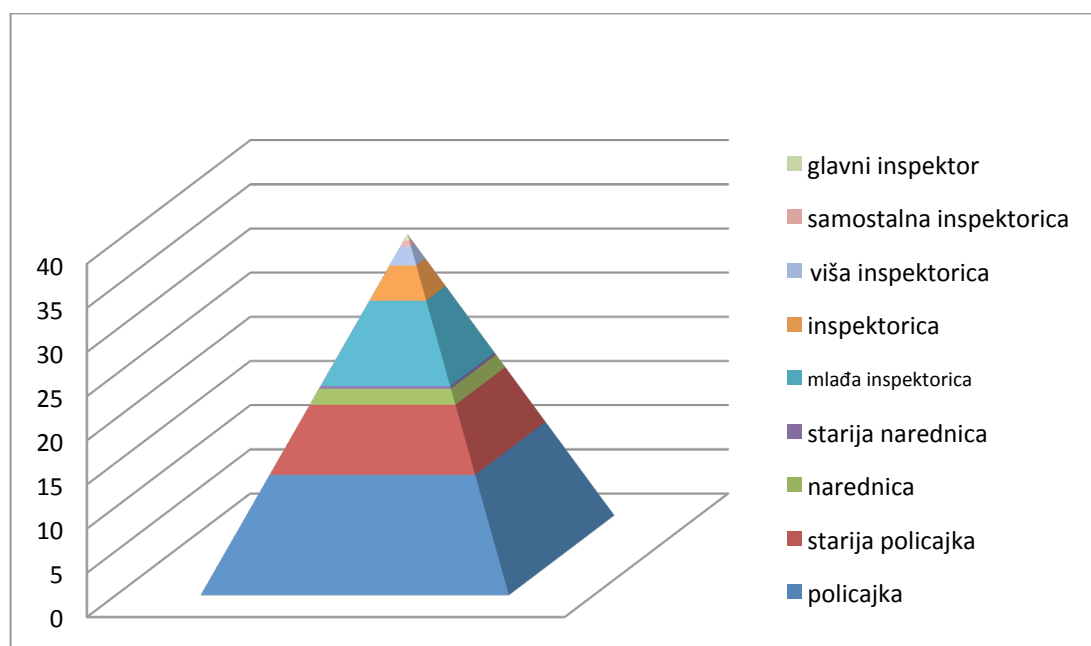
From total number of employees of **Ministry of interior of Republic of Srpska**, there is 21, 45% of women (5, 66% police officers – 2, 83% uniformed and 2, 83% civilian). Managerial positions hold 82 (1,2%) women regardless of their status of employment. 12 female police officers hold managerial positions up to the rank of commanders of the police stations. 12 female police officers have the rank of independent inspectors, while 2 hold the position of chief inspectors.

From total of 46 employees of **Brcko District Police** there are 27 (58, 67%). Managerial positions hold 2 women. Out of total of 256 police officers, there are 12 (4, 68%) women. 2

² Report „Women in police forces“, Situation in Bosnia and Herzegovina, Sarajevo, June 2010

women (0, 78%) have the rank of inspector, while 3 (1, 17%) hold the position of junior inspectors.

This data shows that women are, not only underrepresented on all positions within the mentioned institutions, but also emphasize the fact that only small number of female police officers will in due time has the prerequisites for obtaining the higher rank. Having in mind that fewer women hold starting and middle positions, or ranks, it is hard to expect real increasement of number of women in managerial positions and with higher rank in the short period of time.



Picture 1: Representation of women in law enforcement agencies on national, entity and canton level, according to rank

Positive example is **Decision by BH Border police director about admission of cadets with 30% of female candidates**. It is significant to notice that one female member of BH Border police was promoted to the rank of chief inspector at the position of head of the basic organizational unit – chief, while other woman, with the rank of independent inspector, got the position of head of internal organizational unit – commander. The fact that 5 women have the rank of senior inspector represents a real possibility for further advancement.

FBH Ministry of interior (MUP FBH) and Ministry of Interior of RS (MUP RS) continue activities related to affirmation of women on managerial positions in police structures, career advancement (additional educations for women who took their maternal leave, introducing quotas when it comes to managerial positions and ranking, admission of cadets etc.), records classified by gender, harmonizing laws and bylaws with the Law on gender equality in Bosnia and Herzegovina. Positive example is decision by MUP RS that states that there should be taken into account that 25% of candidates admitted to the Police academy should be female. Also, Law on public servants applied in Republic of Srpska states that Commission for selection of candidates reflects proportional national and gender representation. An example of serious approach and continuing work on improvement of gender equality is current Ordinance on internal organization and job systematization of MUP RS, as well as proposal of Law on police officers in RS which promotes equality between men and women in the structure of police officers.

