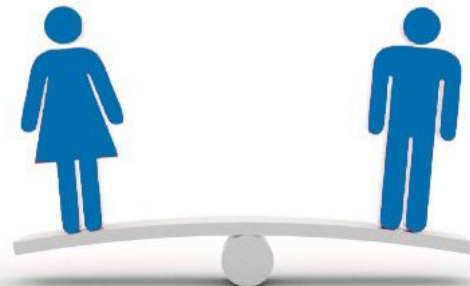




Assessment Report

Implementation of NAP/AP 1325 in the Western Balkans

KOSOVO



Fjolla Raifi

Kosovar Center for Security Studies (KCSS)

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Fjolla Raifi works as a Project Coordinator and Researcher at the Kosovar Center for Security Studies (KCSS). Fjolla has completed her Bachelor Studies at the American College of Thessaloniki, Greece; with one completed semester at the University of Northern Iowa, the United States. Before joining the KCSS, Fjolla worked in a number of international and local organisations that have enriched her academic and professional background.



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Introduction

The Kosovo government, as well as local and international organisations, have continually worked towards the improvement and promotion of gender equality. The institutional legal framework properly regulates women's inclusion and representation in the public sector. The existing legal framework defines a non-discriminatory environment for all underrepresented groups, which is embedded in two laws: the Anti-Discrimination Law (ADL) and the Law on Gender Equality (LGE)¹. Similarly, the strategic and policy framework of the government institutions specifically highlights the goals for increasing the level of women's inclusion in all aspects of civil service management. As demonstrated throughout this paper, there are also a wide variety of initiatives by different organisations and women-focused Civil Society Organisations (CSO) that aim to increase women's involvement and participation in the political process. Yet, in practice, there is limited implementation and enforcement of the existing legal framework. This is mainly due to a lack of political will, as well as the influence of political parties upon selecting their Lobby Groups and a low understating of delegation with respect to the impact of women in peace dialogue.

Women's citizenship in Kosovo, in terms of political participation and social capabilities, has therefore been identified as different or unequal to that of men's. The variety of different roles and responsibilities for men and women has constructed a diverse picture of their positions in society. Specifically, the lack of educational and employment opportunities have continually made women dependent on the male members of their families. According to government authorities' reports, the overall number of registered unemployed persons has risen to a level between 30-35%, where 48.6% of the unemployed are female (MLSW 2011:10). Consequently, this high level of poverty and lack of job opportunities have historically influenced women's economic status.

The United Nations Security Council Resolution (UNSCR) 1325 is reported to be one of the most comprehensive resolutions adopted in the field. It is a legal document launched by the UN Security Council and therefore has legal supremacy over the domestic legal framework. Its introduction in Kosovo seemed to be a step forward in overcoming the challenges that women face in the public sector. Keeping in mind that Kosovo was under the administration of the United Nations (1999-2008), women's expectations for a better political and social status were high. However, not only did the UN institutions fail to appoint or include any female members within their delegation, they also failed to apply any of the policies of the Resolution in their

¹ Both laws are explicit about "the principle of fair representation of all persons and all members of communities to employment in the frame of public bodies of all levels" (ADL 2004:Art.2.a), as well as equal participation "...in the political, economic, social, and cultural, and other fields of social life" (LGE2004:Art.1.1)

operational strategies (Qosaj-Mustafa 2010:8). Therefore, despite being a UN administered territory, Kosovo did not benefit from the adoption and practices related to UNSCR 2325.

The complexities of women's inclusion are particularly emphasised within security institutions. As expressed in this paper, there is a suitable non-discriminatory legal framework. Women's inclusion in the security sector increased in parallel to the consolidation of the sector. The security sector in Kosovo was built up from scratch under the continuous support and supervision of the international community. In particular, the first period of security sector development (1999 – 2005) and the second consolidation period of security sector (the end of 2005 – beginning of 2008) reflect the exclusively internationally-driven security sector (KCSS 2011: 28). From its conception to now (early 2013), there has been considerable progress in consolidating security sector governance and oversight (Qehaja&Vrajolli 2012:106).

Currently, the security institutions have emphasised the importance of women's representation and have encouraged women to become involved in roles that were traditionally considered to be 'men's responsibility' (Vrajolli, 2011:59; Qosaj-Mustafa, 2012: 76). The existing legal framework, as well as strategic documents, have constantly promoted and thus created various incentives for women's inclusion. According to the data provided from March 2013, the level of women's representation in the Kosovo Police (KP) stands to be 14.85%; while women comprise 33.22% of the KP civilian staff (Shala, 2013). On the other hand, the level of women soldiers at the Kosovo Security Force (KSF) is only 8.18%, where 8.16% of women at the KSF are represented at the operational level and 4.06% make up the strategic level (Morina 2013). Women's inclusion in the fire-fighters units is concerning considering that they have absolutely no representation (KCSS 2012: 76).

