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The police and the respect for human rights in BiH



Manual “Gender Equality in Police Structures in Bosnia and Herzegovina – Training Program”



Centar za sigurnosne studije - BiH
Centre for Security Studies - BH



Udruženje "Mreža policijskih službenica"
"Policewomen's Network" Association

DCAF Geneva Centre
for Security Sector
Governance

2021

Manual
**“Gender Equality in Police Structures in
Bosnia and Herzegovina – Training Program”**
Author: Kristina Jozic

Sarajevo, 2021.



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The police and the respect for human rights in BiH

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FOR THE PUBLISHER

Kristina Jozic, President

AUTHOR

Kristina Jozic

TRANSLATION

Sanita Hadzovic

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1. Introduction

The Training Manual for male/female trainers on Gender Equality in Police Structures in BiH was developed in the second phase of the project "The Police and Respect for Human Rights in BiH", which is financially supported by the European Union, implemented by the Center for Security Studies of BiH, the "Police Women's Network" Association from Sarajevo and the Geneva Center for Security Sector Governance from Geneva.

The Training Manual contains a training program that will demonstrate step by step how to conduct a one-day workshop for male/female police officers on gender equality and discrimination in the workplace, with a focus on sexual and sex-based harassment.

A specific training program was developed by the "Police Women's Network" Association and a number of trainings for male/female police officers have been successfully conducted under this program. Based on the performed evaluations and feedback, educations were evaluated as very useful in many ways. It is a training program that is adapted to police agencies, and it is additionally elaborated within the specific project of the European Union.

The training program is intended for trained male/female trainers who will implement the training in their respective police agencies at all levels in BiH. The development of the Training Manual was preceded by a two-day training for male and female police officers (training for trainers), which was realized in the first phase of the project. After the successful completion of the mentioned training, the male and female trainers will be able to conduct training for the police on the topic of gender equality and discrimination based on sex. Once they acquire the Training Manual, the male and female trainers will, according to the training program, make PowerPoint presentations for each module, which they will use during the training. Also, it is recommended that male/female trainers continuously monitor the legislation that treats the covered areas, as well as other trends and current events in the field of gender equality and discrimination based on sex.

The target audience is male/female police officers who have gained certification for trainers within the project "The Police and Respect for Human Rights in BiH", and who will be responsible for conducting this training within a specific police body. The goal is to include education on this topic as mandatory in the annual curriculum for police officers and other employees in police agencies at all levels in BiH. Inclusion of this education in the annual curriculum of police agencies is one of the measures that will contribute to gender equality and the suppression of gender-based discrimination in accordance with the obligations prescribed by the Law on Gender Equality in BiH and the Law on Prohibition of Discrimination in BiH.

The target audience is also external lecturers who are involved in the police training process, as well as employees of police academies in BiH and the Agency for Education and Professional Training.

1.1. The Training Objectives

The objective of the training is to raise awareness on gender equality in police structures in BiH, with a focus on introducing participants to the current situation in the police structures in BiH in terms of gender equality and discrimination based on sex. The training will address basic issues related to sex and gender, gender concept, followed by stereotypes and prejudices, after which it passes to the issues of discrimination. Also, the domestic and international legal framework and existing mechanisms for achieving gender equality, as well as mechanisms for protection against discrimination will be treated.

The aim is to make the training participants "gender aware " and to learn them to recognize the difference between sex and gender, gain knowledge about gender prejudices and stereotypes as causes of discrimination, with a focus on those which are present in police structures. Afterwards, they should learn to recognize discrimination in the workplace, with a focus on sexual and sex-based harassment, as well as to become familiar with the existing protection mechanisms, and encouraged to use them. In addition, the goal is to get acquainted with the legal provisions and regulations that require institutions to take measures aimed at achieving gender equality and combating discrimination in the workplace.

Gender training enables the police to improve their capacity and to prevent and respond to various forms of gender-based violence. Training of this type promotes a non-discriminatory environment, in which there is no sexual harassment and discrimination, and creates conditions for retention in the service and professional advancement of women and men. Moreover, training on gender issues can help discourage security sector employees from violating human rights, such as gender-based violence to the detriment of citizens as well as their colleagues.

1.2. Program and Training Content

The training program consists of five modules, as follows:

1. Module I

- Welcome remarks and introduction

The first module is dedicated to presenting the male/female trainers and participants, presenting the agenda and determining the rules of education, as well as completing the entrance test, after previously presenting its purpose and goal.

2. Module II

Gender equality - Overview of the situation in BiH

- Representation of women in police structures
- Discrimination on the workplace

Module II is preliminary, but also the most comprehensive module, which will help participants understand the importance of the training and its purpose. Practice has shown that a large number of people, especially those employed in police structures in BiH (men and women), do not have a sufficiently developed awareness of the unequal position of women in police structures and discrimination in the workplace. Also, attitudes can often be heard that there are already "too many" women " in police structures, despite the fact that women are underrepresented in police structures at all levels in BiH. There is no developed awareness that women are not just a "quota" in the police, but a real need, and that their presence, among other things, ensures that the police are an efficient service and respond to the security needs of all citizens, men and women, boys and girls. In addition, this module will point out to the unequal position of women in the police through the presentation of statistical indicators and the presence of a high dark number of cases of discrimination in the workplace and its causes, as well as the obligations of institutions to adopt programs of measures.

3. Module III

Gender equality – conceptual definitions

- Sex and gender, gender roles
- The concept of gender equality
- Prejudices and stereotypes

The aim of this module is that participants understand the different roles and needs of women and men in society, and that training on gender issues represents a capacity building activity of police structures. Within this session, the basic concepts (sex, gender) will be covered; the gender concept and gender roles, as well as gender equality, will be elaborated, which will be followed by stereotypes. After defining stereotypes and prejudices, the module will be focused on the most common prejudices present in our country and how they affect men and women,

as well as about gender prejudices and stereotypes as causes of discrimination based on gender.

4. Module IV

- Discrimination
- Types
- Protection mechanisms

Within the fourth module, the focus will be on defining discrimination in general, followed by direct and indirect discrimination, and distinguishing between sex-based harassment and sexual harassment, with specific examples. Within this module, other forms of discrimination will be briefly covered, such as mobbing, segregation, harassment, discrimination in language, etc. We will also briefly talk about the mechanisms of protection against discrimination through disciplinary proceedings, civil litigation and criminal proceedings, with a focus on protection against discrimination in police structures in BiH.

5. Module V

- International legal framework

Within the previous modules, the domestic legal framework with a focus on the Law on Gender Equality in BiH and the Law on Prohibition of Discrimination in BiH was elaborated, while the fifth module is dedicated to the international legal framework, which is implemented in BiH legislation. The focus will be on UN documents (Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and UN Resolution 1325 "Women, Peace and Security").

1.3. Training Preparations – Practical Notes

Duration

This program is intended for one-day training, with one 60-minute lunch break and one 15-minute break. It is very important that the male/female trainers stick to the agenda and that the dynamics of the presentation follow the planned time, since it is an extensive program.

Team

Each training team consists of two male/female trainers. The skills of each team will be improved as they conduct more workshops and as they become more relaxed, both with the training program and in mutual interaction. Before starting the training program, the male/female trainers should agree on the distribution of the planned material and the presentation of the module, and to follow this dynamic.

Working material: agenda, entrance test, PowerPoint presentations, exit test, evaluation form.

Equipment and work environment

The training should be held in a larger comfortable room (meeting room, amphitheater). It is desirable that the meeting room is in a "U" shape layout. Equipment required: computer, projector and screen for presentations, eventually name tags and markers.

Preparations before training

Male/female trainers should:

- arrive at least 60 minutes early;
- check that the equipment is installed and that everything is working adequately;
- if lunch is planned, check that everything is prepared on time;
- if necessary, arrange the meeting room, tables and chairs;
- distribute working material.

Work method

Trainers should transfer their knowledge to male/female colleagues. This can be done in the following ways:

- PowerPoint presentation with key aspects;
- informal presentation of key aspects of training;
- distribution of materials, including laws, existing brochures etc..

1.4. Agenda

Time frame	Activities/Topics
09:00-09:30	Module I -Welcome remarks and introduction - Completion of the entrance test
09:30-11:30	Module II - Overwiev of the situation in police structures in Bosnia and Herzegovina – Why are we here?
11:30-12:30	Lunch break
12:30-13:30	Module III - Gender equality – conceptual definitions - Prejudices and stereotypes
13:30-13:45	Coffe break
13:45-15:00	Module IV – Discrimination in the workplace Types and mechanisms of protection
15:00- 15:30	Module V – International legal framework
15:30-16:00	Final considerations and evaluation

2. Module I (09:00 – 09:30)

WELCOME REMARKS AND INTRODUCTION

- Presentation of male/female educators
- Presentation of workshop participants
- Presentation of the agenda/training program
- Entrance test

1. Welcoming

- Each trainer should write his / her name on a tag before the trainees arrive. When the trainees come, ask them to take a piece of paper and write their name in capital letters.
- Male/female trainers should introduce themselves by saying their name, short biography and briefly present their interest in a specific topic. The introductory presentation will help the trainers to establish their credibility as workshop leaders

2. Introducing the participants

- If the number of participants is less than 30, the trainers will ask each participant to introduce himself/herself briefly. The trainers will divide the participants into pairs, who will interview each other.
- Example question:
Name and surname, position, years of service, an earlier encounter with the topic.
- Each participant will introduce to the group the person they have just interviewed.

3. The male/female trainers will briefly present the agenda, for which purpose they can use the program and the content of the training (pages 8 and 9). They will also inform the participants that they can ask questions and ask for the necessary explanations at any time. However, if the discussion is too time consuming, plan the time and leave some of the questions for the end of the training (final considerations).

4. Entrance test

Distribution of questionnaires, clarification of the purpose of completing the questionnaire on the assessment of initial knowledge

3. Module II (09:30 – 11:30)

OVERVIEW OF THE SITUATION IN BOSNIA AND HERZEGOVINA - WHY ARE WE HERE?

Representation of women in the police, women in managerial positions, discrimination in the workplace

(PowerPoint presentation)

3.1. Representation of Women in the Police

The analysis of the representation of women police officers in law enforcement agencies at all levels in Bosnia and Herzegovina showed that women police officers are underrepresented in all police structures, and that number ranges from **5% to 15%**. They are especially underrepresented in decision-making positions and among higher ranks. Thus, in the structure of male/female police officers, the total number of women is around **8%**, which is significantly below the **40%** recommended by law and standard (Law on Gender Equality in Bosnia and Herzegovina, 2003), while the percentage of women with high ranks is far below this percentage. There are no women in the highest managerial positions.