Other positive example is Law on internal affairs in Tuzla canton which introduces criterion of gender representation in the context of appointment and dismissal of police commissioners through the Commission appointed by Tuzla cantonal assembly, which is also supposed to have equal gender representation. Same goes for the membership in the Commission for complaints against police officers, alongside ethnic representation; equal gender representation criterion was introduced and is also recommended during the selection of police officers.

3.3. Peace missions

Deployment of police officers in peace-support operations is determined by Law on the participation of members of the Armed Forces of Bosnia and Herzegovina, police officers, civil servants and other employees in peace support operations and other activities abroad ("BH Official Gazette" No. 14/2005), and Regulations on the procedure for deployment members of the police agencies in Bosnia and Herzegovina to peace support operations and other activities abroad, selection and training, rights, duties and responsibilities, conduct of members of the police service during the peace-support operations, rights, obligations and responsibilities of the commander of the contingent ("Official Gazette" No. 93/2006), which was adopted by the BH Minister of Security. In these Regulations is Article 7, paragraph (b) of Article II "The selection of members of the police service in BH in order to participate in peacekeeping missions" determines the following: on the basis of proposals submitted Ministry prepares a list of candidates who meet the requirements for participation in the peacekeeping operation, taking into account the expertise and experience, national, regional, gender balance and representation of such institutions and police office or agency. "

Bosnia and Herzegovina has launched a number of initiatives and implemented activities with the aim of promoting the participation of women in peacekeeping missions, and the inclusion of gender equality in training for police officers before being sent on peacekeeping missions as well as affirmative action to increase the number of women in peacekeeping missions.

Ministry of security in cooperation with BH Defense Ministry's³ Peace Support Operations Training Centre (PSOTC) devised a 5-day training „Gender issues in peace support missions“. This training was directed to NATO and UN for obtaining accreditation. Training became part of trainings in PSOTC for mid-management personnel of ministries of defense, security, internal affairs, BH Armed forces, police agencies and members of army and police who will be deployed to peace support missions. Bosnia and Herzegovina is the only country in the region that conducts this type of training, so PSOTC will in future educate members of police and armed forces from the countries in the region, as well as member states of NATO and EU. Ministry of security in cooperation with PSOTC initiated preparation and implementation of two week training for all members of police forces before deployment to peace missions. This training was accredited by relevant bodies of United Nations and is being provided by instructors of law enforcement agencies in BH, BH Ministry of security and PSOTC.

In order to affirm participation of women in peace missions, Ministry of security used **affirmative measures** by decreasing necessary years of work experience as one of main

³ At the beginning of 2013, PSOTC became a part of Ministry of Defense of Bosnia and Herzegovina. Until then it functioned as a international center.

criterion for application for participation in selection process for deployment to peace missions, **from 8 to 5 years for women**. This affirmative measure has been introduced because law enforcement agencies in BH had no female employees with 8 years of continuous work in police structures. Consequence of not doing that would be stopping the deployment of men to peace missions since UN demands and expects from member states to give advantage to women in final selection for deployment to particular mission.

BH Ministry of defense is working on **advancement of data basis on interest and participation of women in peace missions**. PR office of BH Ministry of defense in cooperation with Sector for management of personnel was in charge of promoting military calling and activities by female members of peace missions within their mandate. On all the levels of BH Armed forces there were educations and briefings about importance of participation of women in military forces and peace support missions.

Mandate of UN police is reflected through supporting implementation of peace agreements, support to governments in enforcement of security reforms, protection of civilians (especially most endangered groups of people: displaced people, returnees, women and children), providing and organizing different educations for local police officers as well as preventing new combats, maintenance of public order and peace. Female police officers from Bosnia and Herzegovina take part in UN peace missions from 2000. Female members of BH AF participated in peace support missions in Ethiopia, Eritrea and Iraq. The first rotation of infantry unit of BH Armed forces in Afghanistan had a female member. Women are present in peace operations in most demanding tasks, as military observers, deminers and infantry.

