

Progress Review and Final Evaluation of the Council of Europe Action Plan for Bosnia and Herzegovina 2018-2021

Management Response

Name of Evaluation Report:	Progress Review and Final Evaluation of the Council of Europe Action Plan for Bosnia and Herzegovina 2018-2021 - Final Report		
Date of Evaluation Report:	April 2021	Dates of the Management Response:	June 2021
Overall management response to the evaluation:			
<p>The Office of the Directorate General of Programmes (ODGP) of the Council of Europe considers that the report is an overall fair assessment of the implementation of the Action Plan thus far and partially agrees with most conclusions and recommendations.</p> <p>While in general positive, the external evaluation report presents several findings having their origin in some misunderstandings on specific notions or issues by respondents and the complex institutional structure of Bosnia and Herzegovina. In general, ODGP agrees with the need for:</p> <ul style="list-style-type: none"> - Continuing to ensure that projects in the Action Plan remain closely aligned with the needs and priorities of governmental institutions of Bosnia and Herzegovina and the European Union (EU) strategy for the Western Balkans; - Continuing to strengthen the mechanisms that ensure internal co-ordination and coherence across Action Plan projects both at national and regional level and with other international partners. <p>However, the report presents a few recommendations which ODGP only partially agrees with as they stand, including the expressed recommendations to:</p>			

- “Allocate a BiH-based contact point, even if on a part-time basis, for the occasional projects where this has not been possible in the past”: in principle, all country-specific projects have local project staff (the project at stake was one of the rare exceptions and there is thus no need in the future for this issue to be addressed in a different way (please see p.11-12 of this document)
- “Utilise the CoE’s comparative advantages to strengthen gender mainstreaming”: Important efforts have already been initiated and sustained in order to strengthen the application of gender mainstreaming throughout the design and implementation of the AP and its projects. Results of the measures taken have started to be observed, namely through conducting gender analyses (trafficking in human beings, freedom of expression and freedom of the media); analysing gender disaggregated data; implementing gender-sensitive communication on projects as well as gender-specific sessions in capacity-building activities (trafficking in human beings, Roma inclusion, freedom of expression and the penitentiary); but also raising awareness of the general public of gender issues (sexism, as a form of hate speech)” (please see p.13-15);
- “Devise a communication strategy for the next Action Plan, develop an Action Plan public engagement and public outreach plan”: The Council of Europe favours communicating on the Action Plan results rather than on the document itself. In addition, projects also have a significant awareness-raising dimension – through campaigns implemented with strong visibility elements aiming to communicate directly to citizens as the end beneficiaries of the Action Plan. If the budgetary situation allows, the development of specific visibility measures and strategy will be considered for the next Action Plan for Bosnia and Herzegovina 2022-2025 (please see p.20-21).

ODGP, in co-ordination with Major Administrative Entities (MAEs), strives to ensure that the concept of the human-rights approach and gender mainstreaming is further streamlined in programming so that projects fully take into account these elements throughout implementation, and Council of Europe projects staff are better equipped to report on the extensive initiatives already/to be undertaken.

Accepted recommendations will feed into the preparation of the next Council of Europe Action Plan for Bosnia and Herzegovina .

Evaluation recommendations on setting the programming priorities of the Action Plan and its projects:

- The CoE should build on its positive achievements to continue ensuring that projects in the AP remain closely aligned with the needs and priorities of governmental institutions of BiH and the EU strategy for the Western Balkans. *(para 134)*
- The AP preparation process needs to ensure that projects are clear on not only the objectives set, but also on how to measure their achievements. *(para 137)*
- The CoE should continue to improve linkages between projects and CoE instruments. *(para 143)*

<ul style="list-style-type: none"> - The AP framework provides an effective means of ensuring efficiency and added value of projects and should be continued in the future as a primary means of organising CoE projects in BiH. However, the limited visibility of the AP, as discussed in this report, detracts from the added value of projects by limiting cross-project synergies. <i>(para 145)</i> 	
Recommendations to:	Priority level (1 (low priority) to 3 (high priority)):
<ul style="list-style-type: none"> - Programme designers and co-ordination - Project designers 	3
Management Decision (Accept/Partially Accept/Reject): Partially accept	
Management response	
<ul style="list-style-type: none"> - The first recommendation is already fully addressed due to the nature of the Action Plan (and related projects) that is based on the needs and priorities of governmental institutions of Bosnia and Herzegovina, including enlargement priorities, and is aimed at supporting Bosnia and Herzegovina in fulfilling the Council of Europe monitoring bodies' recommendations. The Action Plan aims to contribute to overall stability and democracy in Bosnia and Herzegovina. It assists the country in fulfilling its obligations as a Council of Europe member state by bringing legislation, institutions and practice further into line with Council of Europe standards in the areas of human rights, rule of law and democracy. Council of Europe technical assistance programmes form an integral part of the unique strategic triangle of standard-setting, monitoring and co-operation: the development of legally binding standards is linked to their monitoring by independent mechanisms and supplemented by technical co-operation to facilitate their implementation. The Organisation's actions are developed and implemented in areas where the Council of Europe has strong expertise and added value. The priority areas for the Action Plan are derived from the country's reform agenda including the EU accession criteria, resolutions and recommendations of the Committee of Ministers, Parliamentary Assembly (PACE) and the Congress of Local and Regional Authorities (Congress), relevant Council of Europe standards and findings of monitoring bodies - European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), the Group of States Against Corruption (GRECO), Group of Experts on Action against Trafficking in Human Beings (GRETA), Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), the Committee of Experts on the Evaluation of Anti-Money Laundering Measures and the Financing of Terrorism (MONEYVAL), the Framework Convention for the Protection of National Minorities (FCNM), European Commission Against Racism and Intolerance (ECRI), opinions of European Commission for Democracy through Law (Venice Commission), reports of the Commissioner for Human Rights (the Commissioner) and shortcomings identified in the judgements of the European Court of Human Rights (ECtHR), building upon the results of previous co-operation programmes in Bosnia and Herzegovina. - As far as measuring results is considered, after the devise and adoption of the Action Plan, the Committee of Ministers of the Council of Europe (CM) assesses the overall results of the Action Plan implementation through its Group of Rapporteurs on Democracy (GR-DEM). The GR-DEM considered the Action Plan Progress Review Report (covering June 2018 – March 2020) at its meeting on 18 June 2020. Action Plan level reports are also prepared on an annual basis to donors contributing to the Action Plan – the last one covered 2020 and was shared with donors on 31 March 2021. 	

