



Kosova Women's Network
Serving, Protecting and Promoting the Rights of Women and Girls

**Monitoring Implementation
of United Nations Security Council Resolution 1325
in Kosovo**

Prishtina, Kosovo
2007

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Acknowledgements

The monitoring project was made possible by funding from UNIFEM and UNDEF and the generous time freely given by the many individuals who agreed to be interviewed during 2006 and 2007. The project was ably overseen by Igballe Rogova from start to finish and indeed would not have been possible without her able leadership and the support of Kosovo Women's Network staff, especially including Besa Shehu, Nexhmije Cuca Fetahu and Alba Loxha.

The KWN research team responsible who researched and interviewed respondents in 2007 included Dafina Beqiri, Ali Misimi, Albana Lumi and Elizabeth Carolan. Nicole Farnsworth helped with interview coding and Deakin University's International Relations programme funded Jasenka Imsirovic as an additional research assistant. Dafina Beqiri and Jasenka Imsirovic substantially edited the initial draft. This report was compiled and written by Lynne Alice, an international consultant to the Kosovo Women's Network who teaches human rights and humanitarian law at Deakin University in Australia. Lynne Star edited the final draft.

Acronyms

CARE	Cooperative for Assistance and Relief Everywhere
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CRC	Convention on the Rights of the Child
DDR	Disarmament, Demobilization and Reintegration
DPI	Department of Public Information
DPKO	Department of Peace Keeping Operations (UN)
ICRC	International Committee of the Red Cross
ICTR	International Criminal Tribunal for Rwanda
ICTY	International Criminal Tribunal for the former Yugoslavia
IDP	Internally Displaced Person
IFRC	International Federation of Red Cross and Red Crescent
ILO	International Labour Organisation
INGO	International Non-Governmental Organisation
IOM	International Organisation for Migrations
KGSC	Kosovo Gender Studies Centre
KWN	Kosovo Women's Network
NATO	North Atlantic Treaty Organisation
NGO	Non-Governmental Organisation
ODIHR	Office for Democratic Institutions and Human Rights
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organisation for Security and Co-operation in Europe
SRSG	Special Representative of the Secretary-General
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNITAR	United Nations Institute for Training and Research
UNMIBH	United Nations Mission to Bosnia and Herzegovina
UNMIK	United Nations Mission in Kosovo
UNSCR1325	United Nations Security Council Resolution 1325
WFP	World Food Programme
WHO	World Health Organisation
WILPF	Women's International League for Peace and Freedom

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Executive Summary

In Kosovo, civil society has seized the opportunities afforded by United Nations Security Council Resolution (UNSCR) 1325 as an advocacy tool to encourage, lobby and promote the participation of women in all levels of public life. Kosovar women's organisations have thus directly contributed to the implementation of the Resolution.

The Kosovo Women's Network implemented the monitoring project in Kosovo. The monitoring report is a result of an ongoing work since 2005 and provides an assessment of the implementation of UNSCR1325 in Kosovo, with the aim of ensuring successful ongoing advocacy of gender issues at the national level. These efforts have been supported by UNIFEM and UNDEF (United Nations Democracy Fund).

This report analyses the main findings in sections defined by UNSCR1325 as key areas of obligation:

1. Inclusion of women at all decision-making levels;
2. Gender perspective and training of police and military personnel;
3. Protection and respect of human rights of women and girls;
4. Inclusion of gender perspective in UN reports.

Inclusion of women in decision-making

Women's participation is severely undermined in public life, especially in politics and the economy. Women are more affected by unemployment, poverty, and lack of access to education. As for politics, women occupy 27.5 percent of the seats in parliament, and 28 percent of all municipal assemblies' seats.

However, the key decision-making positions are still held firmly by men and in reality the 30 percent promoted by the gender quota has little if any real power to impact on government decision-making.

While most government representatives have a basic knowledge of UNSCR1325 and while the mechanisms and legislative framework for achieving gender equality have been set in place at all levels, articulation into policies and administrative rules is slow due to financial constraints, limited cross-governmental dialogue and a lack of political will. Implementation of UNSCR1325 is thus seen as dependant on individual leadership. Kosovo's political structures, civil service and the international community operating in Kosovo all have males occupying the senior political positions. The lack of consultation with women in the negotiations for 'final status' is emblematic of the failure to ensure women are able to access and be present at the highest levels of decision-making.

