

# Women's civil society organizations in Bosnia-Herzegovina as local agents of international conventions on women's rights.

## An analysis of challenges related to the process of norm diffusion

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### *Abstract*

*Women's rights have increasingly become an international concern and various international conventions on women's rights came into being in the last decades. Bosnia-Herzegovina has signed and ratified all important international conventions relating to women's rights, whereas the numerous women's civil society organizations continue to advocate for the proper implementation of conventions while helping women to claim their rights guaranteed in these conventions and locally enacted laws on gender equality. This article, based on interviews conducted between August 2020 and June 2021 with members of women's civil society organizations in Bosnia-Herzegovina, takes a closer look at the process of norm diffusion. In particular, this article aims to contribute to the understanding of the processes of norm implementation and the related challenges from the perspective of women's civil society organizations in the specific context of Bosnia-Herzegovina.*

*Keywords: international conventions/resolutions on women's rights, women's civil society organizations, Bosnia-Herzegovina, social policies*

### **Introduction**

Since the 1990s, the human rights regime has been strengthened (Zwingel 2016:11) and women's rights have increasingly become an international concern. Global discourse on gender norms has emerged, whereby the foreground of this discourse has been to raise awareness of the various forms of gender hierarchies worldwide and to fight for universal standards to eliminate discrimination against women (Zwingel 2005:9). Several issues related to gender equality

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– such as violence against women, gender balance in decision-making, gender mainstreaming and women’s participation in conflict transformation – gained new international weight and most of the world’s governments have agreed to address these issues (Walsh 2011). Related to this discourse on gender norms, at this time various international conventions on women’s rights came into being, based on defined “international norms aimed at alleviating and eliminating any obstacles to gender equality” (Jakešević and Luša 2021:41).

Bosnia-Herzegovina adopted all important international conventions on women’s rights and “many of them today are incorporated into the legislation of the country” (Pospieszna 2015:1256). The *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) was signed and ratified by former Yugoslavia already in 1980 and 1982. In 1993 Bosnia-Herzegovina took on the obligation to “eliminate women’s discrimination from legal, political, economic and cultural aspects of life” (Mulalić 2011:45). Two years later, in 1995, Bosnia-Herzegovina sent a delegation to the Fourth World Conference on Women in Beijing. The conference resulted in the *UN Beijing Platform for Action*, which listed 20 priorities the participating nations should focus on in the future (Aganović, Miftari and Veličković 2015:27). The Beijing Declaration and Platform for Action was signed by Bosnia-Herzegovina. However, it should be noted that the Beijing conference did not receive much attention at that time as the war in Bosnia-Herzegovina was still ongoing (Aganović, Miftari and Veličković 2015:27).

Gender-based violence during the conflicts in 1990s, including the war in Bosnia-Herzegovina, was a trigger for a breakthrough in the introduction of the *UN Security Council Resolution 1325*, on women, peace, and security. The resolution resulted from a broad alliance of women from different sectors from all over the world. Women’s civil society organizations (WCSOs) from former Yugoslavia were also fully engaged in this process (Mladenović and Branković 2013:14). The resolution recognizes the importance of “increased representation of women in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict” (Antonijević and Gavrić 2020:47). Since its adoption in 2000, Bosnia-Herzegovina has adopted its third Action Plan for the implementation of Resolution 1325 (UN Women 2020).

Besides, together with other countries from the Western Balkan such as Albania, Serbia, and Montenegro, Bosnia-Herzegovina was among the first 10 countries that ratified the *Council of Europe Convention on preventing and combating violence against women and domestic violence* – known as Istanbul Convention (2011) (Duhaček, Branković and Miražić 2019:37). The ratification of the Istanbul Convention is often praised by different state actors in Bosnia-Herzegovina as evidence of a commitment to gender equality. The ratification in Bosnia-Herzegovina took place without much resistance, unlike for example in Croatia, where the influential catholic church organized protests against the convention. The ratification led to the introduction of new laws, such as a law on prevention of domestic violence that provides improved mechanisms of prevention and victim protection, and changes in existing laws, such as the criminal code at both state and entity level, in accordance with the convention (Duhaček, Branković and Miražić 2019:38).

WCSOs in Bosnia-Herzegovina played an important role in promoting the national adoption and implementation of these international conventions (Rošul-Gajić 2016:146). Many of them started mostly informally during the war (Popov-Momčinović 2013:113). Women formed

groups to provide humanitarian aid to the population in need (so-called *reactive feminism* or *feminism from necessity*, see also Andrić-Ružičić 1997). After the war many of these groups continued to work and “new groups were formed, in order to meet the needs of foreign donors that came to the region to assist its reconstruction and democratization” (Popov-Momčinović 2013:145). With the support of international donors, these women’s groups have undergone a professionalization (e.g., Cockburn 2013; Helms 2015; Popov-Momčinović 2013) and more WCSOs emerged. Over the years, WCSOs became a crucial actor advocating gender equality and women’s rights and they still play an important role in the processes of law harmonization, raising awareness, monitoring, and assisting authorities for the successful implementation of the international conventions (Regulska and Grabowska 2013).

The aim of this article is to take a closer look at the interplay between international norms related to gender equality and local WCSOs in Bosnia-Herzegovina. We aim to contribute to the understanding of the process of norm recognition and implementation and in particular the related challenges in the process of implementation from the perspective of WCSOs in the specific context of Bosnia-Herzegovina.

