



EU TECHNICAL ASSISTANCE
TO CIVIL SOCIETY ORGANISATIONS
IN THE WESTERN BALKANS AND TÜRKIYE

DG NEAR Guidelines for
EU Support to Civil Society
in the Enlargement Region
2021–2027

2023 Assessment Report

ANNEX 2

**COUNTRY ANALYSIS
BOSNIA AND HERZEGOVINA**



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Introduction to Annex

This country analysis is an Annex to the DG NEAR Guidelines for EU Support to Civil Society 2021–2027: Assessment Report 2023.

The Guidelines outline the results towards which EU support to civil society in the enlargement region will aspire in this seven-year period. This assessment provides evidence for the situation against the Guidelines' indicators for 2023, and a comparison with the baseline year, 2021.

This annex provides a summary of the evidence for assessment of the situation in Bosnia and Herzegovina against each of the 59 indicators in the Guidelines. This annex should be read in conjunction with the main report, which is available on the tacso.eu website.

Methodology

The main report and IPA Beneficiaries annexes analysis are based on data collected from primary and secondary sources. Primary research included surveys of CSOs and public officials and a legal analysis of relevant laws. Secondary sources, such as reports produced by CSOs, national human rights institutions, the government, and others, were reviewed to provide relevant information and data. The data collection and analysis refer to 2023 compared to the 2021 baseline.

The survey of public officials was run between February 27 and March 13, 2024. The aim of the survey was to collect the perspectives on specific relevant indicators of selected public officials who, in their work, engage most closely with CSOs. The survey consisted of mostly closed questions and was anonymous. For Bosnia and Herzegovina, out of 13 in total, 11 valid responses were received from public institutions, which was 12% out of all responses in the region (93 in total). All participants belong to the 41–50 age group. The survey was anonymous. On the question as to whether they self-identified as belonging to a community, minority or marginalised group, 73% said they did not, and 27% preferred not to give a reply. Out of all the answers, 55% were received from the state level government, and 45% from entity level government. Thirty-six percent of the respondents were women, 64% men. On the question of how their institution/agency cooperates with CSOs, 82% out of all answers said that they give grants to CSOs, 73% that they consult on law- and policy-making with CSOs, 36% have a representative in the Council for Cooperation with Civil Society/Advisory Body of the Council of Ministers of BiH for cooperation with NGOs, and 9% provide funding for services delivered by CSOs. The total number of responses from the public officials survey received in the region was 113, with valid responses for the survey numbering 93.

The assessment of CSO capacity and resilience was based on a survey of CSOs and was run between 31 January 2024 and 19 February 2024. The CSO survey was circulated broadly and elicited 116 valid responses (out of the total received of 142) from Bosnia and Herzegovina. The survey consisted of mostly closed questions. The total number of CSO survey responses received in the WBT region was 1,136, with valid responses for the survey numbering 908. The survey was open to any CSOs willing to participate. It was disseminated through various channels with the support of CSOs, CSO networks, EUD, embassies, UN agencies, international organisations and public institutions, to make sure that the outreach covered a broad variety of CSOs. The relevance of responses was ensured at the data-cleaning stage, when respondents who indicated that they did not belong to the target group were filtered out.

Most of the respondents, 65%, were senior officers within the organisation, the majority executive directors, presidents and senior managers. More than half of the respondents, 57%, identified as women. Most of the respondents, 67 %, were aged 41 or older. Thirty five percent were based in the capital, Sarajevo Canton.

Twenty three percent of respondents identified as belonging to a community, minority or marginalised group, specifying as women (including from rural communities, unemployed, single mother), non-binary, minority, person with disability, Roma or ethnic minority, LGBTQIA+; also some declared themselves as 'other'.

Most participating CSOs were established over the past two decades: 25% between 2011–2021 and 40% between 2001–2011. Twenty four percent were established between 1991–2000, and 5% prior to 1990.

Virtually all respondents, 99%, came from officially registered organisations. Most participating CSOs, 82%, are registered as citizen's associations; 8% are foundations and 1% are social enterprises, non-profit companies and cooperatives.

More than half of participating CSOs, 14 %, work at the local level, 16 % work at the national level, 19% work on the regional level, 8% work internationally, and 10% work at all levels.

The highest proportion of CSOs participating in the survey, 26%, work on human rights, 21% work on social inclusion, and 19% on youth, followed by those who work on socio-economic development, 16%, then the 15% working on public participation in policy and decision-making and the 12% respectively working on environment and climate action, rights of persons with disabilities, and media.

More than half of participating CSOs, 57 %, were small organisations with 1–10 permanent, full or part-time staff and volunteers working at the time of the survey. Twenty six percent of participating CSOs engaged between 11 and 20 staff and volunteers, and 7% engaged 21 or more staff and volunteers.

Assessment against indicators

The data collected informed the analysis of the situation in 2023 against each indicator and the comparative values against the 2021 baseline.¹ The indicators were reviewed and assessed following the same method used in the baseline assessment. To ensure greater clarity and accuracy of the assessment, the methodology for three indicators was enhanced with additional analysis.² The changes to simplify the CSO survey affected eight indicators for which the 2021 baseline was recalculated.³

For indicators that have a normative assessment, such as compliance with legislation or standards, the following traffic-light system was used to provide a quick visual guide:

5 – fully meets standards
4 – meets most standards
3 – moderately meets standards
2 – minimally meets standards
1 – does not meet standards

The traffic light system was applied to those indicators where such an assessment was deemed meaningful. It was based either on the data collected through the CSO survey or on the detailed analysis of applicable laws, policies and procedures against standards. The justification of the assessment is available in the respective IPA Beneficiaries reports and related analysis in Annexes 1–7.

1 The following indicators were not reviewed for 2023: 1.7.b; 1.10.e; 2.1.b; 2.1.c; 3.2.b; 3.8.c. These indicators were excluded from the review because data collection for their assessment was not feasible or because the language of the indicator was insufficiently specific to enable consistent data collection and analysis.

2 The assessment of the following indicators was enhanced with additional analysis: 1.2.a; 1.3.b; 1.6.b.

3 The baseline for the following indicators was recalculated: 1.1.a; 1.4.a; 1.5.b; 1.7.d; 1.9.a; 3.3.a; 3.4.a.

The remaining indicators provide an overview of year-on-year trends building on the baseline established in 2021.

The report compiles the assessments and level of implementation of individual indicators following the structure of specific objectives under each of the three areas.



Specific Objective 1

A conducive environment for civil society to carry out its activities is in place.

SO 1.1. All individuals and legal entities in the Enlargement Region can establish, join and participate in non-formal and/or registered organisations, can assemble peacefully and can express themselves freely.

Indicator 1.1.a: Extent to which relevant domestic legislation provides that:

- Associations can be established or registered without discrimination on any grounds;
- No unlawful restrictions are placed on the scope of their activities or pursuit of their objectives;
- Their termination may only occur following a decision by an independent and impartial court;
- No unlawful restrictions are placed on freedom of peaceful assembly;
- Freedom of expression is exercised by all, and no unlawful restrictions imposed.

2021 assessment:

4 – meets most standards

2023 assessment:

3 – moderately meets standards

Freedom of association is legally guaranteed by the constitutions at state level of Bosnia and Herzegovina, both the entities of the Federation of BiH and Republika Srpska, and the Statute of the Brcko District of BiH. Also, the four laws on associations and foundations (LoAFs) of each administrative level in BiH (i.e. of BiH at state-level, both entities, and the Brcko District of BiH) guarantee the enjoyment of the right to freedom of association in BiH by the constitutional and legal framework in BiH, in which are embedded the international and European human rights standards and instruments, notably the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), which applies directly and has priority over any other law in BiH (along with the international and European human right standards and instruments also embedded in the EU Charter of Fundamental Rights, the ICCPR, and other human rights instruments listed in the catalogue of human rights in the BiH Constitution).² At each level of authority in BiH, these laws contain many similar or identical provisions. But there is still room for improvement of the laws.

There are concerning developments, however. The Draft Law of Republika Srpska on the Special Registry and Publicity of the Work of Non-Profit Organisations passed its first reading at the 5th regular session of the Republika Srpska National Assembly (RSNA) held on 26 September 2023. The law, if passed, would designate non-profit organisations (NPOs) established in the Republika Srpska that financially or otherwise are helped by foreign entities as ‘agents of foreign influence’. The draft was heavily criticised by international institutions (including the EU, the Council of Europe, the United States Embassy, and the Office of the High Representative, the OSCE/ODIHR, the Venice Commission, CSOs and the public. The draft law appears intended to silence civil society, suppress freedom of association (and expression), and threaten political pluralism. Article 16 of the draft law overlaps with the existing grounds for banning an association or foundation, but also introduces new grounds for NPOs, specifically, “acting

² In accordance with Article 7 of the BD LoAF, (1) The objectives and activities of the association (and foundation) cannot include involvement in a pre-election campaign, fundraising for a political candidate or political party, or financing and promoting a political candidate or political party. (2) The association (and foundation) shall independently determine its objectives and activities in accordance with the Constitution of BiH, the laws of BiH, and the Statute of the Brcko District of BiH (hereinafter: the Statute) and laws of the District. (3) The objectives and activities of the association (and foundation) cannot be aimed at: a) overthrowing the constitutional order of Bosnia and Herzegovina; b) violation of guaranteed human rights; c) causing and inciting hatred, intolerance or inequality.

as an agent of foreign influence to the detriment of the individual and other rights of citizens” and “if the Tax Administration determines irregularities in the financial operation”. In such cases, the Republika Srpska Ministry of Justice would be authorised to submit a proposal to the competent court to prohibit the work of the CSO and also to press criminal charges against responsible persons of that organisation in line with the criminal code.

Overall, the draft law imposes excessive and disproportionate restrictions on the ability of non-profit organisations to carry out their activities, while designating the same as ‘foreign agents’ additionally stigmatising them and subjecting them to (potentially undue) scrutiny by the authorities. Also, the draft law lacks adequate safeguards against potential abuse of the information obtained and disclosed by the authorities. The possibility of being subject to extraordinary supervision, as well as the possibility of Ministry of Justice to initiate criminal procedure against a non-profit organisation, may violate the RS Constitution and would have a chilling effect on freedom of association.

