

Round table discussion
on article 24 of CPRD in
BiH, October 2018.

PEACE FOR ALL:

Inclusion of persons with disabilities in peacebuilding

A country study of Bosnia and Herzegovina ^(BiH)

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Acronyms

BiH	Bosnia and Herzegovina
CRPD	UN Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organisation
CDC	Centre for Disease Control and Prevention
DFF	Dialogue for the Future
EC	European Commission
EIDHR	European Instrument for Democracy and Human Rights
FBA	Folke Bernadotte Academy
FBiH	Federation of BiH
ICT	Information and Communications Technology
IDP	Internal Displaced Persons
IPA	Instrument for Pre-Accession Assistance
LDP	Local Dialogue Platforms
OHR	Office of the High Representative
OPD	Organisation of Persons with Disabilities
RS	Republika Srpska
SDG	Sustainable Development Goal
UNCT	United Nations Country Team
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific, and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children's Emergency Fund
UNSCR	United Nations Security Council Resolution
USAID	United States Agency for International Development
WID	World Institute on Disability

Executive Summary

THE REPORT PRESENTS findings, conclusions and recommendations of a country study of Bosnia and Herzegovina (BiH)¹ under the international study project titled 'Peace for all – inclusion of persons with disabilities in peacebuilding', implemented by MyRight (April 2020 – March 2021) with funding from the Folke Bernadotte Academy.

The overall aim of the study is to facilitate access to knowledge and provide recommendations to UN agencies and other parts of the international community on how to meaningfully engage persons with disabilities and consider their rights, needs and perspectives in peacebuilding initiatives. The country case study does so by analysing the capacities, policies, strategies and approaches on inclusion of persons with disabilities among key UN agencies and other relevant international and national stakeholders involved in peace and reconciliation processes in BiH. The study also presents the views, needs and interests of Organisations of Persons with Disabilities (OPDs) on the inclusion of persons with disabilities in these processes.

BiH has signed and ratified all international human rights treaties including the Convention on the Rights of Persons with Disabilities (CRPD) and large-scale peacebuilding initiatives have been implemented with support of the international community. However, the socio-political situation in the country remains fragile and fragmented by ethnic division. Meaningful reconciliation in BiH remains elusive. Judicial efforts have brought war criminals to justice, but they have not contributed to cross-community dialogue or reconciliation, as ethnic divisions are still largely present throughout the country. Such context implies a very difficult position for persons with disabilities in BiH in all spheres of life. Constituting approximately 15% of the

overall population², persons with disabilities in BiH face different types of discrimination despite the legislative non-discrimination provisions. The main problems include the lack of state-level strategy for raising public awareness or promoting the human rights of persons with disabilities, insufficient legislative solutions and the lack of budgetary allocations, coupled with the fact that persons with disabilities continue to be excluded from the decision-making processes on issues affecting society as a whole.³

Key conclusions

From the perspective of the OPDs that participated in the study, persons with disabilities are generally excluded from decision making processes in BiH. A (mis)perception in society that being disabled means being unwilling and/or incapacitated to participate in decision making processes is identified as the underlying cause of exclusion. Despite the progress made in empowerment of OPDs over the years, more work is needed in this regard in order to ensure that OPDs become more active on issues that go beyond the needs and rights of their primary beneficiaries.

There are many organisations in BiH involved in peacebuilding processes, including international multilateral organisations and local and international CSOs. The efforts of international organisations to include persons with disabilities in their peacebuilding processes are guided by the principles of the human rights-based approach and social cohesion at the policy level. These approaches within Dialogue for the Future 2 (DFF2) led to some positive outcomes at the project level, for example in UNDP-led project, which allocated 15 percent of small grants to persons with disabilities. However, based on the views expressed by OPDs in this study, the programme design and implementation are not always sufficiently guided by these principles.

OPDs would like to be increasingly consulted and engaged in on-going and future peacebuilding initiatives in BiH. A more strategic approach to disability inclusion is needed to better promote and implement international standards and commitments.

Although the CSO community has played a key role in peacebuilding, most of these organisations reported that they have not had a specific focus on persons with disabilities. CSOs generally provide equal opportunities to all citizens to participate in their projects. However, these organisations have not taken specific measures to ensure the meaningful participation of persons with disabilities. This illustrates a clear need to strengthen institutional commitments and develop a strategic focus on persons with disabilities in peace and development initiatives. A more strategic approach by the international community could also help push the government to implement international standards pertaining to the inclusion of persons with disabilities in peacebuilding processes.

Overall, additional resources, capacities and expertise are needed in order to meet the specific rights and needs of persons with disabilities. This includes, for example, access to information about initiatives adapted to impairment and ensuring physical accessibility to venues; combating stigma and shifting narratives about persons with disabilities. In other words, general accessibility and reasonable accommodation are necessary preconditions for equal possibilities of persons with disabilities to participate equally in peacebuilding initiatives. In addition, comprehensive and disaggregated data on the age, gender, type of disability or other data of persons with disabilities are necessary to ensure inclusion of different sub-groups of persons with disabilities. BiH currently lacks systems for gathering and analysing such data and needs support from the international community in addressing this gap.

Main recommendations

To UN agencies

i. Ensure comprehensive implementation of UN-SCR 2475 (2019) and the UN Disability Inclusions Strategy (2019) by taking concrete actions to address the unique challenges experienced by persons with disabilities in BiH's peacebuilding process. Increased efforts to remove the following barriers to meaningful participation are highly needed:

a. Information and communication: Make information about peacebuilding programmes and activities accessible to all persons with disabilities by establishing and maintaining close contacts with OPDs and adapting information and communication tools and materials to their needs.

b. Physical accessibility: Ensure that all venues where peacebuilding activities are planned and implemented are made accessible to persons with disabilities with different needs.

c. Stigma and social exclusion: Implement activities to combat stigma and misperceptions about persons with disabilities through public awareness raising. Mainstream components of empowerment of persons with disabilities in projects and where possible, allocate additional resources to support the capacity building of OPDs, in accordance with the CRPD.

d. Data⁴: Work together with the State and responsible BiH authorities to develop disability-related data, including qualitative and disaggregated data to strengthen planning and monitoring. Disaggregated data is highly needed to ensure that the specific needs and rights of women and youth are fulfilled.

e. Budgeting: Allocate additional resources during strategic planning and project design to accommodate the specific needs and rights of persons with disabilities to ensure their participation in peacebuilding processes.

ii. Apply a mainstreaming approach to inclu-

¹The country case study in BiH was implemented during the period July 2020 to January 2021. ²MyRight, THE ALTERNATIVE REPORT on the implementation in Bosnia and Herzegovina of THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES, 2016, p.6. ³Ibid. ⁴No official data are kept on persons with disabilities. There are no statistical data on the total number of persons with disabilities, breakdowns by gender or age to serve as indicators of respect for their rights, and numbers of children with disabilities attending mainstream education or specialised institutions.

sion of persons with disabilities in peacebuilding projects and programmes.

iii. Transform the organisational culture to ensure it is in line with key elements of the UN Disability Strategy in the areas of staff capacity development, awareness raising, trust building and human and financial resources.

To other international institutions and national and international CSOs

iv. Make the information about peacebuilding projects accessible to all persons with disabilities, both through establishing and maintaining close contacts with OPDs and through adapting the information to their needs, such as Braille alphabet or sign language.

v. Continue contributing to the narrative that peace is not mere absence of war, but a concept that ensures an inter-ethnic trust, stability, freedom and rule of law in today's BiH. In this way, all persons with disabilities will have an opportunity to participate in peacebuilding initiatives, rather than just those who became disabled due to the war.

vi. Where possible, allocate additional resources during project design stage for increasing capacities, resources and expertise aimed at meeting the specific needs of persons with disabilities to ensure their participation in peacebuilding processes. Ensure the participation of women and youth with disabilities, as well as equal participation of persons with different types of disabilities, in these activities.

vii. CSOs should develop disability inclusion policies and strategies in accordance with the relevant international standards.

viii. Ensure the participation of women and youth with disabilities, as well as equal participation of persons with different types of disabilities, in these activities.

ix. Ensure cooperation between CSOs dealing with peacebuilding and OPDs to overcome lack of disability-related expertise in implementing projects. There is a general consensus among OPDs that it is necessary to create preconditions for inclusion of persons with disabilities in peacebuilding initiatives, which includes active and

meaningful participation of persons with disabilities already at the project design stage in order to acknowledge all specific actions that need to be taken in order to ensure the actual inclusion.

To OPDs

i. Continue contributing to a comprehensive and inclusive peace narrative in BiH with strong focus on inter-ethnic trust-building, universal human rights, justice and rule of law.

ii. Use “best practices” of inter-ethnic cooper-

ation between OPDs from different entities and ethnicities as a way to promote reconciliation and share these experiences with CSOs and other international peacebuilding organisations in BiH.

iii. Where possible, consider participating in available project calls for proposals in the areas of peace and reconciliation. Encourage youth with disabilities in civil society to take an active role in advocacy and activism as they could become a driving force for a more active engagement in peacebuilding. ★

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1. Introduction and background to the study

WITH FUNDING from the Folke Bernadotte Academy (FBA), MyRight has implemented an international study project titled "Peace for all – Inclusion of persons with disabilities in peacebuilding" (April 2020–March 2021). The overall objective of the study is to facilitate access to knowledge, and provide recommendations, on how to include persons with disabilities and their rights, needs and perspectives in peacebuilding initiatives. The overall project objective is closely linked to Sustainable Development Goals (SDGs): 5: Gender Equality, 10: Reduced Inequalities, and 16: Peace, justice and strong institutions.

MyRight commissioned Lejla Hadzimesic to implement the country case study of BiH, in close collaboration with MyRight's Stockholm-based Project Manager and MyRight's European Regional Coordinator based in Sarajevo. Another country study was in parallel implemented in Sri Lanka. The two country studies took the same approach to the extent possible in order to make findings

and conclusions as comparable as possible.

The international study project has been informed by global policy and practice on protection and inclusion of persons with disabilities in peace and conflict. The UN Security Council Resolution (UNSCR) 2475 (2019) on the protection of Persons with Disabilities in armed conflict represents the primary normative framework for the study, together with the Convention on the Rights of Persons with Disabilities (CRPD). UNSCR 2475 calls on Member States to enable the meaningful participation and representation of persons with disabilities, including their representative organisations, in humanitarian action and in conflict prevention, resolution, reconciliation, reconstruction and peacebuilding. At strategy and programming level, the UN Disability Inclusion Strategy (2019) is an important point of reference in the assessment and analysis of how UN agencies' work with disability inclusion on the ground. The strategy provides the foundation for sustainable and transformative progress on disability inclusion through all pillars of the work of the United Nations: peace and security, human rights, and development. The Strategy also includes a policy and an accountability framework, with benchmarks to assess progress and accelerate change on disability inclusion.



1.1 Overall purpose, objectives and the main study questions

The overall purpose of the country study in BiH was to assess and analyse capacities, policies, strategies and approaches on the inclusion of persons with disabilities among key UN agencies and other relevant international and national stakeholders in support of BiH's peace and reconciliation process.

The country study for BiH had the following key objectives:

OBJECTIVE A: Contribute to increased knowledge on inclusion of persons with disabilities in BiH's peace and reconciliation process by identifying potential best practices, key gaps and challenges with regards to inclusion of persons with disabilities within various agencies of the United Nations Country Team (UNCT) in BiH, with specific focus on Dialogue for the Future initiatives and other previous and current related initiatives (such as relevant provisions of the Dayton Peace Agreement).

Study question 1: What best practices can be observed with regards to inclusion of persons with disabilities within the Dialogue for the Future initiatives and the focus areas of United Nations Development Assistance Framework (UNDAF) relevant to peacebuilding and persons with disabilities in BiH?

Study question 2: What key gaps and challenges exist with regards to inclusion of persons with disabilities, within the Dialogue for the Future initiatives and the focus areas of UNDAF relevant to peacebuilding and persons with disabilities in BiH?

OBJECTIVE B: Provide a comparative analysis of key UN agencies' capacities, policies, strategies and approaches on inclusion of persons with disabilities and other relevant international and national stakeholders within the peacebuilding community in BiH.

Study question 3: What capacities do UN agencies (and other relevant international and

national stakeholders) possess, in relation to inclusion of persons with disabilities in peacebuilding initiatives in BiH, with a particular focus on the areas of UNDAF relevant to peacebuilding and persons with disabilities in BiH?

Study question 4: What are existing policies, strategies and approaches on inclusion of persons with disabilities of UN agencies (and other relevant international and national stakeholders) in BiH, with a particular focus on the areas of UNDAF relevant to peacebuilding and persons with disabilities in BiH?

OBJECTIVE C: Contribute to increased knowledge and understanding on the views, needs and interests of Organisations of Persons with Disabilities and their key constituencies in BiH's peace and reconciliation process.

Study question 5: What are the views expressed by Organisations of Persons with Disabilities (OPDs) and their key constituencies on inclusion of persons with disabilities in BiH's peace and reconciliation process?

Study question 6: What are the needs and interests expressed by the OPDs and their key constituencies in terms of inclusion of persons with disabilities in BiH peace building processes, with a particular focus on the existing legislative and policy divide that separates those disabled as a result of conflict and those with disabilities acquired through other means?

OBJECTIVE D: Provide tangible recommendations to UN agencies and other key stakeholders involved in BiH's peace and reconciliation process on how to strengthen the inclusion of persons with disabilities.

The full list of sub-study questions linked to the main study questions and each of the objectives presented above is found in Annex II of the report. ★

2. Methodology and approach

THE STUDY WAS conducted with qualitative data collection methods and an inclusive and participatory approach. An appreciative inquiry approach guided the data collection and analysis, in order to maximize the qualitative results of the study. The purpose was for primary sources/ interviewees to speak openly about their positive experiences and remaining challenges as well as to provide recommendations on how to strengthen the inclusion of persons with disabilities in future initiatives.

The inception phase of the study was implemented in July–August 2020, and it included a detailed desk study and further development of the research methodology and approach; analysis of relevant existing international standards in the context of its potential and actual application in the BiH context; previous and current peace and reconciliation processes and the careful selection of the key stakeholders.

During the inception phase, a thorough stakeholder analysis was conducted, and the stakeholders were divided in to four groups⁵:

- 1. Group 1:** United Nations Agencies
- 2. Group 2:** International organisations
- 3. Group 3:** CSOs dealing with peacebuilding and/or persons with disabilities
- 4. Group 4:** Associations of Persons with Disabilities, Civilian War Victim Associations and War Veterans' Associations.

The final selection of stakeholders to consult in the data collection phase was guided by the following criteria:

- » human rights-based approach, i.e. whether the stakeholders represent rights holders or duty bearers and their accountability therein,
- » nature of the stakeholders' involvement in the peace and reconciliation processes in

the country, i.e. grant-giving, project-based or programming involvement, advocacy, lobbying, campaigning, political involvement, etc.

This resulted in an initial list of approximately 30 potential stakeholders. The data collection phase included 20 initial contacts with selected stakeholders; interviews with the three UN agencies leading the implementation of the Dialogue for the Future 2 programme (UNDP, UNICEF and UNESCO), EU Delegation, OCSE and two CSOs from stakeholder groups 1–3. The organisations that were finally consulted in this study were those that agreed to participate because they believed that they have a contribution to make to the theme of this study.

