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## **Resilience Handbook: Countering Anti-Gender Policies** Overview and Recommendations

Sarajevo, 2025

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## **1.** Introduction

### 1.1. What Are Anti-Gender Movements?

**Resilience Handbook: Countering Anti-Gender Policies** provides a comprehensive overview of anti-gender movements, their strategies, and the impacts of their actions, while also proposing practical strategies for fostering resilience against their influence. Over the past decades, anti-gender mobilisations have emerged as a **serious threat to advancements in human rights, gender equality, and social inclusion**. Although primarily **targeting women and LGBTIQ+** persons, their activities have broader implications for democratic processes, the rule of law, and social stability.

By employing narratives centred on the preservation of 'traditional values' and 'family stability', these movements justify opposition to reforms that promote equality and inclusivity. Their discourse frequently incorporates elements of **populism**, **nationalism**, **and clericalism**, and they operate through political parties, religious institutions, conservative non-governmental organisations, and right-wing media networks.

## **1.2. Anti-Gender Movements and Their Strategies**

Anti-gender movements frequently mobilise under the guise of opposing socalled 'gender ideology' – a term deliberately constructed as an academic concept but utilised to incite fear and polarisation. In the Western Balkans, including Bosnia and Herzegovina, these movements draw upon deeply entrenched patriarchal norms, nationalist rhetoric, and conservative ideologies to further strengthen their influence. Their strategy involves **challenging reproductive rights, the protection of marginalised groups, comprehensive sexuality education, and gender studies programmes**. Simultaneously, gender equality is framed as a threat to social stability, family values, and national identity, fuelling moral panic and fostering distrust towards human rights reforms.

#### 1.3. The Context of Bosnia and Herzegovina

Within the context of Bosnia and Herzegovina, the complexity of socio-political structures has provided fertile ground for anti-gender movements to expand their influence. Their campaigns rely on disinformation and fearbased narratives to polarise society and foster distrust towards key reforms. Frequently, they depict 'gender ideology' as a threat to children, traditional families, and national identity – leveraging conservative religious ideologies and transnational networks to coordinate their efforts. Additionally, they employ **political pressure**, **legal obstructions**, **and the systematic discrediting of activists and organisations** working to strengthen human rights. In this setting, it is crucial to understand how anti-gender narratives are constructed and how they impact public policymaking, legislative initiatives, and the shaping of societal attitudes.

## **1.4. Transnational Nature and Global Connections**

The narratives promoted by anti-gender movements are not confined to local or national contexts but form part of a broader global strategy that involves transnational connections and coordination. These movements employ shared rhetoric and strategies, mobilising resistance to progressive policies while creating the illusion of widespread support for restrictive and conservative agendas. They are linked to **similar movements in Europe, the United States, and Russia**, leveraging financial support and strategic coordination to expand their influence on a global scale.

## 1.5. Purpose of the Handbook and Recommended Approach

This handbook provides an analysis of the dynamics of anti-gender movements, their tactics, and their impact, while also offering practical strategies for resilience. The focus is on **strengthening the legislative framework**, **improving education, empowering institutions, and fostering local, regional, and international cooperation**. The aim is to equip policymakers, activists, educators, and the wider public with the necessary tools to collectively safeguard the values of equality, justice, and human rights.

By presenting a detailed understanding of these dynamics, the handbook **calls for a proactive approach, solidarity, and innovative strategies in countering anti-gender policies**. Only through informed and coordinated action can a society be built upon justice and equal opportunities for all, regardless of gender, sexual orientation, ethnic background, or other personal characteristics. The handbook also serves as a resource for addressing the challenges posed by these movements, providing tools to protect democratic values and promote a more inclusive society.

## 1.6. Structure of the Handbook

The handbook is divided into several key sections:

- **Analysis of anti-gender policies and their strategies** explains how these movements operate and their impact on society.
- **Case studies and legal aspects** examines specific examples of antiti-gender actions in Bosnia and Herzegovina and the wider region.
- **Recommendations and guidelines** provides concrete steps for resilience against anti-gender policies, including legislative, institutional, and educational strategies.
- **Practical action guidelines** offers tools for activists, organisations, and individuals to counter disinformation and conservative narratives.

Through this handbook, the aim is to create a clear framework for understanding and action, enabling all actors engaged in the protection of human rights to respond to the challenges of anti-gender policies in a coordinated and effective manner.



## Defining the Phenomenon – What Is and What Is Not an Anti-Gender Movement?

Author: Selma Alispahić

## 2.1. Definitions of Anti-Gender Movements

The authors of the book Anti-Gender Campaigns in Europe: Mobilizing Against Equality define anti-gender movements in the following way: 'By using the notion of anti-gender movement, we aim to describe the mobilizations and campaigns against gender which have appeared since the late 1990s in several European countries and elsewhere (particularly in Latin America). We want to insist on a specific type of mobilization, and we claim that these mobilizations, which have often been studied separately, can be gathered under a single notion. These countries are facing specific forms of mobilization which should not be understood as mere reiterations of the past but rather as new forms of mobilization against gender and sexual equality... a common pattern of mobilization can be observed across borders, including a shared discourse, a travelling repertoire of action and similar strategies. Despite a diversity of triggers at national levels, all these mobilizations address "gender ideology" or "gender theory" as the root cause of the reforms they want to combat. For this reason, we gather them under the label of anti-gender movements.' (Kuhar & Paternotte, 2017: 253)

Another definition of anti-gender movements, offered by the United Nations Research Institute for Social Development (UNRISD), is the following: 'The anti-gender movement acts as a transnational coalition of conservative activists and organizations working to counter and undermine political and social gains made by local and international feminist and SOGIE (Sexual Orientation and Gender Identity Expression) rights advocacy. As already noted above, anti-gender activists and organizations are operating at local, regional and global levels, mobilizing opposition against equal rights for LGBTIQ+ people, women's reproductive rights, CSE in schools and Gender Studies programmes at a tertiary level.' (UNRISD, 2023: 3)

### 2.2. Different Approaches to Defining Anti-Gender Movements

While some understand it as a distinct and separate phenomenon that may be linked to others, others see it as part of a broader movement, ideology or initiative (e.g. as part of the right wing). In defining it, some emphasise its oppositional aspect by using the prefix 'anti', whereas others highlight the ideas it promotes, referring to it with terms such as 'family values movement'. In addition to the term 'anti-gender movement(s)', other terms used to describe this phenomenon include 'anti-gender mobilisation', 'anti-gender campaign', 'anti-genderism', 'anti-feminist movement', 'anti-gender activism', 'anti-gender positions' and 'rollback of gender equality policies'. (Gergorić, 2020: 158)

## 2.3. Two Dimensions of Anti-Gender Movements

Anti-gender movements rarely refer to themselves in such terms, and instead prefer to use positive labels such as *pro-family* or *pro-life* (UNRISD, 2023: 3). Graff and Korolczuk argue that we can distinguish two dimensions of anti-gender movements. The first is 'anti-genderism' as an ideology and worldview, which holds that the concept of 'gender' undermines natural differences and poses a threat to the family and children – one imposed by global elites. The second dimension refers to anti-gender mobilisations or campaigns that work in practice towards achieving goals such as the complete ban on abortion, the abolition of gender studies, the obstruction of the implementation of the Istanbul Convention, and so on. (Graff, Korolczuk, 2022: 19–20)

# 2.4. Developmental Phases and the Core of Anti-Gender Ideology

According to Gergorić, it is possible to distinguish two developmental phases of the anti-gender movement: 'In the first phase, the strategy and discursive framework of action were created, and anti-gender mobilisation began. The second phase was marked by mass mobilisation and rapid expansion.' (Gergorić, 2020: 149)

The three core elements of anti-gender ideology are: beliefs about human nature and sexual difference; a pessimistic and anti-modern view of the West; and a conspiratorial interpretation of the global distribution of power. (Graff, Korolczuk, 2022: 17–18)

## 2.5. Challenging and Demonising the Term 'Gender'

Anti-gender movements reject and demonise the concept of 'gender', labelling it an ideology which 'has negative consequences for the legislation on gender equality' (Kováts, Põim, 2015: 11). Anti-gender mobilisations oppose gender as a concept, as an 'ideology' or 'theory', and as a social project (Graff, Korolczuk, 2022: 16–17), and use terms such as 'gender ideology' and 'genderism' with the purpose of manipulating public opinion and generating and instrumentalising fear (GATE, 2024: 4). According to UNRISD, the use of the term 'gender ideology' reflects an effort to safeguard the heteropatriarchal social order (UNRISD, 2023: 3). For anti-gender movements, 'gender ideology' advocates a culture of death (i.e. euthanasia, contraception and abortion) in contrast to a culture of life (Kuhar & Paternotte, 2017: 5), and for some, it represents a neo-colonial Western project that imposes decadent values on other societies (Kuhar & Paternotte, 2017: 7–8). According to anti-gender movements, 'gender ideology' – understood to mean same-sex marriage, sexual education, abortion, and reproductive rights – constitutes a form of conspiracy theory that undermines natural and biological differences as given, the natural family, and traditional gender roles (Kuhar, 2022: 116).

## 2.6. Diversity and Influence of Anti-Gender Movements

It is often argued that the term 'gender ideology' is an empty signifier, as it brings together a range of different actors (Kuhar & Paternotte, 2017: 15). While the primary targets of anti-gender movements are sexual and reproductive rights and the rights of LGBTIQ+ people, they also oppose the rights of sex workers and the decriminalisation of sex work. They 'counter efforts to end gender-based violence, and instate anti-bullying programs, comprehensive sexuality education in schools, and gender studies in higher education' (GATE, 2024: 5). Anti-gender movements reject theories that understand gender and sexuality from an anti-essentialist perspective, portraying them as conspiratorial – aiming to bring about alarming ethical and societal changes – and as a danger to humanity that 'negates sexual differences and gender complementarity' (Kuhar & Paternotte, 2017: 5).

From the perspective of anti-gender movements, in the words of Judith Butler, 'gender is figured not only as a threat to children, national security, or heterosexual marriage and the normative family but also as a plot by elites to impose their cultural values on "real people," a scheme for colonizing the Global South by the urban centers of the Global North. It is portrayed as a set of ideas that are in opposition to either science or religion, or both, or as a danger to civilization, a denial of nature, an attack on masculinity, or the effacement of the differences between the sexes. Gender is also sometimes regarded as a totalitarian threat or the work of the devil, and thus cast as the most destructive force in the world, a contemporary and dangerous rival to God that must be countered, or destroyed, at all costs.' (Butler, 2023)

However, some argue that anti-gender movements are not merely about opposing gender equality or the human rights of women and LGBTIQ+ persons, but instead represent 'a transnational movement aimed at establishing an alternative political and social system by instrumentalising gender and the human rights of women and LGBTIQ+ persons to gain political, economic and social power.' (Milanović, Jovanović and Uličević)

## 2.7. Global and National Dimensions of Actions

While some refer to the phenomenon as *the anti-gender movement* due to its global character, others prefer to speak of *anti-gender movements* in the plural, in order to emphasise the specific forms it takes in different national contexts (GATE, 2024: 5). Kuhar and Paternotte argue that a narrow view of anti-gender movements as purely national phenomena reflects a form of 'methodological nationalism' (Kuhar & Paternotte, 2017: 4), and they maintain that anti-gender movements share numerous characteristics and similarities, as well as transnational interconnectedness (Kuhar & Paternotte, 2017: 16). Andrea Pető identifies several recurring practices of anti-gender mobilisations as transnational in nature – including common triggers for action, shared spaces on social media, similar language, identical rhetoric and intellectual foundations, personal connections between movements and mutual support, as well as the use of the same visual symbols and demonstration concepts (Kováts, Põim, 2015: 132–134).