This paper covers the implementation of Resolution 1325 in the security sector in Kosovo, particularly in the Kosovo Police and the Kosovo Security Force. It outlines the scope of their responsibilities with regards to Resolution 1325 as well as the statistical data relating to the inclusion of women in respective institutions. Due to various limitations and lack of information, the Kosovo Intelligence Agency (KIA) was not subject to this paper. The methodology for writing the paper has partially relied on desk research, specifically on content and textual analysis. It includes the respective legislation and academic publications, as well as different journals. Additionally, it relies on the Kosovar Centre of Security Studies (KCSS) expertise on the overall development of the Kosovo security sector. The quantitative data are mainly selected from the latest report of the KCSS, the 'Kosovo Security Barometer' (November 2012), which depicts women's perceptions of the Kosovo security institutions. Furthermore, the core research was based on face-to-face interviews with experts and other relevant experts on the gender equality sector. There were eight interviews in total, covering the institutional level and civil society, as well as women activists in this field.

The first part of the chapter provides an analysis of gender mainstreaming in the security sector and highlights the key phases and turning points of gender mainstreaming in the context of security sector reform. Furthermore, it refers to the development of numerous initiatives and strategies in relation to the National Action Plan (NAP) by emphasising the continuous contribution and willingness of women-focused CSOs and other civil society representatives.

I Gender Mainstreaming and Security Sector Reform in Kosovo

Unlike in most of the countries in the region, the development of the security sector in Kosovo started from scratch, with the substantial support of the international community. The

development of the security sector coincided with the process of integrating a satisfactory level of women into the sector and has been supported by international actors in Kosovo (KCSS 2012:72). Although the overall gender-related process was internationally-driven, the willingness and contribution of women's organisations has played major role in the development and implementation of the Resolution 1325. The efforts and goals of such organisations aimed to ensure the satisfactory inclusion of women in the decision-making process and the public sector in general.

The key phases in the process of security sector development and gender mainstreaming

The security sector's inception, upon which it has since developed, is considered to have taken place in 1999. The following period saw the construction of security institutions under the auspices of the UN administration. These developments were characterised by the creation of the Kosovo Police (KP) and the Kosovo Protection Corps (KPC) (KCSS 2009:1). The KP and KPC introduced their respective policies towards the inclusion of women continually, despite challenges towards their responsibilities and mandate (KCSS 2012: 72). The process of reaching satisfactory levels of female inclusion continued in the post-independence period. This took place in a new security sector architecture that included additional security related institutions, such as: the Kosovo Security Force (KSF), the Kosovo Security Council (KSC), and the Kosovo Intelligence Agency (KIA) (KCSS 2009:1).

Legal framework for gender equality

The current legislative framework provides a strong basis for the position and representation of women in the security sector. Since 1999, the entire legislation promotes the principle of gender equality and portrays an equal and non-discriminatory environment for women in the public sector. The *Constitution* of the Republic of Kosovo respects and promotes the principles of gender equality in accordance with the international conventions and laws². Furthermore, two other significant laws that mainly promote the principle of anti-discrimination and regulate the gender issues in all institutions are the *Anti-Discrimination Law (ADL)* and the *Law on Gender Equality (LGE)*, which specifies the need for equality in job opportunities and career development.

The Anti-Discrimination Law (ADL) and the Law on Gender Equality (LGE)

The *Anti-Discrimination Law* ensures the prevention and combating [of]discrimination, by promoting equal treatments and access to employment for all the minority groups and women (ADL 2004: Art. 2). Similarly, the *Law on Gender Equality* calls for the establishment of equality “*in the political, economic,*

²The Constitution of Republic of Kosovo explicitly ensures that 'gender equality is a fundamental value for the democratic development of society, and equal opportunities for the participation of women and men in political, economic, social, cultural and other fields of social life'(Constitution 2008: Art.7).

social, and cultural, and other fields of social life”, as a fundamental component of a democratic society (LGE 2004: Art.1.1). It explicitly defines a set of legal measures that aim to achieve equal access for men and women to all public and private sectors. Furthermore, this law highlights the need of all central and municipal institutions to have a *coordinator of gender issues* within respective institutions (LGE 2004: Art.4.12).

Textbox 6. The Anti-Discrimination Law (ADL) and the Law on Gender Equality (LGE) in Kosovo

The law on Gender Equality (LGE) also required the establishment of an *Office for Gender Equality* as a separate governmental institution. This office, which in 2005 became *Agency for Gender Equality*, ensures the promotion and implementation of gender equality policies, international acts, agreements on gender equality, and general gender regulations (LGE 2004:Art.5.2).

Furthermore, the legal framework of Kosovo presents no barriers or discrimination towards women’s access and the process of employment. The *Law on Labour* was adopted in 2010 as a base of equality and anti-discrimination towards the working force. It explicitly prohibits any discrimination on the basis of gender (Art.5) and calls for equal opportunities and criteria to both female and male applicants (LL 2010: Art.5.4)³.