With regards to stakeholder group 4, the study strived for an inclusive and participatory approach. Towards the end of the inception phase, the consultant and MyRight's Regional Coordinator shared the full list of study questions and interview guidance with the five partner organizations and the five OPD coalitions that (representing 60 OPDs at the grassroots level) that MyRight engages with in BiH⁶. Based on these materials, OPDs decided on the final selection of relevant OPDs to engage in the study. In addition, the MyRight's BiH Regional Coordinator and the consultant held two introductory meetings with these OPDs in order to introduce the study and conduct a participatory selection of interviewees. The selection process carefully considered gender, age and type of disability, as well as the geographical/administrative participation from across the country.

The data collection phase with stakeholder group 4 included the following steps:

- 1.** Co-facilitation of a joint meeting (together with MyRight's BiH Regional Coordinator) with five representatives of coalitions of OPDs that represent over 60 organisations. Based on the participatory selection, four focus groups were

formed, including the one specifically with women and one with youth.

- 2.** Co-facilitation of a joint meeting (together with MyRight's BiH Regional Coordinator) with the five MyRight partner organisations, which resulted in the selection of an additional focus group.

- 3.** Facilitation of five focus group discussions with the representatives of OPDs and their coalitions.

- 4.** De-briefing with representatives of coalitions of OPDs and MyRight partner organisations was held to present the preliminary findings and conclusions of the interviews and ask their feedback.

The interviews and focus group discussions were conducted in October and November, and the debriefing was held in December. During the *analysing and reporting phase*, the data collected in the previous phase was synthesized and compiled for the purpose of drafting the report. Analytical synthesis of key findings was linked to the specific objectives of the study and the study questions (see Annex II).

The report was prepared in English and Executive Summary also in the local language before its formal submission, so that it could be shared with the relevant stakeholders for review.

2.1 Limitations

The on-going Covid-19 pandemic affected the data collection of the study. Instead of face-to-face meetings, all interviews and focus group discussions were conducted digitally. In addition to the first phase of interviews with stakeholder groups 1–3, the consultant had also planned to conduct project field visits outside of Sarajevo. However, due to movement restrictions during the Covid-19 pandemic, the consultant was unable to travel outside of Sarajevo, which limited the details gathered for each project. Moreover,

data collection was planned to include field visits to OPDs not based in Sarajevo, however, due to the Covid-19 pandemic, these field visits could not be implemented.

In the inception phase, a comprehensive list of CSOs with a peacebuilding focus in BiH dealing with peacebuilding was developed (stakeholder group 3) and interview requests were sent out. However, the majority of these organisations responded that they do not have strategies or programmes with a specific focus on persons with disabilities, or as mainstreaming or cross cutting issue.⁷ For this reason, the only two CSOs interviewed in this study were Trial and Caritas. The weak response by the CSO community represent an important finding in itself and demonstrates the need to strengthen the focus on persons with disabilities across all national and international stakeholders, not only UN agencies. ★

⁵Full list of organisations contacted and/or interviewed during the study can be found in Annex 4 and 6 respectively. ⁶Coalitions of OPDs: Coalition of Organisations of Persons with Disabilities Canton Sarajevo, Coalition of Organisations of Persons with Disabilities of Tuzla Canton, Coalitions of organizations of persons with disabilities region Bijeljina – KOLOSI, Coalitions of Organisations of Persons with Disabilities from Herzegovina-Neretva Canton and Coalition of organizations of persons with disabilities COPD Dobojski region. MyRight Partner Organisations: Association Ruzicnjak, Association IC Lotos, Association Oaza, Association Fenix and Association of the Blind Persons in Canton Sarajevo – USGKS. ⁷The CSOs contacted in the inception phase include: Kvinna till Kvinna Foundation, Women for Women International, Horizonti, Youth for Peace and Center for Peacebuilding.

3. Context analysis

THE 1992 DECLARATION of independence of BiH was followed by the nearly four-year long conflict (6 April 1994 – 14 December 1995). Peace negotiations were held in the US and resulted in the General Framework Agreement for Peace in BiH (The Dayton Peace Agreement).⁸ The political structure was established as part of the peace negotiations in Dayton. The BiH Constitution forms part of the Dayton Peace Agreement. The political system in BiH is based on the Constitution, which is not exclusively an internal legal act, but it was drafted as an annex of a peace agreement.⁹ BiH consists of two Entities, the Federation of BiH (51% of the territory) and the Republika Srpska (49% of the territory) and Brcko District. The Federation is sub-divided into ten Cantons. The lowest administrative level is its 84 municipalities. Republika Srpska has a more centralized government and 63 municipalities as its lowest administrative level.¹¹ The State Institutions are responsible for various issues, including BiH's international obligations, while the balance of powers, including promulgation and enforcement of local civil and criminal laws and control over courts are given to the Entities.¹² Furthermore, BiH is a member of the Council of Europe and the United Nations, and it is currently in the EU pre-accession process.

A quarter of a century after the Dayton Peace Agreement brought an end to war in BiH, the socio-political situation in the country remains fragile and fragmented by ethnic division. While Dayton and the continuing international presence have helped to prevent a return to violent conflict, meaningful reconcili-

ation in BiH, as well as the wider region, remains elusive. Trials, conducted at both international and national level, have brought many of those responsible for the most egregious war crimes to justice, but they have done little to spark cross-community dialogue, understanding or reconciliation, as each of the three main ethnic groups (Constituent Peoples), in the country largely withdraws behind "its own" separate media, political parties, and indeed governing structures and institutions. Groups and individuals not fitting into any of the three dominant narratives are increasingly marginalized and side-lined from public life, both formally and informally. At the local level, especially in deeply-divided communities, wartime legacies and ethnic cleavages continue to overwhelm virtually all other potentially cross-cutting issues for women and men, girls and boys, national minorities, persons with disabilities and other vulnerable groups and individuals.¹³

3.1 Situation of persons with Disabilities in BiH

In BiH, the estimate of disability prevalence is 14.6%.¹⁴ Landmines constitute a major contributor to the number of persons with disabilities. One out of every 173 people is estimated to have acquired a disability from injuries sustained during the civil war and 15% of the population are seen to suffer from psychological trauma, specifically posttraumatic stress disorder (USAID 2009).¹⁵ There is no single, over-arching legislative definition of a "person with disability" applicable at all levels and in all regulatory contexts within the country, its entities and the cantons. Instead, definitions differ from sector to sector and law to law. No official data are kept on

persons with disabilities. There are no statistical data on the total number of persons with disabilities, breakdowns by gender or age to serve as indicators of respect for their rights, and numbers of children with disabilities attending mainstream education or specialised institutions.¹⁶

BiH signed and ratified all the international human rights treaties, including the Convention on the Rights of Persons with Disabilities (CRPD) hence the State has the obligation to ensure equal protection of rights for all citizens without discrimination. Nevertheless, these frameworks are not effectively implemented. According to the UN Development Assistance Framework (UN-DAF, 2015-2019) Final Evaluation, "little progress has been made on the rights of persons with disabilities, which are not effectively protected."¹⁷

BiH signed the CRPD in 2009 and ratified it and the Optional Protocol in 2010. According to the MyRight 2016 Alternative Report to the CRPD, "little progress has been achieved since then in changing the paradigm away from the medical towards a social and human rights-based model"¹⁸. Furthermore, MyRight stated that "monitoring has shown how sparingly the human rights-based approach is being applied, thanks to poor harmonisation with and ineffectual implementation of the Convention, both in legislation and practice."¹⁹ The main problems and challenges in the implementation of the Convention include the lack of state-level strategy for raising public awareness or promoting the human rights of persons with disabilities, insufficient legislative solutions and the lack of budgetary allocations, coupled with the fact that persons with disabilities continue to be excluded from the decision-making processes on issues affecting society as a whole.²⁰

3.2 Persons with disabilities in the post-conflict context of BiH

The above analysis of the situation indicates a very difficult position of persons with disabilities in BiH in all spheres of life. Such level of general social exclusion is inevitably also found in the spheres of peace and reconciliation.

In the specific context of BiH, it is essential to note that persons with disabilities are treated differently in policy, legislation and practice not primarily based on the nature of their disability but rather the ways in which these individuals have suffered their bodily impairment. In 2015, the World Institute on Disability (WDI) published a study on the inclusion of persons with disabilities in conflict resolution and peacebuilding and it is interesting to note that one of the global challenges identified in this literature review holds true in the BiH context. WDI (2015) notes that: "there is a policy divide that separates those disabled as a result of conflict (injuries, malnutrition-related, etc.) and those with disabilities acquired through other means (congenital, degenerative, accidental etc.) irrespective of timeframe (pre-conflict, during conflict itself, or after hostilities stop). This is particularly detrimental with regards to the allocation of resources in the post-conflict legislative and development processes."²¹ As stated in MyRight's Alternative Report to the CRPD, "persons with disabilities continue to be divided into three categories, disabled veteran or the war, civilian victim of the war, and person with a non-war related disability. This means that they receive different scales of benefit and entitlement, based not on the nature of their disability and their need for support, but on whether their disability arose during wartime and, if so, whether it was during active service or in civilian

⁸The Dayton Peace Agreement was initialed in Dayton, Ohio on November 21, 1995 and signed in Paris on December 14, 1995 <http://www.ohr.int/dpa/default.asp?content_id=380> accessed on 02 December 2008. ⁹Selmo Cikotić, 'Neki problemi sigurnosnog sistema u Bosni i Hercegovini' [Some Problems of the Security System in Bosnia and Herzegovina] (2004) 2-4 Ljudska prava, časopis za sve pravno-političke probleme 150, 153. ¹⁰More details on the administrative structure can be found at <<http://www.oscebih.org/overview/#1>> accessed on 02 June 2020 ¹¹The BiH Constitution art III (1). ¹²The BiH Constitution Art III(2)(c) and (3)(a). ¹³"The dynamics of conflict in the multi-ethnic state of Bosnia and Herzegovina", Friedrich Ebert Stiftung, 2012, pp.12-20. ¹⁴SIDA Disability Rights in the Western Balkans, 2014, p.1 <https://www.sida.se/globalassets/sida/eng/partners/human-rights-based-approach/disability/rights-of-persons-with-disabilities-western-balkan.pdf> ¹⁵MyRight, THE ALTERNATIVE REPORT on the implementation in Bosnia and Herzegovina of THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES, 2016, p.6. ¹⁶Ibid. ¹⁷T Novovic & D Babic, 2015-2020 United Nations Development Assistance Framework for Bosnia and Herzegovina: Final Evaluation, 2019, <https://erc.undp.org/evaluation/evaluations/detail/7887>, p. 18. ¹⁸MyRight, THE ALTERNATIVE REPORT on the implementation in Bosnia and Herzegovina of THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES, 2016, p.7 ¹⁹Ibid. ²⁰Ibid. ²¹World Institute on Disability: "The Involvement of Persons with Disabilities in Conflict Resolution and Peacebuilding Efforts: Inclusion of Persons with Disabilities (PWD) as Part of the Solution in the Post-Conflict Arena", 2015, p. 2 <https://worldinstituteondisabilityblog.files.wordpress.com/2015/11/wid-disability-inclusive-peacebuilding-process.pdf>

life²². Moreover, even in the few cases where legislative and policy solutions related to the rights of persons with disabilities are in place, there is discriminatory practice depending on which territory they live in (because of the fragmented institutional and legislative framework) and what category of persons with disabilities they belong to. The rationale behind taking this aspect into account in the context of this study lies in the assumption that three categories of persons with disabilities also have different degrees of access to policy and decision-making processes in BiH, including the previous and current peacebuilding processes. For example, to date, there have been several initiatives of dealing with the violent past in BiH, none of which included representatives of persons with disabilities in the process, except civilian war victims with disability and war veterans belonging to a particular ethnic group. One of such initiatives is the 2009-2010 process of drafting the National Transitional Justice Strategy²³, the policy document that was supposed to identify legislative and policy framework for reconciliation. This was a long and broad consultative process conducted under the sponsorship of UNDP, intended to allow different victim groups to find compromises in different pillars of transitional justice: from justice to reconciliation. The focus of the consultative process was placed on identifying different types of war victims from different geographical areas and different ethnicities, however, disability was not included as a selection criterion of participants in this process at all.

In absence of a comprehensive transitional justice reparations policy, the BiH authorities indirectly and politically tend to use social benefits for persons with disabilities who got a disability due to the war as a form of reparation, which

creates discriminatory practices between these two groups. Just as an example, the way in which civilian war victim persons with disabilities realize their rights and benefits is through a *lex specialis* stipulating their rights. Furthermore, there is a further distinction in the rights and benefits for civilian war victim persons with disabilities and war veteran persons with disabilities, the latter also being stipulated through a different *lex specialis*. "Military victims demanded compensation and rehabilitation for the harm suffered during combat as a 'debt' owed to them by their authorities. Recognition of their suffering and material benefits stood at the forefront of their demands from early on, with the justification that they had sacrificed their limbs, health and 'sons' for the state (or ethno-national community)."²⁴

Qualification of disability is based upon how and when the impairments arose (during wartime military service, as a wartime civilian injury, otherwise), place of residence (which entity or canton), and age, rather than what the individual needs to secure adequate living conditions and equality of opportunity. This exists in both Bosnian and Herzegovinian entities where the threshold of impairment or organic damage at which veterans with disabilities qualify for disability entitlements is 20%, but for civilian victims of the war it is 60% and for other persons with disabilities in the Federation 90% or higher. There are also unacceptably large differences in the level of entitlements in favour of veterans and civilian victims of the war over other persons with disabilities. This has a major real impact on general living conditions and ability to function.²⁵ This practice was analysed and addressed by relevant international human rights bodies in the past, defining it discriminatory. For example, the UN Human Rights Committee, the body

in charge of overseeing the implementation of the International Covenant on the Civil and Political Rights has repeatedly expressed its concern over a differential treatment between civilian war victims and war veterans, namely that personal disability benefits received by civilian victims of war remain significantly lower than those received by war veterans, and that a further disparity exists between veterans in different entities and municipalities. In its latest Concluding Observations for BiH, the Human Rights Committee recommended to the

BiH authorities to harmonize disability benefits among entities and municipalities so that personal disability benefits received by civilian victims are comparable to personal disability benefits received by war veterans.²⁶ Additionally, the CRPD Committee recommended to the BiH authorities to adopt a harmonised human rights-based concept of disability, as well as the assessment procedures and entitlements for assessing the degree of impairment for all persons with disabilities, regardless of the cause of the impairment, in accordance with the Convention.²⁷★

Participants at workshop help by IC Lotos, 2018.



²²MyRight, THE ALTERNATIVE REPORT on the implementation in Bosnia and Herzegovina of THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES, 2016, p.8–9. ²³BiH Ministry for Human Rights and Refugees and BiH Ministry of Justice, Transitional Justice Strategy For Bosnia And Herzegovina 2012–2016. ²⁴J Barton-Hronešová, "Why Is My Leg Worth Less? Disability and the Loss of Life of Military and Civilian War Victims Chapter 4. ²⁵MyRight, THE ALTERNATIVE REPORT on the implementation in Bosnia and Herzegovina of THE UNITED NATIONS CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES, 2016, p.12. ²⁶Human Rights Committee Concluding Observations on the Third Periodic Report of BiH, CCPR/C/BiH/CO/3. p 4. ²⁷CRPD Concluding Observations on the Initial Report of BiH, CRPD/C/BiH/CO/1. p 3.

4. Analytical synthesis of key findings

THERE ARE MANY organisations in BiH involved in peacebuilding, including UN agencies, international multi-lateral organisations and local and international CSOs. Among these, the stakeholders who include persons with disabilities in their peacebuilding processes are generally guided by the principles of a human rights-based approach and social cohesion aimed at leaving no one behind, the concepts that broadly encompasses rights and needs of persons with disabilities.

