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# WOMEN'S RIGHTS IN WESTERN BALKANS

WOMEN IN POLITICS, GENDER-BASED VIOLENCE AND SECURITY FOR WOMEN  
HUMAN RIGHTS DEFENDERS IN ALBANIA, BOSNIA AND HERZEGOVINA,  
KOSOVO, MONTENEGRO, NORTH MACEDONIA AND SERBIA 2019

 **KVINNA**  
**KVINNA**

## ABOUT THE KVINNA TILL KVINNA FOUNDATION

**The Kvinna till Kvinna Foundation** has defended women's rights since 1993. For every woman's right to be safe and to be heard.

Today we are one of the world's leading women's rights organisations, working directly in areas affected by war and conflict to strengthen women's influence and power. We work closely together with over 100 local partner organisations across 20 countries to end violence against women and reach lasting peace.

[www.kvinnatillkvinna.org](http://www.kvinnatillkvinna.org)

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## ABOUT THE RESEARCH

*Women's Rights in Western Balkans* serves as a benchmark for the six Western Balkans accession countries regarding women's rights and influence, for comparisons over time. This is the fourth edition of the report. The report is prepared as part of the regional programme "Strengthening Women's Rights, Participation and Influence in the Western Balkans 2015 - 2020", to strengthen evidence-based advocacy. This programme is funded by the Swedish International Development Cooperation Agency (Sida) and implemented by the *Kvinna till Kvinna Foundation* in cooperation with women's civil society organisations in the Western Balkans. It includes Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia and Serbia. The overall objective of the programme is to strengthen women's rights and women's equal participation in decision-making in the Western Balkans, with the specific objective of gendering the EU accession.

The three areas included in this benchmark are women in politics, gender-based violence and the situation for women human rights defenders, as these are the priority areas for our advocacy. These areas were selected, defined, and described in the first *Women's Rights in Western Balkans* report, written in the first edition in 2016. The scope of the current edition is to update relevant 2018/19 statistics and resources for each of the indicators, in each of the six Western Balkan countries. For each indicator, authors tested 2018/19 numbers/figures against earlier ones in order to determine to what extent Western Balkan women's social positions improved or worsened. Though the indicators in this edition remained the same, some sub-sections were amended. This edition, for the first time, included data request submissions to relevant institutions in each of the six countries. This was done to collect data that was not accessible online and to determine to what extent institutions were responsive in upholding Freedom of Information laws when it comes to data on gender-based violence in particular. Women's rights organisations, partner organisations to the *Kvinna till Kvinna Foundation*, have given their input to the report. The responsibility of the content lies however solely with the authors.

The authors recognise that there are limitations in the research and gender benchmarking indicators. Due to the scope of the assignment, time-frame and limited resources, the authors developed specific indicators within each of the thematic areas mentioned above. One of the challenges was to limit the number of indicators, as the authors recognise that there are numerous other indicators that could have been used to measure women's social positions. The biggest barrier remains the lack of updated information from official government websites in each of the studied countries. We hope that this report, as well as all previous and future editions, will be useful as an evidence-based tool that shows trends over time for women's rights in Western Balkans.

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# **% OF REPRESENTATION OF WOMEN IN POLITICS AND/OR IN HIGH POSITIONS OF DECISION-MAKING POWER**

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Compared to the last *Women's Rights in Western Balkans* report for 2018, there has been little progress in the representation of women in high positions of decision-making power. This is evident in Bosnia and Herzegovina (BiH) (General Elections were held in October of 2018) and North Macedonia, where there was a slight increase in numbers of women in Parliament. In other Western Balkan countries, the representation has remained unchanged and evidently low in comparison to men's Parliamentary representation. However, women continue to be underrepresented not only at the national level, but in other official decision-making positions of power as well. The static attitudes of both women and men towards traditional gender roles remains one of the biggest obstacles to improving gender equality at all governmental levels.

All countries have gender quotas for women's political participation,<sup>1</sup> but implementation is mostly weak. In some cases, limitations in quota implementations lie in the legal frameworks themselves (such as the Electoral Law in BiH), and in other cases (Albania, Serbia) quotas are legally

prescribed but experience shows that their application is absent without sanction. A positive movement made by quota implementation comes from North Macedonia, where women's representation went from under 10% in the National Parliament to 30% in one election cycle, as the direct result of quota legislation.<sup>2</sup>

According to Freedom in the World 2018 country reports,<sup>3</sup> women in the Western Balkans are underrepresented in politics (all with exception of Serbia meeting the prescribed quota): in government in general such as in BiH; in election administration roles, such as in Albania; and in political leadership positions and politics generally, such as in Montenegro.

Despite low representation reflected in the statistics on representation, efforts by civil society organisations (CSOs) in the empowerment, education and promotion of women in politics have continued, with positive participation and support from gender equality mechanisms<sup>4</sup> and in some cases, official institutions.

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<sup>1</sup> The statutory quotas by country (electoral laws) are: 30% in Albania, Montenegro, Kosovo and Serbia; 40% in BiH and North Macedonia. Available at: <https://www.idea.int/data-tools/data/gender-quotas> <https://www.idea.int/data-tools/data/gender-quotas> (access 17.9.2019.).

<sup>2</sup> I. Costache, *Time for Women's Rights, Time for a United Feminist Europe, Belgium, European Women's Lobby*, (in)extenso, 2018, p.18.

<sup>3</sup> There is no data or country report on Kosovo.

<sup>4</sup> Saopćenje za javnost povodom početka kampanje „Mi predstavljamo kandidatkinje – vi birate“, Agencija za ravnopravnost spolova BiH, 18.9.2018. Available at: <https://arsbih.gov.ba/saopcenje-za-javnost-povodom-pocetka-kampanje-mi-predstavljamo-kandidatkinje-vi-birate/> (access 10.5.2019.)

## ALBANIA

The perception of politics as a 'male arena' remains, despite the improvements in recent years to women's participation in high positions of decision-making power.<sup>5</sup> In the last five years, the increasing trend of women in Parliament has continued because of the replacement of male Members of Parliament (MPs) with women MPs following the resignation of men from their mandates.<sup>6</sup> Despite this improvement, women who now occupy those post-resignation positions are still not elected by the public, but rather filled the positions once they became available. This may indicate that the public perception for electing women candidates remains a barrier to higher representation of women in Albanian Parliament.

Among the eight parliamentary commissions, women's participation rate is just over 10%. The largest participation rate, which is 50%, pertains to the "Commission on Legal Issues, Public

Administration and Human Rights" and to the "Commission on Education and Public Information". Traditionally, women have been at a disadvantage in the political arena, at all levels of governance and representation. The proportion of seats held by women in the parliament is a token of appreciation for women that hold senior leading positions in society.

Some political parties still have challenges implementing the 30% quota in their candidate lists,<sup>7</sup> with the ongoing practice of placing women at the end of the lists with male names appearing ahead of theirs. The most recent Parliamentary elections were in 2017, and currently, Albania has the highest number of women deputies in the last 27 years.<sup>8</sup> Another positive example is the composition of the Albanian government, where seven out of 14 Ministers are women.<sup>9</sup>

<sup>5</sup> Freedom House, *Freedom in the World 2018 – Albania* states that women are underrepresented both in politics and election administration roles (available at: <https://www.refworld.org/publisher,FREEHOU,ANNUALREPORT,ALB,5b2cb888a,0.html>).

<sup>6</sup> According to report *Women and Men in Albania 2019*, in 2018, it was 29% in 2018 (available at: [http://www.un.org.al/sites/default/files/Sexual%20HarassmentGBV-%202018%20ENG\\_1.pdf](http://www.un.org.al/sites/default/files/Sexual%20HarassmentGBV-%202018%20ENG_1.pdf))

<sup>7</sup> The largest parties did not always respect the mandated 30 percent quota in their candidate lists. The Central Election Commission fined these parties but nonetheless accepted their lists (United States Department of State, Albania 2018 Human Rights Report, Bureau of Democracy, Human Rights and Labour, 2018, available at: <https://www.state.gov/wp-content/uploads/2019/03/ALBANIA-2018.pdf> <https://www.state.gov/wp-content/uploads/2019/03/ALBANIA-2018.pdf>).

<sup>8</sup> *National Review on the Implementation of the Beijing Platform for Action Beijing +25*, April 2019, p. 43.

<sup>9</sup> European Commission in *Commission Staff Working Document: Albania 2018 Report*, define this data as "clear commitment to gender equality" (available at: <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-albania-report.pdf>).

## BOSNIA AND HERZEGOVINA

In October 2018, the General Elections were held in BiH.<sup>10</sup> The total number of candidates in the 2018 General Election was 7497 of which 42% were women and 58% were men. This percentage represents a 0.68 percentage point decrease in the number of female candidates at the Parliamentary level, compared to the previous General Elections that took place in 2014. These recent election results indicate that a total of 28% of women were elected at different levels of government (state, entity and Cantonal) in BiH, an increase of approximately 8 percentage points at the entity and Cantonal levels over the previous term.<sup>11</sup> There has been a decrease in the representation of women in the House of Representatives of the BiH Parliamentary Assembly; in other, lower levels of government, there has been an increase in women's representation. According to the official results of the 2018 General Elections, seven women (approximately 17%) were elected to the House of Representatives of the BiH Parliamentary Assembly, representing a decrease of 7 percentage points over the previous term. One woman was elected directly and six were elected off of the compensation list.<sup>12</sup> Five of the elected representatives were from the Federation of BiH, while the remaining two were from Republika Srpska. The election of members of the Presidency was conducted among a total of 15 nominated candidates, of which two were women and 13 were men, and three men were selected.<sup>13</sup> A woman has never been elected to the position of BiH Presidency. Additionally, during the 2018 campaign, women candidates were represented in the media with only 15% of airtime, while male candidates received 85% of airtime.<sup>14</sup>

The results of the 2018 elections show that in the Cantonal Assemblies, the National Assembly of Republika Srpska, and in the House of Representatives of the Parliament of the Federation of BiH, there has been an increase in the representation of women. An exception is the Assembly of West Herzegovina Canton, where the participation of women remained the same as in the previous term. The overall representation of women in Cantonal Assemblies is 32%. In two Cantonal Assemblies (Central Bosnia Canton and Zenica-Doboj Canton), the representation of women was 40%, while in the Assembly of Herzegovina-Neretva Canton, the representation of women (approximately 47%) is the highest among all observed authorities. These three authorities meet the quota provided for in Article 20 of the Law on Gender Equality in BiH. Cantonal Assembly 10 has the lowest percentage of women (12%) of all observed authorities.<sup>15</sup>

For this reporting period, and for the first time in BiH, an opportunity was offered for free legal assistance to women candidates in the 2018 elections.<sup>16</sup> The aim was to provide legal protection in the event of a violation of the women candidates' rights during and after the election process, thereby encouraging them to report violations of their rights. In total, three cases were reported for: threats via social networks, false misogynistic media coverage, and threats and posting photos of candidate children. It has been observed that female candidates were withdrawing from further action when the process required them to publicly name the actors or responsible persons.<sup>17</sup>

<sup>10</sup> In the 2018 General Election, three levels of government were elected - state, entity and Cantonal, and the BiH Presidency as the highest authority in BiH.

<sup>11</sup> M. Zagorac, *Politička participacija žena u BiH –Rodna Perspektiva Rezultata Opštih Izboru 2018*, p.2, available at: <https://hcabl.org/politicka-participacija-zena-u-bih-rodna-perspektiva-rezultata-opstih-izbora-2018/> (access 15.9.2019.).

<sup>12</sup> According to the BiH Election Law, 'compensatory mandates' mean mandates that are allocated to lists of political parties or coalitions by the number of valid votes obtained, and serve to compensate for the lack of proportionality at the entity level, which results from the summation of results for individual multi-member constituencies in the entity. The law specifies further that each candidate list for compensatory mandates includes equally represented male and female candidates.

<sup>13</sup> BiH Presidency consist of three members, representatives of three constituent peoples.

<sup>14</sup> M. Mujić, *Politička participacija žena u BiH: Opći izbori 2018*, Sarajevo Fondacija CURE, 2019, p.51.

<sup>15</sup> Zagorac, p.5.

<sup>16</sup> The initiative was led by the CSOs INFOHOUSE Foundation, the CURE Foundation, the Women's Rights Center Zenica and the Grahovo Citizens Association.

<sup>17</sup> D. Zelić, *Analiza o najčešćim i mogućim prevarama u izbornom procesu koji najviše ugoržavaju kandidakinje*, april 2019, unpublished material with approval from author.

## KOSOVO

Women are underrepresented as elected officials in Parliament (32% of the elected officials were women, 68% were men), in Ministerial positions (2 women and 19 men), according to the latest Kosovo Gender Analysis data.<sup>18</sup> When looking at high-level decision-making positions within the Presidency, regardless of who the President was, there was no difference in the inequality of representation in Kosovo.<sup>19</sup> A number of barriers between women and their political engagement exists in Kosovo. Some of the main reasons are deeply rooted gender stereotypes, an absence of childcare, and weak public transportation, all of which create obstacles for women's participation.<sup>20</sup> In the case of women's participation in high positions of decision-making power, the gender quota continues to have a positive impact in Kosovo.<sup>21</sup> Igballe Rogova, Executive Director of Kosovo Women's Network, states: "in Kosovo it is necessary to have them [quotas] because we have political leaders with patriarchal mind-sets even though they proclaim they are progressive".<sup>22</sup>

Another challenge is the perception of the quota as 'guaranteed places on electoral lists or seats' for women. This perception is often used to discourage voting for women candidates, wherein male party members competing against women members tell their supporters that women candidates will automatically win their positions through quotas, so there is no need to 'burn votes' for them. Such perceptions prove to be powerful in Kosovar society, because women continue to have low election results in a context where votes for women candidates were dissuaded and discouraged.<sup>23</sup>

In 2018, the Kosovo Assembly selected a new negotiation team engaged to finalise an agreement on normalisation of relations with Serbia: the negotiation team was composed of nine men, who were politicians from the ruling parties and one opposition party. The Minister of European Integration, who is the only woman that serves in the Cabinet, was not part of the team, despite the fact that the dialogue with Serbia would ultimately pave the way towards European integration for Kosovo.<sup>24</sup>

Another challenge for women's participation and representation lies in so-called "family voting", a practice that primarily affects women in predominantly rural areas and further disenfranchises them, and one in which the male head of a household casts ballots for the entire family.<sup>25</sup>

There also remains an outstanding conflict between the Law on Gender Equality with the Kosovo Law on Elections. While the Law on Gender Equality calls for 50% of equal representation of men and women at any decision-making level in political and public life, the Law on Elections retains the gender quota of 30%. Regarding this issue, during the most recent Parliamentary elections of 2019, the Ombudsman institution in Kosovo filed charges against the Kosovo Central Election Commission and called for interim measures related to the Gender Discrimination Suit in political entities candidates' list. The Basic Court ruled against these proposed interim measures.<sup>26</sup>

<sup>18</sup> N. Farnsworth, et al, *Kosovo Gender Analysis*, Kosovo Women's Network, 2018, Available at: <https://womensnetwork.org/publications/kosovo-gender-analysis/> (access 17.9.2019.), p. 1.

<sup>19</sup> The report *Women in Politics: Gender (In)Equality in Politics and Decision-Making* further refers to female President Jahjaga's time in office, in which no woman has been appointed to a senior decision-making position. "The mandate of President Jahjaga had a positive impact on combating the gender stereotype that women lack leadership skills, yet at the same time revealed the rooted bias of women's engagement in politics",

available at: <https://balkansgroup.org/blog/post/articles/grate-ne-politike-pabarazia-gjinore-ne-politike-dhe-vendimarrje>.

<sup>20</sup> Information shared with Kvinna till Kvinna by Partner Organisation Kosovo Women's Network.

<sup>21</sup> D. Halili, *Gender inequality is still pervasive in decision-making and politics*, 08.02.2019. Available at:

<https://kosovotwopointzero.com/en/gender-inequality-is-still-pervasive-in-decision-making-and-politics/> (access 6.10.2019.).

<sup>22</sup> V. Xhambazi, *Progressive on paper, patriarchal in mindset*, april 2019, available at:

<https://prishtinainsight.com/progressive-on-paper-patriarchal-in-mindset-mag/> (access 6.10.2019.).

<sup>23</sup> F. Nikolli, *Women in the Balkans Between Family and Politics*, 17.12.2018, available at:

<https://www.helvetas.org/en/eastern-europe/about-us/follow-us/helvetas-mosaic/article/Women-in-the-Balkans-between-family-and-politics> (access 8.10.2019.).

<sup>24</sup> Xhambazi.

<sup>25</sup> Freedom House, *Freedom in the World 2018 – Kosovo*. Available at:

<https://www.refworld.org/publisher,FREEHOU,ANNUALREPORT,SRB,5bcdce3011,0.html> (access 15.9.2019.).

<sup>26</sup> Information shared with Kvinna till Kvinna by Partner Organisation Kosovo Women's Network.

## MONTENEGRO

There were no significant changes compared to 2018. As a result of quotas, in 2018 the number of women in Parliament has increased by 5 percentage points from 2016. Gender roles in the perception of political leaders as well as stereotypes remain major obstacles to equality in political participation. There are only four women Ministers in the Government of Montenegro, while the highest ranking positions in the Cabinet are covered by men, notably the position of Prime Minister and all three Deputy Prime Ministers.<sup>27</sup>

In August 2019, the Women's Political Network<sup>28</sup> announced the campaign "A Century of Struggle for the Political Rights of Women". The campaign seeks to advocate improving electoral legislation, including binding measures for the participation of at least 40% of women on the lists and more funding for parties with more elected women politicians.<sup>29</sup>

## NORTH MACEDONIA

In 2019, the overall participation of women in politics remained mainly unchanged since the last reporting period, with some notable positive developments in the number of women in Parliament. Since 2018, the number of women MPs within the National Assembly has increased from 45 (out of 120) to 48 in 2019, while the number for men MPs was 75 and 73 respectively.<sup>30</sup> This is an increase from approximately 38% to 40% and is one of the only key institutions where participation of women in terms of numbers is noteworthy. Where the mandatory quota exists for the voting lists (for the National Assembly and Local Councils) the difference in parity is evident and vice versa: where gender quotas are not imposed, the participation of women remains very low.<sup>31</sup> Despite some positive trends, women still are not equally represented in high positions of decision-making power.

Negative social norms and gender stereotyping<sup>32</sup> coupled with the lack of political will<sup>33</sup> holds back progress towards equal political representation of women in high positions of decision-making power in North Macedonia. Mandatory quotas of 40% of the less represented gender on the candidate lists are distributed as follows: a minimum of every third place is reserved for the less represented gender (for example 3<sup>rd</sup>, 6<sup>th</sup> and 9<sup>th</sup> place) and additionally one more place for every 10<sup>th</sup> place (in practice this would mean at least the 3<sup>rd</sup>, 6<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> place would be reserved for women).<sup>34</sup> Women from ethnic minorities are even less represented and included in decision making.<sup>35</sup>

Additionally, and as in Kosovo, some women are disenfranchised through the practice of family voting.<sup>36</sup>

<sup>27</sup> NGO Report for the 57th CEDAW Committee Session 2017, available at:

<http://womensrightscenter.org/files/documents/1516629806-NGO%20CEDAW%20SHADOW%20REPORT%202017%20final.pdf> (access 16.9.2019.)

<sup>28</sup> The Women's Political Network brings together representatives of 16 positional and opposition parties in Montenegro.

<sup>29</sup> *Najavljena kampanja "Vijek borbe za politička prava žena" u Crnoj Gori*. Available at:

<https://www.antenam.net/politika/130448-najavljena-kampanja-vijek-borbe-za-politicka-prava-zena-u-crnoj-gori> (access 16.9.2019.)

<sup>30</sup> Assembly of the Republic of North Macedonia – available at

[https://www.sobranie.mk/structure-ns\\_article-women-mps-2016-2020.nspix](https://www.sobranie.mk/structure-ns_article-women-mps-2016-2020.nspix) (access 17.9.2019.)

<sup>31</sup> Reactor – *Research in Action, Shadow Report on Republic of Macedonia to the Committee on the Elimination of Discrimination against women with regard to the adoption of the concluding observations*. 2018,

available at: [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/MKD/INT\\_CEDAW\\_CSS\\_MKD\\_32609\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/MKD/INT_CEDAW_CSS_MKD_32609_E.pdf) (access 17.9.2019.)

<sup>32</sup> Ministry of Labor and Social Policy, *REPORT OF THE GOVERNMENT OF THE REPUBLIC OF NORTH MACEDONIA on the application of the Beijing Declaration and Platform for Action (1995) and the results of the 2nd special session of the UN General Assembly (2000) – Beijing +25*. 2019, p.22,

available at: [file:///C:/Users/Comp/Downloads/Macedonia\\_CountryReport\\_Beijing+25.pdf](file:///C:/Users/Comp/Downloads/Macedonia_CountryReport_Beijing+25.pdf) (access 14.9.2019.)

<sup>33</sup> Ibid.

<sup>34</sup> *Electoral Code*, Official Gazette of Republic of Macedonia, No. 196 from 10.11.2015. Available at

<https://www.pravdiko.mk/wp-content/uploads/2013/11/Zakon-za-izmenuvane-i-dopolnuvane-10-11-2015.pdf> (access 17.10.2019.)

<sup>35</sup> L. Bekiri, *Albanian women in Macedonian politics remain invisible*, 27.06.2018, available at:

<https://kosovotwopointzero.com/en/albanian-women-in-macedonian-politics-remain-invisible/> (access 17.9.2019.)

<sup>36</sup> Freedom House, *Freedom in the World 2018– Macedonia*, august 2018, available at:

<https://www.refworld.org/publisher,FREEHOU,ANNUALREPORT,MKD,5b7bcc6da,0.html> (access 14.9.2019.)

**SERBIA**

According to the report Freedom in the World 2018, women enjoy equal political rights.<sup>37</sup> According to electoral regulations, the least represented gender must account for at least 33% of a party's candidate list. Women currently hold 37% of seats in the Parliament.<sup>38</sup> Out of 21 Ministerial positions in Serbia's government, women hold four positions, and men hold 17. Although women occupy some important positions in the executive branch, they still make up only 20% of total government members, men 80%.<sup>39</sup>

The underrepresentation of women is particularly visible in the negotiations and reconciliation processes. For example, in the Office for Kosovo and Metohija, all three Vice Directors are men while among eight directors' assistants, two are women. The National Action Plan for the Implementation of United Nations Security Council Resolution 1325, however, clearly defines aims on increasing the participation of women in the dialogue between Belgrade and Pristina.<sup>40</sup>

Equal access for men and women in decision-making is a prerequisite for democratic governance. A society where women continue to be underrepresented in positions of decision-making power requires further insistence on not only the application of quotas, but also on the change in the consciousness of the electorate, the empowerment of women politicians and the awareness of the importance of decision-making power positions for women's rights and gender equality.



**It is time to stop being fixed places on the electoral lists, as a legal obligation, and to mobilise one another in the interest of promoting some new and much more important social topics than the conflicting ones that are constantly being served.<sup>41</sup>**

Segmedina Srna-Bajramović, politician from BiH



**Socialised gender stereotypes suggesting that women are not sufficiently qualified or capable of being political leaders undermine women's participation in politics. Several other factors contributing to women's low participation in politics include: women's unpaid, domestic care activities that limit the time they have available for engaging in politics; an inability to participate in political networking and fundraising events due to care activities at home; related, insufficient access to financing for political campaigning.”**

Nicole Farnsworth, Kosovo Gender Analysis<sup>42</sup>



**Don't you [...] feel awful, seeing that photo of the negotiating team with all men on it? They even left Dhurata Hoxha behind, the only woman Minister that runs the Ministry of European Integration.**

Igballe Rogova, human rights activist and Executive Director of Kosovo Women's Network<sup>43</sup>

<sup>37</sup> Available at: <https://freedomhouse.org/report/freedom-world/2019/serbia> (access 17.9.2019.).

<sup>38</sup> National Assembly of the Republic of Serbia, available at:

<http://www.parlament.gov.rs/national-assembly/national-assembly-in-numbers/gender-structure.1745.html> (access 17.9.2019.)

<sup>39</sup> *Žene u Srbiji u Nepovoljnom Položaju, Najugroženije Radnice u "Šrafčiger Industrijii"*, 08.03.2019. Available at:

<https://www.021.rs/story/Info/Srbija/209659/Zene-u-Srbiji-u-nepovoljnom-polozaju-najugrozenije-radnice-u-srafčiger-industriji.html> (access 10.9.2019.).

<sup>40</sup> Information shared with Kvinna till Kvinna by Partner Organisation Udruženje žena Peščanik

<sup>41</sup> E. Barimac, *Politika je u BiH još uvijek muška arena*. Oslobođenje, 16.7.2019, available at:

<https://www.oslobodjenje.ba/dosjei/teme/politika-je-u-bih-jos-uvijek-muska-arena-378830> (access 17.9.2019.).

<sup>42</sup> Farnsworth, p.10.

<sup>43</sup> D. Ramadani, A debate on women's role in decision-making positions, 4.4.2019, available at:

<https://prishtinainsight.com/a-debate-on-womens-role-in-decision-making-positions/> (access 17.9.2019.).



**STATISTICAL DATA SHOWS:**

Percentage of Women and Men in Western Balkan National Parliaments

	Number of women	Number of men	Total number of seats	Percentage of women (%)	Percentage of men (%)
Albania	41	99	140	29	71
BiH	7	35	42	17	83
Kosovo	38	82	120	32	68
Montenegro	19	62	81	23	77
North Macedonia	48	72	120	40	60
Serbia	93	157	250	37	63

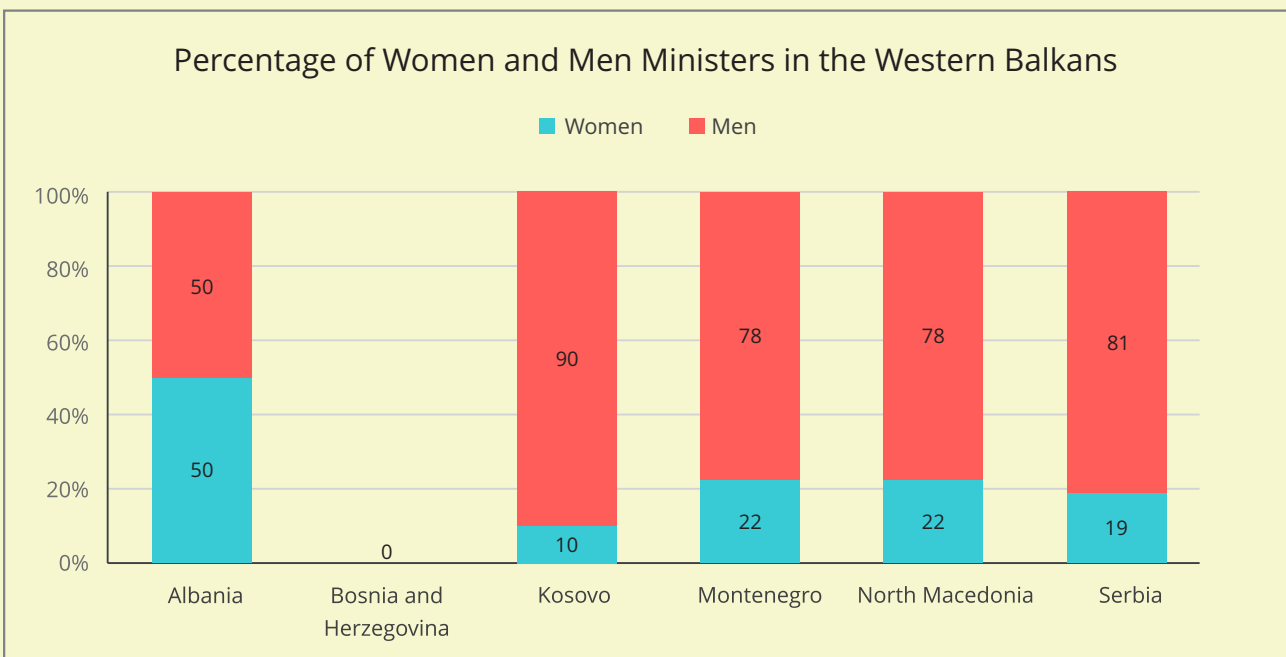


**Info:**

During the 2018 elections in BiH, a woman won the mandate of the President of the entity Republika Srpska. The average percentage of women MPs in the Western Balkans is 29%. The average of men MPs is 71%.

Percentage of Women and Men Ministers in the Western Balkans

	Number of women	Number of men	Total number of seats	Percentage of women (%)	Percentage of men (%)
Albania	7	7	14	50	50
BiH <sup>1</sup>	1*	/	9	/	/
Kosovo	2	19	21	10	90
Montenegro	4	14	18	22	78
North Macedonia	5	18	23	22	78
Serbia	4	17	21	19	81



**Info:**

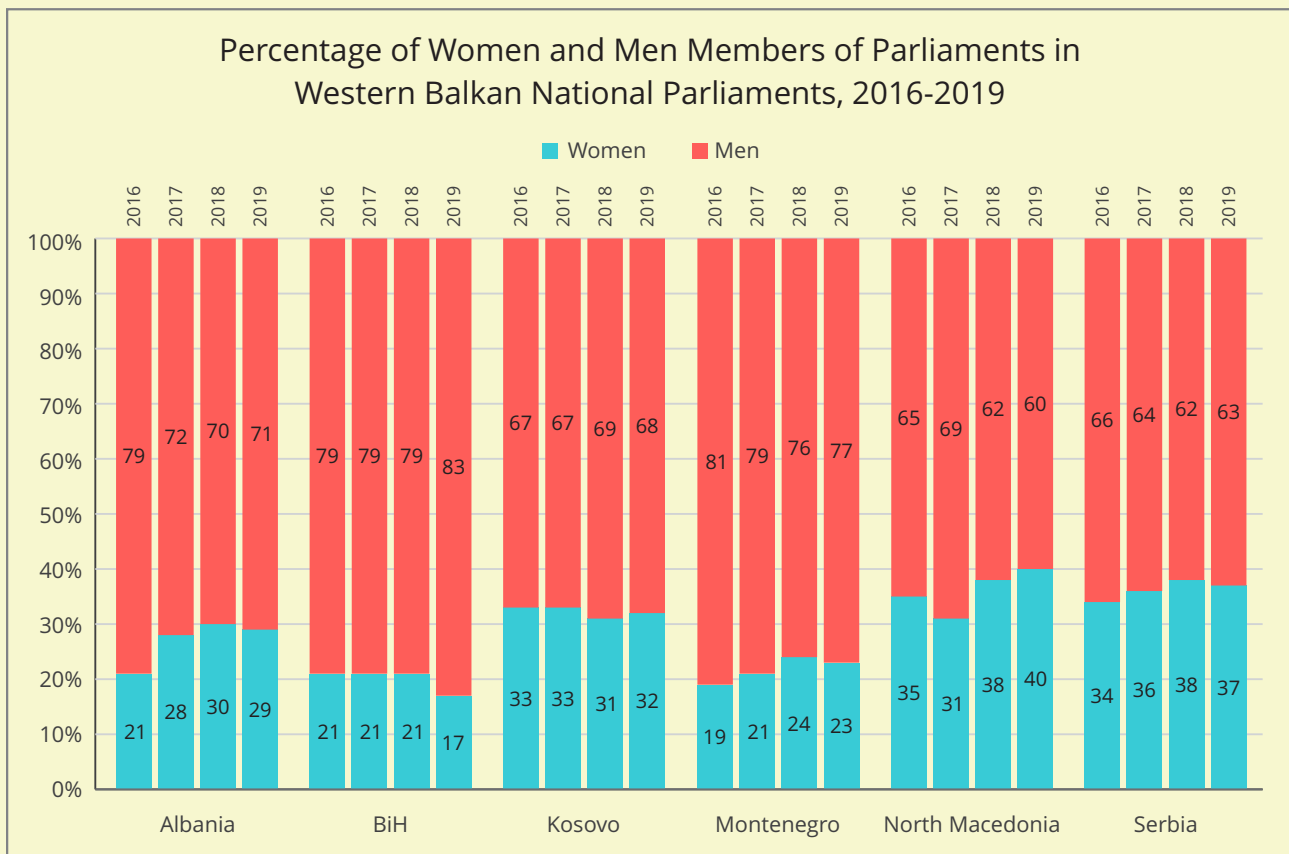
There is only one women Prime Minister of National Government (Serbia). The average percentage of women Ministers is 25% (calculated without BiH).