R. br.	POLICE BODY	REPRESENTATION OF WOMAN POLICE OFFICERS	
		2018	2020
1.	State Investigation and Protection Agency	75 or 15,12%	85 or 15,48%
2.	MoI of Canton Sarajevo	138 or 10,13%	144 or 10,16%
3.	Federal Police Administration	49 or 9,35%	54 or 10,48%
4.	MoI of Tuzla Canton	126 or 9,08%	143 or 9,66%
5.	MoI of Republika Srpska	486 or 9,01%	496 or 9,27%
6.	MoI of Zenica-Doboj Canton	95 or 8,70%	91 or 8,64%
7.	MoI of Bosnian-Podrinje Canton	13 or 8,33%	14 or 8,91%
8.	MoI of Posavina Canton	12 or 8%	12 or 7,74%
9.	MoI of Canton 10 – Livno	23 or 7,88%	27 or 8,39%
10.	BiH Border Police	147 or 7,78%	180 or 8,81%
11.	MoI of Una-Sana Canton	57 or 7,51%	69 or 8,48%
12.	MoI of West Herzegovina Canton	14 or 6%	19 or 7,16%
13.	Police of Brcko District of BiH	14 or 5,53%	16 or 6,13%
14.	MoI of Herzegovina-Neretva Canton	34 or 5,32%	42 or 6,14%
15.	Directorate for Coordination of Police Bodies of BiH	38 or 5,25%	52 or 6,59%
16.	MoI of Central Bosnia Canton	40 or 5,06%	46 or 5,72%

Data from the Ministry of Security BiH for the years 2018. i 2020.

When it comes to the FBiH Court Police, which joined the "Police Women's Network" Association in May 2018, the representation of women police officers in 2018 was 54 or 10.65%, and in 2020, 58 or 11.07% of woman.

The presented statistical data show that the State Investigation and Protection Agency (SIPA) is the leading police agency in BiH in terms of the representation of women police officers in its composition, which has 85 women police officers or 15.48% in its structure, compared to other police bodies where that percentage ranges from 5.72% to 10.48%.

In the structure of employed women public servants, the representation of women is slightly better and is around 40%, but the number of women in managerial position is significantly lower than this percentage.

In BiH, no woman holds the highest position within the police body, which means that in 16 police agencies in BiH, no woman holds the position of director, i.e. commissioner, or their deputies. There are no women police officers in the rank of Chief Inspector General at all, and only a few of them hold the rank of Chief Inspector.

An overview of the representation of women in the highest ranks

In addition to the overall participation of women in police structures, the question of the positions they hold is certainly very important. Modern research shows that a smaller number of women in leadership positions is a problem that is present in most developed democracies (Balgač, 2017). Women are most often assigned to jobs that are perceived from the gender role as more culturally and socially appropriate, such as jobs in the administration, and in the field of operational affairs, namely work with women and children, work with abused children and victims of domestic violence and work in areas of juvenile delinquency (Becker et al., 2012).

Chief Inspector/Women Chief Inspector

In the police structure of BiH, there are only six women in the positions of Chief Inspector, two in the Border Police of BiH, which is 15% in relation to the total number and four in the MoI of Republika Srpska, which is 4% in relation to the total number of women in this rank.

Br.	POLICE BODY	RANK WOMEN CHIEF INSPECTOR
1.	MoI of Republika Srpska	4 or 4%
2.	BiH Border Police	2 or 15%

Independent inspector/Women Independent inspector

The total of 72 women is holding a rank of independent inspectors, out of which as many as 60 are from the Republika Srpska Ministry of the Interior. The presented statistical indicators show that a very small percentage of women are in this rank.

Br.	POLICE BODY	RANK WOMEN INDEPENDENT INSPECTOR
1.	MoI of Republika Srpska	60 or 18,1%
2.	Federal Police Administration	3 or 12 %
3.	State Investigation and Protection Agency - SIPA	2 or 5,88%
4.	MoI of Sarajevo Canton	2 or 7,69%
5.	BiH Border Police	1 or 1,92%
6.	MoI of Una-Sana Canton	1 or 12,6%
7.	MoI of Tuzla Canton	1 or 4,16%
8.	MoI of Central Bosnia Canton	1 or 6%
9.	MoI of Canton 10 – Livno	1 or 0,27%

Senior Inspector / Women Senior Inspector

There is a total of 146 women in the rank of Senior Inspector, out of which as many as 105 are from the MoI of Republika Srpska, 17 from SIPA and eight from the Border Police BiH.

Br.	POLICE BODY	RANK SENIOR INSPECTOR/ WOMEN SENIOR INSPECTOR
1.	MoI of Republika Srpska	105 or 18,58 %
2.	State Investigation and Protection Agency - SIPA	17 or 17,17%
3.	BiH Border Police	8 or 9,09%
4.	Federal Police Administration	6 or 11,76%

5.	MoI of Tuzla Canton	3 or 5,76%
6.	MoI of Sarajevo Canton	3 or 5,08%
7.	MoI of Zenica-Doboj Canton	2 or 0,18%
8.	MoI of Una-Sana Canton	1 or 2,8%
9.	MoI of Herzegovina-Neretva Canton	1 or 6,66%
10.	MoI of Central Bosnia Canton	1 or 3%
11.	Police of Brčko District of BiH	1 or 7,69%

It is important to point out that in certain police bodies, the number of women police officers in the rank of Junior inspector (first levelmanagement) is extremely low. According to the data of the Ministry of Security of BiH for 2020, in the Directorate for Coordination of Police Bodies of BiH there is only one woman in this rank (7.69%), in the Ministry of Interior of the West Herzegovina Canton, 2 (2.7%), in the Police Brcko District of BiH 5 (9.09%), and in the Ministry of the Interior of Zenica-Doboj Canton 13 or only 1.23%.

Furthermore, it should be borne in mind that women only in the last 15–20 years started to “enter” police structures more seriously, and that a certain period of time is required to advance in accordance with the law, that is, to spend the time provided by law in each rank, which inevitably affects the fact that we do not have a large number of women in senior positions. However, since it is evident that there is a certain number of women, for example, in the rank of Independent Inspector or Senior Inspector, we can state that police structures have the potential to "produce" women officers in the highest positions in the coming period. Some of these women officers may be promoted to top managerial positions over a period of five to ten years, especially if police agencies take affirmative action in accordance with the law. Also, it is very important to encourage and empower women in the police to "fight" for higher positions.

In order to achieve gender equality in policy making and decision-making at all levels of government in BiH, Article 20 of the Law on Gender Equality in BiH is in line with Recommendation 3 of the Council of Europe Committee, which stipulates that “**Gender equality exists when is one of the sexes represented in a percentage of 40%** ”. This applies to gender representation in general, as well as at all levels of decision-making.

Therefore, it is necessary to emphasize that we cannot talk about equal gender representation if, for example, we have 40% or more police officers in one of the police agencies, and that the majority is, for example, in a rank of a policewoman, sergeant or junior inspector. Gender equality (at least 40%) should be present at all levels of decision-making, which means that we can talk about gender equality, if, for example, out of ten positions of chief inspector, at least four should have been designated for women.

It is evident that the percentage of women police officers in police structures at all levels in BiH is far from the recommended 40%, and it is necessary to undertake planned activities in order to increase the number of women. However, it is even more worrying the fact that there is no woman in managerial positions, ie in decision-making positions.

Pictures say more than a thousand words.¹



Pic. 1. SIPA Board of Directors (2012)



Pic. 2. Workshop for directors and manager security authorities at all levels (2014)



Pic. 3. SIPA leadership meeting with commissioners (2016)



Pic. 4. Meeting of the FUP director with the commissioners (2018)

¹ Photos taken from the official websites www.sipa.gov.ba, www.fmup.ba, www.granpol.ba



Pic. 5. Meeting of FUP directors with commissioners (2021)



Pic. 6. BP BiH Board of directors

The Low trend of increasing the number of women

In the Final Report on the Implementation of the Action Plan for the Implementation of UN Resolution 1325 "Women, Peace and Security" for BiH 2014-2017. (2018) it was stated that by 2017 the number of women police officers in the State Investigation and Protection Agency increased by 1.15% compared to 2013, in the Border Police BiH the increase is about 1%, while in the Federal Police Administration the situation is stagnating compared to 2010. The representation of women in ten cantonal MoIs increased by about 1% compared to 2013. In the Republika Srpska Ministry of the Interior, the percentage of female police officers has increased by about 2% in the last three years. The situation in the Police of the Brcko District of BiH has not changed since 2013.

Based on the above data, we can conclude that it took as much as four years to increase the number of women by only 1% in some police bodies, while in some police agencies there was no increase in the number of women over the years.

Other examples

When it comes to other European countries, according to the official information on the Police of the Kingdom of Sweden², the representation of women police officers in that country is 32.36%, which is quite a high percentage, while 25.63% of women are in managerial positions. It is interesting that the authorities of the Kingdom of Sweden are dissatisfied with this percentage of women in managerial positions, and are trying to increase it.

² Jozic, K. (2018). Human Rights Defenders in the Police Structures of Bosnia and Herzegovina: Mechanisms for Protection against Discrimination. Sarajevo: Foundation for Local Democracy (p.) 12.

According to the official information on the Police of the Kingdom of the Netherlands, the representation of women police officers is 32.8%, while as many as 40% of women are in managerial positions. It is especially interesting that they strive to increase this percentage when it comes to management positions, all in order to achieve full equality (50%).

According to information from open sources, England and Wales (gov.uk.) have 43.2% of woman police officers within 43 police bodies, out of which 21.4% are in managerial positions.

If we take into account the representation of police officers in these countries, it can be concluded that certain countries, truly, much more developed than our, have a much larger number of women in police structures, but it is not a drastically higher number, while the number of women in managerial positions in police structures in these countries is far higher and drastically deviates from that in BiH (about 20-40%).

The representation of women police officers in the Republic of Croatia is 18%, while 10% of women are in managerial positions. Although this number is far below the number, characteristic of developed democratic societies, however, it points to the progress of increasing the number of women in police structures in the Republic of Croatia (Delac and Borovec, 2019). The above example shows that, although in neighboring Croatia the total representation of women police officers is not enviably higher than in BiH, the number of women in managerial positions is drastically higher than in our country.

3.2. Unequal Treatment

In police structures of BiH, it often happens in practice that women are placed in certain positions that are "more appropriate" for women, and this usually refers to "office" jobs, which do not require night work, overtime, etc., because it is often thought that women are "protected" in this way and that they need "protection".

Also, it happens that women, although assigned to operational tasks and duties (eg. investigator's tasks), do not perform them on an equal footing with male colleagues, in the sense that they do not go to the field, are not involved in deprivation of liberty, etc. because their bosses give them certain "privileges" or are discriminated against.