If eventually adopted by the RS National Assembly, these provisions would be in collision with the case law of the European Court of Human Rights (ECtHR) which has repeatedly stated that any prohibition or dissolution of an association shall always be a measure of last resort³. Furthermore, this draft law also regulates the establishment of a special register in which such organisations would be registered. The conditions and method of ensuring the publicity of the work of these organisations are also prescribed in the sense that, *inter alia*, it is prescribed that they would be obliged to submit to reporting requirements by the Ministry of Justice of the RS which are excessive when compared to those already required by the existing 2001 RS Law on Associations and Foundations. In addition, under the proposal, the Ministry of Justice is authorised to monitor NPOs’ activities both on the territory of Republika Srpska and in other parts of BiH. This would potentially prevent NPOs from performing their activities throughout the country.

If adopted, this Law would encourage discrimination, censorship and stigmatisation of civil society financed from foreign sources in the Republika Srpska. It would inevitably constitute a serious step backward on the path of BiH to the EU, as it would be in direct contradiction to the key priority no. 11⁴ and 12⁵ for opening EU accession negotiations and the taking of the steps specified in the European Commission’s recommendation for the candidate status of BiH and would inevitably adversely affect the freedom of expression and media freedom throughout the country.

No unlawful restrictions are placed on the scope of their activities or pursuit of their objectives.

According to the available secondary sources of information, there were no reported cases in Bosnia and Herzegovina in 2023 whereby the competent authorities imposed unlawful restrictions on the scope of their activities or pursuit of their objectives. The existing legislation on freedom of association in BiH is broadly in line with international human rights standards and generally upheld. However, there is certainly room for partial improvement of the LoAFs in BiH.

Their termination may only occur following a decision by an independent and impartial court.

On the state level of BiH, for both entities, and the BD of BiH levels of authority, respectively, the existence of an association may be terminated by the decision of its members, or by way of a final court decision. According to the available information, there were no reported cases in Bosnia and Herzegovina in 2023 whereby the competent authorities terminated associations in ways not prescribed by law.

3 See ECtHR, *Refah Partisi (the Welfare Party) and others v. Turkey* [GC] (Application nos. 41340/98, 41342/98, 41343/98 and 41344/98, judgment of 13 February 2003); and *Vona v. Hungary* (Application no. 35943/10, judgment of 9 July 2013).

4 Commission Opinion on Bosnia and Herzegovina’s application for membership of the European Union, {SWD(2019) 222 final}, Key priority 11: Ensure an enabling environment for civil society, notably by upholding European standards on freedom of association and freedom of assembly.

5 Commission Opinion on Bosnia and Herzegovina’s application for membership of the European Union {SWD(2019) 222 final}, Key Priority 12: Guarantee freedom of expression, media and protection of journalists, especially through (a) ensuring appropriate judicial processing of threats and use of violence against journalists and media workers, and (b) ensuring the financial sustainability of the public broadcasting services.

No unlawful restrictions are placed on freedom of peaceful assembly.

The existing laws on freedom of assembly are still not harmonised among different layers of government in BiH and are not harmonised with European standards, particularly regarding the public assembly restriction grounds and responsibilities of organisers. No new legislation and/or amendments to the existing ones were introduced in 2023.

Even though freedom of assembly is generally respected in BiH and peaceful protests for public expression of political, social and other beliefs and interests are common, demonstrators sometimes do encounter administrative obstacles or police violence, and organisers can become targets of police or political harassment.

- Freedom of assembly remains particularly restricted in the Republika Srpska entity, where, in May 2022, local police banned the “white armbands⁶” peaceful march on the 30th anniversary of ethnic cleansing in the city of Prijedor. “The decision of the Prijedor Police Administration dated May 30, 2022 restricts the activities of the organisers of the reported public gathering in terms of place and time of holding and mandates security measures defined by the Law on Public Gatherings”.⁷
- Moreover, in March 2023, the local police banned an LGBTQIA+ event in Banja Luka, saying that they predicted endangered security situation. A group of around 30 individuals physically attacked 15 LGBTQIA+ activists, notably the participants of the coordination committee meeting on the organisation of the “BH Pride Parade in Banja Luka”. Two journalists were also physically attacked, including a Deutsche Welle correspondent.
- CSO representatives and citizens held a gathering on Krajina Square in the centre of Banja Luka on 24 October 2023 to express their dissatisfaction with the adoption of the draft Law on the Special Register and Publicity of the Work of Non-Profit Organisations (known as the ‘law on foreign agents’), which the National Assembly of the Republika Srpska passed a reading on 28 September 2023. The day before, the Republika Srpska Ministry of Internal Affairs had banned the protest walk without explaining the reason.
- For the fourth consecutive year, Sarajevo hosted an LGBTQIA+ pride parade in June 2023 that proceeded without incident. A counterdemonstration by conservative and religious groups was also permitted to take place, but police kept it away from the main parade route.

Public assemblies and gatherings in the Federation of BiH and RS are prevented more often in smaller communities, where people at such gatherings have limited or no access to media and institutions. Participants and organisers of such gatherings often face misdemeanour fines, intimidation, and even violence.⁸ Most often, this kind of pressure is exerted on people who protest to protect the environment, but also with smaller labour protests.

Freedom of expression is exercised by all, and no unlawful restrictions imposed.

The Constitution of Bosnia and Herzegovina guarantees the right to freedom of expression. But the legislation regulating the freedom of expression worsened in 2023. The National Assembly of Republika Srpska adopted in July 2023 the amendments to the Criminal Code of Republika Srpska⁹ by re-instating the criminal act of defamation in the legal framework of RS (and BiH), and the new Law on freedom of access to information by the BiH Parliamentary Assembly adopted in August 2023.

This development in the Republika Srpska on the re-criminalisation of defamation was condemned by all international organisations and civil society and journalists’ associations in BiH, since these amendments to the Criminal Code of the RS are considered to be against the Constitution of Bosnia and Her-

6 On May 31, 1992, the Bosnian Serb authorities in Prijedor issued an order through the local radio stations ordering the non-Serb population to mark their houses with white flags and to put a white armband around their sleeve when leaving their home. In commemoration of this event, peaceful events called “white armband marches” are organised in Prijedor each year.

7 <https://raport.ba/sramna-odluka-nacelnik-pu-prijedor-zabranio-mirnu-setnju-povodom-obiljezavanja-dana-bijelih-traka/>
<https://www.oslobodjenje.ba/vijesti/bih/ns-o-zabrani-mirne-setnje-povodom-dana-bijelih-traka-dolazimo-u-prijedor-i-pokazacemo-763580>

8 <https://www.zurnal.info/clanak/vlast-zastitila-huligane-pretuceni-zive-s-traumom/26714>

9 “Official Gazette of the Republika Srpska” no. 64/17, 104/18, Decision of the High Representative, 15/21, 89/21, www.ohr.int – Decision of the High Representative No. 12/23 and “Official Gazette of the Republika Srpska” no. 73 /23.

Herzegovina, the ECHR and the ICCPR, and should therefore be revoked. Major international human rights bodies call for the abolition of criminal defamation laws¹⁰.

The severity of the sanctions provided for in the adopted amendments to the RS Criminal Code envisaged for offences against honour and reputation, are a source of particular concern. Generally, the excessive or unpredictable levels of damages in civil cases and, even more, criminal penalties have been considered potentially to have a chilling effect on freedom of the media and freedom of expression in general. It is important to note that the use of defamation lawsuits or threats thereof may discourage or prevent women who are the victims of harassment, hate and violence from publicly sharing their experiences of harassment, violence and discrimination. This creates an additional barrier to accessing justice and creates a chilling effect for future victims¹¹.

Two requests for review of the constitutionality of the RS criminal code with respect to defamation were submitted in 2023 by members of the BiH House of Representatives. The BiH Constitutional Court reviewed these cases in 2024, and ruled that defamation being a criminal offence was not against the constitution of BiH. More details on the ruling will be provided in the 2024 report.

The Republika Srpska draft Proposal on the Special Register and Publicity of the Work of Non-Profit Organisations (known as the “law on foreign agents”), which the RSNA is to consider in second reading on 22 May 2024, in its Article 3 paragraph (3) envisages that NPOs will not be allowed to engage in “political action” and “political activities”, as defined in Article 3 paragraphs (1) and (2) respectively, which may exclude some operations or activities in the area(s) of “science, culture, social and healthcare protection, sports, consumer protection, protection of national minorities and persons with disabilities, environmental protection, fight against corruption, philanthropy, volunteerism and information, as well as activities performed within the framework of RS Constitution guaranteed rights and freedoms” (Article 4 of the draft law). Should this draft law be eventually adopted, the newly introduced restriction would go beyond the existing limitation in this regard set forth in the existing RS Law on Associations and Foundations, because it refers in addition to the “implementation of political activities to frame public opinion to accomplish political goals”. Article 3 of the draft law may lead to excessive limitations to the right to freedom of expression and association.

Although the situation in the two entities is different, there are justified fears that the negative trends in the Republika Srpska could spill over into the Federation of BiH. Legislative and political pressure have increased and intimidation and harassment towards journalists continued without appropriate institutional follow-up. Journalists in BiH currently work in a climate of insecurity, which is impacted by the legacy of impunity. In 2022, 31 attacks on journalists were registered by the regional network of journalists’ organizations Safe Journalists. Of these cases, 29 were classified as threats and pressure on journalists and media and two were physical attacks on journalists. This amounts to an increase of 40% of attacks in 2022 compared to 2021. A large proportion of the verbal attacks occurred online on social media platforms and many concerns female journalists. The trend in 2023 continues to be problematic. By June 2023, the Safe Journalists platform recorded a total of 15 attacks or threats to journalists. The number of physical attacks on journalists increased slightly compared to the previous year, with at least four direct attacks against the physical integrity or property of journalists recorded. However, serious physical attacks which cause major injuries to journalists remain relatively rare.¹²

Another worrisome development is taking place in Sarajevo Canton whereby a proposal, which is presented as a regulation on public order, envisages penalization of ‘fake news’. It foresees the imposition

10 See, in particular, UN Special Rapporteur on Freedom of Opinion and Expression, OSCE Representative on Freedom of the Media, OAS Special Rapporteur and the African Commission Special Rapporteur on Freedom of Expression and Access to Information (hereinafter “International Mandate-Holders on Freedom of Expression”), [2023 Joint Declaration Joint Declaration on Media Freedom and Democracy](#), which specifically provides that “[c]riminal defamation and laws criminalising the criticism of State institutions and officials should be repealed”; [2021 Joint Declaration on Politicians and Public Officials and Freedom of Expression](#), para. 2(b)(ii); [2010 Joint Declaration on Ten Key Challenges facing Freedom of Expression in the Next Decade](#); [Joint Declaration on Defamation of Religions, and Anti-Terrorism and Anti-Extremism Legislation](#), 15 December 2008.

