

**FEASIBILITY STUDY FOR THE ESTABLISHMENT OF WOMEN'S FUND
IN BOSNIA AND HERZEGOVINA**

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*~ Identity cannot be changed, uniformity in every aspect is not to be expected. Someone will
have to take the lead and advocate while others will provide support ~*



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Acronyms

CCI	Center for Civic Initiatives
CEDAW	Convention on the Elimination of Discrimination against Women
CPCD	Center for the Promotion of Civil Society
CSO	Civil society organization
CURE	Foundation CURE
EC	European Commission
EIDHR	European Instrument for Democracy and Human Rights
FBiH	Federation of Bosnia and Herzegovina
INWF	The International Network of Women's Funds
IPA	Instrument for Pre-Accession Assistance
KtK	Kvinna Till Kvinna
LBT	Lesbian, Bisexual, and Transgender
NGO	Non-governmental organisation
SIDA	Swedish International Development Cooperation Agency
SOC	Sarajevo Open Centre
TACSO	Technical Assistance for Civil Society Organisations
USAID	U.S. Agency for International Development

Executive Summary

This report is the final result of the Feasibility Study (The Study) commissioned by Sarajevo Open Centre and Foundation CURE with the financial support provided by Mama Cash Foundation. The purpose of the Study is to examine the needs and possibilities for establishing the Women's Fund in Bosnia and Herzegovina. International Women's funds are instituted on the broadly feminist perspective within the framework of the universality of human rights. They support formal and informal groups of women, engaged actively with their communities. Such Funds empower women and girls to be "the agents of change" in their societies, as well as on the global level.

The original idea behind this Study was to examine possibilities for establishing local Fund that would support the development of women's rights organisation, with equally important goal of securing support to some of the most underprivileged groups of women in Bosnia today, including Roma women, women with disabilities, lesbian/bisexual/transgender women and others.

To better understand the key obstacles that prevent women in Bosnia and Herzegovina to access justice and participate as equal in all spheres of public and private life, we analysed in details all aspects of complex political structure, legal, administrative, social and economic barriers and tried to accurately assess the work of both state and non state actors in the sphere of gender equality. Compared to many countries in the region, Bosnia and Herzegovina was the pioneer in passing gender equality legislation and setting up institutional mechanisms for gender mainstreaming on all levels of executive power. However, the improvements measured in everyday life of women are still minor.

Women in Bosnia and Herzegovina are victims of multiple rights violations and face tremendous challenges in claiming their rights and acquiring access to justice. This particularly refers to: violence against women and girls (47% of women in Bosnia and Herzegovina, over the age of 15, experienced, at some point in their life, at least one type of violence), sexual and labour exploitation, multiple discrimination, exclusion for decision-making, lack of *voice* and *representativeness*. The fact that women in Bosnia and Herzegovina outperform men in higher education is overshadowed by statistical data showing that Bosnia and Herzegovina has one of the lowest levels of female participation in the workforce in Southeast Europe, with only 37.3%¹ of women in the country's workforce. Women belonging to the marginalised and vulnerable groups are even more exposed to rights violations and less aware of the mechanisms to claim them. There is an overwhelming fear of secondary victimisation and the general lack of trust in justice system.

Twenty years after the war, the legal framework for gender equality in Bosnia and Herzegovina is mostly in line with the international standards, but the implementation is still weak while both state and independent institutions struggle with political obstacles, lack of resources and sometimes capacity. Civil society still plays a major role in the development, but the dialogue between the state and civil society organisations was never formalised. Women's

1 Agency for Statistics Bosnia and Herzegovina: *Labour Force Survey*. Available at: 2013:http://www.bhas.ba/ankete/BHAS_Ars_BH_press.pdf

non-governmental organisation as smaller but vibrant part of the civil society, played a major role during and after the war from delivering humanitarian assistance, to building relationship and contributing to reconciliation, delivery of legal and psycho-social support, opening public debate, mobilising support for legal and institutional changes. Today, there are many women's rights advocates, dedicated and professional individuals and organisations fighting for equality and women's empowerment.

Our key conclusion is that there is a great need and enough capacities within the women's organisations, as well as individuals, to support the establishment of a Women's Fund in Bosnia and Herzegovina in the highest *participatory* way possible - to secure the ownership and representativeness of various groups of women it seeks to help. It is our firm belief that establishing such Fund locally is the next logical step in the development of an independent, issue-based women's movement, constructed on the principles of solidarity and equality. We also believe that the emergence of such a Fund, can be a catalyst for the new way of building movements, which can bring the feminist agenda back to the public discourse with renowned clarity, energy and impact. In addition to suggested participation, and re-established connections to the base, the Fund should chose a very narrow niche and consider what are the added values its founders and members bring, in comparison to other existing Foundations. When it comes to the beneficiaries, we must underline the feeling that the assistance to the most marginalised and vulnerable groups, which are traditionally excluded from any decision-making, and which suffer multiple discrimination and other rights-violations - should be favoured. It is vital to prevent further exclusion of these groups in the society from accessing their rights, and that should be a prime obligation of the civil society actors, as well as a great exercise of solidarity.

Study Purpose and Background

Feasibility study (The Study) is part of the initiative launched by Sarajevo Open Centre (SOC) and Foundation CURE, with the financial support provided by Mama Cash foundation. The purpose of the Study is to examine the needs and possibilities for establishing the Women's Fund in Bosnia and Herzegovina. The Fund is envisaged to: support women's NGOs and groups in developing their programmes and institutional capacities; award grants to local women's organisations and groups and, in it's own capacity, serve as an advocate for women's rights and women's empowerment. The idea about establishing the Fund came from Sarajevo Open Centre and CURE, with the purpose of securing financial support for the women's rights movement and reaching out to the most underprivileged groups of women in the society (i.e. Roma women, women with disabilities, lesbian/bisexual/transgender women).

Study Process (Overview of Methodology)

The research was conducted from November 2014 to May 2015. Methodology included: extensive desk research, interviews with multiple stakeholders, analysis and verification of findings by the Control group. The Control group consisted of representatives from Sarajevo Open Centre and CURE Foundation respectively. For the verification of initial findings, Control group included fourteen interviewees. Inputs from the Control group were instrumental especially during the Inception phase, as well as in the production of the Final report.

The Inception phase lasted from October 2014 until late November 2014. During the Inception phase, consultants, in collaboration with the Control group, decided on the key national and international stakeholders to be included in the research, as well as on the primary documentation to be reviewed before the research phase.

The Main Research phase lasted from November 2014 until May 2015. The main activities included:

Comprehensive *desk research* of the key policies, reports and strategies published by selected stakeholders. The stakeholders included: international and national governmental and non-governmental organizations, research institutes, official statistic bureaus, etc. Desk research also included legal analysis and identification of suitable models for organizing, collaboration and exchange with similar initiatives in the region (and globally).

The desk research was followed by series of *interviews* conducted from December 2014 until May 2015. The methods included both semi-structured and in-depth interviews with individuals and groups. Researchers met with more than 50 individuals and organisations. In order to directly and specifically detect *demand*, *acceptability* and *practicality*, researchers opted only for direct interviews and skipped the distribution of questionnaires. This approach added value in informing, engaging and discussing the establishment of the Women's fund in more detail with the people who will be the future beneficiaries and founders. The full list of interviewees is presented in Annex I.

Preliminary analysis of the Study findings was undertaken during a workshop at the end of the field visits in late March 2015. Representatives of the Control group as well as selected individuals interviewed during the research phase attended. The purpose was to present the findings and use the panel for discussion and verification of findings.

Assessment Limitations

The period planned for the key interviews with the local stakeholders was a bit shortened due to holiday season, however, the majority of respondents gladly accepted the invitation and the researchers made an effort to visit the majority of respondents in their respective working environments. The list of interviewees was extended based on the recommendations provided during the meetings. The response from international women's funds was very positive. Much relevant information was shared and much advice was given to potential founders of WF BiH. The response from the donors was challenging at times. Several donors announced that they were at the time either changing or detailing new strategies for Bosnia and Herzegovina – and did not have many concrete inputs to deliver at that stage. In regards to desk research, the challenges were mainly related to the accuracy and relevance of gender sensitive statistics. Moreover, even though there is a reasonable amount of quantitative and qualitative research produced by NGOs, academia and officials, the interpretation of results differs depending on the position of the stakeholder.

CONTEXT

Twenty years after the signing of the Dayton Peace Agreement, the citizens of Bosnia and Herzegovina are faced with numerous obstacles in accessing justice, as the state proceeds towards the European Union. The Dayton Peace Agreement – that has once ended the war, left severe consequences for the functionality of the state. Bosnia and Herzegovina has 14 different layers of government – The Council of Ministers, governments of two entities (Federation of BiH and Republika Srpska), Brčko district and 10 Cantons. There are more than 160 ministries and over 760 MPs, together, they spend about 50% of GDP annually. The misuse of the provisions of the Dayton Peace Agreement such as ‘entity voting’ and complex rules on quorums, make the decision-making processes exceedingly complicated and hinder the reform processes. Complex and asymmetrical political structure, oversized administration, an intricate decision-making process and open resistance to the common state, are considered to be the major impediments to development.

In December 2009, the European Court of Human Rights ruled that the Constitution of Bosnia and Herzegovina, with its provisions stating that only members of the country's three main ethnic groups can hold the highest political offices, violates the right to free and fair elections and prohibition of discrimination under the European Convention on Human Rights. Despite many efforts to motivate political representatives to reach consensus and move forward on the pre-accession path, the Constitution has not yet been amended².

Before the war, Bosnia and Herzegovina (at that time part of Yugoslavia), was marked as a country with *medium* level of development. During the war, 100.000 people were killed, 2,2 million people displaced from their homes and the overall damages assessed at 60 billion USD³. According to the annual report of the Agency for Statistics⁴, women make up for 51% of population and the average age is 39.7 years.

The Millennium Development Goals report for Bosnia and Herzegovina (2013)⁵ revealed that even though 61% of population of Bosnia and Herzegovina lives in rural areas, they are less isolated, more similar and closely linked to urban areas than what was previously thought (and only 6% of rural households are dependent on agriculture). People in rural areas have better nutrition, same education and less wealth compared to people living in towns. There is however a great difference between people living in one of the 6 big towns (Sarajevo, Banja Luka, Mostar, Tuzla, Zenica, Bijeljina) and the rest of the country expressed in higher wages (25%) and 40% lower unemployment. Mid-sized and smaller towns are the most poverty-affected areas, and the report identifies that 62% of municipalities are either

- 2 In December 2013, EU has cut 54% (47 million EUR) of Bosnia's allocation of pre-accession funding for 2013 and suspended the preparation of the Country Strategy Paper for IPA II in order to exert pressure over Bosnian authorities to endorse the decisions of the European court of Human Rights and to establish a functional state administration.
- 3 Agency for Statistics Bosnia and Herzegovina: *BiH in figures*, 2008. Available at: <http://www.bhas.ba/tematskibilteni/2008-bh-u-brojkama-en.pdf>
- 4 Agency for Statistics Bosnia and Herzegovina: *Women and Men in BiH*, 2014
- 5 See more at: http://www.ba.undp.org/content/dam/bosnia_and_herzegovina/docs/Research&Publications/MDG/MDG%20Report%202013/MDG_BiH_2013_ProgressReport.pdf

underdeveloped or extremely underdeveloped.

Weak economy and a complex system of governance result in high poverty rates. The Agency for Statistics⁶ reports that unemployment reached 44% during 2014, while International Monetary Fund estimates that 18% of population lives under the poverty line, whereas 48% are in the group living on the verge of poverty and social exclusion. Furthermore, single women have a higher probability of being poor than men, and women over 65 are the group with the highest probability of being poor⁷.

Although in Bosnia and Herzegovina, women outperform men in higher education, this advantage is not reflected in the labour market share. Even in the sectors such as education and healthcare, where women traditionally constitute the majority of employees, they are mainly absent from management and policy development structures. Bosnia and Herzegovina may be the pioneer in passing the gender equality legislation and setting up gender equality mechanisms, but the reality is that the deeply rooted patriarchal stereotypes concerning the role and the responsibilities of women and men in private and public life are still omnipresent. Women are still seen primarily as housekeepers and men as breadwinners – which, in this case, contributes to poverty distribution. This huge gap between success in normative approach (laws and regulations) and reality for the everyday lives of women, shows that the problems are much deeper, as there is a genuine structural resistance, in addition to the dominant public opinion that gender equality is not something to prioritise at the moment of deep political, economic and social crisis.