The most common cause of such behavior of managers is gender prejudices expressed by certain police officers. According to their perception, women are the "weaker sex", they perceive the police profession as a "male" profession, and women are most often viewed through the prism of motherhood and the "gentler" sex.

In practice, it happens that in certain situations, women police officers accept such treatment and a certain type of "privilege" because it suits them. However, in other situations, female police officers are strongly opposed to this treatment, and they feel discriminated against and because of this approach, they fail to realize their full potential at work. Despite the

interventions, some of them fail to "fight" for equal treatment and position or it takes a long time to achieve that.

The reason for this behavior of superiors is sometimes not the desire to "protect" female officers, but to act on the basis of personal assessment and prejudice that certain jobs are not for women, and in accordance with such personal view, exclude women police officers from certain jobs, thus discriminating against them.

Also, a number of women police officers seek certain "privileges" only because they are women, so they avoid operational tasks and duties in the field, any engagement outside working hours, work in shifts, etc., which is especially evident in situations when they have a family. So therefore, they often have the support of managers. In situations where women receive certain "privileges" based on sex, which puts men at a disadvantage, then we can talk about a certain type of discriminatory behavior towards men.

All of the above situations are WRONG and can seriously jeopardize the rights and discriminate against both women and men.

Managers as well as other employees, do not have the right to express their gender prejudices and stereotypes in the workplace, since it endangers the rights of others or puts others at a disadvantage.

Therefore, women police officers should not be singled out or given any privileges just because they are women, except in situations where there are certain legally guaranteed rights (during pregnancy or after returning to work, leaving work due to breastfeeding, inability to work overtime without written consent in case the child is under three years of age, single parent, etc.), or expose to discrimination. In every other situation, men and women should equally perform all tasks and duties according to the rank and position to which they are assigned, and in accordance with their abilities and affinities, without the stereotypical division of jobs into "male" and "female".

Managers in this regard should ensure equality and not allow discriminatory behavior in the workplace.

Question for discussion

Why is it important that women work in the police?

Ask the participants the question, discuss it together, and then continue with the presentation



When it comes to police structures, we have overcome the former attitudes of "justification" of the presence of women in the police for the purpose of performing specific tasks and duties, as well as where there is a legal obligation (searches of women, interviews with vulnerable categories, victims of trafficking, domestic violence, etc.).

It is a fact that women have especially stand out in working with vulnerable categories (children, victims of violence, human trafficking, etc.). Also, some research has shown that women police officers rarely use excessive force, they are especially skilled in dealing with domestic violence, violence against women and sexual offenses. Also, due to a more subtle approach, they often contribute to better relations with the local community.

However, women in the police should not be limited to performing these specific tasks. Women should equally perform all other tasks and duties within the police system and at all levels of decision-making.

The police should be a mirror of society and the state!

If society is made up of 50% or more women, then women should be present in the police ranks in the same proportion. Only such police force depict the society they serve and can effectively respond to the security needs of all citizens, men and women, boys and girls.

The fact is that we cannot respond effectively to the security needs of citizens if we do not represent all citizens equally. The police should represent all the diversity of the society they serve, and this applies to all minority groups that should be an integral part of the police (members of the Roma population, LGBTI persons, etc..). Only in this way the police can respond to the security needs of the whole society.

Modern police in a democratic society should ensure the highest level of security for citizens, and this can only be ensured by optimally used labor force, which implies the equal participation of men and women.

Equal representation of men and women should be present in all spheres of policing and at all levels of decision-making.

Practice has shown that women are dynamic leaders, that they produce changes and that their participation in decision-making processes, therefore, in the highest positions, in all spheres of work is fundamental to democratic governance and the development of a sustainable economy.

Greater participation of women at all levels of decision-making in the police means a more efficient police force that will be able to respond to the security needs of all citizens.

It is important to emphasize that women police officers in recent years, with their work and professional performance, have proven that they can perform all police work and tasks equally well, sometimes even better.

In the police structures in BiH, women perform a variety of tasks, from women police officers on patrol, investigators in human trafficking cases, illicit drug trafficking, financial crime and corruption, terrorism, war crimes, security of facilities and VIPs, up to women police officers in units for special support. Officers in senior managerial positions have distinguished themselves as successful team leaders, bosses, chiefs, and ultimately good leaders.



3.3. Discrimination in the workplace

Situation in the police structures in BiH

(PowerPoint presentation – research results)

Within the project "Staying Safe - Security Network for Human Rights Defenders and Gender-Based Violence Activist in BiH", the "Police Women's Network" Association conducted a survey in 2018 entitled "Human Rights Defender in Police Structures in BiH - Mechanisms for the Protection against Discrimination". Within this research, data on reported cases of discrimination in the workplace were obtained, with special emphasis on discrimination based on sex, and sexual harassment and the procedures and mechanisms for protection against discrimination in the police. In addition, among other things, an analysis of legislation in the field of protection against discrimination in the workplace was conducted.

As part of the research, data were requested from 16 police agencies in BiH on reported cases of discrimination in the workplace, with special emphasis on cases of discrimination based on sex, sexual harassment, etc. The answers were submitted by 14 police bodies.

The collected data showed that nine police bodies (SIPA, Border Police of BiH, Police of Brcko District of BiH, MoI of Una-Sana Canton, MoI of Central Bosnia Canton, MoI of Canton 10, MoI of Posavina Canton, MoI of Zenica-Doboj Canton) and MoI of West Herzegovina Canton) **had no recorded (reported) cases of discrimination in the workplace on any grounds.**

The Directorate for Coordination of Police Bodies of BiH, MoI of Bosnia-Podrinje Canton, MoI of Tuzla Canton and MoI of Sarajevo Canton had a total of six registered cases of discrimination, due to mobbing, impartial evaluation, biased attitude of managers and on the basis of faith. Based on the above-mentioned reports, internal proceedings were initiated in

which no elements of violation of official duty were determined, ie. there was not enough evidence.³

The Federal Police Administration recorded **one report** of discrimination on the grounds of sex, which resulted in the initiation of disciplinary proceedings and the imposition of an appropriate disciplinary sanction.⁴

Thus, out of the 14 police bodies⁵ that provided the requested data, five police bodies had recorded cases of discrimination (a total of seven cases), out of which only one case qualified as discrimination on the grounds of sex and resulted in proceedings and the imposition of appropriate disciplinary sanctions, while the others have not been proven.

Based on the above, we can conclude that only **one case** of discrimination based on sex was reported in 14 police bodies in BiH, ie that only one case resulted in disciplinary proceedings and the imposition of an appropriate disciplinary sanction.

If we take into account the fact that the police authorities in BiH employ more than 16,000 male/female police officers, including about 1,300 women (police officers), it can be stated that it is extremely **indicative** information that there is only one case of discrimination based on sex.

³The Directorate for Coordination of Police Bodies has two reports of discrimination in the workplace (police officer evaluation and mobbing). In the mentioned cases, internal procedures were conducted, during which no elements of violation of official duty were determined.

The MoI of the Bosnia-Podrinje Canton has registered one report due to discrimination in the workplace (complaint of biased attitude of police executives towards certain police officers), and an internal procedure was initiated and an internal investigation was conducted, where the assessment of the merits of the complaint was "without enough evidence. "

The MoI of Sarajevo Canton has registered two reports that can be considered as reports of discrimination, namely a petition for reporting mobbing, on the basis of which an internal investigation was conducted and ended with the assessment "unfounded" and a petition for reporting discrimination on the basis of religion, on the basis of which internal investigation and ended with a grade of "without sufficient evidence".

The MoI of Tuzla Canton has one report of a police officer against the immediate superior for alleged discrimination.

⁴The Federal Police Administration has one report / complaint registered due to the existence of a well-founded suspicion of discrimination in the workplace on the grounds of sex. Based on the circumstances of the allegations from the petition, the Professional Standards Unit conducted an internal procedure, assessed the petition as well-founded, and submitted a Request to the Disciplinary Commission to initiate disciplinary proceedings against the reported police officer. Disciplinary Commission imposed an appropriate disciplinary sanction on the reported police officer in accordance with the Law on FBiH Police Officers and the Rulebook on Disciplinary Responsibility of Police Officers of the Federal Ministry of the Interior.

⁵The information was not provided by the RS Ministry of the Interior and the HNK Ministry of the Interior. These are data from 2018, when the research was conducted

Survey results

In order to conduct a more comprehensive research and review the real situation in this area, an anonymous survey was conducted in which 45 women police officers from various police agencies in BiH participated.

Based on the results of the survey, it was determined that out of 45 women police officers:

24 were exposed to some form of discrimination, although they did not report it (53.3%);

- seven were not aware that they were victims of discrimination until they became acquainted with the basic concepts of discrimination from the survey;
- 21 were victims of sexbased discrimination, out of which four were often victims of sex based discrimination;
- seven were victims of sexual harassment, two of which were often victims of sexual harassment;
- 23 stated that they felt bad about the discrimination they were exposed to

Obvious big dark number!!!

Training on discrimination

As part of the research, police bodies were requested to provide information on the presence of women police officers in training on discrimination. Based on the received information, it is evident that trainings of this type were not organized at the level of police bodies, and a very small number of officers attended them.⁶ As a positive example, we point out that SIPA, at the initiative of the contact person for gender issues, included training on this topic for all employees in the annual training plan for 2018 and the following years, which is a recommendation for all police bodies in BiH.

European practices

Information collected from the police authorities of some European countries (Republic of Austria, Kingdom of the Netherlands, Kingdom of Sweden) shows that these countries have a significantly higher number of recorded cases of discrimination in the workplace, where various grounds appear as forms of discrimination(age, religion, origin, sex, etc.), as well as well-established mechanisms for reporting and protection against discrimination.

Also, police authorities in other European countries pay special attention to encouraging the reporting of all cases of discrimination from the highest management level and raising awareness of discrimination through continuous education.

⁶ For example, in DCPB one officer attended such training, in MoI BPK nine, MoI SBK two, MoI USK five, Police BD BiH 39, while officers of MoI Posavina Canton, MoI TC ,MoI ZDC and SIPA did not attend trainings on this topic. The data refer to the period until 2018. It is important to mention that after that period, the PWN Association organized a significant number of trainings on this topic, which was attended by a large number of police officers.

Discrimination protection mechanisms.

When it comes to the legislative framework in BiH related to gender equality and non-discrimination, and protection mechanisms, the research showed that the legal framework in BiH is very good, and that it is in line with international standards in this area. However, as in many other areas, it was noted that it is not fully implemented in practice, as evidenced by the small number of women (police officers) in police structures in BiH despite prescribed standards and obligations, as well as the indicatively small number of recorded cases of discrimination within policebodies.