11 See the [UN Convention on the Elimination of All Forms of Discrimination against Women](#), adopted by General Assembly resolution 34/180 on 18 December 1979; and the [General recommendation No. 35, 2017, on gender-based violence against women, updating general recommendation No. 19](#), 1992.

12 [Sloboda medija u BiH je u stanju preživljavanja | MC ONLINE \(media.ba\)](#)

of sizable fines for disseminating 'false news' with application to both ordinary citizens and legal entities, including the media. If adopted, the 'fake news' proposal would grant unchecked powers to the police to assess the veracity of free expressions, including reporting by the media. The fear of prosecution would inevitably lead to self-censorship on the part of journalists and would restrict the space for a debate on issues of public interest. This type of regulation can easily be abused by governments to stifle investigative journalism and criticism of the authorities. If Sarajevo Canton finally adopts this so-called 'fake news' regulation, it may have a spillover effect on the rest of the country in terms of following this negative example.¹³

According to the ECtHR database of judgments¹⁴ and domestic courts, there were no judgments in 2022–23 referring to freedom of association, peaceful assembly and association in the country.

In August 2023, the new Law on Freedom of Access to Information, aimed at fostering proactive disclosure and transparency was adopted by the Parliamentary Assembly of BiH¹⁵. The adoption of this Law was a requirement specified as one of the fourteen priorities by the European Commission's Opinion on BiH's application for EU membership. This Law has sparked numerous debates in both chambers of the BiH Parliamentary Assembly, but also within the civil society sector in BiH. The main points of contention were the sections establishing exceptions for providing information and determining that appeals against first-instance decisions of the institutions of BiH will be decided by the Appeals Council of the Council of Ministers of BiH, which is in direct contradiction with the recommendation made by the EU, OECD/SIGMA and TAIEX, regarding the establishment of an efficient and independent appeal mechanism and monitoring function. The adopted legislative solution, according to which appeal procedures will be carried out by the Appeals Council of the BiH Council of Ministers, does not meet the criteria of independence and specialisation of the second-level body, and will not guarantee efficiency and fast handling of appeals. Instead, the recommendation of the EU, OECD/SIGMA and TAIEX to entrust the Ombudsperson on BiH with responsibility for dealing with appeals was ignored and not accepted by the parliamentarians. The Appeals Council of the BiH Council of Ministers is not an independent and specialised body, so it cannot be expected to act independently in cases where the institutions of the Council of Ministers are concerned. Therefore, the independence of the appeal process still needs to be brought in line with international and European standards.

In 2021, in the ranking of the country by Freedom House Bosnia and Herzegovina, BiH took 58th place, and in 2023, the country held 64th place in the world and was at the very bottom of the ranking in Europe.

¹³ See pg. 9–10 of the Report „Media freedom in survival mode” - [bosnia-and-herzegovina-media-freedom-in-survival-mode-1.pdf \(mfr.eu\)](#)

¹⁴ HUDOC – European Court of Human Rights ([coe.int](#)).

¹⁵ „Official Gazette of BiH” no. 61/23.

SO 1.2. Public authorities protect CSOs from interference and attacks and respect their right to privacy.

Indicator 1.2.a: Extent to which CSOs have access to an effective remedy to challenge or seek review of decisions affecting exercise of their rights.

2021 assessment:

4 – meets most standards

2023 assessment:

4 – meets most standards

The legal framework for access to an effective remedy for CSOs is regulated by the Criminal Procedure Codes of BiH, FBiH, RS and BD BiH, Laws on Civil Procedure of FBiH, RS and BD BiH, and Laws on Administrative Procedure of BiH, FBiH, RS and BD BiH.

The right to an effective legal remedy must be viewed in close correlation with the right to a fair trial referred to in Article 6 of the ECHR. However, the rights of citizens in BiH to speedy and efficient justice are infringed due to the excessive length of judicial proceedings. Even though the duration of court proceedings has become gradually shorter, it is still too long and needs to be further reduced. Namely, the length of court proceedings in first-instance cases further decreased from 409 days in 2021 to 378 days in 2022, but obviously still remains high. The clearance rate increased to 104% in 2022 (99% in 2021).¹⁶

According to the CSO survey for 2023, 8% of CSOs were able to challenge such decisions affecting exercise of their rights through official, legal, judicial and administrative channels, whilst 9% of CSOs were not able to challenge such decisions. This is to be compared with 2021, when 7% of CSOs were able to challenge such decisions, and 7% of CSOs were not able to challenge such decisions.

In 2023, according to the results from the CSO survey, 19 % of CSOs said that the government had undertaken decisions in 2023 that negatively affected their organisation's ability to exercise its rights. Out of those who answered that the Government undertook decisions that negatively affected their organisation, various open answers were given, such as that adoption of restrictive laws were targeting CSO operations, preventing them from implementing activities, or that they found it difficult to access domestic funds for specific project activities such as for environmental protection, or that they experienced unreasonable controls from tax authorities, or conflict of interest.

Among the 19 % of CSOs who stated that the government undertook decisions in 2023 that negatively affected their organisation's ability to exercise its rights, 40% of CSOs were "able to effectively challenge such decisions through official, legal, judicial and administrative channels", while 45% of CSOs said "their organisation was not able to challenge such a decision". The proportion shows an increase of 1% of those able to challenge these decisions, and an increase of 2 % of those unable to challenge such decisions, compared to 2021.

Some open answers from CSOs said that they were not involved in an effective way of preparing the law or in the process of public consultation, and that the authorities did not consider the hundreds of comments on amendments to the law submitted by civil society organisations. The only positive approach was that the Ministry of Internal Affairs of the Canton of Sarajevo included representatives of media organisations in the discussion on the Draft Law on Public Order and Peace, which states the provisions related to the media. Corruption in prosecution institutions was also cited as a major problem, as well as the criminalisation of defamation in the Republika Srpska, and also the slow administration of institutions.

¹⁶ EU progress report of Bosnia and Herzegovina from 2023, p. 29., Efficiency.

Indicator 1.2.b: Extent to which CSOs are protected by law from threats, attacks, judicial harassment and discriminatory treatment, in particular:n, as well as hate speech online and offline;

- threats including intimidation, harassment, defamation, as well as hate speech online and offline;
- attacks including acts of violence, physical abuse, searches and damage to property;
- judicial harassment including arbitrary arrest and detention, unlawful interference with communications, and abuse of criminal, civil and administrative proceedings. or threats thereof;
- discriminatory treatment, including disproportionate reporting requirements for CSOs..

2021 assessment:

3 – moderately meets standards

2023 assessment:

2 – minimally meets standards

Comparing 2023 with the 2021 BiH Country Assessment Report, as was said earlier, there were no legal provisions that would specifically refer to CSOs with regard to legal protection of CSOs from threats, attacks, judicial harassment and discriminatory treatment. They applied in general to everyone, including CSOs. The Criminal Code of BiH, Criminal Code of the FBiH, Criminal Code of the Republika Srpska and Criminal Code of Brcko District, respectively, and the Criminal Procedure Codes of BiH, FBiH, RS and BD of BiH, respectively, and the FBiH, RS and BD of BiH Laws on Protection against Defamation, the Law on the Prohibition of Discrimination, and the Law on Gender Equality, deal with the issues of protection of individuals and legal entities from threats, attacks, judicial harassment and discriminatory treatment. Apart from the re-criminalisation of defamation in the Republika Srpska Criminal Code, as elaborated above, no other changes to the existing legislation in BiH¹⁷ were introduced in 2023.

Having in mind the above, the legislative framework and the environment for the operation of the CSOs in the Republika Srpska might be seriously worsened in the future, due to the ongoing legislative initiative of the Republika Srpska authorities to adopt the Law on the Special Register and Publicity of the Work of Non-Profit Organisations (aka “the law on foreign agents”), if finally adopted by the RS National Assembly, will have extremely adverse effects not just on the working environment and activities, but on the very existence of the CSOs in Republika Srpska. For all the reasons explained above, the legal protection of CSOs in Republika Srpska from threats, attacks, judicial harassment and discriminatory treatment currently does not meet international human rights law standards. When it comes to the situation at other levels of government in BiH (i.e. the state level of BiH, the FBiH and its Cantons and Brcko District of BiH), bearing in mind that their legislative framework did not suffer any changes in 2023, the enforcement of the legislation remained at pretty much the same level.

¹⁷ The Criminal Code of BiH, FBiH, RS and Brcko District, respectively, Criminal Procedure Codes of BiH, FBiH, RS and BD of BiH, respectively, the FBiH, RS and BD of BiH Laws on protection against defamation, the Law on the prohibition of discrimination, the Law on Gender Equality which deal with the issues of protection of individuals and legal entities from threats, attacks, judicial harassment and discriminatory treatment. It should be kept in mind that the provisions of these regulations do not specifically refer to CSOs but they apply in general to all citizens and legal entities in BiH.

Indicator 1.2.c: Proportion of CSOs that operate effectively without threats, attacks, judicial harassment and discriminatory treatment, in terms of:

- number of complaints concerning lack of protection of CSOs;
- number of attacks on CSOs and their members;
- number of instances of damage to property;
- number of instances of discriminatory treatment in reporting;
- number of instances when CSO offices were unlawfully searched, or subjected to inspections;
- number of instances of interference with the communications of CSOs.

According to the CSO survey, in 2023, 67% of respondents were able to operate effectively without threats, attacks and judicial harassment. However 26% of participating CSOs stated that they were subjected to some form of threats, attacks and judicial harassment.

In 2023, according to the results of the CSO survey, 22% of respondents, almost one quarter, said that their organisation and members were subjected to threats or physical attacks. To the question as to the manner in which they were the subject of threats and attacks, the CSOs indicated threats of a political nature, hate speech, death threats, cyber threats and attacks on media outlets, as well as verbal/physical attacks on journalists who were protesting for human rights.

However, in addition to this, although 4% of the CSOs responded that they had submitted complaints concerning lack of protection to various institutions, another 90% of them responded that they had not submitted complaints concerning the lack of protection. Among the reasons given for not raising complaints, some CSOs said that they had complained in the past and the response by the authorities was not effective; others said that they felt their safety would be compromised if they submitted an official complaint. Among the open answers explaining why, some respondents said they went to the Ministry of Internal Affairs, but it was assessed that there was no basis for a report, because the threats were to do with people who threaten on internet anonymously or under other names, or just make threats without directly attacking.

In 2023, according to the results of the CSO survey, 5% out of all responses instanced incidents of damage to property.

In 2023, 3% of all CSOs reported of being unlawfully subjected to inspections.

In 2023, 7% of CSOs reported interference by the authorities with their communications.