<sup>1</sup> At the time of writing this report, the BiH Council of Ministers has not yet been formed, almost one year after the 2018 elections.

**COMPARISON TABLE:**

Percentage of Women and Men Members of Parliaments in Western Balkan National Parliaments, 2016-2019

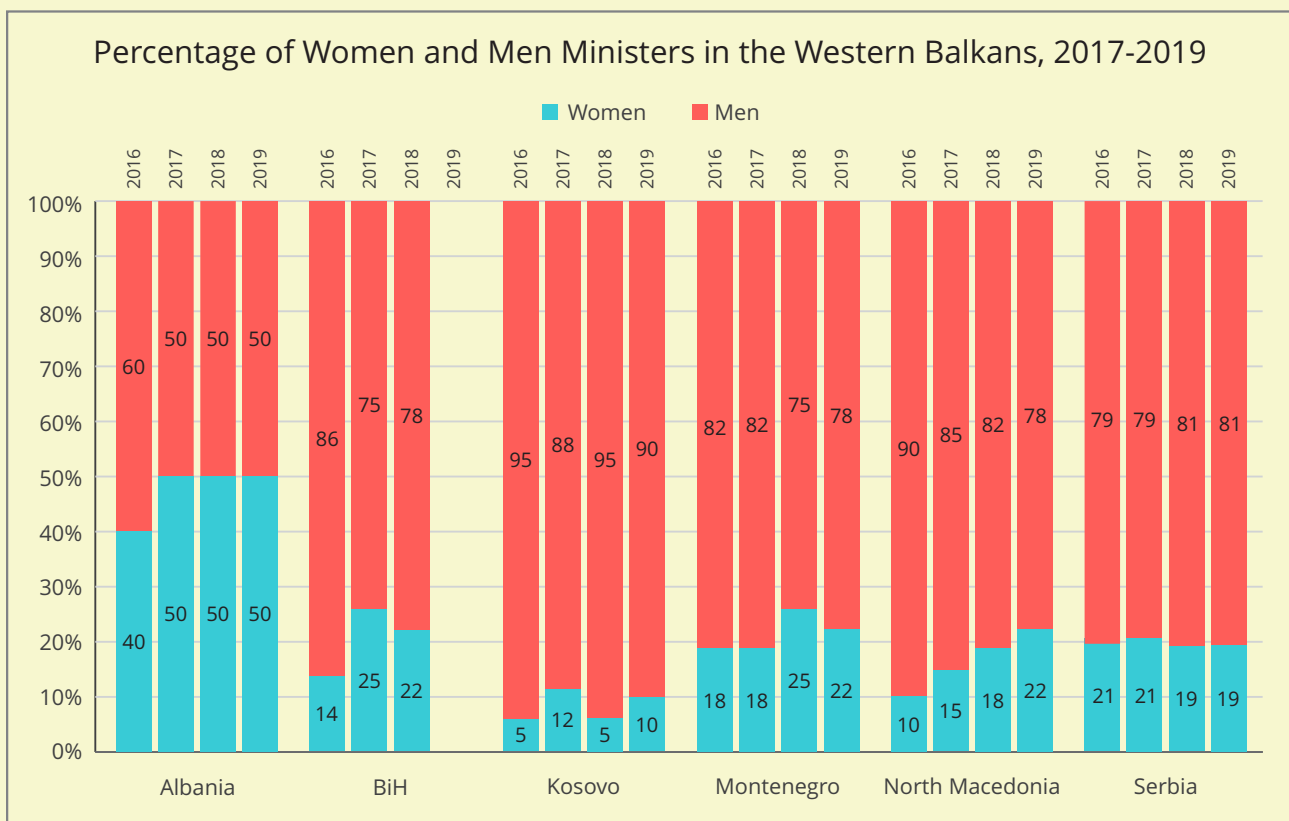
	2016		2017		2018		2019	
	% W	% M	% W	% M	% W	% M	% W	% M
Albania	21	79	28	72	30	70	29	71
BiH	21	79	21	79	21	79	17	83
Kosovo	33	67	33	67	31	69	32	68
Montenegro	19	81	21	79	24	76	23	77
North Macedonia	35	65	31	69	38	62	40	60
Serbia	34	66	36	64	38	62	37	63



**COMPARISON TABLE:**

Percentage of Women and Men Ministers in the Western Balkans, 2016-2019

	2016		2017		2018		2019	
	% W	% M	% W	% M	% W	% M	% W	% M
Albania	40	60	50	50	50	50	50	50
BiH <sup>45</sup>	14	86	25	75	22	78	/	/
Kosovo	5	95	12	88	5	95	10	90
Montenegro	18	82	18	82	25	75	22	78
North Macedonia	10	90	15	85	18	82	22	78
Serbia	21	79	21	79	19	81	19	81



<sup>45</sup> At the time of writing this report, the BiH Council of Ministers has not yet been formed, almost one year after the 2018 elections.

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# **% OF REPRESENTATION OF WOMEN IN POLITICS IN LOCAL/MUNICIPAL COUNCILS**

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The participation of women in politics in local/municipal councils in the Western Balkan region is extremely limited and has been a cause for concern in all editions of the Women's Rights in Western Balkans reports, including this one. This is especially evident in Mayoral positions, where there are no women elected in Kosovo, for example, and the largest percentage of women in Mayoral positions is in Albania with only 15%. The presence of women in local governing structures may be more conclusive as to the perspective of substantial political changes for women in the Western Balkans, as local governments play a key role in fostering social change. Addressing this trend of low representation of women in local governments requires a systematic approach that questions general attitudes and gender stereotypes, the policy

process, and policy outcomes. One overarching problem in the political representation of women that all Western Balkan countries share is that there is no representation of women whose marginalised political position intersects with other aspects of their marginalisation, for example, ethnicity or different abilities.<sup>46</sup>

What stands out in many countries (BiH, Kosovo, Montenegro and Serbia) is the lack of effective local gender equality mechanisms. Achieving their role and mandate is evidently difficult and slow, which is also reflected in the lack of successful participation of women in politics at the local level. The importance of local communities as the first place of organising local self-government is still not recognised in the Western Balkan region.

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<sup>46</sup> *Women's Rights in Western Balkans*. European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs, January 2019, p. 14. Available at: [http://www.europarl.europa.eu/RegData/etudes/STUD/2019/608852/IPOL\\_STU\(2019\)608852\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/STUD/2019/608852/IPOL_STU(2019)608852_EN.pdf) (access 10.9.2019.).

## ALBANIA

Erion Veliaj, the Mayor of Tirana stated: "If Tirana had a gender, it would be a woman," when Municipal Council approved the Gender Equality Action Plan.<sup>47</sup> Tirana's Municipal Council has 51% women's representation (49% men), and is one of five cities<sup>48</sup> that approved Equality Action Plans for the first time in 2018. According to Albania's national level review in preparation of the Beijing Platform for Action, Beijing +25, several measures have been taken to improve women's rights at the local level:

- Legal actions and measures undertaken have been limited to the local government level;
- Gender-responsive budgeting is clearly outlined in the Public Finance Management Strategy 2015-2020. Gender-responsive budgeting has become, for the first time, part of the National Strategy for Development and Integration 2015-2020;

- In the 2019 budget, gender inequality problems have been mainstreamed into 37 budget programmes in 14 Ministries, affecting some of the most important sectors, such as education, health, and agriculture.<sup>49</sup>

Despite this, many policies should be improved to gauge impact on local communities, as social services in the municipalities are far from reaching the real needs of marginalised groups, where women (women with lived experience with abuse or single parents) are identified as part of this group.<sup>50</sup> Additionally, it is crucial to improve ethnic minorities' participation in candidate positions, as there are for example no Roma parties, and the level of participation of Roma communities in politics is very low.<sup>51</sup>

## BOSNIA AND HERZEGOVINA

Despite the obligatory 40% gender quotas for the least represented gender on election lists, women's actual representation remains low in all levels of government.

Two serious challenges have been (repeatedly) identified. First, in smaller communities, women are prevented from being involved in politics, or to express their opinions and attitudes, because they are at-risk of blackmail and threats due to their political participation, and due to widespread violence against women in politics. Second, the status of local institutional gender mechanisms such as Gender Equality Commissions in Municipal and City Councils and Assemblies are significantly

neglected.<sup>52</sup> Both of these challenges continue to create barriers for BiH women's equal participation in local governments country-wide.

Available evidence suggests that only providing training for women candidates on campaigning and communication skills has not been effective in increasing the numbers of elected women. As such, the Sarajevo Open Centre Equality Academy offers a different approach,<sup>53</sup> using Gender Audit in Political Parties' approach. The Academy begins with analysing the gender equality situation in a political party, jointly preparing an Improvement Action Plan, and continuing with joint work on improvements.

<sup>47</sup> For the first time cities in Albania approve Gender Action Plans, June 2018, available at: <https://www.un.org.al/news/first-time-cities-albania-approve-gender-action-plans> (access 18.9.2019.).

<sup>48</sup> Specifically Tiranë, Durrës, Shkodër, Korça and Elbasani

<sup>49</sup> National Review on the Implementation of the Beijing Platform for Action Beijing +25, april 2019, p. 4. Available at: <https://www.unece.org/fileadmin/DAM/RCM/Website/Albania.pdf> (access 10.9.2019.).

<sup>50</sup> A. Haxhimali, *Local Government in Albania Status Report*. Tirana, The Albanian Association of Municipalities, 2019, p.63. Available at: <https://www.ald-europe.eu/public/doc/LocalGovernmentinAlbania.pdf> (access 19.9.2019.).

<sup>51</sup> OSCE Office for Democratic Institutions and Human Rights (ODIHR). *Third Status Report - Implementation of the Action Plan on Improving the Situation of Roma and Sinti within the OSCE Area*. 2018, p. 33, available at: <https://www.osce.org/odihr/roma-sinti-action-plan-2018-status-report?download=true> (access 6.10.2019.).

<sup>52</sup> National Review on the Implementation of the Beijing Platform for Action Beijing BiH +25. April 2019.47

<sup>53</sup> Through the Equality Academy programme, Friedrich Ebert Foundation and Sarajevo Open Centre working towards a new platform for political leadership and space for joint actions of representatives, leaders of political parties and CSOs. The Programme runs from 2015, once a year. See more: <http://soc.ba/en/programmes/gender/education/equality-academy/>.

## KOSOVO

Though the gender quota is applied to Municipal Assemblies as well as elections, and despite the fact that women currently comprise 30% of the representatives in local councils (men comprise 70%), currently no municipality is run by a woman. Often when women do run as candidates, they are not given the chance to run in powerful electoral municipalities, and they generally run in municipalities or regions where they are unlikely to win because party strongholds in Kosovo are usually reserved for men.<sup>54</sup> In the last municipal elections of 2017, there were only eight women candidates out of 204 Mayoral candidates (196 men) running for the leadership of Kosovo's 38 municipalities. In comparison, in the 2013 elections previous to those, there were just nine women candidates total, and only two women managed to get to the second round of elections.<sup>55</sup> Taking these low numbers into consideration, there is evidence that social attitudes and behaviours are reflected in voting practices, wherein women candidates have a significantly lower chance of being elected by the public, on top of their already low numbers in candidate positions. In addition to elected positions in municipalities,

municipal governance also reflects deep gender inequality in other local positions, given the small number of leading positions for women. In Pristina, for example, women run four out of the 12 municipal departments (men run eight). In the other six large municipalities, the average number of women-led departments is only two or three. Additionally, Gender Equality Officers in municipalities are part of the national mechanisms for improving gender equality, along with the Agency for Gender Equality. These officials face many challenges in carrying out their duties, from a lack of budget, to a lack of political will by the government to involve them in drafting gender-sensitive laws and policies. Some of the Gender Equality Officers have weak capacities in gender analysis and other policy processes, which hinders them from carrying out their responsibilities.<sup>56</sup> A lack of executive power and political party agendas also undermine their work.<sup>57</sup> The fact that most of the Gender Equality Officers at the local and central levels are women indicates that institutions lack knowledge on some of the basic concepts of gender equality, hence, they manifest it by engaging only women in the struggle for gender equality.<sup>58</sup>

## MONTENEGRO

There is no significant change compared to the previous reporting period. The involvement of women in both local and national politics remains low, including in electoral administrations. Of the 24 Montenegrin municipalities, only one has a woman Mayor. Additionally, women make up only 26% of country-wide Municipal Councils, whereas men

comprise 74%.<sup>59</sup> Currently, there are no representatives from vulnerable or marginalised groups in local government.<sup>60</sup> This fact indicates that at the local level, marginalised groups that already face increased barriers to decision-making power face further challenges in entering spaces of political representation.

<sup>54</sup> Balkans Policy Research Group, *Women in Politics: Gender (In)Equality in politics and decision-making*. 2019, available at: <https://balkansgroup.org/blog/post/articles/grate-ne-politike-pabarazia-gjinore-ne-politike-dhe-vendimarrje>, p. 7.

<sup>55</sup> Halili.

<sup>56</sup> Farnsworth, p. 11.

<sup>57</sup> Farnsworth, p. 11.

<sup>58</sup> Balkans Policy Research Group, *Women in Politics: Gender (In)Equality in politics and decision-making*. 2019, available at: <https://balkansgroup.org/blog/post/articles/grate-ne-politike-pabarazia-gjinore-ne-politike-dhe-vendimarrje>, p. 7.

<sup>59</sup> *Montenegro 2019 Report Accompanying the document Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2019 Communication on EU Enlargement Policy*. 2019. Available at: <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-montenegro-report.pdf> (access 18.9.2019).

<sup>60</sup> *Women's Rights in Western Balkans*, p.16.

## NORTH MACEDONIA

In North Macedonia, and representative of the Western Balkans as a whole, a gender wage gap exists at the local governmental level, coupled by traditional family roles that create barriers to women's entry into local politics, and the context in which women's representation can thrive is hindered. An illustrative example is the number of Mayoral positions: out of a total of 81 Mayoral positions there are only six women Mayors, which comprises only 7% of the overall number of Mayors in the country, meaning that 93% of Mayors are men. In 31 municipalities, women councillors currently

allot for 26% of Councils at best, in some cases 18% or less, and in one municipality even less than 10%.<sup>61</sup> Additionally, only 5% of appointed (Executive) positions<sup>62</sup> within state institutions are held by women.<sup>63</sup> The largest gender gaps are evidenced for the positions for which no legally binding quotas are introduced (for example, Mayoral positions). Additionally, there are no strategies to ensure the participation of Roma women, women from rural areas and women with different abilities in the positions and decision-making processes in public and private organisations.<sup>64</sup>

## SERBIA

At a local level, few women hold Mayoral positions in Serbia. Women account for 7% of Mayoral positions, whereas men account for 93%.<sup>65</sup> Women are Presidents of local municipalities in less than 5% of municipalities. There are still municipalities without any women in their respective Municipal Councils. One example is Čičevac, where out of a total of seven members of the Municipal Council, none are women. The same applies for the municipality of

Aleksandrovac.<sup>66</sup> The participation of women with different abilities and Roma women in local government is minimal throughout the country.<sup>67</sup> The Deputy Prime Minister of Serbia, Zorana Mihajlović, who is also the only woman among four Deputy Prime Ministers, stated: "As much as we have female Mayors that is how much gender equality we have in Serbia. None."<sup>68</sup>

<sup>61</sup> E. Jovanova, *Women – Second Class Citizens of Macedonia*, 13.11.2017, Available at: <https://vostokian.com/women-second-class-citizens-of-macedonia/> (access 21.9.2019.).

<sup>62</sup> This refers to the positions of directors within state institutions.

<sup>63</sup> М. Поповиќ, М. Панковски, Кој таму управува, Скопје, Институт за демократија „Социетас Цивилис“, 2019. Available at [https://idscs.org.mk/wp-content/uploads/2019/03/WEB\\_A5\\_MKD\\_KOJ\\_TOA\\_TAMU\\_UPRAVUVA.pdf](https://idscs.org.mk/wp-content/uploads/2019/03/WEB_A5_MKD_KOJ_TOA_TAMU_UPRAVUVA.pdf) (access 21.9.2019.).

<sup>64</sup> M. Bashevaska, *The Implementation of GAP II in North Macedonia, Reactor - Research in Action, Skopje*, 2019, available at: [http://reactor.org.mk/CMS/Files/Publications/Documents/GAP\\_II\\_WebEn.pdf](http://reactor.org.mk/CMS/Files/Publications/Documents/GAP_II_WebEn.pdf) (access 21.9.2019.).

<sup>65</sup> M. Babović, *Индекс родне равноправности у Републици Србији*, Тим за социјално укључивање и смањење сиромаштва Владе Републике Србије. Available at: [http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2018/12/Indeks\\_rodne\\_ravnopravnosti\\_u\\_Republici\\_Srbiji\\_2018.pdf](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2018/12/Indeks_rodne_ravnopravnosti_u_Republici_Srbiji_2018.pdf) (access 5.10.2019.).

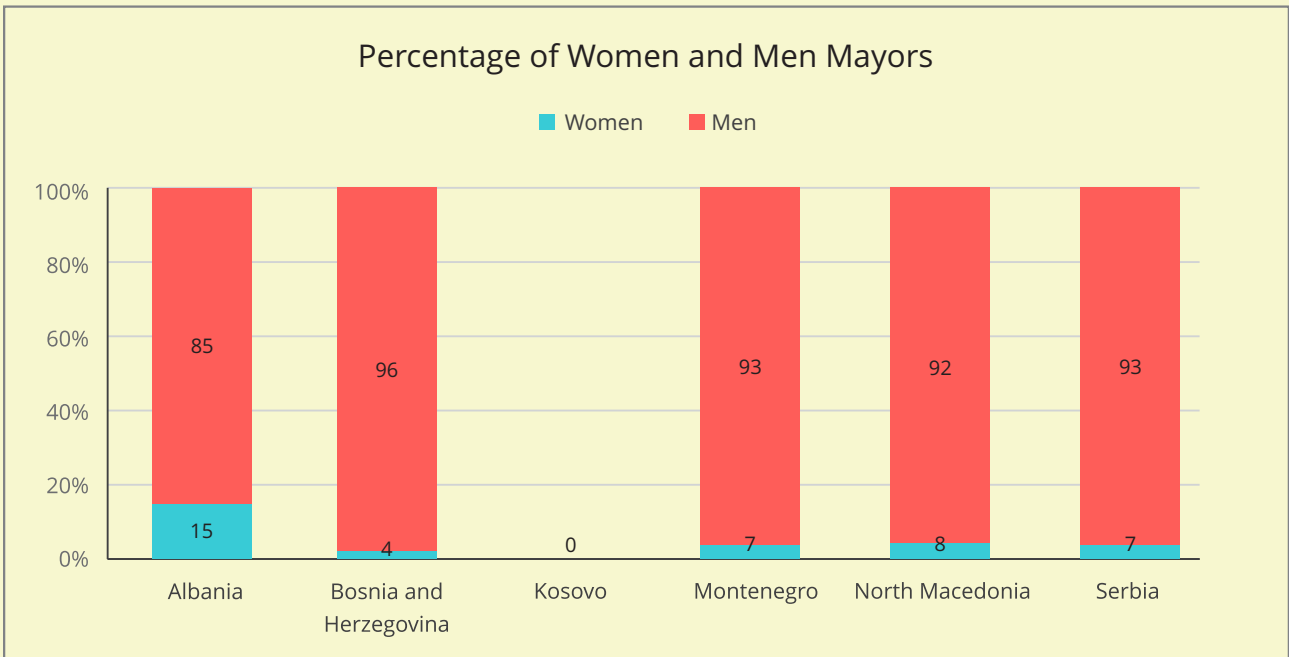
<sup>66</sup> Information shared with Kvinna till Kvinna by Partner Organisation Udruženje žena Peščanik.

<sup>67</sup> *Žene u Srbiji uglavnom na izvršilačkim funkcijama, na mestima odlučivanja veoma retko*, 22.10.2018. Available at: <http://socijalnoukljucivanje.gov.rs/rs/zene-u-srbiji-uglavnom-na-izvršilačkim-funkcijama-na-mestima-odlucivanja-veoma-retko/> (access 21.9.2019.).

<sup>68</sup> A. Miladinović, Zorana Mihajlović za BBC: „Koliko Predsednica Opština - Toliko Rodne Ravnopravnosti“, 8.3.2019. Available at: <https://www.bbc.com/serbian/lat/srbija-47487727> (access 21.9.2019.).

**STATISTICAL DATA SHOWS:**

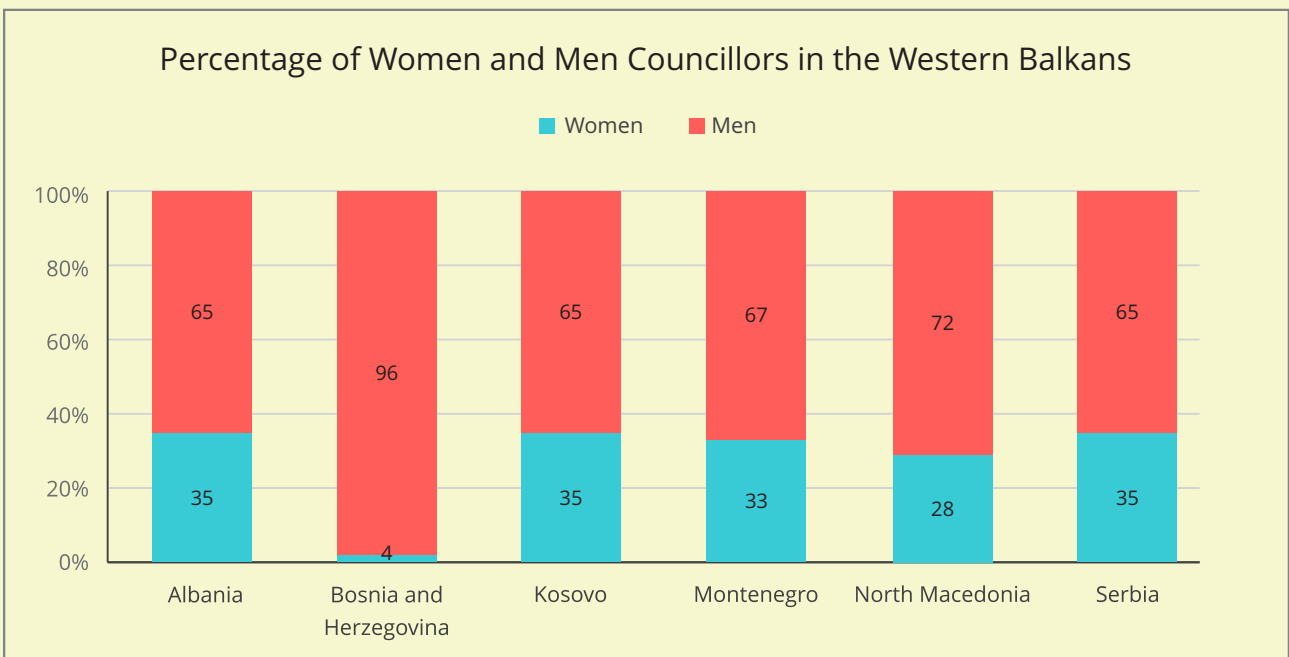
Percentage of Women and Men Mayors in the Western Balkans



**Info:**

The average regional percentage of women Mayors is very low, and is 6.8%, lower than the last reporting period. Percentage by country: Albania 15%, BiH 4%, Kosovo 0%, Montenegro 8%, North Macedonia 7%, Serbia 7%.

Percentage of Women and Men Councillors in the Western Balkans



**Info:**

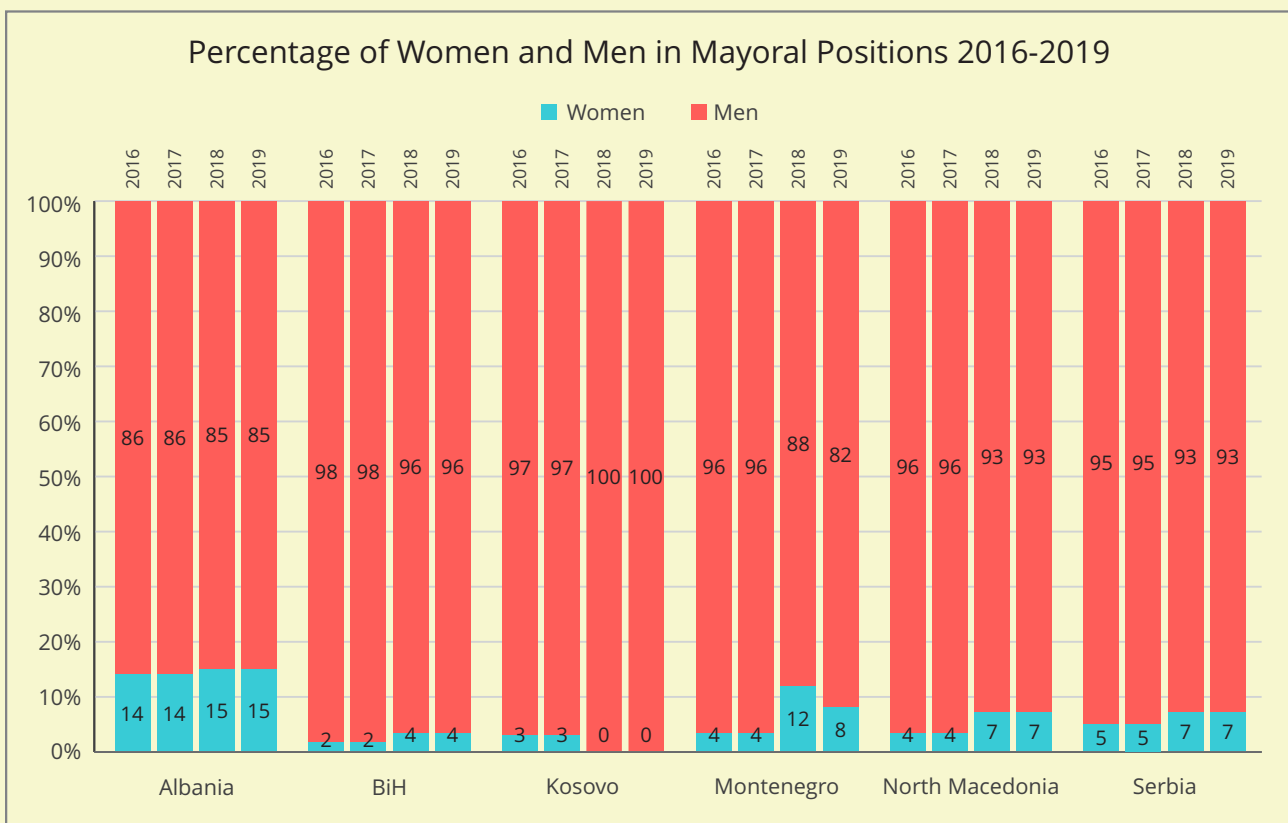
The average percentage of women councillors in the region is 28.3% (Albania 23%, BiH 4%, Kosovo 35%, Montenegro 28%, North Macedonia 33%, Serbia 14%).



**COMPARISON TABLE:**

Percentage of Women and Men in Mayoral Positions 2016-2019

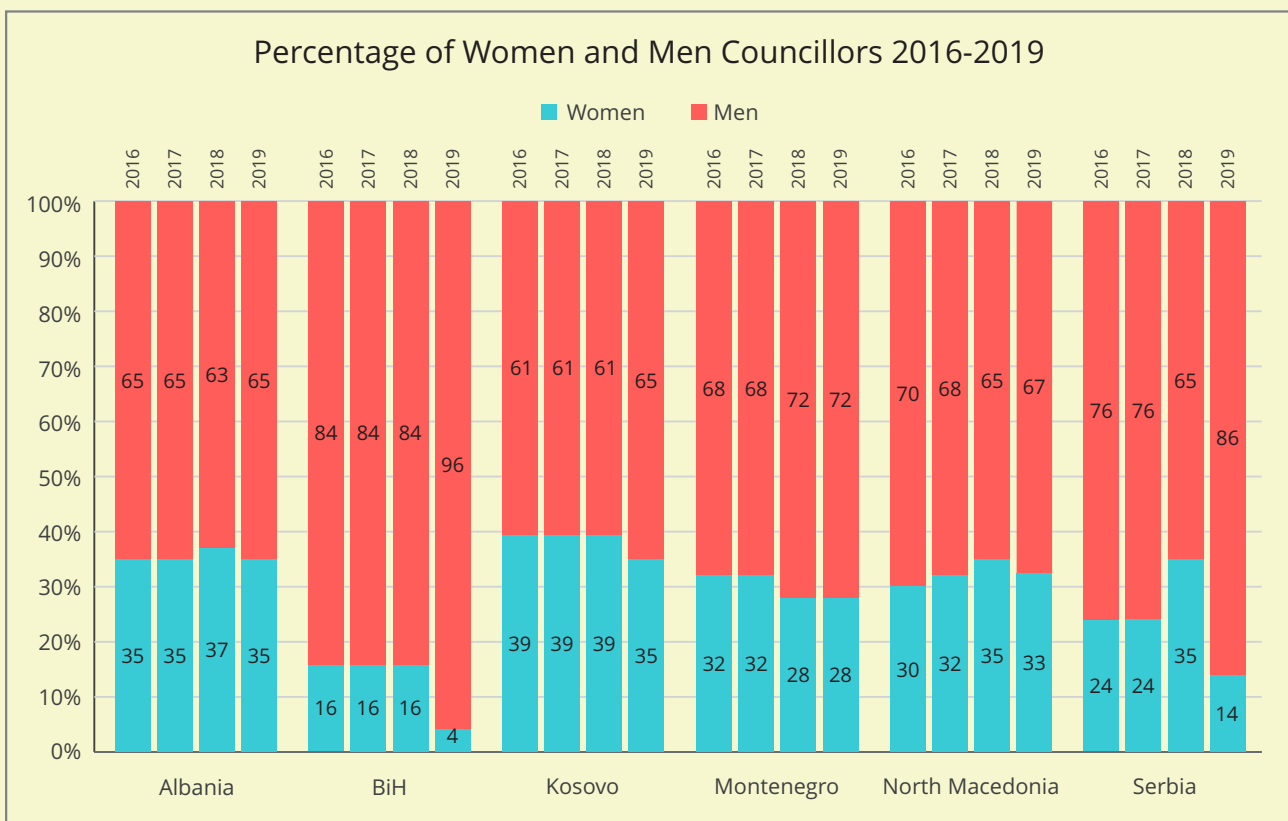
	2016		2017		2018		2019	
	% W	% M	% W	% M	% W	% M	% W	% M
Albania	14	86	14	86	15	85	15	85
BiH	2	98	2	98	4	96	4	96
Kosovo	3	97	3	97	0	100	0	100
Montenegro	4	96	4	96	12	88	8	92
North Macedonia	4	96	4	96	7	93	7	93
Serbia	5	95	5	95	7	93	7	93



**COMPARISON TABLE:**

Percentage of Women and Men Councillors 2016-2019

	2016		2017		2018		2019	
	% W	% M	% W	% M	% W	% M	% W	% M
Albania	35	65	35	65	37	63	35	65
BiH	16	84	16	84	16	84	4	96
Kosovo	39	61	39	61	39	61	35	65
Montenegro	32	68	32	68	28	72	28	72
North Macedonia	30	70	32	68	35	65	33	67
Serbia	24	76	24	76	35	65	14	86





**If in the Serbian Parliament we often hear insults against women, we can imagine the situation in local self-governments where there is no control, nor sanctions for non-implementation of gender equality.**

the Protector of Citizens, Zoran Pašalić<sup>69</sup>



**Sometimes more women in politics does not mean step forward in gender equality and transforming politics. We need more gender sensitive women politicians and we need women in parliament who think differently and independently than the men holding power in their political party. There is a need for more feminists in political parties and a stronger feminist voice in civil society to bring a challenge to the impact of patriarchy and power on the overall political landscape.”**

Irina Costache, Time for Women's Rights, Time for a United Feminist Europe, European Women's Lobby<sup>70</sup>

<sup>69</sup> *Žene u Srbiji uglavnom na izvršilačkim funkcijama, na mestima odlučivanja veoma retko*, 22.10.2018.