## 2.8. Strategies and Activities of Anti-Gender Movements

When it comes to the strategy of anti-gender movements, it began to take shape as early as the 1990s, primarily as a reaction by the Vatican to the use of the term 'gender' at the 1994 International Conference on Population and Development in Cairo and the 1995 Fourth World Conference on Women in Beijing. This was an attempt to 'renaturalise' and biologise its meaning. The mobilisation phase began in 2004 in Spain, and in the years that followed, spread to other countries such as Croatia, Slovenia, Italy, and France, as well as countries in Latin America (Gergorić, 2020: 150–151). In terms of activities, Kuhar and Paternotte list demonstrations, protests, petitions, lobbying, writing academic and other publications, forming new political parties, leading campaigns, using the internet to inform and connect, holding press conferences, and so on (Kuhar & Paternotte, 2017: 264–265).

Anti-gender movements pose a serious threat, as they represent a phenomenon that, 'in recent times, is spreading not only geographically, but is also moving from protest into the institutional political arena' (Gergorić, 2020: 149). One of the consequences of their presence and activity is the 'emergence of a gender versus anti-gender divide in public space. A false symmetry has been established between two disparate sides and discourses, defined in Vatican terms. The existence of an anti-gender front gives rise to the belief in the existence of a pro-gender front' (Gergorić, 2020: 154). The harmful impact of anti-gender politics also manifests tangibly in the physical, psychological and economic well-being of targeted individuals – harm that is symbolic, material and epistemic – as they are deprived of human rights, economic support and become vulnerable to various forms of violence (Holvikivi, Holzberg, Ojeda, 2024: 2–3).

Anti-gender movements operate through a 'us versus them' logic, believing that 'corrupt elites are responsible for the current situation and seek to give

voice to those who are constructed as silenced: the (normal) majority' (Kuhar & Paternotte, 2017: 14). These elites are perceived to include international powers, Brussels, Jews, feminists, and others, and anti-gender actors often intentionally use the English word 'gender' to amplify the impression of something foreign and 'imported' (Kuhar & Paternotte, 2017: 14). Anti-gender movements invert the roles of perpetrator and victim – for example, portraying the traditional family as the 'true victim' and same-sex marriage as a threat – constructing the image of a threatening Other and the dangers they allegedly represent (Kuhar & Paternotte, 2017: 14). Based on this self-victimisation, they present themselves as the protectors of the oppressed 'silent majority' (Kuhar, 2022: 118).

The discourse of anti-gender movements often revolves around a 'politics of fear', evoking a sense of impending threat and moral panic regarding what is perceived as a danger to the future – particularly to families and children – and to the natural order. This is precisely what makes it so powerful and effective today (Kuhar, 2022: 119). For anti-gender mobilisations, the word 'gender' as an empty signifier unites all modern fears: fear of change, loss of national identity, Western influence, individualism, the instability of everyday life... (Graff, Korolczuk, 2022: 15). Butler also highlights that 'gender' names a wide array of fears – including those related to environmental crisis, economic insecurity, war, and political violence (Butler, 2023).

### 2.9. Key Actors and Funding of Anti-Gender Movements

The actors involved in anti-gender movements include family associations, anti-abortion groups, conservative religious groups, right-wing organisations, and others. Kuhar and Paternotte classify them into three categories: pre-existing groups (such as anti-abortion groups, family associations, right-wing and religious organisations, etc.), new groups (established specifically to fight against so-called 'gender ideology'), and allies (academics, politicians, and media figures) (Kuhar & Paternotte, 2017: 259–260). According to some authors, anti-gender movements owe their success to the fact that 'they connect actors who wouldn't typically collaborate' (GATE, 2024: 4), with the concept of gender acting as a kind of 'symbolic glue' (Kováts, Põim, 2015). One could argue that for anti-gender movements, the term 'gender' is unifying - on the one hand, it unites a variety of actors in their opposition to gender, while on the other, it consolidates different subjects and struggles into a single 'common enemy' (Gergorić, 2020: 154). Graff and Korolczuk use the term 'opportunistic synergy' to describe the alliance and collaboration among different actors in their struggle on behalf of the 'ordinary people' against the 'corrupt elites'. This refers to 'a dynamic that includes political alliances, ideological affinities and organizational ties that enable wide-scale elite change in governmental bodies, academia, cultural institutions and civil society' (Graff, Korolczuk, 2022: 7). Although some describe anti-gender movements as a form of 'new conservatism' or yet another 'conservative revolution' (HBS, 2015: 9), it is important to emphasise that not all conservative politics are anti-gender, and that conservatism alone is insufficient to define these movements. Many scholars

reject the label 'conservative' or 'reactionary' movements, as it oversimplifies their position by 'pushing anti-gender activists into the darkness of the past, depicting them as warriors fighting against the course of history' (Kuhar & Paternotte, 2017: 254). The anti-gender movement does not merely continue earlier conservative resistance to gender equality, but constitutes a new phenomenon with specific features related to its forms of mobilisation, action, and discourse. Moreover, these movements present themselves as rational and grounded in common sense, thus aiming to appeal to a broader audience than traditional conservative circles (Kuhar, 2022: 116). In other words, 'as a global and interconnected movement, it is a novel phenomenon that has gained ground in recent years and is distinct from previous anti-feminism, homophobia, and transphobia waves' (GATE, 2024: 4).

According to anti-gender movements, the path to the future 'lies in the past': they advocate a return to the natural order of the past and, in this sense, they represent a 'typical retrotopian project – directed toward an ideal past rather than a better future' (Kuhar, 2022: 122). Kuhar and Paternotte argue that 'the nostalgia for a lost golden age, where everything was simpler and genders were what they looked like may also nourish a quest for firmer foundations when everything is disappearing' (Kuhar & Paternotte, 2017: 14).

## 2.10. Financial and Ideological Support

Many authors emphasise that anti-gender movements receive significant financial support from the Global North (GATE, 2024: 5). When it comes to the funding of these movements, the focus is typically on the American Christian right, conservative Catholic organisations, and the Russian Orthodox Church (UNRISD, 2023: 9). In terms of the relationship between religion and anti-gender movements, Kuhar and Paternotte state that 'although actors may not be aware of its religious origins, the discourse on "gender ideology" often resonates with their own ideas and criticisms of gender' (Kuhar & Paternotte, 2017: 14). They argue that 'the anti-gender movement tries to build a pluralising (and secularising) self-image against the religious or conservative imagery often conveyed in public opinions. It builds itself as a rational, moderate and commonsensical actor, who raised its voice because things have simply "gone too far" (Kuhar & Paternotte, 2017: 264).

Many scholars argue that the political right has been a key driver in the spread of anti-gender politics, and that the close connection between anti-gender campaigns and right-wing populism is precisely what distinguishes them from earlier forms of resistance to gender equality (Graff, Korolczuk, 2022: 6). However, others warn that anti-gender movements are not only influenced by the political right. 'Antifeminism can also be found in leftist political contexts, most notably in its familiar fantasy that identity politics is at least partly to blame for the collapse of the transnational left' (Holvikivi, Holzberg, Ojeda, 2024: xi). These authors note that anti-gender narratives 'can also be found in some leftist political movements that have built their platform, partly in opposition to the politics of gender and sexuality' (Holvikivi, Holzberg, Ojeda, 2024: 11). Paradoxically, attacks on gender also come from within feminist circles, especially from so-called 'gender critical' feminists (Holvikivi, Holzberg, Ojeda, 2024: 12). However, the authors clarify that pointing this out does not mean that anti-gender movements are fundamentally rooted in feminist or leftist politics. Rather, they primarily use the concept of (right-wing) fascism 'to describe the political effects as well as the affective and ideological life of anti-gender politics' (Holvikivi, Holzberg, Ojeda, 2024: 14).

Some authors stress that the discourse of anti-gender actors exhibits all the features typical of fascist narratives: the promotion of hierarchy as natural, hostility towards universal citizenship, the construction of conspiracy theories, radical revision of liberal values, declarative anti-capitalist rhetoric, explicit anti-communism through the equation of Nazism and communism, and the creation of mythologies and a cult of victimhood (Milanović, Jovanović and Ul-ičević). In the anti-gender movement, Butler also identifies reactivated 'fascist potentials', manifesting as attacks on progressive social movements and the human rights of queer people and women (Butler, 2023).

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Legal Analysis of the Legislative Framework on Gender Equality and Anti-Discrimination in Bosnia and Herzegovina

Author: Emina Z. Pintarić

## 3.1. Introduction

Bosnia and Herzegovina (BiH) has a complex legal framework concerning equality and the prohibition of discrimination; however, significant challenges persist in its implementation, particularly in countering anti-gender policies. This analysis examines the relevant legal provisions, their international sources, and the extent to which BiH potentially breaches its international obligations. It provides practical examples and outlines mechanisms for the protection of citizens' rights.

## 3.2. Normative Framework

#### 3.2.1. Domestic Legislative Framework

i. Constitution of Bosnia and Herzegovina

The Constitution of Bosnia and Herzegovina (BiH), as the supreme legal act of the state, guarantees equality and prohibits discrimination. Article II(4) of the Constitution stipulates:

'The enjoyment of the rights and freedoms provided for in this Constitution or in the international agreements listed in Article II(2) of this chapter shall be secured to all persons in Bosnia and Herzegovina without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.'

Furthermore, the Constitution directly incorporates the European Convention on Human Rights (ECHR), rendering its provisions directly applicable and granting them primacy over domestic legislation. This establishes a binding legal framework for state accountability in the protection of human rights. **ii.** Law on Gender Equality in Bosnia and Herzegovina<sup>1</sup>

The promotion of gender equality and the prohibition of discrimination in language are explicitly guaranteed by the Law on Gender Equality in Bosnia and Herzegovina. Articles 1, 2, and 9 of the Law impose a legal obligation on institutions to promote gender equality in all spheres of society, including education, the economy, employment, and labour.

Anti-gender initiatives that undermine these principles directly violate the objectives of the Law, contradicting the legal framework designed to ensure substantive gender equality and non-discrimination.

iii. Law on the Prohibition of Discrimination in Bosnia and Herzegovina<sup>2</sup>

Article 2 defines discrimination as any exclusion or restriction based on sex, sexual orientation, gender identity, and other grounds. The refusal to adopt legislation regulating the rights of LGBTIQ+ persons constitutes a direct violation of this provision.

Articles 11 and 12 guarantee the right to judicial protection in cases of discrimination; however, in practice, access to an effective legal remedy remains severely restricted, undermining the enforcement of anti-discrimination provisions.

iv. Criminal Laws of the Entities and the Brčko District

These laws prescribe penalties for hate speech and gender-based violence; however, the insufficient enforcement of their provisions hinders the realisation of justice for victims of discrimination

#### 3.2.2. International Standards

- i. European Convention on Human Rights (ECHR)
  - Article 8 guarantees the right to private and family life.
  - Article 14 prohibits discrimination in the enjoyment of all rights guaranteed by the Convention.
- ii. CEDAW (Convention on the Elimination of All Forms of Discrimination Against Women)
  - Obliges states to take all appropriate measures to eliminate discrimination against women in all areas of life.
- iii. Istanbul Convention
  - Article 7 obliges Member States to adopt comprehensive and coordinated policies for the prevention of violence against women and domestic violence.

<sup>1</sup> Official Gazette of BiH, No. 32/10 (consolidated text).

<sup>2</sup> Official Gazette of BiH, Nos. 59/2009, 66/2016.

- Article 8 requires the provision of adequate financial and human resources for the implementation of integrated policies, including support for shelters for victims of violence and educational programmes on gender-based violence.
- iv. International Covenant on Economic, Social and Cultural Rights<sup>3</sup>
  - Article 12 guarantees the right to the highest attainable standard of health.
  - Article 13 ensures the right to education.