The sections below present key findings on inclusion of persons with disabilities in peacebuilding initiatives at different levels. Objective A primarily focuses on UN-led initiatives while findings under objective B provide a comparative analysis of other national and international organisations. Findings under Objective C focus on the rights, needs and interests expressed by persons with disabilities and OPDs in the study. Findings draw on a combination of primary and secondary sources.

4.1 Inclusion of persons with disabilities in UN-led initiatives

In the period 2014–2017, on the basis of a joint initiative of the Presidency of BiH and the Secretary General of the United Nations, the UN Team in BiH implemented a programme called "Dialogue for the Future: The promotion of coexistence and diversity in Bosnia and Herzegovina", which was jointly implemented by UNESCO, UNICEF and UNDP. The programme focused on creating space for dialogue that would enable the process of building understanding across the country, promoting coexistence and respecting diversity, ensuring that education supports greater social cohesion and that the citizens and communities achieve common goals in terms of

building coexistence through culture.²⁸ Following the first phase of the programme, the UN Country Teams in BiH, Montenegro and Serbia, together with institutional and civil society stakeholders, designed a joint regional programme – Dialogue for the Future 2 (DFF2). This regional programme aims to: support dialogue and collaborative action around jointly identified priorities; empower adolescents and youth for constructive engagement and leadership; nurture inter-cultural dialogue; strengthen objective media reporting and positive storytelling; and empower young girls and women for greater social activism. DFF2 is implemented in BiH during January 2019–30 April 2021, with UNESCO, UNICEF and UNDP as the implementing UN Agencies.²⁹

4.1.1 Identified positive practices

Strong Focus on social cohesion

Social cohesion is a central concept applied in the DFF2. Although the concept was not clearly defined in programme documents, the concept was understood to support tolerance of difference and acceptance of the value of diversity. This encompasses both reduction in ethnic divisions and reduction in the marginalisation of other social groups, such as persons with disabilities and Roma.³⁰ A key element in the programme's theory of change is that reducing division among the major ethnic groups and reducing the marginalisation of social groups are closely related objectives that can be pursued jointly by the programme. Due to the specific context in BiH, it was decided to use the concept of social cohesion as opposed to peacebuilding. There is a general public sentiment that peacebuilding is reminiscent to war and citizens prefer to look ahead towards a common vision for the future.³¹

CASE EXAMPLE:

UPSHIFT – EMPOWERING YOUTH WITH AND WITHOUT DISABILITIES

▶ UPSHIFT is a youth social innovation and social entrepreneurship programme, designed to build skills and opportunities for young people who are disadvantaged, due to poverty, gender, disability or ethnicity. The programme empowers young people with the skills and resources they need to identify problems in their own communities and design solutions for them.

The first eUPSHIFT BiH was supported by UNICEF Bosnia and Herzegovina and it took place as part of the Joint Regional Programme "Dialogue for the Future", implemented by UNDP, UNICEF and UNESCO, in partnership with the state institutions in BiH, Montenegro and the Republic of Serbia, with the financial support of the UN Peacebuilding Fund.¹

Preparation for the first UPSHIFT in Bosnia and Herzegovina (BiH) took five months, but instead of a three-day workshop on the Bjelasnica mountain, as the pandemic disrupted the plans, the first Bosnian UPSHIFT ended up as the first e-UPSHIFT. Laboratorium Tuzla, UNICEF's key implementing partner, successfully adapted the methodology and model of the event to become virtual. "In the beginning, we were skeptical as eUPSHIFT is a completely new way of doing things and nobody is physically present throughout that time. Nevertheless, we are so happy that we got to know each other better and that we developed ideas," said Nezir, one of the participants. Mental health, discrimination, inclusion, critical thinking, career counselling, public transport, resolving the issue of stray dogs, were some of the problems identified and turned into solutions, by nine teams from Tuzla, Zenica, Tesanj, Visoko and Sarajevo.

"When we applied for UPSHIFT, we expected to spend one funny weekend working on the project, but instead we collaborated via Zoom and Miro Board tools and platforms. This week has been extremely intensive, but we look forward to implementing our idea," says Murisa from Zenica. The initial resistance to creating a virtual version of UPSHIFT was the first and most difficult step. "Once we stopped comparing offline UPSHIFT with an online version, we were ready to start. Within a short time, we created a model which was technically demanding but functioned almost perfectly, and the participants quickly mastered the new tool," says Muris Halilovic of the Laboratorium.

Harun was a member of the team that created a solution to help young people receive information about public transport in a faster, cheaper and simpler way. "Our mentor's support and advice meant a lot to us, and the workshop is unexpectedly efficient and well-organized," he said. There is no doubt that young people in Bosnia and Herzegovina possess persistence, commitment, strength and ideas with which they want to change their local communities for the better, identifying problems in the communities and working towards innovative solutions. At the final ceremony of the initiative, Dr Rownak Khan, UNICEF's Representative in Bosnia and Herzegovina, stated: "I am happy that you have demonstrated that you understand and recognize problems in your local communities and that you are showing extraordinary energy, readiness, commitment and will to be the driving force which will change the country for the better, which is the core idea of UPSHIFT. eUPSHIFT confirms the saying that hard times inspire good solutions. I am proud of all nine teams because they have demonstrated their ability to adjust, to find ways to develop their ideas that they are attached to, to develop and find ways to design the implementation"

²⁸UNDP, Dialogue for the Future: Fostering Dialogue and Social Cohesion in, and between, Bosnia and Herzegovina, Montenegro, and Republic of Serbia, 2020, https://www.ba.undp.org/content/bosnia_and_herzegovina/en/home/democratic-governance-and-peacebuilding/DFFRegional.html. ²⁹Ibid. ³⁰Interview with UNICEF BiH, 13 October 2020. ³¹Interview with UNDP BiH, 5 November 2020.

¹UNICEF, "Hard times inspire good solutions", Unicef.org, 2020.

According to the Final evaluation of the DFF2, “the project successfully built a network of local dialogue platforms at the municipal level, bringing together young people, women’s organisations and municipal authorities to identify local priorities for social cohesion... The project provided small grants for 24 initiatives, successfully identifying change agents at the community level and enabling them to implement a range of innovative social cohesion activities. Among many good examples, the evaluation was impressed by... efforts in East Sarajevo and Gorazde to help hearing-impaired people access municipal services. Together, the small grants benefited 23,400 participants, including 55% women and 15% people with disabilities.”³²

Inclusion as a fundamental principle

In the grant-giving call for proposals related to the above platforms, a methodological decision was made to use “inclusion” as a fundamental principle of the initiative. Inclusion was defined as: “urban and rural communities, vulnerable groups, various social and ethnic groups”³³ In other words, one of the eliminating criteria for grant applications was whether diversity of societal and ethnic groups had been considered in the design of the programme. The diversity aspect considered representation of urban and rural communities, gender equality (both staff and beneficiaries) and the inclusion of groups that have a weaker access to rights, services and opportunities. Additionally, “grantees were asked to monitor the number of beneficiaries, disaggregated according to the project’s target groups (women; youth; people with disabilities)”³⁴.

According to the Final Evaluation of the DFF2: “(...) the local dialogue platforms (LDP) were generally effective at identifying the needs of marginalised groups within communities and giving a voice to right-holders (youth, women,

persons with disabilities and minorities. Youth, women and vulnerable groups participated in dialogues around their problems and priorities in local communities and engaged in proposing solutions and activities.”³⁵ As a result, a number of positive and organic experiences of inclusion of persons with disabilities took place throughout the implementation of DFF2³⁶. For example, a project by Upshift BiH³⁷, a youth social innovation and social entrepreneurship project implemented under the DFF2, was described in positive terms by persons with disabilities who participated in the initiative. The project was designed to build skills and opportunities for disadvantaged youth on the basis of poverty, gender, disability or ethnicity. Upshift BiH ensured the participation of youth with disabilities by visiting many OPDs prior to the beginning of the implementation of the project in inform about the project and announce the launch of the initiative. In this way, when Upshift BiH issued an open call for proposals, OPDs could apply as this opportunity had been communicated to them during the visit.³⁸

Furthermore, the DFF2 programme document envisaged joint collaboration on common issues in order to contribute to a citizen-owned development visioning for the implementation of SDG-related activities.³⁹ According to the final evaluation of DFF2 the programme design was well-aligned with national, European and international development strategies and priorities. In addition, the programme was “(...) successful in its cross-cutting objective of supporting women, young people and marginalised groups”⁴⁰.

4.1.2 Identified main challenges

The need for universal design

Through a human rights-based approach and the social cohesion concept, there is a significant premise that vulnerable groups are not left

CASE EXAMPLE:

SECOND LOCAL DIALOGUE PLATFORM (LDP)

› Kenan Kovačević, a person with Down syndrome on the Second Local Dialogue Platform spoke about the problems of young people, his peers. On 17 February 2019, the Second Local Dialogue Platform was organised by the Municipality of Centar Sarajevo and the Center for the Promotion of Civil Society (CPCD) in the premises of the Center for Healthy Aging. The title of the platform was “encouraging and strengthening the capacity of young people in Centar Sarajevo for leadership in building cohesive local communities”.

The Local Dialogue Platform (LDP) is designed as a form of innovative and inclusive consultative mechanism that is promoted and implemented within the DFF (jointly implemented by UNDP, UNICEF and UNESCO in partnership with the Presidency of Bosnia and Herzegovina). The organizers, the Municipality of Centar and CPCD, in partnership with the organization Life with Down Syndrome, made a step forward in relation to all the other LDPs implemented in 27 other municipalities in BiH.

The panelist of the Second LDP was an excellent young person, Kenan Kovacevic. As a nineteen-year-old, Kenan spoke about the problems of young people he faces and listed several wishes that he expects to be taken into consideration during the discussion of the participants of the LDP of the Municipality of Centar.

Centar. Kenan's wishes are:

- › A beautiful future,
- › Inviting various young people to such gatherings in order to have the opportunity to express their opinion,
- › That the voice of every person, including his, is heard in the local community,
- › To be a part of cultural and entertainment events,
- › Clean and healthy air,
- › And he really wants every school to be ready for every student, regardless of his specialties and differences.

All the wishes were considered within the pre-defined priority areas, and the participants of the Second LDP identified two problem areas in which they want to work in the future:

a) Inconsistency of the education system with the needs of the market and the absence of practical classes; Ignorance of job search methods; Underdeveloped entrepreneurial spirit among young people and a lack of appropriate knowledge and skills.

b) Difficult access to public institutions and public spaces for persons with disabilities due to architectural and other barriers; Lack of public areas for recreation and sports activities of children and youth (parks, playgrounds, etc.); social exclusion of young people from the most important streams of life in the community, especially young people with disabilities and developmental difficulties.

Action plans have been created that contribute to the solution of the mentioned problems, and in the continuation of the project implementation, the results of the LDP will be presented to the Mayor of Centar.

³²A Vračić, A Vežić & M Cox, Dialogue for the Future 2 Final Evaluation, 2020, p. viii. <https://erc.undp.org/evaluation/evaluations/detail/12320>. ³³A Vračić, A Vežić & M Cox, Dialogue for the Future 2 Final Evaluation, 2020, pp. 25-26. ³⁴A Vračić, A Vežić & M Cox, Dialogue for the Future 2 Final Evaluation, 2020, p. 20. ³⁵A Vračić, A Vežić & M Cox, Dialogue for the Future 2 Final Evaluation, 2020, p. 20. ³⁶Descriptions of inclusion of persons with disabilities in DFF2 can be found in Annex of this report. ³⁷More information can be found in Annex 4. ³⁸Focus Group with Youth with Disabilities, held on 18 November 2020. ³⁹Noting the difficulty in achieving such multifaceted behavior change within the 18-month implementation period, this program forms a part of the UNCT’s longer-term social cohesion vision (transitioning from the current UNDAF to the following one - to start in 2021- with a stronger conflict prevention and SDGs focus)”. Project document, p.22. ⁴⁰A Vračić, A Vežić & M Cox, Dialogue for the Future 2 Final Evaluation, 2020, p. 33.

behind in the DFF2. However, given that persons with disabilities have specific needs in order to be meaningfully and comprehensively included, additional efforts to encompass these needs are required. As pointed out by the representatives of the OPDs during this study, there is a need for universal design as a concept when designing and implementing peacebuilding projects.⁴¹ This includes both access to information about peacebuilding initiatives, which should be adapted to the needs of persons with disabilities, and the physical accessibility in all venues where the peacebuilding related activities are held. This challenge was clearly noted in the final evaluation report of DFF2: “The project struggled to communicate its purpose and objectives clearly to stakeholders – including to the NGOs who led on delivery. Agreeing on a crisp statement of the meaning of ‘social cohesion’ would have helped, as would better communications with key stakeholders on their role within the wider project.”⁴² In a project co-implemented by UNESCO and the BiH National Museum under the DFF2, an effort was made to ensure access for persons with disabilities in the museum. However, it turned out that they only ensured the ramp at the main entrance to the Museum, which resulted in access of persons with disabilities limited only to the main hall of the ground floor of the Museum.⁴³

Insufficient financial resources

On many occasions, additional resources are required to empower persons with disabilities in order for them to meaningfully participate in peacebuilding activities. However, this study has found that projects seldom include sufficient financial and human resources to accommodate the needs of all persons with disabilities. For example, during some DFF2 activities, the

organisers were looking to include persons with disabilities, but only those who were able to participate with minimal additional support, which excluded certain types of disabilities more than others. This implied that the participation was limited to persons with disabilities who already had a longstanding experience in activism.⁴⁴

Another common concern is that OPDs are not included in the design of project and programmes, which often results in inadequate inclusion at the implementation stage.⁴⁵ As pointed out under the lessons learnt of the final evaluation report of DFF2, “the project used NGOs from BiH as implementers, but not as strategic partners. They were not involved in the design or management of the grant-making facility and had limited insight into where their activities fitted into the larger strategy of the project. This was a missed opportunity to build capacity within BiH civil society to promote peacebuilding initiatives.”⁴⁶

4.2 Comparative analysis with other national and international stakeholders

This section presents a comparative analysis of the policies, strategies and approaches for disability inclusion applied by the UN Country Team, the Delegation of the EU/EU Special Representative of the OSCE Mission and a few selected CSOs active in the peacebuilding community in BiH. While none of these stakeholders have fully integrated newly adopted international policy frameworks related to the inclusion of persons with disabilities in peacebuilding in their programming – they are all guided by the principles of equality, non-discrimination and social cohesion in their peacebuilding support to BiH.

The UNSCR 2475 on the Protection of Persons with Disabilities in Armed Conflict (2019) and United Nations Disability Inclusion Strategy (2019) were only recently adopted and, therefore, international stakeholders consulted in this study stated in interviews that they have not had the chance to fully integrate these documents in their programming. However, the CRPD remains the most important international treaty in support of the rights of persons with disabilities.