Available at: <http://socijalnoukljucivanje.gov.rs/rs/zene-u-srbiji-uglavnom-na-izvršilackim-funkcijama-na-mestima-odlucivanja-veoma-retko/> (access 21.9.2019.).

<sup>70</sup> Costache, I., *Time for Women's Rights, Time for a United Feminist Europe*, Belgium, European Women's Lobby, (in)extenso, 2018, p. 19.

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# % OF WOMEN IN DECISION-MAKING BODIES OF POLITICAL PARTIES CURRENTLY IN POWER

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In the analysis of women's participation in politics, an often-neglected area is the representation of women in decision-making bodies of political parties. It is important to recall that the involvement of women in political life generally begins precisely through work in political parties and its decision-making party organs. The importance of including this area also lies in the fact that the number of women actually present in the decision-making bodies of their parties can be interpreted as their influence on the decisions and policies made within political parties (such as parties' political platforms and programs) and ultimately on political participation. Literature indicated that the number of women in decision-making bodies of political parties was extremely low in all six Western Balkan countries. Only four women are at the head of political parties in power – presidents of their respective parties in Albania, Kosovo, Montenegro and North Macedonia respectively. Even in these parties, men are in a clear majority in all other positions within decision-making bodies. The composition of these bodies shows that women have difficulties in reaching high positions of power in political parties, even in those parties that advocate respect for the principle of gender equality in their programs.<sup>71</sup> In practice, political parties do not ensure adequate participation of women in management, decision-making, and representation. In the Western Balkans, the majority of parties also have women's sections (such as committees, assets,

forums) in their organs, but these organisations have shown very limited influence over the promotion of gender equality within the parties and their political agendas.<sup>72</sup>

This is the first year that the *Women's Rights in Western Balkans* report includes the analysis of women's representation in political parties currently in power (according to the most recent election data at the time of writing this report). This sub-indicator will complement the others in an effort to better understand the situation of women in decision-making in the region. Data were collected for the following bodies:

- **President:** leading and managing the party and responsible for the implementation of decisions.
- **Vice-Presidents:** in charge of particular areas of program implementation; replaces the President of the Party in the cases prescribed by the Statutes. Political parties in the Western Balkans typically have several persons in the positions of Vice President.
- **Presidency:** is (most often) the highest executive political body, and is composed of the following positions: President, the Vice-Presidents, the Secretary-General, a representative of the Main Board, and additional elected members. Not all parties have this body.

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<sup>71</sup> M. Todorović, *Rodna ravnopravnost i politički procesi: Zašto žene ne glasaju za žene?*, Centar za Istraživanje Javnih Politika, 2016, p. 5. Available at: <https://www.publicpolicy.rs/publikacije/0807207acad5b5d5fd8cc86c49a1a0d044fd3102.pdf> (access 20.9.2019).

<sup>72</sup> Quite often these organisations are used as 'proof' of gender equality sensitivity, although their function in relation to decision-making bodies is very small.

- **Secretary General:** manages the Secretariat, takes care of the organisation of work and execution of tasks; takes care of strengthening and training of organisations and interests of the party; executes decisions of the Presidency and the Main Board.

- **Main (Central) Committee:** is the highest body of the party between the two sessions of the Convention. This is the most numerous body of each party, and its members are elected according to different criteria within each party. Some of the responsibilities of the Main Committee are to: propose the programme, the Statute and the candidates of the Convention; adopt the election programme and decision on the candidates for

Parliament, other political functions and coalition agreements; elect the Presidency, the Vice-Presidents, and the Secretary-General.

Minor discrepancies exist with respect to individual countries or parties, which do not have all the bodies listed. It should be emphasised that in all countries, there is a noticeable trend of unavailability of data on the composition of decision-making bodies for political parties currently in power. This is mainly related to the largest body of the political party Main/Central Committee, while the availability of data on other bodies varies. Therefore, this analysis included information that was available and accessible to the public.

### ALBANIA

Of the seven political parties currently in power, only one party has a woman President. Where data was available (for two parties only, out of seven observed) there were no women in Vice Presidential positions. As for Secretary General positions, women were represented in two parties out of seven that were in power. At the Presidency level, according to the data available, parties have a high representation of women, between 33% and 60% (with the latter percentage only in one party).<sup>73</sup> The political parties currently in power in Albania either did not have the information presented for the Main Board on an accessible online platform, or do not have this body at all.

Since the mid-nineties, Albania's two main political parties<sup>74</sup> started to apply special representation quotas for the least represented gender. The trend of women's representation has steadily grown since then. The statutes of each political party in Albania provide specific quotas for gender representation in the party's decision-making bodies' structures, and there are also parties which include quotas for youth

representation. These quotas are different for each party, and consists of, for example, 30% quota in presidency position; criteria of composition of the party structure for the local level (20% in rural areas and 30% in urban areas).<sup>75</sup> Regardless of the provisions, when it comes to implementing these party policies, women's representation in party decision-making bodies remains low. There is a lack of political will and concrete strategies to achieve these commitments.

One major obstacle to the present gender representation gap is linked to the deeply rooted patriarchal culture in Albanian society and in the political class of the country, and to the shrinking space for the voice of women in the media and civil society, also reflected in the political parties' gender composition. Women's Forums in political parties continue to be considered as auxiliary structures of the parties rather than political bodies that represent women and women's rights in party policy structures and decision-making.

<sup>73</sup> Partia Republikane Shqiptare (PR) / Albanian Republican Party

<sup>74</sup> Democratic Party and Socialist Party.

<sup>75</sup> S. Cela, *Political Party and Party System Institutionalization in Albania*, p.199. Available at: <https://pdfs.semanticscholar.org/4f7a/f1f057620a46403e840df59c99ffb80d55ff.pdf> (access: 30.9.2019.).

## BOSNIA AND HERZEGOVINA

According to the data after the 2018 elections, a total of 15 parties and coalitions are represented in the Parliamentary Assembly in the 2018-2022 convocation. There are no women in the position of party President, and only four parties out of 13 (according to available data) have women in the positions of Vice-President. It is important to emphasise that women in these positions are represented only where a political party has more than one Vice President, and usually not in equal proportion with men.<sup>76</sup> Disproportion is greater and more visible in bodies with more members: between 10%<sup>77</sup> and 34%<sup>78</sup> of women hold positions in presidencies. Comparative statistics for men shows representation in Presidency positions are ranked between 66%-90%. A similar situation applies to the Main Committees: from 12%-39% women,<sup>80</sup> with majority of parties having around 30% of women in Main Committees.<sup>81</sup> All the Secretary Generals, in the parties where this body exists in BiH, are men.

Existing programmes and policies of political parties do not include issues relevant for human rights of LGBTIQ+ persons. All parties declaratively support the respect of fundamental human rights and freedoms, but none of them mentions protection from discrimination on grounds of sexual orientation or gender identity in their statutes and programme objectives.<sup>82</sup>

Lana Prlić, Vice President of the Social Democratic Party has been active in politics since the age of 17, joining the party in 2010 to challenge divisionism and nationalism. She is now Bosnia's youngest ever female party Vice President. "Female politicians, especially young ones, receive comments that none of our male colleagues will ever get. I mostly get comments on my looks rather than my work", Prlić describes.<sup>83</sup>

In 2014, most political parties in BiH signed a Statement of Commitment on Gender Equality,<sup>84</sup> prepared by the BiH Gender Equality Agency in cooperation with numerous partners and stakeholders. The Statement defines the basic assumptions for the work of political parties on gender issues. According to the Statement, the political parties undertake, inter alia, to fully respect the BiH Gender Equality Law, equally promote male and female candidates, actively advocate for gender equality issues, include gender equality in the political party programs, condemn sexist comments and hate speech by political party members, and support equality and equal opportunities for women and men. According to publicly available Statutes of political parties, it is clear that in 2019, five years after this Statement, its obligations are minimally respected (such as the rare incorporation of a provision into the statutes on the use of gender-sensitive language). At present, most political parties address gender issues by having women's organisations within their structures.<sup>85</sup>

<sup>76</sup> For example: The Social Democratic Party of Bosnia and Herzegovina has two women and four men as vice-presidents (source: <http://www.sdp.ba/kategorija/potpredsjednici/>); The Democratic Front has one woman and four men as vice presidents (source: <http://fronta.ba/predsjednistvo/>).

<sup>77</sup> Party of Democratic Action (source: <https://sda.ba/predsjednistvo-sda/>)

<sup>78</sup> The Social Democratic Party of Bosnia and Herzegovina (source: <http://www.sdp.ba/predsjednistvo/>)

<sup>79</sup> Party of Democratic Action (source: <https://sda.ba/glavni-odbor-sda/>), in numbers: 13 women and 90 men.

<sup>80</sup> The Social Democratic Party of Bosnia and Herzegovina (source: <http://www.sdp.ba/glavni-odbor/>), in numbers: 52 women and 80 men.

<sup>81</sup> Alliance of Independent Social Democrats, Our Party, Democratic Front, Croatian Democratic Union of Bosnia and Herzegovina.

<sup>82</sup> A. Dizdar, et al, *Pink Report 2019 Annual Report on the State of the Human Rights of LGBTI People in Bosnia and Herzegovina*. Sarajevo, Sarajevo Open Centre, 2019, Available at <http://soc.ba/site/wp-content/uploads/2019/05/Pink-Report-2019-za-web.pdf> (access: 10.9.2019.), p. 45.

<sup>83</sup> L. Meier, L. Gibbels, *We Will Not Associate Leadership with Macho Politics*, April 2019, available at: <https://ba.boell.org/en/2019/04/08/we-will-not-associate-leadership-macho-politics> (access: 10.9.2019.)

<sup>84</sup> Agencija za ravnopravnost spolova, *Izjava o opredjeljenosti ravnopravnosti spolova za političke partije*, available at [https://arsbih.gov.ba/wp-content/uploads/2014/05/GEP\\_opt.pdf](https://arsbih.gov.ba/wp-content/uploads/2014/05/GEP_opt.pdf) (access: 10.9.2019.)

<sup>85</sup> A. Korda, *Osvrt na političku participaciju žena u BiH*, 2018, available at: <http://soc.ba/amela-korda-osvrt-na-politicku-participaciju-zena-u-bih/> (access: 15.9.2019.)

## KOSOVO

In one of the leading political parties, The Alternative, Mimoza Kusari-Lila holds the position of President, making her one of the four female party presidents in the Western Balkans countries. Main Committee information was not available or accessible for the eight analysed political parties in power, so an analysis of women's representation in this body was not possible. However, a recent report states that in the General Councils, women are only represented with approximately 23% of members (77% are men).<sup>86</sup> Women are represented in Vice President positions, in the range of 14%-57% where they are represented at all, and in one party

(Democratic League of Kosovo, LDK), there are no women in this position. The other three parties (New Kosovo Alliance, Independent Liberal Party and The Alternative) do not have this information available. Secretary-General positions are held exclusively by men, while the presidencies are made up of between 8% and 47% women (in Democratic Party of Kosovo and Social Democratic Party).

Most political parties have a Women's Forum that works towards gender equality and women's empowerment.<sup>87</sup>

## MONTENEGRO

The legislative power is exercised by the Parliament of Montenegro, which is made up of MPs in the current setting of eight political parties and coalitions. Seven parties' data were analysed, according to available data. The Social Democratic Party of Montenegro has a female President: Dr. Draginja Vuksanović.<sup>88</sup> In the same party, women are underrepresented in the presidency (only 10% women, 90% men) and the main board (25% women, 75% men), while the positions of Vice-President and Secretary General are exclusively men. The situation is similar in other parties: the Secretary Generals (where this body exists) are men, and only one political party has a woman among the Vice-Presidents (one woman and three men). In all other

parties, men are Vice-Presidents.<sup>89</sup> The representation of women on the Main Committees ranges between 20% and 30%.<sup>90</sup>

Political parties in Montenegro are predominantly male organisations, in which men's attitudes, voices and perspectives are generally heard more strongly than that of women.<sup>91</sup> There is little space within political parties for gender-sensitive policymaking. Some parties have prescribed intra-party measures to improve women's representation, such as a 30% quota for representation in party bodies, but the quota is generally not implemented, as is visible from the available data.<sup>92</sup>

<sup>85</sup> A. Korda, *Osvrt na političku participaciju žena u BiH*, 2018, available at:

<http://soc.ba/amela-korda-osvrt-na-politicku-participaciju-zena-u-bih/> (access: 15.9.2019.)

<sup>86</sup> B. Jetmir, *Give women the chance in politics through leadership positions*, 2019, available at:

<https://www.kas.de/documents/286052/0/Give+Women+the+Chance+in+Politics.pdf/c8d940a3-ada1-1d5f-d005-409996dfe587?version=1.0&t=1553077484689> (access: 29.9.2019.)

<sup>87</sup> N. Farnsworth, et al, *Kosovo Gender Analysis*, Kosovo Women's Network, 2018, Available at:

<https://womensnetwork.org/publications/kosovo-gender-analysis/> (access 17.9.2019.).

<sup>88</sup> Socijaldemokratska Partija, *Predsjednica, Zamjenik Predsjednice, Potpredsjednici i Počasni Predsjednik SDP*, available at:

<http://sdp.co.me/presjednik/> (access: 18.9.2019.)

<sup>89</sup> Liberal Party of Montenegro (source: <https://www.lpcg.me/organizacija/potpredsjednici>).

<sup>90</sup> The Democratic Party of Socialists has the highest representation of 30% (in numbers: 71 women and 164 men).

<sup>91</sup> V. Dedović, *Rodno ogledalo političkih partija u Crnoj Gori*, p.3. Available at

<http://www.gendermontenegro.com/documents/401/rodno-ogledalo-partija-undp-final.pdf>

<sup>92</sup> Socialist Democratic Party, Socialist People's Party of Montenegro, Social Democratic Party of Montenegro.

NORTH MACEDONIA<sup>93</sup>

Analysis of the data of the leading political parties in North Macedonia has shown that one party has a female President, Maja Moračanin from the Democratic Renewal of Macedonia, who is also a member of the National Parliament. Very rarely, and in a small percentage, women are present in the decision-making bodies. Only two parties (Social Democratic Union of Macedonia and Alliance for Albanians) have women in the positions of Vice Presidents, while representation on the Main Committees ranges between 19%-39% women (Social Democratic Union of Macedonia only). Women are underrepresented in party functions, as well as on the municipal and national level as indicated in other sections of this report. It is important to note that the trend of unavailability of data on the composition of the decision-making bodies on the official websites of the parties is also present in North Macedonia.

According to research conducted by Skopje-based CSO Reactor – Research in Action, men are more likely to be or have been Presidents of their party's local units, members of the Executive Board, members of Congress and Presidents of their Youth Units. They also tended more likely to be party Secretaries or Chiefs of Electoral Headquarters. The organisation's research findings also showed that women were only as likely as men to be members of Commissions and slightly more likely to be party spokespersons.<sup>94</sup> These positions, however, hold little to no decision-making power when it comes to party policies or creating party, electoral or otherwise, platforms. Additionally, a “more telling

result that points to the systematic discrimination of women in the recruitment process are the differences in age, education and employment status between women Councillors and men Councillors with different political functions”.<sup>95</sup> One of the frequently cited reasons for the underrepresentation of women is the perception that they have a lack of ambition to build political careers. This was reflected in the research findings, which indicated that 42% of men Councillors “blamed” women for their lack of participation, i.e. they viewed their low participation rates as a product of women's lack of interest, ambition or willingness to take responsibility”.<sup>96</sup> Such sentiment is often used to distract from real discriminatory systems and structures that can be attributed to women's continuously low representation in decision-making bodies. These tactics only serve to preserve and uphold these systems of inequality.

Ana Vasileva, a women's rights activist and founding member of the feminist collective *Бори се женски* (Fight like a Woman) states: “Power is centralised, and any kind of movement is dependent on the will of the few. That is why women that are included in parties often do not address the issues of people they represent, but their own personal interests. Things will not change until power in the parties is decentralised, which will be a long process, but the results will be better and more long lasting”.<sup>97</sup> It is also important to note that, to date, a woman has never been the leader of any Albanian political party in the country.<sup>98</sup>

<sup>93</sup> Data collection was done in large part with help from Kvinna till Kvinna's Partner Organisation Reactor – Research in Motion, from North Macedonia.

<sup>94</sup> N. Korunovska, et al, *Women in Politics: Paths to Public Office and their Impact at Local Level in Macedonia*, Reactor – Research in Action, p.48, available at:

[http://reactor.org.mk/CMS/Files/Publications/Documents/Жените%20во%20политиката\\_EN.pdf](http://reactor.org.mk/CMS/Files/Publications/Documents/Жените%20во%20политиката_EN.pdf) access: 15.9.2019.).

<sup>95</sup> In same report is stated: “the expected age differences for the executive positions are much smaller for men than for women. Specifically, among the men councillors who are presidents of local units and members of the executive boards the only underrepresented age group is the youngest, i.e., those younger than 31 years. It means that as soon as men turn 31 they are very likely to reach a senior position in their respective political party. However for women this only happens when they turn 38 and 45, for presidency and executive boards... This is typical evidence that men are given a chance based on potential, whereas women must prove themselves before they get a chance”. Available at:

[http://reactor.org.mk/CMS/Files/Publications/Documents/Жените%20во%20политиката\\_EN.pdf](http://reactor.org.mk/CMS/Files/Publications/Documents/Жените%20во%20политиката_EN.pdf) .

<sup>96</sup> Korunovska, p. 77.

<sup>97</sup> V. Rechica, Ana Vasileva: “*The region has a long tradition of feminism which has been forgotten.*”, 2018, available at:

<https://kosovotwopointzero.com/en/ana-vasileva-the-region-has-a-long-tradition-of-feminism-which-has-been-forgotten/> (access: 15.9.2019.)

<sup>98</sup> Bekiri.



## SERBIA

The National Assembly is the highest representative body and holder of Constitutional and legislative power in Serbia. There are 15 Parliamentary groups represented in this body (in line with the latest election at the time of this report),<sup>99</sup> and eight parties/coalitions with the largest participation in the National Assembly were analysed in this edition of the report. No party has a woman president, while only one party, the Serbian Radical Party, provides information on the Secretary General, who is a woman.<sup>100</sup> Three parties out of eight that are in power have women within Vice-Presidential positions, ranging from 10% (one of 10)<sup>101</sup> to 50% (three of six).<sup>102</sup> The same number of parties have only men Vice-Presidents (three in each party). According to the available data, women are in the Presidency of parties in three cases, as well as in three Main Committees, and are otherwise distinctly underrepresented in both bodies. The highest representation of women in party Presidency bodies is only 10%, and women's representation in Main Committees goes up to 24% at the most.

Several parties have provided quotas for the least represented gender in their Statutes, meaning they have an intra-party mechanism that ensures greater

representation of women in party bodies, which differs across the different parties. For example, the Socialist Party of Serbia has a 20% quota, whereas the Liberal Democratic Party guarantees one place for a woman in a Vice-Presidential position out of four positions. The Democratic Party of Serbia stipulates that at least one-third of women must be elected to the Main Committee of the party, while of the five Vice-Presidents of the party, two must be representatives of the underrepresented gender. Quotas, where they exist and as can be seen from the data collected, are usually not respected. Women's Forums (organisations of women within political parties) are not presented with the equal opportunity to contribute to the greater participation of women in the work of political parties.<sup>103</sup> The majority of party members consider that the Women's Forums have little influence on internal processes and function predominantly as a mechanism for the better recruitment of women into the party, rather than a body is given space to participate equally in decision-making.<sup>104</sup> When the majority of party members hold such perceptions, it creates further barriers for the Women's Forums to function as expert advisory bodies.

Women's equal participation in decision making bodies is necessary to enable true decision-making power, through involvement in all party structures, while "party policies must be gender sensitive and party support must be visible and equal".<sup>105</sup> The way parties stimulate women's participation in their

work, the extent to which they are decision-makers and party policy makers, as well as the commitment of parties to gender equality, indicate the relationship that parties have with women's participation in politics in general.



**One of the key roles to enhance women's participation in the public and political life belongs to political parties. Obstacles such as direct or indirect discrimination against women, unequal distribution of party resources, lack of affirmative action in party statutes are some of the complex challenges facing women within parties.**<sup>106</sup>

Maja Raičević, Women's Right Centre,  
Montenegro



**Colleagues from other political parties called me "Iuv", they would never address me by my name. Later they switched to "colleague". It took them a while to start using my name**

Anonymous female politician, BiH, age 25-34<sup>107</sup>

<sup>99</sup> See more: <http://www.parlament.gov.rs/narodna-skupstina-/narodna-skupstina-u-brojkama/poslanicke-grupe.1738.html>

<sup>100</sup> Serbian Radical Party, <https://www.srpskaradikalnastranka.org.rs/generalni-sekretar.html> .

<sup>101</sup> United Serbia, <http://www.jedinstvenasrbija.org.rs/index.php?action=predsednistvo>

<sup>102</sup> Social Democratic Party of Serbia, <https://www.sdpsrbije.rs/potpredsednici/>

<sup>103</sup> Todorović, p. 4.

<sup>104</sup> Todorović, p. 5.

<sup>105</sup> M. Abadžija, Edita Miftari: *Žene u partijama nemaju stvarnu moć*. Oslobođenje, 21.5.2018, available at: <https://www.oslobodjenje.ba/vijesti/bih/edita-miftari-zene-u-partijama-nemaju-stvarnu-moc-364836>

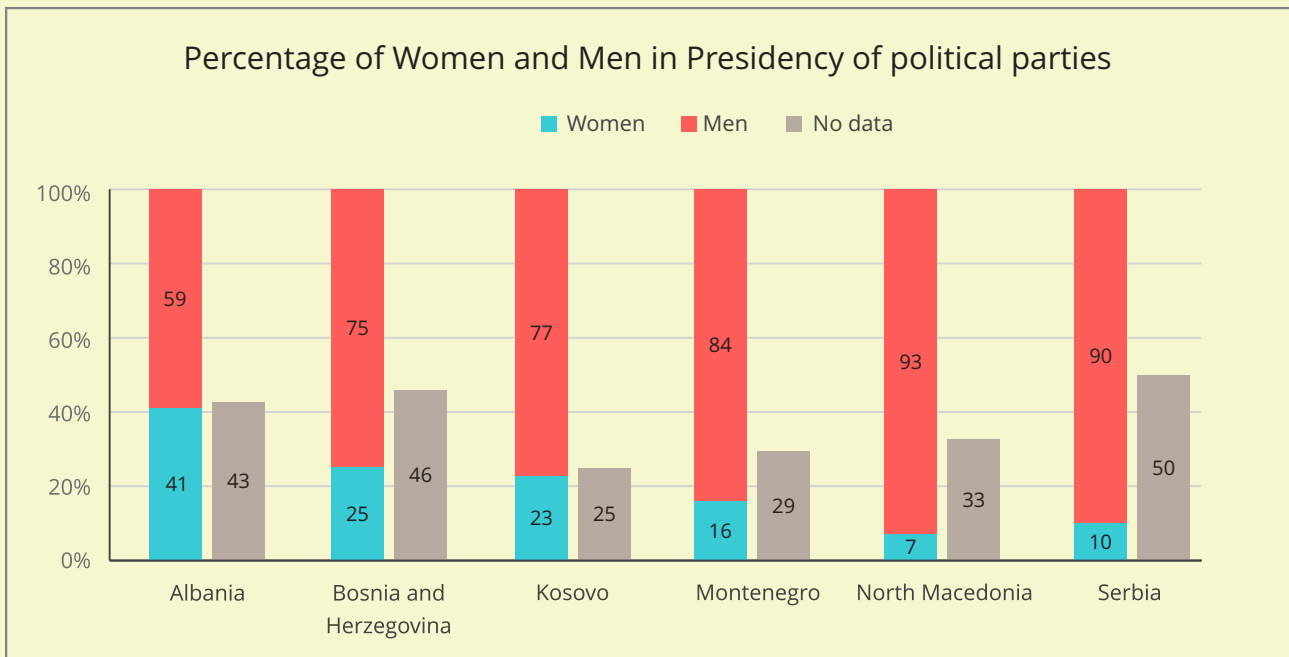
<sup>106</sup> *Kako do Ravnopravnosti*, Društvo za Novinsko Izdavačku Djelatnost Monitor doo, 2017, available at: <http://www.cin-cg.me/demo/wp-content/uploads/2018/03/zene-politika-mn> (access: 15.9.2019.).

<sup>107</sup> E. Miftari, *Violence Against Women in Politics in Bosnia and Herzegovina*, Western Balkans Democracy Initiative, 2019, p. 33.

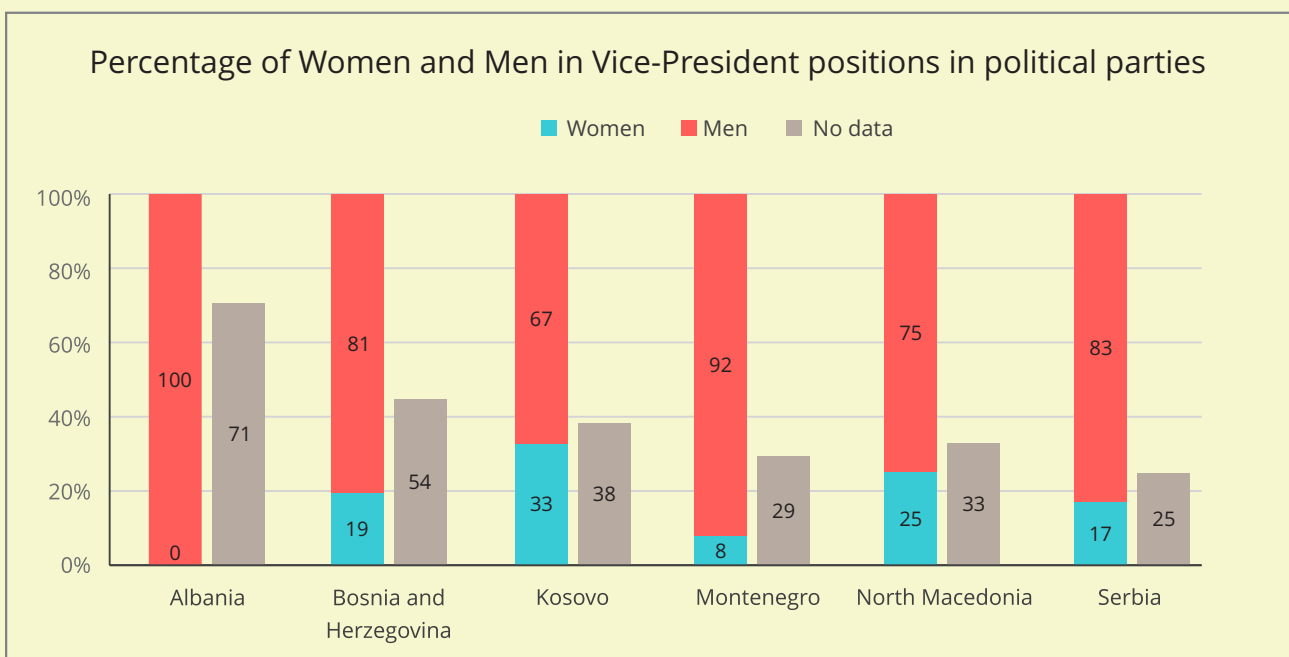
**STATISTICAL DATA SHOWS:**

The data in the following graphs are organised by body and represent the percentage of parties that have representation of women in individual bodies. The following graphs present the percentage of women in these bodies.

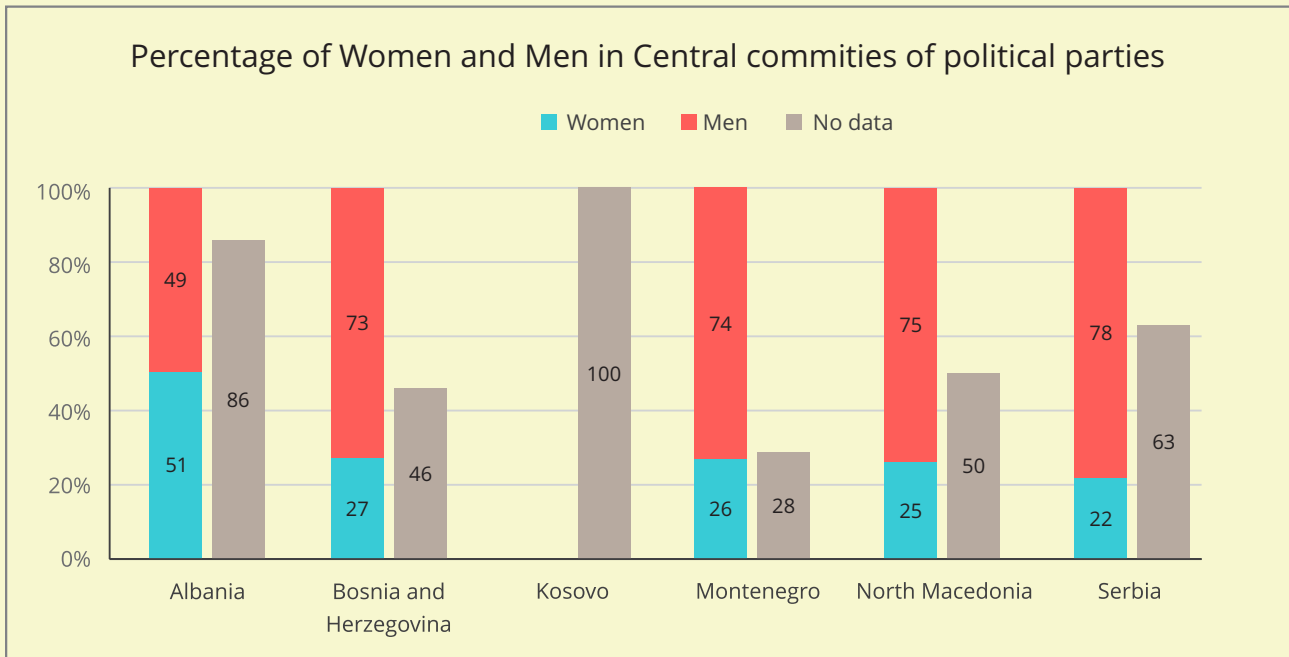
% of women and men in Presidency of political parties in power by country  
(for political parties with available data with percentage of parties without available data):



% of women and men in Vice-President positions at political parties in power by country  
(for political parties with available data with percentage of parties without available data):



% of women and men in Main (Central) Committees of political parties in power by country  
(for political parties with available data with percentage of parties without available data):



The Westminster Foundation for Democracy Bosnia and Herzegovina in 2019 conducted research on *Violence against Women in Politics in Bosnia and Herzegovina* to gain a better understanding of the violence as one of the obstacles hindering women's active engagement in politics. Research findings states: "Violence against women in politics takes many forms, from misogynistic and sexist verbal attacks, to petty forms of mostly online harassment and sexual harassment. This study finds that... 60% of the 83 respondents have experienced some form of violence during their engagement in politics, and that 46% of women politicians have experienced violence just because they are women. The respondents mostly (approximately 70%) agreed with the statement that violence against women in politics is not recognised as a form of gender-based violence, that is violence directed against women for being women, and a violation of human rights, and that violence against women in politics is perceived as normal in politics (66%)."<sup>108</sup>

<sup>108</sup> E. Miftari, *Violence Against Women in Politics in Bosnia and Herzegovina, Western Balkans*, p. 8 and 24. Democracy Initiative, 2019, p. 33.