Gender equality

To address the issue of gender equality (or lack thereof), one has to review political, legal, administrative, social and economic barriers and accurately analyse the work of both state and independent actors and their respective roles. Gender equality is a dynamic category, approached differently by international and local actors constantly reviewing theories, policy actions, methodologies and approaches to the theme. Countries in transition witness the effects of these changes very fast, especially when there is a lack of local ownership in developing strategies in this area. Although Bosnia and Herzegovina was the pioneer in passing gender equality legislation, the achievements measured in everyday life of women are still minor.

Legal Framework for Gender Equality

After many years, the legal framework is mostly in line with the international standards, but the implementation is still weak, while both the state and independent institutions are struggling with numerous political obstacles, in addition to the lack of resources and sometimes capacity. Civil society still plays a major role in the development, but the dialogue between the state and civil society organisations was never formalised.

6 Agency for Statistics Bosnia and Herzegovina: *Labour Force Survey*, 2013. Available at: http://www.bhas.ba/ankete/BHAS_Ars_BH_press.pdf

7 European Commission: *EC Gender Country Profile – Bosnia and Herzegovina*, 2014. Available at: http://europa.ba/wp-content/uploads/2015/05/delegacijaEU_2014070314432045eng.pdf

In addition to ratifying all relevant international conventions and protocols, Bosnia and Herzegovina was the first country in the region to pass the Gender Equality Law in 2003. In 2004, following the implementation of the Law, the first gender mechanism was established – two entity based Gender Centres and the BiH Agency for Gender Equality, with the mandate to prepare, monitor and coordinate Gender Action Plans⁸ based on inputs from state-level ministries and entity-based Gender Centres.

In 2009, the Gender Equality Law was amended in line with the recommendations provided by the Council of Europe, ensuring equal representation of women at all levels of branches of government and even in political parties. Article 20 of the Law anticipates representation of at least 40% of women in the state bodies at all levels.

In November 2013, Bosnia and Herzegovina ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention).

Numerous strategies were employed to enable better implementation of laws in practice, including, for instance, the BiH Strategy for Preventing and Combating Domestic Violence (2009)⁹, as well as separate entity-based strategies.

Another Milestone event was the adoption of the comprehensive Anti discrimination law in 2009. The legal framework foresees the mutual harmonization of The Law on Gender Equality and The Law on Prohibition of Discrimination, and enables anyone to claim their rights using either judicial or non-judicial mechanisms (Ombudsmen of BiH). The Gender Equality Agency and Gender Centres also provide the possibility of investigating the violations of the Law on Gender Equality and provide recommendations that are not legally binding, but rather have an early-warning educational role. Difficulties to prove discrimination in Court, disempowerment of underprivileged groups, lack of overall inclusive free legal aid system and generally low level of legal literacy in the area of protection of women's rights and gender-based discrimination are the biggest obstacles to the anti-discrimination framework. One particular piece of legislation that is still vastly missing is the State-level Law on Free Legal Aid that would allow for better access to justice for all vulnerable groups in the society – women included.

In 2010, Bosnia and Herzegovina was, once again, among the first countries to adopt the Action Plan for the Implementation of the UN Security Council Resolution 1325¹⁰ – a landmark international legal framework that addresses not only the severe impact of war on women, but also the pivotal role women should and do play in conflict management, conflict resolution and sustainable peace¹¹. The adoption was followed by a rare development of establishing a Coordination body for monitoring the enforcement of the Action Plan, and in the past year, significant progress was made in implementing a number of projects in coordination with international organisations, institutions and civil society organisations. The long-term effects of these results are still expected, because there is a huge risk to focus on projects instead of the bigger picture.

8 Available at: http://arsbih.w1.daj.ba/wp-content/uploads/2014/02/GAP_BIH_ENGLISH.pdf

9 See more at: <http://www.legislationline.org/documents/id/16434>

10 See more at: http://arsbih.gov.ba/wp-content/uploads/2014/07/AP1325_bhs.pdf

11 See more at: http://www.usip.org/gender_peacebuilding/about_UNSCR_1325#What_is_U.N._Security_Council_Resolution_1325_

One important instrument in the fight for gender equality is also the CEDAW framework—the instrument for monitoring the implementation of the Convention on Elimination of all forms of Discrimination against Women¹². In addition to the official State report, local women’s organisations provided, on the occasions, The Alternative report on the implementation of CEDAW in Bosnia and Herzegovina. This is important considering that the concluding comments and recommendation from the CEDAW Committee became the basis for action and a priority for Bosnia and Herzegovina, which are followed through in the Gender Action Plans.

Bosnia and Herzegovina made serious steps in developing institutional mechanisms for gender mainstreaming on all levels of executive power. From the State level (the Commission for Gender Equality of the Parliamentary Assembly of Bosnia and Herzegovina and The Agency for Gender Equality) across entity (the Commission for Gender Equality in FBiH and the Board for Equal Opportunities in RS Assembly) up to the Commissions for Gender Equality on Cantonal level and the Commission for Gender issues on the municipal level. Still, the institutional capacity for the implementation of the gender equality framework remains as one of the most serious challenges, in addition to the already challenging political, social and economic situation. Women in Bosnia and Herzegovina face serious challenges in accessing and exercising their rights on all levels. Moreover, there is a need for better quality of coordination between state mechanisms and women’s NGOs that often take over the role of state institutions (from monitoring and reporting to service providing).

The current EU Plan of Action on Gender Equality and Women’s Empowerment in Development (2010-15)¹³ proposes a series of activities to be carried out by the EU member states and the EC, putting the emphasis on increasing the presence of gender equality as a systematic topic on the agenda of political dialogue with partner countries, focusing not only on civil and political rights, but also on economic, social, cultural and labour rights – all important for women’s empowerment. Another approach is gaining momentum now, namely gender mainstreaming of IPA – financial instrument for pre-accession assistance. Following the Beijing Declaration and Platform for Action, Member States and the Commission have adopted the strategy of gender mainstreaming as a part of their development cooperation policy. However, Communication from the Commission to the European Parliament and the Council on Enlargement Strategy and main challenges 2012-2013) is hardly addressing any issues related to gender. Women are mentioned in the context of human rights and in connection with violence; the author of EC Country Gender Profile Bosnia and Herzegovina says that: *“The overall impression is that women and gender equality are mentioned here and there, without clear criteria. Moreover, it seems that this Strategy requires serious gender mainstreaming itself, since connections were not made between gender and different sectors. This Strategy, in fact, reflects very well ‘gender fatigue’ which is, according to some analysts, present in the EU, as well as in the UN”*¹⁴

12 See more at: <http://www.ohchr.org/Documents/ProfessionalInterest/cedaw.pdf>

13 Available at: <http://www.enpi-info.eu/library/content/eu-action-plan-gender-equality-and-womens-empowerment-development-period-2010-2015-0>

14 Available at: http://europa.ba/wp-content/uploads/2015/05/delegacijaEU_2014070314432045eng.pdf

Access to justice for women in Bosnia and Herzegovina

Inequality in accessing justice is the result of a combination of different inequality factors at the legal, institutional, structural, socio-economic and cultural level. If the laws are in place and mechanisms for protection exist – the lack of public awareness of their existence and the lack of capacity of officials to enforce them – can have serious negative effects. Socio-economic and cultural barriers strongly limit the ability of women to pursue justice, especially in relation to the family sphere when the cases involve children, domestic violence or divorce. The lack of confidence in the justice system prevents women from reporting the rights violations. Women belonging to the marginalised and vulnerable groups are less aware of their rights and mechanisms to exercise them, and even when they do, there is fear of secondary victimisation and the lack of support from legal counsel. In Bosnia and Herzegovina, many researchers confirm that Roma women and girls are the most marginalised and underprivileged group. They are vulnerable both as women and members of the Roma community. In addition to the problems with education and employment, Roma women's position in their patriarchal communities makes them victims on several levels. Moreover, the access to justice is particularly challenging for women belonging to other vulnerable groups such as: women living in rural areas, elderly women, women with disabilities, lesbian/bisexual/transgender women, trafficked women and migrants. Women from these groups are often victims of stereotyping, which can result in bias and insensitivity of the judicial system.

Council of Europe's report on Access to justice for Women clearly identifies that ensuring access to justice is more than simply ensuring the efficiency of justice systems. Rather, it is about ensuring the sensitivity and responsiveness of such systems to the needs and realities of women, as well as empowering them throughout the justice chain. Reducing the impact of obstacles faced by women not only facilitates greater accessibility, but is also an essential step towards achieving substantive gender equality.¹⁵

Rights at Stake

The following chapter will review some of the key challenges for women in Bosnia and Herzegovina.

Violence including Domestic violence

According to the results of the Study "Prevalence and Characteristics of Violence Against Women in BiH"¹⁶ 47% of women in Bosnia and Herzegovina (over the age of 15) experienced, at some point in their life, at least one type of violence – physical, psychological, sexual and/or economic. The most frequent type of violence is psychological or psychological in combination with physical. In addition to the gender inequality, the type of settlement in which women live, the living standards of their households, attitudes towards gender roles and the culture of conflict resolution in the family are additional factors causing violence.

Many efforts have been made to improve the legal framework and enable mechanisms for

15 Council of Europe: Gender Equality Commission: *Feasibility Study – Equal Access of Women to Justice*, 2013

16 Available at: http://arsbih.w1.daj.ba/wp-content/uploads/2014/02/prevalency_study.pdf

reporting violence and providing support for the victims. There are formal prerequisites for reporting violence, enforcing emergency protective measures for the victims, investigation and prosecution and, *in part*, witness protection and legal aid. There are 9 shelters and two telephone lines for the victims of domestic violence. Sarajevo Open Centre Annual Report on the State of Women's Rights in Bosnia and Herzegovina (2013) states that the problems in achieving justice for women who are victims of violence lies in officials tolerating gender-based violence, low rate of reporting (especially by women belonging to marginalised groups) the cases of violence as well as 'blindness of the system' to the offences such as rape committed by marital partners, forced marriage and genital mutilation. Moreover, the report depicts the lack of protection and effective specialized services for different types of violence such as rape, sexual abuse and sexual harassment.

Trafficking in human beings

The problem with trafficking in human beings is now internalised, as the unemployment and poverty, discrimination and violence make especially young women more vulnerable to falling into the hands of traffickers. Particularly worrisome is the internal trafficking in human beings that includes sexual exploitation and forced marriages, as well as trafficking of children for the purpose of sexual and labour exploitation. Younger women and women belonging to socially excluded groups are most affected. Obstacles to the prevention of trafficking lie in the uncoordinated legal framework, lack of cases brought by the Prosecution and, as the CEDAW report states - lack of effective procedures of identifying victims, especially regarding women and girls from Roma communities and internally displaced women. Moreover, shelters for trafficking victims are mostly provided by the NGOs and rely on international donors' assistance.

Education, Social and Economic Rights, Participation in Public Life

According to the report published by Gender Equality Agency Report ('*Glass ceiling on top of BiH's Labour Market*' 2014.) women comprise 51.1% of overall population of Bosnia and Herzegovina and 51.8% of the labour force. They are however still paid less, and they take only 15.7% of management positions. Labour force survey of the Agency for Statistics¹⁷ shows that BIH has one of the lowest levels of female participation in the workforce in Southeast Europe, with 37.3% of women in the total number of employed in Bosnia and Herzegovina. Women with only primary and/or secondary school are central in the unemployment share. Still, 14.3% of all unemployed women have university education, compared to only 7.2% of unemployed men with the same education.

Another problem is the different regulation of the right to maternity leave across Bosnia and Herzegovina, with unequal and irregular payment of maternity leave in addition to unrightfully dismissal of women by employers, once they learn women are pregnant or during maternity leave. Women also report that potential employers do not hesitate to inquire about their family status (and plans) during job interviews.

One third of rural women declare themselves as to be housewives; they are rarely landowners and their overall participation in the decision-making process is extremely low. Almost 82%

¹⁷ Available at: http://www.bhas.ba/ankete/BHAS_Ars_BH_press.pdf

of Roma women are unemployed, 95% are working in the so-called informal sector and only 2-3% are employed in the public sector.

Political Participation of Women

Many efforts have been made to increase the participation of women in executive and legislative power. The latest Amendments to the Electoral Law in Bosnia and Herzegovina (2013) stipulate that the equal representation of genders exist when one of the genders is represented by at least 40% of the total number of candidates on the list (the previous quota was 33%). However, even with aggressive campaigning during the pre-election period, the analysis of the results of the last elections showed that less than nine of the 14 governments in Bosnia and Herzegovina met the legally prescribed standard of 40% participation. Sarajevo Open Centre's report¹⁸ identifies two women appointed in the Council of Ministers, 4 women in the Government of the Federation of BiH, a prime minister and 3 other women ministers appointed in the government of Republika Srpska. Women comprise 17.5% of ministers in cantonal governments after the last elections. Although the issue of genuine representation of women in the structures of power is more complex than meeting the quantitative criteria, the fact that the officials repeatedly fail to meet the standards prescribed by the Law is worrisome cause for concern.