When it comes to protective mechanisms, in BiH protection against discrimination can be sought in disciplinary proceedings, civil litigation and criminal proceedings. When it comes to employment discrimination, disciplinary proceedings are relevant for police structures, which we will discuss more in Module IV.

In the laws on police officers at all levels in BiH, **discrimination in the performance of duties** is treated as a **serious violation of official duty**. This is further elaborated in the regulations on disciplinary responsibility of police officers. In police bodies at all levels in BiH, the Internal Control Department / Professional Standard Unit is responsible for receiving reports and conducting internal procedures, and the procedures are generally unified.

Based on the collected information, it can be concluded that, **despite the present mechanisms for reporting and protection against discrimination**, within the police bodies at all levels in BiH, there are almost no reported cases on this basis, ie only seven cases have been registered in the last seven years(until 2018), out of which, only one case was based on sex discrimination, and only one case was ultimately processed

The survey found that 24 out of 45 (more than half) surveyed women police officers were exposed to some form of discrimination that they did not report, out of which 21 were exposed to sex based discrimination, seven to sexual harassment, while seven were unaware that they were exposed to discrimination. The results of the survey point to a large dark number.

This points to the conclusion that male/female police officers:

- are not sufficiently **aware** of the presence of discrimination,
 - do not know how to recognize it,
- are not sufficiently familiar with protection mechanisms and encouraged to report such cases

In this regard, it is necessary to encourage the reporting of cases of discrimination and protect victims, which sends **a clear message** that the police is an employer that provides equal opportunities for women and men, allows all employees to give their full potential in the work

environment, and that the police serve as an example to other institutions and sets standards to act in such cases.

Interviews with women police officers revealed that they do not trust the officers of the internal control department in charge of receiving reports, as they doubted their expertise and sufficient knowledge of this issue, and subsequently they assumed that their report “would not be taken seriously”.

After conducting the research, the "Police Women's Network" Association in the period 2018-2021. worked intensively on combating gender-based violence in the police by organizing a series of trainings aimed at raising awareness of discrimination in the workplace with a special emphasis on sex-based harassment and sexual harassment. Hundreds of police officers attended trainings on this topic, and three workshops were organized for senior officers. Also, trainings for representatives of the internal control department were realized and Guidelines for dealing with reports of discrimination on the grounds of sex and sexual harassment were developed.

3.4. Summary and Recommendations

Identified problems in police structures in BiH:

- Underrepresentation of police officers in general, and in senior and managerial positions in particular;
- Insufficiently developed awareness of gender equality, small number of educations;
- Gender stereotypes and prejudices are still present, especially about the police profession as exclusively “male” and women as the “weaker” sex;
- Gender-sensitive language is not used sufficiently and gender-sensitive statistics are not kept;
- Women do not participate enough in working groups, commissions and other bodies, especially those that generate additional income;
- An evident high dark number of cases of discrimination in the workplace

Having in mind the fact that women police officers are underrepresented in police bodies at all levels in BiH, it can be stated that police bodies in BiH should take all necessary measures and actions in accordance with the provisions of the Law on Gender Equality in BiH and relevant international documents directly applied in BiH, in order to promote gender equality and gender mainstreaming in police structures in BiH, all with the aim of increasing the number of women in general, and especially in senior and managerial positions.

Also, given the high dark number of cases of discrimination, with a focus on sex based discrimination and sexual harassment, it is necessary for the police authorities in BiH to

take adequate measures to prevent and combat gender-based violence in the police in accordance with the Law on Prohibition of Discrimination in BiH.

In this context, SIPA can be highlighted as a positive example, which in the previous period took concrete measures with the aim of achieving gender equality and combating discrimination. To this end, after the initial analysis of the situation, SIPA adopted the document "Recommendations for Gender Equality for Police Officers" which envisages a number of specific activities in this area, such as the use of affirmative action measures to achieve gender equality. Within the project "The Police and Respect for Human Rights", which was financially supported by the European Union, an analysis of the situation in all police bodies will be conducted and recommendations for action, modeled on the SIPA document.

3.5. Introduction of the Principle of Gender Equality

All government institutions are obliged to take all appropriate and necessary measures to implement the provisions prescribed by the Law on Gender Equality of Bosnia and Herzegovina as follows:

- **adoption of a program of measures;**
- **harmonization of laws;**
- **implementation of activities and measures of the Gender Action Plan;**
- **presenting statistical data disaggregated by gender.**

As part of the adoption of the program of measures, it is very important to insist on continuous education of employees in the direction of raising awareness about gender equality and gender-based violence, as well as the application of affirmative action measures in accordance with the law. Also, setting a personal example is very important. Police officers who had the opportunity to work with female colleagues who performed all jobs and tasks equally and expressed themselves positively in various situations, have a very positive opinion of women in the police. On the other hand, colleagues who had the opportunity to work with female officers who sought certain "privileges" based on gender, avoided certain jobs, etc., very often look at all women in the police through this prism and believe that women have no place in the police

No one expects the percentage of women's representation in police structures to increase from 5% or 10% to 30% or 40% in a short period of time. However, the Law on Gender Equality ORDERS the adoption of a program of measures, which means that the police should adopt an appropriate program or action plan, eg how to contribute to gender equality on an annual basis and increase the number of women, eg by 1%, and then accordingly it can be expected making significant progress in ten or 15 years.

4. Module III (12:30-13:30)

GENDER EQUALITY

- Gender equality
- Conceptual definitions (sex and gender, gender roles)
- Prejudices and stereotypes

(PowerPoint presentation)

4.1. Gender equality

Establishing gender equality is one of the key goals and priorities for the development of any modern society. Gender equality refers to the equal rights, responsibilities and opportunities of women and men, girls and boys. Gender equality does not mean that women and men will become the same, but it requires that the rights of women or men, their responsibilities and opportunities do not depend on whether they are born male or female. Gender equality means that the interests, needs and priorities of both women and men are taken into account by recognizing the diversity of groups of women and men.

Gender equality means that men and women are equally present in all areas of public and private life, have equal status, equal opportunities to exercise all rights, as well as equal benefit from the results achieved.

Amendments to the Law on Gender Equality, adopted in 2009, placed additional emphasis on the need for action, and more clearly regulated the obligations of institutions to act with the aim of gender mainstreaming. These obligations strongly emphasize the need to harmonize laws with this law and with international standards in this area.

Gender equality does not mean that males and females are the same. In this sense, it is necessary to distinguish between the concept of **sex and gender**.

Thus, gender equality does not only refer to the biological differences between males and females, but also includes social (gender) roles that are considered to belong to women and men, boys and girls, which are the product of norms, practices, customs and traditions and which change over time. Gender roles are most often caused by prejudices and stereotypes, which we will discuss more below.

4.2. Conceptual definitions (sex, gender, LGBTI, gender roles)

Sex refers to the biological or physical characteristics that distinguish men and women (sexual and reproductive organs, specific hormones and chromosomes). This includes the so-called secondary sexual characteristics (growth of hair on the face and body, distribution of muscle mass and adipose tissue, change in voice, etc.). Gender is seen as an unchangeable category. However, with the advancement of medicine (hormone therapy and surgery), today gender can be, more or less, changed. However, this is not a natural process - gender does not change without medical intervention. On the other hand, transgender theories emphasize that although it includes certain biological aspects, sex is not an unchangeable category, and it is also a social category.

Gender refers to social characteristics, roles, behaviors, which are attributed to men and women in a given socio-cultural context. These are differences that are the product of norms, practices, customs and traditions and are changeable over time. Therefore, the term gender is deliberately used instead of sex in order to emphasize the fact that many differences between women and men, boys and girls are not natural facts, but the product of a changing socio-cultural environment.

Most definitions of sex and gender, such as the one in the BiH Law on Gender Equality⁷, view gender as a social category, which includes certain norms of behavior, roles characteristic of men and women, and sex is the biological category with which human beings are born, defined by male and female sexual characteristics⁸ which is unchangeable. This view emphasizes the binary of sex and gender, ie the existence of exclusively female (F) and male (M) gender, ie men and women as the two only possible gender categories. This division sometimes impedes individual sexual / gender freedoms, ie the right to self-identification, and is often the basis of discrimination and inequality. Transgender studies emphasize that sex and gender are not binary categories, there are no exclusively "male" and "female", ie "men and" women. Between these two points, there are a number of variations in the understanding of sex and gender.

Gender is an identity that we define ourselves, and the way we identify ourselves does not have to coincide with the sex determined by our birth.⁹

Also, we are not talking only about males and females, but also about intersex / intergender people who are born with atypical sexual characteristics.

⁷ Law on Gender Equality in Bosnia and Herzegovina (Article 9), Official Gazette of BiH, No. 16/03, 102/09 and 32/10.

⁸ Sexual characteristics usually include the gonads (gonads, ie testicles and ovaries), hormones (estrogen, testosterone, androgen), chromosomes (XX, XY), sexual organs.

⁹ D. Banović, J. Čaušević, S. Dekić, R. Finn. (2018). Life outside the given norms, Transgenderism in Bosnia and Herzegovina. Sarajevo: Sarajevo Open Center. (page) 10.

LGBTI

The abbreviation LGBTI is often used in the public representation and advocacy of human rights for persons of different sexual orientations, gender identities and/or sexual characteristics than the majority of the population. It is a comprehensive term used to denote:

L - lesbians (women who are sexually and / or emotionally attracted exclusively to other women),

G - gay (men who are sexually and / or emotionally attracted exclusively to other men),

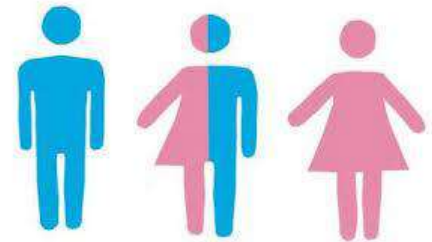
B - bisexual (persons who are sexually and / or emotionally attracted to persons of both sexes, which means that a bisexual person can be both a man and a woman who is attracted to both a man and women),

T - transgender (persons whose gender identity or gender presentation is not in accordance with generally accepted gender roles assigned by society to women, or men) and

I - intersex (persons whose sexual characteristics, including chromosomes, gonads and genitals, deviate from the typical, binary division into male and female bodies).

Gender roles

Gender roles are the sum of characteristics: behaviors, attitudes, activities, obligations and expectations, which a certain society requires from "men", ie "women". Gender roles are changeable and dependent on the time and space in which we live. One hundred years ago in our area it was completely unthinkable for women to work as builders, architects, drivers, while today this is an increasingly common case. Also, for a hundred years it was unthinkable for a man to look after children, do housework, while today men can use maternity leave instead of women, and housework is a part of everyday life for many.