Yet, despite the existence of the legal framework and other significant initiatives, the inequality between men and women continues to influence their social, political and economic environment. Specifically, as stated in several reports and analyses, there is a constant inequality within the labour market amongst men and women as a result of different social and political factors (ABG 2011:18). Additionally, the process of implementing these laws has been repeatedly criticised by the civil society activists and other relevant actors. According to civil society organizations, the *Law on Gender Equality* and *Anti-Discrimination Law* have shown extremely low applicability in practice (Mustafa 2013). Some of the key informants went further by stating that “*the majority of the principles of these laws have never been practiced or implemented*” (Rogova 2013). The Law on Gender Equality has been structured and adopted in a short period of time and without reference to the social and political situation in Kosovo. Furthermore, the voice of civil society argues that some parts of the law have been structured based on the situation and experience of countries from the region, and are not necessarily in compliance with the situation in Kosovo (Rogova 2013). The challenges, with regards to the implementation of the law and lack of social and political context, have led to the launch of a procedure for the adoption of a revised Law on Gender Equality.

³ Furthermore, it specifies the need for more comfortable circumstances during females’ pregnancy periods upon their request (LL 2010: Art. 17). Within this law, Article 49 regulates the issue of maternity leave by entitling employed women with twelve (12) months of leave in accordance with the law(LL 2010: Art.49.1).

Significant attention and contributions on gender equality issues in Kosovo have been provided by a variety of international actors present in Kosovo. The most notable, UNWOMEN, has been present in Kosovo since 1999⁴ as a strong actor for financial and technical assistance on gender issues. It continuously played a major role in the development of a common approach towards women’s engagement in peace-building processes between the actors of traditional and non-traditional spheres, by establishing proper relations among the women’s organizations and security institutions as Kosovo Police (Macula, 2013). Apart from many awareness raising campaigns and trainings, in 2007 the UN Women in Kosovo established the *Security and Gender Coordination Group (SGSG)* in order to further enhance cooperation among international and local actors as well as other civil society organisations towards gender issues (UNIFEM 2010). Whilst always being a supportive hand to various drafts of strategies and developments, UNWOMEN has been considered among the major advocates of women’s rights. Consequently, joint efforts between governmental bodies, local and international organisations to achieve gender balance within public institutions and other decision-making positions have resulted in the gradual creation of following bodies and mechanisms:⁵

EXECUTIVE LEVEL	<i>Agency for Gender Equality – Office of the Prime Minister</i>
	<i>Advisory Office on Good Governance, Human Rights and Gender Equality – Office of the Prime Minister</i>
	<i>Ombudsperson Institution – Gender Equality Unit</i>
	<i>Officers for Gender Equality in each Ministry</i>
	<i>Council of Ministers for Gender Equality</i>
LEGISLATIVE LEVEL	<i>Non-formal Women Deputies Group, aiming to protect and promote gender equality and women’s development.</i>
MUNICIPAL LEVEL	<i>Municipal Offices for Gender Equality(MOGE) in all municipalities</i>
	<i>Municipal Committees for Gender Equality</i>

Table 7. Gender equality bodies and mechanisms in Kosovo

Furthermore, a number of significant initiatives have contributed to the increasing level of women’s participation in different institutions. Below are some of the recent and most influential initiatives adopted by the Government and Assembly of Kosovo.

National Action Plan for the Achievement of Gender Equality was adopted by the Kosovo government in 2004 with strong support and assistance from UNWOMEN. It is completely based on Beijing Platform for Action and CEDAW procedures that aim to promote gender

⁴ At the time it was United Nations Development Fund for Women (UNIFEM).

⁵ Agency for Gender Equality, Office of Prime Minister. Research Report ‘Women on the workforce and decision-making process in Kosovo’. Prishtina, 2011.

equality as well as women's participation in political and social spheres (EPLO 2010: 39). Specifically, the action plan determines the structure of gender mechanisms in Kosovo.

Kosovo Programme for Gender Equality 2008-2013 is another initiative drafted by the Government of Kosovo as a provision under the Law on Gender Equality. It was adopted in 2008 as a tool for integrating gender equality strategies and policies into all government programmes (SCGC 2010: 13). The document resulted with joint inputs from institutions and international actors, as well as civil society activists in Kosovo.

Action Plan on Enforcement on the Anti-Discrimination Law was adopted in October 2005 as a guideline for the implementation of Anti-Discrimination Law. It mainly specifies the activities and procedures needed for drafting the budget and strategies for anti-discrimination (SCGC 2010: 13).

Kosovo Action Plan to Combat Trafficking in Human Beings was adopted in 2005 as a main strategy for addressing and combating human trafficking. Later in 2008, the Government of Kosovo approved the ***National Strategy and Action Plan for Combating Trafficking in Human Beings*** for the period of 2008-2011 (SCGC 2010: 13).

With regards to Law on Gender Equality and Anti-Discrimination Law, the Assembly of Kosovo has assessed and approved the Prishtina Principles⁶ issued from the ***International Women Summit: "Partnership for Change: Empowering Women"***, held in October 2012. These principles were adopted and translated into a Resolution, aiming to produce a satisfactory level of women's engagement in the public sector as well as greater representation of women in the decision-making process (Resolution 2012: 2).