Bosnia-Herzegovina proves to be of particular interest in terms of challenges related to the process of implementation of international norms due in part to its complex political system that was established in 1995 in the *Dayton Peace Agreement*. As Banović, Gavrić and Barriero (2021:4) point out: “[t]he Dayton Peace Agreement attempted, under the motto 'one State, two Entities and three Nations', to create a balance between opposing interests, and to restrain dis-integrative political forces“. Based on the Dayton Peace Agreement, an asymmetrical federal state with strong consensual power was formed, sharing elements between two entities (Federation of Bosnia-Herzegovina and Republika Srpska) and three ethnic groups (Bosniaks, Serbs, and Croats). The entity Republika Srpska functions as a unitary republic dominated by Serbs, while the entity Federation of Bosnia-Herzegovina, composed by ten cantons, is highly decentralized. In 1999, this structure was expanded by the final decision on the status of Brčko District as a separate unit (Banović, Gavrić and Barriero 2021: 49). Political scientists use the term *ethnopolitics* when describing the political system and political decision-making process in Bosnia-Herzegovina based on pre-political ethnicities and a disintegrated citizenship (Mujkić 2010:130).<sup>2</sup> This is because the political system in Bosnia-Herzegovina discriminates against groups that do not belong to the three constituent ethnic groups – so called *Others*<sup>3</sup> – and despite of some important constitutional changes at the entity level, discrimination is still present (Banović, Gavrić and Barriero 2021:107).

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<sup>2</sup> In his book *We, the Citizens of Ethnopolis*, the prominent philosopher and professor from the Faculty of Political Sciences in Sarajevo, Asim Mujkić, defines *ethnopolitics* as “particular ontology of power, an ontology revealed and affirmed through its politicized practices and the central object of its political concern, practices that locate collective solidarity in ethnic affiliation heavily designed by particular religion, and not in contract and consent enacted by abstract individual citizens” (Mujkić 2008:19).

<sup>3</sup> See also the “Sejdić and Finci vs Bosnia and Herzegovina” case.

### Theoretical perspectives on norm diffusion

We consider international gender norms as set out in international conventions on gender equality (Rošul-Gajić 2017:145).<sup>4</sup> The process of the adoption of norms, in this case international conventions on gender equality, can be described as norm diffusion (Swimelar 2017:917). Over decades, scholars presented the process of norm diffusion as a linear scale, divided in four steps:

*The first step on this scale is rhetorical adoption, when governments adhere publicly to a norm-set. The next step is legal adoption into domestic law, followed by implementation in government policies and practices. The final step – the one that is regarded as ensuring full adoption – is individual internalization of the norm-set (Zimmermann 2016:103).*

In agreement with Zimmermann (2016), we believe that this model ignores the reality in that the process of norm diffusion is not necessarily linear but that norms are part of a “constant process of negotiation and renegotiation” (Zwingel 2012:12) and, more importantly, that this model disregards challenges related to the national context which influence the outcomes of norm diffusion.

It is only since the 1990s that the national context as influencing norm diffusion outcomes has attracted the interest of researchers (Zimmermann 2016:100). The existing literature shows how national factors influence this process of norm diffusion. In particular, there are “significant domestic factors as for instance, nationalism, religion, political party institutionalization, and politics that can affect and present challenges to the process of norm diffusion” (Swimelar 2017:917). This is in line with the general findings from existing research that the extent to which a norm resonates with the national context or with domestic standards is an important explanatory variable for how successful norm diffusion is (Swimelar 2017:917). Nevertheless, according to Zwingel (2014:17), the literature on norm diffusion still tends to underestimate the domestic challenges in the process. Therefore, in this article, we address the challenges associated with the process of norm diffusion. We are particularly interested in the process of implementation since the general assumption by researchers that “norms and ideas are rhetorically accepted by a government and adopted into law, they are simultaneously decoupled from implementation and behavioral change” (Zimmermann 2016:102), seems to be confirmed in Bosnia-Herzegovina. According to the existing literature, this decoupling is on one hand related to capacity problems: “State elites feel compelled or pressured to adopt certain institutional models and ideas but lack the capacity to put them into practice” (Zimmermann 2016:102, see also Drori et al. 2003; Swiss 2009). On the other hand, it is possible that states have no interest in enforcing norms and merely seek international legitimacy (Levitsky and Murillo 2009:120-122).

In the process of norm diffusion, while various other actors are involved, “the state is considered as the most important actor in implementing the international conventions within the domestic context” (Zwingel 2012:116). Nevertheless, existing research reveals that WCSOs play an important role in the process of norm diffusion (Montoya 2009:329) and are particularly

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<sup>4</sup> Norms here are understood as expectations or standards of behavior for a given identity (see Towns 2013:42).

crucial in promoting the national adoption and implementation of international conventions in the local context (Zwingel 2016:16). They are considered as important actors on non-doctrinal gender status policies dealing with gender quotas, violence against women, constitutional equality, and parity at the workplace (Htun and Weldon 2018:17),<sup>5</sup> and are, together with international organizations, the main triggers for policy reforms regarding the above-mentioned issues (Zwingel 2016:42).