## Recommendations\*

### % of representation of women in politics and/or in high positions of decision-making power

#### WHAT CAN BE DONE IN ONE YEAR:

**Legislative reform could impose sanctions for non-compliance with existing quota requirements; complaint mechanisms and free legal aid could be established within parliaments to tackle violence, discrimination and harassment faced by female politicians.**

#### National governments

- Adopt quotas to ensure a minimum of 40% representation for each gender in Executive Cabinet positions and within the civil service (e.g., in all state nominations) (Examples: Czech Republic, France)
- Adopt quotas to ensure a minimum of 40% representation on party lists, requiring that candidates are listed alternatively by gender on party lists to preclude the practice of women being placed on the bottom of the lists, where it occurs (e.g., woman, man, woman, man, etc.)
- Amend existing legislation related to quotas on party lists to provide for sanctions for non-compliance, including the withholding of State funds (Examples: Belgium)
- Establish a complaint mechanism within Parliament to address discrimination, harassment and GBV in politics, to provide them with the necessary support services, including recognition as a category eligible for the receipt of free legal aid, and to collect data on the phenomenon (Example: Spain)
- Regulate/legislate to require broadcast media to provide free-of-charge airtime to female candidates and to parties that nominate the most women candidates and those that feature women in their electoral campaigns

#### EU institutions, other inter-governmental organisations and donors:

- Mainstream the issue of barriers women face when entering of political participation at the national level into political dialogue with governments
- Support national Women's Networks and/or Women's Parliamentary Forums where they exist to develop specific advocacy agendas on gender issues
- Support collaboration between WCSOs and media regulatory bodies to monitor coverage of campaigns from a gender perspective

### % of representation of women in politics in local/municipal councils

#### WHAT CAN BE DONE IN ONE YEAR:

**Local legislation and regulations should be modified to ensure a minimum of 40% representation, de facto, where such provisions do not exist already, and broad-based, local public awareness-raising campaigns can be undertaken concurrent with elections on gender bias.**

\* Given the diverse situation in each country, the recommendations are generalised, applying to a majority of the countries for each recommended action.

## National governments

- Introduce local government quota legislation to increase quotas to 40% to ensure parity among candidates and amend quota legislation to require alternative placement on party lists by gender for mayoral and municipal council lists
- Establish a complaint mechanism within local government councils related to discrimination, harassment and GBV in politics
- Require equal pay for local government actors
- Amend legislation to impose sanctions for parties that do not comply with quota requirements
- Establish parental and/or carers leave for political representatives (Example: Sweden)

## EU institutions, other inter-governmental organisations and donors:

- Mainstream the barriers women face in accessing political participation at the local level into political dialogue with governments
- Support the participation of WCSOs as accountability agents in budgetary and policy making processes at the local level
- Support use of information and communication technologies as a catalyst for the political and social empowerment of girls and women at the local level

## % of women in decision-making bodies of political parties currently in power

### WHAT CAN BE DONE IN ONE YEAR:

**Findings should be developed on mechanisms for holding political parties accountable for any barriers impeding women's de facto equal participation in internal structures and in appointments/nominations.**

## National governments

- Require political parties to establish an intra-party quota system for internal structures at a minimum of 40%
- Sanction non-compliance with restriction of funds
- Require that candidates are listed alternatively by gender on party lists to preclude the practice of women being placed on the bottom of the lists, where it occurs (e.g., woman, man, woman, man, etc.)
- Require parties to ensure gender-equal access to financial resources and campaign funds

## EU institutions, other inter-governmental organisations and donors:

- Support to WCSOs to develop tool kits or protocols on women's inclusion (Ex: Czech Republic)
- Support WCSOs to monitor and report on the professional and ethical behaviour of elected officials during Parliamentary sittings, focusing on interactions between women and men elected officials, especially during discussions on gender-sensitive issues
- Support WCSOs to conduct trainings of political party members on gender equality
- Support research and public debate on the obligations of political parties to ensure women's equal participation, including in leadership positions, and implementation through possible regulatory frameworks and the use of sanctions

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## GENDER-BASED VIOLENCE

Challenges and obstacles regarding prevention and protection from gender-based violence (GBV) still persist in the six Western Balkan countries. As reported in previous editions of the *Women's Rights in Western Balkans* reports, legislation on domestic violence (DV) is in place, but there is still room for improvements, especially in regard to ensuring effective responses to violence and other forms of GBV that are not only related to DV.

One of the major challenges pertains to Article 11 of the Istanbul Convention<sup>109</sup> which provides that the signatory countries must “collect disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of [the] Convention” as well as “support research in the field of all forms of violence covered by the scope of [the] Convention in order to study its root causes and effects, incidences and conviction rates, as well as the efficacy of measures taken to implement [the] Convention”. The same Article provides that the signatories must “ensure that the information collected pursuant to this article is available to the public”. However, collecting official data on GBV remains a challenge, and in recognition of this challenge the Kvinna till Kvinna Foundation (Kvinna till Kvinna) exercised the right to request data via Freedom of Information data requests from relevant authorities in all six Western Balkan countries. Aside from gauging the response rates of the institutions according to their respective Freedom of Information laws, this was an opportunity to assess to what extent Article 11 of the Istanbul Convention was being implemented throughout the Western Balkan region.

Data requests submitted by Kvinna till Kvinna to the aforementioned authorities were unified and standardised, and requested data in regards to Article 8 of the Istanbul Convention, pertaining to allocation of appropriate financial resources for the adequate implementation of integrated policies, measures and programmes. Requests also related to Article 15, pertaining to training of professionals dealing with victims/survivors or perpetrators of violence. More specifically, questions related to Article 8 were on allocation of funds to prevent GBV and DV, and allocation of funds to support victims/survivors of GBV and DV. Questions related to Article 15 were on the number and type of training provided to professionals and authorities in the prevention of GBV and DV, as well as on protection

and support to victims/survivors of GBV and DV. Countries' responses varied, and many countries failed to provide information on the specific number of professionals and trainings held in regard to prevention, protection, and support to survivors of GBV and DV, despite being explicitly asked to provide these data. Some countries submitted partial answers to the posed questions, e.g. provided the amount of allocated funds to train the professionals dealing with victims or perpetrators of violence, or provided a number of trainings held in the reporting period, but failed to provide data on the number of professionals who were trained in the same period. The obtained data for each country is presented in the following chapter.

Other challenges regarding GBV and DV are in regard to the need for further harmonisation of national legislation with the Istanbul Convention, the qualification of DV as a criminal offense rather than as a misdemeanour offense, and the low numbers in reported cases that are in part due to the difficulties in processing of cases of violence against women (VAW). One of the largest problems that survivors face is the inadequate, long and complicated procedures between the incident and their ability to access support, protection and rehabilitation from state institutions. The lack of information about available support/services, mistrust in institutions, patriarchal attitudes towards the family sphere, and low reporting rates of GBV all contribute to added difficulties for survivors in accessing the proper care they need from professionals.

Kosovo is still the only country in the region that to-date has neither signed nor ratified the Istanbul Convention due to its political status.<sup>110</sup> However, Kosovo has made progress on its legal framework addressing DV as the Criminal Code has been revised, resulting in the inclusion and definition of domestic violence as a separate criminal offense, and accurately defining all acts of domestic violence, aligned with the requirements of the Istanbul Convention.<sup>111</sup> Kosovo is also aiming at amending its Constitution to recognize the Istanbul Convention's direct applicability. The amendment was reviewed by the Constitutional Court which ruled positively on the matter and enabled the Assembly of Kosovo to vote on the adoption of the amendment in the near future.<sup>112</sup>

<sup>109</sup> The Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

<sup>110</sup> Kosovo is not an official member of the Council of Europe.

<sup>111</sup> Ibid.

<sup>112</sup> UN Women Europe and Central Asia, 'Kosovo to amend its Constitution to recognize the Istanbul Convention', 14 May 2019,



Albania and Kosovo are the only countries in the Western Balkan region that have not signed the Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages (1962).<sup>113</sup>

Also, North Macedonia and Kosovo did not sign on to the European Convention on the Compensation of Victims of Violent Crimes (1983).<sup>114</sup>

### NUMBER OF TRAINED EXECUTIVE AND JUDICIARY AUTHORITIES (POLICE, SOCIAL AND HEALTH PROTECTION WORKERS, JUDGES, PROSECUTORS) RESPONSIBLE FOR PREVENTION, PROTECTION, SUPPORT AND REHABILITATION OF SURVIVORS OF VIOLENCE

In recognition of the many challenges in prevention as well as responses to VAW, a number of trainings for relevant officials and professionals are organised across the Western Balkan region. Trainings for responsible authorities are integrated and facilitated by relevant institutions (for example police, social welfare institutions and Ministries) and are also provided by projects and programmes of

different international and national CSOs. The main issue with training opportunities in the six Western Balkan countries is that they are usually donor-funded, underfunded, not standardised and not systematic. Exact data on the number of trained authorities remains mostly unknown as the countries failed to provide comprehensive information upon the request of Kvinna till Kvinna.

#### ALBANIA

Capacity development and strengthening of professionals working on cases of GBV and DV is an ongoing activity planned and implemented through cooperation of key central and local institutions with international organisations and WCSOs. Professionals who are targeted and who receive training on GBV in Albania include Gender Equality Officers, local DV Coordinators, local and state police officers and inspectors, Police Academy instructors, judges, prosecutors and other legal professionals, as well as professionals providing specialised services to victims/survivors of violence.<sup>115</sup> At the end of 2018, a new training curriculum titled "Gender, Non-Discrimination and Justice" was drafted and contains five modules for five training days, with a total of 30 training hours.<sup>116</sup>

The data request response from the Ministry of Health and Social Protection stated that in 2018 and 2019, multiple training programs were implemented in Albania to develop and improve capacities of professionals dealing with GBV and DV; three trainings on investigating sexual crimes were held for 60 police officers and investigators, as well as a series of seminars on gender perspective in policing for 59 police officers within the Tirana Police Directorate.<sup>117</sup> Improving police capacities on DV continued in 2019 with 15 United Nations Development Programme (UNDP)-supported trainings in 12 Albanian regions for 328 police officers.<sup>118</sup> Other than the police, the UNDP also supported capacity development training on DV for 43 local coordinators in the first half of 2019, and will continue to do so until the end of 2019.<sup>119</sup>

<sup>113</sup> M. Babović and V. Andrašek, OSCE-Led Survey on Violence Against Women: Well-Being and Safety of Women, Austria, Organisation for Security and Cooperation in Europe, 2019, p. 15.

<sup>114</sup> Ibid.

<sup>115</sup> Government of Albania, National review for implementation of the Beijing Platform for Action - Beijing +25, 2019, p. 37.

<sup>116</sup> Ibid.

<sup>117</sup> Ministry of Work and Social Protection of Albania, data requested by the Kvinna till Kvinna Foundation, response received on 16 September 2019.

<sup>118</sup> Ibid.

<sup>119</sup> Ministry of Work and Social Protection of Albania, data requested by the Kvinna till Kvinna Foundation, response received on 16 September 2019.

Local coordinators are representatives of municipalities and responsible persons to coordinate actions at local level with all relevant institutions and respond the GBV needs. In addition, the UNDP supported capacity development of the newly opened sexual violence referral centre "Lilium" where 78 professionals were trained, including centre staff, health care professionals, police officers and child protection officers, as well as school psychologists in Tirana.<sup>120</sup>

Though the data request response was received and despite the details it includes, it remains unclear, however, whether the respective training programmes are mandatory for police officers and other professionals handling GBV and DV cases in Albania. Also, a major concern of WCSOs that provide training to professionals handling violence cases is that there is high staff turnover in public institutions, for political reasons, which often

undoes the work of civil society and other actors, to train and prepare these individuals for their everyday work, at the same time letting many human and financial resources go to waste.<sup>121</sup>

An additional challenge refers to the significant lack of knowledge and accountability of health professionals. The new amendments to the Law on Domestic Violence introduce additional responsibilities for the Ministry of Health and Social Protection to organise training and professional development programs for these professionals.<sup>122</sup> Civil society plays a significant role in this regard, and the newly proposed legislative changes recognise services and trainings organised by WCSOs as a necessity and legally regulated, which is a positive step towards both ensuring governmental support for the work of WCSOs as well as providing ongoing learning and training to relevant authorities and first respondents.<sup>123</sup>

### BOSNIA AND HERZEGOVINA

During the reporting period, BiH adopted the *Gender Action Plan 2018-2022*<sup>124</sup> and the *Framework Strategy for the Implementation of the Istanbul Convention 2015-2018*<sup>125</sup>. The entity governments (Federation of BiH, and Republika Srpska) adopted and implemented Annual Operational Plans for gender equality, as well as separate strategies for implementing the Istanbul Convention.<sup>126</sup> However, the Istanbul Convention at the entity level is mainly being implemented in regard to DV. That being said, official training of professionals who provide services, protection and support to victims/survivors of DV is being facilitated at the entity level, while there are no official, comprehensive training programs that would include education on other forms of violence as well.

The data request response from the Gender Centre of Federation of BiH stated that two official training

programs are in place for education of professionals who work on DV cases. In 2018, 384 professionals attended 35 training sessions, out of which 43 attendees were from the judiciary sector, 206 from the health care sector, 65 from the security sector, and the remaining 70 represented a combination of all relevant professionals attending two multi-sectoral trainings.<sup>127</sup> Additionally, 118 workshops, conferences and public events on DV were organised by various institutions and CSOs in 2018, that were attended by 2043 persons in total.<sup>128</sup> No data was officially reported for 2019 in Federation of BiH or for Republika Srpska, although the BiH country report for the Beijing+25 process indicates that a comprehensive multi-sectoral training programme was developed for service providers, and that it involved 479 professionals in the previous five years.<sup>129</sup> A positive development is that the

<sup>120</sup> Ibid.

<sup>121</sup> M. Llubani, Mapping of Policies and Legislation on Violence against Women and the Istanbul Convention in Albania, European Women's Lobby, 2019, p. 9.

<sup>122</sup> Ibid, p. 11.

<sup>123</sup> Ibid, p. 16.

<sup>124</sup> Government of Bosnia and Herzegovina, Gender Action Plan 2018-2022, Official Gazette of BiH, Vol. 89/18.

<sup>125</sup> Government of Bosnia and Herzegovina, Framework Strategy for the implementation of the Istanbul Convention 2015-2018, Official Gazette of BiH, Vol. 75/15.

<sup>126</sup> Government of Republika Srpska, Strategy for Prevention of Domestic Violence in RS 2014-2019, Official Gazette of RS, Vol. 63/14; Government of Federation of Bosnia and Herzegovina, Strategy for Prevention and Combat against Domestic Violence in FBiH 2013-2017, Official Gazette of FBiH, Vol. 22/13 (implementation extended).

<sup>127</sup> Gender Centre of Federation of Bosnia and Herzegovina, data requested by the Kvinna till Kvinna Foundation, response received on 24 September 2019.

<sup>128</sup> Ibid.

<sup>129</sup> Government of Bosnia and Herzegovina, Progress report on the implementation of the Beijing Declaration and Platform for Action in BiH within the Beijing +25 process, 2019, p. 37.

Department for Social Work at the School of Political Sciences of the University of Banja Luka has introduced a course on social work and DV in the curriculum since the autumn semester of 2018, targeting social work students; i.e. future social workers who will likely work with or encounter DV cases on a regular basis.<sup>130</sup>

In 2018, police and the Centre for Education of Judges and Prosecutors of the Federation of BiH continued their educational activities to prevent and combat LGBTQI+ related hate crimes, and the Federal Ministry of Internal Affairs announced the introduction of hate crime modules in the Federation of BiH Police Academy programme in 2019. At the time of writing this report, no formal agreement was yet made, although CSOs are expecting the trainings to begin soon after this reporting period.<sup>131</sup>

Regardless of evident efforts to educate and develop capacities of service providers and first responders to DV reports, the insensitivity of professionals, particularly police officers, still presents a significant

challenge. Examples include failures to remove perpetrators from the family home as police officers were frequently under the mistaken impression that they needed to concern themselves with where the perpetrator would live, or they returned offenders to their family homes less than 24 hours after a violent event.<sup>132</sup> Where not adequately trained, police officers were sometimes unsure of which protection orders to request in instances where there were no visible injuries on the victim/survivor.<sup>133</sup> The additional need for training of police officers is necessary in light of the absence of a specialised department for DV. Such departments would have a higher level of sensitivity to cases of DV than the police administrations that do not have any specialised mechanisms in place. Experience shows that specialised departments require less training, and their members are often the ones delivering the trainings, while police administrations that do not approach protection and support systematically recognise their need for additional trainings for all police officers.<sup>134</sup>

### KOSOVO

On 14 March 2019, a key milestone was achieved for Kosovo when government institutions working on preventing violence against women and girls signed a Memorandum of Understanding on an integrated and unified database for cases of DV.<sup>135</sup> This database will enable the monitoring and prosecution of DV cases in Kosovo, and ensure accountability by obliging relevant institutions to feed the database with the necessary information from central and local levels. The creation of the database is supported by the UN Women Regional Programme on ending violence against women in the Western Balkans and Turkey, "Implementing Norms, Changing Minds", funded by the European Union.<sup>136</sup>

The data request response received from the Agency for Gender Equality of Kosovo stated that in 2018, it delivered trainings for the region of Mitrovica, Pristina and Gjilan on implementation of the Law on Protection from Domestic Violence and accompanying Standard Operating Procedures by health workers, and an additional two-day workshop was held in 2019 to develop a training module on the implementation of the Standard Operating Procedures.<sup>137</sup> The said training module is being applied during this reporting period, and a training had already been held for health workers. Additional trainings for the implementation of the Standard Operating Procedures were held in the municipalities of Pristina and Mitrovica, where

<sup>130</sup> Ibid.

<sup>131</sup> International Lesbian Gay Bisexual Trans and Intersex Association (ILGA) Europe, Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People 2019, Brussels, Marque Studio, 2019, p. 30.

<sup>132</sup> United States Department of State, Bosnia and Herzegovina 2018 Human Rights Report, Bureau of Democracy, Human Rights and Labour, 2018, p. 23.

<sup>133</sup> E. Miftari, UN Women analysis of the capacities for the implementation of preventing and combating domestic violence and violence against women in police and free legal aid sector in Bosnia and Herzegovina, Sarajevo, UN Women, 2019, p. 19.

<sup>134</sup> Ibid, p. 15.

<sup>135</sup> UN Women Europe and Central Asia, 'Kosovo to start using an integrated database for cases of domestic violence', 2 April 2019, <https://eca.unwomen.org/en/news/stories/2019/04/kosovo-to-start-using-an-integrated-database-for-cases-of-domestic-violence>, (accessed 11 September 2019).

<sup>136</sup> Ibid.

<sup>137</sup> Agency for Gender Equality of Kosovo, data requested by the Kvinna till Kvinna Foundation, response received on 19 September 2019.

trainers were judges, prosecutors, victim advocates and social workers.<sup>138</sup> It is unknown how many training sessions were organised or how many professionals were trained through these programmes, as the official data request response did not provide numbers of trainees, despite the specific request for these data. In addition, partner organisations indicate that these trainings must be focused on increasing the knowledge of judges, prosecutors and police officers on the newly adopted definitions of GBV in the Criminal Code that are in accordance with the Istanbul Convention. Their monitoring shows that although the Criminal Code clearly specifies that courts and judges are not allowed to intermedicate in DV cases, this practice is still being followed by many judges in Kosovo, leading to recidivism of GBV cases.<sup>139</sup>

Training for police in addressing DV cases is institutionalised in Kosovo, though reportedly not all DV investigators have received the same level of training. Domestic Violence Investigation Units (DVIU) exist, but officers work on other cases as well. Police in Kosovo received several trainings related to DV, and DVIUs received additional trainings beyond the basic ones provided for all police officers. These trainings, combined with the clear legal framework, have led to several improvements of police response regarding DV.<sup>140</sup> A clarity in procedures and actions was noted, as well as better understanding of their duties and responsibilities. Therefore, the establishment, on-going training, and well-functioning of DVIUs are also considered a positive step that has improved the quality of police response to cases of DV.<sup>141</sup>

However, the challenge remains in regard to Kosovo police officers and prosecutors who have not received sufficient training related to the investigation and prosecution of rape cases. These authorities interact with victims/survivors after the first response police officers, and there have been reported instances of these authorities often bringing victims/survivors too late to forensics

personnel for medical evidence collection, which leads to the loss of valuable medical evidence to prove the case in courts.<sup>142</sup> Additional issues around insufficient training are reflected in the evident lack of understanding of power relations, continuous tendencies to victim-blame, as well as failure to use a survivor-centred approach.<sup>143</sup> Justice institutions continue to have an inappropriate and often discriminative approach towards LGBTQI+ victims/survivors, as only sporadic, irregular and non-institutionalised trainings for police, prosecution and judges have been held.<sup>144</sup> Although the police in Pristina have undergone many trainings and workshops and as a result, have a comparatively better understanding of how to handle these cases, police officers in other municipalities need further capacity building.<sup>145</sup> This implies that trainings need to be decentralised from the capital city and extended to all other regions of the country. In rural regions, where women already face higher barriers to accessing information and assistance for any and all forms of GBV, it is important that, upon reporting, the authorities responding to their cases are able to support the victim/survivor at the same level as they would in Pristina.

Judges and prosecutors who were trained by the Chief State Prosecutor's Office and the Kosovo Police training department held 44 training workshops on human trafficking in cooperation with international organisations. The Justice Academy trained prosecutors, judges, and victim advocates; however, many prosecutors trained under the Yugoslav Criminal Code require further training on the Kosovo Criminal Code.<sup>146</sup>

In addition, the training of responsible institutions on how to deal with the new centralised database on cases of DV continues at the central and municipal levels. So far, more than 120 representatives from relevant institutions have been trained on how to insert and manage data.<sup>147</sup>

<sup>138</sup> Ibid.

<sup>139</sup> Information shared with Kvinna till Kvinna by Partner Organisation Kosovo Women's Network.

<sup>140</sup> D. Morina and L. Demolli, *Gender Based Violence in Kosovo: A critical Review of Police Response*, Prishtina, Kosovar Gender Studies Center and Equal Rights for All Coalition, 2019, p. 16.

<sup>141</sup> Ibid.

<sup>142</sup> A. Qosaj-Mustafa and D. Morina, *Accessing Justice for Victims of Gender Based Violence in Kosovo: Ending Impunity for Perpetrators*, Prishtina, Kosovar Institute for Policy Research and Development, 2018, p. 38.

<sup>143</sup> N. Farnsworth, et al., *Kosovo Gender Analysis*, Kosovo Women's Network, 2017, p. 23.

<sup>144</sup> A. Qosaj-Mustafa and D. Morina, *Accessing Justice for Victims of Gender Based Violence in Kosovo: Ending Impunity for Perpetrators*, Prishtina, Kosovar Institute for Policy Research and Development, 2018, p. 50.

<sup>145</sup> Ibid.

<sup>146</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 278.

<sup>147</sup> UN Women Europe and Central Asia, 'Kosovo to start using an integrated database for cases of domestic violence', 2 April 2019, <https://eca.unwomen.org/en/news/stories/2019/04/kosovo-to-start-using-an-integrated-database-for-cases-of-domestic-violence>, (accessed 11 September 2019).

## MONTENEGRO

Accurate data on the number of professionals covered by the training on prevention and protection from GBV and DV is not available as the Government of Montenegro failed to respond to Kvinna till Kvinna's data request. In this reporting period in Montenegro, there is evidence of many one-off training initiatives that cover one or more aspects of the Istanbul Convention. Training efforts still rely heavily on donor-funded civil society initiatives. The WCSO Women's Rights Centre plays an important role in carrying out such trainings in cooperation with the Centre for Judicial Training and Public Prosecution. Although the funding is provided by donors and is not from national budget, they provide technical assistance and conceptual support.<sup>148</sup> Professionals who benefit from these trainings are mainly judges and public prosecutors, and there is no available information on similar initiatives in relation to law enforcement officials or social workers.<sup>149</sup> In addition, the trainings focus on DV, and not on other forms of GBV covered by the Istanbul Convention. This is due to limitations in human and financial resources and should be addressed by the Centre for Judicial Training and Public Prosecution.

Following the adoption of the Law on the Centre for Training in Judiciary and State Prosecution Service in 2015, the Judicial Training Centre has become an independent institution and is taking on a more prominent role in offering training for judges and prosecutors on the Istanbul Convention and the handling of DV cases, as noted in the GREVIO Baseline Evaluation Report in 2018.<sup>150</sup> Over the years, it has adopted an in-service training

programme for judges and prosecutors who have completed four years of work experience and contains a six-day module covering DV.<sup>151</sup>

With regards to police, the training for members of the units specialised for domestic and sexual violence is showing signs of success, as fewer and fewer complaints surface in relation to the 34 officers, predominantly women, who serve these units across the country.<sup>152</sup> It is unclear, however, to what extent patrol officers who first respond to the crime scene have received similar levels of training. As they are the first respondents and often the first to interact with the parties involved, it is important that the goal of training all police officers is kept in mind so that all are sensitised to the specificities of cases of DV or other forms of GBV.

In 2018, the National Office for Combating Trafficking in Human Beings started a project titled "Improving the Provision of Services and Awareness of the Fight against Trafficking in Human Beings in the Balkans, Albania, Macedonia, Montenegro, Kosovo" in partnership with WCSO SOS Nikšić, which aimed to strengthen the capacities of institutional representatives in the application of transnational Standard Operating Procedures for the exchange of information on trafficking cases, and special attention was given to vulnerability of women and girls in regard to human trafficking.<sup>153</sup> Representatives of the Ministry of Labour and Social Welfare, Centre for Social Work, Police Directorate and WCSO Montenegrin Women's Lobby participated in this initiative.<sup>154</sup>

<sup>148</sup> Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), GREVIO's *(Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) Montenegro (GREVIO/Inf(2018)5)*, 2018, p. 25.

<sup>149</sup> Ibid.

<sup>150</sup> Ibid, pp. 25-26.

<sup>151</sup> Ibid, p. 26.

<sup>152</sup> Ibid.

<sup>153</sup> Government of Montenegro, *Report of Montenegro on the Implementation of the Beijing Declaration and Platform for Action (BPfA) and 2030 Agenda for Sustainable Development (2030 Agenda)*, 2019, p. 87.

<sup>154</sup> Ibid.

## NORTH MACEDONIA

In October 2019, the newest Gender Equality Index for North Macedonia was launched. During the launch event, a representative from the European Institute for Gender Equality raised the issue of GBV, stating that North Macedonian institutions have a serious lack of data on GBV and that trainings will be conducted to address this matter in 2020.<sup>155</sup> Furthermore, the Gender Equality Index states that GBV is an alarming social problem in North Macedonia that is being systematically neglected and marginalised. A major challenge remains in regard to monitoring of GBV cases and data collection.<sup>156</sup>

According to the *National Action Plan for the Implementation of the Istanbul Convention (NAP)*, all relevant stakeholders for its successful implementation have committed to adopt annual operational plans for the implementation of the NAP (2018-2023). As part of the required activities in the NAP, one chapter outlines that prevention trainings for professionals, workshops and working meetings are planned. Coordination and monitoring of the implementation of these trainings is foreseen to be followed by the National Coordination Body. The National Coordination Body is planned to be established in accordance with and after the foreseen adoption of the new Law on Prevention, Combatting and Protection from Domestic Violence.<sup>157</sup> The process of the development of the new law is still ongoing. In cooperation with CSOs and relevant Ministries, the process of organising and delivering trainings for professionals (including, but not limited to, doctors and medical staff, managers and other public administration staff) has partially begun, though the scope is small given the large number of state administrators.<sup>158</sup>

Regardless of the aforementioned efforts, there is no central institution that conducts training on various forms of GBV in Macedonia. Official and CSO reports refer to training for justice practitioners, law enforcement officers and other professional staff, but no reference could be found to the implementation of an on-going strategy, or to the establishment of a national coordinating body.<sup>159</sup> An OSCE-led survey showed that training had some success in raising awareness, but that there were legitimate concerns about the lack of systematic evaluation, frequent political interference, and lack of motivation among professionals to learn about this topic as many attended the training only because it was compulsory, not because they wanted to.<sup>160</sup>

Accurate data on the number of professionals covered by the training on prevention and protection from GBV and DV is not available and the government of North Macedonia failed to provide this data upon the request of Kvinna till Kvinna.<sup>161</sup>

The Ministry of Labour and Social Policy organises online trainings and tests for basic knowledge on discrimination and GBV. One positive change initiated by the Ministry was the establishment of a 24-hour professional and expert team that is available in cases of DV, but also in other cases and for other categories that are at social risk, as is the experience of WSCOs<sup>162</sup> in North Macedonia. The team consists of a pedagogue, psychologist and social worker, and works in close cooperation with the members of the Ministry of Internal Affairs who are obliged to accompany the team in case of violent incidents and on field visits.

<sup>155</sup> Information obtained at Project Launching event by Kvinna till Kvinna staff in attendance.

<sup>156</sup> M. Bashevska, *Gender Equality Index for North Macedonia 2019: Measuring Gender Equality*, North Macedonia, 2019, p. 5.

<sup>157</sup> Information received by Kvinna till Kvinna from a partner organisation in the country.

<sup>158</sup> Ibid.

<sup>159</sup> M. Babović and V. Andrašek, *OSCE-Led Survey on Violence Against Women: Well-Being and Safety of Women – North Macedonia, Organisation for Security and Cooperation in Europe*, 2019, p. 14.

<sup>160</sup> Ibid.

<sup>161</sup> Kvinna till Kvinna submitted an official complaint to the Commission for Protection of the Right to Free Access to Public Information. A response was not received during the writing period of this report. In addition, the Commission for Protection of the Right to Free Access to Public Information has not been functioning for more than a year, due to the delay in the selection of Commission members and the prolongation of the Commission's transformation process into an Agency. This violates the fundamental human right to access public information, guaranteed by Article 16 of the Constitution of the Republic of North Macedonia and the Law on Free Access to Public Information. (Information shared with Kvinna till Kvinna by partner organisation National network to End Violence against Women and Domestic Violence).

<sup>162</sup> Information shared with Kvinna till Kvinna by partner organisation National network to End Violence against Women and Domestic Violence.

## SERBIA

The *National Strategy for Gender Equality 2016-2020* in Serbia does not stipulate measures regarding the training of professionals working on GBV and DV cases. The Action Plan of the Coordination Body for Gender Equality plans for training of professionals, but there is no publicly available implementation report.<sup>163</sup> In its submission to GREVIO, the country admits that the area of education and professional development of professionals working on VAW is not regulated adequately and that institutions and training organisers do not keep adequate records on trainings, their content and goals, or on the number of employees who attended them.<sup>164</sup> In addition, the Government of Serbia failed to provide data on the number of professionals covered by the training on prevention and protection from GBV and DV upon Kvinna till Kvinna's submission of a data request.

The Law on the Prevention of Domestic Violence requires mandatory specialised trainings for the competent police officers, public prosecutors and judges who apply this law, but this does not refer to other professionals, such as social workers, health care, or education professionals. In November 2018, the International Criminal Investigative Training Assistance Program and UNDP organised a training for police officers on DV response, titled "On the First Line of Protection", with the support of the Ministry of Justice and the Ministry of Internal Affairs.<sup>165</sup> During 2017, approximately 900 police officers and about 400 prosecutors and judges were trained for implementation of this law in three-day and two-day seminars, respectively.<sup>166</sup>

Training activities pertaining to gender equality and GBV were organised for civil servants by the Human Resource Management Service of the Government of the Republic of Serbia.<sup>167</sup> Special trainings on DV were organised by the Judicial Academy for public

prosecutors and deputy public prosecutors, titled "Domestic Violence Protective Measures and Proceedings in Cases for Protection from Domestic Violence" training for judges, as well as other trainings for employees in information offices for injured parties and witnesses, security sector employees, employees in social welfare institutions, media and education professionals.<sup>168</sup> Researchers were unable to obtain more recent data for this statistic on the criminal justice sector.