Discrimination

Discrimination is an overarching constant for all women in Bosnia and Herzegovina, regardless of their age, social and economic status. Setting aside the righteous claim about women being the biggest discriminated group in Bosnia and Herzegovina, one needs to look more closely at groups that face specific, multiple discrimination. The focus should be placed on the Roma women, women with disabilities and LBT women, as these are the groups affected by severe invisibility, lack of voice and discrimination, both in the general society but also in their own community (Roma) and even by other women (women with disabilities and LBT women are at times ignored even by women's movements).

In the recent years, women's rights advocates started to continuously publish human right reports with accurate findings on the access to rights for women and especially women belonging to vulnerable groups. Some of the key reports containing more detailed explanation are published by Sarajevo Open Centre and Foundation CURE and made available on web page of Women's Network BiH¹⁹.

Women's NGOs and women's movement in Bosnia and Herzegovina

Women and women's organisations played a major role during and after the war. The development started with delivering humanitarian assistance, proceeded to building relationship and contributing to reconciliation after the war, delivery of legal and psycho-social support, opening public debate, mobilising support and advocacy for legal and institutional changes. Today, there are many women's rights advocates, dedicated and professional individuals and organisations fighting for equality and empowering women

18 Available at: http://soc.ba/site/wp-content/uploads/2015/06/HRP_where-are-women-in-Government_WEB.pdf

19 See more at: <http://zenskamreza.ba/en/publications/>

across the country. The legal and institutional framework for women to claim their rights has significantly improved as well. At this time, there is a need to see that the results of improved legal and institutional framework are actually implemented and visible in the everyday life of BH women. The difficulty nowadays is that there are many *different* challenges for women and less social cohesion - compared to the period right after the war.

There are around 12900²⁰ registered CSOs in Bosnia and Herzegovina. There is, however, no accurate statistical data, or a public registry with data on the number and *type* of CSOs that are active. Women's organisations represent a smaller, but rather vocal part of the civil society. The term 'women's organisations' is used to describe organisations led by women and founded primarily to promote women's rights.

In the study titled "Women's movement in Bosnia and Herzegovina"²¹ author Zlatiborka Popov Momčinović points out that the decisive moment came during the war, when some individuals did not accept the passive role of war victims and started gathering in informal groups to help and support vulnerable population and help maintain the ties with peace activists across the borders. The establishment of Medica Zenica – the first formal women's organization that provided psychological support to women victims of war, marked the beginning of the next stage of women's activism in Bosnia and Herzegovina. Women and women's organisations provided massive amounts of support and humanitarian assistance to the victims during and after the war. Women were also on the forefront of the post-war reconciliation efforts – bravely crossing the borders and disregarding criticism from ethno-nationalistic blocs.

In the negotiations preceding the signing of the Dayton Peace Agreement, there were no women present, and the vast amount of support provided from international community for re-building of post-war society did not organically thrive from the gender perspective, even though a huge number of women were killed, wounded, raped and lost their whole families during the war. International actors, including both donors and inter-governmental organisations, played a crucial role in providing financial and political support and a voice for the emerging women's groups – and that was the beginning of the next stage of strengthening and empowering women to participate in political life. So, in addition to providing assistance to individual women, women's organisations also engaged in a decisive fight to address the systemic problems of violence against women and participation of women in the decision-making process and political life in general²² by initiating the first advocacy campaigns on both local and state levels.

The period was marked with the emergence of a huge number of civic initiatives and, unfortunately, not all of them started from a consultative process with women they represent. In many ways, this was expected due to the abundance of international assistance in the post-war rebuilding of the state and the availability for funding of project-based activities. Over time, women's organisations advanced their institutional and professional capacities, but the growing administrative demands of the donors' calls for proposals became a new obstacle in getting closer to the constituents base.

20 Ibid.

21 See more at: http://www.fondacijacure.org/files/zenski-pokret-u-BiH_PRELOM_final_za-web.pdf

22 The Election Law was amended in 2002 for the first time securing women's quota.

The Majority of respondents in this research were able to critically self-reflect and say that, over time, joint actions of solidarity have decreased in favour of project-based networking and coalition building; that some organisations became more visible and more close to international actors and that the movement is significantly defragmented compared to before. The discussion as to whether there is a women's movement or not is still on-going, but for those who claim that it does exist, it is critical to underline that they recognise only NGOs as part of the movement.

There are different types of women's organisations in Bosnia today. The biggest issue for discussion is how to distinguish between different women's groups and organisations. Bigger NGOs hire more people and have significantly larger budgets, but they can find themselves in a critical condition if the donors' assistance continues to decrease. Smaller organisations at times lack capacity and access to resources, but they can still play an important role, especially on the local level. New, emerging organisations established by groups with common needs and interests (i.e. parents of children with disabilities) are not used to international funding, which immediately increases their chances of sustainability in the long run. These organisations will exist regardless of whether they have donors or not.

Donors' politics and trends still significantly influence the civil society sector, and, with the decrease of support, a new threat arises, as local organisations start stepping outside their mandate, strategies and knowledge-base, in order to be able to apply on some call for proposal for funding, made available by a donor who prefers a certain topic at a certain moment. There is a need to increase the participation of women on all levels: with NGOs, State and donors. Women have been excluded from decision-making for such a long period, that this is something that must be prioritised by all actors.

To further depict the gender landscape, we should underline the fact that, while there is a number of actors addressing women's practical needs, there are not necessarily many who are addressing their strategic *interests* (dismantling patriarchal norms and practices, giving women access and control over resources, changing gender division of labour and similar).

The main areas of work

- *Political Participation:* Practically every organisation we met was involved, to some extent, in the promotion of women in politics, pre-election mobilisation of voters, while some organisations took an active role in assisting women to build their political authority.
- *Redress for Victims of Sexual Violence:* This topic finally gained momentum in the last couple of years, addressing the critical issue for 10-30.000 of women victims of sexual assaults during wartime. The scope of activities includes psychological empowerment of victims, improvement of their access to justice, rehabilitation, re-socialisation and compensation programs.
- *Gender-based violence, including trafficking:* Women's groups are working in two directions: providing support to victims and advocating for the changes of the legal and institutional framework. There is, however, still a great need to improve

the State-NGOs coordination, as well as intersectoral coordination necessary to address the problems holistically.

- *Economic Empowerment*: The issue of low participation of women in the labor market also gained momentum in the last years: from assistance provided to rural women engaged in agriculture, to specialised trainings aimed at increasing the *employability* of specific groups of women (single mothers, victims of domestic violence, young women). The experiences are both good and bad, while the expectations are high on both ends – NGO organisers and beneficiaries.

These are some of the most highlighted topics covered by women's organisations today. There are number of other organisations, which, within their mandate, cover other areas as well. However, the field where we see the need for all women's organisations to do more is the one concerning particularly *vulnerable groups*, which are more prone to poverty and social exclusion limiting their possibilities to exercise their citizenship rights and influence public policies that affect them. These groups include, but are not limited to: Roma women, women with disabilities, LBT women, internally displaced women, socially excluded women from rural areas, just to name a few. Furthermore, just like in the rest of the region, there is a great need to include *younger women and girls*, not only by enabling platforms for next generation of women's activists, but also by making efforts to hear their views and problems and assist them in finding their voices in the current social and political context.

Finally, all organisations should consider taking additional efforts to realign with their constituents and strengthen their popular base through the creation of membership, increased voluntarism and activism. Increased *representativeness* of civil society in general, is an amazing advantage in influencing the decision-making process and public policy.

Almost all of the stakeholders we met have great potential to start a social transformation by fostering solidarity in collective organising.

Other Relevant Local Stakeholders

In the following chapter, we will mention a few local and international actors who still play a major role in influencing gender policy in Bosnia and Herzegovina.

- *Networks*

Women's network BiH²³, which currently has 39 members, was established in 2009, as an informal group of civil society organisations gathered together in order to advance gender equality through the promotion of non-discrimination, non-violence and anti-militarism, promoting the feminist values of action – peace, solidarity, trust, fellowship, equality and diversity. The network was officially registered and inaugurated in July 2014. The Majority of interviewees in this research are members of this network.

The Safe Network BiH²⁴, was initially established in 2001 by 32 non-governmental

23 See more at: <http://zenskamreza.ba/en/about-us/>

24 See more at: <http://www.sigurnamreza.ba/stranica/sigurna-mreza>

organisations and State institutions from across Bosnia and Herzegovina, dealing with domestic violence. For a while, the network was inactive, and in 2011 it was re-initiated in order to establish an institutional framework for the work of civil society organisations assisting victims of domestic violence and fighting to improve the implementation of standards in practice. The current network is comprised of 8 non-governmental organisations.

Roma Women Network “Uspjeh” was founded in 2010, and it currently consists of 10 NGOs gathered around the principal goal of improving the position of Roma women in Bosnia and Herzegovina. The main actions of Roma Women's network are targeted towards political, social and economic empowerment of Roma women, increased participation and active promotion of gender equality and women's rights.

Network of Women with Disabilities who face double discrimination and exclusion from the society are becoming more active members of women's movement– which is an important prerequisite in mobilizing wider support for their mission.

- *Local Foundations*

Compared to the rest of the region, Bosnia and Herzegovina has the longest tradition of support provided through public interest foundation. The most well know foundations are:

Mozaik²⁵ was founded in 2002, with the aim of encouraging the development of rural communities. Today, Mozaik is a social enterprise with the mission to create more jobs for young people and empower young entrepreneurs. The goal is to mobilize local resources and advance sustainability of socio-economic development.

Center for Civic Initiatives (CCI)²⁶ was founded in 1999 by local civil society and is closely linked to international organizations such as the National Democratic Institute (NDI)²⁷ and the Foundation for Electoral Systems (IFES)²⁸. The organization is advocating for the protection and promotion of human rights and fundamental freedoms, tolerance, accountability of duty holders, citizen participation in decision-making processes, as well as for the development of civil society. CCI is currently implementing USAID's fund of 8.85 million USD, aimed at increasing the sustainability of CSOs.

Center for the Promotion of Civil Society (CPCD)²⁹ was founded in 1996, with the mission of contributing to the strengthening of civil society, by capacity building of civil society organizations, enabling networking and cooperation of various CSOs, establishing framework for the efficient exchange and cooperation of civil society with the authorities and the private sector. CPCD is currently implementing the program titled “*Be the Change*”, which is assisting CSOs and informal groups with grant making, mentorship programs and capacity development.

25 See more at: <http://www.mozaik.ba/en/o-mozaiku/o-nama>

26 See more at: <http://www.cci.ba>

27 See more at: <https://www.ndi.org>

28 See more at: <http://www.ifes.org>

29 See more at: <http://www.cpcd.ba/bs/index.html>

The Foundation for Women's Empowerment (FWE BiH)³⁰ was established in 2014 as an independent, non-profit women's foundation committed to supporting initiatives of women's grassroots civil society organizations (CSOs) towards advancing women's human rights, empowerment of women and gender equality. The Foundation has two equally important strategies: capacity building of women's organisations and initiatives and facilitating/contributing to building of women's movement.

The Foundation currently has 6 different lines/types of grants³¹, with the possibility to establish new ones. Those are: Solidarity Fund, Core Support Fund for Organisational Development, Movement building fund, Fund for Women's Special initiatives (i.e. advocacy, research, networking), Matching fund (for grassroots organisations) and Urgent fund (for ad hoc women's initiatives). The Foundation has until now provided several trainings in communication and economic empowerment of women, as well as assistance in developing project and programme strategies.

Women's Movement

Although the definition of what constitutes active women's movement is debatable, we feel the need to stress out the fact that extensive empirical research has highlighted that normative changes from above (laws, policies), while important, cannot make gender equality a lasting reality³². In other words, all the lobbying and advocacy efforts are at risk if they are not supported by 'the power of numbers'. Movements are needed to achieve lasting changes in the social power relations and they are also the best way to practice political participation and citizenship.

