



## **Advocacy Card**

# **Addressing Gender Equality and Women's Empowerment in EC' Pre-accession Assistance to Bosnia and Herzegovina**

**International Gender Policy Network**

**November 2008**



**Project Development Cooperation and Gender funded by the Presidency Fund**

## INTRODUCTION

The European Union (EU) has made commitments to promote gender equality and women's empowerment outside its borders. As stated in the "2006-2010 Roadmap for Equality Between Women and Men", "Gender equality is a goal in itself, a human right and contributes to reducing poverty. The EU is a key player in international development efforts and adheres to internationally recognised principles such as the Millennium Development Declaration and the Beijing Platform for Action (BPfA). It has reaffirmed gender equality as one of the five key principles of the development policy in the European Consensus on development."<sup>1</sup> Although the EU's different levels of commitment provide third countries with opportunities to address gender inequalities on their domestic soil, challenges remain to bring these commitments into effect.

Civil society organizations point at the gap between policy and practice: an overview of the European Commission's annual work, legislative programmes and policy strategy documents reveals a limited integration of gender concerns.<sup>2</sup> Furthermore, the participation of civil society organizations (CSOs) and mainly women's groups in policy discussion and formulation lacks a clear mechanism, despite the obligation of EU institutions to support a political dialogue with them.<sup>3</sup> As an active promoter of gender equality, the International Gender Policy Network (IGPN) intends to engage in a dialogue with the Commission's Delegations in the countries of Eastern Europe, South-eastern Europe, Caucasus and Central Asia in the matter of the upcoming revision of the country and regional strategy documents (Country Strategy Papers, Regional Strategy Papers, Multi-annual Indicative Planning Documents). The IGPN has taken the opportunity of the midterm-review and the annual review of the country/regional strategy documents to highlight the weaknesses of development cooperation and pre-accession assistance in terms of gender concerns, and to advocate for improvements.

Within the framework of this advocacy activity, the IGPN has prepared twenty two Advocacy Cards for individual countries linked with IGPN, and one common Regional Advocacy Card. The aim of this advocacy work is to remind the European and national representatives of their policy commitments. The Advocacy Card for EC pre-accession assistance to Bosnia and Herzegovina firstly provides an overview of EU's commitments to gender equality and women's empowerment. Secondly, the strategy document for Bosnia and Herzegovina is examined in the context of the EU's commitments to gender equality. Next, an assessment of gender issues in EC's assistance to Bosnia and Herzegovina is presented. Finally, recommendations are proposed to the actors involved in various degrees in the preparation of the strategy document: the EU officials, national government and civil society organizations.

---

<sup>1</sup> A Roadmap for equality between women and men 2006-2010, *European Community*, (COM 2006) 92 final, p. 9, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0092:FIN:EN:PDF>

<sup>2</sup> Who decides? Gender mapping the European Union's policy and decision-making in the areas of development, external relations and trade, *WIDE*, 2007, p. 10  
<http://62.149.193.10/wide/download/WHO%20DECIDES%20def.pdf?id=547>

<sup>3</sup> For more information see Chapter 2 in Who decides? Gender mapping the European Union's policy and decision-making in the areas of development, external relations and trade, *WIDE*, 2007  
<http://62.149.193.10/wide/download/WHO%20DECIDES%20def.pdf?id=547>

## COMMITMENTS TO GENDER EQUALITY AND WOMEN'S EMPOWERMENT

- ❖ A commitment to gender equality is reflected in a number of politically and legally binding documents of the EU and EC (Treaty of Amsterdam, Maastricht Treaty, Charter for Fundamental Rights of the EU, Convention on the Elimination of all Forms of Discrimination against Women [CEDAW], Beijing Declaration and Platform for Action, Millennium Development Goals).
- ❖ The promotion of gender equality outside the EU is outlined as the number 6 priority area of the **2006-2010 Roadmap for Equality between Women and Men** (Commissions' Communication). This priority is further detailed as follows: 6.1 Enforcement of EU legislation in acceding, candidate and potential candidate countries and 6.2 Promotion of gender equality in the European Neighbourhood Policy (ENP), external and development policies. The key actions taken by the Commission will include monitoring and promoting gender mainstreaming and specific measures in the ENP, EU external relations and development policies, at policy dialogue and programming levels (Regional/Country Strategy Papers and Poverty Reduction Strategy Papers); at implementation level, particular attention will be devoted to gender mainstreaming in the new aid modalities (budget support and sector programmes).
- ❖ In terms of the EU development cooperation policy, the crucial policy framework for promoting gender equality is the European Consensus on Development, agreed upon in 2005 by the European Commission, the Council and the Parliament, and the representatives of the member states, where gender equality is defined as a cross-cutting issue.<sup>4</sup> Furthermore, the **2007 Commission Communication on "Gender Equality and Women's Empowerment in Development Cooperation"** is the first step towards a coordinated European approach to promoting gender equality and empowering women through development cooperation.<sup>5</sup>
- ❖ Related to the 2007 Commission Communication is the document "Conclusions of the Council of the EU and of the Representatives of the Governments of the Member States", also known as the **Council Conclusion**. One of the conclusions is the following: "The Council recognizes the Commission's and the Member States' specific responsibility to support developing country partners in eliminating discrimination and gender inequality by increasing visibility and accountability on gender equality and women's empowerment in development cooperation and to promote and engage in an enhanced political dialogue at all levels, including the highest political level, which incorporates gender equality explicitly as a central theme."<sup>6</sup>
- ❖ In line with these documents, the EU has supported a **twin-track approach: gender mainstreaming** (mainstreaming gender issues into all aspects of development policy) and **specific measures** aimed at socioeconomic and political empowerment of women.