Despite the absence of this requirement under the Law, trainings for health care providers titled "Health Sector Responses to Gender based Violence" were delivered in 2018 in cooperation between the Ministry of Health, the Centre for Promotion of Women's Health and UNDP. Over 40 health care professionals attended the trainings in order to enhance their knowledge on recognising and responding to GBV.<sup>169</sup>

In March 2019, the Centre for Promotion of Women's Health prepared and delivered a training titled "Health Sector Responses to Gender-Based Violence" for 18 health care professionals from five local communities in Serbia, including general practitioners, internists, medical emergency specialists, forensic medicine specialists, public health specialists and nurses. The training was on effective and efficient response to GBV in Health Centres.<sup>170</sup> It also organised an advanced training for trainers in June 2019, titled "Capacity Building of Health Workers for Planning, Organisation and Education in the Area of Gender-Based Violence in the Health Sector", which was intended for healthcare providers who have undergone previous basic training and are interested in becoming educators in the area of GBV.<sup>171</sup> Seventeen health professionals from eight local communities participated in this training.<sup>172</sup>

<sup>163</sup> *Autonomous Women's Center, Improved Legislation Failed Protection: Independent report on the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence, Belgrade, Autonomous Women's Center, 2018, p. 24.*

<sup>164</sup> Government of Serbia, Report submitted by Serbia pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report) (GREVIO/Inf(2018)9), 2018, p. 25.

<sup>165</sup> Autonomous Women's Center, *Leskovac – Calendar of Activities* [website], 2018, <https://www.womenngo.org.rs/kalendar-aktivnosti/585-leskovac>, (accessed 6 October 2019).

<sup>166</sup> *Autonomous Women's Center, Improved Legislation Failed Protection: Independent report on the implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence, Belgrade, Autonomous Women's Center, 2018, p. 24.*

<sup>167</sup> Government of Serbia, Report submitted by Serbia pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report) (GREVIO/Inf(2018)9), 2018, pp. 25-28.

<sup>168</sup> *Ibid.*

<sup>169</sup> United Nations Entity for Gender Equality and the Empowerment of Women, *Gender Brief for Serbia, 8th Issue: 1 December 2017 - 1 June 2018, UN Gender Group in Serbia, 2018, p. 10.*

<sup>170</sup> United Nations Entity for Gender Equality and the Empowerment of Women, *Gender Brief for Serbia, 10th Issue: 1 December 2018 - 1 June 2019, UN Gender Theme Group in Serbia, 2019, p. 10.*

<sup>171</sup> *Ibid.*

<sup>172</sup> *Ibid.*

# NUMBER OF OPERATING SHELTERS AND SOS HELPLINES

Statistical data on the number of national operating shelters and telephone helplines have not changed significantly in comparison with previous editions of the *Women's Rights in the Western Balkans* reports. In this section, the most updated figures will be presented for the reporting period of 2018/19. In addressing governmental and organisational response to GBV, two important indicators of

adequate approaches are operating shelters and SOS helplines. In assessing to what extent Article 23<sup>173</sup> and Article 24<sup>174</sup> of the Istanbul Convention have been implemented in each respective Western Balkan country, the findings can provide an assessment for whether or not each country is taking steps towards fulfilling their Article 23 and 24 obligations.

### ALBANIA

Albania has eight women's shelters that can accommodate 153 beneficiaries.<sup>175</sup> In order to meet the standards of the Istanbul Convention, Albania needs an additional 134 beds in specialised women's shelters across the country. The government operates one specialised shelter and supports three specialised CSO-run shelters for victims of trafficking.<sup>176</sup> Funding for CSO-run shelters steadily increased over the past four years, however, continued funding delays hindered shelter operations. In 2019, the government started decentralising funding mechanisms for all social programs to municipal governments.<sup>177</sup> These funding changes could have a negative impact on shelters' abilities in providing services. In addition to a shortage of beds, shelters in Albania are not easily accessible, and only victims/survivors who provide a notarised copy of their Protection Orders, referral reports from the police and social workers, and copies of medical reports, are allowed to access shelters.<sup>178</sup> These barriers significantly hinder victims/survivors with additional administrative

work required in their access to safety, compromising their and their children's well-being. Moreover, they violate Article 18(4) of the Istanbul Convention which states that the provision of services should not depend on the victim's willingness to press charges or testify against any perpetrator.

In December 2018, Albania established its first sexual violence referral centre "Lilium".<sup>179</sup> The centre is funded by the Albanian government and is a direct response to GREVIO recommendations. "Lilium" offers a specialised and multidisciplinary team of forensic doctors, gynaecologists, paediatricians, psychiatrists, clinical psycho-logists, social workers, police officers, prosecutors, lawyers and nurses, 24 hours a day, seven days a week. Since it opened on December 4<sup>th</sup>, 2018, and until August 2019, 23 victims/survivors of sexual violence received services, out of which 11 were children (seven girls and four boys) and 12 were adults (10 women and two men).<sup>180</sup> It is important to note that "Lilium" is not

<sup>173</sup> In Article 23, the Istanbul Convention calls for the provision of appropriate, easily accessible shelters in for women and their children (if any) in sufficient numbers and recommends that safe accommodation should be available in every region; the explanatory report (§135) specifies that one bed-space should be available per 10 000 head of population.

<sup>174</sup> In Article 24, the Istanbul Convention calls for parties to take necessary legislative or other measures to set up state-wide 24/7 SOS telephone helplines, free of charge, and to provide advice to callers, confidentially or with due regard for their anonymity, in relation to all forms of violence covered by the scope of the Convention

<sup>175</sup> A. Guxholli, *Report on the implementation of the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence, AWEN*, 2016; CEDAW, Concluding Observations on the fourth periodic report Albania, 2016, cited in M. Llubani, *Mapping of Policies and Legislation on Violence against Women and the Istanbul Convention in Albania*, European Women's Lobby, 2019, p. 11.

<sup>176</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 63.

<sup>177</sup> *Ibid.*

<sup>178</sup> The Advocates for Human Rights, *Albania Stakeholder Report for the United Nations Universal Periodic Review*, Minneapolis, 2019, p. 7.

<sup>179</sup> Ministry of Work and Social Protection of Albania, data requested by the Kvinna till Kvinna Foundation, response received on 16 September 2019.

<sup>180</sup> *Ibid.*



a rape crisis centre that offers long-term assistance such as counselling, support groups, contact with other services, support during court proceedings, among others, but rather a sexual violence referral centre that offers immediate medical care, high quality forensic practice, crisis intervention, and refers victims of sexual violence to other specialised organisations for further services.<sup>181</sup>

The Law on Social Housing came into power in 2018, and it recognises LGBTQI+ people among vulnerable groups that can profit from increased and better access to social housing programs. However, a serious cause for concern is that a shelter for LGBTQI+ persons experiencing homelessness that opened in 2014, which is recognised as providing a social service, in 2019 still received no financial support from the Albanian government.<sup>182</sup> The shelter is entirely donor-funded and has continued to provide care and support to LGBTQI+ individuals experiencing homelessness despite the lack of government funding.<sup>183</sup> This example illustrates the deeply-rooted heteronormative and patriarchal values that persist in Albania and throughout

governmental institutions. Queer communities that of experiencing violence face a multitude of barriers in accessing social services that are meant to protect them, and even shelters that alleviate these challenges face their own barriers in accessing operational funding.

The "National Counselling Line for Women and Girls who are Victims of Violence 116 117", was established in 2016 as a 24/7 service, whose operation was approved in accordance with relevant standards.<sup>184</sup> During 2018, the National Counselling Line received 2540 calls and conducted 708 in-person counselling sessions. A local SOS helpline had been established by civil society and such services are currently part of the Coordinated Referral Mechanisms in local communities where these mechanisms operate.<sup>185</sup> A free SOS helpline "Free Telephone Helpline" managed by the community development centre Today for the Future is a 24/7 service in Tirana and Durres municipalities, through which 3248 cases were advised in the last five years.<sup>186</sup>

### BOSNIA AND HERZEGOVINA

Bosnia and Herzegovina has eight specialised women's shelters that can accommodate 174 beneficiaries, all established and run by WCSOs. Five of the eight shelters are located in Federation of BiH and their cumulative operational capacity is 119 beds.<sup>187</sup> The remaining three shelters are located in

Republika Srpska and their cumulative operational capacity is 55 beds.<sup>188</sup> Another safe house for women is available in Međugorje (capacity of 20 beds), provided by a Christian-based organisation, however this cannot be perceived as a specialised shelter<sup>189</sup> for women victims/survivors of violence,

<sup>181</sup> Differentiation available in the Explanatory Report accompanying the Istanbul Convention, paragraphs 140–141: "140. Rape crisis centres [...] [t]ypically [...] offer long-term help that centres on counselling and therapy by offering face-to-face counselling, support groups and contact with other services. They also support victims during court proceedings by providing woman-to-woman advocacy and other practical help. 141. Sexual violence referral centres, on the other hand, may specialise in immediate medical care, high-quality forensic practice and crisis intervention. They can for instance be set up in a hospital setting to respond to recent sexual assault by carrying out medical checks and referring the victim to specialised community-based organisations for further services. They also may concentrate on immediate and adequate referral of the victim to appropriate, specialised organisations as to provide the necessary care as determined by Article 25."

<sup>182</sup> International Lesbian Gay Bisexual Trans and Intersex Association (ILGA) Europe, *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People 2019*, Brussels, Marque Studio, 2019; Albania Report, p.1.

<sup>183</sup> European Commission, Commission Staff Working Document: Albania 2018 Report, Strasbourg, 2018, p. 30.

<sup>184</sup> Government of Albania, *National review for implementation of the Beijing Platform for Action - Beijing +25*, 2019, p. 35.

<sup>185</sup> Ibid.

<sup>186</sup> Ibid.

<sup>187</sup> In Sarajevo (25), Tuzla (15), Zenica (25), Mostar (28) and Bihać (26).

<sup>188</sup> In Banja Luka (24), Bijeljina (15) and Modriča (16).

<sup>189</sup> Explanatory Report to the Council of Europe Convention on preventing and combating violence against women and domestic violence explains the need for specialized shelters (Article 23): "Temporary housing alone or general shelters such as those for the homeless, are not sufficient and will not provide the necessary support or empowerment. Victims face multiple, interlocking problems related to their health, safety, financial situation and the well-being of their children. Specialised women's shelters are best equipped to address these problems, because their functions go beyond providing a safe place to stay."

as it also offers services in substance abuse treatment and for pregnant women in need.<sup>190</sup> In order to meet the standards of the Istanbul Convention, BiH needs additional 179 beds (159 if counting Međugorje shelter) in specialised women's shelters across the country. The most significant challenge that women's shelters in BiH are facing pertains to funding.<sup>191</sup> As in all other Western Balkan countries, BiH shelters continue to struggle to obtain funding, a factor that has remained unchanged in all four reporting periods of this report. This not only places added pressure on

WCOSOs to constantly spend their time fundraising, but it also risks compromising their ability to offer services to victims/survivors in relation to GBV.

There are two SOS helplines in BiH covering the two entities, that are operated by trained operators/volunteers from women's shelters.<sup>192</sup> The costs for the short codes 1265 and 1264<sup>193</sup> are covered by the two entities' gender centres, whereas compensation for operators' work are provided by WCOSOs. Calls are free of charge and the SOS helplines are monitored and accessible 24 hours.<sup>194</sup>

### KOSOVO

Kosovo has eight DV shelters, seven of which are operational. The seven operational shelters are in Gjakova, Ferizaj, Prishtina, Peja, Gjilan, Prizren, and South Mitrovica. The eighth shelter is in Novo Brdo, and is still undergoing licensing procedures.<sup>195</sup> Between January and November 2018, over 400 women with children, found refuge in one of the seven operational shelters for victims/survivors of DV.<sup>196</sup> On average, shelters in Kosovo have between five and eight full-time staff members, including psychologists, teachers, counsellors, and between one and four part-time staff members, who assist the shelter with administration, finance, medical services and training.<sup>197</sup>

Specific legislation on shelters for victims/survivors of DV in Kosovo does not exist, but their licensing, responsibilities, funding, oversight, relationship with local- and central-level institutions, as well as cooperation with other relevant stakeholders is regulated by a legal framework of a wide range of legal documents.<sup>198</sup> Shelters in Kosovo are licensed and provide their services in-part with financial

support of the Ministry of Labour and Social Welfare, and victims/survivors can either contact the shelter directly or be referred by different institutions, including police.<sup>199</sup> On average, shelters can accommodate 15 persons (including children), but many offer additional beds for emergency situations.<sup>200</sup> Women can stay in shelters up to six months, but shelters have reported that they have provided accommodation to women in need for even longer periods of time.<sup>201</sup>

A major challenge for women's shelters in Kosovo pertains to funding, as shelters are donor-dependent and are only occasionally financially supported by municipalities.<sup>202</sup> As an update to an incident reported in the previous *Women's Rights in Western Balkans*, in 2018, due to an extended delay in releasing the government funds as well as the late publication of the call for Ministry of Labour and Social Welfare grant applications in February 2018, there was at least a three-month gap when the shelters did not receive any funds, and two shelters were consequently forced to close their doors to

<sup>190</sup> Moja Hercegovina, 'Bijeg u Sigurnost - Nevladin Sektor kao Rješenje Problema Nasilja nad Ženama', *Moja Hercegovina*, 8 January 2018, <https://mojahercegovina.com/bijeg-u-sigurnost-nevladin-sektor-kao-rjesenje-problema-nasilja-nad-zenama/>, (accessed 20 September 2019).

<sup>191</sup> More details available under the Chapter Allocation of funds for combatting GBV.

<sup>192</sup> M. Halilović, *Analysis of the cost of domestic violence in Bosnia and Herzegovina*, Sarajevo, UN Women, 2019, p. 53.

<sup>193</sup> In some instances, short codes or telephone numbers are the names of the SOS helplines.

<sup>194</sup> M. Halilović, *Analysis of the cost of domestic violence in Bosnia and Herzegovina*, Sarajevo, UN Women, 2019, p. 53.

<sup>195</sup> OSCE Mission in Kosovo, *Shelters for victims of domestic violence in Kosovo*, Prishtina, 2019, p. 3.

<sup>196</sup> *Ibid*, p. 4.

<sup>197</sup> *Ibid*, p. 13.

<sup>198</sup> *Ibid*, p. 5.

<sup>199</sup> A. Qosaj-Mustafa and D. Morina, *Accessing Justice for Victims of Gender Based Violence in Kosovo: Ending Impunity for Perpetrators*, Prishtina, Kosovar Institute for Policy Research and Development, 2018, pp. 32-33.

<sup>200</sup> OSCE Mission in Kosovo, *Shelters for victims of domestic violence in Kosovo*, Prishtina, 2019, p. 14.

<sup>201</sup> A. Qosaj-Mustafa and D. Morina, *Accessing Justice for Victims of Gender Based Violence in Kosovo: Ending Impunity for Perpetrators*, Prishtina, Kosovar Institute for Policy Research and Development, 2018, p. 33.

<sup>202</sup> *Ibid*, p.

to all beneficiaries between January and February 2018.<sup>203</sup> Other shelters managed to remain open on account of their savings, and they continued providing all services to the victims already accommodated in the shelters and to those referred by the police or centres for social work.

Upon submission of WCSOs, namely Kosovo Women's Network and DV shelters, the Ministry of Labour and Social Welfare created a new budget line to support funding for shelters for the year 2019. Although the new budget line exists and several attempts have been undertaken by civil society representatives to require its implementation – shelters have not yet received the presumable

amount of financial aid specified in the budget line, and their sustainability for the upcoming months remains in question.<sup>204</sup>

The Victim's Assistance and Advocacy Office runs a Kosovo-wide, 24-hour free SOS helpline. However, extending the access of the helpline to the northern Kosovo Serb majority municipalities by hiring more Serbian native speakers and also staff for minority languages (Turkish, Romani, and Bosnian) remains a challenge.<sup>205</sup> The SOS helpline received 929 calls in 2018, compared to 907 in 2017. Eight potential trafficking cases were reported in 2018, compared to seven in 2017, indicating an increase in calls in comparison to the previous reporting period.<sup>206</sup>

### MONTENEGRO

In Montenegro, three DV shelters exist, in Podgorica, Nikšić and Berane that can accommodate 38 beneficiaries.<sup>207</sup> They are often filled to capacity; many women seeking refuge thus cannot be accommodated. Roma women face additional difficulties in finding safe accommodation due to deeply entrenched prejudices against the Roma community.<sup>208</sup> According to Istanbul Convention standards, Montenegro requires additional 24 shelter places.<sup>209</sup> As noted in the *GREVIO Baseline Evaluation Report for Montenegro*, authorities plan to fund WCSO-run and licensed DV shelters in the Northern part of Montenegro, where such services currently do not exist.<sup>210</sup> It is important to note that there are no rape crisis or sexual violence referral centres in Montenegro, signifying that there are still major gaps in services for victims/survivors of GBV.

In 2015, the Government of Montenegro introduced a single national SOS helpline (free of charge and available 24/7) for women and children victims/survivors of DV that is 50% funded by the government of Montenegro, and the remaining amount comes from donations to the CSO running the helpline.<sup>211</sup> Its services are offered in Montenegrin and Albanian and often include follow-up on cases, especially if victims/survivors are from regions where local specialist services do not exist and referrals cannot be made. However, it is unclear to what extent victims of rape, forced marriage, sexual harassment or stalking would receive support and counselling, as such data is not accessible. In addition to the national SOS helpline, five local helplines provide services to victims of DV.<sup>212</sup>

<sup>203</sup> OSCE Mission in Kosovo, *Shelters for victims of domestic violence in Kosovo*, Prishtina, 2019, p. 14.

<sup>204</sup> M Information shared with Kvinna till Kvinna by Partner Organisation Kosovo Women's Network.

<sup>205</sup> S. Gavrić, *Mapping of Policies and Legislation on Violence against Women and the Istanbul Convention in Kosovo*, European Women's Lobby, 2019, p. 11.

<sup>206</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 279.

<sup>207</sup> Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), *GREVIO's (Baseline) Evaluation Report on Legislative and Other Measures Giving Effect to the Provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) Montenegro* (GREVIO/Inf(2018)5), 2018, p. 35.

<sup>208</sup> Ibid.

<sup>209</sup> Ibid.

<sup>210</sup> Ibid.

<sup>211</sup> Ibid, p. 36.

<sup>212</sup> Ibid.

## NORTH MACEDONIA

North Macedonia has six national shelters out of which three are located in Skopje (Skopje Region), and the other three are in Bitola (Pelagonia Region), Sveti Nikole (Vardar Region) and Kocani (East Region), leaving four other regions without any shelters for victims/survivors of GBV.<sup>213</sup> Out of six available shelters, four are state-owned and two are financed by the Ministry of Labour and Social Policy but are operated by WCSOs.<sup>214</sup> The said shelters can accommodate approximately 35 beneficiaries. Another shelter run by CSOs is available for LGBTIQ+ community members that can accommodate seven beneficiaries.<sup>215</sup> Most of the shelters are not accessible or adjusted to the needs of women facing mobility barriers or women with different abilities. In order to meet the standards of the Istanbul Convention, North Macedonia needs an additional 167 beds in specialised women's shelters across the country. This indicates that Macedonia is still far from meeting the requirements of the Convention.

The first three sexual violence referral centres were opened in 2018 at the public hospitals in Kumanovo, Tetovo and the University (state) clinic in Skopje.<sup>216</sup>

There are still no rape crises centres established in the country. Another shelter for victims/survivors of human trafficking and sexual violence is located in Skopje. There is only one specialised counselling centre for psychosocial support to survivors/victims of DV and GBV located in Skopje (First Family centre of City of Skopje) which is run by a WCSO and funded by the local municipality. This centre also has a program for treatment of perpetrators and is the only integrated service of its kind in the country.<sup>217</sup>

In North Macedonia, there are three SOS helplines for victims/survivors of DV that should be operating 24/7, however, it is not clear whether they are functioning at full capacity.<sup>218</sup> As per the Istanbul Convention minimum standards, at least one SOS helpline should be available in Albanian, which is a language widely used in the country. The SOS line operated by the National Council for Gender Equality has one Albanian speaking operator, but the access to this service is not 24/7 and is restricted to the working hours of the operator. This is a cause for concern because SOS helplines must be widely accessible and operational.<sup>219</sup>

## SERBIA

There are currently 12 state-run shelters in Serbia that can accommodate 257 beneficiaries, providing only 35% of the required space at the national level. Shelters are, in the majority of cases (86%), run by Centres for Social Work and funded by the public budget. Quality monitoring of service delivery is not performed in any of the shelters in Serbia.<sup>220</sup> Within the reporting period, seven centres for victims/survivors of sexual violence started their pilot phases in the Autonomous Province of Vojvodina, which would ensure evenly geographically distributed, and 24/7 accessible necessary services for victims/survivors of sexual violence in one place.<sup>221</sup> In order to meet the

standards of the Istanbul Convention, Serbia needs 461 additional beds in specialised women's shelters across the country.<sup>222</sup>

The CSO Atina maintains shelters for victims/survivors and persons at-risk of human trafficking, providing psychological support and conducting activities aimed at socio-economic recovery and economic empowerment of victims/survivors.<sup>223</sup> For years, they have been the sole provider of a specialised shelter for the victims/survivors of human trafficking in the country.<sup>224</sup> In response to the refugee crisis and the increased need to accommodate at-risk

<sup>213</sup> Information shared with Kvinna till Kvinna by partner organisation Reactor - Research in Action.

<sup>214</sup> Ibid.

<sup>215</sup> Information shared with Kvinna till Kvinna by partner organisation HERA.

<sup>216</sup> Information shared with Kvinna till Kvinna by partner organisation Reactor - Research in Action.

<sup>217</sup> Ibid.

<sup>218</sup> Information shared with Kvinna till Kvinna by partner organisation HERA.

<sup>219</sup> Ibid.

<sup>220</sup> M. Petronijević, *Mapping of Policies and Legislation on Violence against Women and the Istanbul Convention in Serbia*, European Women's Lobby, 2019, p. 11.

<sup>221</sup> T. Ignjatović, et al., *Dark Clouds Over Serbia: Shadow Report for the 72 CEDAW Committee Session 2019*, Belgrade, Autonomous Women's Centre, ASTRA, Women in Black, 2019, p. 35.

<sup>222</sup> Ibid.

<sup>223</sup> ATINA, *Trafficking of Women and Girls in the Context of Global Migrations: Contribution of Atina*, Belgrade, 2018, p. 3.

<sup>224</sup> Ibid.

victims/survivors and persons among refugee and migrant communities passing through Serbia on the route to the European Union countries, in recent years Atina opened additional shelters for refugees.<sup>225</sup>

The Ministry of Labour, Employment, Veterans and Social Protection has established a new SOS helpline under the Centre for Social Work, which is a move

that is being criticised by WCSOs and anti-violence networks in Serbia,<sup>226</sup> as there are already 25 specialised local SOS helplines run by WCSOs, covering most of the country that are not supported by the state in great majority of cases, with few exceptions of cases in which public funds are used to run such services.<sup>227</sup>

### STATISTICAL DATA SHOWS:<sup>122</sup>

#### NATIONAL WOMEN'S SHELTERS 2019

Countries	Total population	Meets the minimum standard	Number of Women's Shelters	Number of Beds in Women's Shelters	Number of Beds Needed in Women's Shelters	Number of Beds Missing in Women's Shelters
Albania	2 876 591	No	8	153	287	134
BiH	3 531 159	No	8	174	353	179
Kosovo	1 739 825	No	7	105 (approx.)	173	68 (approx.)
Montenegro	620 029	No	3	38	62	24
North Macedonia	2 022 547	No	6	35	202	167
Serbia	7 186 862	No	12	257	718	461

#### NATIONAL WOMEN'S HELPLINES 2019

Countries	National Women's Helplines	Free of Charge	Operating 24/7	Multilingual Support
Albania	Yes	Yes	Yes	n/a
BiH	Yes	Yes	Yes	n/a
Kosovo	Yes	Yes	Yes	Yes
Montenegro	Yes	Yes	Yes	Yes
North Macedonia	Yes	Yes	Yes*	Yes*
Serbia	Yes	Yes	Yes	n/a

\* Limited multilingual support in North Macedonia is available (Albanian), the service is not provided 24/7.

<sup>225</sup> Ibid, p. 4.

<sup>226</sup> Information received by Kvinna till Kvinna from partner organisation in the country.

<sup>227</sup> M. Petronijević, *Mapping of Policies and Legislation on Violence against Women and the Istanbul Convention in Serbia*, European Women's Lobby, 2019, p. 11.

<sup>228</sup> For this research report, statistics have been calculated in accordance with population numbers that derive from the most recent Census results available for each respective country for the years of 2018/19.

# ALLOCATION OF FUNDS FOR COMBATTING GENDER-BASED VIOLENCE

As mentioned previously in this report, and in recognition of the challenge to access data on trainings for professionals, Kvinna till Kvinna exercised the right to request data via Freedom of Information data requests from relevant authorities in all six Western Balkan countries regarding the allocation of funds for combatting GBV. As such, in this section, to the best of our ability, an overview is provided of funds that governments and

international institutions have allocated towards combatting GBV in this reporting period for each of the six countries. An overall conclusion is that work on ending VAW and DV remains underfunded, especially when it comes to government funding of specialised services offered by WCSOs, placing Western Balkan countries still too far from full implementation of the Article 8 of the Istanbul Convention.<sup>229</sup>

### ALBANIA

The data request response from the Ministry of Health and Social Protection shows that the work of the Government of Albania on gender equality and DV is supported by the UN Joint Programme on Ending Violence Against Women in Albania. This support pertains to financial and human resources.<sup>230</sup> In addition, the project "Technical Assistance for the Gender Equality Agenda in Albania" has started in the context of accession to the EU, in accordance with the Gender Equality Law and the Albanian *National Strategy and Action Plan on Gender Equality 2016-2020*.<sup>231</sup>

When it comes to specific government spending, Albania allocated 21.6 million ALL (approx. 177 208 EUR) to CSO-run shelters in 2018, to support 29 staff

salaries, compared to 20.2 million ALL (approx. 165 722 EUR) to support 29 staff salaries in 2017, and an additional 5.2 million ALL (approx. 42 659 EUR) for food support to CSO-run shelters, compared to 5.5 million ALL (approx. 45 137 EUR) in 2017.<sup>232</sup> The Government of Albania allocated 22.5 million ALL (approx. 184 651 EUR) to the government-run shelter, compared to 22.2 million ALL (approx. 180 556 EUR) in 2017.<sup>233</sup> In this reporting period, the government did not transfer any resources to a fund of seized criminal assets for support services, compared to 4.7 million ALL (approx. 38 574 EUR) being transferred to such a fund in 2017.<sup>234</sup> Funding for CSO-run shelters steadily increased over the past four years; however, continued funding delays hindered shelter operations.<sup>235</sup>

<sup>229</sup> Article 8 states that parties shall allocate appropriate financial and human resources for the adequate implementation of integrated policies, measures and programmes to prevent and combat all forms of violence covered by the scope of this Convention, including those carried out by non-governmental organisations and civil society.

<sup>230</sup> Ministry of Work and Social Protection of Albania, data requested by the Kvinna till Kvinna Foundation, response received on 16 September 2019.

<sup>231</sup> Ibid.

<sup>232</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 63.

<sup>233</sup> Ibid.

<sup>234</sup> Ibid.

<sup>235</sup> Ibid.

## BOSNIA AND HERZEGOVINA

According to the Republika Srpska budget for 2018, allocated funds for preventing and combating DV were 21 600 BAM (approx. 11 043 EUR), from two different budget lines. The implementation of the Strategy for Combatting Domestic Violence were 12 600 BAM (approx. 6440 EUR) and 9000 BAM (approx. 4600 EUR) was allocated for project and programme activities of the Council for Combating Domestic Violence of Republika Srpska.<sup>236</sup> The same amount was allocated in 2019.<sup>237</sup> The Federation of BiH allocated 120 000 BAM (approx. 61 355 EUR) in 2018 for the implementation of the Strategy for Prevention and Combatting Domestic Violence, and additional 226 000 BAM (approx. 115 551 EUR) were secured through various other donors.<sup>238</sup> At the state level, 60 000 BAM (approx. 30 677 EUR) was allocated from the budget of the Ministry for Human Rights and Refugees of Bosnia and Herzegovina to four CSOs that work on the protection of victims/survivors of trafficking, out of which three organisations operate three women's shelters for victims/survivors of DV.<sup>239</sup> The Government of Republika Srpska failed to report on allocation of funds for combating GBV upon request of Kvinna till Kvinna in due time; the only data request response received was from the government of the Federation of BiH.

Entity laws on protection from DV provide that funding for operating women's shelters is to be obtained from entity and cantonal/municipal

government budgets. More specifically, laws state that 70% of the total costs are to be covered by the entity governments, and that the remaining 30% is to be covered by cantonal budgets in the Federation of BiH and municipal governments' budgets in Republika Srpska.<sup>240</sup> The Federation of BiH government allocates 162 000 BAM annually (approx. 82 800 EUR) to women's shelters,<sup>241</sup> the government of Republika Srpska allocates 300 000 BAM (approx. 153 387 EUR) annually,<sup>242</sup> and the remaining funding is covered by some cantons' and municipalities' annual budgets. Funding for shelters is provided by public tenders that are published by the Ministry of Labour and Social Policy in the Federation of BiH, and the Ministry of Family, Youth and Sports in Republika Srpska. However, in the Federation, only the shelter in Sarajevo receives consistent government funding, while other shelters such as the ones in Tuzla and Zenica receive only 10% to 15% of its financing from the entity government, and cantonal funding remains inconsistent.<sup>243</sup>

Costs of currently available specialised services for victims/survivors of GBV are estimated at 1 486 635 BAM (approx. 760 104 EUR) per year, where a full implementation of the Istanbul Convention standards in terms of available capacities and quality support would amount to 2 475 880 BAM (approx. 1 265 897 EUR).<sup>244</sup>

<sup>236</sup> Government of Republika Srpska, Budget of Republika Srpska for 2018, Official Gazette of RS, Vol. 114/17.

<sup>237</sup> Government of Republika Srpska, Budget of Republika Srpska for 2019, Official Gazette of RS, Vol. 122/18.

<sup>238</sup> Gender Centre of Federation of Bosnia and Herzegovina, data requested by the Kvinna till Kvinna Foundation, response received on 24 September 2019.

<sup>239</sup> Government of Bosnia and Herzegovina, Budget of Bosnia and Herzegovina for 2018, Official Gazette of BiH, Vol. 8/18.

<sup>240</sup> M. Halilović, *Analysis of the Cost of Domestic Violence in Bosnia and Herzegovina*, Sarajevo, UN Women, 2019, p. 53.

<sup>241</sup> Gender Centre of Federation of Bosnia and Herzegovina, data requested by the Kvinna till Kvinna Foundation, response received on 24 September 2019.

<sup>242</sup> Government of Republika Srpska, Budget of Republika Srpska for 2019, Official Gazette of RS, Vol. 122/18.

<sup>243</sup> K. Delbyk, *Mapping of Policies and Legislation on Violence against Women and the Istanbul Convention in Bosnia and Herzegovina*, European Women's Lobby, 2019, pp. 11-12.

<sup>244</sup> M. Halilović, *Analysis of the Cost of Domestic Violence in Bosnia and Herzegovina*, Sarajevo, UN Women, 2019, p. 57.