Gender perspective in the security sector

Women represent only a minor proportion of the staff of the different security institutions in Kosovo. However, steps have been taken by several of these institutions to provide gender training. The KPC (Kosovo Protection Corps) troops receive gender training, while the Kosovo Correction Service (KCS) plans to implement UNSCR1325 in staff training. Moreover, the Kosovo Police Service (KPS) has been effectively integrating

UNSCR1325 into its roles and obligations both at administrative and operational levels. Slow but positive changes are thus seen in gender-mainstreaming the security sector, despite the persistence of stereotyping gender issues and distrust of gender balance.

Human rights of women and girls

The adoption of a relevant legislative framework, with a National Action Plan for the Achievement of Gender Equality, Gender Law, Anti-discrimination Law, and Family Law are significant accomplishments for gender equality and facilitate the promotion and protection of human rights more broadly in Kosovo. However, the comprehensive implementation of international legal principles remains to be fully realised to effectively protect women's Human Rights.

Indeed, violence and sexual harassment against women increased, reflecting the effects of the poor economic situation and post-war trauma. Domestic violence continues to take place at an alarming rate. Kosovo has also been a major destination country for the trafficking of women and girls into forced prostitution. Generally, measures remain inadequate, because of a lack of international and local political will.

Gender perspective in UN reporting

Many international interviewees revealed a superficial understanding of UNSCR1325 and of gender mainstreaming within international organisations. The most common misunderstanding is the equation of 'gender' with women rather than interrogating the differential valuing of men and women in society. Following the promulgation of UNSCR1325, UNMIK established the Office for Gender Affairs (OGA), but a lack of solid engagement with civil society and a lack of communication by internationals across the various institutions often led to replication of work in gender projects.

The gender mainstreaming in institutional mechanisms and the articulation of UNSCR1325 generally lacks practical commitment and is hindered to a degree by negative international attitudes. In practice, other political priorities tend to subordinate a gender focus so that it often becomes marginalised. Education about UNSCR1325 and its relevance to the peace-building process in Kosovo is thus sorely needed.

Overall, the monitoring exercise found that governmental institutions, international organisations and civil society in Kosovo have very different levels of support for and promotion of UNSCR1325. Their levels of engagement with the areas covered by UNSCR1325 and related human rights treaties are also variable. While in principle UNMIK attends to the principles of gender inclusiveness in its operations, working partnerships and policies, its performance and its influence over disseminating gender mainstreaming as a core element of peace-building at the local level, is inconsistent.

1. Introduction to the implementation of UNSCR1325 in Kosovo

“We can no longer afford to minimize or ignore the contributions to women and girls to all stages of conflict resolution, peacemaking, peace-building, peacekeeping and reconstruction processes. Sustainable peace will not be achieved without the full and equal participation of women and men.” (Kofi Annan - former UN Secretary General)

The United Nations Security Council Resolution 1325 (UNSCR1325) stresses the importance of mainstreaming a gender perspective into peace-building and peacekeeping operations. Under UNSCR1325 the United Nations Secretary General (SG) is obliged to provide member states with training guidelines and materials on the protection, rights and particular needs of women in peacekeeping and peace-building measures. Further, the SG is to ensure that military and civilian personnel who are to be deployed receive such training, provided by Member States.

UNSCR1325 is effectively the recognition and guarantee of practical institutional arrangements for involving women in all aspects and levels of peacekeeping and rebuilding. An understanding of the specific impact of military conflict and aggression on women and girls will significantly contribute to reasoning about the conflict itself; provide more detailed and accurate approach to conflict solution as well as a fair and just rebuilding of the society torn by politically manipulated hatreds. The reasoning of the Resolution is that the special vulnerability of women during conflicts is further deepened and engraved in a climax of unlawfulness, the presence of weapons, and economic and social disintegration, but it is also due to material disparities in the population including significant gender inequalities. Thus, there is an urgent need to provide specialised training for all peacekeeping personnel on the protection, special needs and human rights of women and children in conflict situations and to make sure appropriate mechanisms are established and sustainable.

Gender mainstreaming, a core concept in UNSCR1325, is defined as “a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evolution of policies and programs in all political, economic and societal spheres, so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.”¹

The importance of UNSCR1325 as an advocacy tool is that its focus on gender relations reinforced by international law gives women’s movements legitimacy and a potential platform for international cooperation about conflict resolution and sustainable peace:

...success is in the process itself, [in creating the regional movement] we succeeded in sitting there and imposing ourselves to discuss questions, to present problems and what we think about it all; the advocacy part is there in this process.²

Although UNSCR1325 has special relevance for conflict zones, all member states of the United Nations are obliged to implement its recommendations, which cover the four

¹ *Gender Mainstreaming: An Overview*; UNIFEM 2002.