As we can see, the gender role of a woman was to take care of the house and children, and a man to do various jobs and earn money. Over time, these gender roles have changed and are still changing. On the other hand, in some countries it is still forbidden for women to walk freely on the street without being accompanied by a father, brother or husband, or their permission to walk in the presence of another man. Women are not allowed to go to restaurants or cultural institutions alone, and in some countries the law prescribes the wearing of the burqa.

We can conclude that gender roles are very flexible, changeable and dependent on social, cultural and temporal context.

4.3. Stereotypes and prejudices

A stereotype is a mental imagery of another. An attitude, opinion, emotion towards a certain group, which is not based on facts. It can be directed at the whole group or an individual just because it belongs to that group. Any stereotype that expresses an emotional assessment of a group based on its ethnic, racial, religious, gender, social affiliation, sexual orientation, gender identity or gender characteristics is considered **prejudice**.

Prejudices usually arise before a real, direct experience with a certain person, group or phenomenon, without knowing and researching the facts.

Prejudices are often negative and usually based on rumors, assumptions, feelings, and beliefs rather than knowledge and facts. At the root of the stereotype is a misguided and unjustifiably broad generalization aimed at simplifying reality. When creating stereotypes, people are most often grouped according to ethnicity, religion, sexual orientation, gender identity, gender or some other characteristic.

Gender stereotypes and prejudices

Gender stereotypes and prejudices are general judgments about persons because of their gender and are one of the main causes of discrimination based on gender, violations of rights and inequalities. The term of gender stereotypes and prejudices is related to the term of gender roles, ie the term of gender.

Analyzes show that there are gender stereotypes and prejudices in Bosnia and Herzegovina. These data show that the majority of the population expresses patriarchal attitudes when it comes to the roles of women and men in BiH, ie that they agree with gender roles according to which roles in public sphere are more appropriate for men, while roles in private sphere are more appropriate for women.¹⁰

Most respondents (both sexes) consider the following:

- If in a marriage only one spouse is employed, it is more natural that it is the man.
- When there is a job deficit, men should have an advantage in employment over women.
- By their nature, most household chores are more suitable for women.
- The task of a man is to earn money, and the task of a woman is to take care of home and family.
- In general, men are better political leaders and should be elected rather than women.

¹⁰Citizens' Perception Survey in Bosnia and Herzegovina. 2018. MEASURE-BiH. 2019 and Gender Equality in the Republika Srpska; Public Opinion Survey, Gender Center - Center for Equality and Gender Equality of Republika Srpska, 2012.

This indicates that gender stereotypes and prejudices can play a significant role in women and men's decisions on key existential issues.



Pic. 7: Sisae Abu Daooh (Egipt), who took over a male identity 40 years ago, after her husband's death

Pictured is Sisae Abu Daooh, who as an uneducated woman had only one option in order to provide for herself and her daughter; which was to find another husband. Instead, she decided to start dressing like a man. She first worked in construction, and when she got too old, she started cleaning shoes, which is also a men's job in Egypt¹¹. This story shows that, regardless of our actual gender, whether we are male or female, if we dress and behave (convincingly) as members of the opposite sex, we will live differently in the world.

Gender can and does limit or increase our access to resources, decisions, and opportunities in life.

Question for discussion

Prejudices in our society?

Prejudices towards women in police?

Ask the trainees a question, discuss it together, and then continue the presentation.



¹¹Halilović, M., Watson, C., Huhtanen, H., Socquet-Juglard. (2017). Gender prejudices in the application of law: Bosnia and Herzegovina and international legal frameworks and practice. Sarajevo, Atlantic Initiative. DCAF. (P.) 28.

Blondes are stupid!

Police officers are stupid!

Montenegrins are lazy!

Roma people are dirty!

Woman = Mother, housewife

Man = strong, brave, supports the family



*Pic. 8 Prejudices about women in the
bh. context*



Pic. 9. Reality

Gender prejudices are shaped by:

- **religion**
- **Culture, traditions, customs,**
- **TV, music, entertainment,**
 - **education,**
- **family, friends, society.**

No one is born with prejudices!

Boys and girls are assigned different social roles and characteristics based on their gender, as well as behaviors and activities in a particular socio-cultural context. Examples are numerous from the earliest childhood. For example, parents usually paint a room pink for girls and blue for boys even before they are born. They also buy girls pink clothes and for boys, blue or black. Later, girls are bought dolls, kitchens, dishes and irons, and boys are bought cars, robots, etc. Already in early childhood, parents, relatives, kindergarten teachers, the environment, based on their gender prejudices, shape children and assign them gender roles.

The girls are dolled up, they wear dresses, are told that they are beautiful, good, sweet, obedient and so they learn that these are desirable traits in women. On the other hand, boys are told that they are strong, brave, strong, etc. If a boy is obedient, he is said to be "like a girl," or if he cries, he is said to "cry like a girl."

All this affects the creation of gender prejudices about women as the "weaker" sex, about the woman as a "housewife", etc., which are deeply rooted in our society and which are very difficult to suppress.

UN Women campaign on the occasion of International Girls' Day.

11.10. – Međunarodni dan djevojčica



This is a message we should send to girls every day!

COFFE BREAK (13:30-13:45)

5. Module IV (13:45-15:00)

GENDER BASED DISCRIMINATION

- Types and protection mechanisms

(PowerPoint presentation)

5.1. Introduction

The Constitution of BiH guarantees the highest degree of internationally recognized human rights and fundamental freedoms. The Constitution prohibits discrimination, and guarantees the enjoyment of rights and freedoms provided by the Constitution to all persons, regardless of any grounds, including gender. Thus, the prohibition of discrimination is one of the human rights and fundamental freedoms guaranteed by the Constitution.

Further, the Law on Prohibition of Discrimination was adopted in 2009. This law establishes a framework for the realization of equal rights and opportunities for all persons in BiH and regulates the system of protection against discrimination.

Discrimination means **any different treatment**, including any exclusion, restriction or preference based on actual or presumed grounds towards any person or group of persons and those related to them **on the basis of** their race, color, language, religion, ethnicity, disability, age, national or social origin, affiliation with a national minority, political or other beliefs, property status, trade union or other association membership, education, social status and **gender, sexual orientation, gender identity, gender characteristics**, as well as any another circumstance which has the purpose or consequence of preventing or endangering any person's recognition, enjoyment or realization on an equal basis, rights and freedoms in all areas of life.

For the purposes of this manual, we will focus on gender discrimination.

Discrimination based on sex consists of a different treatment **based on the sex of a certain person**, and does not happen to a person of the opposite sex, which leads to violation of human rights and fundamental freedoms.

There is no discrimination if there is no specific right or if it is not possible to determine the difference. If a right is violated against persons of both sexes, then it is a violation of human rights, not discrimination.¹²

The law regulates the following forms of different treatment:

- direct discrimination;
- indirect discrimination;
- sexual harassment;
- sex-based harassment;
- victimization.

5.2. Direct and indirect discrimination

Direct discrimination is any different treatment based on prohibited grounds, ie any action or omission of an action, when a person or group of persons is brought or was or could be put at a disadvantage in contrast to another person or group of persons in similar situations.¹³

In the classic form of different treatment, the basis of discrimination (sex) is easily visible, eg *dismissal due to pregnancy, refusal to hire a man because a female person is wanted (waitress, program speaker/weather forecaster), prohibition of schooling due to sex, etc.*

Indirect discrimination implies any situation in which a seemingly neutral provision, criterion or practice, has or would have the effect of bringing a person or group of persons at a disadvantage to a disadvantaged or less favorable position in relation to other persons.¹⁴

Indirect discrimination is harder to recognize because the basis (sex) is usually not visible, and only when the consequence occurs can a different effect on people of one or the other sex be determined. It usually occurs when people who are not the same are treated in the same way.

Eg. setting the same standards of psycho-physical fitness for people of both sexes would have a different effect on women. Therefore, the tests for this type of recruitment into the police force are different for women and men. Or, for example, the conditions for promotion to a higher rank in the police: when applying for a job advertisement, a grade for the last three years is required. If the police officer was on maternity leave, then she cannot submit a certificate because she was not assessed during the leave and thus her right to apply for promotion was endangered.

¹²Kadribašić, A. (2020). Handbook for gender mainstreaming in laws and policies. Sarajevo: UN Women and UNDP. (page) 16.

¹³Law on Prohibition of Discrimination "Official Gazette of BiH", no. 59/09, 66/16, Article 3.

¹⁴Law on Prohibition of Discrimination. "Official Gazette of BiH", no. 59/09, 66/16, Article 3, paragraph (2).

5.3. Gender-based and sexual harassment

- Serious breach of official duty
- Criminal offense

Sex-based harassment is any unwanted sex-based behavior that seeks to violate the dignity of a person or group of persons and to create an intimidating, hostile, degrading, humiliating or offensive environment or an environment that achieves such an effect.

Sexual harassment is any unwanted form of verbal, non-verbal or physical behavior of a sexual nature, which seeks to violate the dignity of a person or group of persons, or which achieves such an effect, especially when such behavior creates a frightening, hostile, degrading or offensive environment.

An example of sexual harassment would be unwanted kissing, hugging, pinching, commenting, etc., while sex-based harassment would be behavior that calls into question the behavior of persons of one sex that are considered unacceptable, such as insulting males who use maternity leave, or the expectation from a police officer to perform "service activities" in the workplace, such as making coffee, serving, etc., because these are considered to be women's "jobs".

Sexual harassment is unwanted behavior that focuses on **biological** (sex differences), and sex-based harassment **on socially conditioned** (gender) roles for women and men, boys and girls.

5.4. Elements of gender-based and sexual harassment



These elements derive from the definition itself and must be cumulatively fulfilled. If some of the elements are not met, it may be some other form of harassment or discrimination based on sex.

In the following, we will elaborate on these elements in order to fully understand the issue and make a clear distinction between these types of discrimination. During many years of work with employees in the police authorities in BiH, it has become clear that police officers very often do not know how to recognize sex-based harassment.

Also, very often they do not know how to recognize verbal or non-verbal sexual harassment, while most people recognize physical sexual harassment. Most employees are not even aware of the fact that the perpetrator's intent is not relevant in determining the existence of responsibility for harassment.

5.4.1. Subjective element

In order to classify an act as harassment, it is necessary to determine that it is an **unwanted form of behavior**. Forms of unwanted behavior depend on subjective experience, vary depending on time, environment and other subjective and objective influences. Therefore, the boundaries of unwanted behavior should be determined in each concrete case and in different social interactions. For physical behaviors of a sexual nature, the presumption of unwanted behavior is particularly pronounced.