## KOSOVO

The data request response received from the Agency for Gender Equality of Kosovo stated that in 2018 and 2019, the Agency for Gender Equality of Kosovo allocated 16 770 EUR for capacity development of professionals dealing with DV, including training programs and workshops for police, health care professionals, judges, prosecutors, social workers, and other institutional workers.<sup>245</sup> A total amount of 7490 EUR was allocated for the support of civil society projects addressing DV in 2018 and 2019.<sup>246</sup> Public awareness raising activities in 2018 were funded by the Agency for Gender Equality of Kosovo in the amount of 10 409 EUR, significantly supported by the Swedish International Development Cooperation Agency (Sida), and included activities for the international campaign "16 Days of Activism", production and distribution of promotional materials, as well as other campaign activities.<sup>247</sup>

The Kosovo government allocated 150 680 EUR for the protection of victims/survivors of trafficking compared to 152 870 EUR in 2017, indicating a decrease from the previous reporting period.<sup>248</sup>

It is of concern that the Kosovo government continued to decrease funds for WCSO-run shelters in this reporting period, as was also the case in the previous edition of this report. For this period, shelters received 70 680 EUR, compared to 72 870 EUR in 2017, 91 010 EUR in 2016, and 101 930 EUR in 2015. This declining trend is indicative of a serious funding issue for shelters country-wide, and speaks to the lack of support from government institutions, a trend that may continue into the future as well. WCSO-run shelters continued to report that

government funding was inadequate and that operations could not continue without foreign donors.<sup>249</sup> Funding received from the municipal government cannot be underestimated but is not legally mandated. No systemic solution to this issue has been found.<sup>250</sup> According to the Kosovo Shelter Coalition, which brings together seven out of eight shelters, 1 200 000 EUR are needed annually to fully fund the existing shelters and their programmes.<sup>251</sup> The Kosovo Shelter Coalition identified that it is also in need of a division of staff expertise; shelters that work specifically with LGBTQI+ victims/survivors; shelters that work specifically with trafficking victims/survivors; and GBV must be divided and further developed regarding their capacities. This is due to the fact that all of the shelters currently operating are providing these specialised services and encompassing as much as they can. One consequence of having everything in one space is that it is difficult to develop the specialised requirements, and doing too many different things without specialising in one can lead to financial instability and negatively impacts the quality of the specific services provided.

The Strategy on Protection from Domestic Violence and Action Plan 2016-2020 contains a detailed budget, and the overall implementation of all activities from the Strategy's Action Plan was budgeted with 10 536 000 EUR.<sup>252</sup> Public funding in 2017 and 2018 was not allocated as foreseen in the Strategy budget. The new budget line created in 2019 for the Ministry of Labour and Social Welfare to fund shelters specifically has not yet been implemented.

<sup>245</sup> Agency for Gender Equality of Kosovo, data requested by the Kvinna till Kvinna Foundation, response received on 19 September 2019.

<sup>246</sup> Ibid.

<sup>247</sup> Ibid.

<sup>248</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 279.

<sup>249</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 279.

<sup>250</sup> Ibid.

<sup>251</sup> N. Farnsworth, *At What Cost? Budgeting for the Implementation of the Legal Framework against Domestic Violence*, Prishtina, Kosovo Women's Network, 2012, cited in S. Gavrić, *Mapping of Policies and Legislation on Violence against Women and the Istanbul Convention in Kosovo*, European Women's Lobby, 2019, p. 11.

<sup>252</sup> S. Gavrić, *Mapping of Policies and Legislation on Violence against Women and the Istanbul Convention in Kosovo*, European Women's Lobby, 2019, p. 4.



## MONTENEGRO

There is very little information accessible in this reporting period regarding the financial resources that the government of Montenegro has earmarked for the implementation of its policies, strategies and legislation to prevent and combat different forms of GBV. The Government of Montenegro failed to provide data on the allocated funds to combat GBV upon official submission of a data request by Kvinna till Kvinna. As noted in the *GREVIO Baseline Evaluation Report*, most operational costs are to be borne by the regular budgets of the respective line ministries, while some of the specific activities set out in the various action plans and strategies are to be funded by international donors.<sup>253</sup> No information has been provided as to the budget share that the different ministries reserve for measures and action in response to VAW.<sup>254</sup> Such a lack of accessible

information is of serious concern, as it makes monitoring and watchdog roles of civil society and the public difficult, and in some cases impossible. Furthermore, if Montenegrin WCSOs and other actors cannot access any of the required data, it creates additional challenges for advocacy for policy changes at the governmental level, as well as for project planning and assessments of gaps in GBV service provision.

The budgets are generally very modest; Centres for Social Work are seriously underfunded in terms of human and financial resources as well as infrastructure. No state funds have been committed to the implementation of the new Strategy on Protection from Domestic Violence, and international donors fund most of the measures and projects to prevent and combat GBV.<sup>255</sup>

## NORTH MACEDONIA

North Macedonia ratified the Istanbul Convention in March 2018 and developed a National Action Plan for its implementation that was adopted by the Government in August 2018. The National Action Plan, however, was adopted with almost no financial implications and the implementation of activities is done with donor support. General information on which Ministry is responsible for each activity and for which funds should be provided from its own budget is noted, but no concrete amounts are indicated, leaving the possibility of not allocating funds at all.<sup>256</sup> The three WCSOs that run specialised services (one shelter, one crisis centre and one SOS helpline) are receiving funds from the Ministry of Labour and Social Policy since 2017,<sup>257</sup> and the First Family Centre of the City of Skopje is fully funded by Skopje municipality funds, as well as a smaller amount from the business sector.<sup>258</sup>

Reports show that in 2018, the Ministry of Labour and Social Policy allocated 3 million MKD (approx. 48 699 EUR) to three specialised service providers, namely the crisis centre, DV shelter and the National SOS Helpline for victims/survivors of DV, all run by WCSOs.<sup>259</sup> For the three sexual violence referral centres run by the Ministry of Health, 300 000 MKD (approx. 4 860 EUR) was allocated in 2017 to the coordinators of these centres.<sup>260</sup>

When it comes to human trafficking, North Macedonia allocated 3.07 million MKD (approx. 48 762 EUR) in 2018 to the shelter Centre for Victims of Trafficking and Sexual Violence, and the transit centre for migrants and refugees, compared to 2.66 million MKD (approx. 42.260 EUR) in 2017.<sup>261</sup> Additionally, 525 850 MKD (approx. 8544 EUR) was allocated to support services and security for

<sup>253</sup> Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), *GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) Montenegro (GREVIO/Inf(2018)5)*, 2018, p. 16.

<sup>254</sup> Ibid.

<sup>255</sup> Ibid, pp. 16-17.

<sup>256</sup> Information received by Kvinna till Kvinna from a partner organisation.

<sup>257</sup> Information shared with Kvinna till Kvinna by partner organisations National Network to Eliminate Violence against Women and Domestic Violence, and HERA.

<sup>258</sup> B, Jovanovski and N. Boskova, *Kои се инвестициите и минималните стандарди за заштита од родово засновано и семејно насилство?*, ХЕРА - Асоцијација за здравствена едукација и истражување, 2019.

<sup>259</sup> Ibid.

<sup>260</sup> Ibid.

<sup>261</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 359.

victims/survivors of trafficking, compared with 382 950 MKD (approx. 6222 EUR) in 2017.<sup>262</sup> The government did not allocate any funds to CSOs in 2016, 2017, or in 2018 in regard to human trafficking prevention and victim/survivor support.<sup>263</sup> CSOs reported the lack of these grants forced them to reduce services to victims/survivors.<sup>264</sup>

Official data on the allocated funds to combat GBV is not available as the Government of North Macedonia failed to provide this data upon the request of Kvinna till Kvinna in their data request response.

### SERBIA

According to the Serbian government's submission to GREVIO, the country has allocated the total amount of 4 034 508 660 RSD (approx. 33 620 905 EUR) to implement the *Action Plan for the Strategy for Prevention and Protection from Discrimination 2014-2018*, out of which 2 001 826 083 RSD (approx. 16 681 884 EUR) was allocated from the state budget, and 2 032 686 577 RSD (approx. 16 939 055 EUR) from donor funds.<sup>265</sup> A total of 21 150 000 RSD (approx. 176 250 EUR) was allocated from the budget to implement the Action Plan for the *National Strategy for Gender Equality 2016-2018*, and 128 646 000 RSD (approx. 1 097 340 EUR) was secured to implement the Project "Integrated Response to Violence against Women in Serbia", co-funded by the UN Trust Fund to End Violence against Women, UNDP, UN Women and the United Nations Children's Fund.<sup>266</sup> An additional 101 737 000 RSD (approx. 867 813 EUR) was granted by Swedish Sida to implement the Project "Integrated Response to Violence against Women and Girls II", coordinated by the Coordination Body for Gender Equality, and approximately 96 512 800 RSD (approx. 823 249 EUR) was secured for the continuation of the

project.<sup>267</sup> There is no data on how much was allocated to the Provincial Secretariat of Economy, Employment and Gender Equality in 2018 and 2019 to implement the "Programme for Protection of Women against Domestic and Intimate Partner Violence and Other Forms of Gender-Based Violence". The Government of Serbia did not respond to the data request submitted by Kvinna till Kvinna on allocated funds to combat GBV from the State budget.

The government allocated 8.02 million RSD (approx. 68 065 EUR) to implement the *Strategy to Combat Trafficking in Human Beings in the Republic of Serbia* for its first two years, and government agencies signed a Memorandum of Cooperation defining roles and responsibilities for anti-trafficking efforts.<sup>268</sup> The Council to Combat Trafficking did not meet in 2018, and met only once in the previous reporting period of 2017. Although 17 municipal governments maintained multidisciplinary anti-trafficking teams, they did not meet and had minimal activities in 2018.<sup>269</sup>

<sup>262</sup> Ibid.

<sup>263</sup> Ibid.

<sup>264</sup> Ibid.

<sup>265</sup> Government of Serbia, Report submitted by Serbia pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report) (GREVIO/Inf(2018)9), 2018, p. 12.

<sup>266</sup> Ibid.

<sup>267</sup> Ibid.

<sup>268</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 410.

<sup>269</sup> Ibid.

# NUMBER OF SANCTIONED GENDER-BASED VIOLENCE CASES

Adequate, proportionate and dissuasive sanctioning of GBV cases as per Article 45 of the Istanbul Convention serves as an effective deterrent to committing acts of GBV and it includes sentences involving the deprivation of liberty when appropriate. Still, many Western Balkan countries fail to appropriately prosecute the perpetrators of GBV, thus the challenge in regard to low conviction

rates persists. Many cases of GBV, and more specifically DV are being dismissed, majority of convictions result in conditional sentences, and fines are still regularly imposed although they are not considered effective deterrents and tend to be paid out of the family budget, so they deter reporting by low-income victims instead.

### ALBANIA

During the first eight months of 2019, 11 women were killed in Albania.<sup>270</sup> DV continues to result in fatalities year after year: In 2017, there were 15 DV separate murder cases that resulted in a total of 16 deaths, out of which 11 were women and five men, compared to 11 DV murders with 20 victims, out of which 11 were women and nine men in 2018.<sup>271</sup>

In 2018, there was evidence of 4951 cases of DV in Albania.<sup>272</sup> In 1914 of these cases, the required investigative and procedural acts were referred to the prosecution office to initiate criminal proceedings, 608 alleged perpetrators were arrested, 77 were detained, and 688 prosecuted at large.<sup>273</sup> Additional 541 cases of other criminal offences related to family relationships were reported.<sup>274</sup> Total 1516 persons were victims/

survivors of DV, out of which 513 were wives of the perpetrators, 236 were parents (data not gender disaggregated), 129 were children (data not gender disaggregated), and 512 were other relatives (data not gender disaggregated).<sup>275</sup> One hundred and twenty-six victims/survivors were either husbands or ex-husbands to the perpetrator of DV.<sup>276</sup> The number of persons serving time in prison for DV was far fewer than those convicted and fewer than in previous reporting periods. In 2018, there were 97 inmates in prison for DV, compared to 136 in 2017.<sup>277</sup> The government of Albania did not enforce DV legislation effectively, and officials did not prosecute spousal rape as the concept of spousal rape is not well understood, and authorities often do not consider it a crime.<sup>278</sup>

<sup>270</sup> Information shared with Kvinna till Kvinna by Partner Organisation AWEN.

<sup>271</sup> Government of Albania, *National review for implementation of the Beijing Platform for Action - Beijing +25*, 2019, p. 30.

<sup>272</sup> European Commission, *Commission Staff Working Document: Albania 2019 Report*, Brussels, 2019, p. 30; E. Galanxhi, et al., *National Population Survey: Violence Against Women and Girls in Albania*, INSTAT, UNDP, UN Women, 2019, p. 34.

<sup>273</sup> European Commission, *Commission Staff Working Document: Albania 2019 Report*, Brussels, 2019, p. 30.

<sup>274</sup> Ibid.

<sup>275</sup> D, Ibrahimaj, *Women and Men in Albania 2019*, Tiranë, INSTAT, 2019, p. 94.

<sup>276</sup> Ibid.

<sup>277</sup> E. Galanxhi, et al., *National Population Survey: Violence Against Women and Girls in Albania*, INSTAT, UNDP, UN Women, 2019, p. 36.

<sup>278</sup> United States Department of State, *Albania 2018 Human Rights Report*, Bureau of Democracy, Human Rights and Labour, 2018, p. 18.

## BOSNIA AND HERZEGOVINA

DV in BiH is regulated at the entity and Brčko District level, through the laws on protection against DV and the respective Criminal Codes. In 2018, the Brčko District adopted the Law on Protection against Domestic Violence,<sup>279</sup> including the accompanying rulebooks: the *Rulebook on Implementation and Enforcement of Protective Measure of Mandatory Psychosocial Treatment of Perpetrators of Domestic Violence*,<sup>280</sup> the *Rulebook on Implementation and Place of Enforcement of Protective Measure of Mandatory Abuse Treatment for Perpetrators of Domestic Violence*,<sup>281</sup> the *Rulebook on Contents of Records and Reports on Domestic Violence*<sup>282</sup> and the *Rulebook on Enforcing Urgent and Protective Measures*.<sup>283</sup> DV is now a criminal offence in all territories of BiH, as Republika Srpska has amended its Law on Protection from Domestic Violence in September 2019 to abolish misdemeanour sanctions for DV, thus the acts of DV are now being treated only as a criminal offence.<sup>284</sup>

A new Criminal Code of Republika Srpska was also adopted and it now includes three new criminal offences: female genital mutilation, stalking and sexual harassment.<sup>285</sup> These offences have not yet been introduced in the Criminal Code of the Federation of BiH. In order to further align the criminal legislation with the Istanbul Convention standards relating to the identification of VAW, an initiative was launched to amend the Criminal Code of the Federation of BiH in order to create a legislative framework for sanctioning of perpetrators who commit criminal offences through

information and communication technologies (for example, online platforms, social media networks and computer/mobile applications).<sup>286</sup>

When it comes to criminal sanctions in cases of DV in accordance with Article 222 of the Criminal Code of the Federation of BiH, the latest available data is for 2017, where there were a total of 382 convictions. This is lower than the previous year, when there were 473 convictions.<sup>287</sup> Researchers were unable to obtain more recent data for this reporting period. Only 18% of the aforementioned convictions resulted in imprisonment, 6% resulted in fines, while the majority (73%) of convictions resulted in conditional sentences. The same statistics show that out of 344 perpetrators of DV in the Federation of BiH in 2017, 94% were men, 6% women, and out of 357 victims/survivors of DV, 83% were women, 17% were men. Seventy-four victims/survivors of violence in 2017 were children, out of which 55% were girls, 45% boys. There is no similar data publicly available or accessible for Republika Srpska.

In addition, the same problems that were reported in the previous editions of this report in regard to the application of laws and procedures remain unchanged: court proceedings last up to four months, cases of sexual violence are postponed without obvious reason or explanation, there are frequent changes of prosecutors, and underage persons testify without the presence of qualified persons.<sup>288</sup> The fact that these problems are not being addressed indicates that improvement at the institutional level is both minimal and slow.

<sup>279</sup> Government of Brčko District of Bosnia and Herzegovina, Official Gazette of BD BiH, Vol. 7/18.

<sup>280</sup> Government of Brčko District of Bosnia and Herzegovina, Official Gazette of BD BiH, Vol. 33/18.

<sup>281</sup> Ibid.

<sup>282</sup> Government of Brčko District of Bosnia and Herzegovina, Official Gazette of BD BiH, Vol. 29/18.

<sup>283</sup> Government of Brčko District of Bosnia and Herzegovina, Official Gazette of BD BiH, No. 14.5 -02-1602/18 dated 12 September 2018.

<sup>284</sup> Nezavisne novine, 'Adekvatnija pomoć za žrtve nasilja', 25 September 2019, <https://www.nezavisne.com/novosti/drustvo/Adekvatnija-pomoc-za-zrtve-nasilja/560134>, (accessed 18 October 2019).

<sup>285</sup> Government of Republika Srpska, Criminal Code of Republika Srpska, Official Gazette of RS, Vol. 64/17, articles 133, 144, and 170.

<sup>286</sup> Recommendation No. P-42/18 dated 5 February 2018, cited in Government of Bosnia and Herzegovina, *Progress report on the implementation of the Beijing Declaration and Platform for Action in BiH within the Beijing +25 process*, 2019, p. 39.

<sup>287</sup> Information obtained from the Gender Centre for the Federation of BiH submission for the official BiH report for the Beijing+25 Platform.

<sup>288</sup> Helsinški Parlament Građana Banjaluka & Prava za Sve, Alternativni CEDAW Izveštaj: *Izveštaj Organizacija Civilnog Društva o Primjeni Zaključnih Zapažanja i Preporuka CEDAW Komiteta za Bosnu i Hercegovinu 2013 - 2017*, Banja Luka, 2016, p. 52.

## KOSOVO

As of January 14<sup>th</sup>, 2019, DV and sexual harassment are criminal offences in Kosovo, punishable in accordance with the amended Criminal Code of the Republic of Kosovo.<sup>289</sup> These Criminal Code amendments were submitted by the Kosovo Women's Network and the Security and Gender Group in 2017, drafting legal recommendations for including sexual harassment and DV in the Criminal Code of Kosovo.<sup>290</sup>

Kosovo police report that the rate of reporting DV in 2018 has drastically increased for the first time since 2009. In 2018, a total of 1533 cases were reported, which marks an approximate 21% increase compared to the previous year, and a 25% increase compared to two years prior.<sup>291</sup> This increase is not limited to 2018, as data for the first six months of 2019 indicate an increase as well: as of June 2019, 785 cases were reported to the Kosovo police, continuing the trend of increased reporting.<sup>292</sup> The data further shows that women continue to represent the vast majority of DV victims/survivors in Kosovo, as well as the majority of those who report the crime, as women were the victims/survivors in 79% of all cases of DV reported to the police in 2018.<sup>293</sup> Men were the perpetrators in 93% of all DV cases reported to the police in 2018, and 94% of those reported in 2017.<sup>294</sup>

Since there is no unique database collecting and tracking neither investigation, nor prosecution and court sentencing for DV cases in Kosovo, the exact number of cases processed in 2018 and 2019 remains unknown. As mentioned in the previous edition of *Women's Rights in Western Balkans*, requests for pre-detention in DV cases remain alarmingly low and in the first half of 2018, pre-

detention was requested only in 69 cases (approx. 6%),<sup>295</sup> while the number of criminal charges related to DV cases that are either dismissed or receive rejection judgements remain significantly high. For this edition, researchers were unable to find more recent data and therefore are unable to report changes in the statistic for 2019. In 2017, over half of all criminal charges related to DV cases were dismissed (52%) and 20 were dismissed in the first half of 2018.<sup>296</sup> Punitive orders, mainly issued in the form of fines, are often issued in DV verdicts, and during the first six months of 2018, there were 28 cases of punitive orders issued.<sup>297</sup>

The highest sanction for DV, and the highest sentence available for murder under the Criminal Code of Kosovo, was imposed in February 2019 when the Court of Appeal overturned the decision of the Basic Court of Gjakova, ruling that a perpetrator of DV will serve life in prison for the murder of his former wife and their nine-year-old daughter. The Basic Court originally sentenced the perpetrator to 24 years in prison in November of 2018 for the unlawful possession of a firearm alongside the murders.<sup>298</sup> Prior to the aforementioned developments, multiple protests were organised denouncing the court's lenient sentencing for the murders of women and children in two separate murder trials. One was held in September 2018 after a perpetrator was acquitted of murder by the Basic Court in Peja on appeal. A second one involved an action in March of 2018, in which three billboards were erected outside of Kosovo Police Headquarters, in protest of the murders of two women, both of whom were murdered by their husbands in 2015 following multiple calls to the police.<sup>299</sup>

<sup>289</sup> Kosovo Women's Network, 'Kosovo Criminal Code Criminalizes Domestic Violence, Sexual Harassment', 28 January 2019, <https://womensnetwork.org/kosovo-criminal-code-criminalizes-domestic-violence-sexual-harassment/>, (accessed 18 September 2019).

<sup>290</sup> Ibid.

<sup>291</sup> Data obtained by the Kosovo Police, July 2019, cited in D. Morina and L. Demolli, *Gender Based Violence in Kosovo: A critical Review of Police Response*, Prishtina, Kosovar Gender Studies Center and Equal Rights for All Coalition, 2019, pp. 13-14.

<sup>292</sup> Ibid, p. 14.

<sup>293</sup> Ibid, p. 15.

<sup>294</sup> Ibid.

<sup>295</sup> A. Qosaj-Mustafa and D. Morina, *Accessing Justice for Victims of Gender Based Violence in Kosovo: Ending Impunity for Perpetrators*, Prishtina, Kosovar Institute for Policy Research and Development, 2018, p. 22.

<sup>296</sup> Ibid.

<sup>297</sup> Ibid.

<sup>298</sup> E. Travers, 'Ex-husband sentenced to life in prison for murder of Valbona Nrecaj and daughter', *Prishtina Insight*, 1 March 2019, <https://prishtinainsight.com/ex-husband-sentenced-to-life-in-prison-for-murder-of-valbona-nrecaj-and-daughter/>, (accessed 18 September 2019).

<sup>299</sup> Ibid.

By law, rape in Kosovo is punishable by two to 15 years in prison.<sup>300</sup> EULEX noted that courts often applied penalties lighter than the legal minimum in rape cases and that they rarely took steps to protect victims/survivors and witnesses, nor did they close hearings to the public as required by law.<sup>301</sup> The number of reported cases of sexual assault and attempted sexual assault in Kosovo is relatively low, as 43 to 55 cases of sexual assault were reported annually between 2015 and 2018, and the number of reported cases has been continuously dropping in the past five years.<sup>302</sup> Attempted sexual assault cases are reported with even less frequency, with a maximum of three cases of attempted sexual violence reported in 2016, compared to one in 2017, and none in 2018.<sup>303</sup> Data indicates that cases of rape and attempted rape are also infrequently reported. A total of 29 cases of rape were reported in 2017 and 2018 respectively, compared to 28 cases in 2016 and 31 cases in 2015.<sup>304</sup> Similarly, seven cases of attempted rape were reported in 2018, compared to nine in 2017, and six in both 2015 and 2016.<sup>305</sup>

In November 2018, the government of Kosovo revised the Criminal Code to reclassify all forced

prostitution offenses as trafficking and increased the minimum punishment for child trafficking from three years to five years.<sup>306</sup> Authorities filed 12 criminal reports for trafficking in 2018, arrested 22 suspects and seven additional suspects for using the sexual services of a trafficking victim.<sup>307</sup> Compared to 27 perpetrators in 2017, 34 were prosecuted for trafficking in 2018.<sup>308</sup> Although the courts in Kosovo convicted nine traffickers and five perpetrators who utilised sexual services from a trafficking victim, judges continued to issue sentences below the minimum penalty of five years' imprisonment. As a result, five traffickers received imprisonment between two and four years and fines between 200 - 4000 EUR, one trafficker received imprisonment of six months, and three traffickers received conditional sentences.<sup>309</sup> Additionally, several problems exist in ensuring protection and access to justice for persons who have suffered human trafficking, including complicity among some officials, weak prosecution, lenient sentencing of perpetrators, cuts in shelter funding, insufficient long-term solutions for reintegration and empowerment of victims and weak implementation of existing legislation.<sup>310</sup>

## MONTENEGRO

Montenegro has aligned its legislation with the Istanbul Convention on GBV and DV, but the effective criminal prosecution of DV constitutes a serious problem. According to CSO reports, prosecutors often failed to adequately, or at all, prosecute perpetrators of DV, and in cases where a verdict was reached by the court, most sentences were lenient, trials were too long, and victims/survivors of violence were often forced to continue to live with the perpetrator due to the inadequacy of shelters and support services, as well as economic dependency of DV victims.<sup>311</sup> The law

permits victims/survivors to obtain restraining orders against perpetrators and authorities may remove the perpetrator from the family home, regardless of ownership rights.<sup>312</sup> Yet, international organisations', WCSOs' and CSOs' watchdog reports identify how this is rarely put into practice, and that more often than not, victims/survivors eventually return to their homes with the perpetrator. Montenegrin institutions lack comprehensive protection mechanisms to ensure that victims/survivors are safe even after the trial has ended, in instances where cases go to trial at all.

<sup>300</sup> United States Department of State, *Kosovo 2018 Human Rights Report*, Bureau of Democracy, Human Rights and Labour, 2018, p. 19.

<sup>301</sup> Ibid.

<sup>302</sup> D. Morina and L. Demolli, *Gender Based Violence in Kosovo: A critical Review of Police Response*, Prishtina, Kosovar Gender Studies Center and Equal Rights for All Coalition, 2019, p. 19.

<sup>303</sup> Ibid.

<sup>304</sup> Ibid.

<sup>305</sup> Ibid.

<sup>306</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>, (Accessed 6 August 2019), p. 278.

<sup>307</sup> Ibid.

<sup>308</sup> Ibid.

<sup>309</sup> Ibid.

<sup>310</sup> Information shared with Kvinna till Kvinna by partner organisation Kosovo Women's Network.

<sup>311</sup> United States Department of State, *Montenegro 2018 Human Rights Report*, Bureau of Democracy, Human Rights and Labour, 2018, p. 18.

<sup>312</sup> Ibid.

The legislation contains two types of specific offences with which to charge DV: Article 36 of the Law on Protection against Domestic Violence lists acts that incur a family member's liability as a misdemeanour offence (minor offence), while Article 220 of the Criminal Code, titled "Domestic Violence", imposes the criminal liability of family members.<sup>313</sup> While the law includes current or former non-married partners, the criminal offence does not.

As far as misdemeanours are concerned, the courts for misdemeanours had a total of 1972 cases in the area of the Law on Protection against Domestic Violence in 2018, out of which 79% of cases were completed with imposing 521 fines, 165 prison sentences, 256 conditional sentences, 102 warnings, and 27 educational measures.<sup>314</sup> A total of 13 cases were dismissed, 47 cases were suspended, 368 cases were acquitted, and 53 cases were resolved in another way.<sup>315</sup> Since fines are fixed at a low amount, courts are bound by the law when imposing them, hence they are prevented from imposing adequate penalties to perpetrators of DV in misdemeanour procedures.<sup>316</sup>

In terms of protecting the victim/survivor, a total of 408 protective measures were issued, namely 65 evictions of perpetrator from the family home, 116 restraining orders, 154 prohibitions of harassment and stalking, 64 mandatory psychiatric treatments and treatments of addiction, eight mandatory psychosocial treatments, and one parent supervision.<sup>317</sup> The number of misdemeanour cases in 2018 increased to 1972, compared to 1790 in 2017, accounting for a 10% increase.<sup>318</sup> When the

number of cases is compared to the number of protective measures issued, it is evident that Montenegrin authorities did not adequately fulfil their duties to protect the victim/survivor, having only employed protective measures in approximately 21% of reported incidents. With regards to the percentage of completed cases, there was an increase in 2018 with 79% of cases completed, compared to 76% in 2017.<sup>319</sup>

Regarding the criminal offences of DV, the courts had a total of 232 cases in 2018.<sup>320</sup> Of that total number, 147 cases were resolved in a timely manner, 136 cases resulted in conviction, six in acquittal, two cases were resolved by a judgment dismissing the charge, while in two cases a decision on dismissal was made.<sup>321</sup> It is unknown how many convictions refer to prison sentences and conditional sentences, as the available data does not indicate the specificities or details of the sentences.

Sexual harassment is not defined as a crime under the law. According to the WCSO Women's Rights Centre, sexual harassment (including street harassment) of women occurs often, but few women report it. Public awareness of the problem remains low.<sup>322</sup>

Law enforcement investigated four cases (compared to two in 2017) of human trafficking but did not initiate any prosecutions (compared to two that had been initiated in 2017), and they only continued with the prosecution of two cases from previous years.<sup>323</sup> The government did not secure any convictions under Article 444 on Human Trafficking for the fifth consecutive year.<sup>324</sup>

<sup>313</sup> Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), *GREVIO's (Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) Montenegro (GREVIO/Inf(2018)5)*, 2018, p. 43.

<sup>314</sup> Government of Montenegro, *Report of Montenegro on the Implementation of the Beijing Declaration and Platform for Action (BPfA) and 2030 Agenda for Sustainable Development (2030 Agenda)*, 2019, p. 72.

<sup>315</sup> Ibid.

<sup>316</sup> Ibid, p. 71.

<sup>317</sup> Ibid, p. 72.

<sup>318</sup> Ibid.

<sup>319</sup> Ibid.

<sup>320</sup> Ibid, p. 73.

<sup>321</sup> Ibid.

<sup>322</sup> United States Department of State, *Montenegro 2018 Human Rights Report*, Bureau of Democracy, Human Rights and Labour, 2018, p. 19.

<sup>323</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 334.

<sup>324</sup> Ibid.

## NORTH MACEDONIA

According to a 2018 report of the Ministry of Internal Affairs, 1006 criminal offences of DV were recorded.<sup>325</sup> Compared to 2017, the number of DV offences increased by 11%. The majority of victims/survivors of DV are spouses (in 398, or 37% of recorded cases), and the perpetrators are usually husbands.<sup>326</sup> Physical violence was used in 84% of the reported cases. According to the Ministry report, 2750 complaints were received at police stations and 325 violations were registered.

In 2018, for the territory of the City of Skopje, there was an increase in the number of newly reported cases of DV and transferred cases, and from the total number of 346 new victims/survivors of DV for 2018, 302 were adult women (74%), 44 adult men (11%) and 60 children (41 girls, and 19 boys).<sup>327</sup> According to the type and causes of DV in 2018, there were 376 reports of psychological violence and 299 reports of physical violence.<sup>328</sup> Violence was most often reported to the Center for Social Work (approx. 48%) and police (approx. 46%).<sup>329</sup> In terms of the perpetrators of DV, 88% were men, 12% women, and the most prevalent types of violence were psychological and physical violence.<sup>330</sup>

According to data for 2018 from the State Statistical Office of the Republic of North Macedonia, 337 adults and 39 children were victims/survivors of DV and eight children were victims/survivors of sexual abuse.<sup>331</sup> There were 434 reported crimes against marriage, family and youth, out of which 215 received a conviction.<sup>332</sup> There is no detailed information on the type and sanctions for DV offences.

According to the Ministry of Labour and Social Protection, there were 767 newly reported cases of DV in the first six months of 2019, out of which 572 victims were adult women, 120 were adult men and 75 were children (34 girls and 41 boys).<sup>333</sup> According to the type and causes of DV in this period, there were 681 reports of psychological violence, 404 reports of physical violence, six reports of sexual violence and 24 reports of economic violence.<sup>334</sup> The majority of cases that reported physical violence also reported psychological violence.

The government of North Macedonia increased the trafficking victim/survivor protection efforts in the previous years. Nine victims/survivors were identified in 2018; six were victims/survivors of sex trafficking and three were victims/survivors of both sex trafficking and forced labour, compared with four sex trafficking victims/survivors, one sex trafficking and forced labour victim/survivor, and one forced labour victim/survivor in 2017.<sup>335</sup> Of these, three were children (compared to five in 2017), all nine were female (compared to five females and one male in 2017), and one non-Macedonian victim/survivor in 2017 and 2018. The government and CSOs also identified 104 potential victims (99 potential trafficking victims in 2017), of which 25 were adults and 79 were children (compared to 57 adults and 42 children in 2017), 65 were women or girls and 39 were men or boys, and four were non-Macedonian potential victims.<sup>336</sup>

<sup>325</sup> Министерство за внатрешни работи - Оддел за криминалистичко разузнавање и анализа, *ГОДИШЕН ИЗВЕШТАЈ за 2018 година, 2019*, [https://mvr.gov.mk/Upload/Editor\\_Upload/Godisen%20izvestaj%202018.pdf](https://mvr.gov.mk/Upload/Editor_Upload/Godisen%20izvestaj%202018.pdf), (accessed 23 September 2019), p. 41.

<sup>326</sup> Ibid.

<sup>327</sup> Data submitted by a Macedonian NGO requested access to public information for 2018 to the Inter-Municipal Center for Social Affairs of the City of Skopje.

<sup>328</sup> Ibid.