United Nations Country Team in BiH

According to the interviews held with the UN staff during the study, the UNCT in BiH applies a human rights-based approach as the guiding principle for programming.⁴⁷ In addition, the SDGs together with the principle of “leaving no-one behind” represent key cross-cutting components in the UN’s engagement in BiH. As previously mentioned, social cohesion is identified as the key driving element of inclusion of persons with disabilities in the DFF2. A specific best practice noted in this initiative is that 15 % of small grants benefited persons with disabilities as a result of a clear strategic priority to target this and other marginalised groups in the BiH society.⁴⁸ Having “inclusion” as one of the selection criteria, together with knowledgeable and committed staff, significantly contributed to this positive result.⁴⁹

The UN Country Team in BiH implemented the UN Development Assistance Framework (UNDAF) 2015–2019.⁵⁰ UNDAF identified the following vulnerable populations in BiH: IDPs, returnees, children, adults and children with disabilities, Roma, women, migrants, asylum seekers, and the elderly. This provision of the vulnerable groups shows that the current UNDAF has recognized “disadvantaged groups” to some

CASE EXAMPLE:

SMALL GRANTS INITIATIVE AS PART OF DFF

One of the three success stories of the small grants initiative of the Dialogue for the Future programme highlighted by the evaluators in the final evaluation report was a project with focus on persons with disabilities. As stated in the evaluation, The Bosnian Cultural Centre of Sarajevo Canton implemented a project in support of 10 associations representing children with disabilities and adults. The associations worked with the Pedagogy Faculty of the University of Sarajevo to plan music and theatre workshops, culminating in a musical that was performed as part of the Canton’s New Year’s celebrations. The Centre was also renovated to facilitate wheelchair access.²

²A Vračić, A Vežić & M Cox, Dialogue for the Future 2 Final Evaluation, 2020, p.29.

extent. The programme results framework also included a few expected outcomes with specific focus on adults and children with disabilities.⁵¹

While it is positive that the programme included a few targets related to persons with disabilities, the final evaluation report of UNDAF 2015–2019 found that: “(...) UNDAF has defined vulnerable groups too narrowly, missing to include some of the most excluded and in need”⁵². The evaluation recommended UNDAF to “(...) to further enhance and advance planning

⁴¹Focus Group with Women with Disabilities, held on 19 November 2020. ⁴²A Vračić, A Vežić & M Cox, Dialogue for the Future 2 Final Evaluation, 2020, p.43. ⁴³Interview with UNESCO BiH, 13 October 2020. ⁴⁴Interview with UNICEF BiH, 13 October 2020. ⁴⁵Focus Group with OPD representatives, 21 October 2020. ⁴⁶A Vračić, A Vežić & M Cox, Dialogue for the Future 2 Final Evaluation, 2020, p.43. ⁴⁷Interview with UNICEF BiH, 13 October 2020. ⁴⁸A Vračić, A Vežić & M Cox, Dialogue for the Future 2 Final Evaluation, 2020, p.viii. ⁴⁹Interview with UNDP BiH, 5 November 2020. ⁵⁰UNDAF included the following focus areas and expected outcomes with relevance to this study: Focus Area 1. Rule of law and human security: Outcome 02. By 2020, BiH consolidates and strengthens mechanisms for peaceful resolution of conflicts, reconciliation, respect for diversity and community security, and Focus Area 03. Social inclusion: education, social protection, child protection and health: Outcome 07 – By 2020, all children and young people, including children with disabilities (CwD) and Roma children, benefit from education tailored to their needs and abilities; Outcome 08 – By 2020, enrolment in preschool education for all children, including Roma children and Children with Disabilities, is increased. Reference: T Novovic & D Babic, 2015-2020 United Nations Development Assistance Framework for Bosnia and Herzegovina: Final Evaluation, 2019, p.20. ⁵¹T Novovic & D Babic, 2015-2020 United Nations Development Assistance Framework for Bosnia and Herzegovina: Final Evaluation, 2019, p.30. ⁵²T Novovic & D Babic, 2015-2020 United Nations Development Assistance Framework for Bosnia and Herzegovina: Final Evaluation, 2019, p.9.

practice and mainstream/ include gender equality and empowerment of women in all activities and initiatives across all UNDAF outcomes and focus areas". A similar recommendation with focus on persons with disabilities was, however, omitted.

The lack of comprehensive and disaggregated data on persons with disabilities in BiH represented a key obstacle to additional research and targeted development initiatives. For example, DFF2 did not include any data on the specific needs of persons with disabilities, particularly when it comes to disaggregated data on the age, gender, type of disability or other data related to persons with disabilities.

Delegation of the EU in BiH/ EU Special Representative in BiH

The EU Delegation's role in BiH focuses on presenting, explaining and implementing EU policy in BiH as well as analysing and reporting on the policies and developments in the country.⁵³ The Office of the European Union Special Representative in BiH (EUSR) is mandated to reinforce the EU's political support for its policy objective in BiH: "BiH's progress in the Stabilisation and Association Process, with the aim of seeing a stable, viable, peaceful, multi-ethnic BiH, co-operating fully and peacefully with its neighbors in the region"⁵⁴. The EUSR is responsible for contributing to the further development of respect for human rights and for fundamental freedoms. EU projects in BiH include two sectors relevant for this study. The first sector "Social Development" includes projects related to social inclusion, Annex VII of the Dayton Peace Agreement (Refugees and Internally displaced persons) and demining and ammunition destruction. The second sector "Democracy and human rights" includes a section on civil society and the European instrument for democracy and human rights (EIDHR). Under the instrument for pre-accession assistance, the

Delegation provides support to BiH authorities that are both in line with country priorities and the objectives of the EU integration agenda. Programmes are designed in close cooperation with around 50 institutions, following the complex administrative structure of BiH.⁵⁵

The EU Delegation applies several strategies to ensure the inclusion of persons with disabilities in its programmes.⁵⁶ The guiding principle of its work to include persons with disabilities is the EU Disability Strategy, which includes eight specific priorities: accessibility, participation, equality, employment, education and training, social protection, health and external action⁵⁷. The Delegation's work is based on a human rights-based approach and this includes efforts to push forward the BiH Government's commitments towards improved social integration of persons with disabilities. Throughout its work, the Delegation seeks entry points for addressing the needs of persons with disabilities, regardless of the subject area covered by the specific program.⁵⁸

Moreover, according to the interview held with the Delegation staff member during the study, CSOs are recognized as prominent partners in the Delegation's efforts to design and define priorities for the support to the government. A broad consultative process with CSOs is designed to ensure integration of the voice of persons with disabilities through policy dialogue into all relevant policies, strategic documents and action plans of the supported governmental bodies through the EU pre-accession process. While there is space for improvement by the local authorities, the Delegation is committed to insist on using the priorities from the 2010–2020 EU Disability Strategy (as explained above) to ensure the empowerment component is included in the country programs, rather than looking at persons with disabilities only as social beneficiaries.⁵⁹ However, it is worth noting that the current EU Disability Strategy has

come to an end, the EU Parliament is currently calling on the European Commission for an ambitious post-2020 strategy.⁶⁰

The Delegation supports CSOs in BiH through grant application processes, funded by various EU pre-accession instruments. The majority of funds that benefit persons with disabilities are grants allocated to CSOs or international organisations dealing specifically with rights of persons with disabilities. While the Delegation sees persons with disabilities as one of the target vulnerable groups throughout their grant allocation schemes, such as the European Instrument for Human Rights and Civil Society, the criteria for project proposals do not specifically refer to inclusion of persons with disabilities. This means that the applicants do not have a specific incentive to target or mainstream persons with disabilities in their project proposals. Finally, there is no specific targeted support to OPDs, they are rather mainstreamed into existing grant application processes.⁶¹

When it comes to peacebuilding, the EU applies the same guiding principles for inclusion. In the past, the Delegation supported projects related to landmine survivors as part of its social development support. Additionally, the Delegation is one of the major donors of the closure of Annex 7 of the Dayton Peace Agreement (Agreement on Refugees and Displaced Persons) through its support to the regional housing program (aimed at providing durable housing solutions for minimum 3200 families). According to the interview held with the Delegation staff member, as part of this engagement, the Delegation will analyse the remaining needs for the closure of the Revised Annex 7 Strategy⁶², which will help identify areas of social inclusion and protection of returnees, including persons with disabilities.⁶³

One of the major challenges for all peacebuild-

ing actors when it comes to inclusion of persons with disabilities is the lack of comprehensive and disaggregated data on the age, gender, type of disability or other data of persons with disabilities.⁶⁴ To that end, as part of its overall integrative approach, and in close consultations with the relevant institutions, through the Instrument for Pre-Accession Assistance (IPA)⁶⁵, the EU Delegation is currently conducting a comprehensive analysis on the needs of persons with disabilities and Roma in BiH, as a baseline to design a programme that would tackle the identified needs of this population. It is also important to note that under IPA programming, consultations with CSOs are envisaged during the design stage. The results of the analysis will serve as a guiding principle for allocation of funds in the future in all the EC programs. The 2013 census in BiH provided basic data on persons with disabilities, but the fact that the authorities requested the analysis indicates that they still need a comprehensive, reliable and disaggregated data of persons with disabilities. In other words, while the comprehensive and disaggregated data on the age, gender, type of disability or other data of persons with disabilities are missing, the EU Delegation sees the request from the authorities to conduct this analysis as their commitment for improvement and better inclusion of persons with disabilities in their programming. The EU Delegation believes that this approach will also help other international and local organisations to work more effectively in designing their programs based on concrete data and statistical indicators, to be able to measure success of the inclusion of persons with disabilities in their projects.⁶⁶

OSCE Mission to BiH

The General Framework Agreement for Peace shapes the work of the OSCE Mission to BiH. The OSCE is one of the bodies responsible for helping

⁵³Official website of the Delegation of the EU in BiH/EU Special Representative, http://europa.ba/?page_id=462. ⁵⁴Ibid. ⁵⁵Ibid. ⁵⁶EU Delegation, interview held on 9 November 2020. ⁵⁷European Disability Strategy 2010-2020. <https://ec.europa.eu/social/main.jsp?catId=1484&langId=en>. ⁵⁸EU Delegation, interview held on 9 November 2020. ⁵⁹Ibid. ⁶⁰Ibid. ⁶¹Ibid. ⁶²Revised Strategy for the Implementation of Annex 7: <http://www.mhrr.gov.ba/pdf/izbjeglice/revidira-no%20strategija%20engleski.pdf>. ⁶³EU Delegation, interview held on 9 November 2020. ⁶⁴Interview with the EU Delegation in BiH, 9 November 2020. ⁶⁵From January 2007 onwards, the Instrument for Pre-Accession Assistance (IPA) replaces a series of European Union programmes and financial instruments for candidate countries or potential candidate countries, namely PHARE, PHARE CBC, ISPA, SAPARD, CARDS and the financial instrument for Turkey. https://ec.europa.eu/regional_policy/en/funding/ipa/. ⁶⁶Interview with the EU Delegation in BiH, 9 November 2020.

to secure lasting peace with focus on stability, security and democracy. The OSCE's key responsibilities are to build sustainable democratic institutions, strengthen good governance and human rights principles, and support the development of a multi-national and multi-ethnic democratic society.⁶⁷ OSCE applies key international human rights standards, guided by the principle of equality and non-discrimination in its work. The human rights-based approach is used as a driving force to include all vulnerable groups across the OSCE's work, including persons with disabilities. In its Human Rights project, OSCE has identified persons with disabilities and OPDs as beneficiaries of its work, especially in the areas of social protection, healthcare, equality and non-discrimination, disproportionate effect of COVID-19 related policies, etc.⁶⁸ The project is co-operating closely with women associations, thus mainstreaming the women's rights, including women with disabilities. In this way, the OSCE is mindful of various intersectionality identities and norms, which interferes and prevents the full enjoyment of human rights. Additionally, the OSCE systematically involves OPDs in its work by soliciting their opinions and inputs on the overall situation in BiH. For example, through its quarterly anti-discrimination forums (in Brcko and Trebinje) and Human Rights and Peace Clinics (in Travnik), the OSCE meets with OPDs to discuss the human rights situation of persons with disabilities as well as the general human rights situation in BiH and to propose changes in the above mentioned policies and legislation.⁶⁹

OSCE recognises young people as key partners for positive change and promoters of peace and reconciliation and has a wide range of activities for and with youth. In 2014, OSCE supported

the establishment of a Youth Advisory Group (YAG). YAG members (age 18–30) were elected with consideration of ethnic, religious, social, geographic and gender balance and members were selected in close cooperation with OSCE's field offices. Marginalized groups, such as persons with disabilities, Roma youth and LGBTQ youth are represented in the YAG.⁷⁰ One member is also the president of an association for the sign language called "Sign for Word". It was her fellow group members who took the initiative to select her as member of the YAG. AG members make ongoing efforts to make the work accessible to group members with hearing impairment. When the YAG started meeting through Viber and WhatsApp groups, in response to the Covid-19 crisis, it initially became challenging for this member to participate, however, the YAG adapted its communication tools to ensure her active participation.⁷¹ The YAG's engagements are linked to different international peacebuilding frameworks including the UN Security Council Resolution 2240 on Youth, Peace and Security and the OSCE framework on ensuring stability and peacebuilding⁷² in the participating states. The YAG is consulted in OSCE's strategic planning in BiH.⁷³

The CSO Peacebuilding Community

The CSO community in BiH has played a key role in the implementation of activities linked to the Dayton Peace Agreement with support from the international community.

As noted in the methodology section of the report, most CSOs consulted in this study stated that, while they generally provide equal opportunities to all citizens to participate in their projects, they do not have a particular approach

to include or engage with a specific group. This represents a finding in itself of the strategic need to re-calibrate a strategic focus on persons with disabilities and ensure proper implementation of international standards and frameworks. For this reason, the only two CSOs interviewed in this study were Trial and Caritas. Trial works on providing legal assistance to survivors of conflict-related sexual violence who, according to the existing legislation, may be granted the status of a civilian war victim. On the other hand, Caritas targeted persons with disabilities in a democracy and human rights project, however, this target group was not considered in a large peacebuilding project, co-implemented also by Caritas. Since the two projects were funded by different donors, the CSO did not find space to connect the two projects. In the absence of Government-led strategic grants programmes to CSOs, organisations heavily depend on funding from international donors, and need to adhere to their priorities and requirements. This contributes to the absence of strategic approaches to local and national development challenges and negatively impacts long-term coordination within and between CSOs in BiH.⁷⁴

The lack of expertise and capacities to include persons with disabilities could be partly overcome through improved knowledge exchange and coordination between CSOs involved in peacebuilding, OPDs and youth organisations. As a representative of youth from one of the OPDs stated: "We cannot be active only in dealing with ourselves and our issues and expect everyone else to include us in other matters of importance. I personally don't even like the idea of distinguishing young people with disabilities and those without disabilities, because peacebuilding is equally important to all of

us citizens of BiH. The only distinction is related to accessibility of information and physical accessibility, and everything else should be the same for all of us regardless of disability"⁷⁵

In absence of the comprehensive government peacebuilding initiatives, it is important to note that the CSO community has been carrying out most of the BiH peacebuilding processes, with the support of the international community, since the end of the conflict. These processes often involve truth-telling, memorialization, witness support to war-related criminal justice, advocating for war victim reparation and other initiatives related to dealing with the past, where it is natural that war victims, including persons who got disabled due to the war, are the main target groups and beneficiaries.⁷⁶ In this context, despite the need for continuation of dealing with the past in which the war-related persons with disabilities have a natural role, lately there is an emerging need for peacebuilding initiatives related to mitigating inter-ethnic tensions today. According to Caritas BiH, an international CSO that has supported peacebuilding initiatives in BiH since 2003 – reconciliation and peacebuilding processes in BiH should apply a broader definition of peace that goes beyond the mere absence of conflict in order to ensure inclusion of all citizens in their processes. If the starting point for a peacebuilding process is the 1992–1995 conflict, then it is logical that a project develops around war victims and their testimonies. However, if peacebuilding process defines peace as stability in today's society, then peacebuilding related activities have space to include all citizens, including persons with disabilities, youth and others who might have not participated in the 1992–1995 conflict, but who are concerned about

⁶⁷OSCE, "Mandate", in Osce.org, 2020, <https://www.osce.org/mission-to-bosnia-and-herzegovina/mandate>. ⁶⁸Interview with the OSCE Mission to BiH, 26 November 2020. ⁶⁹Interview with OSCE Mission to BiH, 26 November 2020.