WCOSOs can be considered “local agents” in the process of norm diffusion that “share the normative content of the transferred global norms and, therefore, attempt to adapt the norms in order to implement them on the ground” (Björkdahl and Gusic 2015:275). And due to “the tensions, and even conflicts between the social framework and normative sphere in achieving gender equality” (Banović 2019:81), the role of WCOSOs in Bosnia-Herzegovina is of utmost importance in this process.

At the same time, existing research on public perceptions of WCOSOs shows that locals generally prefer organizations that solve everyday problems and provide direct assistance (humanitarian aid and provision of social services), while human rights organizations, including those dealing with women's rights, are perceived as donor-driven and not addressing the challenges women in Bosnia-Herzegovina face today (e.g., Puljek-Shank and Verkoren 2017:192-193). Furthermore, existing research shows that the “liberal feminist interpretative and strategic repertoires” (Siročić 2019:2) that dominate in women’s activism in all post-Yugoslav states including Bosnia-Herzegovina clash with the predominant ethnopolitics. Also, cooperation of WCOSOs with the processes of gender mainstreaming by different levels of government weakens activists’ critical potentials (Zaharijević 2017:206-207). Moreover, according to Chaney (2016), the predominant focus on foreign donors in post-conflict societies and the “prescriptive nature” of international programs have overwhelmed women's organizations through the bureaucratization of aid programs and have led to an “under-recognition of the specific challenges of mainstreaming in war affected states” (Chaney 2016:285).

## **Data and Methods**

The aim of this paper is to shed light on the interplay between international norms and women’s civil society organizations in Bosnia-Herzegovina. The underlying research questions are the following: What role do WCOSOs play in this process of implementing international norms? What main challenges are related to this process? And how do WCOSOs deal with these challenges?

In answering the first research question, we refer to existing literature and material from previous works. In order to answer the second and third research questions, we mainly use interviews conducted between August 2020 and June 2021 and complement them with existing literature on the topic. The semi-structured interviews lasted approximately one hour each and were conducted via Zoom due to the current pandemic situation. The interviews were fully

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<sup>5</sup> According to Htun and Weldon, there are status and class gender policies. Nondoctrinal status policies deal with violence against women, gender quotas, and constitutional and legal equality, while doctrinal status policies deal with family law, abortion legality and reproductive freedom. Nondoctrinal class policies encompass maternal/paternal leave and public funding for childcare, while doctrinal class policies public include funding for abortion and contraception (Htun and Weldon 2018: 9).

transcribed, and a thematic analysis of the interviews was conducted based on the research questions. In August 2020, two activists from *Horizonti* from Tuzla in the Federation of Bosnia-Herzegovina and two activists from the *Forum Žena* from Bratunac in the Republika Srpska were interviewed. The difference between the two WCSOs is that one is located in Tuzla, a developed urban area, and the second in Bratunac, in a small and impoverished local community. The interviews focused on the interviewees' perceptions of the role of WCSOs, local governments' commitment to gender equality, and their collaboration with local *gender machineries*.<sup>6</sup> Both organizations have a comprehensive understanding of the overall situation of women in Bosnia-Herzegovina as they are active members of women's networks dealing with issues of general interest to women in the society. As both organizations implement gender mainstreaming activities in different local communities, *Horizonti* in Tuzla Canton in the Federation of Bosnia-Herzegovina and *Forum Žena* in Bratunac in local communities in the Birač region located in the eastern part of the Republika Srpska, they provided additional insights into the various local conditions and therewith differences between the cantonal and regional levels of administration.

In addition, two interviews were conducted with members of *Fondacija CURE* in Sarajevo and *United Women* in Banja Luka in July 2021. These are two well-known organizations in Bosnia-Herzegovina that have a self-declared feminist positioning. Another interview was conducted with a member of *Horizonti* in Tuzla in July 2021 in order to learn more about how they continued the activities that we had previously analyzed. One of the main goals of these interviews was to address the challenges faced by WCSOs during the COVID-19 pandemic. Besides, excerpts from interviews conducted in previous research were used in order to strengthen the arguments: One interview with the WCSO *Erazmo* from Tuzla that works in the field of empowerment of women through education (April 2021), and one with the WCSO *Viva Žene* that runs a shelter in Tuzla Canton (December 2021).

### **Achievements of women's civil society organizations**

In the following, we highlight how WCSOs participate in the process of implementation of international conventions related to gender equality in Bosnia-Herzegovina.

Regarding the *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW), WCSOs were involved in the process of harmonizing the laws at the different administrative levels (state, entity, canton, local) and in ensuring equal rights for women in Bosnia-Herzegovina (Mulalić 2011:45). More than 20 organizations, mainly WCSOs, are involved in an alternative CEDAW report and have launched different activities in that regard. An example is the initiative *Women Citizens for Constitutional Reform* (Građanke za ustavne promjene). The initiative seeks to amend the constitution at the state level.<sup>7</sup> Today for many WCSOs, the CEDAW convention represents an important point of reference for their work, as

<sup>6</sup> In accordance with Dorothy McBride and Amy Mazur, we understand *gender machineries* "as formal structures assigned to promote gender equality and/or improve the status and rights of women" (2011:4).