² Luljeta Vuniqi interview, July 2007.

inter-related areas that are the foci of this report. The much quoted definition by Rickard Strickland and Nata Duvvury³ describes the key focus of UNSCR1325:

The resolution, which is effectively international law, spells out four interrelated areas requiring the attention of all parties (UN, states, non-state actors, civil society) engaged in issues of peace and security: participation of women in decision-making and peace processes; inclusion of gender perspectives and training in peacekeeping; the protection of women; and gender mainstreaming in U.N. reporting systems and programmatic implementation.

Non-state actors, national defence forces, humanitarian agencies, and civil society sectors have a responsibility to contribute to the articulation of UNSCR1325 and related human rights treaties into domestic legislation, policy and practice. Importantly, UNSCR1325 Article 17 also specifies that the Secretary-General should report to the Security Council about “progress on gender mainstreaming throughout peacekeeping missions and all other aspects relating to women and girls.” This article has become pivotal for the lobbying by civil society groups for international accountability in the reconstructive work following armed humanitarian intervention.

Acknowledging previous reports and monitoring of UNSCR1325 in Kosovo, the 2007 project in Kosovo surveyed each of the sectors with specific responsibilities to implement UNSCR1325: international organisations; governmental institutions at all levels and civil society. This report is in two parts: firstly it surveys the actors responsible for the implementation of UNSCR1325 and secondly, it then discusses the findings of the monitoring exercise in the sections defined by UNSCR1325 as key areas of obligation.

Part One:

1. Respondents to the monitoring exercise

a. International institutions and organisations

Since 1999, the international community has been responsible for the protection and promotion of human rights and the rule of law in Kosovo in accordance with UNSCR1244. Adopted by the Security Council on 10 June 1999, UNSCR1244 mandated the NATO alliance forces to be the Kosovo Forces of Reconstruction (KFOR) as the international security presence in Kosovo and the United Nations Mission in Kosovo (UNMIK) to govern Kosovo until its final political status is decided.

Authorised by the UNSCR 1244 and “a Military-Technical Agreement between NATO and the Yugoslav Army”⁴, the current NATO-led Kosovo Forces of Reconstruction (KFOR) began as a “78-day air campaign launched by the Alliance in March 1999”⁵ to stop Milosevic’s aggression against civilian population and force Yugoslav Army to

³ *International Centre for Research on Women (ICRW)*, “Gender Equity and Peacebuilding from Rhetoric to Reality: Finding the way. *Working Paper, 2003*: http://www.icrw.org/docs/gender_peace_report_0303.pdf (Accessed October 23rd, 2007).

⁴ *Kosovo Force (KFOR) NATO website*: <http://www.nato.int/issues/kfor/index.html>

⁵ *How did we evolve? NATO website*: <http://www.nato.int/issues/kfor/index.html>

withdraw. Initially, KFOR's mandate included deterrence from renewed hostilities, demilitarisation of the Kosovo Liberation Army (KLA), and provision of public order and security for safe refugee and displaced persons return and border monitoring. KFOR started with a 50,000 personnel force from 35 NATO member countries, Partner countries and non-NATO countries. Today KFOR is composed of around 16,000 members grouped into four multinational task forces. Since 2005, KFOR's mandate has shifted from a primarily defence and demilitarisation focus to increasingly support the work of reconstructing social institutions and communities throughout Kosovo.

Within its current mandate is the provision of support for the civilian institutions, law and order, the judicial and penal system, the electoral process and other aspects of political, economic and social life. Clearly this brings KFOR within the ambit of UNSCR1325, however, like all UN or NATO institutions KFOR is not accountable to the citizens of Kosovo and hence it is the responsibility of nations contributing troops to KFOR to train personnel in gender-appropriate behaviours and to incorporate gender-mainstreaming within the structures of troops participating within it. Gender disaggregated statistics for KFOR personnel are not available. However, articles on or by women serving in KFOR showed that many KFOR women regard military service as a stage in their careers and that despite being generally positive about their experience within the male dominated forces, most serve in isolation from other women.⁶

Since 2001, UNMIK has shared responsibility for governing Kosovo with the elected Provisional Institutions of Self-Governance (PISG).⁷ KFOR personnel are not accountable to either UNMIK or the PISG. UNMIK and KFOR personnel, together with civilian and military contractors working for UNMIK and KFOR are protected from prosecution in Kosovo by immunity granted under UNMIK Regulation 2000/47. (41)⁸.