It can be concluded that the changes in 2021–2023 were a 12% increase among CSOs reporting at least one Yes – either Yes with reference to their organisation, or Yes as regards members, or Yes in both cases, to the question, 'In 2023, were your organisation or its members subjected to threats or physical attacks?'; and at the same time a 13% decrease of such cases, whereby for some CSOs, all responses to the same question were No.

According to PO survey data in 2023, on the question as to the extent to which CSOs were able, in their view, to operate effectively without threats, attacks, judicial harassment and discriminatory treatment, half of the respondents said they did not know. The open answers suggested that for most CSOs from the environment in BiH, threats and attacks are still not frequent.

SO 1.3. Measures used to fight extremism, terrorism, money-laundering or corruption are targeted and proportionate, in line with the risk-based approach, and respect human rights standards on freedom of association, assembly and expression

Indicator 1.3.a: Extent to which laws to combat extremism, terrorism, money-laundering and corruption do not unduly restrict legitimate activities of CSOs.

2021 assessment:

2 – minimally meets standards

2023 assessment:

2 – minimally meets standards

No progress was made in 2023 on the fight against corruption – in other words, there was no change in the legal framework when compared to 2021.

There has been a multiplicity of legislation governing the issues of combating terrorism, money-laundering and corruption.¹⁸ Legislation on **anti-money-laundering and countering terrorism-financing** needs to be aligned with the 4th and 5th EU directives on anti-money-laundering and countering the financing of terrorism (AML/CFT). An updated risk assessment needs to be prepared, followed by an action plan. Furthermore, the strategy for preventing and combating terrorism expired in December 2020.

The legal framework on public procurement is partially in line with the EU acquis. The law on public procurement includes exemptions which are not covered by the EU acquis. There was no new development as regards the issues of integrity and conflict of interests. Also, in 2023 Bosnia and Herzegovina did not adopt the **Law on the Prevention of Conflict of Interest** at state level.

Effective legislation supported by vigorous measures and actions against fraud, corruption, money-laundering and organised crime are critical to a developing democracy, a sound market economy and a conducive environment for CSOs. However, BiH is currently lagging behind on all these democratic fronts. Namely, the state of BiH currently has no strategy for the **fight against corruption**. As a matter of fact, the last strategy adopted was for the period 2015–2019, whereas the new one for the period 2022–2024 still awaits adoption. Furthermore, as may be seen from the above, the legal framework has been waiting for a complete and comprehensive ‘overhaul’ for years, a requirement which is clearly emphasised by the European Commission among the fourteen priorities presented to BiH for obtaining EU-candidate status.

As a direct consequence of deep-rooted corruption, the erosion of some already attained democratic standards, manifested particularly in the stifling of freedom of speech and the creation of an atmosphere of intolerance for voices of criticism by journalists, and the absence of progress and the direct blockade of the improvement of the strategic, policy and legal frameworks for the prevention of conflict of interest, protection of whistleblowers, public procurement, money-laundering, counter-terrorism and financing of political parties, have created an extremely unfavourable environment for CSOs. It may therefore be concluded that BiH as a whole meets standards only minimally under this indicator.

¹⁸ In the separate Annex 1 document, all relevant Laws are listed per this indicator request.

Indicator 1.3.b: The proportion of CSOs whose ability to undertake legitimate activities is not restricted by the implementation of laws to combat extremism, terrorism, money-laundering and corruption, and in particular by:

- being judicially harassed for their alleged connections with extremism, terrorism, money-laundering and corruption;
- discriminatory restrictions placed on funding,
- authorities or banks preventing them from opening bank accounts, sending or receiving money.

According to the CSO survey for 2023, 9% of respondents said the organisation or its members were subject to judicial harassment for alleged connections with extremism, terrorism, money-laundering or corruption, or that the organisation was subject to discriminatory restrictions because of receiving funding from a particular source, or that the organisation was prevented by government authorities or banks from opening a bank account, or sending or receiving money. Eighty-four percent of respondents said they were not subject of the above-mentioned obstacles. This can be compared to 2021, when 6% of CSOs answered they were subject of the above situations, and 88% of CSOs answered that they were not subject. It can be concluded that the changes in 2021–2023 were a 3% increase (at least one YES), and a 4% decrease (all NO).

In 2023, according to the CSO survey responses to the question whether the organisation or its members were subject to judicial harassment for alleged connections with extremism, terrorism, money-laundering or corruption, 96 % of CSOs responded that their members were not subjected to judicial harassment for alleged connection with extremism, terrorism or other activities mentioned in indicator, and 2% answered that they did not know about such cases in connection with their members. One percent of CSOs answered affirmatively as to whether they were subject to the mentioned harassment. One justification provided in the open answers section was not clearly explained.

Two percent of CSOs said that they were subjected to judicial harassment in 2023, as opposed to 0% in 2021. The point change between 2021–2023 was a 2% increase.

For the question whether the organisation was subject to discriminatory restrictions because of receiving funding from a particular source, 90 % responded that they were not subjected to such restrictions, while 6 % answered affirmatively that they were. 4 % respondents did not know anything about the matter. Out of the 'Yes' answers, the respondents to the survey said in open answers that they were not eligible to apply, since they had been prevented from applying to the government call for funding; they also said that they could not state the reasons publicly, since they might be stigmatised by the evaluators of the project applications and by international donors, were they to say what is wrong with the funding process and why the CSOs targeted were in fact eligible for funding.

Six percent of CSOs said that were subjected to judicial harassment in 2023. Five percent had been the percentage in 2021. The point change between 2021–2023 was a 1% increase.

On the following question, as to whether the organisation was prevented by government authorities or banks from opening a bank account, or sending or receiving money, 97 % responded they were not so prevented, 2 % answered they were not sure, and 1 % responded they had indeed been prevented by government authorities or banks from opening a bank account, or sending or receiving money. The arguments provided by respondents for this were that they had had problems with transferring money to another country, or that their budget was decreased by decision of government structures.

One percent of CSOs said that were subjected to judicial harassment in 2023. Two percent had been the figure in 2021. The point change between 2021–2023 was a 1% decrease.

SO 1.4. Public authorities should treat all CSOs equally with regard to their operations, and equitably with other entities (such as businesses)

Indicator 1.4.a Extent to which laws (1) do not require CSOs to submit more reports and information, and (2) do not submit CSOs to more inspections and sanctions, than business entities, all else being equal.

2021 assessment:

5 – fully meets standards

2023 assessment:

4 – meets most standards

The legislative framework governing the issue of submission of reports and information by CSOs did not change in 2023. It should however be noted that the draft law of Republika Srpska on the Special Registry and Publicity of the Work of Non-Profit Organisations foresees additional reporting requirements for CSOs, as well as additional requirements for CSOs to be submitted to inspections. In the light of the foregoing, the provisions on inspections appear to be too broadly framed, and lacking the necessary safeguards to protect against abuse by the competent inspection body.

SO 1.5. Central and/or local public authorities have enabling policies and rules for small community organisations and civic initiatives (grass-roots organisations)

Indicator 1.5.a: Small community/local organisations and civic initiatives are allowed to operate by law without registering.

2021 assessment:

4 – meets most standards

2023 assessment:

4 – meets most standards

There are no formal rules or legislation on grassroots in BiH, and the existing legislation allows community/local organisations and civic initiatives to operate without registering in 2023.

There have been examples of civic grassroots initiatives and contributions by activists throughout the country since 2021. In one case, the activist Hajrija Čobo was targeted by a SLAPP lawsuit when she started accusing the firm of endangering the water supply for local residents. She was an activist, one of the initiators of changes in the city of Kakanj and its surroundings. For more than two years she had been vocally advocating for the right to drinking water and had drawn the public's attention to the threat to water supply. In another case, a number of journalists spontaneously gathered at Trg Krajina in Banja Luka to support their colleague Nikola Morača, who was questioned by the police as part of an investigation related to information he had published in the daily newspaper. Again, associations and small grassroots organisations from Republika Srpska warned against the harm of passing the Law on the Special Register of Non-Profit Organisations, because the draft law represents discrimination against citizen associations financed by foreign donors. And protest marches organised by individual activists in several cities were held after a man killed his wife and two other people, wounded three others, and then committed suicide in Gradačac near Tuzla. Usually, the grassroots initiatives have been

unregistered and were consequently unable to apply and receive funding from the budgets of different levels of authority in BiH; but also, in some cases access to external/foreign funding was prevented where donors required formal registration.

Indicator 1.5.b: In law, unregistered small community/local organisations and civic initiatives enjoy the same right to participation in decision-making processes as registered CSOs.

2021 assessment:

4 – meets most standards

2023 assessment:

4 – meets most standards

The situation regarding formal registration of small organisations remained unchanged in 2023. There were no formal restrictions for unregistered small community/local organisations and civic initiatives to take part in the consultation processes. It is possible for any citizen or registered CSO to become engaged and give comments, remarks and suggestions on government policies and legislation.¹⁹

In the case of all other non-governmental stakeholders, they have sometimes encountered difficulties in getting effectively engaged in formal advocacy and consultation processes with governmental institutions on strategic, policy and legislative initiatives (e.g. to secure the *pro forma* engagement of CSOs just to meet the legal requirement on CSO consultation/engagement. Consequently, the lack of therefore without meaningful engagement by CSOs means failure to make use of their expertise and comments in policy development and law drafting processes, as well as in terms of their engagement in public consultation and public hearing processes.

Moreover, proponents of policies and regulations tend to fail to engage CSOs in the activities of working groups at the early stages of policy development and law drafting, etc..

¹⁹ It should be noted that the BiH Council of Ministers' Rules on consultation in drafting legal regulations ('Official Gazette of BiH' no. 5/17) in its Article 2 paragraph (1) item a), as well as the FBiH Government Decree on regulatory impact assessment ('Official Gazette of FBiH' no. 67/20) in its Article 2, do both recognise "informal groups" and "civic initiatives", as parties that are fully and formally entitled to take part in the process of consultations at the level of the state of BiH and at the level of the Federation of BiH. Similar formal entitlement does not seem to be as yet envisaged in the rules and regulations of RS, and BD of BiH.

SO 1.6. All CSOs are free to solicit and receive funding.

Indicator 1.6.a: Extent to which relevant laws allow CSOs to seek a broad range of funding, including from abroad, without undue restrictions, as regards:

- cash and in-kind donations from all sources;
- funding from domestic public bodies;
- funding from institutional, corporate or individual donors;
- funding from foreign governments or multilateral agencies.