We will recommend keeping the on-going debate on what constitutes a women's movement, and even more, a *feminist* movement, whose agenda resides in feminist values and ideology, including the respect for all human rights, social and economic equality, inclusion, tolerance, peace and non violence.³³

Women's Funds Globally

The first Women's funds were established in the 1970s in both United States and Europe, by women who wanted to address the lack of mainstream philanthropic funding that would target specifically women and girls and fully include women's voices in social change³⁴. Global pioneers among Women's Funds include: Virginia Gildersleeve International Fund, Global Fund for Women, Astraea and Mama Cash. By the mid nineties, Women's funds were established in Asia, Latin America and Africa, and the current estimate is that there are around 160 Funds and foundations globally, out of which 42 are members of the International Network of Women's Funds – INWF³⁵.

30 See more at: <http://www.fwebih.org/en/onama/ko-smo>

31 See more at: <http://www.fwebih.org/en/grantovi>

32 Srilatha Batliwala, AWID: *Changing Their World: Concepts and Practices of Women's Movements*, 2012

33 Ibid.

34 See more at: <http://www.womensfundingnetwork.org/about/>

35 See more at: <http://www.inwf.org>

OAK Foundation, one of the main donors to women's funds globally, states that the growth of women's funds suggests that funders are becoming increasingly aware of the potential for accelerating social change by investing in women and women-led organisations³⁶.

Majority of women's funds work towards engaging and empowering women and girls to be the agents of change in their societies, as well as on the global level. Their work consists mainly of fundraising and grant making, networking and capacity building, but it also includes different types of investments into resources for the benefit of women and their communities. Women's funds support formal and informal groups of women, engaged actively with their communities, usually focusing on providing assistance to particularly vulnerable groups of women in the society.

This research included the interviews with the representatives of the following funds: Calala Women's Fund (Spain)³⁷, Ecumenical Women's Initiative (EWI)³⁸, Women Fund in Georgia³⁹, Frida - The Young Feminist Fund⁴⁰, Slovak-Czech women's Fund⁴¹, Ukrainian Women's fund⁴², International Network of Women's Fund⁴³ and Kosovo Women's Fund⁴⁴

All of the interviewees are members of the International Network of Women's Fund, which seeks to strengthen the capacity and impact of women's funds worldwide, by providing mechanisms and platforms for emerging and established funds to share experiences, test ideas, and promote understanding of women's rights activism, feminism and philanthropy.

Generally speaking, WFs are founded on the broadly feminist perspective within the framework of the universality of human rights. Their policies are based on the respect of women's voices and women's choices, while their strategies stem from established relationships with their base of constituents, various groups in the society, national and international organisations and networks, collectives and similar. The permanent feature of all Women's funds lies in constant communication and collaboration with aforementioned groups and, according to the interviewees, that is the success factor which helps them grow and evolve with high degree of solidarity and understating, but also with important corrective from their partners and beneficiaries.

Researchers must acknowledge the most welcoming tone and genuine desire to help the potential establishment of a new Women's Fund – which is something quite rare and extraordinary. The sisterhood of women's funds warmly welcomed this initiative already at this stage, and offered its utmost support throughout the process. Due to the limitations in the format of this report, detailed analysis of the above-mentioned funds is presented in Annex II.

36 See more at: <http://www.oakfnd.org/node/4745>

37 See more at: <http://www.calala.org/?lang=en>

38 See more at: <http://www.eiz.hr/?lang=en>

39 See more at: <http://www.womenfundgeorgia.org/?lan=en>

40 See more at: <http://youngfeministfund.org>

41 See more at: <http://www.womensfund.sk/blade/s/70/news.html>

42 See more at: <http://www.uwf.kiev.ua/en/>

43 See more at: <http://www.inwf.org>

44 See more at: <http://www.womensnetwork.org/?FaqeID=16>

NEEDS ASSESSMENT

Key Findings from the Interviews

The following chapter summarises the responses from the interviews with limited interpretation on the researchers' side. We felt this is needed in order to get the most authentic *voice* of the interviewees, which in our opinion increases the participation and inclusivity of the process at this stage already.

Q: What should be the activities of the Women's Fund BH?

We are under the impression that responses from NGO activists who took part in this survey, especially in regard to the question above, were based on the activities their respective organizations are primarily focused on. Interview questions included reflections on following activities: financial support, institutional support and capacity building, networking, advocacy and communication exchange.

Financial support (fundraising and re-granting) was emphasized as one of the priorities, with majority of respondents' inputs stating that this activity should be conducted in such a way so that it does not support further division among women's NGOs.

▪ **Financial support**

To provide funding that will enable a qualitative leap forward towards the results. The funding should be provided for:

- *Running/operational costs;*
- *Co-financing the projects (long-term projects targeting different groups);*
- *The Solidarity fund – for long-time women activists, some of whom have been engaged in the movement for a few decades (and, in their line of work, risk not having regular income, social and pension insurance);*
- *The Crisis fund, i.e. for helping the organizations that have proved continuity in their work but are suffering from current issues (this type of funding should be provided for the maximum period of one year);*
- *The Emergency fund – a fund for urgent activities;*
- *Provision of common/office space (this refers primarily to the office space but also venues for organizing different events);*
- *To support scientific research and work especially in regards to gender studies;*
- *To support activism in regions where there are no active civil society actors (support for motivated and strong women's initiatives);*
- *For economic independence/empowerment of women (e.g., for self-employment of mothers, women with interesting and engaging project ideas, initiatives related to retraining).*

▪ **Capacity building**

The general view (shared mostly by the organizations in larger centres and women with longer tenure in NGOs) is that there are enough funds for these activities already, and even enough

of the capacity building activities. However, different voices were heard mostly from younger women, saying that the unpredictability of donor trends does not vouch for the continuity of capacity building, and that the Fund should make continuous efforts to enable new generations to improve in this area. Another possibility was brought up for discussion –for NGOs to implement the ‘life-long learning’ concept.

A number of concrete suggestions were given as to what the Fund could provide:

- *Resources for cooperation and exchange of experiences and knowledge among local and regional partners;*
- *Funds for travel costs related to gaining new knowledge and skills (i.e conferences, exchanges etc.);*
- *Further education - for both activists, as well as girls and young women (criteria could be: social status, success in previous education, engagement within a community);*
- *Organisation of thematic workshops for women leaders;*
- *Creating conditions for team building and anti burnout programs;*
- *Supporting advancement of professional capacities for the primary activities of the organization;*
- *Educating women outside of NGO sector: formal and informal groups working within the field of the Fund's expertise, women in politics;*
- *Supporting and developing volunteer work;*
- *Stimulating openness of women's groups (including new generations of women);*
- *Setting up a system/platform for constant sharing of knowledge and consultations (to advance planning as well as joint realization and mutual monitoring/evaluation of the NGOs' activities).*

- **Networking**

The view of a certain number of respondents is that there are already enough resources for this activity. However, the research team is under the impression, especially after talking to younger activists from smaller towns, that these women lack connections with their peers from other parts of BiH, and that, due to the lack of resources for travel, they are not able to visit their colleagues even in neighbouring countries. Some respondents perceived networking as a way to achieve building and maintaining of connections among peers with no additional funding, or with small funds provided for travel and food.

They have mentioned a few aspects of women's NGOs that can be improved for this purpose:

- *Proximity (especially for activists from smaller towns and villages) to decision makers and their greater visibility;*
- *Creating a pool of internal expertise and exchange of knowledge, skills and experience;*
- *Encouraging younger women to cooperate with NGOs;*
- *Establishing not-project-related solidarity partnerships (e.g. mentorship and other models of mutual support);*
- *Establishing and strengthening a bond between scientific and academic community with activist groups.*

Some more concrete steps have been suggested underlining the regional aspect:

- *An Annual conference on the state of human rights or related sub-topics (e.g. violence*

- *against women, social and economic rights, women in politics);*
- *Meetings solely for the purpose of exchanging experience;*
- *Organizing workshops;*
- *Joint public appearances.*

Respondents underlined that such activities should be directed towards the beneficiaries of women's NGOs, as well as for thematic 'sectoral groups' within the women's movement (i.e. organisations working with similar issues).

- ***Advocacy***

The Respondents generally agree that the legal framework for the advancement of women's rights in Bosnia and Herzegovina has been improved, although it remains uneven for different parts of the country due to a complex political system and previously mentioned 14 layers of government.

The majority believe that it is necessary to continuously monitor the implementation of enacted laws and advocate their enhanced implementation. It has been suggested that the Fund should be operating in four directions:

- *Towards the State (to pressure duty holders to work on the implementation and harmonization of the laws by delivering systematic solutions on the state level, to additionally educate those in charge of law implementation, to engage more women in political and public life);*
- *Towards citizens (raising awareness of those affected by the laws, e.g. collecting signatures to be able to participate in the work of the parliament, to work on securing publicity of dialog on women's' rights and similar);*
- *Towards donors (influencing donors' policies);*
- *Towards women specifically – i.e. better organization of women in different spheres of public life (e.g. to create a women's lobby group comprised of women from NGOs, politics, economy, media – working jointly for social change). This could additionally help to expand the visibility and understanding of the Fund's role and efforts among wider groups of women in the society.*

- ***Information/Communication***

The respondents unanimously replied that the work of the Fund must be followed by maximum transparency and that the Fund should put utmost efforts to reach out to as many women as possible. This should include (but not be limited to) activities such as: increased access to information on women's rights globally, public debates, joint advocacy on behalf of women's organizations in BiH, etc. The visibility should be increased by including many different voices of women, and, in respect, such actions would bring about the sustainability and empowerment for these groups of women – in addition to maintaining the public debate on the issues relevant for women.

The communication with donors should be used to articulate current, genuine needs of women in BiH (via donor conferences, among other things).

- **Miscellaneous**

Several activities were mentioned by the respondents that were not included in the previous five segments:

- *There is a need to acknowledge and reward women who have brought changes for other women;*
- *There is a need to support political perseverance of women working to advance the position of all women in Bosnia and Herzegovina;*
- *There is a need to improve the access to primary health care for women in certain parts of the country;*
- *There is a need to look for funds for social housing, e.g. in cooperation with the Centres for Social Work.*

Q: Who should be the beneficiaries of WF BH?

The largest number of interviewees from NGOs believes that the sole beneficiaries of the Fund should be women's civil society organizations, per following:

- *Non-governmental organizations where women have a leading role, including decision-making and/or implementation of programmes (men can be associates but not leaders in described organisations);*
- *Organizations that have the tenets of gender equality fully integrated in all aspects of their work;*
- *Organizations whose values are concordant to those of the Fund.*

A few respondents argued that the Fund should be more specific in this regard, i.e. that it's work should be linked to:

- *Feminist organizations/organizations that consider all aspects of society from a gender perspective;*
- *Young people and new organizations;*
- *Political organizations (especially those on the left);*
- *Organizations also working with men (to cooperate with those that have developed awareness of gender equality and work with the ones that have yet to adopt it);*
- *Organizations engaging women already targeted as stakeholders by the Fund;*
- *Organizations prepared to be only administrators and not beneficiaries of the Fund (those that don't require operational costs from the Fund in order to participate in its work).*

The interviewees from the academic community and individuals (researchers, activists) were in favour of the abovementioned narrower frame of funds directions, identifying feminism as the least common denominator of all the organizations, informal groups or individuals that would seek assistance from the Fund.

Slightly larger number of NGO interviewees pleaded FOR (as opposed to AGAINST) the motion that the Fund should also be accessible to individuals. Most responses suggested that individuals should not be allowed direct access to funds, but should apply for funding in cooperation with existing, registered NGOs.

The following groups of individuals have been accentuated as potential beneficiaries:

- *New activists;*

- *Female scientists, researchers, artists (to work with the gender aspect);*
- *Women who are not in a position to access further education, i.e. especially talented women and girls.*

It was additionally elaborated that in those cases, beneficiaries should have some kind of work-related responsibility (e.g. volunteer work), and that they should not be required to justify individual costs in detail. Another suggestion was that individuals could access resources directly via the Fund as a legal entity.

The most frequent arguments AGAINST the idea of individuals as Fund's beneficiaries were:

- *It is not possible to adequately (administratively) monitor fund allocations (standard prerequisite by donors);*
- *In case of women in the field of science, some respondents said that there is already support available and that the activists should strive towards making existing funds more accessible for women. Another set of arguments was that the work of women in science is not visible enough to influence the public and decision makers.*

The interviewees from academic community and individual researchers and activists, stated that the access to funds should not be directly linked to the model of organisation. If individuals or informal groups work in line with the strategic goals of the Fund, there should be a way to generate funds for them, too. They also emphasized the need not to overlook the importance of activities taking place at the academic level and outside registered NGOs.