### 3.3. How Are Rights Violated by Anti-Gender Policies?

- The right to equality is the foundation of any democratic society. In Bosnia and Herzegovina, anti-gender policies actively undermine this right by marginalising gender and sexual minorities, thereby violating their right to self-identification and equality before the law. Legislative initiatives that obstruct the rights of the LGBTIQ+ community, such as the failure to adopt laws on same-sex partnerships, constitute a clear violation of Article 2 of the Law on the Prohibition of Discrimination and Article 14 of the ECHR. The obstruction of same-sex partnership legislation not only disregards the right to equality but also deprives individuals of their right to private and family life, as guaranteed under Article 8 of the ECHR. Such actions further marginalise these communities and hinder their full integration into society.
- The right to protection from violence is a fundamental guarantee, yet violence against women and gender-based violence remain

#### 1. Reproductive Rights:

- Anti-gender policies often seek to restrict access to reproductive healthcare services, including contraception, abortion, and education on reproductive health.
- The right to the highest attainable standard of health under Article 12 imposes a legal obligation on Bosnia and Herzegovina to ensure the availability of these services without discrimination. Anti-gender movements that advocate for conscientious objection by healthcare professionals directly undermine this right.

#### 2. Healthcare Needs of Transgender Persons:

- Anti-gender policies frequently marginalise transgender persons by denying them access to specialised healthcare services, such as hormone therapy or medical transition.
- Article 12 of the Covenant guarantees that all individuals, including gender minorities, have the right to equal access to appropriate healthcare services.
- 3. Psychological Support:
  - Anti-gender narratives contribute to the **stigmatisation of gender minorities and LGBTIQ+ persons**, which has a direct impact on their mental health.
  - The right to healthcare includes the obligation to provide mental health services, ensuring comprehensive support for those affected by discrimination and stigma.

<sup>3</sup> These provisions of the International Covenant on Economic, Social and Cultural Rights (ICESCR) are crucial in countering anti-gender policies, as they directly address two fundamental rights – the right to healthcare and the right to education – which are frequently targeted by anti-gender narratives and practices. The significance of these provisions is as follows: **Article 12 – The Right to the Highest Attainable Standard of Health** 

persistent issues in Bosnia and Herzegovina. The lack of a systemic response and adequate victim protection demonstrates a failure to uphold obligations under the Istanbul Convention. Insufficient funding for shelters for women survivors of violence and the absence of rehabilitation programmes for perpetrators prevent victims from accessing safe spaces and necessary support. Authorities frequently fail to respond adequately to reports of violence, directly violating Articles 7 and 8 of the Istanbul Convention.

- The right to freedom of expression is enshrined in Article 10 of the ECHR. However, advocates of gender equality and human rights activists are frequently subjected to threats, defamation, and hate campaigns. Women's rights and LGBTIQ+ activists have repeatedly reported death threats and violence due to their views. These incidents violate not only the right to freedom of expression but also the fundamental security of activists, undermining democratic principles and the protection of human rights defenders.
- The right to education is fundamental, and access to inclusive education that promotes gender equality is essential for fostering social awareness. Anti-gender initiatives aimed at removing gender equality topics from the education system deprive young people of crucial information about human rights. The removal of literature and curricula addressing gender issues from educational institutions constitutes a violation of Article 13 of the International Covenant on Economic, Social and Cultural Rights and Article 5 of the Law on the Prohibition of Discrimination. Such actions create an unfavourable environment for the development of critical thinking and social inclusion, further entrenching systemic discrimination.
- **The right to work** is fundamental, yet workplace discrimination further exacerbates the position of women and gender minorities. While the Labour Law and the Law on Gender Equality prescribe equality, violations remain widespread in practice. Women frequently face dismissals following maternity leave, while transgender individuals encounter significant barriers to employment due to employer prejudice. Such practices directly undermine the right to equal opportunities in employment and career advancement.
- The right to healthcare must be universal and inclusive. Anti-gender policies frequently marginalise the needs of transgender individuals, denying them access to essential services. The lack of specialised healthcare services for transgender persons and restricted access to hormone therapy constitute a violation of Article 12 of the International Covenant on Economic, Social and Cultural Rights. The denial of basic medical care further undermines their dignity and right to health, reinforcing systemic discrimination within the healthcare system.

## 3.4. How Can Citizens Protect Their Rights?

#### 3.4.1. Legal Mechanisms

- 1. Reporting to the Police and Prosecutor's Office
  - Steps:
    - Victims of discrimination, violence, or hate speech must immediately report the incident to the local police station. The police have a legal obligation to record the case, conduct an investigation, and forward it to the prosecutor's office.
    - The prosecutor's office assumes responsibility for initiating proceedings against the perpetrator, preparing the indictment, and representing the victim's interests before the court. In more complex cases, the prosecutor's office may issue orders for temporary protective measures for the victim.
    - Resolution timeframe: The police investigation lasts up to 30 days, while the prosecutor's office must file an indictment within six months from the date of the report.
- 2. Filing a Complaint with the Human Rights Ombudsman of Bosnia and Herzegovina
  - Steps:
    - Citizens submit a complaint via an online form, in writing, or in person at the regional offices of the Ombudsman.
    - The Ombudsman conducts an investigation, contacts the responsible institutions, and proposes concrete measures to protect the rights of the victim.
    - Resolution timeframe: The Ombudsman is required to respond to the complaint within 30 days.
- 3. Filing Complaints with the CEDAW Committee
  - Steps:
    - All available domestic legal remedies must be exhausted, including court proceedings.
    - A detailed case file must be prepared, including domestic court rulings, medical records, and other relevant evidence.
    - The complaint must be submitted via the CEDAW Committee Secretariat, which reviews the case and decides on further action.
    - Resolution timeframe: The process can take from six months to several years, depending on the complexity of the case.

- 4. Judicial Proceedings
  - Steps:
    - Victims file a lawsuit before the Basic Court under the Law on the Prohibition of Discrimination. The court is obliged to consider the claim in an urgent procedure.
    - During the proceedings, it is possible to request temporary protective measures.
    - Resolution timeframe: First-instance proceedings usually last between three to six months, while in larger courts, they may take up to two years, with the possibility of appeal to higher courts.
- 5. Utilising International Legal Instruments
  - Steps:
    - Citizens who have not received adequate protection from domestic courts may submit applications to the European Court of Human Rights (ECtHR). It is necessary to provide domestic court rulings and evidence of human rights violations.
    - Resolution timeframe: Proceedings before the ECtHR typically take between two to four years.

#### 3.4.2. Documenting Cases of Discrimination

Citizens must retain all relevant evidence, including written communications, witness statements, and medical documentation, to ensure effective legal protection.

## 3.5. Conclusion

Bosnia and Herzegovina has a well-developed legal framework for equality and the prohibition of discrimination, which theoretically meets international standards. However, the practical implementation of these laws remains a serious challenge. Political obstructions, a lack of institutional capacity, limited awareness of human rights, and cultural barriers are key factors preventing the realisation of equality in practice.

A particularly pressing issue is the systematic undermining of the rights of marginalised groups through anti-gender policies, insufficient funding for victim support services, and the absence of a systematic approach to combating discrimination. Strengthening the legislative framework requires concrete action, including enhancing implementation mechanisms, educating key stakeholders, and empowering the non-governmental sector.

Key priorities for future action include:

- 1. Adopting and implementing legislation on the rights of LGBTIQ+ persons and gender equality.
- 2. Increasing budgetary support for shelters and rehabilitation programmes for perpetrators of violence.
- 3. Mandatory human rights education campaigns in educational institutions and among public officials.
- 4. Developing a national anti-discrimination strategy with a focus on regular monitoring and progress reporting.

Only through the consistent enforcement of laws, active engagement of civil society, and strong political leadership can Bosnia and Herzegovina become a society where equality and human rights are not merely normative ideals but a reality for all its citizens.



## 4.1. Introduction to Anti-Gender Movements

In order to understand how to confront the narratives and consequences of the so-called anti-gender movement and the policies that shape it, we must first comprehend what it represents, where it originates from, its underlying intentions, how it has expanded, and what its ultimate objectives are. This movement emerged as a critique or response to concepts developed by the proponents of these policies – gender theory or gender ideology. The very term gender ideology is the fundamental premise of these policies – an empty signifier, an alleged threat to humanity, deliberately crafted to sound academic or scientific, thus making it accessible for the general public to grasp. In reality, it means nothing, as gender ideology does not exist – only gender as a concept does.

You can read more about the foundations, mobilisation strategies, and communication methods of anti-gender campaigns on specific issues across Europe in the book Anti-Gender Campaigns in Europe: Mobilizing Against Equality, edited by Roman Kuhar and David Paternotte (2017).<sup>4</sup>

## 4.2. Women's Rights, Gender Equality, and Anti-Gender Mobilisations

What anti-gender policies find problematic is the gender perspective that the feminist movement and gender theories promote within social and legal frameworks. They argue that this perspective undermines women, seeks to weaken the so-called 'natural' family, promotes the erasure of differences between women and men – and carries similar perceived threats. For anti-gender actors, the only valid perspective is that of women – but one that is essentialised – framing women's experience and purpose strictly through roles such as caretaking, motherhood, and, ultimately, functions that do not advance but rather regress women's position in society and spaces of power. This reflects a strategy of renaturalisation – introducing a new definition of gender that is

<sup>4</sup> **Kuhar, Roman & Paternotte, David (eds.).** *Anti-Gender Campaigns in Europe: Mobilizing Against Equality.* London: Rowman & Littlefield International Ltd., 2017. (Retrieved from: <u>https://hrcak.srce.hr/193690</u>).

exclusively equated with biological determinants.<sup>5</sup>

It is important to highlight the key issues against which anti-gender movements most actively mobilise:

- LGBTIQ+ rights
- Sexual and reproductive rights
- Sexuality education, including education on sexual and reproductive health
- Gender and gender studies
- Democracy and religious freedoms

## 4.3. Strategies of Anti-Gender Policies

Before examining their concrete impact on the erosion of women's rights and gender equality, as well as the possibilities for prevention and response, it is important to highlight some of the key tactics used in these policies.

- A core characteristic of anti-gender policies is the creation and preservation of a collective identity, which they frame as being based on the cultural and moral values of the majority in a given society.
- Another key strategy is the manipulation of emotions, constantly warning their audience of the threats posed by phenomena they oppose.
- Anti-gender actors also adopt progressive activist strategies, employing various methods of human rights advocacy – such as protests, lobbying, networking, and mobilization – as well as visual representations similar to those used by organisations and collectives advocating for human rights.
- In addition, they manipulate statistics and numerical data, either by misrepresenting figures on issues they deem unacceptable or by falsely inflating public support for their regressive policies.

These elements create a divide between gender equality advocates and anti-gender actors in the public sphere, which is precisely their goal. This division opens space for moral panic, obstructs legal and social reforms related to sexual and reproductive rights and LGBTIQ+ rights, and promotes a binary understanding of these issues framed in Vatican-inspired terms: 'anti-gender' versus 'pro-family'.<sup>6</sup>

Some of the key methods of action and expression used by anti-gender policies include protests, occupation of public spaces (both physical and online),

<sup>5</sup> Marušić, Antonela. 'Maja Gergorić: Krajnja desnica ne može biti jednakopravni akter u demokraciji [The Far Right Cannot Be an Equal Actor in Democracy].' *VoxFeminae*, 2 July 2024. (Retrieved from: <u>https://voxfeminae.net/pravednost/maja-gergoric-krajnja-desnica-ne-moze-biti-jednakopravni-akter-u-demokraciji/).</u>
6 Gergorić, Maja. *Anti-Gender Movements in the 21st Century*. 2020. (Retrieved from: <u>https://www.academia.edu/45337465/Maja\_Gergori%C4%87</u>).

petition campaigns, referendums, legal actions such as lawsuits, appeals, and objections, legislative amendments, adoption of restrictive public policies, academic engagement through expert conferences and knowledge production, as well as influence through political parties, the education system, and the media.

## 4.4. Impact on Sexual and Reproductive Rights

The activities and reach of anti-gender policies are most pronounced in the field of sexual and reproductive health and rights. Primarily, these policies neglect sexual health, focusing instead on reproduction as the fundamental purpose of women, without analysing, developing, or implementing essential policies that would encourage individuals to become parents under appropriate conditions.