⁷⁰S Uusitalo, "The OSCE Mission to Bosnia and Herzegovina: Partnering with Youth to Consolidate Peace | Balkan Diskurs", in Balkan Diskurs, , 2018, <https://balkandiskurs.com/en/2018/11/06/the-osce-mission-to-bosnia-and-herzegovina-partnering-with-youth-to-consolidate-peace/>. ⁷¹Interview with OSCE Mission to BiH, 14 October 2020. ⁷²The OSCE works to prevent conflicts from arising and to facilitate lasting comprehensive political settlements of existing conflicts. It also promotes peacebuilding and post-conflict rehabilitation. To that end, it works with all relevant actors, including partnering international and regional organizations, such as the United Nations. The OSCE is a key instrument for early warning, conflict prevention and resolution, crisis management and post-conflict rehabilitation, also called the "conflict cycle." The Organization's main tools to address this cycle include its network of field operations and the Conflict Prevention Centre (CPC). The CPC acts, for example, as an OSCE-wide early warning focal point, facilitates dialogue, supports mediation and other conflict prevention and resolution efforts. The activities of OSCE field operations in the area of conflict prevention and resolution include: capacity building for local actors aimed at reducing potential drivers and sources of conflict; facilitating exchanges between political and civic actors to address conflict risks at the earliest possible stage; assisting with dialogue facilitation, mediation and confidence building activities between conflict-affected societies and communities; monitoring the security situation in OSCE participating States; assisting with confidence building and supporting national crisis response plans. <https://www.osce.org/conflict-prevention-and-resolution>. ⁷³Interview with OSCE Mission to BiH, 14 October 2020. ⁷⁴Interview with Caritas BiH, 6 November 2020. ⁷⁵Focus Group with Youth with Disabilities, held on 18 November 2020. ⁷⁶Interview with Caritas BiH, 6 November 2020. ⁷⁷Ibid.

inter-ethnic trust, stability, freedom and rule of law in today's BiH.⁷⁷

In order to address this challenge, youth may play a significant role in peacebuilding processes. It is assumed that youth has no place in peacebuilding processes because they were born after the conflict, however, they were raised by people who lived through the war and consequently they are the second generation of those affected by the conflict. They are generally less passionate about the past because they have not lived through the atrocities committed by individuals who belong to the other ethnicity, however they were raised by listening to their parents' grudge, fear and lack of trust towards the other two ethnicities. Additionally, those who were born after the conflict live in predominantly mono-ethnic communities, without many opportunities to mix with youth of the other ethnicities, which creates even more tensions and fear of the unknown. All this leads to the conclusion that the youth should definitely be part of the peacebuilding processes in order to build mutual inter-ethnic trust that could lead to reconciliation, leaving the conflict in the past and moving the country forward in a peaceful and stable manner.⁷⁸

4.3 Views, needs and interests expressed by OPDs

This section represents the synthesis of data gathered from focus group discussions with persons with disabilities. The study team made efforts to ensure equal representation of persons with different types of disabilities, who live in different regions of BiH both geographically and administratively. Additionally, separate discussions were held with youth and women with disabilities. The analysis below takes a two-folded perspective by presenting how OPDs and their constituencies perceive the inclusion of persons with disabilities in BiH's peace and reconciliation process and what they see as the most important actions

for ensuring meaningful participation in future peacebuilding initiatives.

General feeling of being excluded from decision-making processes and peacebuilding

Participants in this study expressed a general feeling of exclusion of persons with disabilities from decision-making processes in all spheres – from how to define peacebuilding and justice processes in BiH to the implementation of the Dayton Peace Agreement and related activities. Participants also discussed the existing legislative and policy divide that separates persons having a war-related disability and those with disabilities acquired through other means. Furthermore, they raised technical accessibility issues related to the engagement and participation of persons with disabilities both in designing and implementing peacebuilding initiatives.

OPDs in BiH feel generally excluded from all levels of society. OPDs unanimously hold that persons with disabilities are not perceived or treated as equal to other citizens. A (mis) perception in society that being disabled means being unwilling and/or incapacitated to participate in decision making processes is identified as the underlying cause of exclusion. Persons with disabilities are considered a “social category” – meaning citizens that have limited capacities and should therefore stay at home and live of social benefits. As expressed by one participant: “People in Bosnia do not understand what disability means. Since my school days, people thought that I was “retarded” because I could not walk properly...”⁷⁹ Such ambient is caused by a general lack of awareness and understanding in the society, that persons with disabilities have the ability to participate in society, as long as their specific needs and rights are addressed. Hence, a general awareness raising process in BiH society is needed, otherwise, persons with disabilities will remain excluded from all decision-making processes.

The general misconception of persons with disabilities as an incapable “social category” also sustains humanitarian and needs-based approaches rather than empowerment and human rights-based approaches. This results in a form of unintended exclusion. As stated by one of the consulted youth representatives: “People generally believe that persons with disabilities have enough problems in their lives and think that they are doing us a favour by sending us social benefits and humanitarian assistance.”⁸⁰ Similarly, a representative of women stated that - very often, people have a general impression that the life of a person with a disability is already difficult, so they do not invite them to events because they want to spare them from unnecessary trouble.⁸¹

The challenges described above are naturally also present in peacebuilding processes and initiatives. According to all the interviewed OPDs and their members, the exclusion of persons with disabilities in peacebuilding is directly linked to the general problem of social exclusion and from decision-making processes in BiH. Persons with disabilities often hear that – as they did not actively participate in the conflict (because of their disabilities), it is not important to engage them in reconciliation-related activities. However, OPDs express a strong interest in engaging in peace and reconciliation in both ongoing and future processes.

Views on legislative and policy divide that separates persons with war and non-war-related disabilities

The consultations with OPDs included a discussion on whether the legal and policy disparities between different categories of persons with disabilities (veterans, civilian war victims and persons with non-related disabilities) can be noted in the level of participation in peacebuilding initiatives.

There is a consensus among OPDs that it is of utmost importance to ensure that everyone

has equal rights in BiH in order to engage in meaningful peacebuilding processes. Measures in terms of providing a legal status and benefits to war-related disabilities were taken to mitigate the consequences of the war. According to the interviewees, these compensations were adequate to address the needs of war veterans, civilian war victims and victims of mines on all three sides. However, reparations for war suffering and damages are usually done after the society agreed on general premises about values and common understandings that should guide the post-conflict society. However, as this step was overlooked, it created unnecessary differences among persons with disabilities. According to one of the interviewees, the best way to ensure equality and consequently participation of all persons with disabilities in peacebuilding processes is to separate war-related reparation from social benefits. For example, war veterans and civilian war victims should receive compensation for damage and suffering that was done to them during the conflict. After receiving this compensation, they should be treated equally to other persons with disabilities. For example, a blind person needs a white cane no matter how they have become blind, so in this regard, there is no need to make a difference at the level of specific needs. This is what prevents the comprehensive participation of all persons with disabilities in the reconciliation process. Furthermore, the oversight by the government made the beneficiaries (persons with war-related disabilities) passive because of fear that, if they would engage in either civil society dialogue or politics, they might lose their benefits. On the other hand, persons with non-war-related disabilities are not engaged in issues related to the post-conflict and peacebuilding as they rather prioritise advocating for disability-specific rights and benefits.⁸²

One of the war veterans who participated in the study stated that: “It hurts me to see that there are discrepancies in rights and benefits under

⁷⁸Focus Group with Youth with Disabilities, held on 18 November 2020. ⁷⁹J Barton-Hronešová, “‘Why Is My Leg Worth Less?’ Disability and the Loss of Life of Military and Civilian War Victims Chapter 4, p.153.

⁸⁰Focus Group with Women with Disabilities, held on 19 November 2020. ⁸¹Ibid. ⁸²Focus Group with Representatives of OPDs, held on 19 October 2020.

the current legislation depending on the cause of disability. It appears as though my disability is worth more because I am a war veteran. All I were to decide, I would give equal status to all persons with disabilities, because our bodily impairments require the same type of rehabilitation regardless of the cause of disability. We all need employment opportunities and equal opportunities to be included in all processes in society, including peacebuilding.⁸³

Technical (accessibility) issues in the design and implementation

Participants in the study clearly expressed a desire to be included both in planning and in the implementation of initiatives, and that they need to be equal partners and not just consumers or beneficiaries.⁸⁴ It is not enough to just add persons with disabilities to the list of participants in peacebuilding initiatives. Instead, meaningful participation requires systemic changes. There must be a common understanding on the importance of the inclusiveness in order to ensure meaningful participation.

There is a general consensus among OPDs that it is necessary to create preconditions for inclusion of persons with disabilities in peacebuilding initiatives, which considers active and meaningful participation of persons with disabilities already at the project design stage in order to acknowledge all specific actions that need to be taken in order to ensure the actual inclusion.⁸⁵

One of the focus groups discussed that stakeholders do not purposefully exclude persons with disabilities from their events. However, when it comes to logistics, most actors find it difficult to ensure participation of persons with disabilities, which leads them to avoid the issue. On other occasions, they invite persons with disabilities,

but the selection criterion is based on the level of disability – the less disability the person has, the easier logistically it is to include her or him in their activities.⁸⁶ Overall, preconditions for inclusion and participation of persons with disabilities in existing peacebuilding initiatives are not met. This includes the way invitations and calls for proposals on peacebuilding initiatives are communicated; the logistic preparations of events and other publicly available information as these activities are rarely adapted for all persons with disabilities. For example, information is not prepared in easy to read format, sign language, in braille alphabet, etc. Additionally, when organising events, facilities are not accessible for persons with disabilities. Furthermore, although persons with disabilities are not purposefully excluded, they end up being excluded due to lack of knowledge, capacities and budgets of the organisers.

It is essential to include and consult persons with disabilities already in the project design. For example, one project was thought to include persons with visual impairment in their activities. However, when the invitation letters to the event were sent out to the potential participants, the organisers realised that they had not budgeted sufficient funds for the event. Staff was unaware that the only way for a blind person to participate in the event was to come with an assistant. In another event, which was attended by dozens of persons in a wheelchair – the lunch break was planned to last only 30 minutes. The organiser did not realise the need to adjust the agenda in a way that would meet the needs and requirements of persons with physical disabilities.

Another experience related to accessibility barriers was shared by a female activist. Often, persons with disabilities are invited to events, but only once they arrive to the venue, they realise

that the venue is on the second floor without an elevator. At that point, the person with disabilities has two options: go back home or accept an offer from a generous participant to physically carry him or her to the second floor, which puts both of them in a very awkward and embarrassing position, leaving the rest of the event turn around the episode around carrying the person with disability and not what the person with disability had to say to contribute to the discussions at the event.⁸⁷

Needs and rights of conflict-related sexual violence survivors

Addressing the needs and rights of sexual violence survivors requires multi-sectoral response through a set of legislative and policy measures. These survivors often face stigma and blame for the crime that was committed against them, re-traumatisation during war crime trials as well as medical and psychological consequences for the rest of their lives. According to the CSO Trial⁸⁸ although victims of conflict-related sexual violence are granted the status of a “disabled person with 100% disability” under the Federation of BiH legislation⁸⁹, they do not identify themselves as persons with disability. All women that CSO Trial provided legal aid to claimed that they are mainly interested in criminal justice, that they demand acknowledgment of the crimes that were committed against them and perpetrators to be punished. For them, the legal status as a person with disability is only a symbolic means for reparation for what happened to them during the conflict. In other words, if the state had acknowledged the crimes of sexual violence during the conflict, had provided a public apology for the victims and a subsequent reparation fund, they would not have to be part of the “disability”

legislation (except those who indeed sustained a bodily impairment as a consequence of sexual violence. Survivors of war-related sexual violence are invited to participate in peacebuilding initiatives in terms of telling their stories or establishing contacts with victims of the same crimes from different ethnicities, which is often not the case for other categories of persons with disabilities. In addition, sexual violence survivors do not have the same accessibility problems as other war victims with 100% disability, because their disability status is not based on the physical limitations. Thus, they have another level of access to information on peacebuilding initiatives and venues where these initiatives take place.⁹⁰

Youth and Women in Peacebuilding

There is a general impression that youth can play a significant role in peacebuilding processes. At the same time, youth in BiH are not motivated to become involved in decision-making processes, because of the lack of opportunities in the country. This phenomenon is also visible among youth with disabilities.⁹¹ One of the youth representatives during the consultations stated that: “We as young people of this country need to stay away from the mainstream media and nationalistic rhetoric of the political leaders, and get organised at the community grassroots level to build mutual trust and stable peace. Leaders of local communities can make a big difference in their communities, which then can be spread throughout the country through exchange of best practices and networking among local communities.”⁹² Youth with disabilities organise their own initiatives that could be used as an incredible resource for youth-related peacebuilding initiatives. For example, as part of the project “Youth works together, get out of your frames” the OPD Lotos

⁸³Focus Group with Representatives of OPDs, held on 21 October 2020. ⁸⁴Ibid. ⁸⁵Focus Groups held with representatives of OPDs on 19,21 and 22 October 2020. ⁸⁶Focus Group with Representatives of OPDs, held on 19 October 2020. ⁸⁷Focus Group with Women with Disabilities, 19 November 2020. ⁸⁸Considering that CSO Trial provides legal aid for victims of conflict-related sexual violence, it was decided to interview them in order to obtain the information about the individual victims but still respecting victims’ privacy and avoid the risk of re-traumatisation, since they normally do not feel comfortable speaking with an “outsider” due to the sensitive nature of the issue. Interview held with CSO Trial BiH, held on 3 November 2020. ⁸⁹Article 54 “Persons who survived sexual abuse and rape are considered to be a special category of civilian war victims”; Article 56 “To exercise the rights determined for civil victims of war of this law, disabled people are classified into six groups according to the percentage of physical disability, including: I group - disabled people with 100 percent disability who need caring by another person II group - disabled people with 100 percent disability III group - disabled people with 90 percent disability IV group - disabled people with 80 percent disability V group - disabled people with 70 percent disability VI group - disabled people with 60 percent disability. FBiH Law on Basis of Social Protection, Protection of Civilian War Victims and Families with Children. FBiH Official Gazette no. 7/14. ⁹⁰Interview with CSO Trial BiH, held on 3 November 2020. ⁹¹Focus Group with Youth with Disabilities, held on 18 November 2020.

from Tuzla organised a camp in Medjugorje in 2019, where it gathered primarily youth with disabilities, but also other youth working on human rights and equality in society. The aim of the camp was to strengthen the capacities of youth to engage more in activism related to promotion of independent life, inclusion and respect for diversity. This camp also presented an opportunity for youth with disabilities to network and connect.⁹³

Furthermore, the participants of the focus groups provided examples of many initiatives where direct victims of war (civilian war victims and war veterans with disabilities as a result of conflict) were invited to share their experiences. For example, in one of these initiatives, war veterans who belonged to different military troops publicly shared their stories from the war to youth in order to demonstrate that every conflict is bad and meaningless.⁹⁴ Participants sat in a circle together with a psychologist (to prevent re-traumatisation), and the veterans shared stories about how they were recruited into the army, how old they were during the war and all the experiences that they felt comfortable sharing. The main purpose of the initiative was to demonstrate all the negative effects of war to the new generation. However, while recognising the importance of such initiatives, the participants also proposed that peacebuilding processes should start with universal values, and not with conflict-related narratives in order to ensure inclusiveness. For example, as mentioned above, peace is not the mere absence of war. Peace is understood by OPDs as general sense of stability and protection, and if this understanding is taken into account, there is no reason why universal values should not be the main premise of peacebuilding processes in BiH.⁹⁵

Moreover, it is of crucial importance to ensure the inclusion of women with disabilities in

peacebuilding processes. BiH adopted a National Action Plan on the implementation of UNSCR 1325 on Women, Peace and Security for the period 2018–2022.⁹⁶ According to the information provided by a participant of the Focus group with women with disabilities, the consultations in the drafting process of this document did not include women with disabilities – she only learnt about it by accident after it got adopted.⁹⁷ This document was mentioned during the consultation with women with disabilities, who reiterated the fact that women with disabilities face multiple discrimination: on the basis of their disability and on the basis of their gender. In the activist community of persons with disabilities, men are predominantly occupying the decision-making and management places. Yet, during the focus group with women with disabilities, women showed an extremely high level of understanding of problems and issues related to activism, preconditions for inclusion of persons with disabilities in all decision-making processes including peacebuilding and offered a multitude of concrete recommendations on how to ensure the inclusion.⁹⁸

4.3.1 Interest among OPDs to participate in ongoing and future peacebuilding initiatives

As addressed above, persons with disabilities feel generally excluded from all decision-making processes because they are considered to be social beneficiaries and not active community members. To strengthen their position in society, a number of preconditions need to be met. These include economic independence, service support, accessibility and a stigma-free society. As stated by a female activist: “Our invisibility will disappear when all these preconditions are met”.⁹⁹ When it comes to peacebuilding, the main issue to address

for ensuring meaningful participation is accessibility – both when it comes to information about peacebuilding processes and physical accessibility and adaptability of venues and events.