- **Participation of women in peace missions from 2000-2013**

From 2000-2013 there were total of 201+1+1+1 police officers in peace missions in Liberia, Sudan – South Sudan, Cyprus, East Timor and Haiti, plus 1 semiprofessional position in Libya, 1 professional in South Sudan and 1 semiprofessional in Cyprus. Out of that number, there were 31 + 1 women or 14, 9% (15, 38%).

UN Peace missions	Total number of police officers	Number of female members (%)
Cyprus (UNFICYP)	28	4 (14, 28%)
Liberia (UNMIL)	74	10 (13, 51%)
South Sudan (UNMISS)	54	9 (16, 66%)
Sudan (UNMIS) ⁴	19	4 (21, 05 %)
East Timor (UNMISET) ⁵	21	1 (4, 76 %)
Haiti (MINUSTAH)	12	3 (25 %)

Table 5: Participation of women in peace missions from 2000-2013

- **Current state of female representation in peace missions**

According to the report of Ministry of security, at the moment there are 52+1+1 police officers deployed to UN peace missions. Out of regular 52 police officers, there are 12 women (23,

⁴ Mission has been transformed to UNMISS South Sudan and UNISFA - Abeyei

⁵ There is no more BH police officers in peace mission to East Timor and Haiti

07%). If professional and semiprofessional officers would be added to this number, out of 54 officers, there are 13 women, or 24, 04%.

UN Peace missions	Total number of police officers	Number of female members (%)
Cyprus (UNFICYP)	7	2 (25, 57%)
Liberia (UNMIL)	9	3 (33, 33%)
South Sudan (UNMISS) ⁶	36	7 (19, 44%)

Table 6: Current state of female representation in peace missions

This data⁷ shows the growing trend of interest and possibilities of participation of women in peace missions. Women are being appointed as commanders and deputy commanders of BH contingents in peace missions as well as to other managerial positions. Current percentage shown in Table 6 is bigger than average in NATO and EU member countries. This kind of success would not be possible without understanding and support of all law enforcement agencies in BH which give initial consent for nominating their police officers to selection process before deployment to the peace mission.

3.4. Trafficking

In Concluding observations and recommendations that Bosnia and Herzegovina got after defending Fourth and fifth CEDAW report for BH, UN CEDAW Committee asserted progress in adoption of regulations and policies for the protection of victims and witnesses, including the development of new Strategy for combat against trafficking. However, Committee expressed concern with lack of effective procedures for identification of victims and timely processing and punishing of traffickers, especially when it is about women and girls from Roma community and internally displaced women who increasingly face this problem. Therefore, the Committee expressed importance of ensuring effective implementation of new legal framework and strengthening the mechanisms that aim for early identification and referral of victims of trafficking.

Work group that is made out of prosecutors from throughout BH, made a proposal of potential amendments to the criminal law that would harmonize legislature in this field with international standards, especially with UN Protocol about prevention and punishing of trafficking, Council of Europe Convention on action against trafficking and European Union's Directive on combating trafficking. Whole activity has been conducted in cooperation with OSCE Mission in BH. Text of amendments has been harmonized and sent for adoption to the National and entity parliaments, judicial commission of BH Brcko District. Amendments of Criminal law of Republic of Srpska have already been adopted ("Official Gazette of RS" nr. 67/13) and amendments of Criminal law of BH Brcko District ("Official Gazette of BH Brcko District nr. 9/13).

Data on potential victims of trafficking (solicitation to prostitution and/or sexual exploitation, trafficking with purpose of begging, selling for the purpose of marriage) is being collected by prosecutors, law enforcement services, centers for social work and NGOs. Table 7 is showing data collected from 2009 to 2012.

⁶ During 2013 16 more police officers were supposed to be deployed to peace mission in South Sudan

⁷ BH Ministry of Security statistics data, available at <http://www.BHat.ba/>

Potential victims of trafficking		2009	2010	2011	2012
Men	Under age	4	2	7	3
	Of age	1	2	0	0
	Total	5	4	7	3
Women	Under age	23	3	12	16
	Of age	41	18	16	20
	Total	58	21	28	36
TOTAL		69	25	35	39

Table 7: Number of potential victims of trafficking

From total of 39 victims, 20 were sexually exploited, 3 incitements for prostitution, 13 for forced labor – begging and 3 were sold for forced marriage. From total number of potential victims of trafficking (foreign nationals) there were 11 (2009), 4 (2010) and 8 (2011), or total of 23 persons. Countries of origin of these victims are: Serbia, Croatia, Moldova, Romania, Germany, United States, Kosovo and Bulgaria.