The presence of the United Nations Interim Administration Mission in Kosovo (UNMIK) was intended to provide the means "under which people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia"⁹ and to "ensure conditions for a peaceful and normal life for all inhabitants of Kosovo."¹⁰

From September 1, 2006, UNMIK is headed by the Special Representative of the Secretary General (SRSG) Joachim Ruecker¹¹ with Steven Schook as the Principal Deputy SRSG. UNMIK and the Office of the SRSG have overarching power in governing

⁶ KFOR CIS, "Women have served in Armies around the world for many years" KFOR Chronicle, 11 March 2002 http://www.nato.int/kfor/chronicle/2002/chronicle_05/05.htm;
Tara Buonaiuto, "GNO total success!!!" KFOR Chronicle, 29-Sep-2004, http://www.nato.int/kfor/chronicle/2004/chronicle_09/07.htm

⁷ The institutions of Provisional Self-Government are the Assembly of Kosovo, which elects a President of Kosovo; the government of Kosovo, with a Prime Minister nominated by the President and endorsed by the National Assembly; the Judicial System of Kosovo, which is appointed by the SRSG from a list endorsed by the Assembly after being proposed by the Judicial and Prosecutorial Council.

⁸ This means that UNMIK police, and all civilian contractors acting for UNMIK may only be prosecuted if a waiver is granted by the UN Secretary-General. Similarly, the head of their national battalion may waive immunity for KFOR personnel and civilian contractors acting for KFOR. In both cases, immunity is a rare occurrence.

⁹ Resolution 1244:
<http://daccessdds.un.org/doc/UNDOC/GEN/N99/172/89/PDF/N9917289.pdf?OpenElement>

¹⁰ Ibid.

¹¹ UNMIK website, <http://www.unmikonline.org/intro.htm>

Kosovo until the final status settlement. Since 2001, UNMIK has shared its responsibilities with the PISG and in 2003 transferred much of its authority to the PISG Ministries.¹² However, UNMIK reserves decision-making powers in foreign affairs and is accountable only to United Nations Security Council.

The tasks of UNMIK are organized under four Pillars: Police and Justice and Civil Administration, is under direct leadership of the UN and was recently restructured and integrated into the Office of the SRSG as the 'Rule of Law Office'. Pillar two, Civil Administration has now been integrated into the Office of the SRSG as a Department headed by Deputy SRSG Patricia Waring. Pillar Three, Democratisation and Institution Building, is led by OSCE and headed by Deputy SRSG Tim Guldemann. Pillar four, Reconstruction and Economic Development is led by the European Union (EU) and is headed by Acting DSRSG Paul Acda.

Working in close cooperation with civil society and Kosovo political leaders, UNMIK's responsibilities under UNSCR1244 include the following:

- basic civilian administrative functions
- developing and overseeing provisional democratic self-governing institutions
- transferring administrative responsibilities to consolidated provisional self-governing structures
- reconstruction of key infrastructure
- maintaining civil law and order
- assuring the safe and unimpeded return of all refugees and displaced persons
- protection and promotion of human rights
- supporting humanitarian and disaster relief aid.¹³

Although neither UNSCR1244 nor the Rambouillet Agreement that preceded it explicitly mention or address gender relations, given that modern conflicts impact disproportionately on civilians and particularly women and children, the core relevance of UNSCR1325's provisions to the peace-building responsibilities of UNMIK, defined above, are obvious.¹⁴ Most of the international community representatives interviewed¹⁵ believe that responsibility for the implementation of UNSCR1325 lies ultimately with the highest levels of decision-making bodies. This is on one hand an acknowledgement of the over-arching power of the office of the Special Representative of the UN Secretary General (SRSG) in Kosovo. Given that the United Nations began to define 'gender' as an international agenda as early as 1946 and then codified it from 1975, the inclusion of gender mainstreaming in the UN supported administration should be considered common-place.¹⁶ Recognising the normative process of ratifying women's human rights

¹² *Country profiles*: UNIFEM website

<http://www.unifem.sk/index.cfm?module=project&page=country&CountryISO=KS>

¹³ Ibid.

¹⁴ See for example Joan Chittister, 'Mounting Civilian Casualties Challenge Concept of Just War', *Washington Post*, January 10th 2007, http://newsweek.washingtonpost.com/onfaith/joan_chittister/2007/01/just_cause_or_just_war.html

¹⁵ From the interviews completed between July and November 2007, by KWN researchers.

