**GENDER-TARGETED PUBLIC FUNDING FOR POLITICAL PARTIES**

**The experience of Bosnia and Herzegovina**

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# Introduction

Political parties are one of the key stakeholders in democratic processes. In most countries of the world, Bosnia and Herzegovina included, political parties are a predominant form for success in politics. At the same time, women are still less represented gender in most countries of the world, therefore many countries have taken measures to improve gender equality in political life.

Numerous surveys, including those conducted in BIH, are dedicated to the impact of various factors on women's political participation[[1]](#footnote-1). A large number of these studies address factors like constitutional and legal provisions for equitable participation of women and men, the impact of quotas, electoral system design, role of media and influence of the electorate. Most such surveys analyze women's descriptive participation in politics, considering the factors that influence the percentages of women running for office in the elections, number of women list holders and positions for which those women are running, as well as the percentages of women elected to legislative bodies at all levels. Many surveys are also focused on the analysis of the quota impact on underrepresented gender in BIH electoral legislation, as well as of possible interventions.

One of the potential interventions by the national institutions is funding of political parties from the public budgets by way of gender-targeted financing of political parties. The concept of gender-targeted public financing is used to designate a system where a party's eligibility to get part or entire public funding, or the amount (allocation) of public funds received by eligible parties is formally tied in with gender equality provisions or where part of public funds is intended for gender-targeted purposes. The provisions may include a relative share of women and men among candidates a party presented in the elections, or a balance between women and men among successful party candidates.

One of the possible sources of this standard is also the Council of Europe's REC(2003)3 Recommendation stating that through legislative and administrative measures all member states should:

*„4. Consider actions through public funding for political parties in order to encourage the promotion of gender equality;“[[2]](#footnote-2)*

Although it is not clear whether precisely this standard made impact on development of gender-targeted public funding, according to a survey published by IDEA[[3]](#footnote-3), around 30 countries worldwide had introduced provisions enshrining gender-targeted public funding by 2018, and the past two decades have seen an incremental trend in such measures. This survey has identified 3 groups of gender-targeted public funding presented in the table below:

|  |  |
| --- | --- |
| Type of gender-targeted public funding | Description |
| Eligibility-based targeted funding | Part or all funds received by political parties shall be used for activities supporting gender equality or supporting women candidates |
| Allocation-based targeted funding | Part of (sometimes all) public funds available only to parties reaching a certain level of gender equality among their candidates |
| Earmarked spending of part of public funds | Parties receiving additional funds per nominated or elected woman candidate, or public funding increased or decreased if a party reaches a certain threshold |

 Bosnia and Herzegovina too is one of the countries that introduced the provisions inaugurating the concept of gender-targeted public funding for political parties back in 2010. The Law on Funding for Political Parties stipulates that part of the funds available for political parties' funding, „*10% total amount, shall be allocated to parliamentary groups proportionally to their number of MP or councilor seats belonging to the less represented gender“[[4]](#footnote-4).* Obviously, this model belongs to the third category of gender-targeted public funding measures, whereas the BIH legal system has no elements that would build on this model into another form of funding.

As there is a significant time distance from the period of this measure's introduction, it is possible to consider its contribution to the broader gender equality goals. Therefore this analysis focuses on the following issues:

* What is the goal of the gender-targeted public funding model applied in BIH
* How widespread is this model in BIH
* To what extent is public funding a significant source of funding for political parties
* What impact did this measure make on gender equality in politics (descriptive)
* Has this measure brough about change in political parties regarding gender equality

In that regard, the author of this study conducted the following activities

* Insight into the international and domestic framework for introduction of affirmative measures for gender equality in the area of political party funding
* analyzed the legal framework for political party funding in BiH focusing on the provisions on affirmative measures for political groups with elected women
* interviewed women, as less represented gender, in political parties on availability of funds for women's wings/clubs/associations and elected representatives on availability of funds for their actions within the legislative bodies.

# The aim of the gender-targeted funding model for political parties applied in BIH

As already pointed out, gender-targeted public funding for political parties is one of the measures available, aiming at gender equality in decision-making forums. The analysis of the contents of draft amendments introducing this model, especially its rationale, is supportive of this conclusion. In the amendments' rationale itself, a significant focus is placed on women's underrepresentation in decision-making positions in BIH, as well as BiH's obligations emanating from the international standards in this area. While it is indisputable that the goal of this amendment was to increase the public funds allocation for political groups with elected women officials in proportion with their number, what is lacked in the rationale itself is a the expected change that was expected to set in with adoption of this arrangement. Still, the analysis of the contents of this measure, as well as the analysis of comparative analyses enables the identification of possible change to be expected. These possible changes are described below.