In some work environments, gossiping about sexual activities, talking about events related to the sexual life of colleagues, jokes and teasing with sexual connotations are part of everyday life. This is particularly pronounced in police structures where males are predominantly represented. Very often, employees working in such environments adopt patterns of that behavior without thinking about the consequences for other people or groups of people. Because they do not intend to directly insult or humiliate others, employees who retell jokes of a sexual nature, circulate offensive material, or use inappropriate nicknames for co-workers may be surprised to learn that their behavior may constitute sexual or sex-based harassment.

The absence of an external reaction from a person who is enduring unwanted behavior does not mean that consequences do not exist.

How to determine that a certain action is undesirable for a person or a group of persons?

If a certain person considers a certain behavior undesirable depending on the situation, it is necessary to express their reaction in the outside world, and above all to the person performing the certain action, in a way that clearly and unambiguously states that such behavior is undesirable. However, the absence of an external reaction from a person enduring unwanted behavior does not mean that the consequence does not exist. It should be borne in mind that not all persons will react the same, as well as that there are a number of reasons why an external reaction may be absent, especially in a situation where harassment occurs in the interaction of manager and subordinate.

Intention is not relevant for determining responsibility for harassment.

Both sexual harassment and sex-based harassment exist regardless of the intent to harass someone. Both forms of harassment exist when "**such an effect is achieved**" or "**which achieves such an effect**". Excuses that a person did not know that certain behavior constituted harassment should not be taken as a reason for non-responsibility. The question of intent is essential to take in relation to the subjective element, and in particular to the presumption of unwanted behavior.

Given the fact that one of the main causes of sexual and sex-based harassment is gender inequality, a large number of persons are not aware that their behavior represents unwanted behavior for other persons.

5.4.2. Action

The action may consist of **verbal, nonverbal, or physical behavior**.

Verbal behavior refers to words or sounds, such as jokes, questions, remarks, and can be expressed orally or in writing.

Forms of verbal behavior:

- offensive words and comments;
- repeated invitations to meetings and unwanted flirting;
- sexual comments and allusions
- sexual jokes and questioning about sexual desires;
- insults based on a person's sex or assessment of one's sexuality;
- turning work conversations into sexual topics;
- conditioning advancement at work or obtaining other benefits from sexual services;
- unwanted jokes and comments (eg telling a person to have “good breasts and buttocks”).

Nonverbal behavior encompasses all gestures and behaviors that are not encompassed by words, that is, facial expressions, body movements, or giving signs. Nonverbal behavior also includes:

- gestures, insinuations and signs that suggest imitation of sexual intercourse;
- sending e-mails with images of a sexual nature or content related to sex inequality;
- publishing and posting pictures or posters with sexual content or content that is offensive based on sex;
- playing sexually suggestive music or movies;
- showing pictures, calendars, screen backgrounds on the computer, with sexually explicit content.



Physical behavior is any sexual behavior that involves contact with another person's body, provided that the behavior must be undesirable for the victim or imposed by the perpetrator, eg:

- touching, pinching, stroking, hitting, squeezing, scratching another person;
- unnecessary physical contact (invasion of personal space) or touching parts of another person's body;
- physical assault for the purpose of making contact of a sexual nature.



5.4.3. The nature of the action

Gender-based harassment and sexual harassment are different in nature. While sexual harassment must have unwanted behavior of a **sexual nature, harassment has gender-based unwanted behavior.**

Sex-based harassment is caused by the social roles of women and men. The prohibition of sex-based harassment focuses on behavior that "belittles, ie humiliates a person as a member of the male or female sex". Such behavior implies the view that persons belonging to a particular sex are less valuable or less capable, and implies unwanted verbal, nonverbal and physical behavior in relation to the belonging of a person/persons to a particular gender. This harassment does not imply any kind of sexual attraction because it is not based on the biological characteristics of the person/person but on what the person/persons consider to be their social roles.

Example: Colleagues constantly told a female colleague that she was gentle and that police work is not for her, because it is a "man's job". They told her: "It is known where a woman's place is", "God created women and men different for a reason" and the like. She was constantly belittled in the presence of longtime colleagues, superiors as well as in front of third parties.

Example: When holding official meetings attended by other colleagues, but also by foreign parties, the boss always instructed a women police officer to ask those present what they would drink and to order coffee, even though she was not the lowest in rank, nor did she sit closest to the phone, but solely because she is the only woman at the meeting.

Example: Colleagues repeatedly recounted and commented a male colleague who used parental leave that he is "henpecked" and that he is the "woman in the relationship", and that his wife is "wearing the pants in the house". They would always tell jokes in his presence about men to whom women order.

Example: A woman police officer came to a new department, and colleagues repeatedly commented aloud how her predecessor was making coffee for everyone and watering flowers regularly, alluding that she should do the same.

Sexual harassment is harassment due to the sexual (external, physical or biological) characteristics of males or females. Sexual harassment can be recognized in sexual offers, blackmail or even violations of bodily integrity, and includes various insults of a sexual

nature, insults and insinuations of a sexual nature, comments on physical characteristics of a sexual nature or on a person's sexual life, etc.

Example: *A police officer worked in an office. Several times his female superior would come while he worked at his desk, put her arm around his shoulders, and from time to time she would massage his shoulders and back without his approval.*

Example: *The immediate supervisor repeatedly sexually harassed the female employee, following her in the hallways and with a vulgar vocabulary saying that she had "good" breasts and buttocks, insulting her with verses, repeatedly proposing having sexual intercourse and threatening her that in case of refusal she would lose her job or she would be forced to leave it on her own.*

Example: *A colleague commented on a female colleague's appearance on a daily basis. On one occasion he said that her uniform fit her nicely, stating that her shirt is emphasizing her breasts, while on another occasion he commented on how nicely her skirt looked, that if he was in her place, he would never wear pants.*

Example: *A police officer, a member of the promotion committee, approached a female colleague who applied for an internal ad, praised her physical appearance, stating that she was "Good as a good day" and invited her to go for a drink after work to discuss the current ad for promotion.*

5.4.4. Consequence

Sexual harassment and sex-based harassment in the workplace lead to **“violation of the dignity of a person or group of persons suffering from sex-based harassment or sexual harassment, or to the creation of an intimidating, hostile, degrading, humiliating or offensive environment”**. Determining the consequence is a factual issue that is determined for each individual act based on **subjective experience**. In practice, this means a consequence that the "average" person would consider to have led to a change in working conditions.

Who can be the perpetrator and victim of sex-based harassment or sexual harassment?

The most common assumption is that gender-based harassment or sexual harassment in the workplace occurs in the interaction of male managers and female employees. However, this may not always be the case, although these forms are mostly associated with women, they do not exclude males as victims of sexual harassment.

Harassment can be horizontal or vertical.

Vertical harassment is harassment of employees by managers, ie harassment of managers by employees. Horizontal harassment is harassment of employees by other employees, without any relationship of superiority or subordination.

Also, harassment is not conditioned solely by sex differences. Thus, men can harass women and women can harass men, and men can harass men and women.

5.5. Other forms of discrimination

The Law on Prohibition of Discrimination in BiH also recognizes the following forms of discrimination:

Victimization is a special form of discrimination when a person or group of persons is disadvantaged by refusing a warrant for discriminatory treatment, reporting discrimination, testifying in the process of protection against discrimination based on sex. This special form protects those who reject or report discrimination.

Mobbing is a form of non-physical harassment in the workplace that involves the repetition of actions that have a degrading effect on the victim whose purpose or consequence is the degradation of working conditions or the professional status of the employee.

Segregation is an act by which a person (natural or legal) separates other persons on the basis of one of the previously listed grounds in accordance with the definition of discrimination.

Issuing orders to others to discriminate and helping others to discriminate, inciting discrimination is considered a form of discrimination.

A **more severe form of discrimination** will be considered discrimination committed against a certain person on several grounds (multiple discrimination), discrimination committed repeatedly (repeated discrimination) and discrimination that has existed for a long time (prolonged discrimination).¹⁵

The Law on Prohibition of Discrimination applies to the actions of all public bodies at the level of the state, entities, cantons and the Brcko District of BiH, municipal institutions and bodies, and legal entities with public authority, as well as the actions of all legal and natural persons and others.

The Law on Gender Equality in BiH defines gender discrimination as "any disadvantage of any person or group of persons based on sex which makes it difficult or impossible for a person or group of persons to recognize, enjoy or exercise human rights or freedoms"¹⁶. This law also distinguishes between direct and indirect discrimination, and in its forms discrimination can be direct, indirect, harassment, sexual harassment, incitement to discrimination and sex-based violence.

Sex-based harassment and sexual harassment are criminal offenses.

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

¹⁵ Law on Prohibition of Discrimination. "Official Gazette of BiH", no. 59/09, 66/16), Article 4, paragraph (6).

¹⁶ Law on Gender Equality and Bosnia and Herzegovina. "Official Gazette of BiH", No. 16/03, 102/09, 32/10), Article 3.

5.6. Discrimination in language

In accordance with the provisions of the Law on Gender Equality in BiH, **discrimination in language exists when only one grammatical gender is used as a generic term**¹⁷. Such examples in police practice are very common, for example in the word for: police officer, policemen, sergeant, inspector, investigator, expert associate, supervisor, analyst, where female persons are addressed in the same manner as male.

Based on the information collected from the police authorities in BiH, and during many years of work with male/female police officers, it is evident that gender-sensitive language is still insufficiently used in police structures in BiH. It is not used in everyday oral communication, written correspondence, nor in laws or bylaws, etc. It has been noticed that



gender-sensitive language is not used by many woman police officers, and that there is not enough understanding and practice in its application within police bodies.

Employees of the police authorities in BiH do not have enough experience with the application of gender-sensitive language in practice, which indicates the need to organize a special training on this topic. Certain police bodies (eg SIPA) encourage and recommend the use of gender-sensitive language by internal acts, and certain positive changes can be seen, in the sense that it is used in individual decisions, rulings, etc.

In practice, police officers are even challenged to use gender-sensitive language on the grounds that the titles and ranks in the law on police officers are not listed in the female gender. It is important to point out that the laws that have undergone amendments in recent years, in accordance with the Law on Gender Equality, have included an article that emphasizes "that all terms listed in one grammatical gender without discrimination refer to male and female gender", or a similar formulation.

However, the fact that certain laws are still not harmonized is not an excuse to **deny women the opportunity to use gender-sensitive language**.

No one has the right to deny a women to use gender-sensitive language, ie to present herself in the female gender (woman police officer, policewoman, female inspector, sergeant, investigator, analyst, etc.)

¹⁷Law on Gender Equality and Bosnia and Herzegovina. "Official Gazette of BiH", No. 16 / 03,102 / 09,32 / 10), Article 9, item e).