When discussing the anti-gender focus on reproduction, key issues such as poor conditions in the healthcare system, family and childcare, elderly care, education, and the economic and social situation, which is often unfavourable for families with children, are largely ignored. The health needs of LGBTIQ+ individuals are disregarded entirely, with no affirmative approach in this regard.

This is closely linked to the complete neglect of family planning needs, disregarding the necessity of contraception and its role in preventing unwanted pregnancies and sexually transmitted infections (STIs). As a result of anti-gender influence, contraceptives are either unavailable or remain expensive, making them inaccessible to many.

Additionally, anti-gender policies actively block the introduction of comprehensive sexuality education, which would empower young people to make informed decisions about their sexual health, understand their options, and foster healthy relationships.

Assisted reproductive technologies and alternative childbirth options for individuals who are not heterosexual are particularly targeted by these policies. One of the most contested rights is abortion, with numerous barriers within healthcare systems where medical professionals hold anti-gender beliefs and tendencies.

Anti-gender narratives concerning abortion and other reproductive rights frequently involve manipulation of scientific facts and their misuse to justify restrictions or the revocation of human rights.

## 4.5. Right-Wing Arguments and How to Counter Them

The political ideology of the right is characterised by a narrative of threat, which claims that women's rights and gender equality endanger so-called established values. This rhetoric manifests in statements such as 'they will destroy tradition and family', 'abortion is murder', and 'this phenomenon is unnatural', as well as through the reinforcement of rigid gender roles assigned to biological sexes. To effectively deconstruct anti-gender narratives, it is crucial to have adequate tools for prevention and response. The following steps can serve as a strategic guide:<sup>7</sup>

- Expose the identity and true nature of anti-gender actors.
- Neutralise their tactics through analysis and strategic responses—always aiming to stay one step ahead.
- Disempower these groups by distancing them from key positions of power.
- Uncover their sources of funding and the socio-political background of their activities, highlighting their lack of transparency.
- Defund them by severing financial support, particularly from state resources.
- Develop strategies to protect targeted individuals, and strengthen laws, policies, and enforcement mechanisms to secure human rights protections.
- Emphasise the importance of regional cooperation in formulating strategies to combat the rise of anti-gender policies, which pose a threat to security, particularly sexual and reproductive rights.

## 4.6. Deconstructing Anti-Gender Narratives on Sexual and Reproductive Health

This section will primarily focus on the narratives constructed by anti-gender policies regarding abortion – as it remains one of the most targeted issues by right-wing movements, particularly in terms of restrictions and bans. These narratives are often based on unverified and false claims. While it is impossible to cover them all, we can highlight the most frequent and widely circulated ones.

<sup>7</sup> **Čengić, Rubina.** 'Jelena Višnjić, Director of the Feminist Cultural Centre Belgrade: Anti-Gender Policies Are a Threat to Women's Safety and Their Rights.' *Interview.ba*, 26 September 2024. (Retrieved from: https://interview.ba/2024/09/26/jelena-visnjic-direktorka-feministickog-kulturnog-centra-beograd-antirodne-politike-su-pretnja-za-sigurnost-zena-i-njihova-prava/?fbclid=lwY2xjawFjWpFleHRuA2FlbQlx-MAABHWQ-0g35GRyKjHV3vQictnnBr7tvWZeRFeORf4YzHKyGp1tWYS4rFWvkWA\_aem\_Kx7f15TrzZiPAIzCgoHPA)

One of the most common anti-gender narratives is the claim that 'healthcare professionals can invoke conscientious objection – it is their right'.

The so-called conscientious objection – the refusal of doctors and other healthcare professionals to perform abortions, provide contraception information, or deliver other essential healthcare services for personal, moral, or religious reasons – is not a human right. Rather, it violates the rights of individuals who require these services.

According to international healthcare standards, where conscientious objection is permitted, it must not obstruct access to healthcare services. The principle upheld by medical and ethical guidelines states that refusal to provide care contradicts the fundamental principles of healthcare and medical practice. Patients must be quickly and easily referred to another healthcare provider who will perform the procedure or offer the necessary service. If no one within a healthcare institution is willing to carry out the procedure, individuals must be promptly directed to the nearest facility where they can receive care.<sup>8</sup>

For more information on the situation regarding conscientious objection and abortion in Bosnia and Herzegovina, see the Sarajevo Open Centre's research on abortion regulation, availability, and practices (2023) (2023)<sup>9</sup> and their public policy proposals for improving abortion access (2024).<sup>10</sup>

'Abortion is incompatible with the Hippocratic Oath, which obliges doctors to protect the profession and human life from conception.'

'Life begins at conception, and therefore abortion is murder.'

Fetal life begins at the point when the fetus is capable of surviving outside the womb – the body of the pregnant woman. The existence of legal gestational limits for different types of induced abortion indicates that life does not begin at conception.

Medical science and biology have identified four stages of fetal development, reinforcing that the claim of life beginning at conception is not rooted in scientific fact but rather in ideological and political discourse.<sup>11</sup>

<sup>8</sup> **Grujić, Jasenka.** 'Priziv savjesti: Pregled situacije u medicinskoj profesiji [Conscientious Objection: An Overview of the Situation in the Medical Profession].' *Libela.org*, 22 May 2024. (Retrieved from: <u>https://libela.org/sa-stavom/priziv-savjesti-pregled-situacije-u-medicinskoj-profesiji/</u>).

<sup>9</sup> **Hasanbegović Vukas, Delila.** Istraživanje o regulaciji, dostupnosti i praksi abortusa u Bosni i Hercegovini [Research on the Regulation, Availability and Practice of Abortion in Bosnia and Herzegovina]. Sarajevo: Sarajevski otvoreni centar, 2023. (Retrieved from: https://soc.ba/istrazivanje-o-regulaciji-dostupnosti-i-praksi-abortusa-u-bosni-i-hercegovini/).

<sup>10</sup> **Hasanbegović Vukas**, Delila. *Prijedlozi javnih politika za unaprjeđenje regulacije, dostupnosti i praksi zdravstvene usluge abortusa u Bosni i Hercegovini* [Policy Proposals for Improving the Regulation, Availability and *Practice of Abortion as a Health Service in Bosnia and Herzegovina*]. Sarajevo: Sarajevski otvoreni centar, 2024. (Retrieved from: https://soc.ba/site/wp-content/uploads/2024/02/Paper-69\_Layout-1.pdf).

<sup>11</sup> **Benačić, Ana.** '*kad počinje život, a kad ljudska prava*' ['When Does Life Begin, and When Do Human Rights Start?]. Faktograf.hr, 23 May 2022. (Retrieved from: <u>https://faktograf.hr/2022/05/23/kad-pocinje-zivot-a-ka-da-ljudska-prava</u>/).

'We should not focus on promoting abortion – Bosnia and Herzegovina is facing a declining birth rate.'

However, the cause of declining birth rates is not abortion but a combination of factors, including poor socio-economic conditions, high unemployment rates, precarious employment, poverty, low maternity benefits, unharmonised regulations and practices regarding maternity and parental leave, insufficient state incentives for families with children, lack of childcare services, the quality of the education system, and infertility.

No one promotes abortion as a desirable procedure; it is simply a last resort in situations of unintended pregnancy, particularly when contraceptives are financially or geographically inaccessible, young people are not educated about contraception and its use, or when public health policies fail to ensure reproductive healthcare.

Abortion is not a factor contributing to declining birth rates but a response to an unwanted pregnancy (elective abortion) or a medical necessity when a pregnancy endangers the health or life of the woman, the fetus has severe malformations, or the pregnancy results from sexual violence or rape.

The lack of access to contraception, the limited availability of contraceptive options on the market, high costs, and the absence of coverage under the mandatory health insurance system are some of the key reasons that may lead to the need for abortion. Birth rates are affected by demographic strategies and policies, as well as broader societal conditions, not by abortion.

#### 'By promoting abortion, you want to destroy the traditional family and kill children.'

Abortion is not promoted; rather, the focus is on advocating for improved access to this service across the entire territory of Bosnia and Herzegovina, ensuring equal rights and safe procedures. The traditional family and children are not under threat; the goal is to create an inclusive society where all individuals have equal rights.

#### 'Abortion causes serious health problems, PTSD, and depression.'

There is no scientific basis for this claim; it is a generalisation.

Similarly, many false claims are spread by anti-gender movements about the content and effects of sexuality and reproductive health education in schools. This is why it is essential to provide evidence of its positive impact, helping young people take responsibility for their health while fostering understanding of diverse sexual orientations and gender identities.

## 4.7. Reframing Stigmatising Language

Language is a crucial instrument through which anti-gender policies convey messages targeting something typically framed as a threat – often false and scientifically unfounded – particularly in the realm of sexual and reproductive health and LGBTIQ rights.

A highly valuable resource offering strategies and an argumentative framework for dismantling anti-gender narratives concerning sexual and reproductive rights and health is Vrag odnio šalu: Priručnik za zagovaranje seksualnih i reproduktivnih prava i zdravlja u svjetlu neokonzervativnih napada (2017).<sup>12</sup>

Some key recommendations from the publication for shaping messages that affirm the principles of bodily integrity and choice include:

- precise, clear and honest messaging
- avoiding judgmental language
- focusing on individual decision-making
- recognising diversity
- avoiding stigmatising imagery and language

When discussing abortion, for instance, anti-gender policies deliberately employ misleading terminology as part of a broader strategy to deceive the public and spread disinformation. The publication provides examples of such terminology, including 'unborn child'/'killing a fetus' instead of 'embryo'/'fetus'/'pregnancy', or 'conscientious objection' instead of 'refusal to perform an abortion'/'refusal to provide a healthcare service'.

Ultimately, it is essential to recognise that anti-gender policies erode all achievements in equality and human rights. They are embedded within governmental institutions, the education and healthcare sectors, civil society and religious communities. This process begins with an in-depth analysis of the strategies employed by these actors – and their deconstruction continues through the use of available mechanisms to dismantle their messages, organisational structures and modes of operation.

<sup>12</sup> The handbook was published by the **Centre for Education**, **Counselling and Research (CESI) in Croatia** and is available at: <u>https://www.sezamweb.net/system/publication/file/50/vrag\_odnio\_salu.pdf</u>.

## The Impact of Anti-Gender Policies on LGBTIQ+ Rights in Bosnia and Herzegovina

Author: Anisa Pračić-Šehić

## 5.1. Introduction to Anti-Gender Policies and Their Impact

Anti-gender policies are considered a contemporary phenomenon in society, originating in the mid-1990s, with a noted increase in their influence on social developments and changes within the system of social and legal values and rules from the mid-2000s to the present.<sup>13</sup> There are various definitions and opinions on the actions of anti-gender movements and policies, but what they all have in common is radicalism, populism, and the extreme political and/or religious right.<sup>14</sup> However, when discussing the terminology used to describe anti-gender movements or policies, Jasmina Čaušević, a Master of Social Sciences in the field of gender studies, states in an interview for the article *'Anti-Gender "Movements" as the Collapse of Democracy'* that it might not be appropriate to call anti-gender actions 'movements' and that the term 'policies' should be used instead. The actions of anti-gender policies begin with the political right and, as such, essentially come 'from above', from the top of political power, which uses these ideas to strengthen overtly conservative policies.<sup>15</sup>

# 5.2. Rule of Law and Protection of LGBTIQ+ Rights in Bosnia and Herzegovina

According to the Rule of Law Index, Bosnia and Herzegovina ranked 75th out of 142 countries in 2023, marking its lowest position since 2015, when this global survey began. The report indicates no discernible progress in any of the areas influencing the assessment of the rule of law in the country.<sup>16</sup> In the 2023 report compiled by the Institution of Human Rights Ombudsman

<sup>13</sup> **Pračić-Šehić, Anisa**. 'Antirodni "pokret" kao sunovrat demokratije [The Anti-Gender "Movement" as the Collapse of Democracy]'. *LGBTI.ba*, 9 December 2023. Retrieved from: <u>https://lgbti.ba/antirod-ni-pokret-kao-sunovrat-demokratije/</u>

<sup>14</sup> **Gergorić, Maja.** *Antirodni pokreti u 21. stoljeću [Anti-Gender Movements in the 21st Century]. Anali,* June 2020. Retrieved from: <u>https://hrcak.srce.hr/247044</u>

<sup>15</sup> Ibid.