In addition, results-based reporting training sessions have been organised for HQ and some of the field offices' staff to make sure that they are acquainted with developing detailed a logical reasoning chain from activities up to impact. Staff was encouraged to devise efficient and balanced reports and assessments which include outcomes formulation and key figures. Similarly, training sessions on the Council of Europe PMM have been organised on a regular basis and new staff has been strongly encouraged to attend to improve their skills in developing project proposals and formulating clear outcomes, outputs and their indicators.

- Finally, it is worth mentioning that the Council of Europe does not intend to ensure visibility of the Action Plan itself but rather of its results. This is ensured at project implementation level (please see further information below). The lack of visibility of the Action Plan itself to citizens does therefore not impact its added-value and efficiency as long as visibility of co-operation results is ensured.

Planned Actions	Target Date for Action	Entity Responsible for Action
<ul style="list-style-type: none"> - The elaboration of the new Action Plan to be carried out¹ taking into account consultations and strategic priorities of the authorities of Bosnia and Herzegovina, and ensuring that the objectives of the Action Plan and the projects implemented under its framework are aligned with the priorities of the EU strategy for the Western Balkans; - Preparation of the new Action Plan ensures clear definition of objectives and data collection processes are used in the framework of related projects to allow for more efficient reporting against the expected outcomes and better measure the progress made; - Clear linkages and relevant justification/rationale in line with the Council of Europe monitoring bodies and EU standards will continue to be consistently incorporated into project proposals already from the programming phase. The Action Plan will continue to be built on the Council of Europe monitoring bodies recommendations and its results will feed into their work in line with the Council of Europe's strategic triangle of standard-setting, monitoring and co-operation according to which the development of legally binding standards is linked to their monitoring by independent mechanisms and supplemented by technical co-operation to facilitate their implementation. The 	May 2021 onwards (preparations of the Action Plan for Bosnia and Herzegovina 2022-2025)	Council of Europe: <ul style="list-style-type: none"> - ODGP HQ - Project teams in MAEs

¹ The Council of Europe Action Plan for Bosnia and Herzegovina 2022-2025 is to be devised following the internal workflow (kicked off by a roundtable on priorities) based on the collection of Council of Europe monitoring bodies recommendations by ODGP and the thematic priorities and expected outcomes identified by all MAEs concerned with a strong input by the Council of Europe office in Sarajevo. The draft Action Plan is then consulted with the authorities from Bosnia and Herzegovina. Consultations with international partners including the European Union and other stakeholders, through co-ordination and project steering committees, are also taking place in the preparation process of the document. The inclusive process ensures that the Action Plan objectives are in line with the national reform priorities and the country's European accession agenda and allow to secure ownership from the authorities. For more information on the Council of Europe Action Plan devise process, please refer to Council of Europe Directorate of Internal Oversight, *Evaluation of Strategy Development and Reporting*, June 2020, Appendix 10, p.67, available at <https://rm.coe.int/dio-2020-31-evaluation-of-strategy-development-en/16809f6cd9>.

<p>Organisation's actions are to be developed and implemented in areas where the Council of Europe has strong expertise and added value.</p>		
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Evaluation recommendations on co-ordination and synergies:

- The CoE should continue to strengthen the mechanisms that ensure internal co-ordination and coherence across AP projects. This could include joint activities and sharing of lessons learned to also include projects that are not well linked with other projects or topics across the Action Plan.
- The CoE should build on existing synergies between national and regional projects and use its comparative advantage in the regional dimension where positive outcomes are found to be sustainable and beyond the life cycle of a project.
- The CoE should continue to ensure that mechanisms of co-ordination and coherence of projects within the Action Plan with other institutions and donors are enabled. *(para 141, 142, 144)*

Recommendations to:	Priority level (1 (low priority) to 3 (high priority)):
<ul style="list-style-type: none"> - Programme management and co-ordination - Project implementation 	<p>2</p>

Management Decision (Accept/Partially Accept/Reject): **Accept**

Management response

- Several key examples of synergies between the projects implemented under the Action Plan are to be recalled. They illustrate the synergies between different project teams who are encouraged to ensure co-ordination and seek synergies between the respective projects. These are encouraged by the Sarajevo office management and facilitated thanks to the regular staff meetings in the Office. Under the European Union/Council of Europe joint programme Horizontal Facility for the Western Balkans and Turkey – phase II (Horizontal Facility), anti-discrimination actions closely co-ordinated with the European Union/Council of Europe joint programme ROMACTED and with the actions on freedom of expression on the issue of hate speech in Bosnia and Herzegovina.
- Synergies were also sought across the South-East Europe region. For instance, 28 secondary school pupils from 14 of the 29 pilot schools in Bosnia and Herzegovina participated in regional Online Democratic Chat Rooms and exchanged with pupils from Montenegro and Serbia on democratic values. In the field of cybercrime, simulation exercises reinforced international co-operation in investigating and prosecuting transnational criminal activities by using effective international channels and avenues on the basis of the Council of Europe Convention on Cybercrime and Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism. Synergies were also created between the European Union/Council of Europe joint programme “Co-operation on cybercrime: Targeting crime proceeds on the internet and securing electronic evidence (iPROCEEDS2)” with the European Union mechanisms and initiatives such as Eurojust and the CyberEast and CyberSouth joint programmes.