A larger number of interviewees from NGOs were AGAINST the idea of making *informal women's groups* eligible for receiving funds, stating that:

- *The funds cannot be adequately administratively monitored (in accordance with donors' requests);*
- *Informal groups can always cooperate with an already existing, registered organization (organizations could be project bearers for vulnerable groups);*
- *Supporting informal groups is a great risk to achieving long-term effects (e.g. funds being distributed for one-off projects).*

On another hand, the interviewees from the academic community and individuals were largely FOR the motion, arguing that bureaucratic NGOs are simply adjusting to donors' policies, and therefore cannot structure a movement, because the movement building is usually directed by fast responses to the changing environment. They added that local grassroots initiatives, which are competent enough and have their own resources don't need to spend resources on formal registration.

In order to further specify profiles of potential beneficiaries, we've posed the following questions:

Q: Should an organization be favoured based on its size?

We got equal number of arguments for favouring both 'smaller' and 'larger' organizations. *Smaller* organizations are identified as those with smaller budgets, with less or no employees that would benefit from further institutional development. It was also said that the support should be directed towards organizations working for smaller groups and individuals.

Smaller organizations are struggling to survive and face challenges in meeting eligibility criteria to apply for larger funds. On the other hand, some activities can be realized only

by *larger* organizations. It was emphasized that the Fund should partner only with those organizations that are dedicated to their missions, even when there are no funds to support their work. The second opinion was that that the only criterion for accessing the Fund should be the projected quality of the final results.

Q: Should the Fund specially support activities in certain areas and what would those areas be?

Twice as many respondents find it necessary to choose areas in which the Fund will achieve its goals and have unique added value. Following thematic areas have been specially identified: women's rights, social protection and health care, political work, culture and art – especially when it comes to opening new issues for public debate. The priorities should be determined on an annual basis.

Q: Should the Fund specifically support the work of groups in rural areas?

Almost a unanimous view was that rural areas should not be divided from urban areas, but the term 'smaller town' has been introduced – which is in line with the findings depicted in the Millennium Development Goals report mentioned under Context. Cooperation with independent organizations, i.e. grass-root initiatives and individuals who have the capacity to yield significant visible changes within local communities (smaller towns and villages) has been extensively supported by the majority of respondents⁴⁵.

Twice as many interviewees were in favour of supporting the work with multiply underprivileged groups of women. Stating that the biggest disadvantaged group is comprised of women victims of war, who have lately gained support and attention both from the officials and from the international community, respondents added that there are many other groups of women in urgent need of assistance. Following groups were specifically mentioned: victims of domestic violence; women workers, workers in rural areas, sexual workers; returnees; women with disabilities; mothers of children with disabilities; Roma women; unemployed women over 40; politically engaged women; HIV-positive women and girls; LBT women and girls; young girls in general; specially talented girls.

Q: How to fundraise for the Fund?

Many different models for providing financial assistance were proposed, including:

- *Providing support from international donors;*
- *Raising funds through private donations abroad, collected by activists in foreign countries;*
- *Annual interest rate from the Fund's account;*
- *From services that Fund can provide within the scope of its' expertise;*
- *Collecting individual donations during different platforms and online crowdfunding targeting specific groups (e.g. women entrepreneurs);*
- *Through membership fees and/or participation;*
- *From National Lottery (implies advocacy/negotiations with the Government);*
- *The Fund could start a socially responsible company and the income generated can be re-invested*

45 This position has been substantiated by the following arguments:

They are not at the source of information; They are less visible – having less opportunities for lobbying and encounters, for presenting the results; Their financial and social situation is more challenging; Smaller towns/villages have a higher percentage of brain drain; Women in these areas lack necessary skills to apply for donor funds; Their activities are more evident and their results more relevant; There is a greater possibility to successfully realize project activities; They volunteer in NGOs, although they might not have the capacity to realize elaborate projects; Receiving support from the Fund would enhance their chances to obtain funds from the local government.

- to support the work of the Fund;*
- *By saving and/or reducing costs of common activities such as printing or catering and alike;*
- *By retrieving available State funds – such as funds offered by Cantons, the Federal Government and the Ministries;*
- *Suggest new models of co-funding, such as matching funds - whereby, for an agreed cause, the State commits itself to provide funds matching the amount already collected.*

It was pointed out that the pro bono work conducted by members and friends of the Fund - might also be regarded as an additional resource. If the Fund is based on volunteerism, solidarity and good faith - it is appropriate to expect that such a Fund will further develop practices of donating time, knowledge and skills, mentoring, etc.

Q: How should the resources be distributed?

All the interviewees insisted on flexible and simple decision-making processes and procedures, which should be inclusive, transparent and have clear criteria. The selection process should include persons who are well-informed in regard to the local context and situation on the ground, and who have credibility both within the local and the international community.

The most common response to this question referred to the dominant practice, whereby independent committees decide upon the distribution of funds. Depending on the complexity of the Fund's work, these committees could be organised regionally, or have 'regional councils' at their disposal – as sources of the most accurate information relevant for decision-making.

Apart from that, respondents mentioned the possibility of gradual decision making, with the chance of acquiring additional information along the way – in order to support the project application.

Academics and individuals were considerably more positive towards practices of participatory decision-making and cited their emancipatory aspects.

All respondents have emphasized the importance of a simplified application process – regarding both forms and procedures.

If the Fund is available to both NGOs and informal groups and individuals, calls for proposals should be separate.

Q: How to organise the work of the Fund to secure maximum ownership for women?

Majority of respondents said that if it's to be done properly, this type of Fund can not be established hastily ('overnight'). Experience gained until now suggests that it takes a lot of effort to establish a network of organisations that are willing to provide support, and the same applies for the selection of beneficiaries. The steps forward in this joint effort, according to our respondents, depend on an atmosphere of genuine connection and sincere appreciation. The Fund should not be seen as yet another 'project', but rather as a concentrated effort towards creating a sustainable platform. It is of immense importance to share the idea about the Fund, its' Vision and Mission with the broadest possible community.

The Respondents expect the Fund to accommodate:

- *Equality, cooperation of equal entities;*
- *A "feeling of belonging"/ "a feeling that there is a women's movement";*

- *Feeling that women can turn to the Fund for help, guidance, and support;*
- *Feeling that proposed issues have the same relevance for the Fund – regardless of the region/town/environment;*
- *Feeling that the material gains are not a condition for partnership.*

As one of the mechanisms for ensuring the highest participation, the respondents suggested Assemblies, with the role of nominating and electing the President and other structures of the Fund.

Q: Who should be the founders of the WF of BiH?

Due to the previous experience of efforts directed towards putting women organizations and organizations dealing with women's issues under the same roof, the respondents share the general view that the Fund should not be 'owned' by a single organization. Such practice has a discouraging effect on members, and it contributes to the feeling of inadequacy caused by uneven distribution of responsibilities.

The suggestion is to have well known, affirmed and established individuals from the NGO sector, academia and business sector as the founders.

Q: What should be the structure of the WF BiH?

The respondents agreed that the Fund should not turn into yet another administrative branch that holds back the much-needed funds. Separate discussions were held on how to involve a broad spectrum of organizations, yet still avoid potential conflicts of interest. If neither founders, nor those participating in the structures of the future Fund, are eligible for funding, it will be significant for the profile of the future Fund even before it has been launched.

Although the Fund's structure will tailor the model of organising, the following inputs should be taken into consideration:

1. *Board/Board of directors (selected by the founders, changing periodically, having clear criteria on who can be a member and for how long – to prevent conflicts of interest; should consist of already invested individuals);*
2. *Committees (in addition to the selection committee comprised of persons familiar with the situation on the ground and the representatives of donors, the Fund should have a team of professionals engaged in drafting the criteria for Calls for proposals);*
3. *Assembly (could consist of all active members and former beneficiaries of the Fund; The idea of establishing special groups/subgroups, e.g. the ethics committee was also mentioned)*
4. *Employees (to form a structure with a minimum of 1-2 employees so that administrative, organizational and fundraising activities could be efficiently performed; with a clear hierarchy and structure of work; efficient and regular communication; to encourage volunteer work within the Fund).*

Q: How should WF BiH report?

This question has been posed to a small number of respondents, but they agreed that annual (financial and narrative) reports should be enough. Consistent delivery of information regarding the activities of the Fund should be seen as an integral part of the work, and a common monitoring system. Finally, respondents emphasized the necessity of performing systematic monitoring and regular evaluations.

POSSIBILITIES

Environment for the Civil Society Development, Registration

The lack of harmonisation of laws on different levels results in different treatment of CSOs, based on the administrative level at which they are registered – State or Entity. The differences are most evident in relation to the laws and procedures regulating the financial viability and potential for financial sustainability of CSOs. One recent report⁴⁶ states that the tax exemptions for CSOs and incentives for charitable donations are insufficient, and therefore irrelevant; while the work of socially responsible businesses is not encouraged in Bosnia and Herzegovina. The financial support from the State is available, although usually allocated in a less transparent way and without clear mechanisms for equal distribution, favouring particularly sports⁴⁷ and veteran associations.

The cooperation between the State and the civil society leaves much to be desired, as there are no appropriate platforms for a continuous dialogue with the civil society. The State also fails to acknowledge, register or provide certification for a vast number of services provided by the civil society organisations. This particularly refers to different types of legal aid, psychological and social support for victims, but, in recent years, also to the programmes for additional education and empowerment of specifically underprivileged groups. Involvement of the civil society organisations in policy and decision-making processes remains insufficiently regulated. Moreover, there is a necessity to improve the legal framework for volunteerism and work on improving the perception of volunteering as a socially useful engagement (instead of *de facto* unpaid work).

The exact number of CSOs operating in Bosnia and Herzegovina is unknown, as many of the estimated 12900 associations are inactive, and there is no official registry on the State level with accurate information on the *number* and *type*⁴⁸ of active civil society organisations. Organisations are more frequently registered on the entity than on the state level, and there are two basic modalities to register – associations and public benefit foundations. The latter became the preferred way of registration due to the fact that the legal framework⁴⁹ authorises public benefit foundations to conduct a broader scope of activities than associations.

Foundations

46 Balkan Civil Society Development Network: *Monitoring Matrix on Enabling Environment for Civil Society. Country Report for Bosnia and Herzegovina*, 2014. Available at: <http://monitoring-matrix.net/wp-content/uploads/2015/02/25-2-BiH-Country-report-2014-Final.pdf>

47 The funding allocations from the State depict discriminatory practices. Unlike men's sports clubs and associations that are always the first to receive support from the State, women's sports associations and clubs usually cannot obtain any funds from the State.

48 Professional sport clubs are registered under the Law for Associations and Foundations even though they can hardly be described as not-for-profit organisations. But this particular type of registration allows some of them to be exempted in paying taxes.

49 *The Law on Associations and Public Benefit Foundations of Bosnia and Herzegovina*. Available at: (<http://www.mpr.gov.ba/biblioteka/zakoni/bs/Zakon%20o%20udruzenjima%20i%20fondacijama%20-%2032%20-%2001.pdf>);

Ordinance on Register of Associations and Foundations in Bosnia and Herzegovina, international associations and foundations and other non -profit organizations. Available at: (http://www.mpr.gov.ba/biblioteka/podzakonski_akti/BJ%20Pravilnik%20o%20Registru%2044_10.pdf)

In their report for Bosnia and Herzegovina (May 2014), the European Foundation Centre⁵⁰ identifies 121 foundations registered at the State level, 147 foundations registered in the Federation of Bosnia and Herzegovina and 60 foundations registered in Republika Srpska. Only 30 to 40 of all registered foundations provide some type of financial assistance, donations or scholarships. There are additionally also 10-15 associations (NGOs) that perform re-granting for donors such as USAID and EU. The European Foundation Centre report stresses that the existence of sustainably resourced (i.e. endowed) local grant-giving foundations is a prerequisite for sustainability of the local civil society organisations with the potential to mobilise people for more government accountability and protection of human rights once the international funding ceases.

In Bosnia and Herzegovina, the foundations can be registered for public benefit purposes only - in comparison to private-interest foundations established for the benefit of a family. Foundations formally need to acquire approval from the state (The Ministry of Justice), however there is no discretionary authority to deny a registration if the legal requirements are met. The minimum investment required to establish a foundation is around 1,000 EUR. The Board, as the main governing organ prescribed by the law, must be comprised of at least 3 members. The Founders cannot become members of the Board. The law further prescribes that the governance and management functions are clearly separated and that employees cannot be in governance structures.

According to the current legal framework, foundations in Bosnia and Herzegovina generally have an enabling environment to raise resources from economic activities to support their work and can even rely on such resources as key sources of sustainability. They are not allowed to undertake direct unrelated economic activities, but they can do it through a specially established legal entity (company).