In 2012, out of 39 victims of trafficking, there were 12 foreign nationals, 2 of them received assistance in the safe houses within BH, while 10 foreign nationals, all from Serbia, were identified as a potential victims and are currently in the procedure undertaken by State investigation and protection agency (SIPA) by the injunction of BH Prosecutor's office. Countries of origin of two foreign victims are Germany and Bulgaria. Remaining 27 victims are BH nationals.

During 2012, safe houses provided protection to 13 potential victims of trafficking, while 26 potential victims were not directed to the shelters, Out of those 26 potential victims, 10 are not on the BH territory, 10 received help from Center for social work, or NGO that runs day center for kids working on the streets, while remaining 6 did not want any help.

In 2012, there was a return of three victims of trafficking, citizens of BH. Two were by females (1 of age, 1 under age) from Serbia to Bosnia and Herzegovina and one return (1 of age) from Macedonia. During 2012, residence on humanitarian grounds was granted to two (2) victims of trafficking – foreigners in Bosnia and Herzegovina.

Data on prosecution for the counts of trafficking and felonies connected to trafficking are being collected from High Judicial and Prosecutorial Council of Bosnia and Herzegovina and Task force for combat against trafficking. Table below shows the data on criminal prosecution collected from 2009 to 2012.

Prosecution	2009	2010	2011	2012
Charge	23	22	19 vs. 38	
Initiated investigation	20	15	10 vs. 9	19 42
Indictment	10 vs. 20	16	6 vs. 9	15 22
Conviction	Against 10	19	4 vs. 7	11 13
Acquittal	For 5	For 4	For 1	2 for 3
Pending indictment	12	9	13 vs. 36	

Table 8: Data on procedures implemented in cases of trafficking

Ensuring adequate services to victims of trafficking (i.e. shelters) are mostly governed by non-government organizations that rely on external financing. BH Ministry of security has a signed protocol with two NGO that aid and accommodate foreign victims of trafficking, while BH Ministry for human rights and refugees has signed protocol with 3 NGO that aid and accommodate domestic victims of trafficking.

Following a comprehensive approach to solving the problem of trafficking, work group consisted out of representatives of BH Ministry of security and other relevant institutions, made new Strategy and Action plan for combat against trafficking in Bosnia and Herzegovina (2013-2015), adopted by BH Council of ministers in March 2013. Strategy has 5 strategic goals:

- A. SUPPORT – Organize sustainable support system in dealing with the problem of trafficking in Bosnia and Herzegovina;
- B. PREVENTION – Initiate prevention as desirable and sustainable process;
- C. PROCESSING – Improve system of discovery, clarification, evidence and criminal prosecution;
- D. PROACTIVE PROTECTION – Ensure sustainable programs and procedures for protection of victims of all forms of trafficking;
- E. PARTNERSHIP – Improve inter institutional cooperation on all levels of government

3.5. Women who endured sexual violence during and after the war

Protection and support to witnesses / victims of crimes committed during the war in Bosnia and Herzegovina is regulated by the laws of the state and entity level. At the state level the legal framework governing the protection of witnesses make: criminal laws in BH, laws on criminal procedure, the BH Law on Witness Protection Program, the Law on the protection of witnesses in criminal proceedings of RS and the Law on Protection of Witnesses under threat and vulnerable witnesses of FBH.

In the Criminal Code, which applies to the prosecution of war crimes cases before the Court, two articles referred to rape as a means of committing the crime: Article 172 *Crimes against humanity* and Article 172 *War crimes against the civilian population*. Although the definitions in the BH Criminal law have not yet been amended in accordance with the recommendations of the Committee against torture, BH Court in its jurisprudence has defined the element of force or threat of force expanded. In the first case concerning sexual violence, the Court has defined rape and sexual crimes in a way that the concepts of "force or threat of force," he added as a possible element in the execution of "coercion" element "without the consent of the victim." It is important to emphasize, however, that this interpretation applies only to the practice of the Court, while there are no data on the treatment of the competent courts of entity and Brcko District.