<sup>16</sup> **Transparency International BiH.** 'BiH 75. u svijetu po Indexu ostvarenja vladavine prava: Najlošiji rezultat ikad, bez ikakvog ostvarenog napretka [BiH Ranked 75th in the World on the Rule of Law Index: Worst Result Ever, with No Progress Achieved]'. *Transparency International BiH*, 2 November 2023. Retrieved from: <u>https://ti-bih.org/bih-75-u-svijetu-po-indeksu-vladavine-prava-najlosiji-rezultat-ikad-bez-ikakvog-ost-varenog-napretka/</u>

of Bosnia and Herzegovina, based on complaints submitted by citizens, it is noted that the country has made a form of progress regarding LGBTIQ+ rights through the continued organisation of Pride Marches in Sarajevo and queer festivals. Furthermore, in 2022, the first court judgement (Judgement No: 65 0 P 801 297 19 P, dated 4 April 2022) was delivered confirming discrimination against LGBTIQ+ persons.<sup>17</sup> However, when it comes to policies and strategies aimed at the prevention and suppression of gender-based violence, these exist at the entity level but do not provide for specific protection measures for LGBTIQ+ individuals.<sup>18</sup>

## 5.3. Marginalisation and Violence Against LGBTIQ+ Persons

Before addressing the impact of anti-gender policies on the rights of LGBTIQ+ individuals, it is important to emphasise that the rights of LGBTIQ+ people represent the full spectrum of human rights that should and must be guaranteed to all individuals, regardless of their sexual orientation and gender identity.<sup>19</sup> However, these rights are often denied to LGBTIQ+ individuals simply because they are not heterosexual and/or do not identify as cisgender.<sup>20</sup>

In Bosnia and Herzegovina, LGBTIQ+ people remain marginalised within society, and when discussing LGBTIQ+ rights, we are referring to a group that is systematically excluded and subjected to various forms of violence and hate speech in the public sphere.<sup>21</sup> There is a noticeable rise in hate speech online, which – in turn – translates into violence in public spaces.<sup>22</sup>

## 5.4. The Case of Attacks on Activists in Banja Luka

One such case in which online hate speech escalated into violence in public space – spurred by unprofessional reporting by journalists who disseminated misinformation – was the attack on activists of the BiH Pride March and journalists in Banja Luka in March 2023.<sup>23</sup> In the context of this attack, a key moment that incited violence were the public statements made by the highest political officials – the President of the Republika Srpska entity, Milorad Dodik,

<sup>17</sup> Institution of Human Rights Ombudsman of Bosnia and Herzegovina.. Univerzalni periodični pregled stanja ljudskih prava u Bosni i Hercegovini [Universal Periodic Review of the Human Rights Situation in Bosnia and Herzegovina]. March 2024. Retrieved from: https://www.ombudsmen.gov.ba/documents/obmudsmen\_doc2024040314070521cro.pdf

<sup>18</sup> Ibid.

<sup>19</sup> Lesbian Organisation Rijeka. (LORI) 'Ljudska prava LGBTI osoba' [Human Rights of LGBTI Persons]. LORI. hr. (Retrieved from: <u>https://lori.hr/ljudska-prava-lgbti-osoba/</u>).

<sup>20</sup> Ibid.

<sup>21</sup> **Šunjić, Vanja.** 'Govor mržnje u javnoj sferi negativno utiče na LGBTI zajednicu i produbljuje strah za svakodnevni život' [*Hate Speech in the Public Sphere Negatively Affects the LGBTI Community and Deepens Everyday Fear*]. *LGBTI.ba*, 26 January 2023. (Retrieved from: <u>https://lgbti.ba/govor-mrznje-u-javnom-prostoru/</u>).

<sup>22</sup> **Šunjić, Vanja**.'Govor mržnje u online sferi dovodi do nepovjerenja, sukoba i destabilizacije društva' [*Hate Speech in the Online Sphere Leads to Mistrust, Conflict and Destabilisation of Society*]. *LGBTI.ba*, 2 October 2024. (Retrieved from: <u>https://lgbti.ba/govor-mrznje-u-online-sferi-dovodi-do-nepovjerenja-sukoba-i-desta-bilizacije-drustva</u>/).

<sup>23</sup> **'Bh. povorka ponosa opisuje napad u Banjoj Luci kao zločin mržnje'** [*BiH Pride March Describes the Attack in Banja Luka as a Hate Crime*]. *Radio Slobodna Evropa*, 19 March 2023. (Retrieved from: <u>https://www.slobodnaevropa.org/a/lgbt-banja-luka-napad-povorka/32325198.html</u>).

and the Mayor of Banja Luka, Draško Stanivuković.

Following the public announcement of the BiH Pride March event, which the media reported as a Pride Parade,<sup>24</sup> Stanivuković stated: 'We aspire to patriarchal, traditional, family values and we know what our faith and the identity of our people are. It's fine, they can do that in Sarajevo – let them. Here, we would not allow such a thing.<sup>25</sup> Dodik went a step further in his statement, expressing his expectation that the authorities of Republika Srpska would prevent any such event from being held in public or private venues, emphasising that this ban should be based on 'our freedoms', because 'they' threaten others.<sup>26</sup> An analysis of the statements made by Dodik and Stanivuković clearly reveals elements of anti-gender politics - the protection of traditional and family values, and appeals to religion. This rhetoric and ideology were supported by thirteen non-governmental organisations from Republika Srpska and BiH,<sup>27</sup> some of which are registered as women's organisations, such as the Kolo srpskih sestara (Circle of Serbian Sisters). Despite the submission of criminal complaints and appeals, judicial institutions failed to take adequate steps to investigate the case<sup>28</sup>, while the Institution of the Human Rights Ombudsman proved ineffective in addressing this specific incident.<sup>29</sup>

## 5.5. Legal Framework and Political Obstructions

In Bosnia and Herzegovina, laws recognising same-sex partnerships have yet to be adopted. In the Federation of Bosnia and Herzegovina, political obstruction continues to hinder the implementation of the decision to establish a working group for drafting the law.<sup>30</sup> In Republika Srpska, there are no indications of any discussions on this issue. On the contrary, the influence of Russian propaganda concerning anti-gender politics is increasingly evident

<sup>24</sup> **'Usred časnog posta: "Parada ponosa" stiže u Banja Luku'** [During the Holy Fast: "Pride Parade" Arrives in Banja Luka]. Banjalučke priče, 10 March 2023. (Retrieved from: <u>https://www.banjaluckeprice.net/post/usred-%C4%8Dasnog-posta-parada-ponosa-sti%C5%BEe-u-banjaluku-foto</u>).

<sup>25</sup> **Maksimović, Dragan.** 'Zabrana projekcije filma "Pride" u Banjaluci' [*Ban on the Screening of the Film* "*Pride" in Banja Luka*]. *Deutsche Welle*, 17 March 2023. (Retrieved from: <u>https://www.dw.com/bs/zabra-na-projekcije-filma-prajd-u-banjaluci/a-65021203</u>).

<sup>26</sup> Ibid.

<sup>27</sup> **Gauk, Žana.** 'LGBT aktivisti na udaru u Banjaluci: Nacionalisti optužuju strane agenture za uništavanje hrišćanskih vrijednosti' [*LGBT Activists Under Attack in Banja Luka: Nationalists Accuse Foreign Agencies of Destroying Christian Values*]. Žurnal.info, 16 March 2023. (Retrieved from: <u>https://zurnal.info/clanak/naciona-listi-optuzuju-strane-agenture-za-unistavanje-hriscanskih-vrijednosti/25796</u>).

<sup>28</sup> **District Court Banja Luka**. *Response to Lawsuit No. 08/2 – 730-29/23*, 22 September 2023. In its reply, the District Court of Banja Luka dismissed as unfounded the lawsuit filed by the Organising Committee of the BiH Pride March (Case No. 11 0 U 034808 23 U), which sought access to information related to police officers of the RS Ministry of Interior who were present at the time of the attack. The Court stated that the Ministry had provided information within the bounds of public interest. The District Public Prosecutor's Office Banja Luka, in Decision No. T13 0 KTP 0065990 24 of 11 October 2024, also declared the complaint concerning the lack of investigation as unfounded.

<sup>29</sup> **'Neefikasnost rada Institucije ombudsmena dovodi do nezaštićenosti LGBTIQ+ osoba'** [Ineffectiveness of the Ombudsperson Institution Leads to Lack of Protection for LGBTIQ+ Persons]. *Povorka ponosa BiH*, 17 October 2024. (Retrieved from: <u>https://povorkaponosa.ba/2024/10/neefikasnost-rada-instituci-</u> je-ombudsmena-dovodi-do-nezasticenosti-lgbtiq-osoba/).

<sup>30</sup> **Pračić-Šehić, Anisa.** 'Istospolne zajednice: nevidljiva realnost u bh. pravnom sistemu' [Same-Sex Partnerships: An Invisible Reality in the BiH Legal System]. *LGBTI.ba*, 22 November 2024. (Retrieved from: https://lgbti.ba/istospolne-zajednice-nevidljiva-realnost-u-bh-pravnom-sistemu/).

in Republika Srpska.<sup>31</sup> For instance, Jovan Radovanović, the president of the Banja Luka Association of Families with Four or More Children, stated that he opposes LGBT pride marches and same-sex marriages. <sup>32</sup> One of the defining characteristics of anti-gender policies is resistance to marriage equality and the right to private and family life – that is, opposition to the legalisation of same-sex partnerships or marriages in national legislation.<sup>33</sup>

# 5.6. Effects of Anti-Gender Policies on the Daily Lives of LGBTIQ+ Communities

Anti-gender actions are reflected in the everyday rights and lives of the LG-BTIQ+ community,<sup>34</sup> such as equal access to healthcare services and equal treatment in employment policies, deliberately employing narratives of eth-nonationalism and retraditionalisation under the umbrella term of 'gender ideology'.

The attack on LGBTIQ+ activists in Banja Luka opened Pandora's box, introducing anti-gender actions and policies onto the socio–political scene in Bosnia and Herzegovina, resulting in an increase in hate speech targeting the LGBTIQ+ community in both public <sup>35</sup> and online spheres.

<sup>31</sup> **Husarić Omerović, Azra.** 'BIRN BiH objašnjava: Kako Rusija inspiriše antirodne pokrete u BiH' [BIRN BiH Explains: How Russia Inspires Anti-Gender Movements in BiH]. *Detektor.ba*, 20 December 2024. (Retrieved from: https://detektor.ba/2024/12/20/birn-bih-i-objasnjava-kako-rusija-inspirise-antirodne-pokrete-u-bih/). 32 **Milojević, Milkica.** 'Ima ih i u vlasti i u opoziciji, a tradicionalnu porodicu svako tumači na svoj način: Za koga "igraju" lideri patrijarhalnih udruženja u RS?' [They Exist in Both Government and Opposition – Everyone Interprets the Traditional Family in Their Own Way: Whose Side Are the Leaders of Patriarchal Associations in RS On?]. *Srpskainfo*, 8 September 2024. (Retrieved from: https://srpskainfo.com/ima-ih-i-u-vlasti-i-u-opoziciji-a-tradicionalnu-porodicu-svako-tumaci-na-svoj-nacin-za-koga-igraju-lideri-patrijarhalnih-udruzenja-u-rs/).

<sup>33</sup> Gregorić, A. Op. cit.

<sup>34</sup> **Pračić-Šehić, Anisa.** *Op. cit.* (Retrieved from: <u>https://lgbti.ba/antirodni-pokret-kao-sunovrat-demokratije/</u>).