Law on Protection against Domestic Violence aims to prevent domestic violence in all its forms be that physical, psychological or verbal (LPDV 2010: Art. 1). Specifically, the Kosovo Police is the only institution that is responsible for taking any reasonable measures necessary for the protection of victims and prevention of such violence (LPDV 2010: Art. 24).

Amendment for victims of sexual violence during the war period in Kosovo aims to create a special status within the *Law on the status and rights of martyrs, invalids, veterans, members of the Kosovo Liberation Army, persons raped during the war, and victims of war*. In principle, the ratification of this amendment within the existing law has resulted from a group of civil society activists, who advocated in support of raped women and openly required the support of the

⁶The Prishtina Principles resulted from a gathering of participants of Partnership of Change – Empowering Women, hosted by the President of Republic of Kosovo on 4-6 October 2012 in Prishtina. The event aimed to gather different sectors, countries cultures, ethnicities, ages, and traditions in order to discuss strategies and best practices on advancing women's security and justice, economic empowerment and political participation. Discussions relied on various significant Resolutions, with specific reference to the principles of UNSCR 1325.

Assembly of Kosovo on the review of existing law and the inclusion of a special status for victims of sexual abuse during the war in Kosovo. Consequently, this requirement resulted in a number of debates and contradictions within the Assembly, representatives of civil society and the general public. After intense and controversial debates in the Assembly of Kosovo and in the media, with only three votes above the minimum, the Assembly of Kosovo approved the revision of the existing law that determines recognition of victims raped during the war in 1998 and 1999⁷.

The principle of gender equality at institutional level

Whilst, as reported by women's organizations, their cooperation and relationship with women representatives in Parliament has been a continuous success, the current situation of gender equality relies on the low engagement of Government and other institutional mechanisms (Rogova, 2013). The role and contribution of the parliamentary *Committee on Human Rights, Gender Equality, Missing Persons and Petitions* is particularly emphasised with regards to the development of gender equality strategies and the creation of a non-discriminatory environment. Indeed, this is the only committee with the highest number of women MPs - eight out of nine members are women (Assembly of Kosovo 2012). Furthermore, an extremely remarkable contribution on women's participation in Kosovo is being done by *the Women Caucus of the Assembly of Kosovo*. The Women Caucus is a group of female MPs advocating for effective representation of women in a democratic society of Kosovo.

Moreover, considerable progress in the inclusion of women in higher institutions has been demonstrated by the Office of the Prime Minister and the Government of Kosovo, which previously lacked any female representative in their structure. Specifically, in the current Government (the legislature since the outset of 2011), there are two women in the position of Deputy Prime Minister and two female Ministers (The Office of the Prime Minister 2012). However, none of the security sector-related Ministries (Ministry of Internal Affairs and Ministry of KSF) are led by women, nor are the three Deputy Minister positions of each respective ministry assigned to women.

The major turning point regarding the representation of women in the decision-making process is considered to be the appointment of the first women President of Kosovo, Atifete Jahjaga, in 2011. Her appointment imposed changes to the ongoing challenges towards gender mainstreaming and also set an example for women's political participation in Kosovo.⁸ Yet, it

⁷ http://www.assembly-kosova.org/common/docs/proc/trans_s_2013_03_14_10_4805_al.pdf

⁸ An interesting fact is that the President of Kosovo has been primarily a Deputy General Director of the Kosovo Police, being the first woman in the KP to be awarded with such a senior position. Today, she has become the role model and reference of regional and international actors as a woman leading the country.

also triggered reactions from citizens and different political parties. As she was directly appointed through a joint agreement among the two political leaders of the current coalition (2013) and the leader of the largest opposition party on ad hoc basis, the voice of other opposition political actors continue to request for her resignation⁹.

The table below shows (in percentages) the number of women involved in the decision-making processes in Kosovo during 2011, which stands for the current legislature (2013) as well¹⁰:

Position	Women	Men	% Women
Presidents	1	0	16.7%
Prime Ministers	0	1	0.0%
Deputy Prime Ministers (2011)	2	4	33%
Ministers (2011)	2	17	10.5%
Prime Minister's Office (2007)	46	102	31.1%
Deputy Ministers (2011)	0	33	0.0%
Foreign missions	13	59	18.1%
All institutions (2007)	6,013	10,711	36.5%

Table 6. Women in Decision-making Positions in Kosovo 2011-2013

Representation of women in the security sector

⁹<http://gazetajnk.com/?cid=1,3,3273>

¹⁰Kosovo Women's Network, 1325: Facts & Fables, Prishtine, 2011.