National Strategy for war crimes from 2008 contains recommendations for increasement of support to the witnesses in processes led before county and cantonal courts. Strategy envisages measures for improvement of protection and support to the witnesses, as well as projection and long term financial framework for realization of measures for witness protection. Data about the number of prosecuted cases of war crimes of sexual violence against women is not statistically processed separately from other war crimes cases. Aggregated data about the number of processed war crimes cases is difficult to obtain since these crimes are usually committed in concurrence with other war crimes. According to

available information obtained by analyzing judgments published on the web page of BH Court till the end of 2011, final adjudication was given in total of 75 cases of war crimes. Among those, there are 29 final judgments for war crimes that include acts of sexual violence against women (38, 6%). However, lack of information about the number of cases of sexual violence against women on lower levels of government is still a problem.

In Concluding observations and recommendations after giving Fourth and fifth CEDAW report for Bosnia and Herzegovina, UN CEDAW Committee recognized the efforts done in order to improve position of women that survived sexual violence during the war in BH and slow pace of processing cases like this and low rate of convictions for perpetrators of sexual violence. This leads to widespread impunity, despite the implementation of the National Strategy for the prosecution of war crimes in 2008. Also, there are delays in the adoption of measures that respond to the needs of women, victims of war, including inadequate access to women's measures of compensation, rehabilitation and support for violence suffered during war.

Institutional mechanisms for gender equality coordinated cooperation of different non-government organizations and associations, teams and centers on all the levels of power in Bosnia and Herzegovina to the unique way of solving problems of the victims of war in Bosnia and Herzegovina. Funds from FIGAP program financed project by Association "Women – victim of war" aiming at establishing health needs of women victims of war. Project was implemented in 2011 and 2012, while in 2013 they realized project related to education in communication skills and psychological empowerment of victims of sexual violence during the war with the aim of social functioning in the community.

Association „Medica“ from Zenica in the period 2011-2013 realized project „Models of support for victims / witnesses of war crimes through strengthening the capacities and cooperation of NGOs and institutions“ supported by UN WOMEN, Medica mondiale and Norwegian embassy in Sarajevo. The project established the first institutional network to support victims / witnesses in war crimes cases, sexual assault and other crimes in the area of Zenica-Doboj canton, Central Bosnia canton and the Una-Sana canton. Signed protocols on mutual cooperation of relevant ministries, municipalities, institutions, agencies and non-government organizations in providing support to victims and witnesses. They established the Witness support unit at the cantonal court and the Prosecutor's office in Sarajevo, the District court and the Prosecutor's office in Banja Luka, and the District court and the Prosecutor's office in East Sarajevo. There is no information whether there is support or how is it provided to the witnesses and victims in other courts in BH.

However, just as the CEDAW Committee stated, all these initiatives are not enough for improving the status and position of all women victims of war crimes and sexual violence in Bosnia and Herzegovina, and it recommends that: *„Adoption of bills and programs put on hold should be expedited in order to ensure effective approach to the justice for all the women victims of sexual violence during the war, including appropriate reparations, as proposal of Law on rights of victims of torture and civilian victims of war, Program for victims of sexual violence in conflicts and tortures (2013-2016) and draft of Strategy of transitional justice (2012-2016) whose aim is improving access to justice“.*

4. Lessons learned during the implementation of Action plan UNSCR 1325 in B&H (2010-2013)

Action plan for implementation of UN Resolution 1325 in Bosnia and Herzegovina, adopted in 2010, is first action plan of sorts in southeast Europe and among first adopted in post conflict countries. Action plan consists of a series of policies designed in order to increase contribution of women in peace keeping in post conflict Bosnia and Herzegovina. It is important to emphasize that Agency for gender equality managed making of this Action plan, including consultations with relevant institutions on different levels of government in BH, as well as with organizations of civilian society. Coordination board that has 20 members is established in 2011 aiming to monitor implementation and realizing the goals of AP.

Independent evaluation of implementation of Action plan, conducted in July 2013 concluded that this plan is a good practice model for creation and implementation of public policy. That is what made Bosnia and Herzegovina recognizable on international level. For example, in 2012, BH Ministry of security has been nominated by NGO „Women to women“ and received first prize of UN award for promoting gender equality in government structures.

Action plan was successful for various reasons. First, it was created in a manner that connects goals and activities of the plan with existing mandates of relevant institutions in charge of security policy. Expertize of the personnel who had experience in this field was used in promotion of cooperation between institutions. Second, BH Agency for gender equality had a key role and provided expert and technical support to the institutions in implementation of Action plan, especially to BH Ministry of defense and BH Ministry of security. By creating and distributing educational materials and by conducting educations, BH Agency for gender equality raised awareness about the importance of gender perspective for peace and security in an attempt to approach these topics and enable practical access to implementation of Action plan. Through these educational activities UN Resolution 1325 and Action plan for BH are presented as a strategies connected to broader national objective. This tactics influenced on increase of local ownership and making greater support for implementation of Action plan among key stakeholders. Coordination board was another key component of success of Action plan. In the period 2010-2013 Board held regular meetings and most of its members were involved in making the Action plan. They showed substantial understanding of the strategy and real commitment to its implementation.