<sup>329</sup> Ibid.

<sup>330</sup> Ibid.

<sup>331</sup> Република Северна Македонија – Државен завод за Статистика, *Полнолетни лица и деца жртви на семејно насилство и сексуална злоупотреба, по години*, [http://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat\\_Sudstvo/800\\_SK4\\_ml\\_T-50.px/?rxid=46ee0f64-2992-4b45-a2d9-cb4e5f7ec5ef](http://makstat.stat.gov.mk/PXWeb/pxweb/mk/MakStat/MakStat_Sudstvo/800_SK4_ml_T-50.px/?rxid=46ee0f64-2992-4b45-a2d9-cb4e5f7ec5ef), (accessed 20 September 2019).

<sup>332</sup> Ibid, *Обвинети полнолетни лица според кривичното дело и видот на одлуката, по години*.

<sup>333</sup> Information shared with Kvinna till Kvinna by partner organisation National Network to End Violence against Women and Domestic Violence.

<sup>334</sup> Ibid.

<sup>335</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 359.

<sup>336</sup> Ibid.



## SERBIA

While the Law on Domestic Violence Prevention provides women the right to obtain a restraining order against abusers, the United States Department of State reports that the government did not enforce the law effectively during this reporting period. According to the Ministry of Internal Affairs, 25 women were killed by acts of DV in the first six months of 2018.<sup>337</sup> The number of victims of DV for the first four months of 2018 was double the amount than the same period in the previous year. Very few detentions and a lack of detailed statistical information were only some of the reasons for criticism of implementation of the Law on the Prevention of Family Violence by numerous WCSOs and anti-violence networks in Serbia.<sup>338</sup>

The Autonomous Women's Centre reported that the number of cases of femicide during 2018 was higher than the year before, but still remaining within the average of 30 to 40 women killed annually in Serbia as a consequence of DV.<sup>339</sup> At least 30 women were killed in 2018, according to reports of the Women Against Violence Network, which is still the only network in Serbia collecting and publishing data on femicide, bearing in mind there are no official statistics in this regard.<sup>340</sup> The lack of reporting mechanisms for femicide cases from the relevant institutions outlines the importance of WCSOs in their monitoring and watchdog roles. Without such annual reports and data from WCSOs, there would be no data on femicide in Serbia. During the reporting period, there were eight attempted murders and three suspected cases of femicide in Serbia. Five out of 30 victims of femicide had previously reported violence to the police on separate occasions, but did not receive adequate protection.<sup>341</sup>

The total number of reported cases of DV has increased from the previous reporting period; the average is approximately 2000 reports per month. As a result of changing the risk assessment criteria from "serious" to "immediate danger from violence" or "violence of low intensity", approximately 70% of reported DV cases have resulted in imposed emergency orders.<sup>342</sup> Prosecutors have requested the prolongation of protection orders in almost 90% of cases, and the courts have accepted such proposals in more than 95% of cases, as the number of breached protection orders was between 10 to 12% per month.<sup>343</sup> The data shows a positive trend in authorities implementing the legal requirements for the protection of victims/survivors when it comes to protection orders.

During the reporting period, law enforcement in Serbia investigated 22 suspects (compared to 13 in 2017) in human trafficking cases, prosecuted 20 defendants (compared to 24 in 2017), and convicted 19 traffickers (compared to 13 in 2017).<sup>344</sup> Of those 19 traffickers, 17 received imprisonment and two received conditional sentences, but the government did not collect or report information on the length of sentences.<sup>345</sup> In these cases, 76 victims/survivors were identified (compared to 40 in the previous reporting period), out of which 34 were victims/survivors of sex trafficking, 18 of forced labour, two of forced begging, one of forced criminality, and 21 of multiple types of exploitation.<sup>346</sup> In the previous reporting period, 21 identified individuals were victims/survivors of sex trafficking, four of forced labour, four of forced begging, one of forced criminality, and 10 of multiple types of exploitation in 2017.<sup>347</sup>

<sup>337</sup> United States Department of State, *Serbia 2018 Human Rights Report*, Bureau of Democracy, Human Rights and Labour, 2018, p. 25.

<sup>338</sup> Ibid.

<sup>339</sup> Autonomous Women's Centre, *2018 Annual Report of the Autonomous Women's Centre*, Belgrade, 2018, p. 7.

<sup>340</sup> Ibid.

<sup>341</sup> Ibid.

<sup>342</sup> V. Macanović and T. Ignjatović, 'The New Law on Prevention of Domestic Violence in Serbia', in *Fempower: Good Practices for the Implementation of the Istanbul Convention*, Women Against Violence Europe (WAVE), no. 29, 2018, pp. 4-6.

<sup>343</sup> Ibid.

<sup>344</sup> United States Department of State, *Trafficking in Persons Report June 2019*, United States Department of State Publication Office of the Under Secretary for Civilian Security, Democracy, and Human Rights, 2019, p. 409.

<sup>345</sup> Ibid.

<sup>346</sup> Ibid.

<sup>347</sup> Ibid.

The data shows a concerning increase in all forms of trafficking for this reporting period, which needs to be urgently addressed by the government in coordination with WCSOs working with the victims/survivors. The data is particularly concerning when it is taken into consideration that 32 victims/survivors in this reporting period were children (compared to 18 in the previous reporting period), 57 were female and 19 were male (compared to 36 females and four males in the

previous year).<sup>348</sup> In addition, in 2018, WCSO ASTRA – Anti-Trafficking Action reported that on top of all financial, emotional and physical challenges in addressing trafficking in the judicial system in Serbia, an additional barrier for victims/survivors obtaining justice was the length of the trials. The majority of trials (45%) require an average of one to three years for a verdict to be reached, and 33% require more than three years.<sup>349</sup>

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<sup>348</sup> Ibid.

<sup>349</sup> ASTRA – Anti-Trafficking Action, Položaj Žrtava Trgovine Ljudima u Sudskom Postupku, 2018, p. 7.

## Recommendations\*

### # of trained executive and judiciary authorities (police, social and health protection workers, judges, prosecutors) responsible for prevention, protection, support and rehabilitation of survivors of violence

#### WHAT CAN BE DONE IN ONE YEAR:

Curricula for stakeholders across sectors (police, judges, prosecutors, social workers, medical professionals, etc.), can be formally adopted and incorporated into pre-service training materials, covering the implementation of laws and protocols, as well as gender-sensitivity.

#### National governments

- Ensure the creation of sector-specific protocols for working with GBV survivors
- Integrate DV and GBV trainings into required curricula across sectors for sustainability, and in periodic in-service trainings, and ensure trainings cover all forms of GBV, including those forms that may affect minority communities (i.e., forced and early marriage)
- Allocate funds from national budgets to support stakeholder regular trainings on GBV

#### EU institutions, other inter-governmental organisations and donors:

- Co-finance national projects through the Rights, Equality and Citizenship Programme on training relevant professionals at national and local levels, building on good practices developed by cooperation with WCSOs

### # of operating shelters and SOS helplines

#### WITHIN ONE YEAR:

Establish internal complaint mechanisms and pre-departure evaluations forms for use in all shelters as a matter of internal regulations, and ensure increased allocation to shelters and services from national and local budgets.

#### National governments

- Support an increase in the number of shelters through increased and sustained financing from national budgets
- Amend laws that regulate the provision of social services (and/or other respective laws) in order to require the allocation of funds for shelter services from budgets of local and national governments, ensuring that the devolution of budgetary allocations to local governments does not result in a de facto absence of funding
- Address the limited access to shelter and other services faced by women from minority communities, including Romani and women in rural areas, and ensure shelters are accessible to victim/survivors with different abilities
- Ensure that assistance to victims/survivors is provided (shelters, CSOs, social workers) without any requirement to file a criminal complaint and

can be obtained anonymously (Example: Finland) ages and in accessible formats for persons with different abilities (Example: Austria)

- Assistance, protection and services should be provided to victims of all forms of violence covered by the scope of the Istanbul Convention, rather than solely to victims/survivors of DV
- Ensure information on services and shelters is provided in minority languages and in accessible formats for persons with different abilities (Example: Austria)

#### EU institutions, other inter-governmental organisations and donors:

- Pressure governments on the allocation of funds for shelters and for WCSO-provided services on behalf of duty bearers, including support advances in shelter capacity

\* Given the diverse situation in each country, the recommendations are generalised, applying to a majority of the countries for each recommended action.

## # of sanctioned GBV cases

### WHAT CAN BE DONE IN ONE YEAR:

**Legislative amendments can be drafted to encompass: the full harmonisation of the Istanbul Convention, emerging forms of violence and sanctions that serve as a deterrent and are commensurate with the gravity of the crime.**

### National governments

Harmonisation of national legal frameworks with the Istanbul Convention:

- Criminalisation of DV and all offences related to DV (including psychological and economic violence and stalking)
- Criminalisation of all forms of VAW recognised in the Istanbul Convention (e.g. forced and early marriage, female genital mutilation, stalking)
- Criminalise cyber-bullying, violation of right to sexual self-determination (Examples: Austria, Germany), revenge pornography (Examples: UK, Spain, France)
- Rape defined by the sole constituent element of consent (Example: Sweden)
- Amend legislation to remove fines as a sanction for DV (sentences for all forms of GBV should be effective, proportionate and dissuasive, pursuant to Article 45)
- Introduce long-term and/or permanent protection orders (Example: Spain), amend legislation to ensure that the violation of a protection order is criminalised
- Amend legislation and/or protocols to require ex officio investigations and prosecutions for gender-based crimes pursuant to Article 55, which calls for offences to not be wholly dependent upon a report or complaint filed by a victim if the offence was committed in whole or in part on its territory, and that the proceedings may continue even if the victim withdraws their statement or complaint
- Develop guidelines and specialised forms to document injuries for use in criminal proceedings (Example: Austria)
- Abolish mediation in cases involving DV
- Create specialised units to address DV and GBV within police and prosecution

### EU institutions, other inter-governmental organisations and donors:

- Support country-level analysis of the status of harmonisation with the Istanbul Convention
- Support Criminal Law reform to ensure harmonisation with the Istanbul Convention
- Support regular regional violence prevalence surveys in the Western Balkans according to common methodology, in order to provide comparable results
- Co-finance national projects through the Rights, Equality and Citizenship Programme to prevent and combat GBV

## Allocation of funds for combatting GBV

### WHAT CAN BE DONE IN ONE YEAR:

**Advance the application of gender-responsive budgeting to secure adequate resources for GBV services and develop alternative funding mechanisms, such as by charging offenders and channelling funds to service provision.**

#### National governments

- Allocate appropriate human and financial resources to WCSO-partners for service provision to violence victims/survivors in line with State obligations under Article 8 of the Istanbul Convention
- Legislate provisions to collect charges from offenders to be channelled to victim-support organisations (Example: Finland)
- Include GBV victims/survivors as a category for receipt of non-contributory social assistance (Example: Spain)
- Legislate requirements for gender impact assessments during budgeting process (Examples: Spain and Portugal)
- Establish working-level partnerships between Ministries of finance, local authorities, gender machineries, parliamentarians and WCSOs to develop legislation and guidelines for implementing gender-responsive budgeting

#### EU institutions, other inter-governmental organisations and donors:

- Increased diplomatic and political pressure to ensure national-level funding to sustain State commitments to Council of Europe obligations Foster working-level partnerships between ministries of finance, local authorities, gender machineries, Parliamentarians and WCSOs to develop legislation and guidelines for implementing gender-responsive budgeting

## Additional organisational needs in the field of GBV

### WHAT CAN BE DONE IN ONE YEAR:

**Assess the level of implementation regarding the establishment of the necessary structures and ensure that existing gaps are integrated into relevant National Strategies and policies and are budgeted.**

#### National governments

- Establish a national coordination, policy-making and monitoring body, where none such exists, pursuant to Article 10 of the Istanbul Convention, which requires States to official coordination bodies and their implementation
- Support the establishment of national integrated databases on DV for harmonised data collection across agencies pursuant to Article 11, including for the criminal justice sector
  - Ensure that the collected data is disaggregated by gender, age and other characteristics
  - Data on homicides/femicides for reporting to the UN Special Rapporteur on violence against women and girls
- Support the establishment of local inter-agency referral mechanisms for victims/survivor of GBV in cooperation with WCSOs in line with the UN Essential Services Package

- Ensure the existence of sector-specific protocols, including on risk assessments throughout the justice chain
- Support the development of specialised services for LGBTIQ+ victims/survivors and those with different abilities (among other groups)
- Establish specialist services for victims/survivors of sexual violence – rape crisis centres or sexual violence referral centres – throughout the region of Western Balkans

#### EU institutions, other inter-governmental organisations and donors:

- Press for the establishment of an Article 10 coordination and monitoring body
- Press for the establishment of harmonised data collection across sectors such as through a single unified register (Examples: Spain)

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## WOMEN HUMAN RIGHTS DEFENDERS

As mentioned throughout this and previous editions of the *Women's Rights in Western Balkans report*, the biggest and most persistent cause of women's inequality are deeply rooted patriarchal social norms in the societies of each of the six countries. In all six Western Balkan countries, societies rely heavily on patriarchal traditional values, most often rooted firmly in religious contexts and values. Therefore, the fight against the dominant narrative provokes resistance from those who wish to uphold and maintain the existing social structures. Some of the most exposed are the individual activists (and activist organisations) who challenge existing norms. The main reason for this lies in challenging traditional notions of family and gender roles in society, which makes activists vulnerable to

backlash by those who support such social structures. Women Human Rights Defenders (WHRDs) are exposed to violence, online harassment and threats, but also to online campaigns aimed at undermining the legitimacy of their work and isolating them from their communities. The online space (social networks, media and commentary) thus becomes another space for some of the most violent mass attacks on Western Balkan activists. Women are particularly vulnerable to these attacks because of their work to protect human rights, and though this is repeatedly happening in cases of LGBTQI+ activism being subject to nationalist political criticism, the attacks against WHRD in particular are often motivated by the fact that they are women.<sup>350</sup>

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## ATTACKS ON WOMEN HUMAN RIGHTS DEFENDERS

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Human Rights Watch in its World Report 2019 states that Balkan countries made only modest progress in the previous year in the field of human rights.<sup>351</sup> According to *Analysis on Online Gender-Based Violence in Serbia and Croatia*, 54% of all surveyed formal and informal activists' groups (in BiH, Croatia, Serbia, and Montenegro) state they have experienced online bullying, and that harassment, offensive comments, and blackmail are the most dominant types of bullying. Surveyed participants felt that they were assault targets, both on the individual and organisational levels, due to their public appearances related to human/women's rights, political positions, personal characteristics, and in some cases, their identities.<sup>352</sup> Literature indicates that these research findings apply not only to Serbia and Croatia, but across the Western Balkans as a whole. A lack of confidence in state institutions to address the threat is evident across the entire region, which is likely attributed to the fact that attacks on human rights defenders or WHRDs largely go unpunished by the relevant authorities.

Institutional responses to attacks on WHRDs in the Western Balkans are slow and often ineffective, providing an additional sense of insecurity for WHRD.

In previous editions of this report, women journalists were mentioned in conjunction with WHRDs who were attacked. As the previous years have shown that attacks on women journalists who speak out against the government are increasing, it is important to examine them as well. In this edition of the report, attacks on women journalists who actively challenge ruling governments and who are targets for their reporting as a result are documented alongside WHRDs, as Kvinna till Kvinna recognises that this is a vulnerable demographic within the umbrella of WHRDs. Women journalists in Western Balkan countries face online abuse on a daily basis. 'Whore', 'slut' and 'prostitute' are just some of the insults that women journalists report receiving online every day, alongside comments regarding their physical appearance or marital

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<sup>350</sup> Frequently referencing their appearance, family life and personal relationships.

<sup>351</sup> F. Rudic, *Human Rights Progress Faltering in Balkans, HRW Says World report 2019*, Belgrade, BIRN, 17.1.2019, available at: <https://balkaninsight.com/2019/01/17/human-rights-progress-slow-in-the-balkans-hrw-01-16-2019/> (access 24.9.2019.).

<sup>352</sup> M. Vasić, et al., *Research Analysis on Online Gender-Based Violence in Serbia and Croatia*, Alternativni Centar za Devojke and One World Platform, Kruševac, 2019.



status.<sup>353</sup> A regional online platform for advocating media freedom and journalists' safety has documented 34 attacks in general against women journalists in BiH since 2015; 13 in Kosovo; eight in Montenegro; 10 in North Macedonia; and 32 in Serbia.<sup>354</sup> The notable increase in attacks on WHRD taking place online, however, has not contributed to a decrease in attacks on WHRD that are taking place in public and private spaces in the Western Balkans. These attacks continue to persist as well,

contributing greatly to the shrinking civic space for activists in the region.

A European Parliament resolution on women's rights in Western Balkans condemns continuing threats, attacks and political manoeuvring related to resourcing that seek to undermine the important work of autonomous CSOs and women human rights defenders.

### ALBANIA

Threats against journalists continued during the reporting period. According to Union of Albanian Journalists, as of September 2018, 12 journalists had filed asylum requests in EU member states, citing threats due to their jobs.<sup>355</sup> Alice Elizabeth Taylor, professional writer and blogger living in Albania states:

"As a female journalist, I have received my fair share of online attacks over the years both in Albania and abroad. I have had unkind memes made using my photos, countless libellous comments made against myself and my family, I have received rape threats and death threats, and have been targeted by organised groups of trolls. In addition to this, I was the victim of a coordinated smear campaign spearheaded by pro-government news portals that branded me a 'Russian spy' resulting in the unlawful revocation of my residence permit. This far-reaching campaign also targeted my family and resulted in me being harassed on the street and online when I was six months pregnant".<sup>356</sup> As Taylor's experience shows, women journalists are public figures, leaving them and their families especially vulnerable due to the added factor of public visibility in their work. This vulnerability and recognisability not only expose them to online attacks, but in public spaces as well.

On March 3<sup>rd</sup>, 2019 the Parliament of Albania passed a resolution in support of the Activity of Human Rights Defenders towards the promotion, and protection of Human Rights and strengthening of the Rule of Law and Democracy in Albania. The resolution recognises, among others, the challenges human rights defenders face regarding protection of rights of marginalised groups, including different strata of women, children, people with different abilities, victims of violence and trafficking, minorities and persons with different sexual orientation or gender identity than the norm, or those who belong to these groups, the right of emigrants or displaced persons.<sup>357</sup> With these new changes, it will be important for society, and especially CSOs/WCSOs to monitor the implementation of these resolutions in order to assess to what extent attacks on human rights defenders in Albania have decreased as a result of these new protective measures, and to what extent services and protection were in fact provided. It will also be important for the monitoring mechanisms to provide a watchdog role in ensuring a gender-sensitive assessment on the extent to which these new resolutions improve the situation of WHRDs in Albania.

<sup>112</sup> I. Jeremić, et al, *Online Abuse Now Commonplace for Balkan Women Reporters*, BIRN, 18.6.2019. Available at: <https://balkaninsight.com/2019/06/18/online-abuse-now-commonplace-for-balkan-women-reporters/> (access 22.9.2019).

<sup>354</sup> Ibid.

<sup>355</sup> United States Department of State, *Albania 2018 Human Rights Report, Bureau of Democracy, Human Rights and Labour*, 2018, p.11. Available at: <https://www.state.gov/wp-content/uploads/2019/03/ALBANIA-2018.pdf> (access 22.9.2019).

<sup>356</sup> A.E. Taylor, *Fighting Gender-Based Violence In Journalism*, 21.09.2019. Available at:

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<sup>357</sup> *Resolution in support of the Activity of Human Rights Defenders approved by MPs in Albania*, 12.5.2019. Available at: <https://www.epfweb.org/node/884> (access 22.9.2019).

## BOSNIA AND HERZEGOVINA

The period of 2018 to 2019 was particularly volatile politically in BiH, marked by ongoing protests named "Justice for David" from citizens in both entities, as well as the holding of the first Pride Parade in BiH. Both provoked tremendous public attention, while organisers and supporters were highly exposed to different online threats and hate speech, additionally reflected in the case of police brutality and intimidation against activists organising around "Justice for David".<sup>358</sup> This activist campaign impacts activism in BiH as a whole, because until the case of David Dragičević is resolved, the government of Republika Srpska will be pushing for legal regulations which will further restrict the already shrinking space for freedom of expression and freedom of assembly in BiH. Draft amendments to the Republika Srpska Law on Public Peace and Order, if adopted, would adversely affect the exercise of fundamental freedoms in the area.<sup>359</sup> This will have an overwhelmingly negative impact on activists and WHRDs in Republika Srpska.

When the "Last First Pride"<sup>360</sup> was announced in April 2019, organisers were met with scorn from some conservative groups and concern about security, including one call for barriers to be erected in the capital. Though this is not the first time that members of the LGBTQI+ community faced harassment and physical attacks in BiH, authorities still failed to investigate and prosecute this harassment and these attacks.<sup>361</sup>

Leading up to the Pride Parade, on April 5<sup>th</sup>, 2019, Ehlimana Elma Muslija, an intern at the international

CSO Civil Rights Defenders and her girlfriend were attacked while walking in central Sarajevo. The attack happened after a man threatened the couple, related to the fact that the first Pride Parade was announced only days before. The incident report states that the man first approached the two women around midnight two days prior, saying how they should not hold hands and using violent and threatening language. He threatened to attack them with a knife and to attack the Pride Parade, saying that it offended his religious beliefs and that "there will be blood." Less than two days after the first incident, the same man, accompanied by another man, came out of a car while Muslija and another person were standing in front of a local shopping centre, hitting Elma in the face and dropping her to the ground. The two men then started running after her girlfriend, who managed to escape the attackers, after a passer-by allegedly confronted the two men.

Women journalists in BiH were exposed to threats and insults, mostly because of their work but also insults related to their appearance and private life. Journalist writer and ambassador Martina Mlinarević suffered days of threats through social networks, related to the announcement that the promotion of her novel *Huzur* was abruptly cancelled at the traditional cultural festival in the town of Čitluk in West Herzegovina. Mlinarević's participation at this festival was cancelled due to pressure from sponsors and persons close to the ruling structures in Herzegovina, who requested the festival organisers to cancel the promotion.<sup>363</sup>

<sup>358</sup> Twenty-one year-old David Dragičević from Banja Luka was murdered in 2018. His death captured public attention in BiH, where people gathered daily in support of his family's fight for justice and an answer to who was responsible for his murder. The campaign for justice over Dragičević's death has remained a thorn in the side of the Republika Srpska authorities, with police banning the "Justice for David" gatherings and dismantling a shrine erected by his family and activists in his honour. In April 2018, 10 000 turned out from across BiH in protest, and again in October, on the eve of Bosnia's parliamentary election, over 40 000 people demonstrated.

<sup>359</sup> EWB, *EU in BiH concerned about draft amendments to the RS Law on Public Peace and Order*, 12.04.2019, available at: <https://europeanwesternbalkans.com/2019/04/12/eu-bih-concerned-draft-amendments-rs-law-public-peace-order/> (access 23.9.2019.).

<sup>360</sup> The first BiH Parade was held in Sarajevo on 8th September 2019. No incidents during the Pride march were reported despite threats of violence and counterdemonstrations. *Last First Pride* is in reference to Sarajevo's Pride Parade being the first for BiH but last of the Western Balkan capital cities to have held one.

<sup>361</sup> Freedom House, *Freedom in the World 2018 - Bosnia and Herzegovina*. Available at: <https://www.refworld.org/publisher,FREEHOU,ANNUALREPORT,BIH,5b8d24c7a,0.html> (access 20.9.2019).

<sup>362</sup> Civil Rights Defenders, *Civil Rights Defenders' Intern Attacked after the Announcement of Bosnia and Herzegovina Pride March*, 5 April 2019, <https://crd.org/2019/04/05/civil-rights-defenders-intern-attacked-after-the-announcement-of-bosnia-and-herzegovina-pride-march/> (access 20.9.2019).

<sup>363</sup> Regional Platform: *Urgently process online threats and verbal harassments against Martina Mlinarevic*, 23.08.2019. Available at: <http://safejournalists.net/portfolios/regional-platform-urgently-process-online-threats-and-verbal-harassments-against-martina-mlinarevic/> (access 21.9.2019).

Later, when it was announced that Mlinarević will be the future ambassador of BiH to the Czech Republic, she began to receive numerous threats and insults. Mlinarević stated that she was horrified by the brutality expressed and the fact that her child was mentioned in threats. She received most of the threats on social media networks. Additionally, most of the messages she received were regarding her

experience with breast cancer, as result of which her left breast was removed during treatment. Examples of messages received are: "The way you are speaking against the Croatian people, you might lose the other tit"; "does she knows that Czech people like women with a bigger bust? Where is she going with just one tit?".<sup>364</sup>

### KOSOVO

According to Civil Rights Defenders, "Kosovo has a sound statutory framework in place for the protection of human rights, but problems with the practical implementation of human rights legislation remain. Hate speech and violence continue to be an issue, and the country has seen an increase in attacks aimed at the media, journalists, and those who promote and protect human rights".<sup>365</sup> Threats against journalists, and particularly women journalists, as well as hate speech online against LGBTQI+ rights activists continued during the reporting period of 2018 to 2019, particularly around the Kosovo Pride Parade in October 2018.<sup>366</sup> As tensions between Kosovo and Serbia persist, nationalists seem to be turning their attention to journalists, and women journalists are becoming a central target.<sup>367</sup>

The regional television network N1 announced that Zana Cimili, the channel's prominent reporter from Kosovo, had received death threats online in July 2019. The anonymous person who made the threats said in their message that they had "a lifelong desire to kill an Albanian, even an Albanian child". The

message also expressed the desire "for a new war in Kosovo during which the Albanians will feel Serbian rage", N1 reported. Cimili said she is certain that the incident was provoked entirely, or largely, by the fact that tensions between Kosovo and Serbia are higher than they have been in previous years.<sup>368</sup>

On two separate occasions, unknown assailants damaged Kosovo journalist Serbeze Haxhij's car in 2019, after Balkan Investigative Reporting Network published her story on political assassinations following the 1998-1999 Kosovo war.<sup>369</sup> Haxhij reported both cases to police, stating that the incidents were an attempt to intimidate her.<sup>370</sup>

Igballe Rogova from Kosovo Women's Network has been threatened in numerous instances during her career as a women's rights activist. She was violently confronted in the centre of Pristina because of her work empowering women by an individual who approached her and threatened her. KWN has taken the case to the prosecution with the support of a lawyer.<sup>371</sup>

<sup>364</sup> Martina (35) lost her breast, and she is receiving terrible threats: "The Czechs love women with a bigger bust", 14.03.2019. Available at: <https://www.telegraf.rs/english/3041690-martina-35-lost-her-breast-and-she-is-receiving-terrible-threats-the-czechs-love-women-with-a-bigger-bust> (access 21.9.2019).

<sup>365</sup> Civil Rights Defenders, *Kosovo*, available at: <https://crd.org/kosovo-en/> <https://crd.org/kosovo-en/> (access 22.9.2019).

<sup>366</sup> Human Rights Watch, *Serbia/Kosovo: Events of 2018*, 2018. Available at: <https://www.hrw.org/world-report/2019/country-chapters/serbia/kosovo#40e5f4> (access 21.9.2019).

<sup>367</sup> Coalition for Women in Journalism, *Serbia/Kosovo: CFWIJ Alarmed by Threats against Zana Cimili and Online Targeting of her Child*, Medium, 6 July 2019, available at: <https://medium.com/the-coalition-for-women-in-journalism/cfwij-alarmed-by-online-threats-against-zana-cimili-and-her-family-dd8542e879ef> (access 22.9.2019).

<sup>368</sup> M. Zivanovic, *Female Kosovo Journalist Targeted by "Evil" Online Threats*, Balkan Insight, 1 July 2019, <https://balkaninsight.com/2019/07/12/female-kosovo-journalist-targeted-by-evil-online-threats/> (access 24.9.2019).

<sup>369</sup> F. Rudic, *Human Rights Progress Faltering in Balkans, HRW Says World report 2019*, Belgrade, BIRN, 17.1.2019, available at: <https://balkaninsight.com/2019/01/17/human-rights-progress-slow-in-the-balkans-hrw-01-16-2019/> (access 24.9.2019.)

<sup>370</sup> AJK, *Police to uncover the reasons behind the vehicle damage of a journalist*, 29.3.2018, available at: <http://safejournalists.net/rs/policia-te-zbuloj-arsyet-e-demtimit-te-vetures-se-gazetares/> (access 24.9.2019).

<sup>371</sup> Information shared with Kvinna till Kvinna by partner organisation Kosovo Women's Network.

## MONTENEGRO

With the continued shrinking space for civil society, restrictions on media freedom and attacks on LGBTQI+ activists were observed. A strategy for improving the operating environment for CSOs was drafted and will run from 2018 to 2020. CSOs from the coalition “Saradnjom do Cilja” (Through Cooperation to the Aim) criticised the drafting process, claiming that civil society groups were unable to contribute to the strategy and that it fails to reflect the needs of Montenegrin CSOs.<sup>372</sup>

Besides unfair treatment and economic pressure from government Ministries and agencies on independent media, Montenegro has the lowest position (104) of the Western Balkan countries on the *World Press Freedom Index* for 2019. Adding to this, the attempted assassination of investigative journalist Olivera Lakić in Montenegro in May 2018 testifies to the repression of journalists in the country. The *Vijesti* reporter, known for speaking out against the government and writing investigative reporting on corruption, was stalked after leaving her workplace and was shot and injured in front of

her apartment. Police arrested nine members of a criminal group in Podgorica and Cetinje who organized the attack.<sup>373</sup> This was not the first time Lakić was attacked as a result of her work: six years ago after she wrote a series of articles about alleged corrupt transactions regarding a tobacco factory, she received similar threats. That perpetrator was jailed for several months and Lakić was under police protection for an extended period of time.<sup>374</sup>

Regarding attacks on LGBTQI+ communities, the organisation LGBT Forum Progress has submitted 66 reports to the Police Directorate for the month of March 2019 alone, addressing hate speech, discrimination and verbal violence against LGBTQI+ communities in online spaces.<sup>375</sup> In May of 2019, two men attacked the LGBTIQ Centre while about 50 LGBTQI+ persons, mostly young people between the ages of 18 and 25, were attending an event in the space. Representatives of LGBT Forum Progress say the attack clearly speaks to the extent to which the LGBTQI+ community in Montenegro continues to be targeted by hatred and violence.<sup>376</sup>

## NORTH MACEDONIA

According to the United States Department of State, *North Macedonia 2018 Human Rights Report* there were several cases of alleged threats, violence, and police harassment against journalists during the year.<sup>377</sup> The LGBTQI+ community remained marginalised, and activists supporting LGBTQI+ rights reported incidents of societal prejudice, including hate speech.

Seven LGBTQI+ activists from North Macedonia, Albania and BiH were mobbed, threatened and attacked by a group of men in the town of Saraj in north-west North Macedonia in 2019. The twenty or so perpetrators recognised one of the prominent

queer rights activists from LGBT United Tetovo, Bekim Asani, who was at the time accompanied, among others, by fellow activists Xheni Karaj from Alliance against Discrimination LGBT in Albania and Lejla Huremović from Sarajevo Open Centre in BiH, both of whom are openly lesbian. They chanted “is that the f\*\*\*\*t from Tetovo?” and started chasing the activists as they ran away. The perpetrators continued to threaten and insult them as they got into a taxi. They followed the taxi, ambushed it and one of the perpetrators physically attacked Bekim Asani, hitting him and ripping his shirt, while they were threatening the other activists with words such

<sup>372</sup> CIVICUS, *Montenegro's 2018 Civic Space Roundup*, 2018.

Available at: <https://monitor.civicus.org/newsfeed/2018/10/05/montenegros-2018-civic-space-roundup/> (access 24.9.2019).

<sup>373</sup> M. Durkalić, *Reporteri bez granica: U Srbiji i Crnoj Gori česti napadi na novinare*, 18.4.2019, available at: <https://www.slobodnaevropa.org/a/reporteri-bez-granica-balkan-srbija-crna-gora-pad/29888322.html> (access 23.9.2019).