Kosovo Police (KP)

Kosovo Police (KP) is regarded as the ‘champion’ among the Kosovo security institutions with the highest representation of women in its structure - 14.85% (KCSS 2012:74). It contains the highest number of women in comparison to other security institutions, keeping in mind that it was established immediately after the war, whilst other components of security institutions such as KSF were established only after the declaration of independence (2008). The *Law on Police* develops and ensures equality between male and female officers. It also highlights fair and equal treatment to all persons, and foresees the advancement and career development of KP officers based on the principle of meritocracy (LP 2008: Art.2). Besides the Law on Police and Anti-Discrimination Law, KP has its internal procedures and principles, as well as administrative guidelines that regulate gender equality and prohibits any form of discrimination (Canolli 2013). Furthermore, within the KP structure, the gender-equality factor is treated and organised within three separate and remarkably important units: Unit for Gender Equality, Unit for Domestic Violence, and Unit for Anti-Trafficking. The Office for Human Rights and Gender Equality, as well as the Advisory Board for Gender Equality, have reportedly contributed to the equal treatment and participation of women within KP positions. The Table below presents the percentages of women representation in comparison to men’s representation within KP structure:¹¹

<i>Total % of Women Representation</i>	14.85%
<i>Women in Civilian Staff</i>	33.22%
<i>Total % of Minority Women in civilian staff</i>	20.32%

Table 8. Percentage of women representation in Kosovo Police

According to OSCE analysis in 2008, the 14% representation of women in Kosovo Police Services was considered relatively high compared to other European countries. Furthermore, based on DCAF’s estimated data in 2010, the main targets of KP for the recruitment process continued to be the inclusion of women and ethnic minorities, maintaining the 14.77% of the KP structure (DCAF 2011: 7). However, although the number of KP staff in general has increased continually, the general picture shows a decrease of women’s representation in 2011 compared to men representation in KP with a lower figure of 14.85% compared to 20.6% in 1999 (1325 Facts and Fables 2011:71). Due to this percentage decrease, the Kosovo Police has continually adopted certain rules and procedures that make working conditions much easier for women during their pregnancy, as this period is considered to be the most frequent cause of resignations (1325 Facts and Fables 2011: 72). According to the representatives of the KP, during the pregnancy period,

¹¹HysniShala, Head of Human Rights Office, Kosovo Police. Personal Interview, 2012.

women are transferred to easier tasks always in compliance with KP procedures and principles on the safety and health of its staff. Furthermore, women are also flexible to choose their location of work if their current location is far from their home, to decide upon their working hours, and to request for days off duty when needed (Shala 2013). Yet, this decrease in the representation of women has also resulted from the increase in the total number of KP employees throughout its existence. According to the KP, its effectiveness towards the promotion of gender equality has benefited from the deliberate recruitment of women in accordance to their physical capabilities (Canolli 2013). Besides the introduction of easier ways to include women in the workplace and different criteria for women's inclusion in KP structures, the distribution of posters and brochures, the promotion of gender equality through the KP official newspaper, and the organisation of informative campaigns have all raised awareness and promoted the principles of gender equality.

However, as argued by KP officials and women activists, there has been a slight decrease in the level of women's representation over the last two years. As a result of this phenomenon, a group of KP women, with the strong support and assistance of UNWOMEN and US Embassy, have initiated the creation of the *Women's Association in Kosovo Police* (Canolli 2013). The association aims to develop a strong connection, cooperation, and exchange of ideas and experience between women currently at KP and those planning to join. Based on completely voluntarily action, this initiative aims to jointly overcome any obstacle or barrier towards women's career development (Canolli 2013). In this way, the representative of KP claims that women's voice and potential concerns would have more opportunities to be considered. Indeed, if women's perceptions and satisfaction were to be included in international and local institutions, the implementation of Resolution 1325 and other gender strategies would be effectively applied.

Kosovo Security Force (KSF)

Following the same principles, although without a set quota for the inclusion of women in its structure, the Kosovo Security Force (KSF) has shown gradual progression with the number of women in its structure. According to the data provided in February 2013, there are 184 women employed (in service) in the institution, contributing to 8.18% of total KSF members. At the operational level, women make up approximately 8.16% of staff, whilst at the strategic level they provide a meagre 4.06% (Morina 2013). Moreover, the highest rank that women occupy in the KSF structure is colonel, whilst no woman has yet been appointed to the position of general.

The *Law on Service on Kosovo Security Force* highlights the fair and equal treatment of all members of the KSF regardless of their ethnicity and gender, and it promotes equal career

opportunities and development (Law on Service on KSF 2008: Art.3). In addition to the law, there is also a secondary legislation on *Regulation on Recruitment Policy, Filtration and Selection*, which enables equal opportunities to all citizens of the Republic of Kosovo and provides equal treatment regardless of gender, religion, ethnicity, political, national and social, marital status, sexual orientation and other relevant personal circumstances (Morina 2013). Furthermore, the increase of women represented within the institution has resulted from informative campaigns and meetings with citizens in every municipality, as well as TV shows that attempt to encourage citizens and women in particular, to apply (Morina 2013). Yet, the *Strategy of Kosovo Security Force* does not explicitly refer to the inclusion of women within the KSF structure (SKSF 2011). However, the Directive Commander of KSF 2013 specifies the intention of continuing the proper representation of women and communities in the structures of KSF, ensuring that all members of the MKSF and KSF reflect the values of human rights and gender equality in their attitudes and actions.