- Complementarity is also sought consistently between Bosnia and Herzegovina-specific projects and regional projects implemented under the Action Plan. While regional initiatives allow to enhance cross-fertilisation in certain thematic areas, they also are an essential factor of shared experiences and good practices that can be replicated at the domestic level. The regional European Programme for Human Rights Education for Legal Professionals (HELP) provided training modules adapted to the national legal system for legal professionals which complemented specific projects aimed at strengthening the efficiency of the judiciary in Bosnia and Herzegovina and tackling trafficking in human beings. Similarly, under the regional action “Initiative for legal certainty in the Western Balkans” implemented under the Horizontal Facility provided an overview of existing tools for the harmonisation of judicial practice in the region to serve as a basis for identification of practices and their improvement at the domestic level.
- Co-ordination to ensure efficient use of resources and the relevance of the Council of Europe’s actions is performed at different levels and in different forums, including the CM.

The Council of Europe co-ordinates closely with relevant international partners, notably the EU, and in particular the EU Delegation (EUD) in Bosnia and Herzegovina. Co-ordination is also ensured with the Office of the High Representative (OHR), the UN and the Organisation for Security and Co-operation in Europe (OSCE), the International Organization for Migration (IOM). To ensure efficiency and avoid the overlapping of activities, the Council of Europe also co-ordinates with member States’ development agencies and actively participates in different co-ordination panels in the country, as follows:

- Board of Principals under the chairmanship of the High Representative, serving as the main body co-ordinating the activities of the international community in Bosnia and Herzegovina. Political briefings of the OHR took place on a bi-weekly basis;
- Local Governance donor co-ordination group (Chaired by the United Nations Development Programme (UNDP) on behalf of Swiss Development Co-operation with the participation of EUD, OSCE and several Embassies representing among others Sweden, the United Kingdom, the United States, Czech Republic);
- Inter-agency Working Group on Gender Equality chaired by UN Women;
- Donor Co-ordination Meeting on Migration chaired by EUD;
- International Community Co-ordination meeting on rule of law chaired by the EUD,
- International Community Co-ordination meeting on cybersecurity chaired by the EUD;
- Co-ordinated International Community Support to the reform and transformation of Education in Bosnia and Herzegovina chaired by the OSCE;
- Roma Thematic Group (a body operating under the auspices of the Ministry of Human Rights and Refugees, and which also includes all international organisations dealing with Roma issues, such as the OSCE, various United Nations (UN) agencies, the EUD, Care International, etc.);
- Thematic group on developments in Republika Srpska and Thematic group on Brčko District (OHR, EUD, OSCE and a number of Embassies);
- Thematic group on the legal framework on conflict of interest, chaired by OSCE;
- Thematic group on freedom of assembly (chaired by OSCE);
- Thematic group on reconciliation/ Srebrenica commemoration.

At some instances, international partners are also invited to participate to project’s meetings. For instance, the United Nations Educational, Scientific and Cultural Organization (UNESCO) takes part to the Project Board of the Council of Europe project on medial literacy to achieve common goals in this area.

Planned Actions	Target Date for Action	Entity Responsible for Action
<ul style="list-style-type: none"> - Efficient use of resources and the relevance of the Council of Europe’s actions continues to be co-ordinated at different levels, including the Committee of Ministers; - Cross-cutting synergies of projects within the Action Plan to be further ensured at the design stage of the Action Plan to ensure complementarity of the interventions where possible. This included for instance organising a roundtable with the MAEs to collectively discuss the Organisations’ priorities; - To ensure efficiency and avoid the overlapping of activities, the co-ordination will also continue with member states’ development agencies; - Further strengthening of the co-ordination with relevant international partners, notably the EU, and in particular the EU Delegation in Sarajevo, as well as with the Office of the High Representative, the United Nations, the Organisation for Security and Co-operation in Europe and the International Organization for Migration. This could be done by systemising the participation of international partners at project steering committees and events when relevant and possible; - To continue sharing annual reports with donors: - The external evaluation of the ongoing Action Plan to be shared with the donors. 	<ul style="list-style-type: none"> - Continuous action - March 2021 onwards (preparations of the Action Plan for Bosnia and Herzegovina 2022-2025, roundtable held on 18 March 2021) 	Council of Europe: <ul style="list-style-type: none"> - ODGP HQ - Sarajevo Office

Evaluation recommendations on impact and sustainability of the Action Plan:

- The CoE should continue using **all monitoring tools available** to enhance sustainability and impact of the Action Plan, including those at country level and specific to the AP (e.g. reporting) and Council of Europe level (e.g. GREVIO, PACE, ECRI).
- The CoE should encourage **multi-stakeholder approaches** at all stages of the AP cycle (planning, implementation, monitoring and evaluation) and at all levels of AP implementation (European, national, local). *(para 149-150)*

Recommendations to:	Priority level (1 (low priority) to 3 (high priority)):
<ul style="list-style-type: none"> - Programme management and co-ordination - Project management/implementation 	3

Management Decision (Accept/Partially Accept/Reject): **Accept**

Management response

There seems to be a confusion between recommendations of monitoring bodies and monitoring the results of the Action Plan implementation.