<sup>35</sup> **Ć., E.** 'CIK izrekao kaznu: Dodik i Ninković na predizbornom skupu vrijeđali LGBT populaciju' [*CIK Imposed Sanction: Dodik and Ninković Insulted the LGBT Population at a Pre-Election Rally*]. *Dnevni avaz*, 27 September 2024 (Retrieved from: <u>https://avaz.ba/vijesti/bih/930809/cik-izrekao-kaznu-dodik-i-ninkov-ic-na-predizbornom-skupu-vrijedjali-lgbt-populaciju</u>)

# 5.7. Mechanisms for Protection and Countering Anti-Gender Policies

Although the Law on Prohibition of Discrimination of Bosnia and Herzegovina<sup>36</sup> is currently the only piece of legislation that directly protects the LGB-TIQ+ community, the obligation to uphold and protect LGBTIQ+ rights is also enshrined in ratified international documents, such as the European Convention on Human Rights<sup>37</sup> and the Convention on Preventing and Combating Violence against Women and Domestic Violence.<sup>38</sup> Countering the influence of anti-gender policies can be achieved by holding political and public office holders accountable and ensuring consistent enforcement of positive legal provisions,<sup>39</sup> calling upon the judiciary to act, implementing inclusive reforms in educational curricula, strengthening the principles of secularism, and undertaking clear advocacy activities aimed at educating the public and raising awareness of the harmful impact anti-gender policies have on the rule of law and the lives of LGBTIQ+ individuals in Bosnia and Herzegovina.

<sup>36 &#</sup>x27;Zakon o zabrani diskriminacije u BiH' [Law on the Prohibition of Discrimination in Bosnia and Herzegovi-

*na*] (Retrieved from: <u>https://advokat-prnjavorac.com/zakoni/Zakon-o-zabrani-diskriminacije-u-BiH.pdf</u>) 37 '**Evropska konvencija o ljudskim pravima i osnovnim slobodama'** [*European Convention on Human* 

*Rights and Fundamental Freedoms*] (Retrieved from: <u>https://advokat-prnjavorac.com/zakoni/Evropska\_kon-vencija\_o\_ljudskim\_pravima\_i\_osnovnim\_slobodama.pdf</u>)

<sup>38</sup> Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (Retrieved from: https://rm.coe.int/168046246e)

<sup>39</sup> **Pračić-Šehić, Anisa.**'LGBTIQ+ prava: politička volja ili politička odgovornost?' [*LGBTIQ*+ *Rights: Political Will or Political Responsibility*?]. *Zamisli.ba*, 10 October 2024 (Retrieved from: <u>https://zamisli.ba/lgbtiq-pra-va-politicka-volja-ili-politicka-obaveza/</u>)



## Anti-Gender Policies and Their Impact on Women from the Roma Community

Author: Dalibor Tanić

## 6.1. Intorduction

Anti-gender policies and practices in Bosnia and Herzegovina (BiH) are present across various social, economic and political spheres, shaped by cultural norms, religious teachings and tradition. Within this framework, women from marginalised groups, such as Roma women, face double discrimination – based on both gender and ethnicity, as well as due to traditional and religious influences. These women are pushed to the margins of society not only because of racism, but also because of gender roles that restrict them from exercising their everyday rights and participating fully in society.

Through this analysis, we will explore how anti-gender policies affect Roma women by examining their social, economic and political context in light of tradition and religion. Special attention will be given to the challenges Roma women face in relation to poverty, education, health and political participation, with additional consideration of the impact of tradition and religion.

## 6.2. Social Context

#### 6.2.1. Education and Healthcare

Roma women face significant barriers in accessing education, with tradition and religion further compounding the problem. In many Roma communities, girls' education is not considered a priority, as they are expected to take on traditional domestic roles. Many Roma girls leave school early due to community pressure, poverty, or early marriage, which prevents them from continuing their education.

Religious and traditional norms often reinforce these barriers, with conservative views supporting the idea that a woman's primary duty lies within the family and that education is of lesser importance. Anti-gender policies, which oppose gender-sensitive educational programmes, further hinder efforts towards change. Access to healthcare for Roma women is affected by similar factors. Traditional norms limit access to information about reproductive health, and many Roma women – due to poverty and discrimination – are denied even basic healthcare services.

## 6.3. Political Context

#### 6.3.1. Lack of Political Participation

Roma women are almost entirely excluded from political life in Bosnia and Herzegovina. Political structures divided along ethnic lines, combined with both gender and ethnic discrimination, present additional barriers to their participation. Religious norms that promote traditional gender roles further diminish their chances of engaging in political life.

In the absence of affirmative measures and policies that recognise the specific challenges Roma women face, they remain invisible in political processes. Traditional norms within their communities, reinforced by religious teachings, further restrict their ability to engage politically or take on leadership roles.

# 6.4. Double Discrimination Against Roma Women in Bosnia and Herzegovina

Roma women in Bosnia and Herzegovina face multiple forms of discrimination due to the intersection of gender and ethnic bias, as well as the influence of tradition and religious teachings. As women, they are subjected to patriarchal structures; as Roma, they are exposed to racism and exclusion from wider society.

Anti-gender policies, which reject gender equality, further exacerbate these challenges. Traditional norms supported by religious teachings keep Roma women dependent on men, making it more difficult for them to access education and employment. They face pressure within their communities to conform to roles of homemaker and mother, with any deviation from these expectations often met with condemnation.

## 6.5. Economic Context

#### 6.5.1. Poverty and Employment

Poverty is a key factor shaping the position of Roma women. Many live in chronic poverty, excluded from the labour market and often dependent on informal work. Traditional and religious norms further hinder their entry into the workforce, as they are raised from a young age to focus on domestic responsibilities.

Roma women face numerous obstacles in employment. Many lack formal

education, and those who do have it often face discrimination based on their ethnic background. Anti-gender policies, which fail to acknowledge the specific needs of marginalised women, further worsen their situation. Without gender-sensitive policies, Roma women remain excluded from economic life, trapped in a cycle of poverty.

### 6.6. The Impact of Tradition on the Position of Roma Women

In many Roma communities in Bosnia and Herzegovina, tradition shapes everyday life, particularly in relation to gender roles. Traditional norms include early marriages, patriarchal family structures, and rigid gender expectations. Roma women are under pressure to conform to these norms, which often means leaving school at an early age, experiencing early pregnancies, and facing limited opportunities for economic advancement.

Early marriages and pregnancies are particularly common, significantly limiting Roma women's chances of escaping long-term poverty.

## 6.7. Religious Context

Religious influences in Bosnia and Herzegovina play a significant role in shaping gender roles. BiH is religiously pluralistic, with substantial populations of Muslims, Orthodox Christians, and Catholics, and religious communities often shape social norms. Roma women, most of whom are Muslim, are subject to religious norms that further impact their position.

Religious communities frequently insist on traditional gender roles, promoting women as the guardians of the family. These roles restrict women's rights, neglecting their access to education, employment, and political participation. Religious organisations often support anti-gender policies, viewing them as contrary to predefined gender roles.

## 6.8. Conclusion

Traditional and religious influences in Bosnia and Herzegovina play a key role in shaping anti-gender policies that marginalise women, particularly those from vulnerable groups such as Roma women. The combination of tradition, religious norms and anti-gender policies worsens the position of Roma women by limiting their access to education, employment, healthcare and political life.

Improving the status of Roma women requires inclusive policies that recognise the impact of tradition and religion, supported by gender-sensitive programmes. This is the only way to overcome double discrimination and create a more inclusive society in which all women have equal opportunities to progress.

## Guide to Anti-Gender Movement in Republika Srpska

Author: Melani Isović

# 7.1. Attack on Members of the Organising Committee of the BiH Pride March

The self-organisation of anti-gender groups in Republika Srpska intensified in May 2023, when members of the Organising Committee of the BiH Pride March became the target of attacks by hooligans. Contrary to the claims of certain right-wing citizens' associations, politicians and media outlets, no march had been planned – instead, the BiH Pride March had organised indoor events, including a film screening, a panel discussion and a party. This event format had already been successfully implemented in Banja Luka during the previous three years.

#### 7.2. Conservative Organisations and Institutional Support

Conservative organisations such as 'Jadovno 1941' Banja Luka, 'Serbian-Russian Bridge', the 'God's Peace' Foundation, the Serbian Assembly 'Baštionik', the Society of Friends of the Hilandar Monastery, the Serbian People's Movement – Our Choice, the humanitarian organisation 'Božur RS', 'White Angel', the Circle of Serbian Sisters, the Centre for Education, Youth and Sport, the Association of Families with Four or More Children, the Women's Humanitarian Association 'Duga', and the Krajina Cultural Centre Saint Sava sent a letter to President Milorad Dodik, Banja Luka Mayor Draško Stanivuković, and Republika Srpska Prime Minister Radovan Višković. They requested that the mayor prohibit the use of public spaces for 'such gatherings and activities', the prime minister to 'prevent gatherings, displays and promotion of symbols that offend the religious, moral and identity-related feelings and freedoms of the residents of Banja Luka and Republika Srpska', and the president to introduce legal regulations that would protect 'family, spiritual and traditional values'.

On 16th March 2023, at a press conference, Milorad Dodik, President of Republika Srpska, stated that he expected the competent RS authorities to prevent the holding of any events dedicated to LGBT rights, whether in open or closed spaces. He remarked that 'they disturb others', and added that he was opposed to their activities. On his Twitter account, he further stated that 'a large number of associations and organisations expressed concern and great unease' over the planned event.

# 7.3. Removal of Gender Identity from Republika Srpska's Legislation

The Government of Republika Srpska has proposed amendments to the Criminal Code that include the removal of the term 'gender identity' from legal provisions. The draft amendments, published on 17th June 2024, contain five articles, four of which explicitly relate to the deletion of this term, despite its inclusion in the law almost a decade ago. In Articles 5, 123, 139 and 359, the term 'gender identity' is either completely removed or replaced with the phrase 'other personal characteristic'. The exclusion of 'gender identity' from the definitions of hate crimes could lead to situations in which the competent authorities fail to recognise crimes motivated by hatred against people with diverse gender identities as such. The consequences of this include reduced sentences for perpetrators or, in extreme cases, a complete lack of legal protection for victims.

This initiative represents a continuation of a worrying trend of restricting the human rights of LGBTIQ+ persons in Republika Srpska, with potentially serious consequences. If such amendments are adopted, an increase in violence against LGBTIQ+ persons is expected, alongside legal uncertainty and a lack of institutional protection, since the law would no longer clearly recognise grounds for discrimination, violence – and especially hate crimes. This issue extends beyond the LGBTIQ+ community, as such legislative actions significantly jeopardise women's rights as well. Right-wing policies, through legal amendments of this nature, primarily aim to restrict the rights of women and LGBTIQ+ persons, thereby further contributing to oppression and social regression.

## 7.4. Rejection of the Term Femicide

One of the most controversial aspects of anti-gender movements is their refusal to include the term 'femicide' in legislation. The Draft Law on Protection from Domestic Violence, which was unanimously adopted in its initial phase, defined femicide as 'the killing of a woman because of her gender'. However, as many as 21 organisations – including the Society of Friends of the Hilandar Monastery, the Circle of Serbian Sisters, the Krajina Cultural Centre Saint Sava, the Ravna Gora Movement of the Serbian Homeland – Krajina District, the Serbian People's Movement – Our Choice, the Serbian Assembly 'Baštionik', the Citizens' Association 'Jadovno 1941', the Association of Gusle Players and Serbian Poets 'Starac Vujadin', the Association of Families with Four or More Children of the City of Banja Luka, the 'God's Peace' Foundation, the Family Foundation, the Women's Humanitarian Association 'Duga', the Society of Serbian Language and Literature Teachers, the Citizens' Association 'Parents for Children's Rights', the Conservative Club, the Citizens' Association 'Potkozarje Through Time', SPKD Prosvjeta – Kozarska Dubica Branch, the Orthodox Humanitarian Association Saint Sava, the Citizens' Association 'Saint Vasilije of Ostrog', SPKD Prosvjeta – Srebrenica Branch, and the Endowment of Prince Miroslav of Humska – sent a letter claiming that 'the aim of the draft law is not to provide real protection to women victims of violence, but to introduce gender ideology into our family legislation and destroy the traditional family under the guise of combating violence and through deceitful means...' and therefore demanded its withdrawal from the legislative process.