*The impact on political parties' decisions on selection of candidates*

The key expected change is focused on decisions of political parties on the very selection of candidates. In the BIH electoral system with advanced quota applied for candidate lists (40%, with pre-determined order in the list), many surveys have shown that the electorate with its preferences in the open-list system makes a direct impact on the „loss of seats for women“. Earlier surveys have confirmed that the electorate has got clearly articulated gender prejudice[[5]](#footnote-5) and, whenever possible, favors male candidates. Thus, the „loss“ amounts to between 6% and 32% terms of office for women at various levels of power[[6]](#footnote-6). At the same time, a range of surveys confirm that women are not visible during campaigns and many authors believe that political parties do not provide women candidates with enough space[[7]](#footnote-7). Precisely for this reason it may be concluded that this is one of the most significant changes that may be expected. Not only are these funds expected to have a motivating impact on political parties' decisions to select women candidates with the capacities to live up to the expectations of the electorate, but political parties will also take action geared towards reduction of influence of the electorate's gender prejudice. This change directly correlates with the amount of funds available for this purpose, which is further discussed later in this analysis.

*Enhance gender sensitivity inside political parties by allocating funds*

Political parties are often considered to be the barriers to women's participation in politics, so one of the expected changes in the gender equality measures in politics is the measure taking place within the parties. In that regard, some of the changes expected from political parties are gender mainstreaming of statutes and programs, establishment and actions of women's organizations, setting parties' internal quotas and approval of gender equality action plans. Yet, the analysis of this measure in the BIH legislation cannot confirm whether this is one of the expected changes. In parallel with this measure, other initiatives geared towards changes inside political parties have been launched too. The Declaration of Commitment to Gender Equality for Political Parties[[8]](#footnote-8) was an attempt to approach political parties and to directly communicate the gender equality priorities. The parties that have signed the Declaration have been additionally supported by ODIHR in terms of developing gender audit and Gender Action Plans, the impact of which is still not tangible. The OSCE Mission to BiH, as one of the drivers of the process, continues to work with political parties focused on strengthening women's capacities in political parties. Still, as these processes are separate, this analysis is going to examine their potential influence on this change.

*Improve the financial position of women candidates through public funding for political parties*

One of the changes brought about by gender-targeted public funding is the allocation of political parties' funds for financing specific gender equality activities in political parties. These can be activities related to any other change, funding women's organizations (if any), implementing gender action plans and suchlike. While there are countries with models including explicit obligations in that sense, the BIH legislation do not include any reference to that. Therefore political parties do not have an obligation to finance such activities not do they report on them. Whether political parties set aside certain funds for these activities shall be subject of this analysis.

*Improve the financial position of women candidates by allocating public funds directly to them*

Finally, one of the expected changes is whether gender-targeted public funding results in direct set-asides or partial funding for elected women officials or women candidates in political parties. Although there have been surveys thereon, the general conclusion is that only few countries have established the practice of direct set-asides for candidates, including women candidates.

# The coverage of gender-sensitive public funding for political parties in BIH

Bosnia and Herzegovina has got a complex legal arrangement. Although the electoral issues are regulated by the BIH Election Law, the implementation of which is supervised by the BIH Central Electoral Committee, the issue of financing political parties from public funds is regulated by at least14 regulations. Nominally, the funding for political parties and campaigns in Bosnia and Herzegovina is regulated by the Law on Funding for Political Parties (hereinafter: the Law on Funding). Chapter 15 of Bosnia and Herzegovina's Election Law (hereinafter: the BiH Election Law) relative to financing electoral campaigns, the Law on Financing Political Parties from the National, Local and Municipal budgets, the Law on Budget Execution of the BIH Federation and the Law on Financing Political Parties from the BIH's Brčko District Budget. However, the rules on funding for political entities are further set forth by another 10 cantonal laws on budget execution. As there is no clear hierarchy of regulations, the provisions pertinent to the funding of political parties are not identical.

It is obvious that the Law amending the Law on Financing Political Parties (The BIH Official Gazette number 102/09), passed upon the motion of the BIH Gender Equality Agency[[9]](#footnote-9) for the first time regulated the issue of gender-targeted public funding in BIH[[10]](#footnote-10). As this Law in this respect applies solely to the funds allocation in the BIH Parliamentary Assembly, the measure had no further impact on other legislative bodies. Therefore, this analysis includes the study of legislation and practice in other legislators in order to establish whether adequate regulations have transposed the measure.