---

<sup>4</sup> "EU Policy Framework for Promoting Gender Equality," *European Commission*, [http://ec.europa.eu/development/policies/crosscutting/genderequ\\_en.cfm](http://ec.europa.eu/development/policies/crosscutting/genderequ_en.cfm)

<sup>5</sup> Ibid.

<sup>6</sup> Conclusions of the Council of the EU and of the Representatives of the Governments of the Member States meeting with the Council on Gender Equality and Women's Empowerment in Development Cooperation, *Council of the European Union*, 15 May 2007, <http://register.consilium.europa.eu/pdf/en/07/st09/st09561.en07.pdf>

## **GENDER IN THE STRATEGY DOCUMENT FOR BOSNIA AND HERZEGOVINA**

### **Preface to the Strategy Document**

The aim of the EU's overall assistance to Bosnia and Herzegovina, an EU potential candidate country, is to support the country's progress towards reaching the Copenhagen accession criteria and to prepare the country for possible future EU membership. For candidate or potential candidate countries, EC's programmes and financial assistance are formulated in the Instruments for Pre-accession Assistance (IPA).<sup>7</sup> The EC's strategic planning document under the IPA is the Multi-annual Indicative Planning Document (MIPD). Another important document is the Accession Partnership (AP) with an annual report called Progress Report, which monitors and assesses achievements of the country during the year.

The strategic areas of the MIPD 2007–2009 are covered by five components: Transition Assistance and Institution Building, Cross-border Cooperation, Regional Development, Human Resources Development, and Rural Development. Gender equality is considered a horizontal issue in the strategy documents. Potential candidate countries receive assistance through components I and II of the IPA. The MIPD is issued for a three year rolling period and is reviewed on an annual basis.

### **Analysis of the Document from a Gender Perspective**

The MIPD 2007-2009 for Bosnia and Herzegovina lists gender equality among the major cross-cutting issues to be tackled: "Equal opportunities and non-discrimination will be respected as regarding gender as well as minorities at the programming and implementation stage, particularly in relation to socio-economic support programmes." (MIPD, p. 9)

Yet, even though gender equality is introduced as a cross-cutting issue in the document, there are many instances when gender questions could be further elaborated and incorporated into the main priorities. As the 2007 Progress Report demonstrates, there has not been much progress in the field of gender equality.

The 2007 Progress Report highlights achievements and deficiencies in the area of gender equality. The report states that although provisions on gender equality and women's rights are included in the law, the situation of women in Bosnia and Herzegovina as not improved: "Trafficking in women and domestic violence remain issues of concern. Access to employment remains difficult and women's participation in the labour market continues to be low compared with men. Many women are not covered by health insurance. Provisions to guarantee women equal pay are in place but they are not applied. There have been no specific measures to address this situation and to facilitate women's employment. Women continue to be under-represented in politics and official authorities. There are no female ministers in the State government and out of the 57 parliamentarians in the Bosnia and Herzegovina Parliamentary Assembly only seven are women." (p. 18)

## **DIALOGUE WITH THE EC DELEGATION<sup>8</sup>**

In August 2008, the IGPB made inquiries concerning the review of the MIPD; however, no concrete information was provided either by the Delegation or desk officers in Brussels. The DG Enlargement stresses that gender is a cross-cutting theme in the MIPD and all activities financed from the IPA programme will be assessed on their gender impact. According to the DG Enlargement, the IPA is coordinated with CSOs in Bosnia and Herzegovina, which contribute to the drafting process. According to the officials in Brussels, the 2008-2010 MIPD is currently under preparation.

---

<sup>7</sup> In January 2007, IPA replaced a series of EU programmes and financial instruments for candidate countries or potential candidate countries, namely PHARE, PHARE CBC, ISPA, SAPARD, CARDS and the financial instrument for Turkey

<sup>8</sup> Information in this section has been obtained through email communication of IGPB with the EC Delegation and desk officers in Brussels

## IGPN'S ASSESSMENT OF GENDER ISSUES IN THE EC'S ASSISTANCE

Being on the list of EU potential candidate countries, Bosnia and Herzegovina has been undergoing a complex transition period aimed towards European integration. In terms of gender equality, much has been achieved on the legislative level; however, constraints remain in putting the laws into practice. Furthermore, the process of political, economic and social transition has many priorities and in view of that, gender equality seems to be set aside in the EC's assistance to Bosnia and Herzegovina. Yet, it is crucial to point out that much more support is needed to strengthen the country's development towards gender equality and women's empowerment.