The Ministry for the Kosovo Security Force (MKSF) is responsible for overseeing and inspecting the overall performance of the KSF. It controls the implementation and integration of specific laws and principles, including gender perspective into the governing mechanism of the KSF (SCGC 2010: 33). Currently, women's representation within the MKSF's civil servant component is up to 33.06% (Morina 2013). Besides the two gender-related departments: *Office for Human Rights and Gender Equality* and *Office for Minorities*, the two other significant departments within the MKSF: *Department of Finance* and *Legal Department* are also led by women. Furthermore, the MSFK has shown considerable progress in the implementation of policies regarding minority issues in accordance with national and international standards for human rights. As of February 2013, female minorities comprise 5.11% of the MKSF, out of 7.71% of minority representation in MKSF structures. (Morina 2013)

The introduction of quotas in security institutions

Another significant mechanism for enforcing gender equality in public institutions has been the introduction of quotas. Article 2.12 under the *Law on Gender Equality* specifies a quota of 40% of the participation of one gender in a particular social sector as a prerequisite for achieving gender equality. However, none of the security institutions have a set quota for the inclusion and representation of women within their structures and decision-making processes. According to the Head of Human Rights and Gender Equality Office at Kosovo Police, the KP has always concentrated and worked towards the proper application of the LGE to achieve the quota of 40% of women participation (Shala 2013). Yet, there is still no specific indicator or initiative that leads to the validity of this assumption. On the other hand, the quota strategy has been criticised for increasing the number but not ensuring the quality of desirable standards among female employees. This is because, according to numerous women activists and institutional

representatives, if it were not for the introduction of quota, the level of women's representation in the public sector would be ridiculously low (Rogova 2013).

Women in Kosovo Assembly

The Kosovo Assembly has also explicitly introduced in its legal framework a minimum quota of 30% representation of women. Currently, 30% of the Kosovo Assembly is represented by women (Assembly of Kosovo 2012). In two security-related parliamentary committees - *Committee on Internal Affairs and Security and the Kosovo Security Force (CIASKSF)* as well as the *Oversight Committee of Kosovo Intelligence Agency (OCKIA)*, there are low levels of women. The CIASKSF contains two women out of nine total members, whilst the OCKIA has only one woman out of nine total members (Assembly of Kosovo 2012). This shows the dominance of the traditional mentality that discussion on security issues are mainly attributed to men. It also reflects the lack of interests from political parties in assigning women to security-related committees (Qehaja 2012:12). Thus, according to a female MP, due to the low representation of women in security-related committees, a group of parliamentary women will initiate the process of assigning women members of Parliament a deputy chairperson for each parliamentary committee (Musliu 2013). In this regard, women representatives would have more responsibilities and better involvement in overseeing the Executive.

Text box 7. Women in Kosovo Assembly

The role of women's organisations in the security sector reform and gender mainstreaming

The development of gender mainstreaming in Kosovo is mainly a result of the extensive engagement of civil society, especially from women-focused CSOs. These organisations are actually considered the most active promoters and the major advocates of women's rights and responsibilities in regard to the implementation of UNSCR 1235. The numerous women's rights activists and women's CSOs have contributed towards drafting and implementing almost all strategies and documents aimed at achieving gender equality and a non-discriminatory environment, especially for women. UN Women, the Kosovo Women's Network (KWN)¹² and Kosovar Gender Studies Centre (KGSC)¹³ have been the most active users and advocates of Resolution 1325 among the local and international organisations. Their initiatives have been in accordance with other women-focused CSOs from the region, aiming to establish peace and security for women in a broader sense. A strong relationship and cooperation with the Women's Regional Lobby, the Coalition of Women for Peace, and the Women in Black from Serbia has proven to successfully defeat many obstacles and barriers for women throughout the region (Rogova 2013). Furthermore, besides the commitment of women's CSOs, the contribution and

¹² For more information please see <http://www.womensnetwork.org/>

¹³ For more information please see <http://kgscenter.net/index.php?lang=en>

engagement of other organisations in advocating measurable strategies of the UNSCR 1325 has taken different forms. In particular, the Kosovar Centre for Security Studies (KCSS) has been part of the European Peace-building Liaison Office (EPLO) working group in drafting the agenda on ‘Maximizing EU support to the Women Peace and Security’.¹⁴

Another important mechanism relies on the individual women who push and lobby for women’s rights and opportunities through international or local organisations. For two years, negotiations have continually taken place on the transformation of human trafficking issues from international stakeholders to the Ministry of Internal Affairs, which established the special unit for combating trafficking (Bala 2013). The unit is of a triangular structure, including central institutions, civil society, and international actors as a joint force towards combating trafficking (Bala 2013). Yet, the lack of a national database that includes all human trafficking and domestic violence cases continues to impose problems on the prevention methods.