<sup>7</sup> More about the initiative can be found at <https://womencitizensforconstitutionalreform.wordpress.com/about-initiative/> (last access 09.07.2021).

an activist from Bratunac confirms (Interview from 27/08/2020). However, women in rural areas are not that familiar with their specific rights guaranteed by the conventions: "These conventions against discrimination against women should be brought to the villages", as one activist from the rural area said representatively in an interview (Popov-Momčinović 2018:149).

In accordance with the *UN Beijing Platform for Action*, WCSOs in Bosnia-Herzegovina started to lobby for the introduction of gender quotas before and during the parliamentary elections in 1998. Since then, Bosnia-Herzegovina has made important steps in developing strategic documents such as different Gender Action Plans (Ždralović, Popov-Momčinović and Kudzović 2018:13). The successful implementation of the *UN Beijing Platform for Action* presupposes the use of a gender mainstreaming strategy (Ždralović, Popov-Momčinović and Kudzović 2018:13). In Bosnia-Herzegovina, WCSOs perform different activities to foster gender mainstreaming: They work together with gender machineries at the different administrative levels, provide expertise and try to monitor the processes and to make them impactful. They organize educations and seminars, and work with officials and civil servants to raise awareness on the matter.

WCSOs such as *Žene ženama* launched a project in 2007 in cooperation with UNIFEM in order to monitor the implementation of the *UN Security Council Resolution 1325* (Kadribašić 2020:65). This "resulted in the adoption of a first Action Plan for the implementation of UN Security Council Resolution 1325 in Bosnia-Herzegovina for the period 2010 -2013, followed by the second one and the third one" (Kadribašić 2020:65). Another important initiative dealing with questions addressed in the resolution is the project *Peace with Women's Face*,<sup>8</sup> launched by the organization *Lara* from Bijeljina. Besides, WCSOs including the interviewed organization from Tuzla, conduct research to obtain important data on gender and security issues and are involved in preparing the Local Action Plans to implement the *UN Security Council Resolution 1325* in Tuzla Canton.

Throughout the process of implementing the *Council of Europe Convention on preventing and combating violence against women and domestic violence* (Istanbul Convention), WCSOs have played a central role. Their efforts to raise awareness among the population through various campaigns are the most important activities (e.g., *16 Days of Activism*, a coordinated activity of several WCSOs that started in 2001 and has been held every year since) and are complemented by other activities related to the topic of domestic violence. As a result, the general attitudes among the population have changed and domestic violence is increasingly recognized as an important problem among the population. Political officials started to recognize this problem and intersectoral teams have been established to prevent and fight violence against women, as confirmed in interviews with members of WCSOs from Tuzla and Bratunac.

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<sup>8</sup> The initiative brought together 13 women's organizations from various social and war-related backgrounds, including organizations and activists that are interviewed in our research (Horizonti Tuzla, Forum žena Bratunac, Udružene žene Banja Luka, CURE foundation). More about initiative can be found at <http://fondacijalara.com/index.php/english/peace-with-women-s-pace/161-about-the-exhibition-peace-with-women-s-face> (last access 09.07.2021).

## Challenges for women's civil society organizations

In this section, we look at the challenges associated with implementing these international conventions and some of the strategies that women's civil society organizations have developed to address them.

### *Challenges related to the political and societal context*

Information from the interviews suggest that a crucial challenge when implementing the international conventions in Bosnia-Herzegovina is related to the political context, in particular its complex political system. As mentioned earlier, Bosnia-Herzegovina is composed of two entities, the Federation of Bosnia-Herzegovina (FBiH) and the Republika Srpska (RS), as well as one independent unit, the Brčko District. The FBiH consists of ten cantons while the RS has a centralized government. The guarantee of women's rights –especially in terms of social and health issues – and the quality of life of women depend on their place of residence. As an example: There are two labour laws in both entities regarding the protection of families with children and mothers. In the RS, due to its centralized structure, the public fund for child protection is responsible for the implementation of the labour law, whereas in the FBiH the cantons are responsible for the implementation. Thus, unlike in the RS, unequal rates of maternity benefits result from the different regulations on the cantonal level in the FBiH (Agić 2019).<sup>9</sup> WCSOs most often use the example of maternity leave to explain the great variations between cantons and to point to the problem of discrimination against women from certain cantons. The *Sarajevo Open Center* (SOC), a civil society organization dealing with women's and the LGBTQI+ rights, has proposed several amendments to the labour laws in the FBiH and the RS in 2018 to improve the protection of the workers' rights as regards motherhood. As mentioned in the SOC report on the status of human rights in Bosnia-Herzegovina, there are not only unequal social benefits in different cantons and a lack of the right to maternity leave altogether in some cantons. Moreover, throughout the country employers often pressure women to return from maternity leave as soon as possible and cases of dismissing pregnant women have been observed repeatedly (Hasanbegović, Dizdar and Agić 2019:45-46).

Another example that emphasizes challenges related to the complex institutional structure when implementing international conventions is funding women's shelters. Harmonizing the regulations across the cantons to finance women's shelters has not been achieved to. In the RS, the law defines that the budget funds 70% and the local municipalities take over 30% of the costs of the accommodation of the victim in a shelter. Despite this regulation, activists from Bratunac in RS point out difficulties as regards the local funding. Often the budget is not sufficient at the local level to support victims of domestic violence (*Forum Žena* on 27/8/2020). In general, the cost of housing victims of domestic violence in a women's shelter is very high, so that at the local level the available budget cannot cover the costs of several cases:

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<sup>9</sup> More details: <https://soc.ba/en/overview-of-the-rights-of-mothers-in-bih-what-are-the-differences-between-the-cantons/> (last access 09.07.2021).