As mentioned above, many peacebuilding actors hold that they did not purposefully exclude any group from their initiatives. However, as reiterated by OPDs, if the calls for proposals are not accessible to everybody through prior consultations with OPDs on how to adapt the information (sign language, Braille alphabet, etc.), this group is unintentionally excluded. As expressed by one of the study participants: “How do you expect a deaf or a blind person to find out about a peacebuilding activity if you do not adapt the information for him or her to be able to hear it or read it?”¹⁰⁰

A female activist with hearing impairment stated that as a woman, she would very much like to become involved in issues related to the Women, Peace and Security Agenda (the UNSC Resolution 1325 and subsequent resolutions), but she cannot, because the materials are not adapted for persons with visual or hearing impairment.¹⁰¹

According to a youth representative, 70% of youth with disabilities cannot even get out of their house on a regular basis because there are no architectural solutions for them to move around.¹⁰² Such general situation in the country is also reflected in peacebuilding initiatives. In this regard, the solution proposed by women with disabilities was the application of the principles of universal design. If universal design was adopted as a standard approach by all actors in peacebuilding processes, all the current obstacles for participation would be removed.

Peacebuilding process between OPDs

There is a general view among OPDs that the main political leaders are those who perpetuate

inter-ethnic tensions and artificially create ethnic divides because this is what help them stay in power for many years. According to most interviewed representatives, nationalistic political parties that are in power since the conflict create inter-ethnic tensions as a means to attract votes and general support. These politicians are corrupt, and they have nothing to offer to citizens, so they make people vote for them by focusing their election campaigns on ethnic divisions. Study participants felt that community-level reconciliation had come much further than the political level. One such example was provided by an interviewee who was born to deaf parents and who spent her whole life surrounded by people with hearing impairment and has been serving as an interpreter of the sign language for many years. According to this study participant, the nationalistic political leaders insist on accentuating differences between the three ethnicities by exacerbating the differences in the three official languages in BiH (Bosnian, Croat and Serb languages) in order to show that the three ethnicities do not have much in common.

One of the most debated topics during the consultations with OPDs was their interest to engage in peacebuilding processes and participants spoke of a strong unity within the disability community. According to the interviewees, Coalitions of associations of persons with disabilities supported by MyRight’s office in BiH function almost like a family. They do not judge people by their ethnicity or religion, because they face similar problems across the country and support each other in the struggle for their rights in their local communities.¹⁰³ As one of the active members of the coalitions of persons with disabilities stated: “We reconciled among us in the community of persons with disabilities. We moved on, and now we are fighting for equality, antidiscrimination

⁹²Participant of the Focus Group with Youth with Disabilities, held on 18 November 2020. ⁹³“Omladinski kamp „Mladi rade zajedno, izadi izvan okvira”, in TIP.ba, 2019, <https://tip.ba/2019/08/22/omladinski-kamp-mladi-rade-zajedno-izadji-izvan-okvira/>. ⁹⁴Focus Group with Representatives of OPDs, held on 22 October 2020. ⁹⁵Focus Group with Representatives of OPDs, held on 21 October 2020. ⁹⁶Ministry for Human Rights and Refugees BiH, “Action Plan for the implementation of the UN Security Council Resolution 1325 “Women, Peace and Security” in Bosnia and Herzegovina for the period 2018–2022 | ARS BIH”, 2018, <https://arsbih.gov.ba/project/action-plan-for-the-implementation-of-the-un-security-council-resolution-1325-women-peace-and-security-in-bosnia-and-herzegovina-for-the-period-2018-2022/>. ⁹⁷Focus Group with Women with Disabilities, 19 November 2020. ⁹⁸Ibid. ⁹⁹Ibid. ¹⁰⁰Focus Group with Youth with Disabilities, 18 November 2020. ¹⁰¹Focus Group with Women with Disabilities, 19 November 2020. ¹⁰²Focus Group with Youth with Disabilities, 18 November 2020. ¹⁰³Focus Group with Representatives of OPDs held on 19 October 2020.

and realization of our rights.”¹⁰⁴ Apart from the apparent unanimous voice they expressed during the consultations, the coalitions also showed a high level of empowerment.¹⁰⁵ This is very important to note because it is well known that empowerment and change of narrative among persons with disabilities can serve as a strong trigger in society to change general perceptions about this population from a passive social category to an active and empowered group that constitutes around 15% of the overall population. Although by MyRight’s efforts in supporting OPDs in creating coalitions are not directly linked with peacebuilding, it is important to note the impact these efforts made on peacebuilding. Starting in 2010, the OPDs, with the support of MyRight, got organised in coalitions from across the country, forming a network of organisations and activists from different entities, regions and ethnicities. Recently they also formed groups of youth with disabilities through the coalitions, which enabled an ongoing cooperation and visits of youth from one part of the country to another. All these efforts contribute to peacebuilding.

Persons with disabilities should be more visible and vocal about their demands to participate in all peacebuilding processes. In this visibility campaign, they should remind the authorities and international organisations to respect international standards pertaining to the inclusion of persons with disabilities.¹⁰⁶ Additionally, they should share their internal inter-ethnic experiences with the whole society as an example. There was unanimity in this statement. “We need to impose ourselves, become more demanding and more visible!” said one of the OPD representatives during the focus group discussions¹⁰⁷.

One of the young women with disabilities who participated in the focus group discussions described her experience in the Dialogue for the Future very powerfully: “I concluded that unless

we are persistent and insist on participating in any decision making process, nobody will even notice that we are not there. I was persistent and pushy, and that is how I got to participate in the youth related initiative within the Dialogue for the Future”.¹⁰⁸

On the other hand, there is a general perception that OPDs mainly deal with issues that concern the population they represent, while they are relatively passive on other issues of importance in society. According to some interviewees, particularly participants of the focus group of youth, this trend is changing with new generations taking over the movement, but it has to increase even more. “Persons with disabilities must insist on getting included in all decision making processes, particularly peace building”, stated one of the young women during the consultations.¹⁰⁹

To conclude, there was a consensus among interviewees that the fact that OPDs mainly deal with issues of their own concern should not be ground for exclusion from any peace process. According to OPDs, everyone should be given equal opportunity to participate in peacebuilding, regardless of whether they will accept or turn down the offer to participate. Since they did not actively participate in the war, persons with disabilities, have many positive stories to share from the conflict, which could largely contribute to peacebuilding and reconciliation. The important thing is to create preconditions for them to participate, and then even if there is a small percentage of those who get involved, it is their right to get involved or not, the same as all other citizens.

Disability is universal and, as such, it supersedes all other differences (ethnic, religious and others). For this reason, persons with disabilities are less affected by the mainstream nationalistic rhetoric of leading political parties. Their understanding of peace is mutual respect, tolerance, accepting diversity, allowing everyone to enjoy

their rights and to explore their potential to the maximum without endangering others. In other words, it is an all-inclusive, peaceful co-existence that can ensure stability and reconciliation. This does not mean that no one should have their views on the conflict, but it is important to leave those views on the side when working on the common goals for the future by ensuring mutual trust and respect.¹¹⁰

Study participants described several examples of what they called “internal peacebuilding” within the disability community, which started as early as a couple of years after the conflict. As OPDs realised that they face the same challenges and experience the same type of discrimination and stigma by the authorities in all the parts of the country, associations representing the same type of disability in both entities started working together. For example, as early as the summer of 1997, the Sarajevo Association of Blind People got in touch with the associations of blind people from different parts of the country (administratively and geographically). As they shared common challenges these associations decided to join their efforts in advocating for the improvement of the status and living conditions of people with visual impairment. As stated by their representative: “In other words, we acted instinctively without knowing that we were actually contributing to peacebuilding and reconciliation.”¹¹¹ Numerous similar stories where persons with the same type of disability united in a common struggle no matter of ethnic, religious and administrative divides were shared during the consultations with a sense of pride and moral victory over the past, and even more remarkably, with a sense that they had just acted naturally and instinctively only to learn later that the process was called peacebuilding and reconciliation. As pointed out by one OPD representative: “If I were to decide on peacebuilding, I would appoint blind people to run the process, because we

were the first ones to ‘reconcile’ and work together regardless of our ethnicity and which side we were on during the conflict. We meet on regular basis, we discuss many things of importance to our population, often we disagree, but our disagreements and arguments have never ever been based on ethnicity, nationalism or the war.”¹¹²

Probably the most powerful story gathered in the consultations was shared by the sports activities of war veterans, who described themselves as pioneers of peacebuilding.¹¹³ These study participants are war victims with disabilities directly caused by antipersonnel mines. One of them established a sports club of sitting volleyball and wheelchair basketball. As former combatants, war veterans both from the Republika Srpska and from the Federation of BiH established mutual cooperation and joined their efforts already in 2002 by organising sports events for persons with disabilities. The interviewee explained: “We create serious problems to politicians by organising inter-ethnic sports events on regular basis. The politicians in power are blocking reconciliation by claiming that there are still tensions from the conflict in today’s society, but if those who actively participated in the conflict (combatants) and who have become disabled due to the conflict can work together, then their claim that it is impossible to reconcile remains without argument, because the logical question that everyone asks is: how come those who were shooting at each other in the front line could reconcile and now they play sports together, and the politicians cannot?”¹¹⁴★

¹⁰⁴Focus Group with Representatives of OPDs held on 19 October 2020. ¹⁰⁵Five Focus Groups with OPDs held in October and November 2020. ¹⁰⁶Focus Group with Women with Disabilities, 19 November 2020. ¹⁰⁷Focus Group with Youth with Disabilities, 18 November 2020. ¹⁰⁸Focus Group with Women with Disabilities, 19 November 2020. ¹⁰⁹Focus Group with Youth with Disabilities, 18 November 2020. ¹¹⁰Focus Group with Women with Disabilities, 19 November 2020. ¹¹¹Focus Group with representatives of OPDs, held on 19 October 2020. ¹¹²Focus Group with representatives of OPDs, held on 19 October 2020. ¹¹³Focus Group with representatives of OPDs, held on 22 October 2020. ¹¹⁴Participant of the Focus Group with Representatives of OPDs, held on 22 October 2020.

5. Conclusions and recommendations

FROM THE PERSPECTIVE of the OPDs that participated in the study, persons with disabilities are generally excluded from decision making processes in BiH. A (mis)perception in society that being disabled means being unwilling and/or incapacitated to participate in decision making processes is identified as the underlying cause of exclusion. OPDs see peacebuilding as yet another process where they are generally excluded due to the same underlying causes.

There are many organisations in BiH involved in peacebuilding processes, including international multilateral organisations and local and international CSOs. The efforts of international organisations to include persons with disabilities in their peacebuilding processes are guided by the principles of a human rights-based approach and social cohesion at the policy level. These approaches within DFF2 led to some positive outcomes at the project level, for example in UNDP-led project, which allocated 15 percent of small grants to persons with disabilities. However, based on the views expressed by OPDs in this study, the programme design and implementation are not always sufficiently guided by these principles. OPDs would like to be increasingly consulted and engaged in on-going and future peacebuilding initiatives in BiH. A more strategic approach to disability inclusion is needed to better promote and implement international standards and commitments.

Although the CSO community has played a key role in peacebuilding, most of these organisations reported that they have not had a specific focus on persons with disabilities. CSOs generally provide equal opportunities to all citizens to participate in their projects. However, these organisations have not taken specific measures to ensure the meaningful participation

of persons with disabilities. This illustrates a clear need to strengthen institutional commitments and develop a strategic focus on persons with disabilities in peace and development initiatives. A more strategic approach by the international community could also help push the government to implement international standards pertaining to the inclusion of persons with disabilities in peacebuilding processes.

Overall, additional resources, capacities and expertise are needed in order to meet the specific rights and needs of persons with disabilities. This includes, for example, access to information about initiatives adapted to impairment and ensuring physical accessibility to venues; combating stigma and shifting narratives about persons with disabilities. In other words, general accessibility and reasonable accommodation are necessary preconditions for equal possibilities of persons with disabilities to participate equally in peacebuilding initiatives. In addition, comprehensive and disaggregated data on the age, gender, type of disability or other data of persons with disabilities are necessary to ensure inclusion of different sub-groups of persons with disabilities. BiH currently lacks systems for gathering and analysing such data and needs support from the international community in addressing this gap.

National and international stakeholders need to continue and expand efforts to empower OPDs and support them to become more active in issues beyond disability rights and needs of their primary beneficiaries. OPDs express a clear interest to become more active in issues of importance in the society - and not only work on disability-related issues. This self-critical reflection does not lift the responsibility of peacebuilding actors to ensure the meaningful participation of this group in their activities and engage more directly with OPDs and their constituencies.

Since the end of the conflict, most peacebuilding initiatives encompassed truth-telling, memorialization, witness support to war-related crimi-

nal justice, advocating for war victim reparation and other initiatives related to transitional justice. It was natural to include war victims, including those with war-related disabilities, as main target groups and beneficiaries. Furthermore, in absence of a comprehensive transitional justice reparations policy, BiH authorities indirectly and politically tend to use social benefits for persons with disabilities caused by the war as a form of reparation, which creates discriminatory practices between this group and those who have non-war related disabilities. However, persons with disabilities call for a broader definition of peace that opens space to include all citizens in peace and reconciliation, including those that did not directly participate in the 1992-1995 conflict.