A large number of women police officers who attended educations with the topic of gender equality organized by the "Women Police Officers Network" Assosiation started using a gender sensitive language and slowly getting the working environment used to it.

5.7. Protection from discrimination

Depending on the form of discrimination, the methods of protection are determined, as well as the disciplinary procedure, lawsuit and criminal report. In the context of police agencies, we will focus on disciplinary proceedings.



Disciplinary proceeding

As a rule, a request to initiate disciplinary proceedings is submitted when discrimination, sexual harassment or harassment based on sex occurs in work or employment. In accordance with the regulations governing the rights, duties and responsibilities of all employees, discrimination and acts of sexual harassment and sex-based harassment are defined as a breach of duty that entails disciplinary liability.

In the laws on police officers at all levels in BiH, discrimination in the performance of duties is treated as a serious violation of official duty:

- Law on Police Officers of BiH: Chapter X - Disciplinary Responsibility, Article 105. "Serious Violation of Official Duty" paragraph (1) item 26 reads "*discrimination in the performance of duties, based on race, color, sex, language, religion, political or other affiliation, of national or social origin or on any other grounds*".
- Law on Police Officers of the Republika Srpska: Chapter X - Disciplinary Responsibility, Article 98. "Serious breaches of duty and breaches of the interests and reputation of the Ministry and other public interests" paragraph u) "*discrimination in the performance of duties on the basis of: race, color, sex, language, religion, political or other affiliation, national or social origin or on any other grounds*"
- Law on Police Officers of the Federation of BiH: Chapter XI - Disciplinary Responsibility, Article 107 "Serious Violations of Official Duty" paragraph) 26.

“Discrimination in the performance of duties on the basis of: race, color, sex, language, religion, political or other of national, social or social origin or on any other grounds”.

- Law on Police Officers of the Brčko District of BiH: Chapter VII - Disciplinary Responsibility, Section B. Violations of Official Duties, Article 118 “Serious Violations of Official Duties” paragraph y) *“Discrimination in the Performance of Duties Based on: race, skin color, sex, language, religion, political or other affiliation, national or social origin or on any other grounds”.*

For the commission of this disciplinary offense, the minimum fine is 20% of personal income for a period of six months and the maximum penalty - termination of employment. The sanction of suspension of promotion to a higher rank for a period of 12 months to three years is also imposed cumulatively.¹⁸

The provisions in other laws on police officers (cantonal level) are approximately the same.

This has been further elaborated through the regulations on disciplinary responsibility of police officers at all levels in BiH. In police bodies at all levels in BiH, the Internal Control Department / Professional Standards Unit is responsible for receiving reports and conducting internal procedures, and the procedures in different police bodies are generally unified.

The internal procedure is initiated on the basis of citizens' complaints, requests of one or more employees of the police body, requests of the immediate superior police officer, requests of the head of the complaints office and citizens' complaints at the ministry (written, oral, e-mail or fax, complaint box) and other ways. When the internal control in a specific case finds that there are elements for initiating disciplinary proceedings, it forwards the case to the Disciplinary Commission for further work, which is appointed by the director / head of the police body. In the Ministry of the Interior of the Republic of Srpska, the disciplinary prosecutor initiates disciplinary proceedings for a serious violation of official duty.

Following the disciplinary proceedings, the police officer who is the subject of the proceedings may file a complaint with the Police Officers' Complaints Board at all levels in BiH. However, the victim of possible discrimination is not able to appeal the outcome of the disciplinary proceedings, except that he can file a lawsuit in court at his own expense or file a criminal complaint if he considers that there are elements of criminal responsibility.

Lawsuit

As a rule, a lawsuit is filed for direct and indirect forms of discrimination based on sex. Anyone who considers that he is a victim of discrimination or that a right has been violated by discrimination may seek protection of that right in proceedings deciding on that right as the main issue, and may also seek protection in special proceedings for protection against discrimination in accordance with the Law on Prohibition of Discrimination in BiH.

¹⁸Law on Police Officers of BiH, Article 105, paragraph (1) item 26 and Rulebook on Disciplinary Responsibility of Police Officers of BiH.

The Law on Gender Equality in BiH and the Law on Prohibition of Discrimination in BiH are mutually harmonized in the part in which victims of discrimination are referred to the possibility of using legal mechanisms for protection of rights provided by the said law. Article 13 of the Law on Prohibition of Discrimination stipulates that in addition to the court of general territorial jurisdiction, the court in whose territory the accuser resides or stays, as well as the court of the place where the damage occurred or act of discrimination was committed, is competent for litigation disputes.

Criminal charges

As a rule, criminal charges are filed for sex-based violence, domestic violence, sexual harassment or sex-based harassment. In accordance with the Law on Gender Equality in BiH, "*gender based violence, harassment, or sexual harassment, which endangered peace, mental health and physical integrity shall be punishable by imprisonment from 6 months to 5 years*".

In particular, it is necessary to point out the fact that gender-based harassment and sexual harassment constitute a criminal offense, and accordingly entail criminal liability.

The law guarantees protection from discrimination!

It is necessary to encourage employees to report discrimination!

Send a message of zero tolerance against all forms of discrimination!

The introductory presentation of the situation, module II, showed that a high dark number of cases of discrimination is evident in the police structures in BiH, which is why it is necessary to continuously raise awareness about this problem and encourage all employees to report such cases.

Question for discussion

In your opinion, what are the main reasons for not reporting sexual harassment (lack of evidence, shame, fear of retaliation, distrust in the protection system, etc.)?

Ask the question to the trainees, discuss it together



The most common reasons why persons suffer sexual or gender-based harassment:

- They are not familiar with protection mechanisms;
- They feel discouraged;
- They believe that they don't have enough evidence and no one will believe them;
- They don't want to be perceived as persons who create problems;
- They don't want to draw attention to themselves;
- They consider the protection process too long and complicated;
- They don't have the strength to face the person who harassed them;
- They don't want to face an employer or a superior who is friends with the person who harassed them.

6. Module V (15:00-15:30)

INTERNATIONAL LEGAL FRAMEWORK

(PowerPoint presentation)

6.1. Introduction

Bosnia and Herzegovina has made great progress in creating the preconditions for achieving the goals of gender equality. Within the previous chapters, we discussed the domestic legal framework for achieving gender equality and combating discrimination through various topics, within which the focus was on the Law on Gender Equality in BiH and the Law on Prohibition of Discrimination in BiH. With the adoption of the Law on Gender Equality in BiH, significant progress has been made in the integration of key principles for working on gender equality. In addition to the fact that the Law regulates the issues of gender equality and protection against discrimination on the grounds of sex, it also established the obligation to include the principle of gender equality in all laws, policies and practices.

In addition to domestic legislation, it is important to say that BiH is a signatory to a number of international agreements. With their ratification, bh. authorities have an obligation to fulfill them. **The characteristics of these documents are that they are an integral part of the Constitution of BiH and are directly applicable in BiH.**

International legal framework
Of particular importance are the following UN documents:

- Universal Declaration of Human Rights and Freedoms,
- Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- UN Security Council Resolution 1325 "Women, Peace and Security".

Council of Europe documents:

- European Convention for the Protection of Human Rights and Fundamental Freedoms and
- Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the so-called Istanbul Convention.

European Union documents, such as: Founding Treaties, Charter of Fundamental Rights, directives, etc.

When we talk about international documents, we mean the Universal Declaration of Human Rights and Freedoms from 1948, the UN Convention on the Elimination of All Forms of Discrimination against Women from 1979, the European Convention for the Protection of Human Rights and Fundamental Freedoms from 1950. It is also important to mention the Beijing Declaration and the 1995 Platform for Action.

Also, in November 2013, BiH acceded to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the so-called Istanbul Convention, 2011. In addition, BiH has an obligation to harmonize regulations with EU regulations. When we talk about the security sector, the conventions listed below are of special importance, about which we will say something more.

6.2. Convention on Elimination of all forms of discrimination against women– CEDAW

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted in 1979 and has been acceded to by 189 UN member states. BiH acceded to this convention in 1993. This convention is an integral part of constitutional law. The convention goes beyond the "de jure" guarantees of equality and equal protection from the law and defines measures in order to achieve "de facto" equality of men and women in all aspects of political, economic, social and cultural life. States parties have an obligation to eliminate discrimination against women through legal, political and programmatic measures.

6.2.1. Application of temporary (special) measures

Article 4 defines for the first time the notion of "special" measures necessary to eliminate discrimination against women and to achieve equality between women and men. It is stipulated that special measures aimed at accelerating "de facto" equality between men and women cannot be considered discrimination. Accordingly, Article 8 of the Law on Gender Equality in BiH states that special measures are introduced "temporarily in order to achieve real gender equality and are not considered discrimination, including norms, criteria or practices that can be objectively justified by a legitimate aim, and must be proportionate, appropriate and necessary".

Special measures aimed at achieving real equality, the so-called affirmative action measures are also applied in our country. In invitations to police bodies to participate in United Nations peacekeeping operations, the BiH Ministry of Security encourages women to apply for the public call, and the number of years of service, as one of the conditions for application, for women has been reduced from eight to five years, in order to rise the number of eligible women, ie with the aim of meeting the criteria of gender equality, since the UN requested greater participation of women. In this way, the number of eligible women and thus the number of women in peacekeeping missions has increased.

In the Final Report on the Implementation of the Action Plan for the Implementation of UN Resolution 1325 for the period 2014-2017, it is stated that "the percentage that currently amounts to 30% has increased by 6% compared to 2014, and by about 14% compared to 2010".

Also, some police agencies, such as SIPA, apply affirmative action measures, so promotion advertisements encourage the registration of women and state that in the case of equal

qualifications and achieved results, women will have priority in advancing to meet gender equality criteria in the Agency, or a similar wording. A similar wording is stated in the job advertisements for the admission of cadets.

The same measures can be applied in accordance with the law and in the case of under representation of males in certain sectors (education, prosecutor's offices, educational institutions).

Question for discussion

Examples of application of special (affirmative) measures?

Effects?

Ask the question, discuss it together.



If we take the aviation industry as an example, we can notice that, for example, the job of a flight attendant, 15-20 years ago was performed exclusively by females, most often attractive girls, models. Lately, we are witnessing that more and more men are doing this job (stewards). In this sector, it is quite legitimate to take special affirmative action measures and, for example, to give preference to a qualified man in order to increase the number of men, ie to meet the criteria of gender equality, which some companies apply.

Also, 15-20 years ago, it was unthinkable to see a female pilot, which is now changing more and more, and the application of affirmative action measures can contribute to increasing the number of women in these jobs.

Delta Wing Flight, a company from the USA, has been fighting for gender equality in aviation for many years, and in 2019, this company managed to fully equalize employees, and even won the award for the best working place for women. On the occasion of the International Girls' Day, a flight was organized with only women, crew and passengers.