The tabular overview below shows the shares of funds allocated to political entities

|  |  |  |  |
| --- | --- | --- | --- |
|  | Funds equally allocated to all political parties | Funds per seat | Proportional to the number of seats for less represented gender |
| BIH | 30% | 60% | 10% |
| RS | 20% | 80% | - |
| FBIH | 40% | 60% |  |
| BD | 30% | 70% |  |
| USK | 30% | 60% | 10% |
| SBK |  |  |  |
| BPK | 30% | 60% | 10% |
| ZDK | 30% | 60% | 10% |
| PK | 30% | 60% | 10% |
| KS | 30% | 60% | 10% |
| K10 | Not clearly regulated |
| HNK | 30% | 70% |  |
| ZHK | Not clearly regulated |
| TK | 30% | 60% | 10% |

What is visible is that this measure applies to political entities elected to the BIH Parliamentary Assembly and six cantonal assemblies, i.e. does not apply to other legislators. When and upon whose initiative this measure was transposed to these cantons is not quite clear. It is neither possible to establish the time frame within which the individual cantons introduced this measure because these rules are included in the budget execution laws approved each year, and in two cases also by additional decisions of the assemblies.

Besides these sources of funding, it is necessary to emphasize that the local unit budgets include provisions on political party funding. Although, according to the BIH Central Electoral Committee data the local government units have an one-third share in all funding for political entities (33.75%), it is not possible to verify the rules of allocation they apply in each of the 142 local government units. The example may be showcased by the Decision of the Novo Sarajevo Municipality on funding for political parties with councilors in the Novo Sarajevo's Local Council, publicly available[[11]](#footnote-11) and not including a gender-targeted measure.

# The share of public sources of funding for political parties

The total share of funds from public sources is one of the key factors that may influence the efficiency of gender-targeted measures. The arguments are straightforward, if the share of funds from public sources is large, then the motivation to keep those sources is high.

In particular, if considering the goals aspiring to changes in the parties themselves to nominate and promote more women candidates, IDEA concludes that where political parties mainly rely on public funding, the correlation between the amount they receive and gender balance among their candidates might be a very effective tool.

In accordance with the provisions of Article 3 Paragraph 1 of the Law on Financing Political Parties, a party may be funded from: - membership fees, - voluntary contributions of legal and natural persons, - publishing activity, selling advertising materials and organizing party events, - revenues from property owned by the political party, - BiH budget in accordance with Article 7 of the Law, entity budgets, cantonal budgets and the budget of BIH's Brčko District as well as budgets of other local government units in line with the law and profit of companies owned by political parties.

In Bosnia and Herzegovina, the share of public funds in the revenues of political parties is rather high. According to the latest available data from the BIH Central Electoral Committee[[12]](#footnote-12), that share amounted to 81% of all party revenues in 2019. A total of 18,511,950.73 KM funds for financing political parties from public sources have been reported.

Applying the rules set forth by the laws, it is possible to see how many funds parties receive owing to the number of elected women. Thus, from the BIH Parliamentary Assembly the total funds allocated annually for parties with elected women (as the less represented sex) are 93,360.95 KM. As there are currently 11 women elected to the House of Representatives and 3 women delegated to the House of Peoples, additional funds amount to 7,181 KM per elected/delegated woman annually. The total amounts per party are provided below:

|  |  |  |
| --- | --- | --- |
| Party name | Number of MPs/councilors | Amount proportional to the number of delegates from less represented gender |
| SNSD | 4 | 26672 KM |
| SDA | 1 | 6668 KM |
| SDP | 1 | 6668 KM |
| SBB | 1 | 6668 KM |
| NS | 2 | 13336 KM |
| HDZ BIH | 4 | 26672 KM |
| SDS/PDP | 1 | 6668 KM |

It is visible from this overview that two political parties make significant revenues from the budget thanks to the fact that they have a higher number of elected women. It is interesting to emphasize that in case of Naša stranka (Our Party) more women than men were elected. The case is similar with SNDS and HDZ BIH, where the number of women is significant, which is why they receive more funds. Part of the funds from the BIH Parliamentary Assembly are allocated directly to MP clubs (while another part is allocated to political parties directly). These funds, as a rule, are used for the clubs' office expenses, with the unspent amounts paid back to the parties.

During the interviews it was clear that women elected to the bodies with these measures are aware of the measure, but had no information on the share of funds allocated owing to their election. In one case, a representative said she would share this information at her MP club meeting.

# The impact this measure makes on women's higher political participation

One of the key expectations following the adoption of gender-targeted measures is the increased number of elected women. Although it is quite clear that these measures are not the only factor influencing these changes, they can be viewed in a broader context of changes for women's higher political participation. Obviously, the key factor contributing to women's higher participation in legislative bodies is the quota for less represented gender on the candidate lists, but also the already mentioned influence of the electorate's prejudice.