2021 assessment:

4 – meets most standards

2023 assessment:

3 – moderately meets standards

The legislation at the level of the State and Brcko District remained unchanged in 2023 when compared to 2021. The CSOs in BiH are allowed to receive funding without restrictions to cash and in-kind donations from any sources, domestic public bodies, institutional, corporate or individual donors, foreign governments and multilateral agencies, and to raise their own funds, engage in economic activities, and participate in public calls for grants and services. But the Federation of BiH and Republika Srpska legislative entities experienced several changes.

The current situation in the Republika Srpska may soon deteriorate in the light of the RS authorities' ongoing initiative to adopt the Law on the Special Registry and Publicity of the Work of Non-Profit Organisations. According to Article 11(1) of this draft law, the entities registered as NPOs would be required to submit bi-annual financial reports "with a clear indication of who paid (the foreign contributions), the amount of allocated funds, the type and amount of fee and revenue expressed in currency or other value, as well as a report on expenditure of funds". This would require the provision of information about the donor and the amount of allocated funds, without any minimum threshold, which means that NPOs would be obliged to report all funding received, regardless of the amount, even minor sums, which would entail a significant burden for the NPOs concerned. If the draft law were to be adopted, CSOs registered in Republika Srpska that receive funds from foreign donors would be discriminated against and labelled as 'agents of foreign influence'. At the same time, the draft law excludes associations that are financed from public budgets.

In addition, the Federal Ministry of Justice²⁰ in 2023 prepared the preliminary draft-working version of the Law on Financing of Civil Society Organisations in the Federation of BiH²¹. The preliminary draft of this Law underwent public consultation in 2023.

Indicator 1.6.b: Proportion of CSOs that can access a broad range of funding without undue government interference.

According to the CSO survey for 2023, 2% of CSOs answered with at least one Yes to having been subject to occasions of arbitrary audit, frozen account or requirement to register as a foreign agent, with 93% of CSOs all answering No. This should be compared to 2021, when 3% of CSOs answered with at least one Yes, and 82% of CSOs answered with an all No. It can be concluded that the change in 2021–2023 was a 1% decrease (at least one Yes to arbitrary audit, frozen account, requirement to register as a foreign agent), and an 11% increase (all No).

²⁰ Center for the Promotion of Civil Society – CPCD, Foundation Mozaik, Foundation of the Community of Tuzla, Association «Institute for Youth Development» – KULT, Centers of Civil Initiatives – CCI, Youth Resource Center – ORC Tuzla, Association Vaša Prava BiH, Association for the Fight against Corruption Transparency International in BiH, the Association for the Prevention of Addiction NARKO-NE and the Association Women for Women International

²¹ [Obavijest o otvaranju javne rasprave za Nacrt-radnu verziju Zakona o finansiranju organizacija civilnog društva u FBiH – Federalno ministarstvo pravde \(fmp.gov.ba\)](#)

In 2023, according to the CSO survey findings, 2 % CSOs answered they faced an arbitrary audit, 1 % CSOs reported a case of a frozen account, and 1 % of CSOs experienced a requirement to register as a foreign agent. Some respondents provided a specific answer, saying that banks had inconsistent policies – sometimes they asked for evidence of money inflow even for very small amounts.

SO 1.7. Public financial and non-financial support to CSOs is available in IPA beneficiaries, and provided in a transparent, accountable, fair and non-discriminatory manner

Indicator 1.7.a: The level of public funding²² available for CSOs and associations is clearly articulated in laws and regulations, and the rights and duties of the state body invested with the ability to set and revise the level of public funding available is clearly defined in law.

2021 assessment:

1 – does not meet standards

2023 assessment:

1 – does not meet standards

No formal changes to the existing legislation relating to this indicator were introduced in the course of 2023. In BiH, grants are awarded by all levels of government, i.e. the State-level of BiH, Federation of BiH, Republika Srpska, Brčko District of BiH, cantons and local self-governments. The findings elaborated in the 2021 country assessment report still remain valid, and so with that in mind, we can observe that there is still no uniform procedure at any level of government, and that the existing procedures, which feature numerous deficiencies, have yet to be aligned throughout the country. The procedures governing the CSOs' participation in all phases of the public funding cycle are still not fully clear and transparent, but still remain, as reported by the CSOs, international organisations (MoneyVal, CoE, FATF, etc.) and audit offices in BiH, arbitrarily implemented.

Indicator 1.7.b: Percentage of public budget actually disbursed to CSOs in a year.

In March 2024, the data on the amount of public budget distributed in 2023 were not available at any level of government in Bosnia and Herzegovina. Comprehensive and reliable data regarding public funding is not possible to find on place, owing to the fact that the majority of funding to CSOs comes from the municipality level of administration throughout all the country. Budget funds distribution by a large number of BiH municipalities have required detailed analysis by four official Audit Offices of the Institutions in BiH – at state level, Federation of BiH, Republika Srpska and Brčko District.

Indicator 1.7.c: Extent to which legal provisions regulating the award of public funding to CSOs ensure that:

- funding criteria are clearly defined, objective and publicly announced;
- evaluation of proposals is clear and impartial;
- conflict of interest is clearly regulated;
- reporting requirements are clear and proportionate.

²² "Public funding" refers to funds allocated and disbursed from the state's own resources. It does not include European Union funds distributed through public institutions in Türkiye, since they are subject to different rules and procedures which are in line with the rules and procedures of European Union. Here the analysis only refers to the total amount of public funding for CSOs which is distributed according to rules and procedures defined by public institutions.

2021 assessment:

3 – moderately meets standards

2023 assessment:

3 – moderately meets standards

The findings elaborated in the 2021 Country Report still remain valid, so with that in mind, there is still no uniform procedure at any level of government, and the current procedures, which feature numerous deficiencies, have yet to be aligned throughout the country.

In 2019, the Council of Ministers of BiH adopted the Rulebook on the criteria and conditions for the financing and co-financing of programmes and projects in areas of public interest implemented by associations and foundations. The method of allocating funds for grants from the budget in FBiH is also regulated by the laws on FBiH budgets, and the laws prescribing the obligation to finance certain areas through grant funds; but there are no regulations that would regulate the procedure for awarding grants in a comprehensive and uniform manner. The Ministry of Finance of Republika Srpska adopted the Grant Management Methodology for programmes and projects financed or co-financed by the RS budget (no. 06.04/020-2004/14).²³ In the Brčko District of BiH, there is no regulation that would in a comprehensive and unique way regulate this area.

Nonetheless, in 2023 the Federal Ministry of Justice, in cooperation with a group of CSOs and with the technical assistance of the United Nations Development Programme UNDP in BiH, developed the preliminary draft law on the Financing of Civil Society Organisations in the Federation of BiH, which is currently in the public consultation process.

*The rating for the 2021 Assessment on this indicator has been changed (previously, it was four i.e. that meets most standards), because the assessment had been too lenient.²⁴

Indicator 1.7.d: Central governments make the information on awards publicly available and sufficiently detailed to identify individual awards.

2021 assessment:

2 – minimally meets standards

2023 assessment:

2 – minimally meets standards

At the state level of BiH, there were no newly adopted regulations concerning the issue of transparency of the grants awarded. There were, however, significant differences at the entity level and in Brčko district. As mentioned in the Country Report in 2021, in the Federation of BiH the grant award transparency regulations were insufficiently regulated. This has been confirmed, for example, in the case of Sarajevo Canton, where the decisions and public calls for grants are regularly published, but the procedures for selection of applicants, and the implementation and assessment of the spending of the funds, are still not entirely transparent. In Republika Srpska, there have been cases where Audits have found that grants were awarded without the publication of a public competition, on the basis of individual requests or decisions of the Government of Republika Srpska.

According to the public officials survey data in 2023, on the question as to what extent the relevant authorities made the information on awards of public funding to CSOs publicly available, more than half of the participants responded that it was sufficiently public. Open answers to explain their opinions included the information that all decisions on the allocation of CSO grant funds were published in the Official Gazette; although the way in which allocations of public funds were carried out was questionable.

²³ <http://www.vladars.net/sr-SP-Cyrl/Vlada/Ministarstva/mf/Documents/>

²⁴ The baseline assessment was changed to reflect a more rigorous application of indicator criteria.

Indicator 1.7.e: Proportion of CSOs indicating that the provision of domestic public funds is transparent, fair, and non-discriminatory.

2021 assessment:

1 – does not meet standards

2023 assessment:

1 – does not meet standards

According to the CSO survey for 2023, 14% of CSOs answered that provision of domestic public funds was transparent and fair. In 2021, 14% of CSOs also answered likewise.

In 2023, a very high number of the CSOs (65 %) stated that they did not find the provision of public funding to CSOs transparent (not transparent at all – 13%; insufficiently transparent – 52 %), while 23 % of CSOs stated that they found the provision of public funding to CSOs sufficiently transparent or very transparent.

On the question as to how fair the provision of public funding was, 70 % CSOs replied not fair or insufficiently fair, whilst 16 % said very fair or sufficiently fair.

8 % of the CSOs said that the provision of domestic public funds was both transparent and fair.

It can be concluded that the change in 2021–2023 was 0%.

According to the PO survey for 2023, a very low number of institutional officials said that their institution provided funding to CSOs in 2023. Out of those who provided funds, all of them said that the provision of public funds to CSOs was clearly transparent. By transparent was meant, carried out openly with full information publicly available, so that the public can trust the process. Public officials recounted the process of allocation of funds and how the legal framework predicts, such that the funds were allocated on the basis of the published Decision on the granting of consent to the allocation of funds. All of them said that the provision of public funds to CSOs by their institution was fair. By fair was meant, treating all CSOs equally without favouritism or discrimination. Open answers included that all CSOs were under the same conditions and could apply for a public call for the allocation of grant funds and the evaluation of their projects, in accordance with clearly prescribed criteria.

*The rating for the 2021 Assessment on this indicator has changed (previously, it was 2 – minimally meets standards), because the assessment had been too lenient.²⁵

Indicator 1.7.f: Public funding does not exclude CSOs on the basis of their constituency representation.

According to the CSO survey for 2023, 61% of CSOs answered that they had applied for public funding during 2023. In 2021, 66% of CSOs answered that they had applied for public funding in 2021. It can be concluded that the change in 2021–2023 was a 5% decrease.

In 2023, the majority of the CSOs who participated in the survey (61 %) applied for public funding, amongst which 70 % of CSO applications were unsuccessful and 25 % successful. 39 % of the CSOs said that authorities funded their preferred organisations, 14% said they found the application procedure too complicated, 11% of CSOs said that their proposal was considered not good enough, and 25 % said that the competition was very strong.