The changes of the Statute can be made without the approval of the authority, but need to be deposited at the registration authority (the Ministry of Justice). Annual financial statements are submitted to the tax authorities and have to be publicly available, but foundations can decide to what extent they disclose further information about their work. Only larger foundations have to be audited by a certified external auditor.

Funding

Financial sustainability of women's funds is one of the biggest challenges for their work. The need to have a steady, well-planned, diversified funding base was repeatedly mentioned by all of the women's funds during the interviews. Some of the funds honestly said that they are just learning about different ways to collect funds and secure the mandate of their organisations. Others shared experiences of not being prepared for the shift in donors' strategies, which, in the best-case scenario, brought huge changes in the amounts of funds offered from one year to another. Generally, international women's funds advised prioritising development of fundraising strategy from the very beginning. A Fundraising strategy should look into different methods of collecting funds and search for different sources, without competing with other women's initiatives and with having a broader perspective of what could be the

50 European Foundation Centre: Operating Environment for Public Benefit Foundations in the Western Balkans Region (May 2014) http://efc.issuelab.org/resource/operating_environment_for_public_benefit

possible sources funding⁵¹

Bearing in mind the familiarity with the major international donors supporting women's funds on the global level, the researchers decided to put the focus on the local and international donors presently working in Bosnia and Herzegovina. However, it must be mentioned that Mama Cash⁵², OAK Foundation⁵³ and Global Fund for Women⁵⁴ are widely cited as the top three donors to women's funds globally. The International Network of Women's Funds⁵⁵ and Women's Funding Network⁵⁶ are mentioned frequently during our interviews, for providing different types of support.

Donors in Bosnia and Herzegovina

The availability of statistical data on foreign aid to Bosnia and Herzegovina is generally lacking. However, one recent study⁵⁷ suggests that the international community invested over 14 billion dollars (approximately 11.3 million EUR) into Bosnia and Herzegovina in the period 1996-2007. The majority of funds were advanced in reconstruction of the post-war state and building of a democratic society. International and local civil society organisations were natural *allies* in the overall democratization process, seen as independent actors, released from ethno-nationalist or political prefixes. CSOs were already involved in delivering humanitarian assistance, and after the war, donors provided significant financial support to these organizations in order to encourage civic activism through restoring the participation and cooperation among people.

The second phase was marked by the departure of many multilateral agencies that were heavily present and involved in the post-conflict period. However, compared to the rest of the region, it is clear that Bosnia and Herzegovina remains a priority to donors who now greatly align their strategies with the EU Integration process. Donors such as SIDA, Norwegian Embassy, USAID, Swiss Cooperation Office, and British Embassy still provide significant funding for CSOs. In 2013, Sida delivered approximately 20 million EUR to BiH in development assistance, out of which around 10 million was granted for "Democracy, human rights and gender equality" and from that amount 1.5-2 million EUR was granted to CSOs.

The shift in donors' priorities came in the mid 2000s, when the donors' focus moved towards increasing the capacities of state administration and building democratic governance. The role of civil society organizations' begun to shift as well. Part of CSOs started contributing with analyses of legal and institutional framework, monitoring of the performance of state and non-state institutions, and opening of public dialogue on the necessary reform processes. Development of civil society *per se* was no longer as relevant as it was until the mid 2000s for the majority of donors, but CSOs still played an important role.

Today, the majority of multilateral and bilateral donors primarily work with the State institutions with varying degree of support provided to the civil society. Bearing in mind that donors'

51 Example of Calala Fund from Spain.

52 See more at: <http://www.mamacash.org>

53 See more at: <http://www.oakfnd.org>

54 See more at: <http://www.globalfundforwomen.org>

55 See more at: <http://www.inwf.org>

56 See more at: <http://www.womensfundingnetwork.org>

57 Balkan Civil Society Network, Queen Mary University of London: *Donor Strategies and Practices for Supporting Civil Society in the Western Balkans*

demands and strategies shifted over time, a relatively small number of organisations had the capacity to respond to these changes. Those are typically the organisations which perform various lobbying and advocacy activities, but also have the capacity to apply for EU funds or develop complex results assessment framework matrixes for monitoring and evaluation. The vast number of smaller, local organisations were unable to keep up this pace, and are significantly left out from the donors' strategies. This is also where local foundations have a place. Even more so, considering the somewhat puzzling preference towards actors capable of lobbying and advocacy in such a complex and complicated asymmetrical political structure. Key stakeholders at times tend to forget that the majority of rights are exercised on the local level and that it is exactly the small, local CSOs that have more contact with their constituents base – who are able to detect particular issues and lift them up for a state-level debate.

The recent report from the Balkan Civil Society Network⁵⁸ depicts several functions of civil society organisations that are currently preferred by donors; we will mention just a few:

- *Providing expert inputs for policy and law making;*
- *Educating officials working in state institutions, police or judiciary;*
- *Watchdog function – independent monitoring of the work of state and non-state institutions and representatives in the effort to increase transparency and accountability;*
- *Opening and/or keeping public debate on critical topics in the society.*

The lack of funding availability for grassroots organisations and initiatives, as well as the general concern about the decline of independence of professional CSOs which are increasingly losing their critical edge due to *institutionalized* cooperation with the State are the main concerns. In other words, if an organisation participates in working groups that are drafting laws or policies, or conducting trainings for the police, it is less likely that they will maintain a critical edge in performing independent monitoring and advocacy.

CSOs criticism towards donors

There is no doubt amongst civil society actors that, if it hadn't been for donors, they would never have been able to learn and develop, deliver and sustain the work they performed in the past twenty years. However, from what we understood from our interviews, CSOs feel deprived for not being able to provide inputs to donors' strategies, since the International community (including donors) usually comes with already developed Strategies. Moreover, the lack of funding for smaller, grassroots organizations outside of big cities was the most common problem mentioned by our interviewees.

Some interviewees mentioned that the international community puts *gender equality* in the background of their donors' agenda, and that there is a certain level of fatigue in dealing with the complex gender equality issues among big actors such as the UN and the EU.

Few more issues were mentioned during the interviews:

- *Local activists are needed to contextualize the international gender strategies and re-interpret them to fit the local framework;*
- *Very few donors work with development projects/women in rural areas and with marginalized groups;*

58 Ibid.

- Donors expect state institutions to take over a more active role, and for local CSOs, it is very hard to explain why they still need funding for psychological support for women victims of war 20 years later;
- The funding is poured into big organizations that conduct various types of analyses instead of streamlining support for some concrete palpable action;
- Donors' funds go to the same 'usual suspects' from year to year;
- The support is forwarded to state institutions; therefore, only loyal CSOs get the support;
- Donors' requirements are becoming bigger and bigger every day', which in itself is a new strategy for excluding smaller grassroots organizations that do have connections with the constituents' base.

Donors' criticism towards CSOs

The main criticism towards CSOs is the lack of representativeness and general disconnection from the local population. Donors say that many CSOs are not in touch with their constituents, they don't have membership, and they are not accountable to the groups they represent - or anyone else for that matter, which brings in question their *legitimacy* in representing different groups in the society. Still, donors are noting the emergence of a new positive trend - CSOs that have organically stemmed from the need to transform difficulties of one group into a concrete political message for the authorities.

The criticism towards women's groups and movements is more directed towards the lack of openness in coordination with the State and in the support of gender equality, partial separation from other CSOs groups/movements and the lack of coordination within women's movement.

Current situation in Bosnia and Herzegovina

Due to the specific political circumstances in Bosnia and Herzegovina, even though the support to civil society is reduced compared to 10 years ago, it still exists. Representatives of both civil society and donors mention difficulties in cooperating with the State, even though donors consult BiH authorities in the development of their strategies. The lack of political will and capacities for policy planning on the state level to develop and implement strategies valid for the whole country remains, in addition to the lack of a comprehensive country development strategy, lack of coordination from the State side and non existence of EU coordination mechanism⁵⁹.

The biggest and the most influential donor is the EU, even though the EU decided to cut the IPA 2013 allocation for BiH by half and suspend the preparation of the Country's Strategy Paper for IPA II, in order to pressure BiH authorities to endorse the decision of the ECtHR in the Sejdic-Finci case, and to establish a functional state administration with the national coordination body for the implementation of IPA and the development of sectoral strategies by the Bosnian administration.

Modalities of Assistance to Civil Society

⁵⁹ EU still doesn't have a formal mechanism for consultation with the civil society while UNDP has a database of 300 NGOs they keep in touch with.

Generally speaking, the support to CSOs is delivered either directly (project grant-making or institutional support) or indirectly (via international framework partners or local CSO partners). Statistically speaking, the biggest part of funding is still delivered through project grants, which usually gives donors the priority in setting thematic areas and significant control in the process of implementation. CSOs acquire funding for the topics defined by donors and the process can sometimes lead to the disbursement of goals, as it becomes difficult to find the exact match for funding their core activities/goals. On a positive note, it does allow more CSOs to access donor funding⁶⁰

Direct funding in form of institutional support is favoured by local CSOs and, in effect, very rare among donors. The key risk of losing ownership over idea (or process) is decreased to the minimum, as CSOs apply with their multiyear Strategies and priorities set for the coming period. This leaves room for organisations to re-establish links with their constituents and really concentrate on implementing their mission. Critics of such model argue that this type of funding leads to inertia by CSOs.⁶¹

When it comes to indirect funding, compared to the rest of the region, donors in BIH were the forerunners in trying different approaches of delivering assistance through local organisations. USAID has started implementing its civil society programme through local partners since 2001. SIDA is currently investigating different modalities of support to civil society, which is a part of organizational overhaul before the implementation of the Regional Strategy for Western Balkans and Turkey 2016-2020.

SIDA is one of the donors which has, for many years, implemented support via the framework organisations (i.e. Olof Palme Center, Kvinna till Kvinna and Civil Rights Defenders). SIDA's implementing partner **Kvinna Till Kvinna (KtK)** played a vital role in developing women's movement in Bosnia and Herzegovina, as well as enhancing both organizational and professional capacities of its' local partners. Additionally, Kvinna Till Kvinna provided moral and political backing in advocating highly sensitive issues. One of the few downsides of this approach is that the local partners don't easily manage to emancipate from international counterparts and that the number of organisations which were receiving support eventually became very limited.

The EU supports the civil society through the IPA programme and EIDHR, and so far significant funds have been allocated to support the civil society and its development, reinforce local democracy (UNDP 'LOD programme') and strengthen the organizations which fight corruption and work to protect the environment. IPA II introduces some innovations, focusing on defining the long-term policy and strategies in a limited number of priority sectors, which will be aligned with the needs and capacities of each country. Clear targets and realistic indicators will be set and linked to multi-annual assistance. Incentives will be available to countries that advance on their reform path. In case of underperformance, funds will be reallocated⁶².

60 Balkan Civil Society Network, Queen Mary University of London: *Donor Strategies and Practices for Supporting Civil Society in the Western Balkans*

61 Ibid.

62 TACSO: *Bosnia and Herzegovina Needs Assessment Report*. Available at: http://tacso.org/doc/nar_ba2014april.pdf

USAID runs *The Civil Society Sustainability Project* that assists the civil society in BiH to more effectively engage with government and other key stakeholders over the long term by teaching them new skills to operate more professionally and help them join forces and focus on areas of comparative advantage. The project started in 2013, the implementing partners are CCI and CPCS together with 10-12 NGOs, and the total funding is 8.85 million USD.⁶³

Swedish International Development Cooperation Agency – Sida, provides support through framework organisations (Civil Rights Defenders and Kvinna till Kvinna). Moreover, SIDA is funding the Civil Society Promotion Centre's 'Be the Change Project'. SIDA also grants direct support to the Centre for Investigative Reporting⁶⁴ and Sarajevo Open Centre⁶⁵. It is estimated that SIDA's support to CSOs is worth approximately 2.2-2.5 million EUR annually. Human rights and gender remain strong priorities for the Swedish development assistance in the coming years (2016-2020)⁶⁶

The Royal Norwegian Embassy streamlines support for the civil society through the Strengthening Civil Society Fund⁶⁷ and the Embassy fund⁶⁸. The overall goal is to strengthen the capacity of civil society organisations in BiH in their role as civil watchdogs, conducting advocacy and monitoring political and public institutions' priorities, performance and reforms, thereby contributing to the social and political development in BiH. Gender equality is one of the priority areas that also include: human rights, justice sector reform, anti-corruption, reconciliation, economic development, clean energy and climate adaptation.