¹⁶ The Commission on the Status of Women (CSW) was created in 1946 as a subsidiary body of the UN Economic and Social Council, to formulate guidelines to improve women's status globally in the economic, political and social fields. For more details about the subsequent

in Kosovo, international representatives of UNMIK who were interviewed in 2007 typically also asserted that the elected Kosovo government must increasingly bear responsibility for promoting and protecting gender equality. Despite the high profile 'gender' is given as part of the post-conflict reconstruction of democratic processes, many international interviewees revealed only a superficial understanding of UNSCR1325 and this is possibly reflected in the general lack of political will of the leaders in the international community to promote gender equality in Kosovo comprehensively and practically within their departments.

The gender mainstreaming in institutional mechanisms as envisioned in UNSCR1325 and related human rights treaties, such as the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), generally lacks practical commitment, is thus rather rhetorical and largely dependent on the prior knowledge of individuals who are generally on short-term missions. There are relatively small numbers of women at the highest levels of decision-making in international institutions in Kosovo. The irony that Kosovo's new government is required to comply with gender mechanisms that are not evident in UNMIK's own structures was often overlooked. Yet the marginalisation of women and gender-mainstreaming as an operational focus in international institutions was frequently mentioned in the interviews and largely attributed to either the masculinist culture of international institutions or an unexplained lack of gender training within UNMIK.

Discussing the very slow implementation of the 2004 OSCE Gender Action Plan, the appointed Gender Focal Point remarked that a "lack of knowledge" within OSCE was largely responsible for the lack of support for a coordinated and integrated approach to gender in OSCE's activities. The short-term appointment of a Gender Focal Point, often holding responsibility for other work areas and expected to "act in a senior managerial position able to coordinate, supervise, oversee policies and projects in accordance with the OSCE action plan" makes a well-coordinated approach difficult. Given the broad scope of OSCE's mandate under UNMIK, and that OSCE's gender focus consists of only "two gender advisers, two gender units and any others just appointed for additional tasks," it is arguably under-staffed and under-trained, thus undermining the obligations of UNSCR1325 in articles 7, 8 and 10:¹⁷

There is lack of knowledge. People don't know how to [apply 'gender-mainstreaming'], they are not that well trained [during] the induction course in Vienna. It is really about having 20 to 30 minute sessions on gender and sex and that is all that people get, they don't get concrete tools how to do gender mainstreaming. ...What we have been trying to do here, is to act as a watch-dog not have it a one person show [based on the Gender Focal Point] but to have a network of people from each department ... who have the terms of references to fit into what the 2004 OSCE action plan claims to be doing on promoting gender equality. And we also have regional gender focal points but all of this [networking] is still being negotiated ...

development of women's human rights and gender mainstreaming as a UN agenda see <http://www.un.org/ecosocdev/geninfo/women/gender.htm> and <http://www.un.org/womenwatch/asp/user/list.asp-ParentID=3009.htm>

¹⁷ Arjana Qosja Mustafa interview, July, 2007.

A tardiness to recognise and fully implement the provisions of UNSCR1325 at all levels of UNMIK's own administrative operations was often deflected onto civil society and Kosovo's government as a necessary indicator of achieving international standards of democracy and human rights. As a former SRSG Soren Jessen-Petersen remarked:

Resolution 1325 calls for women's participation in all political and social processes etc. But unfortunately, it does not guarantee implementation because it is not on hands of the United Nations. In Kosovo's case, it is the responsibility of those in authority. We can request, push and insist but we cannot guarantee if [national] leaders do not decide to invite women to participate.¹⁸

However, under UNSCR1325, the UNMIK *does have explicit responsibility* for the implementation of the resolution's provisions, as indicated in articles 5-9, including considerations of the differential impact of post-conflict reconstruction on women and gender relations more broadly.

The International Civilian Police Program (CIVPOL) established by UNMIK, has been crucial for development of an impartial and independent local police force, the Kosovo Police Service (KPS). CIVPOL and KPS are setting an example for both international and national institutions alike in their implementation of UNSCR1325 and in their commitment to integrating gender equality in all aspects of their roles and obligations. In principle, CIVPOL is committed to gender equality in its ranks. Training about 'gender' issues tends to be hampered by an inadequate budget. However, despite the official recognition of UNSCR1325 and related human rights mechanisms, most international police commissioners, chiefs and staff are largely uninformed about UNSCR1325:

There is still a lot of things that we need to do, and still we are lacking [an adequate] budget, we are still lacking training and we are lacking specialists ... and the perception of 'gender'. Within the [Kosovo] police you have this problem of perception and also within the international police. You have forty-six cultures here within the international police, very different cultures, so the way that they look at gender is also very varied. And then to [expect to] have one voice on gender and one understanding of gender, and that is very hard. A lot of people say that it is a woman issue, but it's not a woman issue, it's a men and women issue, it's needed within the police [in order] to get a professional police force, it's about who secures and protects the community, and therefore you need different skill sets. You need men *and* women. But gender balance is just one small issue, to get the knowledge of the specific groups within your community so that the police to know how to deal with them, means it's also about lesbians, gays, and different ethnic groups also being in your police, and that's diversity.