33 % of CSOs said that they think they did not have a realistic chance of winning, because they were not CSOs close to the authorities, which is usually when they know they will get funding; or that the state did not publish the official call for funding; or that the conditions of the call were adjusted to several CSOs who were close to the authorities. Some survey participants provided open answers, such as that they did not know the exact reason they were rejected, or that the same thing happened with other

²⁵ The baseline assessment was changed to reflect a more rigorous application of indicator criteria.

donors too, when organisations simply never receive feedback about the selection process.

According to results from the PO survey for 2023, on the question as to how inclusive the award of public funding was in 2021 to CSOs that their institution was responsible for, all of the respondents said that, in their view, it was inclusive. By inclusive was meant, that a broad range of CSOs were working on a vast variety of issues and representing many different communities or groups.

SO 1.8. Individuals and corporations enjoy tax benefits for their donations to CSOs.

Indicator 1.8.a: Tax legislation allows for tax relief as regards:

- Individual giving
- Corporate giving

2021 assessment:

3 – moderately meets standards

2023 assessment:

3 – moderately meets standards

The laws provide for tax benefits, in the form of tax exemptions, for donations by individual and corporate givers for public purposes. The laws expressly provide for tax reliefs for donations in money for general purposes, but also in kind and assets. The laws regulating the tax treatment of CSOs at the state and entity levels are still not harmonised.²⁶

Indicator 1.8.b: Proportion of private individuals who have given money to a CSO.

The proportion of private individuals who gave money to a CSO in Bosnia and Herzegovina in 2023 was 51%; in 2022 it was 60%, and in 2021, 45%.

²⁶ Indeks održivosti OCD u Bosni i Hercegovini za 2021. godinu

SO 1.9. Tax benefits are available to CSOs.

Indicator 1.9.a Extent to which applicable tax laws provide for the following:

- CSO income generated from grants, donations, and membership dues, income from economic activities, investment income, real property, gifts and inheritance is not subject to taxation;
- any excess revenue or profit generated through economic activity and used for mission-related purposes by CSOs is not subject to corporate income/profit tax.

2021 assessment:

3 – moderately meets standards

2023 assessment:

3 – moderately meets standards

In 2023, there was a progressive change on the state level legislative, when compared to 2021. In 2023, VAT on donated food to humanitarian organisations was abolished in Bosnia and Herzegovina. The House of Peoples of BiH unanimously adopted the proposed law abolishing the payment of tax on donated food. In the explanation of the law, it is stated that a large number of companies in BiH which are involved in the production or trade of food products, are discouraged from donating food in larger quantities, since donating food creates an additional financial obligation to pay VAT. Because of this, large amounts of food are destroyed instead of providing a meal for vulnerable categories of the population.

The taxpayer donates food to an intermediary, and the intermediary is a non-profit legal entity or association (such as a soup kitchen and similar entity) that is registered to collect, prepare, distribute and/or provide food assistance.

Apart from this change in legislation regarding the tax benefits on state level, nothing changed in 2023 regarding taxes in the non-profit sector at the lower levels of government. Carrying out related economic activities is allowed in both entities, as well as at the state level, without the need to establish a separate legal entity through which the related economic activities would be carried out. Meanwhile, as mentioned above, in 2023 the Federal Ministry of Justice, in cooperation with a group of CSOs and with the technical assistance of the United Nations Development Programme UNDP in BiH, developed the preliminary draft law on Financing of Civil Society Organisations in the Federation of BiH, which is currently in the public consultation process.

SO 1.10. The policies and legal environment provide incentives and facilitate volunteering for and employment in CSOs.

Indicator 1.10.a: Laws regulating volunteering are adopted.

2021 assessment:

4 – meets most standards

2023 assessment:

4 – meets most standards

Volunteering in Bosnia and Herzegovina is regulated by the entity laws in the Federation of Bosnia and Herzegovina and the Republika Srpska, and also at the district level in Brčko district. There is no law on volunteering at the state level of BiH, despite persistent advocacy by CSOs.²⁷

*The rating for the 2021 Assessment on this indicator has changed (previously, it was 5 – fully meets standards), because the assessment had been too lenient.

Indicator 1.10.b: Government volunteering strategies and programmes support volunteering for CSOs and have sufficient resources allocated for implementation.

2021 assessment:

3 – moderately meets standards

2023 assessment:

3 – moderately meets standards

In 2023, the legal framework remained unchanged. The National Assembly of Republika Srpska adopted in 2019 the Strategy for the Improvement and Development of Volunteering in Republika Srpska (2019–2023). A second entity, the Federation of BiH, still has not created and adopted its volunteering strategy. The Brčko District of BiH has not created or adopted a volunteering strategy either.

Indicator 1.10.c: Proportion of CSOs that benefit from state employment strategies and programmes.

In 2023, 15% answered they had benefited from government employment programmes, compared to 2021, when 23% benefitted from them. The CSOs gave specific answers, such as the employment of new employees in the government structures and in organisations which were charged with considering recommendations from specific CSOs; the employment of minority groups – for example, three Roma nationality employees employed on positions in institutions; co-financing of employment of interns by government and CSOs; and financial support of the employment of the blind through the Fund for Professional Rehabilitation and Employment of the FBiH.

However, 81 % of CSOs said they did not receive any benefit from state employment strategies and programmes.

It can be concluded that the change for 2021–2023 was an 8 % increase.

²⁷ * The baseline assessment was changed to reflect a more rigorous application of indicator criteria.

Indicator 1.10.d: Proportion of CSOs that benefit from state volunteering strategies and programmes.

In 2023, 3% out of the total number of respondents benefited from government volunteering programmes, compared to 2021, when 3% also of CSOs said they had benefited from them. *Ninety-two per cent said that they had not experienced any such benefits from government volunteering programmes.*

It can be concluded that the change for 2021–2023 was an 8 % increase.

Indicator 1.10.e: Proportion of employees in CSOs in relation to the total workforce.

The Agency for Statistics of BiH (state level) does not provide data on the proportion of the workforce in the civil society sector.

Indicator 1.10.f: Percentage of people who have volunteered to give their time to an organisation.

The percentage of people who volunteered their time to an organisation in Bosnia and Herzegovina in 2023 was only 9%. During 2022 and that number was 10%, and in 2021, 7%.



Specific Objective 2

Strengthened cooperation and partnership between CSOs and public institutions.

SO 2.1. Public authorities and institutions include CSOs in decision- and policy-making processes.

Indicator 2.1.a: Laws, by-laws, strategies, other acts of public interest and policy reforms are effectively consulted with CSOs in that:

- CSOs have access to the draft document from the beginning of the drafting process to the end of the adoption procedure;
- At least 15 days are allowed for commenting before the draft document enters the adoption procedure;
- The use of extraordinary/expedited procedures to adopt legislation without allowing for consultation is an exception and duly justified;
- Reports on results of public consultations, including reasons for rejection of comments, are published in a timely fashion;
- Working groups members from CSOs are selected based on a public call, clear criteria and in line with equal treatment;
- Working group members from CSOs include representatives of society as a whole, including women's groups, LGBTIQ groups, migrant groups, minorities, disability groups, and others as appropriate, in line with the Human Rights Based Approach.

2021 assessment:

2 – minimally meets standards

2023 assessment:

2 – minimally meets standards

There were no changes in the relevant legislation governing the consultations with CSOs in 2023. All layers of government must still ensure meaningful and systematic consultation with CSOs and the public in general. This was not the case in many instances in the course of 2022–23. Some of the most flagrant examples of the avoidance of meaningful consultations with CSOs included the process of the development and consideration of the amendments to the RS Criminal Code on criminalisation of defamation and the draft RS Law on the Special Registry and Publicity of the Work of Non-Profit Organisations, during which no meaningful and serious consultation of CSOs took place. Detailed elaboration of the existing legislative framework governing the consultations with CSOs was provided in the 2021 country assessment report. Some of the deficiencies included, but were not limited to the following: none of the existing regulations at the State, FBiH, RS and BD of BiH levels of government, require that law-drafting working group members from CSOs should be selected based on a public call, clear criteria and in line with equal treatment; and none of the existing regulations at the State, FBiH, RS and BD of BiH levels of government, require that law-drafting working group members from CSOs be drawn from a diversity of backgrounds.

At the state level of BiH, the supporting web-based tool 'eKonsultacije', the e-consultation web platform, is underutilized and is not in place or being used at entity or cantonal level, where most legislation of public interest is developed and adopted. As regards other levels of authority, there were no significant changes in comparison to 2021, so the assessment may be kept the same – minimally meets standards. However, as elaborated above, the situation in the Republika Srpska deteriorated further, even in

comparison to 2021. Further follow-up will be provided in the 2024 assessment report.

According to the CSO survey results for 2023, 31% of CSOs said that the authorities effectively consulted their organisation in the drafting of laws, by-laws, strategies or acts of public interest and policy reforms. In 2021, 25% of CSOs had said they were effectively consulted.

It can be concluded that the 2021–2023 change was a 6% increase.

Out of all Yes answers, only 27% of CSOs had access to the draft document from the beginning of the drafting process to the end of the adoption procedure. In 2021, 17% of CSOs had had access to the draft document from the beginning.

It can be concluded that the 2021–2023 change was nevertheless a 10% increase.

Out of all Yes answers, only 28% of CSOs had at least 15 days before available for commenting the draft document entered adoption procedure. Comparing to 2021, 22% CSOs had it at least 15 days before.

It can be concluded that 2021–2023 change was 8%.

Out of all YES answers, only 20% of CSOs said that their organisation was a member of a working group tasked with the development of laws, bylaws, strategies or acts of public interest and policy reforms. The same result was in 2021, 20%. Change between 2021–2023 was 0%.

In the PO survey of 2023, we asked respondents to answer how effectively, in their view, were CSOs consulted in the development of the laws, by-laws, strategies, other acts of public interest and policy reforms for which their institution was responsible, and more than half of the respondents said CSOs were effectively consulted.

Thinking about the consultation processes with the public they were aware of which took place in 2023, and the extent to which the public and the CSOs were informed of the opportunities to contribute to and participate in the development of laws, policies and strategies, the majority of respondents said they were well informed.

In narrative justification they said that CSO representatives participated as members of the Advisory Body of the Ministry of Justice of Bosnia and Herzegovina for cooperation with NGOs in the Working Group for Drafting the Strategy for Creating a Stimulating Environment for the Development of Civil Society, and had been actively involved in its drafting since the beginning of the activity. Also, they had organised public consultations on the draft law regarding amendments to the laws; they adopted the action plan for the implementation of the local self-government development strategy; and they had participated in the consultation process through the web platform eKonsultacije.