- The Committee of Ministers of the Council of Europe (CM) assesses the overall results of the Action Plan implementation through its Group of Rapporteurs on Democracy (GR-DEM). The GR-DEM considered the Action Plan Progress Review Report (covering June 2018 – March 2020) at its meeting on 18 June 2020. In addition, reports are prepared for donors having contributed at Action Plan level.
- Monitoring bodies of the Council of Europe are key tools in the process of assessing its member states' compliance with Council of Europe standards and commitments. There are different monitoring cycles for each body. Although the working cycles of monitoring bodies are independent from the Action Plan devise and implementation cycle, monitoring bodies' recommendations are used as a basis for its design and implementation process. For instance, MONEYVAL *Fourth Round mutual evaluation of Bosnia and Herzegovina* was published in September 2020. GRECO *Second Compliance Report of the Fourth Round Evaluation on Bosnia and Herzegovina* was made available in December 2020. GRETA's 3rd evaluation round final report, which has a thematic focus on "Access to justice and effective remedies for victims of trafficking in human beings" is expected by March 2022. The next GREVIO assessment final report is expected by the end of the year 2022. The Council of Europe ensures to adapt technical co-operation activities to their recommendations. In addition, results of the Action Plan will also feed into the reports issued by monitoring bodies.

Results-based monitoring and reporting are fundamental aspects of the Council of Europe technical co-operation. They are based on measuring progress in achieving the expected outcomes against indicators and targets. The internal monitoring and reporting are ensured by ODGP and MAEs. This is carried out on the basis of the information collected and submitted by project teams. The information is collected in the PMM IT Tool. The PMM IT Tool is used for the management of all co-operation activities in line with the Council of Europe Project Management Methodology (PMM). The PMM IT Tool integrates information on projects, including their logframes, budgets and lists of activities, and makes this information accessible to the staff in both Headquarters and Council of Europe External Offices.

The multi-stakeholder and multi-disciplinary approach at all stages of the Action Plan cycle are key factors for securing impact and sustaining results. For instance, the support provided in the field of prisons engages in a close-knit network of different agencies tasked with apprehending, rehabilitating, and reintegrating offenders. Capacity building-activities brought together various professionals from different backgrounds (labour inspectors, staff from the anti-trafficking department, representatives from CSOs and social workers) to develop an integrated anti-trafficking approach. Joint public and private initiatives, in particular with Internet service providers were launched to establish information sharing and intelligence exchange mechanisms on cybercrime. The current assistance in the field of education contributing to the implementation of the *Policy recommendations with a Roadmap*, drafted in April 2019 and adopted in 2020 is a perfect illustration of the sustainability of the support provided.

Moreover, the Council of Europe's implementation methodology aims to reinforce ownership by national stakeholders and to ensure the sustainability of the outcomes. The inclusion of HELP courses in the overall initial and continuous education curricula of the national training institutions for judges and prosecutors and Bar Associations is of particular relevance in this regard. Given the existence of a pool of HELP certified trainers (trained under previous projects) beneficiary institutions are intended to take ownership of and implement the HELP courses. To harmonise judicial practice in equal legal and similar factual situations, civil, criminal and administrative descriptors (key words), for the case law database, which is currently under development, were

formulated and adopted by the highest instance courts. Along with the national case-law descriptors, civil, administrative and criminal law human rights key words were identified in line with the case classification method of the Constitutional Court of Bosnia and Herzegovina and the ECtHR.

Planned Actions	Target Date for Action	Entity Responsible for Action
<ul style="list-style-type: none"> - Annual reporting exercises, evaluation of the previous Action Plan and the latest Council of Europe monitoring bodies' reports to be further and consistently used to feed into implementation of projects within the Action Plan; - Multi-stakeholder approach to be further pursued along all stages of the action plan; joint approaches to be sought involving the authorities, academia, associations and students as well as both public and private partners where possible; - Ownership by the authorities and national stakeholders of the support provided at within projects implemented under the Action Plan to be further strengthened, when it comes to both legislative reform processes and their application by relevant professionals of beneficiary institutions. 	<p>May 2021 onwards (preparations of the Action Plan for Bosnia and Herzegovina 2022-2025)</p>	<p>Council of Europe:</p> <ul style="list-style-type: none"> - ODGP HQ - Project teams in MAEs - Sarajevo Office

Evaluation recommendations on the Action Plan and its projects cost management and efficiency:

- The use of digital technologies to reduce costs of travel should become an accepted practice in the future, where appropriate and justified. The use of videoconferencing strengthened to deal with the effects of the COVID-19 pandemic was highly effective for projects where reduced interpersonal contact did not have adverse impacts on group dynamics. For some projects and activities, especially with disadvantaged and vulnerable groups, personal contact is at the core of the CoE's value added, and this practice will need to be maintained as far as possible. However, it should be recognised that enhanced use of digital technologies can lead to cost savings and release resources which could be redeployed to support other activities.
- While projects were on the whole cost effective, it was reported to the evaluators that some project teams lack budgeting skills despite the availability of a budget tool that is available to guide users and the support of financial services staff to support project teams in the field. Therefore, from a strategic point of view, more attention should be given to the analysis of cost effectiveness of projects by the central management teams in the future, taking account of both financial and human resource deployment and allocations.
- The CoE should allocate a BiH-based contact point, even if on a part-time basis, for the occasional projects where this has not been possible in the past (for example for regional projects and projects with little funding). *(para 146-148)*

Recommendations to:

Priority level (1 (low priority) to 3 (high priority)):

- Programme management and co-ordination

2

<ul style="list-style-type: none"> - Project management - Financial management 	
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Management Decision (Accept/Partially Accept/Reject): Partially accept