*The Government [of the FBiH] has not yet fulfilled its obligation to finance shelters to the amount of 70%. The big downside is that the criteria and standards for establishing, operating and financing shelters, which were supposed to be completed within 6 months after the adoption of the Law on Protection from Domestic Violence of FBiH in 2013, are still not established (Vive Žene 02/12/2021).*

Unlike in the RS and thanks to the efforts of the WCSOs, the FBiH publicly discussed about how to improve the law on preventing domestic violence in July 2021.<sup>10</sup> The draft of the law suggests a more realistic distribution of shelter financing (40% from the budget of FBiH, 40% from the cantonal budget, and 20% from the local budget).

Based on the information of our interviewees, further challenges derive from the societal context. In Bosnia-Herzegovina patriarchal values are still deeply rooted in the population. Although interviewees mention signs of change, especially among the young and educated population in urban areas, research continues to point to the dominance of patriarchal values among the population (Babović, Vuković and Petrović 2012:85; Košarac and Kurteš 2021:15). While, as mentioned above, attitudes towards domestic violence against women have improved and the awareness of the problem has increased, this form of discrimination is not perceived as related to other forms of discrimination against women (Babović, Vuković and Petrović 2012:83). One interviewed activist added that even women from larger urban areas who are highly educated, employed and consider themselves emancipated are often not familiar with the essence of gender equality and their awareness of the violation of their own rights is surprisingly weak:

*Women from urban centers, although they have access to more knowledge, are the same as women from rural areas when it comes to their awareness regarding their position in society. At first sight, it seems to be different if you work as an official and you drive a car. It doesn't matter if you have a driver's license or if you have a nice dress; all of this doesn't mean that you know about the rights that you have as a woman. (Horizonti 27/04/2019)*

WCSOs continue to work on educating women about their rights. Seminars and various activities to raise awareness are planned in the future. Because of COVID-19, many activities had to be cancelled. Interviewed members of WCSOs working on women's education and economic empowerment said that it was not easy to organize seminars with large groups of women via Zoom. Moreover, many women especially in rural areas do not have access to the internet. Therefore, they organized the events in small groups, recognizing the risk that COVID-19 entails. However, as a member of *CURE Foundation* states: "It is not the same to work remotely compared to in person, it is more difficult to share emotions and positive energy, which is important in our work" (*CURE Foundation* 26/07/2021).

### *Challenges in cooperation with political parties*

Since the war, the political landscape in Bosnia-Herzegovina has been dominated by ethnonationalist parties with an ideology that is hostile to women's rights. Thus, WCSOs in Bosnia-Herzegovina share concerns about collaborating directly with political parties. An example: In

<sup>10</sup> More details: <https://www.slobodnaevropa.org/a/fbih-zakon-nasilje-porodica/31342156.html> (last access 09.07.2021).

1996, when the first election was organized and a small number of women were elected, WCSOs started to advocate for gender quotas in politics (Thomasson 2006:54). At that time, the ethnonationalist political parties in Bosnia-Herzegovina showed themselves willing to introduce such a quota. However, this was mainly due to pressure from the OSCE that was responsible for the electoral processes during this period and until the adoption of the electoral law in 2001. At the time, therefore, the WCSOs feared that introducing such a quota would lead to more women participating in politics, yet they would be doing so in parties with an ideology that was not conducive to women's rights (Thomasson 2006:55).

A recent example of an amendment to a law on equality has, once again, shown that the ethnonationalist parties do not support issues related to gender equality. WCSOs, in cooperation with two female members of the parliament, proposed an amendment to the law on the Council of Ministers of Bosnia-Herzegovina (i.e., on the government) to ensure that 40% of appointed ministers are women, in line with the existing law on gender equality. All female members of the parliament belonging to the ethnonationalist parties – (except one from the SDA<sup>11</sup>) voted against the amendment, and the vice-president of the commission for gender equality, also a female member of the parliament, abstained from voting (Mujić 2021).

Cooperation with political parties is proving to be difficult: right-wing parties in Bosnia-Herzegovina are concerned with national interests and ethnic issues; formerly left-wing parties have moved to the right in recent years, and Milorad Dodik's SNSD<sup>12</sup> even to the extreme right, as one activist outlined: “All these democratic left-wing parties, they all became right-wing parties. In all phases since the 1990s onwards, they wanted to get and reserve their seats, they changed their facets, they have no shame, nor do they have a strong political platform” (*Horizonti* 13/07/2021).

According to the interviewed WCSOs, there have been few politicians in Bosnia-Herzegovina they can rely on and consider as important partners (Popov-Momčinović 2013:130; Thomasson 2006:55). The above-mentioned example of the amendment proposed to the parliamentary assembly depicts this well. Thanks to a generational change, they can now also count on a few younger members, as a member of a WCSO from Tuzla stressed. These few younger members gather information from activists and raise important questions at the city council (*Gradsko vijeće*), such as regarding sexual harassment of women working in public institutions in Tuzla as a reaction to the #MeToo campaign in 2021 in Serbia and the FBiH.