It was commented in interviews that KPS requested the SRSG to promote UNSCR1325 training for all international police commissioners and military commanders stationed in Kosovo, but this has never been taken up. Instead training about UNSCR1325 tends to be confined to Kosovar officers. A recent initiative to circulate pocket-sized human rights manuals to police officers has helped raise awareness about the broader field of rights and responsibilities.

¹⁸ In "Whose Security?" UNMIK Office for Gender Affairs documentary film. Directors: Antoneta Kastrati and Casey Cooper Johnson, 2006.

The CIVPOL Senior Gender Advisor has shown particular diligence in establishing crucial cross-institutional dialogue, cooperation and partnership through regular meetings with KFOR, UNIFEM, UNICEF, KPS, key departments such as Human Trafficking and Child Abuse, national institutions and offices, the OGA, women's organisations and civil society:¹⁹

...information and communication sharing, identifying the problems within different areas, [working with] the Prime Minister's office, and the office of gender is crucial, because they are dealing with different layers ... they are coordinating between all those different layers of government and sharing information. [We think that] every month you need to meet with the key persons from outside, from your community, your NGOs, key persons from the non-governmental agencies, but also with Amnesty International or Woman's Watch, because they are stirring up attention, and that gives us more power to say listen, you see this report of Amnesty International or Woman Watch - we really need to focus on this, we need to have budget for that, we need logistics for that, we need to have training. So it also helps us to push gender on the agenda...²⁰

The CIVPOL Senior Gender Advisor is dedicated to increasing numbers of female international police officers willing and qualified to join UN missions; in 2005-6 there were about 81 international female police officers currently present in the Kosovo mission among a total of 4468²¹. Gender-focused training is made available to orient incoming contingents, contingent commanders, KPS uniformed staff and some UNMIK civilian staff in order to provide accountability in all aspects and levels of decision-making affecting women and gender-related issues within UNMIK's mandate, which are addressed by CIVPOL and KPS²². The interview with the CIVPOL Senior Gender Advisor revealed however, there are financial obstacles to the employment of specialists, provision of trainings and for effectively addressing the prevailing lack of gender awareness within both local and international police forces, for example:

[When they think about gender in policing] they might immediately refer to domestic violence, or child abuse trafficking as a woman's issue, but it is not. So, we try to avoid the classic stereotypes like ... code of conduct ... sexual harassment ... the [gender] climate within the police institution, because a proper gender balance will also improve that climate, will reduce sexual abuse or harassment or discrimination, because it stabilises, it balances it out and it causes integration of women to happen more easily. But first, it is necessary to get 'gender' on the table, and so we say we would like to communicate with you about gender and how it affects the police, and then we will start to talk about "Intelligence". ... "Intelligence? What has gender to do with intelligence?" "Well, excuse me, but 50 percent of your population is female, and they are not talking with men because females talk with females. If you want to get some information, you need to have some females in your intelligence unit." Having say, two males investigating a very traumatised female in a murder case, or in a rape case is a

¹⁹ *International Police Gender Mainstreaming Action Plan 2005/2006* prepared by Tilly Stroosnijder, September 2005, Netherlands.

²⁰ Tilly Stroosnijder interview, August 2007.

²¹ CIVPOL website: <http://www.civpol.org/unmik/>

²² *Ibid*, Stroosnijder, 2005.

security problem because *if* that woman is talking, (and she may not talk to men about it) maybe she is also reliving it and maybe at the end of the investigation she may even say they raped me again - but if you have a male female team investigating the case, that will be rare.

Despite some explicit training on UNSCR1325 the application of its provisions in a culture where 'gender' has been until recently an unfamiliar discourse, means that the relevance of a gender approach in policing still needs to be made explicit and to become the focus of ongoing and appropriately funded police training. A discussion of the implementation of UNSCR1325 in KPS follows below.

The Office for Gender Affairs (OGA) was established after the promulgation of UNSCR1325 in 2000. UNMIK re-organised the OGA as a political advisory office to the SRSG in 2004. The OGA was formed with "an overarching mandate"²³ to mainstream and ensure consistency on how gender equality issues are integrated within UNMIK's various Pillars and substantive offices and to monitor gender equality provisions within the implementation of Standards for Kosovo, the Standards Implementation Plan and the European Partnership Priorities. The OGA also has responsibility for reinforcing the capacity of the PISG to address gender issues at central and municipal levels. An important function is the role of the OGA to work across and between institutions to support women's organisations and minority women to access higher levels of government and the UN authorities.