Heinrich Boell Stiftung Bosnia and Herzegovina supported and will continue to support research initiatives; organizations and programmes that address gender inequality. The Gunda Werner Institute⁶⁹ is the backbone of all gender themed programmes of the Foundation, and its purpose is to combine gender-related political questions and further the debate about feminism and gender democracy.

The Swiss Development Programme in Bosnia and Herzegovina (2013-2016) is currently focusing its support on four main domains: local governance and municipal services; health; economy and employment and migration partnership. Special attention is given to *gender* and good governance as crosscutting issues. The Gender perspective is fully integrated in the overall programme starting from the design phase, through implementation, up to the results analysis. The Swiss Cooperation Programme is also praised for continuously educating their staff and local partners on all levels on the topic of gender and gender mainstreaming.

63 For more information: <http://www.usaid.gov/news-information/fact-sheets/fact-sheet-civil-society-sustainability-project-bosnia-and-herzegovina>

64 See more at: <http://www.cin.ba/en>

65 See more at: <http://soc.ba/en>

66 See more at: <http://www.regeringen.se/contentassets/12a89180bafb43e3823b6c6f18b6d86a/results-strategy-for-swedens-reform-cooperation-with-eastern-europe-the-western-balkans-and-turkey-2014-2020>

67 For more information: http://www.norveska.ba/Embassy/Embassy_Fund/Strengthening-Civil-Society-Fund-SCSF-2015/#.VSOeEbpM7dk

68 For more information: http://www.norveska.ba/Embassy/Embassy_Fund/Embassy-Fund-2015/#.VSOeErpM7dk

69 For more information: <http://www.gwi-boell.de/en>

There are many other international organisations that provided crucial support to local women's organisations in the past, and that are still to play an important role in the upcoming period. We will mention a few, such as: CARE International, Friedrich Ebert Stiftung, and TACSO.

State support to civil society

TACSO report⁷⁰ from April 2014 states that the financial support for civil society organisations is provided by all levels of authorities, municipal, cantonal (in the Federation of BiH), entity and state level, and that the support has been significant considering that the funds allocated to CSOs amounted to 0.5-0.6 % of country GDP, in line with the trends in other countries in the region. The report further details that the municipalities have always been the biggest donors (53.23% in 2011), followed by cantons (26.58% in 2011) while the support provided on the state level was significantly smaller (0.23% in 2011). Still, there is a significant decline in financial support available for CSOs in the past 3 to 4 years, due to the economic crisis and a poor financial framework.

Unfortunately, according to reports' findings, this latest budget cut has mostly affected the organizations working with human rights, ecology and social policy, since the support for sport and war veterans associations continues to be a priority at all levels of authority. One of the comments from interviewing international donors was that the CSOs should take a more active approach in finding local funding, and that they give up the possibilities of obtaining local funding too quickly, because they tend to oversee how their missions correspond to different development processes supported by the government.

Philanthropy, corporate social responsibility, fundraising from private donors

People in the Western Balkans do not make clear distinctions between philanthropy and humanitarian assistance and the support provided to socially vulnerable individuals or groups. The lack of understanding extends to the overlaps between charity work and philanthropy, and there is little knowledge (or accurate information) about different modalities of providing support to initiatives with a *public benefit purpose*. It is generally believed that people prefer to assist individuals faced with health or social issues, more than to strategically tackle the root causes of social problems through philanthropy, by donating funds or their professional services/time.

Social entrepreneurship is at its beginnings. There is little information about the endowments, and although legal environment for the establishment of public-benefit purpose foundations is relatively positive, there is much more to be done in creating more positive incentives for taxation policy in regard to institutions, companies and individuals which are donating funds for public benefit.

⁷⁰ TACSO 2: *Bosnia and Herzegovina Needs Assessment Report 2013-2015*

Foundation Mozaik conducted a research⁷¹ on philanthropy in 2013, and the findings suggested several interesting phenomena. Firstly, international organizations have a much better public image than local organisations and actors who widely cause distrust among the people. The main criticism towards the civil society is that it fails to inform the public in a timely, transparent and inclusive manner about their work. Only 30% of interviewees stated readiness to provide support to local public benefit foundations, declaring the reservations towards civil society organisations and the economic crisis as the main reasons. However, 44% of people said that they are not aware of the existence of a single foundation in Bosnia and Herzegovina that is funded in this way. On a positive note, people said that, if the local organisations and foundations would work towards building trust with the public and including significant improvements in their communication outreach and transparency – they would be ready and willing to support their work, both in the financial and non-financial way.

Companies, on the other hand, also stated that, had civil society organisations been more transparent and proactive in seeking support from corporate sector – they would have been more willing to fund them. People from the business sector also said that the State is not better at pointing out what kind of support is needed either. Therefore, the majority of companies started creating their own programmes and identifying target groups they want to support. More than 80% of companies are donating funds for public benefit. It is worthwhile to note that donating part of the income to a public cause is mandatory under the law for public companies.

THE KEY CONCLUSIONS AND RECOMMENDATIONS

Based on the findings of this research, we support the idea of establishing a Women's Fund for Bosnia and Herzegovina as the next step in the development of an independent, issue-based women's movement, constructed on the principles of solidarity and equality.

The key conclusion of this research is that in Bosnia and Herzegovina, there are more than enough capacities within the women's organisations, as well as individuals, to support the establishment of a Women's Fund. Moreover, it is the logical next step in the development of the civil society and women's movement specifically – claiming the ownership and emancipating from international actors.

It is vital to establish the Fund in the highest participatory way, so that each and every women's organisation recognises its authentic role in the process.

We believe that the emergence of such a Fund, if done properly, can be a catalyst for the new way of building movements, which can bring the feminist agenda back to the public discourse with renowned clarity, energy and impact.

We propose the future founders to consider the following **recommendations**:

Methods, general recommendations

⁷¹ For more information: <http://www.mozaik.ba/dokumenti/philanthropy-report.pdf>

The Fund should be established and managed in the highest **participatory way** possible; to secure the ownership and representativeness of various groups of women it seeks to help.

The countrywide **consultation process** should precede the establishment of the Fund. Apart from the groups mentioned as potential beneficiaries of the Fund (marginalised and vulnerable groups, young women), efforts should be made to inform other actors that could get involved in the work of the Fund, directly or indirectly, at a later stage (academicians, women in media, women in business, cultural activists etc.) The wide range consultation process could jolt the change towards eradicating the most criticised feature of all civil society organisations – the lack of legitimacy in their work, caused by the weak connection to the constituency.

Even though there is a certain level of ambivalence towards **feminist identification** among the respondents in our interviews, it is our strong belief that the broad feministic perspective must be pertained in the establishment of this Fund. Moreover, there is a strong need to keep a discussion on feminism open on both ends – within the women's group and in the public.

Too many initiatives today are described as project based. We strongly advise the future founders not to rush in and pre-set the parameters without consulting the widest base. Investing time in **detailed planning**, listening and consultation, although lengthy, will have multiple positive effects for the future. People are too tired of failed projects, networks and expectations.

The Fund will not be able to help *everyone*, nor should it. These types of Funds are not designed to financially assist the bigger professional organisations, but there is something in it for them, as well. There is a place and **a role** for the different types of organisations we met during our interviews. For instance, big rights advocates do not necessarily need additional funding – but they need a connection to the base, and that is what the smaller organisations have. On the other hand, smaller organisations sometimes lack the capacity (in addition to resources) to do their job. It is not necessary to have a funding scheme for that. All it would take is to enable a base of experts willing to help their peers.

Many different examples indicated that there is a great need to **influence policy** on various levels and towards multiple actors (State, region, donors). The Fund can accommodate that, although there should be a clear distinction of the role the Fund has in comparison to the Women's network.

The Fund should carefully find a very **narrow niche** to focus on, and by doing so, it should consider what are the **added values** its founders and members bring, in comparison to other existing Foundations. The discussions about different roles and aims of funds should be transparent and open. Other foundations should be seen as potential *allies* and not competitors, since we are all working for the same cause. Moreover, the competition with the bigger women's organisation should be avoided by all means.

As stated earlier in this report, Women's Funds generally have 3 main lines of work: **granting, capacity building** and **networking**. Depending on what groups the Fund seeks to support, the beneficiaries of this Fund will fall in one or all three of these categories. The needs assessment however has to be done on the case-to-case basis, and in case of

capacity building the education should be as targeted as possible in order to maximise the achievement. Otherwise, there is a risk of additional education fatigue that the civil sector already suffers. Having said this, the times have changed, and there are many professional capacities developed locally, so there is a significant **social capital** that can be invested (and should be accounted for) in the Fund.

When it comes to **grant making**, we propose finding the ways to make it as administratively *light* as possible. The constant rise of donors' demands has brought about an almost complete exclusion of small local organisations. The Fund has the potential to amend this by offering its own guarantees to donors. The criteria for calls for proposals must be developed gradually, with maximum openness and transparency, as well as clear eligibility standards.

Networking is a component already included in the work of women's groups (Women's Network, Safe Network), however, the process of sharing experiences and assisting with various capacity building, in addition to the gradual inclusion of non-civil society actors in the work of the Fund (women workers, women in business, teachers, women in media..), is contributing to the further development of a broader social movement – which is a long term goal.

We have also identified the strong need to perform various types of research that will complement public advocacy of women's movement in the efforts to influence policy, but also contribute to greater social changes. If the future Fund favours this activity, it should consider that this is one of the activities with the potential to further develop the bond between **activism** and **academia**.

There is a great knowledge base in Bosnia and Herzegovina today in regards to **gender studies**, on one hand, and an amazing volume of stories and lessons learned about overcoming the difficulties in building the post-war state from the perspective of women's rights on the other – that are not collected. These should be matched. It is regrettable how few publications exist that describe the achievements of the first women activists during and after the war. This could be an activity to bring together the younger activists and the first freedom fighters, and if nothing else, collect stories in form of oral history. This will be an amazing resource for the generations to come, and it will additionally create understanding and possibly a new bond between different generations of women activists.

Who Should the Fund Assist?

We feel that the Fund should primarily be assisting **smaller, local organisations** that lack access to donors, but traditionally have good links with their constituents, especially those outside the six bigger towns mentioned earlier. But, contrary to our respondents, we feel there is a need to make room to assist **informal groups** and fresh **grassroots** initiatives. All of these groups can identify and report the issues on the local level, where women exercise 90% of their rights. The issues should then be shared and discussed with bigger rights advocates groups, which have the capacity to elevate them for public debate, which, in turn, would lead to future policy changes.

The possibilities to assist the informal groups opens up a place for **younger women** to join the battle for gender equality and get the sense of what it takes to become a women's rights activist. This is also important from the perspective of raising awareness of young women about the rights they have and what the mechanisms to exercise these rights are. It is a duty

of women's movements to educate and empower younger generations to detect and confront issues that are largely present in the society today – especially different forms of violence.

When it comes to the beneficiaries, we must underline the feeling that the assistance to the most **marginalised and vulnerable groups**, which are traditionally excluded from any decision-making, and which suffer multiple discrimination and other rights-violations and are more prone to poverty - should be favoured. It is vital to prevent further exclusion of these groups in the society from accessing their rights, and that should be a prime obligation of the civil society actors, as well as a great exercise of solidarity. The groups include but are not limited to: Roma women, women with disabilities, LBT women, internally displaced women, elderly women living in rural areas, young women and girls. Still, when it comes to certain groups (i.e. rural women, Roma women) the Fund should carefully consider at what points does it have **added value**, considering that there are several stakeholders with the same focus. For instance, the Fund may chose to assist the organisations that work to increase the representativeness of rural women in the decision making process, and leave other actors and foundations to work on economic empowerment of women in rural areas.

How should the Fund be registered and what Structures should it have?

From what the research team was able to find out, registering as a public-interest foundation on the State level leaves more opportunities in comparison to registering as an association. The Obligations prescribed by the Law are described under “Environment for the Civil Society Development, Registration”.

We feel that, when it comes to internal structure, the future founders should consider:

A Professional, renowned **Board** members with a high degree of credibility and integrity among the broader public

Creative alternatives such as thematic sub-groups and Advisory Councils, regional Committees and similar (this is especially important since the Fund should, in all aspects of its work, promote the rights based approach)

Professional, dedicated staff initially composed of at least 2 full-time employees.

We propose that the future founders consider the highest **participation**, as well as **subsidiarity**, to be integrated on all levels of the future foundation.

We also recommend keeping in mind the 3 main principles of a thriving civil society: solidarity, autonomy and less hierarchy.

Finally, when it comes to decision-making on the level of project/organisational support, we feel that, despite being told differently by respondents, it is worthwhile considering the highest degree of **participation in decision-making**. This will inevitably be tricky, since the civil society is used to expert selection committees which decide on who to support, but it is nevertheless the inevitable next step in claiming the ownership and a potentially great exercise that will lead to a better understanding and improved exercise of solidarity in the movement.