In the last few years, WCSOs together with women from non-ethnonationalist parties have been lobbying for gender parity (50%/50%) when it comes to election lists. WCSOs from Tuzla have established a lobby group consisting of activists, female politicians, and different groups of women. The initiative 50-50 is, at least formally, backed up by a liberal party, *Our Party (Naša stranka)* and the *Social Democratic Party* of Bosnia-Herzegovina (SDP BiH). But even within these two parties, there are only a few persons who are fully committed to gender equality as a member from WCSO in Tuzla confirms (*Horizonti* 13/07/2021).

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11 SDA: *Stranka demokratske akcije* (Party of Democratic Action), Bosniaks ethnonationalist political party.

12 SNSD: *Savez nezavisnih socijaldemokrata* (Alliance of Independent Social Democrats) is the governing party in the Republika Srpska.

Despite these singular examples of a fruitful collaboration between WCSOs and politicians, the dominance of ethno-nationalist parties and the discrepancy between a general, formal support by political parties and their real activities at a local level remain a challenge for WCSOs today. Another example: For more than 20 years now, Tuzla has the same mayor, a prominent figure of the SDP. One interviewed activist from Tuzla working in the field of education and economic empowerment of women, is very critical of the city mayor, who has established a male network of patronage and clientelism, allocates the local budget in nontransparent ways, and has succeeded in silencing critical voices from the civil society, including WCSOs.

Considering the political reality in Bosnia-Herzegovina, the fact that a majority of people still vote for the ethnonationalist parties and that there are “no truly moderate or multi-ethnic parties or policies” (Mujkić and Hulsey 2010:145), activists recognize the importance of even small successes in long-term processes of implementing new norms. One activist from Banja Luka pointed out that her organization works with all women in politics regardless of party affiliation, trying to create citizen and women-friendly institutions:

*We kind of think that we should not reject this political reality in which we act. We have to accept it, because parallel actions do not bring any results. We want citizen-friendly institutions and that is why we have to work with them [female politicians], and we need to support women, regardless of the party that they belong to, so that they can fight for such a world (United Women 21/07/2021).*

### *Challenges in cooperation with public institutions*

According to several representatives of WCSOs in Bosnia-Herzegovina, the state shows no political will to push for the full implementation of laws on gender equality (Simić 2015:95). In the case of Bosnia-Herzegovina, this so-called *decoupling* is related to capacity problems as well as to the fact that the government is not interested in enforcing these norms. The gender machinery regularly publishes documents such as Gender Action Plans and submits reports on their implementation to the parliamentary assembly of Bosnia-Herzegovina. As confirmed in other research, a lot of work is put into the process of drafting these documents because there is a lot of pressure “to create an appearance of a gender progressive state” (Hodžić 2011:222). On the other hand, there is little commitment to realizing the activities defined in Action Plans (Hodžić 2011:222).

As a result of the above-mentioned conventions, various administrative bodies were formed, such as the *Agency for Gender Equality* at the state level, the two *Gender Centers* at the entity levels (FBiH and RS), and the *Commission for Gender Equality* on a cantonal (in FBiH) and on the local level.

*Agency and Gender Centers have actively advocated for the harmonization of laws with the Law on gender equality, and through three periodic gender action plans, medium-term goals in the field of gender equality have been set and preconditions for coordinated action of competent authorities have been defined (Kadribašić, 2019: 139).*

These administrative bodies often do not have sufficient resources to fulfil their mandates. As a result, state institutions for gender equality have no means and measures at their disposal to

ensure the implementation of Gender Action Plans (*Horizonti* 10/8/2020). But the main challenge is related to the cooperation with and within these administrative bodies. Existing research reveals that the cooperation between WCSOs and the *Agency for Gender Equality* is neither structured nor officialized. WCSOs are not treated as equal partners and their existing knowledge and experience has not been utilized adequately (e.g., Simić 2015:99-100). Especially in informal conversations representatives of WCSOs show negative attitudes and mistrust towards state institutions.

At the conference *Women's Press Forum: Women in Politics Through Media Glasses* held in Jahorina in July 2021, an activist from the *CURE Foundation* claimed that the state *Agency for Gender Equality* was not doing enough. According to the activist, this is mainly due to the fact that its head is appointed to this position because of her political connections and party affiliation and not because of her knowledge concerning gender equality. This negative attitude seems to change, however, at least among some activists; for example, one activist from *Horizonti* said that the *Agency for Gender Equality* "is awakening" (*Horizonti* 13/07/2021).

The cooperation with the various administrative bodies is perceived differently by members of WCSOs. According to the activists from Bratunac, the *Gender Centre* of Republika Srpska is doing a good job. In particular, the interviewee emphasized the successful implementation of Gender Action Plans for women in rural areas and the cooperation with (female) ministers in RS, such as from the Ministry of Administration and Local Self-Government. Activists from *Horizonti* believe that the FBiH *Gender Centre* is not as active in comparison and is not successful in exerting pressure on the ministries in the government of the FBiH to implement the norms (*Horizonti* 13/07/2021).