<sup>374</sup> *Investigative Journalist Shot and Injured in Montenegro*, The Guardian, 9.5.2018. Available at:

<https://www.theguardian.com/world/2018/may/08/investigative-journalist-olivera-lakic-shot-montenegro> (access 24.9.2019).

<sup>375</sup> I.P. *Za 30 Dana Više od 60 Prijava za 'Govor Mržnje'*, Radio i Televizija Crne Gore, 6 April 2019,

<http://www.rtcg.me/vijesti/drustvo/236455/za-30-dana-vise-od-60-prijava-za-govor-mrznje.html> (access 24.9.2019).

<sup>376</sup> O.Z., *Napad na Prostorije Centra za LGBTQI Zajednicu*, Radio i Televizija Crne Gore, 3 May 2019,

<http://www.rtcg.me/vijesti/drustvo/239373/napad-na-prostorije-centra-za-lgbtiq-zajednicu.html>, (access 22.9.2019).

<sup>377</sup> United States Department of State, *North Macedonia 2018 Human Rights Report*, Bureau of Democracy, Human Rights and Labour, 2018, p. 13. Available at: <https://www.state.gov/wp-content/uploads/2019/03/NORTH-MACEDONIA-2018-HUMAN-RIGHTS-REPORT.pdf> (access 24.9.2019).

<sup>378</sup> North Macedonia 2018 Human Rights Report, p.29.

as “we will rape you” “we will kill you”. According to the activists’ statements, three policemen who happened to be in a nearby cafeteria managed to intervene. Ultimately the police managed to detain

and arrest the main perpetrator as well as the other attackers and a criminal investigation has been initiated.<sup>379</sup>

### SERBIA

During this reporting period, Kvinna till Kvinna recorded more attacks on WHRDs in Serbia than in any of the previous reporting periods for the *Women’s Rights in Western Balkans* report, as well as the most attacks in the region.<sup>380</sup> The environment for human rights defenders and WHRDs remained hostile: on-going distortions of facts, sensationalism, in some cases open use of hate speech<sup>381</sup> and degradation via the labelling of WHRDs as anti-Serbs, enemies of the state or foreign agents occurred.<sup>382</sup> Threats and attacks also happened online, but when reported, their investigation has been very slow. The worrying lack of accountability for attacks leads to a normalisation of situation towards (W)HRDs. This is noticeable in the case of the network Women in Black, who have for years been exposed to public lynching in traditional media and on social networks, but also to years of physical attacks.<sup>383</sup> The lack in holding perpetrators to account speaks to the normalisation of anti-(W)CSO sentiment as well.

According to Human Rights Watch, attacks and threats against LGBTIQ+ communities and activists continued. Between January and mid-August of 2019, the Serbian queer rights organisation DA SE ZNA! recorded nine incidents against LGBTIQ+ persons, including four physical attacks, and five

cases of threats and intimidation. Investigations are often slow and prosecutions are rare.<sup>384</sup> The Pride Info Centre in Belgrade was attacked on two separate occasions in the month of February 2019, and once again in October 2019.

Kvinna till Kvinna and other WCSOs in Serbia track attacks on WHRDs. Collected data indicate a trend of continuous hate speech, attacks and threats against WHRDs. Numerous attacks against prominent WHRDs were recorded on the streets of Belgrade, during several public gatherings (protests, marches). For the annual International Women’s Day March held on March 8<sup>th</sup> in Belgrade, six separate attacks against WHRDs were recorded by Kvinna till Kvinna.<sup>385</sup> Among the many examples, in one instance, two LGBTIQ+ activists were attacked when walking to the march, were verbally abused, and one was spat on. In another instance, a WHRD was recognised on the street following the march and was also subjected to verbal abuse, after which the perpetrator spat in front of her as a sign of disgust. Two WHRDs reported feeling stones hit them during the International Women’s Day March. One WHRD reported it to a nearby police officer, who shrugged and did not proceed with any action.

<sup>379</sup> A. Fecanji, *LGBTI activists mobbed and attacked in North Macedonia*, 1.7.2019, available at:

<https://www.lgbti-era.org/news/lgbti-activists-mobbed-and-attacked-north-macedonia> (access 24.9.2019).

<sup>382</sup> Information was obtained by Kvinna till Kvinna through media monitoring methods as well as from information shared by WHRDs, Partner Organisations, and other WCSOs.

<sup>381</sup> T. Ignjatović, et al., *Dark Clouds Over Serbia: Shadow Report for the 72 CEDAW Committee Session 2019*, Autonomous Women’s Centre, ASTRA, Women in Black, Belgrade, 2019, p. 9. Available at: [https://www.womenngo.org.rs/images/CEDAW/CEDAW\\_Dark\\_Clouds\\_over\\_Serbia.pdf](https://www.womenngo.org.rs/images/CEDAW/CEDAW_Dark_Clouds_over_Serbia.pdf) (access 24.9.2019).

<sup>382</sup> I. Costache, *Time for Women’s Rights, Time for a United Feminist Europe*, Belgium, European Women’s Lobby, (in)extenso, 2018, p. 15.

<sup>383</sup> Costache further elaborated: “Ongoing campaigns against human rights defenders in Serbia have exactly the same characteristic or methods as the ones held during Milosević’s regime in the nineties. There is a constant attempt by the media close to the government to present women human rights defenders who are critical of the government as traitors and enemies of the state. Examples include the series of newspaper articles called ‘Who is Receiving Dollars in Serbia?’ or ‘Women in Black – the Greatest Foreign Funded NGO’. Experience of women rights defenders in pressing charges against the attackers in most cases ends with acquittals, or waiting too long for the court trials to begin or to end”.

<sup>384</sup> Human Rights Watch, *Serbia/Kosovo: Events of 2018*, 2018, p. 507. Available at: <https://www.hrw.org/world-report/2019/country-chapters/serbia/kosovo#40e5f4> (access 22.9.2019).

<sup>385</sup> Information shared by WHRDs and Kvinna till Kvinna Partner Organisations.

In February of 2019 a number of WCSOs (Reconstruction Women's Fund and five other organisations) received letters with death threats. An official report has been submitted to the authorities.

During the sixth Women's Friendship Festival organised by the organisation "Impuls Tutin" from Tutin, the safety of the participants of the Festival was at-risk, and suffered a serious violation of their human rights. Members of several political parties and religious groups wanted to prevent a performance against violence against women, which was publicly described as a "gay parade in Tutin" despite the actual goals of this festival and corresponding action in downtown Tutin, which was aimed at raising awareness about GBV. Photos of the festival organisers and participants were shared on social networks, calling them 'shameless' and inciting hatred. The owner of the restaurant "Ras" forbade festival participants to attend a pre-arranged dinner, stating: "LGBT people are forbidden to enter the Ras restaurant".<sup>386</sup>

Journalists also are facing daily pressures, insults, threats and attacks. Independent Journalists Association of Serbia registered 69 cases of political and economic pressures on journalists (data not

gender disaggregated) in 2018: double the amount recorded two years prior.<sup>387</sup> Both tabloid and pro-government media in Serbia rarely condemn the violence, while some even openly attack and target independent journalists. Attacks and threats that are specifically addressed to women journalists happen both online and offline.

"I admire people who claim they're not afraid. I am afraid," said journalist Tatjana Vojtehovski. "People say, 'it's only online, it's the virtual world'. I say that's not true because those people exist. They exist and they are on the streets." In May 2019, the appeals court in Belgrade sentenced a man to eight months of home confinement after he pleaded guilty to making death threats against Vojtehovski and her 28-year-old daughter via Twitter.<sup>388</sup>

Jovana Gligorijevic, a journalist at the liberal Serbian weekly Vreme, recorded all of the online threats she received over a period of one week. They ranged from calls on her to take her own life to messages describing her as "a sack of crap that lives in a shop window in the Red Light district," a "vaginal entrepreneur", a "frustrated childless whore" and a "low-paid journalist who occasionally goes to Amsterdam to work as a prostitute to make ends meet".<sup>389</sup>



**We want to build a nonviolent society, a society of togetherness, where no one would have to hide their love and live inside four walls," said Lejla Huremović, Sarajevo Open Centre, one of the organiser of Sarajevo Pride Parade in 2019. "We are aware that this walk is not going to change the world, but we also know that this Pride is giving a hope that the change is possible."<sup>390</sup>**



**Another thing that makes this hard is being a woman whose face people see on TV. There's something about seeing a woman deliver the news that encourages people to send extremely sexist and gender-based nationalist comments to me."<sup>391</sup>**

Zana Cimili

<sup>386</sup> Impuls Tutin: *Saopštenje povodom pretnji upućenih aktivistkinjama Impulsa, nakon fotografije sa zastavom duginih boja*. 5.8.2019.

<sup>387</sup> *Serbia/Kosovo: Events of 2018*, Human Rights Watch, 2018, <https://www.hrw.org/world-report/2019/country-chapters/serbia/kosovo#40e5f4>, (access 22.9.2019).

<sup>388</sup> Jeremić.

<sup>389</sup> Jeremić

<sup>390</sup> A. Heil, *Bosnian Capital Hosts First LGBT Parade Amid Heavy Police Presence*, 8.9.2019, available at: <https://www.rferl.org/a/sarajevo-lgbt-pride-parade/30152579.html> (access 22.9.2019).

<sup>391</sup> M. Zivanovic, *Female Kosovo Journalist Targeted by 'Evil' Online Threats*, 12.7.2019, available at: <https://balkaninsight.com/2019/07/12/female-kosovo-journalist-targeted-by-evil-online-threats/> (access 24.9.2019).

## WOMEN HUMAN RIGHTS DEFENDERS

For more than 500 days and nights, a group of women from the village of Kruščica in BiH blocked a bridge crossing the Kruščica river, to prevent two hydropower plants from being built and destroying the river and surrounding ecosystem. For this brave and persevering protest, the women were awarded the EuroNatur Award. Believing that women would not be attacked by security forces, it was only the women from the village of Kruščica who blocked the bridge over their river from August 2017 to December 2018. “We sat on the bridge and joined hands; the men were behind us. The situation was tense and we wanted to avoid the confrontation of the men with the police. It wasn't regular police, but special forces wearing armour”, Maida Bilal recalls, as the last thing she remembers is a boot in front of her face. “After that, I closed my eyes and it was chaos, noise, tears and sobbing...” During this attack, 18 women were injured. The local health centre Vitez refused to give the injured a certificate regarding their injuries, so they had to go to nearby Travnik.<sup>392</sup> Neither police violence nor attempts at intimidation by the investor could make the women give up defending their river. The relevant court had supported the objections against the planned hydropower plants, bringing the women of Kruščica's peaceful 18-month protest to a victory for the time being.<sup>393</sup>

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<sup>392</sup> Z. Šeremet, *The Bridge of the Brave Women of Kruščica – Land of absurdity*, 30.4.2018, available at:

<https://natureforpeople.org/articles/the-bridge-of-the-brave-women-of-kruscica-land-of-absurdity/> (access 22.9.2019).

<sup>393</sup> Balkan Green Energy News, *Brave Women of Kruščica win EuroNatur Award for averting construction of 2 SHPPs*, 1.8.2019, available at: <https://balkangreenenergynews.com/brave-women-of-kruscica-win-euronatur-award-for-averting-construction-of-2-shpps/> (access 22.9.2019).

## ACKNOWLEDGEMENT AND THE RECOGNITION OF THE WOMEN CSOS BY NATIONAL GOVERNMENTS

The trend of shrinking space for civil society is continuous and is evident in the Western Balkans. It is concerning despite the fact that negotiations for EU accession provide an opportunity for civil society to advocate and propose policies to the government.<sup>394</sup> In 2019, the European Parliament adopted a resolution on Women's Rights in Western Balkans (2018/2710(RSP)) that calls for better cooperation of national authorities with expert non-governmental organisations in the area of women's rights and gender equality.<sup>395</sup> Several CSO and WCSO from the region have participated in creating this resolution, which includes concrete proposals to the governments from Albania, BiH, Kosovo, Montenegro, North Macedonia and Serbia.<sup>396</sup>

In 2019, Snežana Mišić Mihajlović and Jens Engeli reported: "Negative rhetoric and repressive measures of the governments against CSOs were particularly strong in some countries during 2018.

Nations in Transit notes that Presidents of Serbia and Montenegro have 'captured their respective states, turning them into mechanisms for distributing patronage that in turn strengthen their parties' grip on power.' CSOs struggle to make their voices heard, and those expressing criticism of governments are often subject to harassment."<sup>397</sup>

The potential of WCSOs has not yet been fully utilised by state institutions, and some progress has been made in collaborations with national gender equality mechanisms and other institutions in advancing certain areas (most often on topics of gender-based violence). However, substantial (or even core) funding for WCSOs by state institution is lacking<sup>398</sup> and many important activities remain dependent on donor policies and resources. In addition, progress in providing support and protection for WHRDs is systematically lacking throughout the region.

### ALBANIA

The *National Strategy on Gender Equality and its Action Plan 2016-2020* was prepared with input from, and inclusion of, WCSOs. GBV remains an area of cooperation between institutions (including gender equality mechanisms) and CSOs. Albanian WCSOs have been active in addressing the issues of women's groups experiencing multiple discrimination and have offered their assistance by submitting proposals and comments during discussions on legal changes, attending hearings, commissions, and subcommittees in the Assembly, or preparing shadow reports.

In 2018, the Ministry of Health and Social Protection signed a cooperation agreement with CSOs that specialise in providing services to perpetrators of violence in several regions of the country such as: Tirana, Elbasan, Shkoda and Vlora.

Further, the National Review for the implementation of Beijing +25 for Albania states that CSOs play an important role through educational and awareness-raising activities that are constantly being developed as part of their community interventions.<sup>399</sup>

<sup>394</sup> S. Misić Mihajlović, J. Engeli, *Why is the Space for Civil Society in the Balkans Shrinking?* March 2019, <https://www.helvetas.org/en/eastern-europe/about-us/follow-us/helvetas-mosaic/article/why-is-the-space-for-civil-society-in-the-Balkans-shrinking> (access 24.9.2019).

<sup>395</sup> Draft Resolution available at: [https://www.europarl.europa.eu/meetdocs/2014\\_2019/plmrep/COMMITTEES/FEMM/DV/2019/01-23/1163876ENdraftmotionforresolutionWomensrightinWesternBalkans\\_EN.pdf](https://www.europarl.europa.eu/meetdocs/2014_2019/plmrep/COMMITTEES/FEMM/DV/2019/01-23/1163876ENdraftmotionforresolutionWomensrightinWesternBalkans_EN.pdf) (access 22.9.2019).

<sup>396</sup> For example, Member of European Parliament Biljana Borzan organised a round table in European Parliament in Brussel in cooperation with some of Kvinna till Kvinna's Partner Organisations (WCSOs). Written input was also provided by many WCSOs, including Kvinna till Kvinna and partner organisations.

<sup>397</sup> S. Misić Mihajlović, J. Engeli, *Why is the Space for Civil Society in the Balkans Shrinking?* March 2019, <https://www.helvetas.org/en/eastern-europe/about-us/follow-us/helvetas-mosaic/article/why-is-the-space-for-civil-society-in-the-Balkans-shrinking> (access 24.9.2019).

<sup>398</sup> Funds for development assistance are often channelled through public institutions and international agencies, which then act as mediators (grant managers), not directly through CSOs. The decrease in the funding that actually reaches CSOs affects their sustainability.

<sup>399</sup> *National Review on the Implementation of the Beijing Platform for Action Beijing +25 Albania*, p.39.



## BOSNIA AND HERZEGOVINA

CSOs in BiH reported weak institutionalised cooperation with the government during the reporting period. While the Council of Ministers officially adopted a Cooperation Agreement with CSOs to increase civil society participation and influence on the legislative process, though neither side used it. The Council of Ministers still largely excluded CSOs from politically important or sensitive decisions. CSOs nevertheless continued to expand cooperation with the government at lower levels. The most difficult problem for civil society was the lack of adequate funding. Most were dependent on either governmental or international assistance. Local governments generally extended support to CSOs, provided the governing parties did not consider them threats.<sup>400</sup>

CSOs are rarely members of any governmental working group, and in cases when they are included, it is usually one or two representatives. With such low inclusionary numbers, there is little possibility of influencing the respective decision. In most cases,

this inclusion is viewed as a formality. If authorities' recognition exists, it is mostly limited to recognising or accepting reports and legal analyses along with their corresponding recommendations.<sup>401</sup>

At the local level, some improvements have been recorded since the previous edition. In 2018, Sarajevo Open Centre developed a model report on gender equality and human rights of women and LGBTQI+ persons for the Sarajevo Canton, with a corresponding Action Plan. The model report includes measures that would improve human rights and the position of women and LGBTQI+ persons in the Sarajevo Canton. Sarajevo Open Centre developed this report in cooperation with the Ministry of Labour, Social Policy, Displaced Persons and Refugees of Sarajevo Canton, the Gender Centre of Federation of BiH, and other CSOs active in the Canton. The report will be proposed as a working document for the development of a Cantonal Operational Plan for the implementation of the 2018-2022 Gender Action Plan.<sup>402</sup>

## KOSOVO

According to the *Kosovo Gender Analysis*, WCSOs and National Gender Equality Mechanisms have not been sufficiently consulted during processes of drafting laws and policies.<sup>403</sup> WCSOs tend to be under-resourced and insufficient human resources make it difficult for them to engage in democracy, advocacy, and governance processes. Research findings indicated that that role of WCSOs and movements in contributing to transformative changes has been documented by the EU. The Ministry of Health, UNICEF and Kosovo Women's Network in cooperation with the Action for Mothers and Children, launched a joint effort to engage healthcare workers in transforming traditional gender roles in Kosovo in 2019.<sup>404</sup> This initiative seeks to engage healthcare workers conducting pre-natal and post-natal home visits, talking to families about gender roles and how they can create a healthier environment for their children, with more

opportunities for the future. Kosovo Women's Network is also working with its partner organisations to call for amendments to the Labour Law, to better enable both women and men to spend time with their families. During the reporting period, Kosovo Women's Network submitted recommendations to amend the Civil Code,<sup>405</sup> and successfully advocated for a new budget line dedicated solely to financing shelters for victims/survivors of violence (budget for 2019).<sup>406</sup> Through successful advocacy initiatives, the organisation has been recognised by many different regional, national, and European stakeholders, and is often contracted to train, draft or consult with various institutions. While some authorities recognise the organisation's expertise, others do not; this recognition remains a case-by-case scenario, depending more on the person responsible more than an institutionalised approach.<sup>407</sup>

<sup>400</sup> United States Department of State, *Bosnia and Herzegovina 2018 Human Rights Report*, Bureau of Democracy, Human Rights and Labour, 2018, p. 22. Available at: <https://ba.usembassy.gov/wp-content/uploads/sites/270/2018-Human-Rights-Report-for-Bosnia-and-Herzegovina.pdf>, (access 22.9.2019).

<sup>401</sup> Information shared with Kvinna till Kvinna by partner organisation Rights for All (Prava za Sve).

<sup>402</sup> Dizdar, p.13.

<sup>403</sup> Farnsworth, p.1.

<sup>404</sup> Kosovo Women's Network, *Healthcare Workers to Empower Women, Engage Fathers*. 04.09.2019, available at: <https://womensnetwork.org/healthcare-workers-to-empower-women-engage-fathers/> (access 7.10.2019.)

<sup>405</sup> Kosovo Women's Network, *KWN Contributes with Recommendations to Amend the Civil Code*, 04.04.2019, available at: <https://womensnetwork.org/kwn-contributes-with-recommendations-to-amend-the-civil-code/> (access 7.10.2019.)

<sup>406</sup> Kosovo Women's Network, Ministry to Release Long-Awaited Assembly-Approved Funds for Shelters, 1.3.2019, available at: <https://womensnetwork.org/ministry-to-release-long-awaited-assembly-approved-funds-for-shelters/> (access 7.10.2019.)

<sup>407</sup> Information shared with Kvinna till Kvinna by partner organisation Kosovo Women's Network.

### MONTENEGRO

Several topics have been identified as areas of cooperation and involvement of CSOs and WCSOs in topics of health and education, as well as prevention, protection and services related to GBV, trafficking and arranged marriages.

Each year, the Ministry of Human and Minority Rights, in cooperation with the Ministry of Health and civil society, conducts preventive health check-up actions for members of the Roma and Egyptian communities, focusing on women and girls.

Representatives of the National Office for Combating Trafficking in Human Beings and the Ministry for Human and Minority Rights, in cooperation with civil society, participated in the implementation of the education and campaign that

was initiated in September 2018, named "Combating Domestic Violence, Forced Child Agreed Marriages and trafficking for the Roma and Egyptian population". Additionally, the National Office for Combating Trafficking in Human Beings has partnered with WCSO SOS Nikšić in 2018 to launch a project titled "Improving the Service and Awareness of Fight Against Trafficking in Human Beings in the Balkans - Albania, Macedonia, Montenegro, Kosovo". The project aims to the strengthen the capacities of the institution's representatives in the implementation of transnational mechanisms for the exchange of information on cases of trafficking in human beings, which were developed and adopted in order to better implement the signed Cooperation Agreements.

### NORTH MACEDONIA

During the reporting period, WCSOs were involved in the work of the government and institutions in working with marginalised women as well as women from rural areas, and topics of sexual and reproductive health. Positive developments were registered with the adoption of the *Strategy for Cooperation and Development of Civil Society 2018-2020*.

The government of North Macedonia, in cooperation with international organisations, civil society and other relevant actors plans to continue to conduct regular public campaigns directed at promoting the position of women in society and diminishing gender stereotyping. In 2018 a shelter for victims/survivors of sexual violence was established with the cooperation of the Ministry of Health, the WCSO La Strada and the CSO Za Srekno Detstvo. In the city of Skopje, Прв Семеен Центар - ПЦЦ во Град Скопје (the First Family Center of the City of Skopje)<sup>408</sup> working on domestic violence is functioning continuously and implements an integrated approach to treating domestic violence, including working with perpetrators, as well as working with victims/survivors of domestic violence, which are predominantly women and girls. Kvinna

till Kvinna partner organisation Health Education and Research Association (HERA) representatives were members and facilitators of a working group which drafted the National Action Plan for Implementation of the Istanbul Convention (2018-2023). Now, HERA is a member of the working group for drafting the new Law on Violence against Women and Domestic Violence. HERA was recognised by state institutions as an organisation with expertise in the field of GBV and gender equality, and was directly invited to participate in these working groups. Ministries also recognise the Gender Equality Platform as a network of experts, and invite representatives from the Platform to participate in different working groups.<sup>409</sup> The Gender Equality Platform is currently coordinated by Kvinna till Kvinna partner organisation Reactor – Research in Action.

On May 22<sup>nd</sup>, 2019 the Assembly of North Macedonia adopted a new Law on Social Protection as a result of a thorough overhaul of the social protection system with the participation of relevant CSOs. This law formed the core of the social reform which the current government has set out to complete during its four-year mandate. It includes de-

<sup>408</sup> First Family Centre of the City of Skopje was established in 2013 as a specialised service for psychosocial support to women and children victims/survivors of DV, and counselling centre for perpetrators of DV. With financial support from the City of Skopje, the organisation provides services for users from Skopje, but since 2018 and with support from UN Women, the centre has begun providing services to users from nine other cities. Although the Centre was established as a service for DV, since it is the only counselling centre of its kind, the team works with most forms of GBV including sexual violence and abuse of adults and children. Information shared with Kvinna till Kvinna by Partner Organisation

HERA.energynews.com/brave-women-of-kruscica-win-euronatur-award-for-averting-construction-of-2-shpps/ (access 22.9.2019).

<sup>409</sup> Information shared with Kvinna till Kvinna by Partner Organisation HERA.

institutionalisation, improvement of services and increasing the effectiveness of the measures regarding poverty reduction. The reform is lead and coordinated by the Ministry of Labour and Social Policy, lead by Mila Carovska – former activist and member of the civil society sector. It is still too early to tell whether WCSOs will be invited to this process to speak as experts on gender-sensitive approaches to poverty reduction. Regardless, the European Parliament Resolution on Women's rights in Western Balkans underlines that women and women's rights organisations should be involved in all processes related to the EU Accession negotiations, and this is an important step regarding those provisions as they apply to North Macedonia.

The Law for the Protection and Prevention of Discrimination was adopted on May 16th, 2019. It is concerning, however, that a new Commission for the Protection of Discrimination is still not formed, considering that August 22<sup>nd</sup>, 2019 was the deadline to form the Commission. The mandate of the previous Commission has also ended, meaning that the population of North Macedonia currently does not have access to a key body for protection of discrimination.<sup>410</sup> CSOs have urged the Parliament to immediately form a Commission for protection of discrimination.<sup>411</sup> At the time of writing this report, the Commission had not yet been formed.

### SERBIA

In April 2019, CSOs in Serbia adopted a joint document aimed at preserving civil society and its freedoms in the EU candidate country,<sup>412</sup> after observing a growing number of physical assaults on activists and WHRD, including verbal abuse and smear campaigns in pro-government media outlets.<sup>413</sup> The issue of the lack of government funding to CSOs and WCSOs remain, including challenges in obtaining funding, such as unclear criteria for the awarding of grants, non-transparent decision-making for the awarding of government contracts, and the lack of stable financing.<sup>414</sup>

According to the Serbia country report for Beijing +25, WCSOs were involved in different policy, strategies and awareness-raising activities during the reporting period. For example, the Office for Human and Minority Rights coordinated the development of the *Strategy for the Prevention and*

*Protection against Discrimination* for the period 2014 to 2018 and the accompanying Action Plan. Government states that this is the first strategic document dedicated to the fight against discrimination among nine vulnerable social groups, including women. Though the Strategy came to an end during this reporting period, it is important to note that a number of relevant CSOs and WCSOs participated in the development of this strategy.<sup>415</sup>

WCSOs have stated that recognition of their role and expertise sometimes takes place at a local level and in different ways. For example, institutions may accept invitations to take part in events organised by WCSOs, notably the Protector of Citizens and the Coordination Body for Gender Equality. On the other hand, it is the experience of some WCSOs that institutions do not invite WCSOs to be part of policy-level planning or initiatives.<sup>416</sup>

<sup>410</sup> Information shared with Kvinna till Kvinna by Partner Organisation Reactor – Research in Action.

<sup>411</sup> *Итно да се формира Комисијата за заштита од дискриминација, партиите да се воздржат од политички игри*, 27.09.2019, available at: [https://www.24.mk/details/nvo-itno-da-se-formira-komisijata-za-zashtita-od-diskriminacija-partiite-da-se-vozdrzhat-od-politichki-igri?fbclid=IwAR3sYSnAD3SWQfg\\_7yEk9eIQpQl4yTmrW4PTU0sijoHC-C-xb2aWtiF3xzA](https://www.24.mk/details/nvo-itno-da-se-formira-komisijata-za-zashtita-od-diskriminacija-partiite-da-se-vozdrzhat-od-politichki-igri?fbclid=IwAR3sYSnAD3SWQfg_7yEk9eIQpQl4yTmrW4PTU0sijoHC-C-xb2aWtiF3xzA) (access 17.10.2019.)

<sup>412</sup> In Belgrade, representatives of 20 CSOs have signed a platform named Three Freedoms for the Preservation of Space for the Civil society in Serbia, with the aim of protecting and advancing the freedom of association, assembly and information (for more information, please see: <https://www.euractiv.com/section/enlargement/news/serbias-civil-sector-ngos-demand-more-rights/>).

<sup>413</sup> J Simić, *Serbia's civil sector, NGOs demand more rights*, 11.4.2019, available at: <https://www.euractiv.com/section/enlargement/news/serbias-civil-sector-ngos-demand-more-rights/> (access 23.9.2019.)

<sup>414</sup> M. Russell, *Serbia at risk of authoritarianism?*, *European Parliamentary Research Service*, May 2019, available at: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2019/637944/EPRS\\_BRI\(2019\)637944\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2019/637944/EPRS_BRI(2019)637944_EN.pdf) (access 23.9.2019.), p. 7.

<sup>415</sup> Government of the Republic of Serbia, *National-Level Review of the Progress on the Implementation of the Beijing Declaration and Platform for Action +25*, 2019, Available [https://www.unece.org/fileadmin/DAM/RCM/Website/Serbia\\_ENG.pdf](https://www.unece.org/fileadmin/DAM/RCM/Website/Serbia_ENG.pdf) (access 23.9.2019.), p. 61.

<sup>416</sup> Information shared with Kvinna till Kvinna by partner organisation Udruženje Žena Peščanik.

At the same time, important legislation is often adopted by the urgency procedure, giving CSOs and WCSOs little time to provide input or react. Critics and WCSOs who have participated in such processes have shared that when government departments

carry out consultations, they often regard them as a formality and do not take stakeholders' suggestions into consideration, especially when it comes to the input of WCSOs.<sup>417</sup>

**A proposed law on anti-discrimination is blocked in North Macedonia's Parliament by MPs from both governing and opposition parties (2019):** The draft proposal to resolve a number of issues with the current Law on Prevention and Protection Against Discrimination, with one of the key issues to explicitly add sexual orientation as a protected ground against discrimination, was blocked in Parliament. Many WCSOs and WHRDs spoke out against this block, claiming that the reason why the law was being blocked was a letter which the MPs received from the two largest religious communities in the country – the Macedonian Orthodox Church and Islamic authorities - both of which objected to sexual orientation being added as a protected ground for discrimination. Following this, MPs raised personal religious beliefs in the Parliamentary procedure.<sup>418</sup> The law was passed with 52 votes in favour in March 2019. The adopted law prohibits any discrimination based on age, origin, nationality or ethnicity, sexual orientation, gender identity, religion, political beliefs, among others.

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<sup>417</sup> M. Russell, *Serbia at risk of authoritarianism?*, European Parliamentary Research Service, May 2019, available at: [http://www.europarl.europa.eu/RegData/etudes/BRIE/2019/637944/EPRS\\_BRI\(2019\)637944\\_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2019/637944/EPRS_BRI(2019)637944_EN.pdf) (access 23.9.2019.), p. 7.

<sup>418</sup> European Network of Legal Experts in Gender Equality and Non-Discrimination, *Flash Report for North Macedonia*, 2019, p. 2, available at: <https://www.equalitylaw.eu/downloads/4893-republic-of-north-macedonia-new-law-on-social-protection-adopted-pdf-82-kb> (access 17.10.2019.)

## Recommendations\*

### Attacks on Women's Human Rights Defenders

#### WHAT CAN BE DONE IN ONE YEAR:

**Add WHRDs to the category of those eligible for free legal aid as victims of GBV.  
Establish data collection and the monitoring of cases of attacks on these groups.**

#### National governments

- Criminalise digital harassment
- Ensure gender-bias is an aggravating circumstance for sentencing attacks on WHRDs
- National human rights instruments and/or gender equality bodies should be required to collect, analyse and disseminate data on attacks of WHRDs and journalists (Examples: Finland)
- Add WHRDs as a category of GBV victims/survivors eligible for free legal aid without means-testing

#### EU institutions, other inter-governmental organisations and donors:

- Recognise the importance of the work of WHRDs and their exposed position and their vulnerability to attacks
- Pressure national governments to develop a policy to comprehensively address risks to, and attacks on, WHRDs

### Acknowledgement and recognition of WCSOs by National Governments

#### National governments

- Ensure WCSO participation in national and local level policy-making
- Ensure mechanisms for WCSO inputs in national reporting processes to international bodies

#### EU institutions, other inter-governmental organisations and donors:

- Ensure systematic inclusion of WCSOs in all consultations and dialogue processes related to accession, facilitating specialised meetings between WCSOs and government, in line with Article 11 of the Lisbon Treaty
- Prioritisation of counteracting shrinking civic space at EU delegation and embassy levels. Embassies and EU delegations have the potential to play an important role in promoting dialogue with local civil society
- Sustain funding to WCSOs in light of lack of funds by State actors. Emergency funds should be made available
- Include discussions on women's human rights in every dialogue on foreign policy, development cooperation, migration and trade
- Support the research and independent analysis capacity, including gender analysis, of national statistics institutes

\* Given the diverse situation in each country, the recommendations are generalised, applying to a majority of the countries for each recommended action.

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