A recent roundtable discussion of cross-sector representatives from women's organisations and gender offices within UNMIK indicated that there was considerable dissatisfaction with the earlier work and leadership of OGA, specifically, its willingness to network effectively with civil society. The new 2007 Head of OGA explained that the previous lack of solid engagement with civil society and lack of communication by and between internationals across the various institutions had often led to replication of work in gender projects.

In her opinion, a key issue with the effectiveness of gender mechanisms arose from the need for the Advisory Office on Good Governance, Human Rights and Gender Affairs (AOGG) and Agency for Gender Equality (AGE) within the Prime Minister's Office to be integrated. At present in her view, they lack coherence and the leadership skills to take gender equality implementation to the highest institutional levels. The current OGA reports to the UN Department of Peace Keeping Operations (DPKO) on the implementation of UNSCR1325 and sees the future function of OGA as providing technical support to civil society and acting as a bridge to the UNMIK authority, or its EU successor. A key aspect of the work of the OGA has been to ensure that women in civil society are consulted with, as the Head of OGA commented:

The promotion of women's voices [is the key aspect of our work around 1325]. While the office of gender affairs did try to push the SRSG to get women engaged at the peace table, we failed on that part and it didn't happen. But in terms of what we are doing [towards the] rebuilding of society, and where women come in and where women's voices can be heard at the highest possible level - are they generally being taken into account or is this just going to be a tokenism?

²³ UNMIK OGA website, <http://officeofgenderaffairs.unmikonline.org/>

These are our concerns. We want to follow through to get women more into decision making. In terms of UNMIK itself, women in decision making there is extremely poor, we don't have women at the highest possible levels [of UNMIK], and one of the problems is that of course the member states again don't promote women and so it doesn't happen.

The engagement of civil society, I think for me is important right now, because we are moving into a transition period and we need to be talking about the mistakes that have been made in the past, in order to redress them, and move on so we can get an authentic voice in places that it needs to be. In UNMIK and in Kosovo most often at the institutional level, women's voices are just simply marginalized. There isn't a genuine commitment to [what UNSCR1325 stands for].

Municipal Offices for Gender Equality (MOGE)²⁴ were created in each of the thirty municipalities in September 2002. MOGE were established by UNMIK Regulation 2000/45 on Self-Government of the Municipalities in Kosovo. The regulation calls on the central government to delegate extra responsibilities to, or areas of special attention within municipalities and to provide resources as required. As envisaged in the MLGA Administrative Instruction No. 2005/8 on Determination of Competences and Description of Duties of Officers for Gender Equality in Municipalities (AI 2005/8)²⁵, MOGE are civil servants tasked to act as advisors on gender equality and to report to the key decision-makers in local governments on how best to promote, advance and protect human rights, with particular focus on gender relations. MOGE's collaborate with other municipalities and with the Agency of Gender Equality in all training events.²⁶ OMIK, UNIFEM, and the Kosovo Institute for Public Administration (KIPA), as well as local NGOs and the OGA have provided capacity-building on gender equality within this overall framework. The work of MOGE often lacks infrastructural and moral support because of budgetary stresses and the prioritizing of local concerns. As the Head of the OGA commented:²⁷

The municipal gender officer programme has women in positions, who are often not taken seriously. It's like there is a tick box, "Ok, we have a woman there, tick and we've done gender" etc. Or, it means they can say they are now mainstreaming gender [just by having a MOGE]. And the OSCE doesn't have a dedicated gender person, but "That's ok because we have mainstreamed it, so another tick". This isn't acceptable... I think it's the lack of understanding. Just because you stick..., just because you open a programme and stick a woman in it, doesn't mean you are doing anything in terms of gender. It means only you have a nice little gender balance column filled out. ... In terms of a sustainable society

²⁴ MOGE were created by UNMIK Pillar II, Civil Administration, in order to comply with Resolution 1325 in regard to protection of human rights of women and girls.

²⁵ *The Role and Functioning of the Municipal Officers for Gender Equality in Kosovo*, OSCE, DEPARTMENT OF HUMAN RIGHTS & RULE OF LAW
http://www.osce.org/documents/mik/2006/11/22088_en.pdf

²⁶ *The Role and Functioning of the Municipal Officers for Gender Equality in Kosovo*, OSCE, DEPARTMENT OF HUMAN RIGHTS & RULE OF LAW
http://www.osce.org/documents/mik/2006/11/22088_en.pdf

²⁷ Clare Hutchinson interview, July 2007.