Also, the cooperation between the national administrative bodies and those at entity, cantonal and especially local levels does not work well. As a result, the state agency is still often criticized for not paying enough attention to local problems. Besides, WCSOs maintain that compared to other administrative bodies established in the country, those working for gender equality are less powerful, have smaller budgets, and are generally understaffed.

A further challenge mentioned by the WCSOs related to the collaboration with public institutions is a lack of gender knowledge. At the local level, due to a lack of knowledge, official bodies use "common sense and some incidental gender knowledge, [...] to promote gender equality values in municipal work" (Björkdahl and Somun-Krupalija 2018:26). In these circumstances, WCSOs often take over the work of the gender commissions (*Forum Žena* 27/08/2020).

A member of a WCSOs noticed that the issue of gender equality is reduced to the issue of violence against women. The only support of local governments for gender issues that is continuously present is that for shelter. Moreover, this exclusively financial support is not sufficient (*Erazmo* 27/04/2021). WCSOs emphasize a lack of awareness of the links between domestic violence against women and discrimination against women, for example in politics or at the workplace. The situation is especially complicated at the local level where gender mainstreaming, for example Local Action Plans, are understood solely as a simple formal obligation. To address the issue of lack of knowledge, WCSOs are putting a lot of effort into educating the staff working in these important institutions and to provide them with guidelines of how to include gender equality into all documents of local government (Björkdahl and Somun-Krupalija 2018:26). There have been some improvements in this regard, especially when it comes to the

police: “Today the police has clear protocols to follow [...]. [A]s a center for social work, we have quite a good cooperation with those local institutions that deal with certain issues, we also have quite a good cooperation with the local police and the police commander” (*Forum Žena* 27/08/2020). Still there are WCSOs facing challenges when it comes to the collaboration not only with the police but also the judiciary and social workers, especially concerning cases of violence against women.

Another problem related to the lack of knowledge that WCSOs have identified is that after each local election the commission members change. This causes a lack of continuity in the implementation of Local Action Plans. WCSOs invest a lot of time and energy in the collaboration with members of different commissions and contribute to improving their knowledge. In elections, other people are elected to these positions and change in personnel means that existing knowledge gets lost. Thanks to the changes after the local elections in 2020, when a new, younger generation of female politicians entered the political stage in Tuzla, WCSOs claimed to be more optimistic. At the same time, they are aware of the structural problems of the prevailing patriarchal values and the continuity of the male-dominated style of politics that hamper major changes.

The COVID-19 pandemic and especially lockdowns have also impacted on the collaboration of WCSOs and public institutions. The meetings with the Local Gender Commission in Tuzla and Bratunac during the outbreak of the pandemic (March 2020) were postponed as well as their joint work on drafting the new Local Action Plan. WCSOs that work on education and economic empowerment of women complain that not one single measure has been taken to address the specific needs of women during the pandemic (*Erazmo* 27/04/2020). According to the *CURE Foundation* activist, the pandemic was misused as an excuse to delay the fulfilment of the public institutions' obligations to implement gender equality issues. Therewith it further hindered the WCSOs' efforts (*CURE Foundation* 26/07/2020).

### *Lack of financial resources*

Two main challenges can be identified when it comes to financial resources. On one hand, an absence of gender-sensitive budgeting by the state institutions; on the other hand, WCSOs are often dependent on international funds.

WCSOs very often address the absence of gender-sensitive budgeting as the major obstacle for achieving gender equality in Bosnia-Herzegovina. At the local level, municipal grants for women's issues are usually focused on traditional women's tasks such as cooking and handicrafts (Björkdahl and Somun-Krupalija 2018:28). Related to this challenge is a financially unsystematic approach to the issue of gender-based violence. In most communities, some resources are allocated to the issue of domestic violence. This is then presented as gender-sensitive budgeting; other issues related to gender equality are disregarded:

*When it comes to the [financial] support of local authorities [for gender equality and women's organizations in Tuzla] [...], I think that support is terribly small [...]. Here no one got anything for free and no one received any support if it was not in the interest of people in the local government, or kinship and political ties [...]. No one received true support, it's all instrumentalized. (Erazmo 27/04/2021)*

An activist from the *CURE Foundation* points out that the state failed to provide any support to civil society organisations, including women's organisations, during the pandemic, resulting in a deterioration of the situation of groups whose rights organisations seek to protect (*CURE Foundation* 26/07/2021).

As mentioned above, many WCSOs in Bosnia-Herzegovina are dependent on international grants to function (Cockburn, Stakić-Domuz and Hubić 2001:8). Problematic is that “donors set their own priorities rather than responding to those of grantees” (Cockburn, Stakić-Domuz and Hubić 2001:97). The Bosnian example underscores a persistent problem with the gender mainstreaming strategy: “Western multilateral institutions think that by simply adding women’s projects they are mainstreaming gender in their humanitarian assistance, although these projects can marginalize women by creating or sustaining unequal gendered power relations” (True 2003:384). Therefore, WCSOs from BiH had not only to make national political actors gender-sensitive, but also “the policies of international actors in post conflict societies” dealing with “the process of norm implementation into domestic policies” (Rošul-Gajić 2016:144). As a result, certain local women's concerns cannot be addressed because there are no financial resources available or due to the lack of a context-sensitive approach by foreign donors. A report conducted by the *Kvinna till Kvinna* foundation in 2019 reveals that the funding environment remains fragmented, and in general the funds are not sufficient for the work that needs to be done (*Kvinna till Kvinna* 2019:6-7). The situation in terms of available financial resources has been worsened by the COVID-19 pandemic: not only was there a lack of specific financial support, but also of general support for WCSOs during this period. This led to WCSOs organizing themselves and trying to support people in their local communities. For example, there was a shortage of masks on the market and the state did not provide the necessary access to masks, so women began to sew masks and give them to citizens. They also provided humanitarian aid to the needy, who were most affected (*CURE Foundation* 26/07/2021).