Bosnia and Herzegovina is currently undergoing integration into the international legal order, in compliance with international and European requirements to establish a general nondiscriminatory framework and adopt gender specific legislation and measures.<sup>9</sup> In this process, Bosnia and Herzegovina was one of the first states in the region to adopt a comprehensive Gender Equality Act which "governs, promotes and protects gender equality and guarantees equal opportunities for all in both public and private domain, and prohibits direct and indirect discrimination on grounds of sex."<sup>10</sup> Besides the Gender Equality Act, the legal framework for gender equality is provided by, among others, the Constitution, Law on Protection of Domestic Violence from 2005, 2008, Criminal Law, Labour Law. However, there is still an enormous gap between the *de iure* and *de facto* situation and it is of high importance that this deficiency is addressed in the EC's pre-accession assistance to Bosnia and Herzegovina.

Furthermore, women's right organizations stress that in terms of gender concerns, the EC supported projects have not been efficient and sufficient, and there is an urgent need to do an independent systematic investigation into their effectiveness. In addition, there is a need to design the projects and provide financial resources for gender specific issues. On the one hand, gender equality has to be a cross-cutting issue in all of the EC's projects, extended into the projects' design, implementation, monitoring and assessment of impact; on the other hand, the EC's assistance should include also specific measures aimed at women's empowerment. Moreover, financial resources, if any, are not enough for gender equality improvements if allocated inefficiently; financial support should be directed to independent women's rights NGOs and experts, and selected on the basis of their expertise and previous accomplishments in the area of gender.

Specific areas which need to be addressed more intensively are the following: Gender-based discrimination and violence; gender segregation in the labour market; The poverty and pauperisation of women-social sector and employment and occupation; Neoconservative tendencies which tend to exclude women from public life and deprive women of their rights, specifically of their reproductive rights; Re-traditionalisation of women's roles in the educational system and media; The absence of gender responsive budgeting (GRB); The absence of gender disaggregated data at all levels of the state administration; The participation of women and minorities in the decision-making process; The absence of political will to ensure gender equality and women's human rights (in Parliaments, Councils of Ministers, etc.); Access to education for girls and women, particularly in the rural areas; Access to justice for female victims of discrimination, violence and the violation of their human rights; Access to health care; Corruption and sexual harassment in the labour market and within the educational system; the conditions of minority women, especially Roma women, displaced women and refugees.

---

<sup>9</sup> Nada Ler Sofronic, B. Inic, R. Lukic, On the Road to the EU. Monitoring Equal Opportunities for Women and Men in Bosnia and Herzegovina, *Open Society Institute*, 2006, p. 8

<http://www.igpn.net/download/EOWM-Report-Bosnia.pdf>

<sup>10</sup> Ibid., p. 9

## **RECOMMENDATIONS**

### **Recommendations to the EU:**

- To deliver on its promises to international gender agreements
- To support the development of comprehensive national policies followed by sufficient funding, based on clearly formulated indicators, effective monitoring and evaluation of the approximation and implementation of the policies and projects, in accordance to already set EU policy for gender equality and specifics of the national context
- To strengthen the EC's internal gender capacity (Gender Desks and Gender Focal Points)
- To follow the twin-track approach, and besides having gender equality as a cross-cutting issue, encourage specific projects on women in calls for proposals (to have a budget line for gender-related activities)
- To strengthen and build the capacity of women's NGOs to act as watch dogs for the implementation of gender policy
- To help ensure the financial sustainability of women's NGOs
- To increase the transparency of political dialogue with civil society in partner countries by setting the minimum standards for consultation of the local stakeholders which will be applied during the process of the development of internal policies and the national programming of IPA (6 weeks consultation, targeting NGOs with gender expertise based on established standards etc.)
- To consider appropriate alternatives to the existing implementation of the concept of gender mainstreaming which proves to be ineffective

### **Recommendations to the National Government:**

- To deliver on its promises to international gender agreements
- To address gender concerns on the level of policy as well as practice
- To give special attention to funds allocation to women's organizations and their initiatives aimed at addressing women's issues
- To ensure gender expertise of the national administration

### **Recommendations to the CSOs**

- To lobby the national government to significantly strengthen the efforts towards achieving gender equality and women's empowerment
- To build alliances with other women's organizations in order to strengthen the impact of their advocacy and lobbying activities
- To engage in an active dialogue with the EC Delegation in Bosnia and Herzegovina
- To provide shadow reports to the government reports on gender equality commitments
- To monitor gender issues in the EC's development cooperation
- To advocate for inclusion of projects that specifically target gender issues, apart from having it as a cross-cutting issue

### **Contacts:**

#### **Nada Ler Sofronic, Ph.D.**

Director, Woman and Society Research, Policy and Advocacy Center  
Human Rights House, 71000 Sarajevo, Ante Fijamenga 14 b  
Phone +387 33 660 811 Fax +387 33 663 394  
E mail: [nadalsws@bih.net.ba](mailto:nadalsws@bih.net.ba)  
[nada.ler.sofronic@gmail.com](mailto:nada.ler.sofronic@gmail.com)

#### **International Gender Policy Network**

[www.igpn.net](http://www.igpn.net)