II Development of NAP for implementation of UNSCR 1325 in Kosovo

The major turning point in the promotion of gender equality in Kosovo has been the recent process of drafting the National Action Plan (NAP) for the implementation of UNSCR1325. The whole process has been initiated by the joint efforts of the Agency for Gender Equality under the Government supervision, UNWOMEN and other relevant stakeholders.

The NAP aims to set specific objectives and goals for the implementation of UNSCR 1325 in accordance with the current situation in Kosovo for the upcoming three years period (2013-2016). The working group that has been drafting this plan is composed of 30 gender experts, who aim to produce a comprehensive and applicable report (Hajrullahu 2013), including representatives from relevant institutions, civil society, international stakeholders, and individual experts of this field. There have been a number of workshops discussing different phases of implementing UNSCR 1325 in accordance with the current political and economic situation in Kosovo. Currently, the NAP has been handed to the Ministry of Finance for the approval of the budget.

Main areas and structure of NAP

¹⁴ This agenda aimed to provide an overview of challenges and barriers of EU states in implementing the UNSCR1325 (EPLO 2012: 1). Further, it includes recommendations for the EU strategies on bridging the gap between policy and practice. Thus, this partnership strengthens international cooperation as well as encourages the Kosovo institutions on the rapid and concrete implementation of Resolution 1325. KCSS is the only Kosovar organization member of EPLO.

The specific aim of the NAP is to strengthen the three main areas of women's representation: 1) increasing women's participation on decision-making & peace building processes; 2) introducing gender mainstreaming within the security sector; 3) access to justice for victims of sexual violence during the conflict period (Hajrullahu 2013). As the first two areas have previously been discussed and elaborated upon by different stakeholders, the NAP aims to resolve the issue of violence against women during the war. Consequently, the set objectives will embrace a large number of different activities including public campaigns, round tables, and workshops on the implementation of 1325, as well as other significant women's issues. According to officials, it will also impose a fixed quota/percentage for women's representation in the decision-making process (Hajrullahu 2013).

A unique and significant factor in the overall structure and development of the NAP for Kosovo is the draft of its budgetary principles. The Kosovo NAP for implementing UNSCR 1325 includes the *costing* of each activity as well as identifying *who* will implement each respective activity. Furthermore, as with all countries in the region, the budget for implementing the NAP is entirely based on donors; the Kosovo NAP will be split into two parts: 51% will be covered by the government and 49% will be fundraised by donors.

Moreover, the NAP specifies the establishment of a Secretariat for monitoring the implementation of its overall principles and other strategies from UNSCR 1325 under the Prime Minister's Office. Its specific duties include reporting on the level of implementation before the Prime Minister's Office every three months, and reporting to the Assembly of Kosovo each year.

National capacities and challenges for NAP implementation

Nevertheless, the process of drafting the NAP has encountered criticism and disapproval from civil society; women-focused CSOs in particular. The representatives of the Kosovo Women's Network (KWN), one of the most active promoters of women's issues, initially contributed amongst experts within the working group. However, they have since stopped attending the group meetings as they believe some stakeholders' proposals and strategies presented during the workshops were not taken into account (Rogova 2013).

In particular, as the agenda is largely focused on the ratification of the amendment for raped women during the war period, its process has initially encountered several disagreements and different requests. The voice of civil society has consistently advocated against the adoption of a separate and new law on victims of sexual violence during the war, as raped women themselves refused to be labeled with special status from the others (Rogova 2013). Specifically, women's

organizations have insistently requested that the status of victims of sexual violence should be regulated under the existing Law 04/L-054 on the status and rights of martyrs disabled, veterans, and members of the Kosovo Liberation Army, civilian casualties of war and their families. In fact, women's organizations have encountered a strong support and continuous cooperation with women MPs in this regard. This form of cooperation has been another important mechanism in promoting gender equality in cases where there is a need for public awareness and discussions.

From the current perspective, the national institutions, civil society organisations, and international stakeholders administrating in Kosovo have the abilities and capacities for successfully implementing and promoting the principles of gender equality. The existence of the central Agency for Gender Equality, offices for gender issues in each municipality and ministry, and the continuous activities of women-focused CSOs have proven to support the efforts for gradually increasing the involvement of women in the public sector. Yet, insufficient political will and the lack of courage to challenge the existing mentality, as well as to promote the principles of gender equality, has historically prolonged the development of this sector (Bala 2013). Additionally, the low financial capacity has been a constant and major factor in preventing various gender-related activities. In many cases, women's rights groups in the Parliament were obliged to seek for funds and donors outside Kosovo as the Kosovo Assembly was overwhelmed with other issues (Qosaj-Mustafa 2013).

Moreover, besides the economic and social problems, women's lack of responsibility and individual voice within their own political parties has resulted in countless contradictions and the disapproval among women themselves. During some significant meetings with different political representatives on the subject of the election process, some female Members of Parliament loudly supported and approved specific principles; while, after their parity declared the opposite position, they eventually stopped attending the discussions (Qosaj-Mustafa 2013). Whether their withdrawal resulted from the parties' strict policies, or from their own disapproval, the lack of women's security and ability to decide upon their own opinion is concerning.