It is still necessary to observe the impact of gender-sensitive funding on women's participation in legislative bodies in the period after the adoption of these measures. It is especially relevant and possible when regards the BIH Parliamentary Assembly because the cut-off point of introducing the measure is clear. As visible from the data rendered by the chart below, the growing trend of the number of elected women in between the election cycles is obvious after 2010, the year when the gender-targeted public funding measure was introduced.

In parallel with these data, oscillations in the number of elected women in entity parliaments may be observed (without applied gender-targeted measure), which indicates the conclusion that other factors also play a significant role in the number of elected women[[13]](#footnote-13). This particularly refers to the 2016 amendments to the Law on Elections introducing the additional 20% requirement (10% for local elections) for the votes needed for promotion on the list. It was established that only this change influenced on the 4.6% increase in the number of women at the BIH Federation's Parliament after the 2018 elections, whereas in the case of BIH PA and the Republic of Srpska's National Assembly other factors prevailed (size of constituency, size of party and vote structure).

From all the above, it is impossible to verify the correlation between the number of elected women and gender-targeted measure. This finding is confirmed by the interviews with elected representatives in these bodies. They stated that the issue of women's larger participation was approached formalistically, in sense of ticking the box for the candidate list quotas. Their experience shows that political parties still don't see this provision as a financial incentive to change their approach to election campaigns and to women as candidates. Such discussions have not been recorded in political parties.

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# The influence of gender-targeted public funding on changes in political parties

The influence of gender-targeted public funding on the changes in political parties themselves is the change deemed to be the major challenge not only for gender-targeted public funding, but for all other measures introduced. In case of BIH, most funds allocated to political parties ultimately end up on the parties' accounts. That is why it is significant to examine what happens with those funds, whether they have any considerable influence in the parties and whether they potentially streamline the activities conducted by women candidates or focused on gender-related activities.

Political parties – and processes that manage them – play a key role in determining the level of women's participation in public and political life and the quality of their engagement. Political parties play the key role in the process of gender outcomes related to the number of women in legislative bodies. This role could be positive, such as provision of institutional framework, which encourages women, or negative, as parties could poise obstacles to women's active engagement, either for ideological reasons or for the internal set-up of the party system.[[14]](#footnote-14)

There is a significant number of surveys dealing with political parties and their activities for gender equality, but the question of internal decision-making processes often remains unexplored. The surveys that have addressed political parties usually remained at the analyses of party document contents on gender equality, women's participation on party bodies and existence or absence of women's wings. That is expectable, as political parties are closed for the public, researchers included. In general, the internal processes of party decision making are considered to be the „dark realm“, as a rule known only to the narrow circle of persons inside the parties.

At the same time, it is difficult to reach generic conclusions due to varying structures and circumstances inside the parties. Interviews with women from political parties indicate that there are significant differences in available resources among the parties. A few persons pointed out that parties cope with serious challenges not only in terms with resources for campaigning, but also for rents and daily activities. In those parties, resources are based solely on personal resources of individual candidates and campaigns rely on personal contacts and social media. In larger parties, resources can be identified as more available, but not equally across the spectrum.

Yet, there are different examples too. In certain parties with developed structures funds are noticed to be allocated for operations of party bodies serving all the elected and appointed officials. Thus, it was established that persons employed by those bodies provide support to both women and men who participate in decision-making processes, preparing motions, proposals and positions for them, etc. In such parties, women respondents didn't see any particular problems in party activities related to gender equality.

When regards the funding of intra-party structures for women, the persons interviewed for this analysis had no unanimous attitude. It may be inferred that generally there are three groups of views.

The first group includes persons who believe that intra-party structures for women should be the main implementors of gender equality activities and who have pointed to numerous challenges these structures face in the parties. One of the challenges is the access to funding, so it has been confirmed that there is no practice of gender-targeted funds from public budgets directly allocated to these bodies. Several respondents believe that party incomes, including the incomes from gender-targeted measure, are used among others for the activities of these organizations.

In general, organizations do not have a status of legal persons in parties and do not have particularly planned funds for their work. Activity funding is provided on an *ad hoc* basis and upon request. The resources by default needed to these organizations are spatial and refreshments, which parties generally have available. The impression is that most organizations do not have a clear vision of their actions, which reduces the need for other forms of funding. Yet, certain organizations have achieved cooperation with political foundations through which they finance the activities that could largely be considered gender-sensitive. This includes workshops for women candidates, workshops on topics of gender equality, public policy development, etc.