Conservative organisations, with the support of the President of Republika Srpska, Milorad Dodik, succeeded in halting further adoption of the law, claiming that it was an attempt to introduce 'gender ideology'.

President Milorad Dodik even expressed open support for the views of conservative groups, stating that the law should more precisely define traditional family values. In doing so, he sent a clear message of endorsement for the narrative that marginalises feminist and human rights initiatives. The introduction of the term 'femicide' into legislation met with resistance as part of a broader political effort to preserve so-called traditional values.

# 7.5. Anti-Gender Movements in Republika Srpska and the Declaration of the All-Serbian Assembly

The proposed amendments to the Criminal Code are considered part of a broader campaign grounded in the Declaration of the All-Serbian Assembly held in Belgrade in June 2024. The Declaration emphasises the importance of cooperation between the state and the Serbian Orthodox Church in preserving traditional family values. Conservative movements and organisations in Republika Srpska increasingly invoke arguments from the Declaration to justify their opposition to gender equality and the rights of LGBTIQ+ persons.

Conservative movements and associations in Republika Srpska have openly opposed the proposed amendments to the Criminal Code aimed at removing the term 'gender identity'. These organisations are actively lobbying for its removal from the legislation, which would lead to the further suppression of LGBTIQ+ rights. The President of Republika Srpska, Milorad Dodik, has openly sided with these conservative initiatives, claiming that the inclusion of the term 'gender identity' forms part of a broader gender ideology agenda which, in his view, threatens traditional family values and the structure of society.

#### 7.6. Consequences of Eliminating the Term 'Gender Identity'

The removal of the term 'gender identity' from legislation could have serious consequences for the protection of human rights. Gender identity would be reduced to vague and broad formulations such as 'other personal characteristic', creating legal uncertainty. This means that courts may interpret such cases inconsistently, potentially leading to more lenient penalties for perpetrators of hate crimes – or even a complete lack of legal protection for victims. The withdrawal of 'gender identity' from legal frameworks represents a step backwards in the legal protection of vulnerable groups. It sends a message that the legal system is not willing to recognise the real needs of communities at risk. This situation potentially increases discrimination and violence against LGBTIQ+ individuals, making them even more vulnerable in society. Moreover, such legislative moves pave the way for a broader trend of restricting human rights – not only for the LGBTIQ+ community but also for women, who are frequently targeted by conservative policies. The removal of explicit protections contributes to the normalisation of discrimination and undermines trust in the legal system.

#### 7.7. European Standards and International Law

The case law of the European Court of Human Rights recognises gender identity as a significant category of protection. The removal of this term from the legislation of Republika Srpska represents a serious step backwards in ensuring human rights. This not only undermines existing progress but also sends a message that certain groups are less valuable and that their needs are not acknowledged.

The European Court of Human Rights, as the authoritative interpreter of the European Convention on Human Rights and Fundamental Freedoms, has, through its extensive jurisprudence, included gender identity among the protected characteristics under the Convention – as confirmed by its judgments.

In addition, fifteen international legal instruments listed in Annex I to the Constitution of Bosnia and Herzegovina, which as such carry constitutional authority, include the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). The most recent – Sixth – Report of the UN Committee on the Elimination of Discrimination Against Women calls on Bosnia and Herzegovina to, among other things, ensure 'respect for the human rights of lesbian, bisexual and transgender women and to ensure that national gender equality action plans address the issue of stigma and discrimination against them in all spheres of life'.

In May 2019, the European Commission, in its Opinion on Bosnia and Herzegovina's application for EU membership and accompanying Analytical Report, identified 14 key priorities that BiH must fulfil to receive a recommendation for opening accession negotiations. Among these, three priorities relate specifically to combating discrimination, while Priority No. 13 explicitly highlights the need to improve 'protection and inclusion of vulnerable groups, especially persons with disabilities, children, LGBTIQ persons, members of the Roma community, detainees, migrants and asylum seekers, as well as displaced persons and refugees, with the aim of closing Annex VII of the Dayton Peace Agreement'.

Any measure or legal provision that reduces the legal protection of LGBTIQ+ persons is not only contrary to these priorities but also jeopardises the credibility of Bosnia and Herzegovina's commitment to EU membership. Advancing human rights and inclusivity is key to the EU integration process, and any deviation from these principles would represent a serious step backwards.

At the state level, there is also an active Action Plan which foresees the harmonisation of criminal legislation across Bosnia and Herzegovina to improve protection against hate crimes targeting LGBTIQ+ persons. This plan includes, among other things, the inclusion of gender identity in legal provisions. The Law on Prohibition of Discrimination at the state level clearly stipulates that individuals must not be discriminated against on the grounds of sexual orientation or gender identity. Meanwhile, the Criminal Code of Republika Srpska defines hate crimes as acts committed on the basis of sexual orientation or gender identity.

## 7.8. Conclusion

Anti-gender movements in Bosnia and Herzegovina pose a serious challenge to the protection of human rights, legal equality and democratic processes. Their influence on legislative processes, the education system and public discourse has led to regression in the field of women's and LGBTIQ+ rights, directly threatening fundamental freedoms and the principle of equality for all citizens. These movements use the rhetoric of protecting 'traditional values' as a key argument for justifying the restriction of basic rights and freedoms, often manipulating public opinion and spreading disinformation to gain broader societal support. In doing so, they not only fuel societal polarisation but also hinder the implementation of international human rights standards in the country. Their strategy involves exerting pressure on legislative and executive authorities, mobilising conservative organisations, and disseminating narratives that criminalise and stigmatise marginalised groups. This approach results in the withdrawal of key progressive laws, the dismantling of educational programmes that promote inclusivity, and the shrinking of civic space.

With each victory, anti-gender movements further consolidate their position, creating a domino effect that makes social regression increasingly difficult to reverse. Their impact extends beyond issues related to women's and LGBTIQ+ rights, undermining broader principles of equality, pluralism and democracy. Feminist and queer movements are faced with the difficult task of resisting anti-gender agendas in order to uphold the principles of justice and equality.



## Typical Anti-Gender Arguments and How to Respond to Them

Author: Meliha Sendić

### 8.1. Introduction

Anti-gender rhetoric frequently relies on disinformation, manipulative narratives, and emotive appeals in order to delegitimise gender equality. In Bosnia and Herzegovina (BiH), resistance to anti-gender movements faces particular challenges stemming from the country's complex political, ethnic, and religious structure. These narratives not only endanger the rights of women and the LGBTIQ+ community but also foster fear and intolerance.

In post-conflict societies such as BiH, there exists a pronounced need for stability and security. Anti-gender movements exploit this need by mobilising women through the notion of preserving the traditional family as the cornerstone of societal stability. However, these very narratives open the door to manipulation and the reinforcement of harmful stereotypes, which not only threaten gender equality but directly undermine societal cohesion and stability.

## 8.2. 'Gender Equality: The Greatest Threat to Our Society!'

Imagine this: women choosing their careers, men sharing household responsibilities, and children growing up in a world where everyone is equal. A catastrophe, isn't it? After all, how can society possibly survive if women earn their own money and have opinions on important matters? How could the family function if men do the housework? Fortunately, the self-appointed guardians of tradition are here to protect us from this 'threat'. They tirelessly argue that gender equality is not only unnecessary but also dangerous.

These so-called 'defenders of tradition' wield political pressure, manipulate emotions, and spread disinformation to ensure that laws protecting women and minorities are never truly implemented.

Authorities in Bosnia and Herzegovina could no longer ignore the alarming increase in the number of women being killed. Although the seriousness of the issue has been acknowledged, resistance to initiatives such as the introduction of femicide as a distinct criminal offence within the Criminal Code of the Federation of BiH (FBiH) has manifested through forms of argumentation that subtly undermine the efforts of women's organisations. Proposals submitted by these organisations have been subjected to excessive scrutiny, drawn-out procedures, or simply disregarded altogether.

The most common objections to these legislative efforts cite so-called 'legal difficulties in proving' femicide or claim the measures would be 'unnecessarily burdensome'. Ostensibly, these appear to be legal or procedural concerns, but in truth, they reveal a conscious or unconscious resistance to structural reforms that might challenge the existing system.

Such arguments can be countered in two key ways:

First, the claim of 'legal difficulties' is refuted by examples from other jurisdictions that have already criminalised femicide, clearly demonstrating that appropriate legislation is both possible and effective when political will is present.

Second, the argument regarding the 'unnecessary' nature of such reforms ignores the distinct and extreme character of femicide as the most severe form of gender-based violence. This crime demands both a targeted legal response and symbolic recognition within the justice system.

# 8.3. Where Is Anti-Gender Rhetoric Hidden and Why Is It So Powerful?

Anti-gender discourse is not always easily identifiable, as it rarely appears in the form of overt opposition to gender equality. Rather, it is often concealed within discourses, decisions, and attitudes that may initially appear neutral but have far-reaching consequences for gender policies and women's rights. Its strength lies in its ability to adapt to context and emerge from various sources, including:

- 1. Institutional resistance disguised as neutrality Within institutions, anti-gender narratives frequently take the form of technical excuses or procedural obstacles.
- 2. Political discourse: 'Guardians of tradition' In Bosnia and Herzegovina, political rhetoric surrounding the 'protection of the family' and 'traditional values' is often used to oppose initiatives promoting gender equality.
  - For instance, efforts to introduce sexual education into school curricula have faced sustained resistance from political and religious actors, who label such content a threat to traditional family values. These discussions often present education as an assault on the family, thereby avoiding any substantive debate on its importance for the health and safety of young people.

- Although Bosnia and Herzegovina ratified the Istanbul Convention in 2013, the process of harmonising domestic laws and policies has been slow and superficial. Authorities often justified delays with references to 'more pressing priorities' or 'limited resources'. This sluggish approach prompted international bodies such as GREVIO to call upon BiH to act urgently to ensure full compliance. This pattern reflects the broader issue of anti-gender narratives in the country – resistance to gender policies is not always explicit but is deeply entrenched and strategically implemented through delay, indecision, and bureaucratic barriers. Can we truly speak of a commitment to women's rights if legislative harmonisation only occurs under external pressure?
- **3.** Criticism of women's rights organisations NGOs working on women's rights are frequently targeted with accusations of inventing 'artificial problems' or acting as 'agents of foreign agendas'. Such claims aim to discredit their work and diminish its significance.
  - From personal experience, I can confirm how deeply rooted these prejudices are. At one of the first seminars for judiciary representatives, after I pointed out that women often experience violence, I was told that this was a 'complete fabrication used by NGOs to stir unrest'. I was also explicitly told that 'the Americans are paying you to say this', even though the seminar had no connection to international funding.

What makes such statements dangerous is their ability to influence others to adopt similar thinking. This creates a chain reaction of prejudice and distrust. It is not accidental – it is a deliberate strategy of anti-gender discourse. Their goal is to use suspicion and discreditation to build broad support for maintaining the status quo. Such narratives succeed by shifting focus onto discrediting those who raise concerns. This strategy is essential to sustaining a system in which prejudice and stereotypes remain socially acceptable.

4. Media manipulation and disinformation – Instead of offering objective and professional reporting on gender issues, certain media outlets, often aligned with religious communities or specific political interests, as well as social media groups, seize the opportunity to amplify anti-gender narratives. Through emotionally charged messaging such as 'protecting the family' and 'defending traditional values', these media portray gender policies not as solutions to societal challenges but as threats to the foundations of society.

Rather than informing the public about the importance of such policies in protecting and empowering all members of society, the focus is diverted toward defending conservative norms and stereotypes.