Kosovo Police and the implementation of UNSCR 1325

Since 2004, the KP has been active in implementing and achieving the objectives of Resolution 1325 within its structure. The KP has been among the first institutions that actually translated and harmonised the principles of the UNSCR 1325 with its current legislation and strategies (Shala 2013). Within the same year, the Kosovo Police has established three units that regulate gender issues and focus on the women's security sector: *The Human Rights and Gender Equality Unit* within the Office of General Director, the *Domestic Violence Unit*, and the *Trafficking in Human Being (THB) Unit* (SGCG 2010:37). Furthermore, KP established the *Human Rights and Gender Equality Advisory Board*, which covers all units and divisions that deal with gender

equality and the violation of human rights within KP. Additionally, within each police station in the region, there is a Primary Investigator for Domestic Violence and Gender Equality, who deals with face-to-face cases once investigated (Shala 2013).

Eventually, through these units, a number of seminars and trainings have been organised aiming to raise awareness within the KP structure and to the overall opinion regarding women's issues, specifically women's representation in public institutions. Under the KP and UN Women supervision, the Gender Unit has organised activities for internal training programmes, with 'training of trainers (ToT)' courses enabling trainers to promote gender equality trainings and awareness to the overall KP staff (UN Women 2011: 39). The general trainings were divided between two modules for gender equality: basic and advanced, with an extensive focus on women's rights and women's security (Shala 2013). These modules are already part of the training curriculum of the Kosovo Centre for Public Security, Education and Development and are a required training for all KP staff. Furthermore, the importance of introducing the UNSCR 1325 at the community level has resulted in organising roundtables in different municipalities. These meetings and discussions aimed to identify women's challenges and concerns regarding their safety and security as well as the need to have more female police officers (UN Women 2011: 39).

Kosovo Security Force and the implementation of UNSCR 1325

The Ministry of Kosovo Security Force has adopted the *Policy on Human Rights and Gender Equality* with a significant focus on the relation between gender and security (MKSF 2011:2). The overall structure of the policy refers to articles and procedures of UNSCR 1325, by explicitly highlighting the importance of gender equality and the implementation phases emphasised in Resolution 1325. Some of its main objectives include the improvement of gender balance, strengthening the role of women, the creation of an institutional mechanism for gender equality, as well as an increase in the educational capacity building for women in security sector.

Furthermore, the function of other significant mechanisms within MKSF and KSF such as the Human Rights Unit, Office for Minority Issues Unit, and the Officer for Human Rights and Gender Equality at Land Force Command, have contributed to a misperception with relation to women and security. Specifically, the Head of Gender and Equality Office is part of the working group for the drafting of the National Action Plan for the Implementation of UNSCR 1325. Through these offices and their own persistency, the implementation of 1325 in accordance with MKSF principles has been included within the overall objectives of the Ministry and other specific strategies (Morina 2013).

Conclusion and Recommendations

In general, Kosovo's legal framework presents a non-discriminatory environment for all underrepresented groups in society, particularly for women. Yet, the adoption of these laws and selected application in practice has proven to be an unsuccessful mechanism for the implementation of UNSCR 1325. The constant challenges along the process, such as lack of political will, limited financial resources, the negligence of women's opinion in political parties, as well as lack of protection for domestic violence, have mainly prolonged the process of UNSCR 1325's implementation. In addition, the countless initiatives and accomplishments towards gender equality and women's inclusion in the public sector are attributed to civil society, in particular to women's rights organisations. Women activists together with UNWOMEN have been the strongest promoters and advocates towards women's inclusion in the public sector. The creation of the Agency for Gender Equality within the Government Office as well as female inclusion in the negotiating group for Kosovo's political status has also been significant factors. Yet, although with very limited activity, the presence of the international mission in Kosovo has sometimes resulted in a positive impact towards the implementation process. In particular, due to the talks and hopes for EU integration embracing Kosovo citizens, the coordination and collaboration with international actors, as well as the implementation of UNSCR 1325, seems easier than expected (Qosaj-Mustafa 2013).

Above all, the change in mentality and concepts of 'gender' and 'security' are considered to be the strongest prerequisites for the implementation of UNSCR 1325. Although women make up half of the population, they continue to be among the underrepresented groups in Kosovo. Equal job opportunities, fair treatment, and equal access to employment should be the main principles of society in Kosovo.

Recommendations

- The Assembly of Kosovo and the Government of Kosovo need to support female initiatives in light of decreasing international support in this field through financial and technical assistance.

- The parliamentary groups should set stronger practices and rules from the Parliament of Kosovo on nominating women members of Parliament as representatives in security-related parliamentary committees.
- The Government of Kosovo, in collaboration with civil society activists, should work on raising awareness campaigns and inform the public about UNSCR1325.
- Kosovo institutions should explicitly introduce a minimum quota, of at least 20%, for female representation in security institutions, in order to increase the participation and opportunities for women that are interested in contributing.
- Kosovo Security Force shall ensure the career progression of women at the strategic level.

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