Management response

On the one hand, the pandemic-related restrictions triggered or accelerated innovation in some fields, especially in the area of IT-based solutions. Experience gained can be transferred to future implementation practice. On the other hand, for some activities, especially study trips and placements, some training activities and politically sensitive areas, no adequate alternative solutions were found yet. Although overall beneficiaries adapted rather well, the move from in-person gatherings to online events proved challenging due to some technical limitations such as the beneficiaries' lack of or inadequate IT equipment, knowledge and skills; unwillingness of some beneficiaries to use the online communication platforms; stricter limitation on the number of participants to capacity-building interventions etc. The online format of the training and coaching sessions required flexibility. Although the level of knowledge and skills acquired during the sessions among a number of participants increased, further training sessions and regular refresher activities are necessary. It also appeared that more support was needed during the sessions by the trainers in this context. In cases where hybrid events were possible, the participation of international experts online whilst local experts were in situ, made it possible to ensure, to a certain extent, the interactivity of various workshops and training sessions. Preference should be given to shorter and smaller online meetings. In addition, it should be kept in mind that personal contacts and exchanges including at the regional level are also part of the comparative advantage of the Council of Europe and cannot persistently and sustainably be fully replaced by online alternatives. In a post-COVID-19 period, options for mixing in-person and online meetings are to be explored when possible with all precautionary measures being implemented.

In some cases, planned activities had to be postponed until after in-person meetings can resume due to their irreplaceable character. This can be for example illustrated by the revision of the history curricula under the assistance provided in the field of education. The high sensitivity of the issue makes the possible online format inappropriate potentially undermining results. Instead, mitigation measures such as facilitating a series of smaller focus groups with mixed participation from different ministries are being explored.

No further progress could be achieved in 2020 under the Council of Europe confidence building measures (CBM) assistance aimed to enhance inter-municipal co-operation across the entity boundary line with a view to progressing reconciliation and overall democratisation efforts. While direct assistance in the municipalities is the cornerstone of the support provided, assistance was heavily impacted by the COVID-19 outbreak and related restriction measures although consent from the municipalities to co-operate was secured prior to the emergence of the pandemic. Furthermore, the awareness-raising activities planned to be rolled-out prior to the election campaign for the local elections could not implemented due to the COVID-19 pandemic and related precautionary measures.

As far as budgeting is concerned, it is paramount to mention that project teams receive the support of the MAEs central division to devise budget and financial reports as well as from financial officers in the field. ODGP also reviews and approves budgets and financial reports when projects teams are composed of local staff in the Sarajevo Office. In addition, the Council of Europe makes financial expertise training sessions available to its staff in HQ and in the Sarajevo Office. Moreover, since 2016 the Council of Europe has been [pillar assessed](#) by the EU to evaluate the level of protection of its financial

interests which reflects the sound financial management of the Organisation. The Council of Europe is regularly subjected to pillar assessments.²

The vast majority of projects has local staff with the rare exception of regional projects and some projects with limited funding³ (which is rare as well and was the case for only two country-specific projects under the Action Plan). The lack of sufficient funding made it difficult to ensure that local staff working on these projects with limited funding is present in the Sarajevo Office. Similarly, it would be financially impossible to hire local staff in each Council of Europe Office implementing regional projects. The roles of the Council of Europe Head of Office, Deputy Head of Office or Head of Operations and ODGP Programming in this regard is paramount. The Council of Europe Head of Office, Deputy Head of Office or Head of Operations already fulfil the recommended co-ordination role to the extent possible in the rare occasions when it is required. It is worth adding that as per a recent decision, the Sarajevo Office is systematically consulted on the staff composition of each project in the preparatory phase in particular when it comes to staff working locally. Based on the Council of Europe experience, hiring local staff on a part-time basis should be exceptional and full time engagements should be privileged.

Planned Actions	Target Date for Action	Entity Responsible for Action
<ul style="list-style-type: none"> - Organisation of meetings in hybrid or fully online formats as part of project activities to be considered as a possible alternative to in-person meeting when relevant and if on-site participation is not essential; - Central management to continue ensuring that project teams have sufficient budgeting skills evenly dispatched taking into account financial and human resources; adequate support and training activities on financial issues to be further provided to project staff in the field. - Council of Europe Head of Office, Deputy Head of Office or Head of Operations to continue ensuring the field-based co-ordination of projects implemented without local staff when required. 	<ul style="list-style-type: none"> - Continuous action 	Council of Europe: <ul style="list-style-type: none"> - ODGP HQ - Field finances - Project teams in MAEs

Evaluation recommendations on gender mainstreaming:

- The CoE should utilise their comparative advantages to **strengthen gender mainstreaming**. This could be done by translating the Gender Mainstreaming Strategy and the checklists for reporting into the project level activities and in assessing the project’s contribution to gender equality at all stages. CoE should make sure that the concepts and practices of gender mainstreaming, gender equality and gender sensitive approach are not lost in the gap of translating theory to practice, but are fully understood and implemented by staff at the project level. This means that a shared understanding is achieved by all parties at all stages of the project life cycle so that CoE achievements in gender mainstreaming are evidenced and credit is given where credit is due. *(para 138)*

² The latest one was conducted in March 2021.

³ This was the case for instance for projects which covered the execution of the *Sejdić and Finci* Group of judgments and electoral support.

- Making sure that a shared and coherent understanding of both HRA and GM is achieved and maintained is crucial as it has wider and sustained effects at all levels and for all parties that the CoE engages with via its Action Plan projects, which will in turn contribute to the achievement of the goals that the CoE is working towards in the country. (para 140)

Recommendations to:

Priority level (1 (low priority) to 3 (high priority)):

- Programme management and co-ordination
- Project implementation/management

3

Management Decision (Accept/Partially Accept/Reject) : Partially accept

Management response

Gender equality is one of the priorities of the Council of Europe and gender mainstreaming in all policies and measures is one of the six strategic objectives of the [Gender Equality Strategy 2018-2023](#). The Council of Europe [Gender Mainstreaming Toolkit for Co-operation Projects](#) offers practical guidance on the implementation of a gender dimension in co-operation activities within the Organisation as well as by national partners and other stakeholders. Toolkit operationalises the Strategy in a concrete way on how to mainstream gender in co-operation activities.