The second group includes the persons who believe that the intra-party structures for women do not meet the expectations and that any separation of women into special organizations poises a risk higher than an opportunity. Quite a number of persons with such views come from political parties without intra-party structures for women, but some of them are from parties that do have such structures and deem them not contributing to gender equality in any particular way. This attitude is confirmed by other surveys concluding that „the structures do not have a mandate to improve the party's work in terms of gender equality and empowerment of women.“ Interestingly, the parties without internal structures for women do have activities geared towards development of women's political skills through structured workshops or political academies. In those cases, the respondents have confirmed that their respective parties make the needed resources available for that.

Finally, the third group of persons believe that funding is not a significant factor for success in politics. They see the support of party bodies, from the bottom to the top level in constituencies, as the key factor to success. Indeed, for these bodies resources do matter too, but these persons deem the support of active membership to be the key to success in campaign, bot necessarily funding. This is particularly the case with parties without a built network of local branches, and the findings quoted earlier have already confirmed the importance of these branches for the process of candidacy and decision making within the parties. In those cases, the main challenge is to ensure and maintain the support of those bodies.

**Conclusions and recommendations**

This analysis has confirmed that the measure of gender-targeted public funding is applied in Bosnia and Herzegovina and that the applied model is the so-called earmarked use of part of public funds, Although this measure was first introduced as early as in 2010, the analysis has shown that its distribution is limited, which is to a large extent due to the complex structure of Bosnia and Herzegovina. There seem to be no efforts to enhance the coverage of this measure, so the author was unable to identify the analyses measuring the distribution of the measure.

The analysis has also identified potential goals of the measure resulting from the previous analyses conducted elsewhere. What may be assumed is that the expected output of this measure for BIH is that additional set-asides for political parties with elected women candidates will be a financial motivation for political parties. A theoretical analysis of possible changes resulting from this initiative further streamlined this analysis. However, the data collected do not confirm that the changes took place due to this financial motivation, neither that the there was any reference to gender-targeted public funding in political parties at all. This does not mean that the changes in political parties had not taken place before the measure was introduced, but it is not possible to establish the causality between the changes that did take place and this measure. What can be concluded is that in the period after 2010 there has been a growing number of women elected to legislative bodies in BIH, but other analyses have identified the impact of other measures on the change too.

There are two factors enabling the interpretation of the lack of impact of gender-targeted financing in BIH. One is the very distribution of this measure and the other one is the amount directly impacting the financial motivation. Regarding this measure's distribution, the measure is clearly not available to all legislative bodies. If the expected change is geared towards political parties as organizations, then it can be estimated that political parties may take this measure into consideration for approach to less than 50% legislative bodies. On the other hand, when regards financial motivation in terms of amounts, it can be inferred that the amount allocated as a result of this measure could be a significant motivation. The example of the Parliamentary Assembly is an obvious indication that political parties get significantly more funds for each elected woman. According to the author's estimate, in cases of SNDS and HDZ BIH, the funds allocated as a result of this measure make up to 46% total income intended for political entities. While it may be assumed that uneven distribution of this measure impacts the reduced motivation of political parties, the analysis has not confirmed that considerably lower amounts have impact on political parties.

Finally, this analysis examined the purposes that the increased funds were spent on, attempting to verify the development of practices indicating the existence of elements of other models of gender-targeted public funding. In that sense, no practices of directing these funds to gender equality initiatives in legislators have been identified, in terms of financing the activities of elected women or allocating for women's wings of their respective parties (which have them). The analysis has confirmed that, as a rule, there are no practices of allocations available to parties for such groups of activities nor is there a consensus on this issue.

Due to all the above, it is necessary to consider the models for efficiency enhancement of public funding for political parties in BiH. Some models of different regulations may be found in comparative examples and it is possible to conder their applicability in BIH. This relates primarily to the models where gender-targeted public funding for political parties is used for activities of political parties in gender equality area. In that context, it is necessary to consider all practical implications related to potential solution in parties themselves and also for possible oversight mechanisms. There is no unanimous position on such models for the moment. Some interlocutors voiced their views of adequacy of the current measure, whereas other proposed a broader discussion on this topic with parties, within parties and with general public.

Irrespective of the discussion on potential new solutions, it is still necessary to promote the implementation of the existing measure at various levels of government in BIH in order to enhance the distribution of the measure as one of potential factors impacting the motivation of political parties to address gender equality. Also, it is necessary to promote the contribution of this measure in order to raise the awareness and strengthen the financial motivation of political parties.

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