Finally, stakeholders consistently used Action plan as a platform for fulfilling results and significant impact on questions related to including women in achieving and keeping the peace and security. BH Ministry of defense used Action plan during planning educational and promotional activities as workshops, presentations, meetings and media promotion. In the last three years there were more than 4,000 members of Ministry of defense and BH Armed forces educated. This wide initiative resulted with increased interest of young women from rural areas for participation in armed forces.

Ministry of interior of Republic of Srpska registered association „Network of women of MUP RS – RS WPON“ and became the first ministry in the region that registered this kind of association within SEPCA initiative (Southeast Europe Police Chiefs Association) to establish Network of policewomen of Southeast Europe. Federal Ministry of interior initiated similar networking – Network of policewomen that consists of representatives from police agencies in Bosnia and Herzegovina, including SIPA, Border police and cantonal ministries of interior. These networks organize women in police forces and ensure a platform for empowerment

and mutual support. They are implementing projects and activities aimed at promotion and usage of gender equality principles in recruitment of women to the police, as well as when it comes to educations, trainings, career development and promotion of results made by members of the networks.

Several NGOs in cooperation with BH Agency for gender equality, with the financial support of UN Women in BH and FIGAP program, have implemented specific projects of localization of Action plan through the implementation of concept of „human security“. These initiatives that help identify local priorities and obstacles in realizing the security of women in local communities, represent innovative example, globally speaking, of lowering the message of UN Resolution 1325 on a local level of power in Bosnia and Herzegovina.

However, certain obstacles in achieving a maximum effect of Action plan have been identified, as follows:

- Even with given positive examples, whole process of harmonizing regulations, rules and procedures in defense and security sectors with Law on gender equality in BH is inconsistent and uneven.
- Need for more effective system of monitoring and evaluation is noted. Action plan had too many indicators that were hard to follow and monitor. That resulted with lack of unique system of reporting in government institutions. Almost all indicators were quantitative which made it hard to monitor progress in realizing midterm or long term objectives and qualitative institutional or social changes in general.
- Great obstacle was lack of means for effective implementation of Action plan. Goals and activities from Action plan were not adequately prioritized within the institutional strategies which resulted with lack of funds for its implementation.

When it comes to making new Action plan for the next three years it is necessary to take into account the experiences and lessons learned through the realization of former AP. New Action plan will gain the best results only if it upgrades on the successes of former Plan, at the same time solving above mentioned challenges, which augments the prospects for its real effect on improving security in Bosnia and Herzegovina.

5. Structure of Action plan UNSCR 1325 in B&H (2014-2017)

In accordance with recommendations of independent evaluation of implementation of former Action plan, the structure for the new Action plan for the period 2014-2017 was established. Former plan had 8 goals. In order to make implementation of new AP more effective, these goals are grouped into three basic categories in compliance with UN Resolution 1325: equal participation, prevention and protection. That ensured clearer definition of strategic and midterm objectives, expected results, but also formulating concrete, result-oriented activities. In such way, system of establishing indicators for monitoring Action plan was simplified, as well as system of collecting data necessary for making annual reports about implementation of Plan.

In the new structure, protection and prevention are ensured through strategic goal 2: **Increased level of human security**. This introduced a whole new concept into Action plan, a concept that is based on a fact that security does not mean only protection of the state or institution, but also individuals or groups from the threats they face daily. Human security approach opened the way towards introducing gender equality principles into security sector

since it enabled qualitatively different way of considering security on all the levels of power in Bosnia and Herzegovina, especially in local communities, but also to offer new solutions that would raise the level of security of citizens on a higher level.

Also, new structure kept all the goals from previous Action plan, with the difference that **priority areas** are included in strategic goals 1 and 2, while third strategic goal („horizontal goal“) contains **transversal („cross-cutting“) areas** that are equally important for accomplishment of first two strategic goals. This refers to improving the mechanisms of coordination, instruments for implementation of Action plan and cooperation with other stakeholders (local governments, NGOs, international organizations). Picture 2, that follows, illustrates the structure of new Action plan.