When asked about the consultation processes with the public that they were aware of which took place in 2023, and the extent to which they took account of the views of all communities and groups affected by the laws, policies and strategies that were being consulted, more than half of respondents said the views of all communities and groups were sufficiently taken into account. The majority of answers were similar, stating that they had conducted consultations through the eKonsultacije web platform, published invitations to participate in consultations on the website of the Ministry, included representatives of CSOs in Working Groups through CSO networks, and included various actors in consultations on the laws and policies that related to them.

Indicator 2.1.b: CSOs are effectively included in oversight mechanisms.

Indicator was not reviewed in the 2023 Assessment process.

Indicator 2.1.c: Proportion of CSOs that have participated in consultations during preparation of state reports under international human rights and other legal obligations, and the implementation of treaty body recommendations.

Indicator was not reviewed in the 2023 Assessment process.

SO 2.2. Public authorities and institutions acknowledge the importance of civil society in societal policy debate and EU integration processes.

Indicator 2.2.a: Extent to which CSOs assess the attitude of public officials towards civil society as supportive.

2021 assessment:

1 – does not meet standards

2023 assessment:

2 – minimally meets standards

24 % of CSOs indicated the attitude of public officials toward civil society as being supportive in 2023. The result for 2021 was 12%. The change for 2023–2021 indicated a 12% increase.

In total, 68 % of the respondents from the CSO survey in 2023 stated that public officials were not at all or insufficiently supportive towards CSOs in 2023. Result for 2021 was 80%. Change 2023–2021 was –12% decrease.

According to the 2023 PO survey, on the question of how supportive public officials were towards civil society organisations in general, the majority of respondents said that, in their view, they were supportive, stating that institutions expected more contribution from civil society in some joint activities. Asking them to share an example of the support towards and positive collaboration with civil society organisations shown by public officials in 2023, respondents said they supported and participated in the implementation of CSO projects and dissemination of information relevant to CSOs, helped obtain data from competent institutions based on the Law on Freedom of Access to Information, and organised conferences.

SO 2.3. Public authorities contribute to civil society strengthening by cooperating with civil society through strategic policy frameworks and relevant institutional mechanisms.

Indicator 2.3.a: Proportion of CSOs that were effectively consulted in the preparation of civil society cooperation strategies.

In 2023, this indicator was not assessed.

Indicator 2.3.b: IPA beneficiaries have adopted currently valid civil society cooperation strategies.

2021 assessment:

1 – does not meet standards

2023 assessment:

1 – does not meet standards

There was no national civil society strategy adopted in 2023 in BiH.

Indicator 2.3.c: Civil society cooperation strategies are accompanied by adopted budgeted action plans.

2021 assessment:

1 – does not meet standards

2023 assessment:

1 – does not meet standards

There was no national civil society strategy adopted in 2023 in BiH.

Indicator 2.3.d: Proportion of CSOs that rate civil society cooperation strategies as relevant and effective.

In 2023, this indicator was not assessed.

Indicator 2.3.e: Public structures responsible for the implementation of civil society cooperation strategies are appropriately resourced.

In 2023, this indicator was not assessed.

Indicator 2.3.f: Mechanisms for dialogue between civil society cooperation councils and central governments meaningfully include CSOs in that:

- They have an agreed programme of work.
- They have agreed rules of procedure.
- They meet regularly.
- Rules allow CSOs to call the meetings and contribute to agenda setting.
- There is adequate follow up to conclusions and recommendations.

2021 assessment:

4 – meets most standards

2023 assessment:

4 – meets most standards

In 2021, the official Advisory Body of the Council of Ministers of BiH for Cooperation with NGOs was involved in several activities and initiatives, such as the beginning of cooperation and participation in the BiH Council of Ministers Working Group for Drafting the Strategy Proposal for Creating a Stimulating Environment for the Development of Civil Society at the end of 2023. The most important focus and purpose of this Body was to acquaint the public in BiH with the harmfulness of the adoption of the Draft Law on the Special Register and Public Work of Non-Profit Organisations by the National Assembly of the Republika Srpska. Also, and this was important in the environment of BiH, members of the Advisory Body participated in the Second Coordination Meeting of BiH Donors who support civil society in BiH. Besides the in-person meeting, the Body met two more times on-line in 2023 and discussed the civil society environment in BiH. Also, they conducted the research in December 2022/January 2023 which had the aim of assessing the enabling environment in BiH. More than two hundred CSOs participated in the research, and the members of the body found this to be a significant success.

In 2023, in a focus group discussion, members of the Advisory Body who took part in the focus group were all of the opinion that the inclusion of CSOs in the Advisory Body was very meaningful. People representing CSOs are considered competent in their work and sector and represent *de facto* civil soci-

ety. However, the position of the members is that the inclusion of CSOs in the Advisory Body had been necessary a long time ago. They had lobbied during the previous nine years at state government level, because it was the EU's request that the BiH Council of Ministers starts cooperating more seriously with CSOs. But the general opinion of members is that they believe that the BiH Council of Ministers does not use them enough as a resource, because they have not yet had a joint meeting with them.²⁸

They feel they are very well-organised as an advisory body, and they organise regular and effective meetings. They expressed the greatest gratitude to the president of the Advisory Body, who was very dedicated to the work. The rest of the members followed her work, and although they were very active in the work, the president carried the largest part of the burden, as she was the initiator of the meeting and the agreements, and took the biggest burden on herself, writing down all the meeting minutes and the conclusions that were adopted, and taking them further forward in the implementation procedure.

The work programme exists on an annual basis, drawn up at the end of the year for the following year. At the beginning of the work of the Body, they agreed that they would have regular meetings (their official requirement is to meet four times in one year), but also that they would meet *ad hoc* if an urgent situation arose, or a hot topic opened up in the state, such as the adoption of some laws that might have negative implications for CSOs, and their work and financial business. All this was presented as a proposal for topics for the meetings of this Body. All members have been free to express all the problems they are dealing with, even within their organisations and sectors. The main success has been that they have started drafting the Strategy for Support to Civil Society for BiH, which is already nearing completion, and the Council of Ministers of BiH included them in this process. The processes would have gone better and differently if there had been a greater will on the part of the Council of Ministers of BiH to cooperate with them. Much more work would be done by the Advisory Body, in view of the fact that their mandate expires at the end of 2024. Also, excellent cooperation with the international community in BiH has been established, and this is to the advantage of this Body, because the international community pushes and pressures the state in BiH when it comes to the most important topics for civil society..

²⁸ The focus group discussion was conducted in the week of April 1–5, 2024, with three members of the Advisory Body of the Council of Ministers of BiH for Cooperation with Non-Governmental Organisations.



Specific Objective 3

CSO capacity and resilience to carry out their activities effectively are reinforced

SO 3.1. CSOs' internal governance structures follow the principles of good governance.

Indicator 3.1.a: Proportion of CSOs that have an independent and effective governing body, with clear terms of reference to oversee the organisation's strategic goals, impact, management, legal compliance, and accountability.

2021 assessment:

3 – moderately meets standards	52%
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2023 assessment:

3 – moderately meets standards	56%
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In 2023, 56% of CSOs had an independent and effective governing body, a 3% increase when compared to 2021.

In answering the specific questions, 93% of CSOs reported having a governing body, with 97% having a governing document. As regards the independence of governing bodies, however, 35% of the respondents reported that the executive director or another paid staff member of their organisation was a voting member of the governing body.

Indicator 3.1.b: Proportion of CSOs that regularly check potential conflicts of interest with regard to the political, economic and personal relationships of their governing body.

2021 assessment:

1 – does not meet standards

2023 assessment:

1 – does not meet standards

According to the CSO survey results for 2023, 17% of CSOs regularly checked potential conflicts of interest with regard to the political, economic and personal relationships of their governing body, as compared with the 2021 results, when 11% of CSOs answered accordingly on the same indicator. It can be concluded that the 2021–2023 change saw a 6 % increase.

Only 41% of CSOs said that the members of their governing body were required by the organisation to sign a conflict-of-interest declaration once they had entered their role, claiming that they were making decisions as team members with a legal background, or that they were volunteering, or that their statute of association stipulated that a member of the governing board did not have the right to vote in matters that concerned him personally.

Indicator 3.1.c: Proportion of CSOs that share relevant information on their organisation, using the means and channels that are accessible to all stakeholders in terms of publishing.

2021 assessment:

2 – minimally meets standards	22%
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2023 assessment:

1 – does not meet standards	16%
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In 2023, 16% of CSOs shared relevant information on their organisation website. In 2021, the figure was 24%. It can be concluded that the 2021–2023 change was an 8 % decrease.

Thirty-eight percent of CSOs published their governing document on the organisation's website, 43% of CSOs published the structure of their organisation's board on their website, and 27% of CSOs published the names of the organisation's board members on the website.

Indicator 3.1.d: Proportion of CSOs that have an organisational gender equality policy.

2021 assessment:

2 – minimally meets standards	35%
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2023 assessment:

2 – minimally meets standards	39%
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In 2023, 39% of CSOs had an organisational gender equality policy. In 2021, the percentage for this indicator was 35 % of CSOs. It can be concluded that in 2021–2023 the change was a 4 % increase.

Indicator 3.1.e: Proportion of CSOs that have an organisational strategy, including vision, mission, and goals.

2021 assessment:

3– moderately meets standards	57%
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2023 assessment:

4 – meets most standards	75%
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In 2023, 75% of CSOs had an organisational strategy. In 2021, 57 % of CSOs answered accordingly on the same indicator. It can be concluded that the 2021–2023 change was an 18% increase.

SO 3.2. CSOs are able to communicate the results of their activities to the public.

Indicator 3.2.a: Proportion of CSOs that have at least one on-line channel of communication.

2021 assessment:

5 – fully meets standards	100%
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2023 assessment:

5 – fully meets standards	96%
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In 2023, 96% CSOs had at least one on-line channel of communication. In 2021, 100 % of CSOs answered positively on the same indicator. It can be concluded that the 2021–2023 change was marked by a 4 % decrease.

The majority, 93%, used Facebook, whilst 62% used their website, 58% used Instagram, and 38% of CSOs used messaging apps. Thirty-eight percent used YouTube, and 17% used X platform (Twitter).

Indicator 3.2.b: Proportion of CSOs that have specialised communication staff.

In 2023, this indicator was not assessed.

Indicator 3.2.c: Proportion of CSOs that cooperate with the media.

In 2023, 36% of CSOs cooperated with the media. In 2021, the results showed that 30% of CSOs answered accordingly on the same indicator. It can be concluded that the 2021–2023 change was marked by a 6 % increase.

Thirty-eight percent of CSOs were in partnership with universities, 26% with the private sector.