## Conclusion

Today, WCSOs in Bosnia-Herzegovina play a central role in the process of implementing international conventions. They help ensuring that the signed international conventions are properly implemented. They lobby for legislation dealing with women’s equal political representation, improving women’s social rights and combating violence against women in accordance with the signed and ratified conventions. Beyond that, they raise the awareness of gender equality issues among the population through community work and monitor, in cooperation with gender machineries, the gender mainstreaming processes related to the process of implementing international conventions.

The implementation of international norms on gender equality faces many challenges. Challenges have become even more evident in recent years and because of the COVID-19 crisis. As our article elaborates, the main challenges arise from the political and societal context in which the (women’s) organizations operate, but also from the cooperation with relevant partners, especially politicians, political parties, and public institutions responsible for implementing the international conventions. The unequal legal regulation between the two entities (RS and FBiH) and the discrimination of women based on their place of residence – as discussed

using the maternity leave example –, especially in the different cantons of the Federation of Bosnia-Herzegovina, is one of the main problems with regards to implementing the international norms to combat discrimination against women.

From a theoretical perspective, this article confirms that norms are part of a “constant process of negotiation and renegotiation” (Zwingel 2012:12). National factors related to the specific context influence this process of norm diffusion significantly. Despite improved legislation in line with international norms on women’s rights, activists point to various problems of their implementation and are aware that society is yet far from the ideal of having internalized the norms. Particularly problematic is that politicians – including female politicians and with the exception of a few feminists – on all levels of government are not only inactive but, in some cases, even act in contradiction to the new norms.

Moreover, the gender machineries at different levels lack resources, power, and concrete mechanisms to implement gender norms or to pressure institutions to fulfil their own obligations. As this article points out, in some cases, especially at the local level, there is a lack of gender-specific knowledge, which is related to the fact that in most cases these gender machineries are formed only to fulfill formal, legal obligations. For this reason, WCSOs often take over the work of the gender machineries – as various interviews with activists from Tuzla and Bratunac highlight – and collaborate with different levels of government to promote gender mainstreaming. This collaboration might to some extent undermine their critical potential. Together with the complex political system and the weak institutions of Bosnia-Herzegovina, this leads to some WCSOs trading off small and unsubstantial gains that possibly even uphold the patriarchal context at the cost of real change and the aim of gender equality. What interviewees with the members of WCSOs also point out is that this process of norm diffusion today absorbs most of their resources; this is confirmed by academic scholars and was a concern already raised in the literature shortly after the Beijing Conference in 1995 as a possibly negative consequence of the process of norm diffusion (Baden and Goetz 1997). In addition, we observe that national and international financial support for WCSOs has decreased in recent years (see Kvinna till Kvinna 2020). Increasing financial pressure has increased the competition between WCSOs, negatively impacting on solidarity between them. This all the more as WCSOs in Bosnia-Herzegovina are mainly supported by international donors and are therefore caught between the expectations of international donors and the relevant politicians and authorities.

WCSOs act as local agents and share the normative content of the transferred global norms (Björkdahl and Gusic 2015:275). At the same time, they face the question of whether they want to be recognized as important humanitarian organizations – which corresponds to stereotypical ideas about the role of women in society and civil society – by their patriarchal home context or whether they want to be favored by donors as human rights organizations. The latter facilitates receiving international financial support and therewith engaging in activities to overcome the ethnonationalist political landscape of Bosnia-Herzegovina and promoting solidarity between women regardless of their ethnicity. This tension threatens to weaken WCSOs as an important component of civil society that can trigger social change across ethnic borders and contribute to implementing gender equality.

To conclude, we hope this article will incite further studies that address the role of different actors involved in processes of norm diffusion in Bosnia-Herzegovina, focusing not just on local

WCOSs but also on the role of international organizations and the international community. In addition, the studies should take into account possibly existing tensions between the different actors involved in the process of norm diffusion. Future research could enrich the discussion by paying attention to even more nuances regarding specific norms and areas of WCOSs' activities, especially considering the many challenges COVID-19 presents.

### **Acknowledgements**

We are grateful to Nejira Nalić McCarrick and the editors of socialpolicy.ch for helpful comments and feedback.

### **Declaration of conflicting interests**

The author declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

### **Funding**

The author(s) did not receive any financial support for authorship, and/or publication of this article. The interviews from the year 2020 were conducted within the project Women and youth for peace, (project number BA01RAM03-10104) supported by the Kvinna till Kvinna Foundation. The interviews from the year 2021 within the project of Jelena Šantić Foundation Activist Legacy-Women's Stories behind the Western Balkans Conflicts and Crisis, supported by the Balkan Trust for Democracy and US Agency for International Development and Cooperation (USAID).

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