Action aimed at ensuring a gender-sensitive approach in the implementation of the Action Plan included constant efforts towards:

- providing and analysing gender disaggregated data and related information to enable the project teams to see the need for gender mainstreaming activities, and adjusting the project accordingly by integrating better the gender perspective;
- gender-balanced composition of implementation teams;
- gender balance in the selection of participants in project activities;
- gender-sensitive communication on projects. In this regard, a Gender sensitive communication checklist was developed to assist project staff;
- inclusion of gender issues in reporting. In this regard specific reporting guidelines has been developed.

Prior to and during project implementation, project teams can rely on the expertise of the gender mainstreaming advisor based in the Council of Europe Office in Pristina covering the South-East Europe region. The Advisor ensures that gender is mainstreamed in the project not only by consistently reviewing project proposals, descriptions of actions as well as logframes and reports (inception, progress and final reports), but also by promoting usage of tools such as gender analysis and gender impact assessments, and subsequently advises on implementing relevant recommendations to further integrate the gender dimension. The GMT advisor contributes to further developing tools and mechanisms aimed at this purpose and to further build the capacities of Council of Europe project staff in the region to further facilitate a gender-sensitive approach in projects.

Regarding the Action Plan, the following gender-specific actions can be reported:

- Conducting gender analyses in the fields of trafficking in human beings, freedom of expression and freedom of the media. Gender analyses and gender impact assessments are effective tools which allow for meaningful revisions of the actions' logframes by including gender-sensitive indicators and integrating gender considerations in the activities. Elements of the gender analysis in the field of trafficking in human beings, which was translated into the local language, were shared with international partners to invite them to integrate some of the recommendations in their respective on-going projects;
- Including gender-specific sessions in capacity-building activities or seminars on various topics such as trafficking in human beings, Roma inclusion and freedom of expression and the penitentiary sector. Gender sessions were included in 12 planned capacity-building sessions of labour inspectors, including gender-sensitive treatment of victims. A special capacity-building seminar for media professionals on how to integrate gender mainstreaming and gender policies into their daily work was also provided. A chapter of the police procedural human rights training manual was dedicated to the treatment of women as one of the vulnerable categories in the law enforcement environment. Specific procedures were described for dealing with migrant families, in particular mothers with children, whose fathers have been placed in immigration detention.;
- Encouraging the authorities to mainstream gender in their policy documents and in the drafting process of those documents. The use of gender-sensitive communication in the drafting of national action plans, guidelines and strategies was ensured. Equal opportunity principles and practices, such as gender equality, were advocated when devising the guidelines for drafting a comprehensive strategy for the selection and training of prison staff intended to work with violent and extremist prisoners (VEPs) in maximum security units. Equal participation of men and women (50% of women) in the Working Group (WG) preparing the LGBTI Action Plan was secured;
- Providing direct assistance to women such as disseminating awareness-raising materials to Roma women about their rights and women empowerment. Grants for projects which include components on women's rights, or which focus on combating gender-based violence especially towards women from national minorities were awarded;
- Raising awareness of the general public of gender issues, by including a specific focus on gender in awareness-raising campaigns. For instance, sexism, as a form of hate speech, will be tackled in the No Hate Speech Campaign.

The comprehensive focus on gender in the assistance provided in the field of trafficking in human beings is worth highlighting. Specific guidelines for integrating a gender perspective into local action plans (LAPs) to implement the Strategy to Suppress Trafficking in Human Beings in Bosnia and Herzegovina 2020-2023 were drawn up. This set of concrete gender-specific measures and activities, if adopted by relevant local institutions and integrated into LAPs for combating trafficking in human beings, should enable the relevant actions/measures to be taken by the government, national institutions and agencies, and address gender inequalities, gaps and vulnerabilities in the given field. Gender-sensitive indicators were added to the trafficking in human beings' checklist for labour inspectors. Last but not least, the gender dimension was integrated in the study on child trafficking.

Planned Actions	Target Date for Action	Entity Responsible for Action
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<ul style="list-style-type: none"> - Further sustain the ongoing efforts on consistent application of gender mainstreaming at all stages of AP and project implementation; - Gender mainstreaming training sessions for project teams to keep on rolling out, specific training session for the Council of Europe office in Sarajevo; - Achievements in gender mainstreaming to be better evidenced, guidelines for reporting will continue to be provided in order to further highlight the need to report on the initiatives mainstreaming gender; - Based on the guidelines, project teams to better report on how they mainstream gender in their activities; - The Action Plan for Bosnia and Herzegovina 2022-2025 will include a section on gender mainstreaming in technical co-operation. 	<ul style="list-style-type: none"> - Continuous action - Sarajevo Office training session: in the second half of 2021 (September-December 2021) - May 2021 onwards (preparations of the Action Plan for Bosnia and Herzegovina 2022-2025) 	<p>Council of Europe:</p> <ul style="list-style-type: none"> - ODGPHQ - Gender advisor - Project teams in MAEs - Sarajevo Office
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Evaluation recommendation on the human rights approach:

- To further encourage CSO's voice in planning and decision making the CoE should assess the viability of setting up a steering committee for the Action Plan to involve civil society organisations, when the conditions in the country permit.
- Following on the success of engaging with CSOs at the project level, the CoE might benefit by widening the partnership with civil society organisations of proven capacity to benefit as observers or participants at the strategic level. *(para 135-136)*
- The CoE could **strengthen** its work on raising **awareness of human rights approach**, standards and principles at the project level, from design to implementation in order to improve clarity on these concepts and how they can become an integral part of the projects at all stages. This is important as lack of clarity and a shared understanding by all parties at all levels, risks that CoE strengths and achievements in the field of human rights approach appear somewhat blurred because of the gaps in the shared understanding between the CoE HQ, project staff and project partners.
- Making sure that a shared and coherent understanding of both HRA and GM is achieved and maintained is crucial as it has wider and sustained effects at all levels and for all parties that the CoE engages with via its Action Plan projects, which will in turn contribute to the achievement of the goals that the CoE is working towards in the country. *(para 139-140)*

Recommendation to:

Priority level (1 (low priority) to 3 (high priority)):

- Programme management and co-ordination - Project implementation/management	2
Management Decision (Accept/Partially Accept/Reject): Partially accept	
Management response	
<p>Given the complex institutional structure of Bosnia and Herzegovina, the organisation of Action Plan Steering Committee cannot be envisaged as it would hamper the preparation and implementation of the Action Plan. The devise of and progress made under the Action Plan are to be jointly assessed by the Council of Europe and Bosnia and Herzegovina authorities, under the close co-ordination of the Ministry of Foreign Affairs and in co-operation with other governmental stakeholders, parliaments, civil society and independent governance institutions, such as the Institution of Human Rights Ombudsman/Ombudsmen of Bosnia and Herzegovina and local and regional authorities. In addition, Steering Committee meetings organised at the individual level of projects also account for assessment of the progress made under implementation of the Action Plan. Nonetheless, the Council of Europe strongly involves CSOs in project design and implementation through its human rights approach.</p> <p>The Council of Europe prioritises a human rights approach at all levels and stages of its activities. The Council of Europe’s human rights approach is based on European human rights standards and principles, with the ultimate goal to fulfil human rights. Its new Human Rights Approach Practical Guide for Co-operation Projects is expected to contribute to a better application of a human rights approach in project management and co-operation activities. This Action Plan is implemented in line with the four main principles of the human rights approach; participation and inclusion, including engagement with civil society; equality and non-discrimination; accountability; and transparency and access to information. This Action Plan promotes the active participation of civil society in project activities, as assessed by the external evaluation of the Action Plan and in accordance with the Guidelines on civil society organisations’ participation in Council of Europe’s co-operation activities. Action aimed at ensuring a civil society inclusive approach in the implementation of the Action Plan included:</p> <ul style="list-style-type: none"> ○ The participation of civil society organisations (CSOs) in programme and project Steering Committees including the Horizontal Facility Beneficiary Steering Committee meetings;⁴ ○ CSO participation in project activities as necessary and their inclusion as a main target group in some projects; ○ The active participation of two LGBTI CSOs in the working group drawing up the LGBTI Action Plan; ○ The consultation of CSOs dealing with national minorities or prevention of hate speech when preparing the <i>Comparative analysis on combating hate speech by Equality Bodies in the Western Balkans</i>. CSOs were also included in consultations on thematic research activities in the field of trafficking in human beings. CSOs of the City of Mostar, representing a variety of citizens’ interests ranging from youth policies to the protection of human rights 	

⁴ Where partners and stakeholders involved in the implementation of Horizontal Facility actions in Bosnia and Herzegovina gather once a year to take stock of the progress made in the past year. This is therefore limited to a certain number of actions (five) and their specific partners.

and culture, were also included in the drawing up of the deliberative process of the City. Consultations with CSOs will also play a key role in the selection of the topic for deliberation of the process in the City of Mostar;

- Awarding grants to CSOs on public awareness-raising to prevent trafficking and on anti-discrimination towards vulnerable groups.

The Council of Europe Action Plan for Bosnia and Herzegovina takes into consideration the specific needs of **vulnerable groups** by including projects aiming to improve the rights and/or the quality of life of vulnerable groups. These can include projects which have as the main target group national minorities and children, and projects to combat discrimination, to promote inclusiveness in education, and to combat hate speech. The protection of minority rights and the promotion of inclusiveness were at the heart of several country-specific and regional projects (relating to the protection of national minorities, education, the Institution of Human Rights Ombudsman/Ombudsmen of Bosnia and Herzegovina and confidence building measures), while most of the actions either addressed the issue of minorities or paid attention to ensuring a balanced representation of different cultural or social groups and ethnic minorities during their implementation. Some specific actions in this regard include:

- CSO grantees' implementing activities to deal with the negative consequences for marginalised groups caused by the COVID-19 pandemic (several TV and radio programmes and online documentaries), reaching out to vulnerable groups (such as Roma, LGBTI, people with disabilities etc) and sensitising the general population on discrimination and hate speech towards these groups. Empowerment of persons with disabilities was promoted through documentaries. Another [documentary](#) film of five successful stories from Roma women was also widely broadcast;
- Members of different disadvantaged groups taking part in the presentation of the *Study-Compilation of Media Practice in Bosnia and Herzegovina in Reporting on Marginalised Groups*⁵ to express the views of the communities they represent;
- Roma representatives participating in the working group drafting the new *Action Plan for Social Inclusion of Roma (2021-2025)*;
- Enshrining participation in the *Rulebook on the deliberative process in Mostar* and in the tailored methodology for the deliberative process in the City of Mostar. The rulebook lays out a set of standards and guiding principles to be followed, namely: democracy is for everyone; the deliberative process is to be organised in a fair and credible way; people are sovereign in democracy; democracy is to improve the quality of life, and the purpose of the deliberative process is to achieve quality and well thought-out decisions;
- Inclusion of citizens in the City of Mostar deliberative process. Citizens will be selected through a specific method of random selection, which will ensure the participation of individuals of different ages and gender, with different ethnic, socio-economic and educational backgrounds, thereby mirroring the demographic and sociological composition of the City.