According to the study Polarised Public Trust in Media and Social Networks in

*Bosnia and Herzegovina*, conducted by Mediacentar Sarajevo, the country's media landscape is largely divided along ethno-nationalist and political party lines. This division has serious consequences – the public tends to trust only 'their' media outlets while dismissing any opposing views. This creates fertile ground for the manipulation of sensitive topics, including gender issues.

## 8.4. The Most Common Anti-Gender Arguments and Responses

• **Anti-gender argument**: 'Gender equality is unnatural.' It is often claimed that gender equality goes against the natural order and disrupts traditional roles of women and men.

**Response**: During the war in Bosnia and Herzegovina, women took on roles traditionally assigned to men, demonstrating that society survives precisely because of the adaptability of gender roles.

• **Anti-gender argument**: 'Gender policies destroy the family.' Gender policies are portrayed as a threat to family values.

**Response**: Campaigns against violence, for example, are aimed at strengthening families, not undermining them.

• **Anti-gender argument**: 'Gender equality is a foreign concept.' It is argued that gender equality originates in the West and does not align with our tradition.

**Response**: The fight for human rights is not 'foreign' – it is a universal goal rooted in the protection of the dignity of all people.

• **Anti-gender argument**: 'Feminism is anti-men.' Feminism is described as a movement that promotes hatred towards men.

**Response**: Feminism is not a struggle against men – it advocates for equal roles within families and society and fosters better mutual understanding.

#### 8.5. How Have Anti-Gender Movements Exploited Our Weaknesses?

It has become increasingly evident how successfully anti-gender movements have exploited our weaknesses. These movements recognised that organisations working on gender equality often operate in isolation, without a coordinated strategy. This lack of cohesion allowed anti-gender actors to develop consistent narratives that spread widely and encountered little resistance.

While we relied on project-based funding and operated within limited budgets, anti-gender movements enjoyed the support of religious, political, and international conservative networks. This backing enabled them to engage in long-term planning and launch aggressive campaigns that left a lasting impact. They skilfully occupied space on social media and in mainstream media, using emotional appeals about 'protecting the family' and 'defending tradition', while our initiatives, though expert-driven, were insufficiently visible in the public sphere.

They set the pace – we responded. This reactive position often left us one step behind. Anti-gender movements did not prevail because they were stronger, but because they identified our weaknesses and skilfully exploited them.

### 8.6. Conclusion

Resistance to anti-gender movements in Bosnia and Herzegovina requires a shift in approach – not a frontal 'battle', but a strategic game that turns their own prejudices against them. We must approach them as they perceive us: quiet, marginal, and lacking real power – all while building internal capacities, strengthening networks, and preparing for action behind the scenes. As for the further development of strategies and tactics – that is a conversation for another time.

## 9. Recommendations

The recommendations presented in this chapter stem from the analyses and research of the authors of this handbook, who examined various aspects of anti-gender policies and their impact on human rights, gender equality, and social cohesion. These conclusions are based on detailed reviews of legislative frameworks, institutional practices, the influence of disinformation and conservative narratives, as well as the experiences of activists and organisations working in the field of human rights.

The recommendations are structured to provide a comprehensive operational framework for action against anti-gender policies and cover legislative reform, institutional strengthening, education, support for marginalised groups, combating disinformation, international cooperation, and concrete resistance strategies. They are intended for state institutions, civil society organisations, the media, and international partners to ensure the full protection of human rights and to counter regressive policies that undermine equality and democratic values.

#### Improvement of the Legislative Framework and Implementation

- Ensure consistent implementation of the Law on Gender Equality, the Law on Prohibition of Discrimination, and the criminal codes of the entities and the Brčko District, with a focus on sanctioning hate speech and gender-based violence.
- Align domestic legislation with international obligations such as those under CEDAW, the Istanbul Convention and the ECHR.
- Adopt and implement legislation concerning the rights of LGBTIQ+ individuals, including laws on same-sex partnerships, in line with international standards.
- Ensure that legislative amendments do not eliminate key terms such as 'gender identity', in order to prevent legal uncertainty and reduced protection for vulnerable groups.
- Introduce the term 'femicide' into criminal legislation so that it is legally recognised as a specific criminal offence.

#### Strengthening institutional capacities

- Increase budgetary support for shelters for victims of violence and for rehabilitation programmes for perpetrators.
- Provide additional training for judiciary institutions, police, and prosecutors to improve their capacity to respond effectively to cases of

discrimination and violence.

- Establish clear mechanisms for monitoring and reporting on progress in the implementation of gender equality laws and policies.
- Strengthen the capacity of institutions to identify and prosecute hate crimes, including those motivated by gender identity.

#### Education and public awareness raising

- Organise mandatory educational campaigns on human rights, gender equality, and discrimination prevention for educational institutions, civil servants and the general public.
- Initiate inclusive educational programmes that promote understanding and acceptance of diversity, including gender and sexual diversity.
- Ensure continuous training on the importance of gender-sensitive language across all institutions.
- Conduct campaigns to counter disinformation spread by anti-gender movements, with the aim of raising awareness about their negative impact on society.
- Introduce comprehensive sexuality education in the school curriculum to support the healthy development of young people and promote understanding of gender roles.

#### Support for marginalised groups

- Develop support programmes for marginalised communities, including legal aid, counselling, and safety mechanisms for victims of violence and discrimination.
- Ensure access to healthcare services for transgender individuals, including specialised services and hormone therapy, in accordance with Article 12 of the International Covenant on Economic, Social and Cultural Rights.
- Provide additional support to women from the Roma community through educational, healthcare and economic empowerment programmes to address multiple forms of discrimination.

#### Countering anti-gender policies and protecting human rights

- Develop a national strategy for combating discrimination and anti-gender policies, with a focus on monitoring and reporting.
- Tackle disinformation and hate speech through regulation of public discourse and legal mechanisms.
- Strengthen support for non-governmental organisations working on human rights and gender equality.
- Organise awareness-raising campaigns on the dangers and harmful consequences of anti-gender policies.
- Support feminist and queer organisations in their efforts to counter anti-gender narratives.

#### Regional and international cooperation

- Strengthen cooperation with international human rights bodies to ensure accountability of domestic institutions.
- Exchange good practices with countries in the region to advance efforts against discrimination and anti-gender policies.
- Actively cooperate with international organisations to ensure the implementation of ratified international agreements and standards.

#### Practical guidelines for action against anti-gender movements

- Identify anti-gender actors and monitor their activities.
- Build alliances with organisations and activists to exchange information and strategies.
- Engage the media and provide them with education on the nuances of anti-gender campaigns.
- Actively dismantle anti-gender narratives through research, education and public awareness initiatives.

## **10.** Conclusion

The emergence of anti-gender movements presents a serious challenge to achieving a just and equal society. These movements exploit fear, disinformation and conservative ideologies to resist progressive policies and undermine human rights, social inclusion and democratic values. By manipulating public narratives and relying on rhetoric around the 'protection of traditional values', anti-gender actors often portray gender equality and inclusion as threats to societal stability. Their influence – particularly in regions such as the Western Balkans – has led to the erosion of legal and social protections, with consequences that extend far beyond the rights of women and LGBTIQ+ individuals, affecting the wider community and undermining the fundamental principles of justice and equality.

Despite the challenges posed by anti-gender movements, there are clear and effective ways to counter these narratives and strategies. Regional cooperation, advocacy campaigns and awareness-raising initiatives demonstrate the potential to strengthen solidarity and resilience within communities and institutions. Confronting anti-gender policies requires coordinated efforts that consider specific cultural, historical and political contexts, while at the same time relying on the universal values of human rights and legal equality. This Handbook provides tools and strategies for empowering individuals, organisations and institutions to effectively respond to the threats posed by anti-gender movements. Examples such as amplifying evidence-based narratives, promoting inclusive education, advancing legal reforms and improving media literacy represent concrete pathways to counter the harmful influence of these ideologies. Communities and alliances play a crucial role in supporting marginalised groups and ensuring that human rights remain universal, indivisible and inalienable.

The Handbook also encourages readers to take action, urging them to recognise and utilise their own capacities to contribute to the advancement of justice and equality. Every action – whether in advocacy, education or collaboration – contributes to building a society that is resilient to disinformation, discrimination and polarisation. This is not only a roadmap for resisting anti-gender ideologies, but also for building a more inclusive, united and just society for all.

#### Call to Action

The fight against anti-gender policies does not end with this Handbook – it is an ongoing process that demands continuous engagement, cooperation and solidarity. Every person – whether an individual, activist, academic, journalist or decision-maker – plays a key role in shaping a society where human rights are respected and protected. It is essential to keep strengthening alliances, educating oneself and others, and using available legal, institutional and media mechanisms to counter harmful policies.

This Handbook offers guidance and resources, but genuine action depends on all of us. Through collective engagement and sustained advocacy, we can secure a future grounded in justice, equality and dignity for all citizens.

## About the Authors

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**Dalibor Tanić**, born on 13th September 1981 in Badnjevac, Serbia, is a journalist and activist with over 15 years of experience. He received the EU Award for Investigative Journalism in Bosnia and Herzegovina in 2014. Since 2010, he has been actively reporting on the Roma community in Bosnia and Herzegovina. He gained particular recognition through his involvement in launching the Roma portal *Točak*, where he wrote articles and produced reports about Roma in BiH. Simultaneously, he was engaged in the development of the portal *diskriminacija.ba*, to which he has contributed since its inception.

Following many years of journalistic and activist work, he launched the *Udar* portal in 2017 – at the time, the only one of its kind in BiH. Five years later, he initiated a new media project – *Newipe (Nevipe)* – built on the concept *Voice of Roma, Voice for Roma.* In addition to his work on Roma issues, he is also devoted to matters affecting other marginalised groups. In 2022, he was both a member and one of the organisers of the third BiH Pride March in Sarajevo.

Since 2021, he has been a certified trainer of Neuro-Linguistic Programming (NLP). He is married, the father of two children, and lives in Sarajevo.

She currently works at the Youth Centre KVART. As a member of various formal and informal groups – including *Jer me se tiče*, *Women Citizens for Constitutional Reform*, and the BiH Pride March – she advocates for equality, human rights, and freedoms. Her work focuses on empowering communities, raising awareness of social issues, and amplifying the voices of those often ignored.

**Melani Isović** is a long-time journalist and activist dedicated to socially responsible themes, marginalised groups, and gender-related issues. She is also actively involved in remembrance culture, aiming to preserve collective memory and promote dealing with the past.

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Meliha holds a Master's degree in International and Regional Security, a Bachelor's degree in Security Management, and is an expert in risk assessment, crisis management, and the analysis of social and security-related challenges.

As the initiator of numerous legal and advocacy initiatives, she is particularly recognised for her work on introducing the legal concept of a *trusted person* into the Law on Protection from Domestic Violence in the Federation of BiH, thereby ensuring safer and more effective legal protection for women survivors of violence. She is also credited with developing the 4P Network, an innovative support model that facilitates more efficient institutional and practical assistance for women throughout Bosnia and Herzegovina.

Her commitment to gender equality and women's legal protection is reflected in her authorship of numerous publications and manuals, including: *Regional Guidelines for Risk Assessment and Risk Management; Human Trafficking: Phenomenon, Status and Rights of Victims – A Manual for Legal Professionals and Legal Aid Providers; Brochure for Victims of Human Trafficking; Manual for Supporting Women in Accessing Justice and Specialised Services in Local Communities;* and *Bosnian Women – Resilient and Steadfast.* 

In addition to her work in civil society, Meliha is actively involved in training judges, prosecutors, lawyers, and other professionals through collaboration with the Centre for Judicial and Prosecutorial Training, the High Judicial and Prosecutorial Council of BiH, and the Council of Europe.

With a view to further professional development, she is currently attending the Business Academy, an accredited Cambridge International School, with a focus on human resource management – further strengthening her competencies in strategic planning, organisational development, and leadership.

Her leadership and analytical skills distinguish her as a key figure in shaping strategic solutions to improve the position of women in society.

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