Funding modalities

The importance of having a good fundraising strategy cannot be emphasized enough. The risk of starting a new platform that will be established in the same way as other CSOs and compete for the same share of funds in the country – is too high and it should not be considered at all. The manner in which this fund will be created (*consultative process*) and the image it will create among professional and broader public (*inclusive, supporting various groups*), will have an underlying influence on the success of its operations, and will be especially visible in fundraising.

There is a number of donors globally who support the work of women's funds. International donors still play a major role in the funding of civil society initiatives in Bosnia and Herzegovina, and the current moment is positive for advancing new local initiatives to assist the parts of civil society that remain invisible in the donors' programmes and/or neglected due to the lack of visibility or undeveloped capacities.

However, there is also a great need to assess and approach **state** funding on various levels, as well as private foundations. This is important not only for testing purposes, since a part of fundraising success lies in the increased visibility before different stakeholders. According to the findings of this research, municipal level is where the majority of state funding is delivered. Considering the companies and existing foundations, it is necessary to start building a relationship with them from day one. For this purpose, one should consider including women/men with skills/expertise in corporate fundraising and marketing/strategic communications from the very beginning.

Moreover, there is a set of actions the future fund could take in order to investigate the possibilities to:

- *Acquire both financial and non-financial support from women (and men) expats working in Bosnia and Herzegovina;*
- *Acquire funding from diaspora, including both companies and individuals ;*
- *Test some new ideas for collecting funds from individuals (crowdfunding for specific purposes/actions) with maximum communication efforts to gradually build trust and create relationship with possible interested parties;*
- *Moreover, we believe that the fundraising should be approached very carefully and that the planning of a fundraising strategy should start from day one, because the main task will be how to best communicate what is WF in BiH to public and specific target audiences (potential members, advisories, donors, supporters etc.).*

Our discussions with similar international funds have shown that choosing a narrow *niche* and new innovative ways to assist underrepresented groups increase the chances to obtain funding. Frida – Young Feminist Fund is one such example, as they focus their support on young women, formal and informal groups, and the most participatory decision-making system possible. The support they are offered from donors exceeds their expectations – contrary to what our local respondents think.

We should also add that many international WFs are faced with the situation that the funding

for re-granting (including selection of themes and topics) is not secured for more than one year at the time. Therefore, the majority of these funds act *reactively* – they have to wait for donors' calls for proposals to apply and obtain funds, which they later offer to local organizations.

Another huge risk that should be avoided is that the Women's Funds should not compete with women's organizations, but rather be selective and careful in choosing the fundraising priorities and strategies, in order not to act as competition.

Miscellaneous

Values of the future Fund need to be discussed very early on – because, if properly implemented and communicated – values have a great potential to attract different groups to join the big social change. The experience of women's funds globally mention: openness, equality, fairness, pluralism, transparency, flexibility, generosity, anti-discrimination, creativity and autonomy.

Communication will be a key factor of success in the work of the future Fund. Founders should be aware that the professionals working with communications, PR and advertising can be of great help, and that the Fund must become visible in order to gain support and professionally communicate its core values in every single output, document and campaign, but also its internal codes of conduct - in event organising, coalition building, etc.

About the organizations that initiated the research

Sarajevo Open Center is an independent, non-political and non-profit organization that promotes full respect of human rights and the decrease of the level of discrimination on grounds of gender, sexual orientation and gender identity. Sarajevo Open Center is an organization which empowers women and LGBT people through activities in the community, promotes human rights of women and LGBT people in the society, and advocates for the changes in legislation and government policy in Bosnia and Herzegovina, and the implementation of the existing policies in Bosnian-Herzegovinian authorities and international bodies.

CURE Foundation is a feminist-activist organization which promotes gender and sex equality and works for positive social changes through advocacy, educational, art-cultural and research programs. CURE is an organization of professionals and volunteers who go out on the streets as a sign of protest against violence, discrimination, violation of laws and basic human rights, organizes art performances against violence, invites artists, scholars, lecturers, activists, and citizens to act, participate, and contribute in creating a better, sounder Bosnian-Herzegovinian society.

ANNEX I – The List of Organisations and Individuals Interviewed

Organisation

Helsinkiški parlament građana, Banja Luka
 Glas žene, Bihać
 Udruženje HO Horizonti, Tuzla
 Infoteka, Zenica
 Centar za pravnu pomoć ženama, Tuzla
 Fondacija za osnaživanje žena, Sarajevo
 Crvena – Udruženje za kulturu i umjetnost, Sarajevo
 Udruženje Žene ženama, Sarajevo
 Fondacija lokalne demokratije, Sarajevo
 Snaga žene, Tuzla
 UŽR Bolja budućnost, Tuzla
 Udruženje građana Budućnost, Modriča
 Forum Žena, Bratunac
 Fondacija LARA, Bijeljina
 Prava za sve, Sarajevo
 Banjalučko udruženje kvir aktivista, Banja Luka
 Sarajevski otvoreni centar, Sarajevo
 Fondacija CURE, Sarajevo
 Lotos, Zenica
 Mala sirena, Zavidovići
 NVO Ženski centar, Trebinje
 UŽ Seka, Goražde
 NVO Žene Grahova
 Partner, Banja Luka
 Fondacija Udružene žene, Banja Luka
 UG Vive žene, Tuzla

Individuals

Jasmina Husanović
 Lejla Somun Krupalija
 Gorana Mlinarević
 Zlatiborka Popov Momčinović
 Lejla Mamut

International Organisations and Donors

Calala Women's fund - Spain
 Ecumenical Women's Initiative -
 Women's Fund Georgia
 Frida – The Young Feminist Fund
 International Network of Women's Funds
 Kosova Women's Fund
 Slovak-Czech Women's Fund
 Kvinna till Kvinna – Sweden
 Kvinna till Kvinna – Bosnia and Herzegovina
 Ukrainian Women's Fund
 UN Women
 Heinrich Boell Stiftung
 Swiss Cooperation Office
 US Embassy/USAID
 Bosnia and Herzegovina
 SIDA Swedish International Development Cooperation Agency (e-mail)
 The Royal Norwegian Embassy (e-mail)

ANNEX II

Women's Funds Globally

Women's funds Purposes and Values

All the funds included in the research, are registered as non-governmental, non-profit organizations working, primarily, in the field of women's rights, with specific focus placed either on the processes such as peace-building and reconciliation or targeted support for underprivileged groups. Moreover, several funds elaborate that their work is strongly embedded in feminism.

Purposes/Priorities/Goals are defined as:

- Ensuring the resources to support the promotion of women's rights and implement the principle of gender equality in society.
- Responsible, transparent and continuous fundraising and grant-making in addition to providing professional support and a platform for networking of similar organisations and groups.
- To support the autonomy of women's groups which are influencing the public agenda and leading towards strategic social changes;
- Improving women's economic opportunities,
- Promoting legislative initiatives,
- Raising awareness of gender issues,
- Increasing the sensitivity of the community towards women's issues,
- Supporting the building of women's movements,
- Helping existing women's organizations and groups to realize their goals, as well as to create new organizations with innovative yet functional solutions to long-term problems faced by women.

Funds would clearly articulate the **Values** they stand for:

- **Equality, Fairness and Even-handedness** (*Treat all grantees, donors, advisors – as equal partners*);
- **Solidarity** (*Stand alongside all women in their current situation of injustice as they strive to contribute to a just and peaceful society, support the transfer of knowledge and ideas*);
- **Pluralism** (*Respect the culture and customs, ethnic, religious and national diversity*);
- **Flexibility** (*Emphasize learning and adjust approaches to new insights and to changes, act when it's the right time to act*).

Key activities of Women's Funds

The Majority of funds are mobilising and providing resources for capacity building and development of women's organisations, grassroots organisations and movements. There are several main directions of support:

1. Financial support – institutional and project-based support or re-granting
2. Capacity building
3. Networking and coalition building
4. Advocacy

1. Grant making spans through several categories:

Project support is usually provided as a result of previous fundraising done by WF and in line with the availability of donor funding (identifying donors that provide support to the programmes which are in line with the mandate and mission of the organisation). The grants go along following line: from 500 EUR to 3.000 EUR for the first time applicants up to 6000 EUR for previously known partners.

The **institutional grants** rarely exceed the equivalent of 5000 EUR and are usually connected to improving a specific organisational capacity. These types of grants are usually time-limited (6-12 months) and have clear results expectations. The eligibility criteria strictly define how often your organisation can apply for such funding.

Fellowships are mostly about providing support to activists and independent actors (academicians, artists, researchers) to enhance their professional capacity and/or exchange existing knowledge and ideas. The priority is given to the participation in educational programmes that have the potential to extend the knowledge base on gender and gender equality.

Emergency, fast response funds

These types of funds are a common feature for the majority of women's funds and they are characterised by making support systems for women activists and/or organisations, usually in times of crises, but sometimes also in crises emerging from positive events. They have fast decision making procedures (up to 72hrs) and they usually prioritise the protection and security for women human rights defenders.

2. Capacity building

This type of support is usually provided for: long standing partners/beneficiaries of women's funds; partner organisations that have running programmes but need additional support, or, for example, young women activists. Organisational capacity assessment usually precedes to providing this type of support and is the result of dialogue and open discussion about the needs of a particular partner. Capacity building is additionally provided through mentoring, regional exchange meetings, peer visits, national, regional and international conferences.

3. Networking

Networking and coalition building are also common features in the programmes of all women's funds, since they contribute to enhanced knowledge, and the sharing of examples of good practice inspires and motivates new ideas and actions. Some women's funds are favouring networking and coalition building by addressing their preference in the calls for proposals.

In addition to the above-mentioned key areas for the work of Women's funds, we should also mention the programmes aimed at assisting specific groups such as young women (16-30 yrs.), LBT women, Roma women and similar.

The Programmes for **young women** are based on enabling conditions for young emerging activists and future-activist to get involved and receive support for their ideas, but also on providing possibilities for them to meet some already well-established activists and learn from their experience. Considering that the Funds are usually established by experienced individuals and organisations, opening doors and providing room for young women's voices and actions is the logical next step after receiving the crucial inputs from the next generation of women's rights advocates.

Women's funds in general have a significant role in contributing to the **building of women's movement**, both from the perspective of gathering different actors with diverse professional capacities in one place, as well as due to the fact that some activities provide platform for meeting and exchanging between the current and the next generation of women's rights advocates.

The role of Women's funds in **influencing donor policies** is also quite significant. By providing timely, accurate information about local needs, growing trends and occurrences of rights violations of specific groups, women's funds actively contribute in the development of donors' strategies or ways they measure results⁷² - like in the initiative started by INWF to advance a feminist perspective on the evaluation tools and methodologies contributing to assess the work of Women's Funds and Women's Rights Organizations worldwide.

Funding Sources

The support from international donors is still the funding backbone of the majority of funds. The ability to substantially fundraise for their beneficiaries is acknowledged by some funds as the recognition of their work and their relevance, but even more importantly, the relevance of their approach to social change (empowering women). Still, all of the Women's funds we interviewed are actively looking into various diverse types and sources for fundraising, since donors' policies change quickly, and the funds cannot allow such a high level of financial dependency on one type of funding. Women's funds seek support from: individual donors; the corporate sector; endowments; State (various levels) and they are trying different new ways to raise funds (from organizing selling exhibitions to organizing concerts, second hand bazaars and similar).

Founders of Women's funds, Internal Structures

Each fund has its own institutional logic and specifics that define the set up, mandate and governing bodies.

Researchers noted at least three different examples:

- Funds as extension of previous philanthropic initiatives to support women (EWI)
- Funds started by individual women, feminist activists (Calala)
- Funds initiated by women's network (Kosovo Women's Fund)

The legal context was, to a large extent, influencing the modalities for registration and setting up of internal governing structures in each fund. Also, the level of development, or, more precisely, organisational *maturity* largely influenced the framework of internal structures. This is particularly visible when looking into Board members and structures – the original design (including members) has, in many cases, evolved towards having a more active, 'lighter' structure for decision making. Board members are chosen based on their credibility but also professional capacities to contribute to further development of the organisation. In addition to Boards, women's funds may or may not have Advisory Councils and Grant commissions and support from individual experts with the knowledge of local context and actors – that also have an exclusively advisory role.

Gender Series of Sarajevo Open Centre

Edited by Emina Bošnjak and Saša Gavrić

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Jasmina Čaušević (priredila, 2014)

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