To promote equality and non-discrimination, a number of interesting initiatives implemented under the projects covered by the Action Plan are worth mentioning:

- In the questionnaire on knowledge/perceptions of civil servants on hate speech, civil servants were given the option to respond to the question of their gender with a third option 'other' and the possibility to self-describe;
- Including individuals from different ethnic origins among project contributors and participants.

⁵ With reference to national minorities, children, persons with disabilities, members of LGBTI community, migrants and other groups.

A specific effort to ensure accountability in the implementation of the Action Plan includes the adaptation of activities in the field of anti-discrimination following consultations with CSOs prior to the implementation of certain initiatives.

With regard to transparency and access to information, several good practices are to be noted under the Action Plan implementation:

- Sign language interpretation of the online Pride speeches was provided;
- Campaign materials to raise awareness of the risks and possible signs of trafficking in human beings for the purpose of labour exploitation were delivered in the Romani language;
- Information on COVID-19 related restrictive and protective measures, and on the risks of domestic violence during lockdowns was provided in the Romani language;
- The first training session of the Minority Co-ordination Group (MCG) was open to national minorities/CSOs which are not regular members of the group;
- The documents on the methodology of the deliberative process of the City of Mostar will be presented to and discussed with the city authorities and within relevant bodies to be established as part of the citizen deliberation process.

Prior to and during project implementation, project teams have relied on the expertise of the human rights advisor based in the Council of Europe Office in Sarajevo covering the South-East Europe region. The human rights advisor has ensured that the human rights approach is applied and followed in projects notably through the review of project proposals, descriptions of actions as well as logframes and reports (inception, progress and final reports). The human rights advisor has contributed to further developing tools and mechanisms aimed at this purpose and to further build the capacities of Council of Europe project staff in the region to further apply a human rights approach in projects. In this context, substantial efforts were already made to consistently apply a human rights approach at all levels of implementation.

Planned Actions	Target Date for Action	Entity Responsible for Action
<ul style="list-style-type: none"> - Guidelines on reporting will further sensitise on the need to focus on reporting against the four principles of the Human Rights Approach – at the level of project implementation and at HQ level to help increase the understanding of the approach by all parties involved and thus better report on the concrete application of the human rights approach in their respective projects; - Good practices of relevant application of the Human Rights Approach will consistently be shared and replicated where possible at all levels of implementation; - CSOs’ participation in project implementation will continue to be increased through the use of small grants schemes, as well as additional consultations and inclusion during project activities. 	<ul style="list-style-type: none"> - Continuous action - May 2021 onwards (preparations of the Action Plan for Bosnia and Herzegovina 2022-2025) 	Council of Europe: <ul style="list-style-type: none"> - ODGP HQ - Human rights advisor - Project teams in MAEs - Sarajevo Office

Evaluation recommendations on visibility:

- The CoE should devise a **comprehensive communication strategy** for the next Action Plan, ensure coherent implementation of communication measures across all Action Plan projects and ensure its implementation throughout the next Action Plan with appropriate communication strategy monitoring and evaluation.
- Planning of the Action Plan communication strategy should also be **co-ordinated with other significant donors** and programmes such as the EU/CoE Horizontal Facility or its successors, and actively involve the institutions of Bosnia and Herzegovina and the entity governments.
- The Council of Europe should consider developing an Action Plan **public engagement and public outreach plan** for each Action Plan project, co-ordinated with the Action Plan communication strategy. The plan should consider available resources and communication objectives and clearly state the objectives and limitations of public engagement of each Action Plan project. *(para 151-153)*

Recommendations to:

Priority level (1 (low priority) to 3 (high priority)):

- Programme management and co-ordination
- Project management

1

Management Decision (Accept/Partially Accept/Reject): Partially accept

Management response

The Council of Europe prioritises the communication and visibility of the results of the Action Plan rather than the document itself. While the Action Plan for Bosnia and Herzegovina is visible among donors and beneficiaries, it is worth noting that for the wide public the Action Plan is communicated about through concrete results achieved within the projects implemented as a part of the Action Plan. In that regard, benefits of the projects for citizens of Bosnia and Herzegovina are the focus of external communication, aimed at the Action Plan's final beneficiaries – the citizens. Communication is thus mainstreamed through bringing stories of people who benefited from these projects – *e.g.* through documentaries about national minorities, LGBTI persons, victims of trafficking in human beings and other vulnerable groups. The projects also have a significant awareness-raising dimension – through campaigns implemented so far, the citizens of Bosnia and Herzegovina have had the opportunity to learn about dangers of hate speech, fake news, fake job advertisements that can lead to trafficking in human beings and also how to combat these dangerous phenomena. All the campaigns have a strong visibility dimension, highlighting the partnership of the Council of Europe, donors, CSOs (those implementing some of the campaigns), as well as institutions of Bosnia and Herzegovina on all levels.

While harmonisation is already ensured at the level of joint programmes and facilities such as the Horizontal Facility, where all actions develop individual communication plans, consideration could be given to the development of visibility measures at the level of the Action Plan if sufficient funding is available in the future.

Planned Actions	Target Date for Action	Entity Responsible for Action
<ul style="list-style-type: none"> - If the budgetary situation allows, the development of specific visibility measures and strategy to be considered for the next Action Plan for Bosnia and Herzegovina 2022-2025 . 	May 2021 onwards (preparations of the Action Plan for Bosnia and Herzegovina 2022-2025)	Council of Europe: <ul style="list-style-type: none"> - ODGP HQ - Sarajevo Office