Disability is universal and as such it supersedes all other differences (ethnic, religious and others). It is because of this universality that persons with disabilities immediately after the conflict started working together across entity, ethnic and religious divides. By doing so, OPDs went through their own internal peacebuilding process. War veterans also showed through their inter-ethnic sports activities that reconciliation is possible, because if they can work together despite the fact that they actively participated in the conflict and became disabled due to the conflict, the mainstream politics could and should have reconciled by now as well.

5.1 Recommendations

To UN agencies

i. Ensure comprehensive implementation of UN-SCR 2475 (2019) and the UN Disability Inclusions Strategy (2019) by taking concrete actions to address the unique challenges experienced by persons with disabilities in BiH's peacebuilding process. Increased efforts to remove the following barriers to meaningful participation are highly needed:

a. Information and communication: Make information about peacebuilding programmes and

activities accessible to all persons with disabilities by establishing and maintaining close contacts with OPDs and adapting information and communication tools and materials to their needs.

b. Physical accessibility: Ensure that all venues where peacebuilding activities are planned and implemented are made accessible to persons with disabilities with different needs.

c. Stigma and social exclusion: Implement activities to combat stigma and misperceptions about persons with disabilities through public awareness raising. Mainstream components of empowerment of persons with disabilities in projects and where possible, allocate additional resources to support the capacity building of OPDs, in accordance with the CRPD.

d. Data¹¹⁵: Work together with the State and responsible BiH authorities to develop disability-related data, including qualitative and disaggregated data to strengthen planning and monitoring. Disaggregated data is highly needed to ensure that the specific needs and rights of women and youth are fulfilled.

e. Budgeting: Allocate additional resources during strategic planning and project design to accommodate the specific needs and rights of persons with disabilities to ensure their participation in peacebuilding processes.

ii. Apply a mainstreaming approach: Dedicate further efforts to mainstream inclusion of persons with disabilities in peacebuilding-related projects and programmes. This may help to empower them to a level where they are able to engage in community dialogue on topics such as peacebuilding and reconciliation. It may also be necessary to bring meaningful changes in the attitudes of the project participants towards peacebuilding and reconciliation. 'One-off' activities such as awareness raising workshops should be complemented by more sustained engagement on the issues.

iii. Transform the organisational culture: To ensure it is in line with key elements of the

¹¹⁵No official data are kept on persons with disabilities. There are no statistical data on the total number of persons with disabilities, breakdowns by gender or age to serve as indicators of respect for their rights, and numbers of children with disabilities attending mainstream education or specialised institutions.

UN Disability Strategy in the areas such as staff capacity development, awareness raising and trust building and human and financial resources. While some positive practices derived by a commitment to the human rights-based and social cohesion approaches were identified in this study, consulted UN staff stated that no concrete efforts to implement the UN Disability Inclusions Strategy in the BiH country team had been made. Having persons with disabilities as project staff and/or included in the project implementation structure to sensitise staff on practical needs, ways and means of inclusion can lead to greater focus on inclusion of persons with disabilities.

To other international institutions and national and international CSOs

iv. Make the information about peacebuilding projects accessible to all persons with disabilities, both through establishing and maintaining close contacts with OPDs and through adapting the information to their needs, such as Braille alphabet or sign language.

v. Continue contributing to the narrative that peace is not mere absence of war, but a concept that ensures an inter-ethnic trust, stability, freedom and rule of law in today's BiH. In this way, all persons with disabilities will have an opportunity to participate in peacebuilding initiatives, rather than just those who became disabled due to the war.

vi. Where possible, allocate additional resources during project design stage for increasing capacities, resources and expertise aimed at meeting the specific needs of persons with disabilities to ensure their participation in peacebuilding processes. Ensure the participation of women and youth with disabilities, as well as equal participation of persons with different types of disabilities, in these activities.

vii. CSOs should develop disability inclusion policies and strategies in accordance with the relevant international standards.

viii. Ensure the participation of women and youth with disabilities, as well as equal participation of persons with different types of disabilities,

in these activities.

ix. Ensure cooperation between CSOs dealing with peacebuilding and OPDs to overcome lack of disability-related expertise in implementing projects. There is a general consensus among OPDs that it is necessary to create preconditions for inclusion of persons with disabilities in peacebuilding initiatives, which includes active and meaningful participation of persons with disabilities already at the project design stage in order to acknowledge all specific actions that need to be taken in order to ensure the actual inclusion.

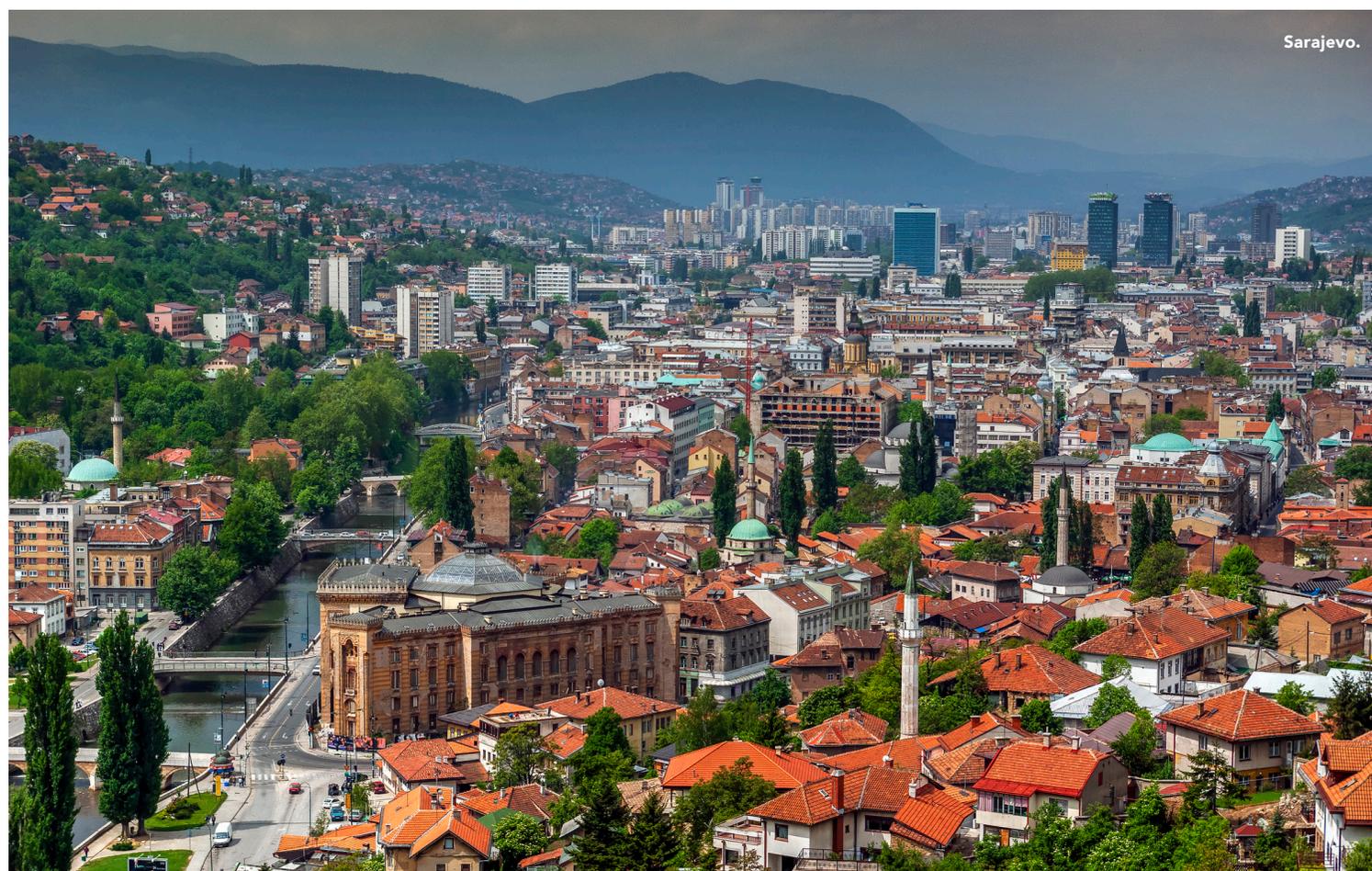
To OPDs

x. Continue contributing to a comprehensive and inclusive peace narrative in BiH with strong focus on inter-ethnic trust-building, universal human rights, justice and rule of law.

xi. Use “best practices” of inter-ethnic cooperation between OPDs from different entities and ethnicities as a way to promote reconciliation and share these experiences with CSOs and other international peacebuilding organisations in BiH.

xii. Where possible, consider participating in available project calls for proposals in the areas of

peace and reconciliation. Encourage youth with disabilities in civil society to take an active role in advocacy and activism as they could become a driving force for a more active engagement in peacebuilding. ★



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Annex I: Definitions

CULTURE OF PEACE is an integral approach to preventing violence and violent conflicts, and an alternative to the culture of war and violence based on education for peace, the promotion of sustainable economic and social development, respect for human rights, equality between women and men, democratic participation, tolerance, the free flow of information and disarmament¹.

The definition and scope of **peacebuilding** has evolved over time, and contemporary peacebuilding is now seen as more integrated and multi-faceted than in the past. While there is no single definition of peacebuilding, the term is used in this study to describe a variety of processes, programmes and activities to reduce the risk of relapsing into conflict by strengthening national capacities for conflict management at all levels and to lay the foundations for positive peace and development. The term **positive peace**², in turn, understands peace a situation characterised by the absence of violence or fear of violence but also takes into consideration the capacity of a society to meet the needs of citizens, reduce the number of grievances that arise and resolve remaining tensions and disagreements without the use of violence. Furthermore, **peacebuilding** involves a range of measures to strengthen national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and development. Peacebuilding strategies must be coherent and tailored to specific needs of the country concerned, based on national ownership, and should comprise a carefully prioritized, sequenced, and therefore relatively narrow set of activities aimed at achieving the above objectives.³

In the local context of BiH, peacebuilding is founded on the General Framework Agreement

for Peace in BiH (The Dayton Peace Agreement). Besides the terms of ending the war, this Agreement contains a broad range of solutions on how to ensure the peace is sustainable. Therefore, in accordance with the Dayton Peace Agreement, peacebuilding in BiH and in the context of this study, can be understood through a range of measures stipulated in the Peace Agreement, which include observance of human rights (Annex VI) and the protection of refugees and displaced persons (Annex VII) and investigation and prosecution of war crimes and other violations of international humanitarian law (Article IX).⁴

Social exclusion: The concept describes “(...) a process by which certain groups are systematically disadvantaged because they are discriminated against on the basis of their ethnicity, race, religion, sexual orientation, caste, descent, gender, age, disability, HIV status, migrant status or where they live. Discrimination occurs in political institutions, such as the legal system or education or health services, as well as in social institutions like the household, and in the community.”⁵

Disability: Defining the term disability is highly contentious for several reasons. Diversity of types of disabilities, and the evolving nature of the concept with the context and the time means the definition is evolving. Therefore, UNCRPD defines disability as ‘an evolving concept, and that disability results from the interaction between persons with impairments and attitudinal and environmental barriers that hinders their full and effective participation in society on an equal basis with others.’ Accordingly, Article I of the convention states that ‘Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments, which in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others’ [United Nations (1), 2020].

Further, the term persons with disabilities

is used to apply to all persons with disabilities including those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various attitudinal and environmental barriers, hinders their full and effective participation in society on an equal basis with others [United Nations (6), 2007]. Recognising disability as an evolving concept allows the UN system to adopt and relate the concept over time and in different contexts.

In BiH, there is no single, over-arching legislative definition of “person with disability” applicable at all levels and in all regulatory contexts within the country, its entities and the cantons. Instead, definitions differ from sector to sector and law to law.

Social model of disability⁶: “The social model of disability is a progressive political tool, which aims to advocate for individuals with disabilities who are unable to function due to physical and/or cognitive deficiencies. Thus, it calls for the removal of societal barriers and illustrates that the problems faced by disabled individuals are socially produced, as a consequence of social structures, institutional arrangements, and environmental factors (Lang, 2001; Shakespeare 2006, p. 199). Consequently, initiating the social model of disability will help in building a society that is barrier-free and that is accessible by everyone.”⁷

Human Rights-based approach to disability: persons with disabilities have long been seen as passive recipients of aid, often reduced to their impairment-related health needs. A human rights-based approach to disability implies that all people are active subjects with legal claims and that persons with disabilities need to participate in all spheres of society on an equal basis with their non-disabled peers. According to the human rights-based approach to development as defined by the UN, development cooperation contributes to capacity development of “duty

bearers”, i.e. States and their institutions acting with delegated authority, to meet their obligations, and on the other hand of “rights-holders”, e.g. persons with disabilities, to claim their rights. Throughout this process, the following core human rights principles should be applied: equality and non-discrimination participation and empowerment and transparency and accountability.⁸

Inclusion of persons with disabilities: The UN Disability Inclusion Strategy defines disability inclusion as ‘the meaningful participation of persons with disabilities in all their diversity, the promotion of their rights and the consideration of disability-related perspectives, in compliance with the Convention on the Rights of Persons with Disabilities’ [United Nations (3), 2019].

Further, as described by the Centre for Disease Control and Prevention (CDC) (2019), inclusion of persons with disabilities means including people with disabilities in everyday activities and encouraging them to have roles similar to their peers who do not have a disability. This involves more than simply encouraging people; it requires making sure that adequate policies and practices are in effect in a community or organization. Inclusion should lead to increased participation in socially expected life roles and activities such as being a student, worker, friend, community member, patient, spouse, partner, or parent.

Annex II: Objectives and study questions

OBJECTIVE A:

Contribute to increased knowledge on inclusion of persons with disabilities in BiH peace and reconciliation process by identifying potential best practices, key gaps and challenges with regards to inclusion of persons with disabilities within various agencies of the UNCT in BiH, with spe-

¹The 1999 UN Programme of Action on a Culture of Peace and the 1998 UN resolution on the culture of peace.⁷ See Institute for Economics and Peace: <https://positivepeace.org/what-is-positive-peace> and Sida Peace and Conflict Tool-box: https://www.sida.se/globalassets/sida/eng/partners/peace-and-conflict-tool-box/s209461_tool_defining_key_concepts_c2-3.pdf ⁸Decision of the Secretary-General’s Policy Committee, May 2007. ⁹The Dayton Peace Agreement was initiated in Dayton, Ohio on November 21, 1995 and signed in Paris on December 14, 1995 <http://www.ohr.int/dpa/default.asp?content_id=380. ¹⁰Jeyaweera & Gunawardena 2007, p. 6 cited in Vinthika Raveendran (June 2016); Intersections of war and disability: The context of disabled Tamil women in Sri Lanka, pp. 16–17. ¹¹See e.g., Barnes, C. (2012). The social model of disability: Valuable or irrelevant? In N. Watson, A. Roulstone, & C. Thomas (Eds.), *Tlfe Routledge handbook of disability studies* (pp. 12–29). London, UK: Routledge. ¹²Lang, 2001 and Shakespeare 2006, p. 199 cited in Vinthika Raveendran (June 2016); Intersections of war and disability: The context of disabled Tamil women in Sri Lanka, pp. 24–25. ¹³<https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach>

cific focus on Dialogue for the Future initiatives and other previous and current related initiatives (such as relevant provisions of the Dayton Peace Agreement) in support for peaceful resolution of conflicts, reconciliation, respect for diversity and community security.

Study question 1: What best practices can be observed with regards to inclusion of persons with disabilities within the Dialogue for the Future initiatives and the focus areas of UNDAF relevant to peacebuilding and persons with disabilities in BiH?