6.3. UN Security Council Resolution 1325 „Women, Peace and Security“

When we talk about the security sector, the UN Resolution 1325 "Women, Peace and Security" is of special importance. This resolution was adopted in 2000 and is the first United Nations Security Council Resolution to emphasize the importance of the role and equal participation of women in conflict prevention and resolution, and in building sustainable peace. It calls on Member States to ensure a greater presence of women in decision-making at all levels of decision-making. This is a precondition for greater inclusion of the perspective of gender equality in the defense and security sectors, and greater protection and respect for the human rights of women and girls, both in war conflicts and in the process of achieving peace and security.

A special role in the adoption of UNSCR 1325 had the UN organization "Women for Women", which stressed the importance of improving the position of women during armed conflicts, based on dark statistics, ie the number of women and girls who survived sexual abuse during the armed conflicts in the former Yugoslavia and Rwanda during the 1990s¹⁹. The UN Secretary-General adopted a directive in 2008²⁰ on implementation and reporting processes in accordance with this Resolution, which obliges member states to develop national action plans for the implementation of UNSCR 1325.

The first Action Plan for the implementation of UNSCR 1325 in BiH (Action Plan) for the period 2010–2013 was adopted in 2010. It was also the first action plan for the implementation of UNSCR 1325 in the region of Southeast Europe and served as an example to other countries in the region in drafting national action plans for the implementation of UNSCR 1325. With a decision of the Council of Ministers of BiH, a Coordination Board for monitoring the Action Plan was established, which consisted of representatives of 11 institutions, mostly from the defense and security sector and one representative of the non-governmental sector²¹. In 2014, the BiH Council of Ministers adopted the second Action Plan for the implementation of UNSCR 1325 in BiH for the period 2014-2017. The Coordination Board for monitoring the Action Plan for the period 2014-2017 has been reappointed. The Coordination Board has been supplemented by representatives of several new institutions. The third Action Plan for the implementation of UNSCR 1325 in BiH for the period 2018-2022 has been developed, and its implementation is ongoing.

¹⁹ Jerkovic, N. (2021). International documents for women's empowerment and security: from statistics to decision making (p. 4), article, Sarajevo: Center for Security Studies of BiH, Association "Network of Police Officers".

²⁰ Directive (S / PRST / 2008/39) of 29 October 2008.

²¹ BiH Ministry of Defense, BiH Ministry of Security, State Investigation and Protection Agency (SIPA), BiH Border Police, BiH Ministry of Foreign Affairs, BiH Ministry of Finance and Treasury, Gender Center of the Federation of Bosnia and Herzegovina, Gender Center of Republika Srpska, Federal Ministry of Interior, The Ministry of Internal Affairs of the Republika Srpska and the Mine Action Center of BiH.

RAVNOPRAVNO UČEŠĆE	ZAŠTITA I PREVENCIJA	KOORDINACIJA I PARTNERSTVO
STRATEŠKI CILJ 1 Povećano učešće žena u vojsci, policiji i mirovnim misijama, uključujući i učešće na mjestima donošenja odluka	STRATEŠKI CILJ 2 Povećan stepen ljudske sigurnosti kroz prizmu rodne ravnopravnosti)	STRATEŠKI CILJ 3 Unaprijeđeni uslovi i pristup provedbi AP UNSCR 1325
SREDNJOROČNI CILJEVI		
1.1. Ključni politike, zakoni i drugi propisi omogućavaju povećanje učešća žena u vojsci, policiji i mirovnim misijama, uključujući i mjesta donošenja odluka	2.1. Smanjena stopa trgovine osobama u BiH	3.1. Unaprijeđeni mehanizmi koordinacije i instrumenti za provedbu AP UNSCR 1325
1.2. Stvorene potrebne pretpostavke za uaprijeđenje položaja i napredovanje žena u vojsci, policiji, mirovnim misijama, uključujući i mjesta donošenja odluka	2.2. Poboljšana podrška i pomoć žrtvama koje su preživjele seksualno nasilje i druge obilke stradanja tokom rata	3.2. Poboljšana saradnja sa drugim akterima
1.3. Razvijena svijest o važnosti učešća žena u donošenju odluka i očuvanju mira i sigurnosti	2.3. Unaprijeđen rodno-odgovoran pristup i sistemi podrške u uslovima aktuelnih sigurnosnih prijetnji i izazova	

Action plan for the implementation of UNSCR 1325 in BiH for the period 2018–2022

From the above review, we can see that strategic goal 1 is "Increased participation of women in the army, police and peacekeeping missions, including participation in decision-making positions“.

6.4. Council of Europe Convention on Preventing and Combating violence against Women and Domestic Violence, the „Istanbul Convention“

The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the so-called The Istanbul Convention was adopted on May 11, 2011 in Istanbul. Following the recommendations of the Council of Europe on the prohibition of discrimination based on sex and protection against violence, which aimed to set common goals and minimum common standards for member states, but did not have a legally binding effect, the Convention is the first legally binding act of the Council of Europe in the area of prevention and fight against violence against women. Due to its nature, this act does not have to be directly applicable to the signatory states, but it requires special adjustment of the legal and institutional frameworks of the signatory states for its successful implementation. On November 7, 2013, Bosnia and Herzegovina became the 6th member state of the Council of Europe to ratify this convention. BiH hereby undertakes to take legislative and other measures to ensure the legal, institutional and organizational framework for the prevention of violence against women, protection of victims and punishment of perpetrators of violence.

The Istanbul Convention protects women's rights in the private sphere as well, paying special attention to the prevention of sexual violence against women, stipulating that community partners, as well as family members, can be perpetrators of these crimes.

For all members of law enforcement agencies, the Istanbul Convention is a guide for documenting all forms of violence provided for in the Convention, while it is also a guide for making prosecutor decisions and court judgments. Within the Chapter 5 of the Istanbul

Convention, incrimination are listed, such as: violence, stalking, physical violence, sexual violence including rape, forced marriage, female genital mutilation, forced abortion and forced sterilization, and sexual harassment.

It is important to note that the acquis of international document on issues of gender equality of women in all aspects of life has been implemented in BiH legislation by the BiH Law on Gender Equality and accompanying action plans (Gender Action Plan), the Law on Prohibition of Discrimination in BiH, and the Action Plan on UNSCR 1325 Implementation Plan "Women, Peace and Security".

The analysis of the mentioned laws shows that BiH has an adequate legal framework that follows the current international standards in the field of gender equality and combating gender discrimination, which needs to be more adequately applied in practice.



"Prvi put smo postigli perfektan rodni balans na rukovodećim pozicijama. Evropa ne govori samo o ženama već bira žene. Nadam se da će to inspirirati mnoge djevojčice i žene da se bore za ono u što vjeruju i svoje strasti. Nadam se da će to inspirirati EP i njegove odluke".

Donald Tusk, Predsjednik
Evropskog vijeća
04.07.2019.



- Zemlje sa većom rodnom ravnopravnošću imaju bolji ekonomski razvoj;
- Kompanije sa više žena liderica bolje posluju;
- Mirovni pregovori koji uključuju žene su održiviji;
- Parlamenti sa više žena donose više zakona o ključnim socijalnim pitanjima, kao što su zdravlje, edukacija, borba protiv diskriminacije i podrška djece.

Dokazi su jasni:

Ravnopravnost za žene znači napredak za sve.

UN Secretary, General Ban Ki-Moon



7. Final Considerations and Evaluation (15:30-16:00)

- If there are additional questions, now is the opportunity to ask, as well as for participants to give a brief comment / impressions on the training.
- Completing the exit test and evaluation form.

THE END

8. Literature

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APPENDIX 1: Entrance/Exit test

<p>1. Gender is:</p> <ul style="list-style-type: none">a) Physically determinedb) Unchangeable categoryc) Biologically determinedd) Socially conditioned <p>3. ___ women police officers are represented in police structures in BiH</p> <ul style="list-style-type: none">a) 8 %b) 25 %c) 3 %d) 17 % <p>5. International document that first introduces the application of special (affirmative) measures</p> <ul style="list-style-type: none">a) CEDAWb) UNSCR 1325 „ Women, peace and security ”c) Istanbul Conventiond) All of the above <p>7. Which of the following presents sexual harassment</p> <ul style="list-style-type: none">a) Offensive words and commentsb) Repeated invitations to meetings and unwanted hitting on and flirtationsc) Making sexual comments and allusions, talking about sexual desiresd) All of the above <p>9. Protection against discrimination is achieved through:</p> <ul style="list-style-type: none">a) Disciplinary proceedingsb) Civil proceedings (lawsuit)c) Criminal proceedings (criminal charges)d) All of the above <p>11. Discrimination in language exists when a grammatical gender is used as a generic term (police officer, investigator)</p> <ul style="list-style-type: none">a) Yesb) No	<p>2. Sex is:</p> <ul style="list-style-type: none">a) Biological categoryb) Biological / physical and social categoryc) Physical categoryd) Social category <p>4. In the police structures in BiH, ___ women are in the rank of Chief Inspector General</p> <ul style="list-style-type: none">a) 10b) 2c) 5d) 0 <p>6. The intent of the perpetrator is essential to establish responsibility for discrimination based on sex and sexual harassment</p> <ul style="list-style-type: none">a) Yesb) No <p>8. Which of the following presents sexual harassment</p> <ul style="list-style-type: none">a) Gestures, insinuations and signs that indicate imitation of sexual relationsb) Sending e-mails with image content of a sexual naturec) Showing pictures, calendars, screen backgrounds on a computer with sexually explicit contentd) All of the above <p>10. Sexual harassment and gender-based harassment may be prosecuted</p> <ul style="list-style-type: none">a) Yesb) No <p>12. In accordance with the Law on Gender Equality in BiH, gender equality exists when one of the genders is represented in a percentage of .</p> <ul style="list-style-type: none">a) 30 %b) 40 %c) 50 %d) 25 %
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ANNEX 2: Evaluation form

Poor

Excelent

1 2 3 4 5

1. The content of the training was in accordance with the planned agenda

1 2 3 4 5

2. All planned activities were carried out

1 2 3 4 5

3. The training met my expectations

1 2 3 4 5

4. I gained new knowledge

1 2 3 4 5

5. I will use the acquired knowledge in further work / life

1 2 3 4 5

6. Male/female lecturers successfully presented all topics

1 2 3 4 5

7. Male/female lecturers were well prepared for the course

1 2 3 4 5

8. Male/female lecturers provided answers to individual questions and provided interaction with course participants

1 2 3 4 5

9. I'm satisfied with the organization of the course?

1 2 3 4 5

10. Overall impression

1 2 3 4 5

11. Comment