SO 3.3. CSOs are transparent about their programme activities and sources of funding.

Indicator 3.3.a: Proportion of CSOs that publish their annual reports and financial statements.

2021 assessment:

3 – moderately meets standards	55%
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2023 assessment:

3 – moderately meets standards	51%
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In 2023, 51% of CSOs published a financial statement and annual report, and on the organisation website or in hard copy. In 2021, 54% of CSOs answered likewise on the same indicator. It can be concluded that the 2021–2023 change showed a 3% decrease.

CSOs from BiH said that their financial income was a regular part of their annual report, including sources of funding and amounts received, and also that they sent it to donors and to the Ministry of Justice in their canton.

Indicator 3.3.b Proportion of CSOs that publish information on their sources of funding and amounts received in the previous year.

2021 assessment:

2 – minimally meets standards	29%
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2023 assessment:

2 – minimally meets standards	34%
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In 2023, 34% of CSOs published information on their sources of funding and amounts received in the previous year, compared to the results in 2021, when 29% of CSOs answered on the same indicator. It can be concluded that the 2021–2023 change was a 5% increase.

Specifically, 58% of the CSOs stated that their organisation had published information about their sources of funding in 2023. At the same time, while 37% of the CSOs stated that their organisation only published information on the amounts received, 28 % of the CSOs stated that they did not publish information on any of the amounts received or their sources of funding.

Indicator 3.3.c: Degree of public trust in CSOs

In 2023, with the Balkan Barometer undertaken by the Regional Cooperation Council (RCC), 1,010 participants in Bosnia and Herzegovina gave their opinions and answers on the question, *how much trust do you have in civil society organisations (CSOs)?* Their replies indicated that 20% totally distrusted them, 36% tended not to trust them, 33% tended to trust them, and 5% totally trusted them. The general degree of public trust in BiH is 38%.

SO 3.4. CSOs monitor and evaluate the results and impact of their work.

Indicator 3.4.a: Proportion of CSOs that have carried out an evaluation of their work in the last year.

2021 assessment:

4 – meets most standards	78%
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2023 assessment:

5 – fully meets standards	89%
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In 2023, 89% of CSOs carried out an evaluation of their work in the last year. In 2021, the results indicated 78% of CSOs answered likewise on the same indicator. It can be concluded that the 2021–2023 change saw a 4% increase.

Specifically, 66 % said that their organisation carried out a project-level evaluation, 39 % stated they carried out an evaluation of internal process, and 22 % stated they carried out evaluation of strategy. The CSOs said they conducted regular yearly evaluations of their finances with the official certified audit company, or that the evaluation was conducted by the municipal office, or that they did not have enough funds to conduct an evaluation.

SO 3.5. CSOs use research and evidence to underpin their work.

Indicator 3.5.a: Proportion of CSOs whose work is based on evidence generated through research.

2021 assessment:

4 – meets most standards	74%
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2023 assessment:

5 – fully meets standards	81%
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In 2023, 81% of CSO work was based on evidence generated through research, as compared to 74% of the work of CSOs in 2021. It can be concluded that the 2021–2023 change was marked by a 7% increase.

The percentage of CSOs who carried out focus group meetings was 51%, surveys of specific groups, 50%, and field research, 39%. As examples of such research work, research on the minimum wage, and the monitoring of criminal offence proceedings dealing with gender-based violence, were mentioned.

Indicator 3.5.b: Proportion of CSOs whose work is informed through consultation with people who have a stake in their current or future work.

2021 assessment:

5 – fully meets standards	85%
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2023 assessment:

5 – fully meets standards	96%
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In 2023, 96% of CSO work was informed through consultation with people who had a stake in their current or future work, as compared to 2021, when the results were 85%. It can be concluded that the 2021–2023 change saw an 11 % increase.

The percentage of CSOs who consulted about their work with local communities was 62%, with members, also 62%, and with local authorities, 61 %; 50% consulted with a public institution, 35% with a national authority, 40% with academic institutions, and 21% with private business.

SO 3.6. CSOs work in fair and respectful partnerships to achieve shared goals.

Indicator 3.6. Proportion of CSOs taking part in local, central and international CSO networks.

In 2023, 84% of CSOs took part in local, central and international CSO networks, as compared to in 2021, when the result was 58%. It can be concluded that the 2021–2023 change saw a 26% increase.

Specifically, 62% of CSOs participated in national networks, 48% in international networks, 42% in local networks, whilst 10 % of CSOs were not part of any network.

Indicator 3.6.b: Proportion of CSOs engaged in cross-sectoral partnerships with academia, social partners and private sector.

In 2023, 57% CSOs were engaged in cross-sectoral partnerships with academia, social partners and the private sector, as compared to in 2021, when the result was 76%. It can be concluded that the 2021–2023 change saw a 19 % decrease.

Specifically, 38% of CSOs were engaged in partnerships with universities, and 36% of CSOs in partnerships with the media, whilst 26% were engaged with the private sector.

SO 3.7. CSO have a diversified funding base.

Indicator 3.7.a: Proportion of CSOs whose sources of donor income are diversified.

2021 assessment:

4 – meets most standards	62%
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2023 assessment:

3 – moderately meets standards	51%
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In 2023, 51% of CSOs had no single donor type contributing more than 50% of their funding. When comparing this figure with the 2021 results, it can be observed that in that year 62 % of CSOs gave this answer to the same indicator.

According to the CSO survey results for 2023, 49% of CSOs had at least one type of donor contributing more than 50% of their funding. In 2021, 38 % of CSOs answered accordingly to the same indicator.

It can be concluded that the 2021–2023 change was an 11 % increase.

Speaking about **donor type**, the results showed that 62% of CSOs had funding from foreign private foundations and the same/another 62% from local, provincial/cantonal/entity and national government. Forty-three percent of funding came from bilateral donors and 43 % from the European Commission, 26 % from intergovernmental organisations, and 14 % from domestic private foundations.

A significant change when compared to 2021 was for domestic private foundations, with an 8% decrease, and local, provincial/cantonal/entity and national government with a 5% decrease, bilateral donors with a 27% increase, and foreign private foundations and international CSOs with a 10% increase.

Speaking about the **number of donors**, the CSOs reported that 22% had only one (1) donor, 32% had two (2) donors, 24% had three (3) donors, 15 % had four (4) donors, 5 % had five (5) donors, and only 1 % had six (6) donors.

Single donor contributions:

- 52 % of CSOs said that they raised funds from local government (the biggest donor);
- 49 % of CSOs said that they raised funds from international CSOs;
- 48 % of CSOs said that they raised funds from bilateral donors (foreign governments);
- 45 % of CSOs said that they raised funds from the European Commission;
- 41 % of CSOs said that they raised funds from provincial/cantonal/entity government;
- 35 % of CSOs said that they raised funds from foreign private foundations;
- 23 % of CSOs said that they raised funds from the United Nations;
- 17 % of CSOs said that they raised funds from the national government;
- 15 % of CSOs said that they raised funds from domestic private foundations;
- 1 % of CSOs said that they raised funds from the Organisation for Security and Co-operation in Europe.

Indicator 3.7.b: Proportion of CSOs raising funds from sources other than donors e.g. membership fees, corporate/individual giving and income generating activities.

2021 assessment:

4 – meets most standards	71%
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2023 assessment:

4 – meets most standards	71%
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In 2023, 71% of CSOs raised funds from sources other than donors e.g. membership fees, corporate/individual giving and income-generating activities. Comparing these figures to the 2021 results, we find 71 % of CSOs answered the same way to this indicator. It can be concluded that in 2021–2023 the change was 0 %.

In 2023, 96% of CSOs in BiH had at least one other source of income.

Delving into these figures, individual donations scored as the highest source of income, covering 1–25% of funding for 37% of CSOs, and more than 50% of funding for 8% of CSOs.

This was followed by income from the private business sector, covering 1–25% of funding for 22% of CSOs, and covering more than half of funding for 0% of CSOs. Membership fees secured up to 25% funding for 29% of CSOs.

In the context of the CSO's own business/social enterprise activity/service, 1–25% of the funding was provided for 12% of CSOs, and for 3% covered more than 50% of funding sources.

The smallest funding source for CSOs was crowdfunding, gathering income for only 6% of CSOs and contributing to 1–25% of their budget..

SO 3.8. CSOs have effective, empowered and developed human resources.

Indicator 3.8.a: Proportion of CSOs that employ staff.

In 2023, 73% of CSOs employed staff, compared to the 2021 results, when 65% of CSOs answered accordingly on the same indicator. It can be concluded that the 2021–2023 change saw an 8 % increase.

In 2023, 26% of CSOs reported that they had no paid staff, 32% of CSOs reported a paid staff of 1–5, 20% had a paid staff of 6–10, and 21% CSOs employed 11 or more paid staff.

Indicator 3.8.b: Proportion of CSOs that have organisational human resources policies.

2021 assessment:

1 – does not meet standards

2023 assessment:

1 – does not meet standards

In 2023, 1% CSOs had all nine human resources policies – a Recruitment policy, Diversity, Equality and Inclusion policy, Disciplinary policy, Grievance/Complaints policy, Performance Evaluation policy, Redundancy policy, Remuneration policy, Bullying and Harassment policy, and a Safeguarding of Children and Vulnerable Adults policy. This is to be compared to the 2021 results, when 0% of CSOs answered on the same indicator.

The most adopted internal policies were a recruitment policy (34%), a diversity, equality and inclusion policy (37%), a safeguarding of children and vulnerable adult policy (27%), and a performance evaluation policy (31%).

Indicator 3.8.c: Proportion of CSOs that have advertised publicly their staff and volunteering vacancies in the last year.

In 2023, this indicator was not reviewed.

Indicator 3.8.d: Proportion of CSOs that have organisational policies encouraging recruitment of a diverse workforce.

In 2023, 11% of CSOs had organisational policies encouraging recruitment of a diverse workforce, compared to 2021 when the results were that 20% of CSOs answered on the same indicator. It can be concluded that the 2021–2023 change saw a 9% decrease.

Thirty-seven percent of CSOs said they had a diversity, equality and inclusion policy, and 34% of CSOs said they had a recruitment policy.

Indicator 3.8.e: Proportion of CSOs whose staff and volunteers have attended a training course in the past year.

2021 assessment:

4 – meets most standards	7%
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2023 assessment:

5 – fully meets standards	83%
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In 2023, 83% of CSOs said their staff and volunteers had attended a training course in the past year. Compared to in 2021, when 74% of CSOs answered accordingly on the same indicator. It can be concluded that the 2021–2023 change saw a 9 % increase.

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