» Have the SDG-related initiatives (with key focus on SDGs 16, 10 and 5) contributed to the inclusion of persons with disabilities into the peacebuilding process?

» Have there been any analysis at the government or NGO level on the inclusion of persons with disabilities in peacebuilding process in BiH? In the case there are, have the findings from these studies been incorporated in the existing initiatives on peacebuilding?

» Have persons with disabilities been included in peacebuilding efforts in BiH? If so, has it been a strategic policy level approach or persons with disabilities have been incidentally included along with other marginalised groups in BiH?

» In the case persons with disabilities have been included in the peacebuilding process (either strategically or just mainstreamed), have there been disaggregated data on the age, gender, type of disability or other data of persons with disabilities?

» Existing data indicate that persons with disabilities are divided into three categories: disabled veteran or the war, civilian victim of the war, and person with a non-war related disability. In effect, they receive different scales of benefit and entitlement, based on whether their disability arose during wartime and if so whether it was during active service or in civilian life. Have such disparities been noticed in the peacebuilding initiatives as well?

Study question 2: What key gaps and challenges exist with regards to inclusion of persons with disabilities, within the Dialogue for the

Future initiatives and the focus areas of UNDAF relevant to peacebuilding and persons with disabilities in BiH?

» Have there been disparities in the level of inclusion between different groups of persons with disabilities? For example, between women and men, ethnic and religious groups, persons with disabilities from birth and persons with disabilities by war, veterans and civilians, or any others?

» In the case of disparities between persons with disabilities from birth and persons with disabilities by war and veterans and civilian war victims, what are the underlying causes for such disparities? Have persons with disabilities been incorporated into the legislation and public policies or only in practical initiatives/projects? What is the general understanding of benefits that persons with disabilities caused by the war are entitled to under the current legislation?

» What type of structural or financial barriers exist which is preventing disability inclusive peacebuilding initiatives? Identify challenges in accessibility if any.

» What other challenges exist to ensure meaningful participation of persons with disabilities in peacebuilding initiatives? For example, gaps in capacity, recognition, or empowerment?

» What gaps exist in the incorporation of international or national policy guidelines, in the design and implementation of peacebuilding initiatives?

» Are there any information or data gaps experienced while designing inclusive peacebuilding initiatives? For example, availability of information, reliability, or disaggregation?

OBJECTIVE B:

Provide a comparative analysis of key UN agencies' capacities, policies, strategies and approaches on inclusion of persons with disabilities and other relevant international and national stakeholders within the peacebuilding community in BiH.

Study question 3: What capacities do UN agencies (and other relevant international and national stakeholders) possess, in relation to inclusion of persons with disabilities in peacebuilding initiatives in BiH, with a particular focus on the areas of

UNDAF relevant to peacebuilding and persons with disabilities in BiH?

» What is the knowledge level on the existing UN policy framework on the inclusion of persons with disabilities in peacebuilding processes in BiH?

» How have such global frameworks been implemented at the country level in BiH e.g. in terms of institutional changes, structure, personnel, practices, or funding, targeting better inclusion of persons with disabilities in peacebuilding initiatives?

» What are the capacities of organisations involved in peacebuilding initiatives with regards to including persons with disabilities? What is the level of expertise in the area of inclusion of persons with disabilities? For example, to what extent are the existing initiatives guided by the international policy framework in the area of inclusion of persons with disabilities in the peacebuilding initiatives?

» What are the research and development capacities in organizations that could support the designing of inclusive peacebuilding initiatives?

Study question 4: What are existing policies, strategies and approaches on inclusion of persons with disabilities of UN agencies (and other relevant international and national stakeholders) in BiH, with a particular focus on the areas of UNDAF relevant to peacebuilding and persons with disabilities in BiH?

» What is the underlying driving force to include persons with disabilities in the existing peacebuilding initiatives?

» What are the specific organisational or institutional policies which intend to ensure the inclusion of persons with disabilities in peacebuilding initiatives?

» What are the specific strategies and approaches which intend to ensure inclusion of persons with disabilities in programme design or implementation?

OBJECTIVE C:

Contribute to increased knowledge and understanding on the views, needs and interests of

Organisations of Persons with Disabilities and their key constituencies in BiH's peace and reconciliation process. Pay particular attention to and present different experiences, views and interests of women, men, youth, children and ethnic minorities within the broader group of persons with disabilities. Consultant shall take in consideration that 'Persons with disabilities include those who have longterm physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others' (UNCRC, 2006, p. 4).

Study question 5: What are the views expressed by Organisations of Persons with Disabilities (OPDs) and their key constituencies on inclusion of persons with disabilities in BiH's peace and reconciliation process?

» How do Organisations of Persons with Disabilities (OPDs) and their key constituencies define concepts such as peacebuilding, peace processes and justice? Are there notable differences in this understanding between different groups of persons with disabilities?

» What are their views about the existing legislative and policy divide that separates those disabled as a result of conflict and those with disabilities acquired through other means?

» During the war crimes trials, courts have cooperated with CSOs to facilitate the witnesses' access to courts and its facilities (psycho-social support, transportation, etc.). Have OPDs been contacted in this process to ensure accessibility of persons with disabilities in this process as well as other facilities related to access to courts? Are there notable differences in this understanding between different groups of persons with disabilities?

» What are their views on their engagement and participation in designing of peacebuilding initiatives? For example, level of consultation, and actual representation. Are there notable differences in this understanding between different groups of persons with disabilities?

» What are their views on their engagement and participation in implementing peacebuilding

initiatives? For example, level of consultation, and actual representation. Are there notable differences in this understanding between different groups of persons with disabilities?

» What are their views on whether different groups of persons with disabilities are sufficiently represented in all stages of peacebuilding initiative programs? Are there notable differences in this understanding between different groups of persons with disabilities?

» In the case of peacebuilding initiatives where individual persons with disabilities are included/mainstreamed in the process, have OPDs got consulted in the process or persons with disabilities got contacted individually? Are there notable differences in this understanding between different groups of persons with disabilities?

» Existing data indicate that persons with disabilities are divided into three categories: disabled veteran or the war, civilian victim of the war, and person with a non-war related disability. In effect, they receive different scales of benefit and entitlement, based on whether their disability arose during wartime and if so whether it was during active service or in civilian life. Have such disparities been noticed in the peacebuilding initiatives when it comes to participatory approach as well, i.e. have the war-related persons with disabilities associations been more consulted than the non-war associations of persons with

disabilities? Also, has there been any difference in participatory approach between civilian war victims associations and war veteran associations?

Study question 6: What are the needs and interests expressed by the OPDs and their key constituencies in terms of inclusion of persons with disabilities in BiH peace building processes, with a particular focus on the existing legislative and policy divide that separates those disabled as a result of conflict and those with disabilities acquired through other means?

» In what way have the needs and interests expressed by persons with disabilities in consultations for peacebuilding initiatives, to their knowledge, been included in peacebuilding initiatives? Are there notable differences in this regard between different groups of persons with disabilities?

» Which needs and interests expressed by OPDs and their constituencies have not been met in the existing peacebuilding initiatives? What are the underlying causes of the unmet needs if any? Are there notable differences in this regard between different groups of persons with disabilities?

» What type of peacebuilding related support would persons with disabilities like to see in the future? What are their main recommendations to responsible stakeholders including UN agencies, INGOs and other international actors.

Annex III: Study respondents

No.	Name of interviewee	Organisation	Interview Date
1	Renata Gojak	UNICEF BiH	13.10.2020.
2	Siniša Šešum	UNESCO BiH	13.10.2020.
3	Elmaja Bavčić	OSCE Mission to BiH	14.10.2020.
4	Zlatko Malić	Caritas BiH	30.10.2020.
5	Selma Korjenić	Trial International	3.11.2020.
6	Lamija Tiro	Trial International	3.11.2020.
7	Berina Žutić Razić	Trial International	3.11.2020.
8	Alma Mirvić	UNDP BiH	5.11.2020.
9	Siniša Sajević	Caritas BiH	6.11.2020.
10	Sanja Hamidović	Delegation of the European Union to BiH & European Union Special Representative in BiH	9.11.2020.
11	Miloš Bogičević	OSCE Mission to BiH	26.11.2020.

Meetings and Focus Group discussions with OPDs

No.	Type of Meeting	Number of Participants	Name of OPD	Date of meeting
1	Introductory Meeting with the OPD Coalitions	9		6.10.2020.
			One representative from the Coalition of Organisations of Persons with Disabilities Canton Sarajevo, Association of Blind Canton Sarajevo	
			Three representatives from two different organizations of Coalition of Organisations of Persons with Disabilities of Tuzla Canton	
			One representative from the Coalitions of organizations of persons with disabilities region Bijeljina - KOLOSI	
			Two representatives from the Coalitions of Organisations of Persons with Disabilities from Herzegovina-Neretva Canton	
			Two representatives from Coalition of organizations of persons with disabilities COPD Doboj region	

2	Introductory Meeting with the MyRight OPD Partners	9		9.10.2020.
			Two representatives of the Association Ruzicnjak	
			Two representatives of the IC Lotos	
			One representative of the Association Oaza	
			Two representatives of the Association Fenix	
			Two representatives of the Association of the Blind Persons in Canton Sarajevo	
3	Focus Group 1: OPDs	5		19.10.2020.
			Association Ruzicnjak	
			IC Lotos	
			Association Oaza	
			Association Fenix	
			Association of the Blind Persons in Canton Sarajevo	
4	Focus Group 2: OPDs	4		21.10.2020.
			Association of Paraplegics, Patients with Polio and Other Physically Handicapped in the Doboj Region	
			Association of Persons with Cerebral Palsy, Sapna	
			Center for Civil Society Development in Bosnia and Herzegovina, Doboj Istok	
			Association of amputees Doboj	
5	Focus Group 3: OPDs	6		22.10.2020.
			Association of Deaf Persons from the Coalition of OPDs Sarajevo	
			Two representatives of the Association Ruzicnjak from the Coalition of OPDs Hercegovina-Neretva Canton	
			Association of Civil War Victims Bijeljina	
			Association Life with Down Syndrome	
			Association KKK basketball for persons in wheelchairs	
6	Focus Group 4: Youth from OPDs	5		18.11.2020
			Two representatives of youth from Coalition of organizations of persons with disabilities COPD Doboj region	
			Representative of youth from the Coalition of Organisations of Persons with Disabilities of Tuzla Canton	
			Representative of youth from the Coalition of organizations of persons with disabilities region Bijeljina – KOLOSI	
			Representative of youth from the Coalition of Organisations of Persons with Disabilities from Herzegovina-Neretva Canton	
7	Focus Group 5: Women from OPDs	5		19.11.2020
			Representative of women from the Coalition of organizations of persons with disabilities region Bijeljina – KOLOSI	
			Representative of women from Coalition of organizations of persons with disabilities COPD Doboj region	
			Representative of women from the Coalition of Organisations of Persons with Disabilities of Tuzla Canton	
			Two representatives from the Coalition of Organisations of Persons with Disabilities Canton Sarajevo	
8	De-briefing with OPDs	15		23.12.2020
			10 Representatives of Coalitions of OPDs	
			5 representatives of MyRight partner OPDs	

Annex IV: A few additional examples of inclusion of persons with disabilities in the Dialogue for the Future programme

CASE EXAMPLE:

LOCAL DIALOGUE PLATFORMS AS PART OF DFF 2

▶ A person with Down syndrome was selected by the Local Dialogue Platform members in Sarajevo Centar municipality to present the platform's priorities to the Mayor.⁹

On a more general note, as a result of 14 youth, national and regional dialogue platforms in which around 1,300 persons participated in three countries, UNDP synthesized and validated the priorities and the theme of advocacy of vulnerable groups' rights came out very strongly. It is clearly reflected under the theme of "improving dialogue" and as well as "improving gender equality". Furthermore, one out of 24 grantees was "Savez udruženja osoba s CPFBiH"¹⁰ from Sarajevo, with a project intended to tackle the exclusion of people with hearing impairment from municipal services. "Around 25% of people with cerebral palsy also have hearing difficulties. The project trained a group of municipal employees in the use of sign language. It also prepared an 'electronic dictionary' providing video instructions for hundreds of sign language words and phrases. These are available for download from the Federation website, and were also distributed to schools, colleges, health facilities and other public institutions, and to parents of children with disabilities. The Federation plans to continue this work, particularly in schools and pre-schools in order to promote inclusive education."¹¹

CASE EXAMPLE:

SOCIAL RESPONSIBILITY FOR CONTEMPORARY ART MUSEUMS: TACTILE EXHIBITION IN BOSNIA AND HERZEGOVINA

▶ Within the framework of the Dialogue for the Future programme, the Sixth Regional Museum Meeting on the subject of "Social inclusion and the contemporary museum" was held from 5 to 8 November 2015 at the Museum of Contemporary Art of the Republic of Srpska in Banja Luka, Bosnia and Herzegovina. The event opened the tactile exhibition "Space, Form, Touch", hosted by the museum until 15 December 2015.

The organizers of the meeting and the exhibition are the ICOM-SEE (Regional Alliance of the International Council of Museums for South East Europe) and the National Committee of ICOM Bosnia and Herzegovina, in collaboration with the Museum of Contemporary Art of the Republic of Srpska. The activity is supported by the United Nations in Bosnia and Herzegovina and the UNESCO Regional Bureau for Science and Culture, Venice (Italy).

At the occasion of the Sixth Regional Museum Meeting, on 5 November 2015, "Space, Form, Touch", a tactile exhibition, was opened; the exhibition is adapted for people who are visually impaired. "Don't touch the objects!" is a phrase that many people who have visited a museum have encountered, but what if the public cannot access the information without their sense of touch? Visually impaired visitors need alternative methods for accessing the objects and information featured in museum exhibitions.

The main goal of this exhibition dedicated to 3 concepts – space, form and touch – is to include visitors with low-vision as well as others into the museum's activities by giving them the opportunity to experience art and take part in contemporary cultural events. Hence, the exhibition has been conceived to adapt abstract works - paintings, sculptures and graphics - through tactile reproductions and audio material to enable visually impaired visitors to fully feel and apprehend art.

On 6 and 7 November 2019, lectures on "Social inclusion and the contemporary museum" were given by professionals from the region (Bosnia and Herzegovina, Croatia, Montenegro, Serbia and Slovenia) and Italy. As museums are institutions that bear a great amount of social responsibility, the sessions were organised around the theme of social inclusion and the role of contemporary museums in today's society, with the goal to enrich and broaden the experience of the regional museum institutions and to devise a new strategy on social inclusion.

On the last day, 8 November 2019, participants to the meeting visited the Memorial complex, a very important feature of the national cultural heritage – consisting of the Memorial wall, the Museum and the Monument itself –, very well incorporated into the natural surroundings of mountain Kozara and representing a unique landmark in this region. ★

http://www.unesco.org/new/en/media-services/single-view/news/social_responsibility_for_contemporary_art_museums_tactile/

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MyRight is the Swedish disability movement's organisation for international development cooperation. We work to ensure that people with disabilities around the world gain greater access to their rights. Learn more by visiting <https://myright.se/english/>

This report has been designed with the aim to be accessible to all persons. Do you have thoughts or feedback on the accessibility of this report? Please contact MyRight at info@myright.se.

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⁹<https://www.facebook.com/Dijalogzabuducnost/posts/1087061961479909>. ¹⁰FBIH Union of Associations of Persons Living with Cerebral Palsy. ¹¹A Vračić, A Vežić & M Cox, Dialogue for the Future 2 Final Evaluation.