– women must be included [in decision-making positions]. There is a serious problem in any country, in terms of 1325, when you can't guarantee that women's voices are there to represent their needs and desires and wants. And I think we have a great opportunity here in Kosovo because we are moving into a different phase, but there is still a problem in terms of the implementation of 1325.

The Organisation for Security and Cooperation in Europe (OSCE) is responsible for UNMIK Pillar III, which covers democratization and institution building. Gender equality as an operational focus falls within the area of democratisation, education and law and is considered to be an integral part of achieving sustainable democracy. The OSCE aims to provide equal opportunities for men and women and to integrate gender equality in policies and practices in Kosovo. As such, the implementation of UNSCR1325 and related human rights treaties is foundational. The OSCE Mission in Kosovo (OMIK) is specifically tasked to ensure that all communities have equal access to “the full extent guaranteed in the provisions of each institution” of the PISG. This means that OMIK must facilitate the effective transfer of responsibilities to the PISG in ways that guarantee full respect for human rights; thus OMIK is obliged to operate in accordance with the provisions of UNSCR1325.²⁸

The Department of Democratisation includes support for the initiatives of women in communities, and in theory operates projects to be implemented at the central level of the PISG and within the framework of the Gender Program based in the Citizen Participation Support Team. As such, OSCE has been responsible for drafting many of the UNMIK Regulations dealing with gender issues. Staff in OSCE are also involved in campaigns against trafficking and gender-based violence, as well as advising the Advisory Office on Good Governance in the Office of the Prime Minister. Nevertheless, UNSCR1325 is not publicised or used strategically as a framework of action within OSCE. Rather, it is one of a body of laws, conventions and directives that inform the work of human rights and democratisation and is better known by some personnel by virtue of their specific responsibilities (anti-trafficking, victim assistance). Appeal to its directions remains haphazard rather than a prescribed working tool.

However, a number of institutional mechanisms and laws have been set in place by OSCE to mainstream gender in its operations and to assist in the national government's efforts to work towards gender equality. For example:

1. The OSCE 2004 Action Plan for Promotion of Gender Equality²⁹ calls for the prevention of gender discrimination in political, military, economic, environmental and human areas of governance. It aims to achieve this by establishing a framework for the organising and evaluation of programmes and projects, which is reviewed by the OSCE Secretariat. The projects typically promote women's participation in politics

²⁸ *Organisation for Security and Co-operation in Europe Mission in Kosovo: Pillar III (OSCE) Programmatic Priorities for 2004*, Pristina, January 08, 2004
http://www.osce.org/documents/mik/2004/01/2219_en.pdf

²⁹ Decision No. 14/04, 2004 OSCE Action Plan for the Promotion of Gender Equality, Ministerial Council, OSCE, Sofia December 2004,
http://www.osce.org/documents/mcs/2004/12/3917_en.pdf

²⁹ Ministerial Council, OSCE, Ljubljana 2005

and peace-processes, and include capacity-building expertise on gender, ensuring non-discriminatory legal and policy frameworks, networking within and between communities and supporting shelters for victims of domestic violence. Quoting CEDAW's preamble that "The peace and welfare of the world require maximum participation of women on equal terms with men in all fields"³⁰, the Action Plan calls for gender-mainstreaming in order to achieve social justice "using full human capital". Accountability for the achievement³¹ of gender equality within the OSCE mandate "is the joint responsibility of the participating States, the Chairman-in-Office, the Secretary General, and the Heads of institutions and missions [...]"

2. The OSCE Ministerial Council Decision Number 14/05³², adopted on 6th December, 2005, directly links gender equality and security as in UNSCR1325. It prioritises the participation of women in "conflict prevention, crises management and post-conflict rehabilitation". The Decision references the OSCE 2004 Action Plan and calls for cooperation of participating states, and substantially increased number of women in the Secretariat, public administration and field operations. The Decision specifically requires the SRSG to report on implementation of the Action Plan in relation to the provisions of UNSCR1325.
3. The OSCE Ministerial Decision Number 15/05³³, adopted on 6th December, 2005, reaffirms UN Declaration on the Elimination of Violence against Women, and the Beijing Declaration and Platform for Action. It references UNSCR1325 provision for the full protection of rights of women and girls in conflict and post-conflict situations, as well as commitments to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. It calls for the improvement of women's economic independence, and the criminalizing of all forms of violence against women and girls, and commits to the provision of assistance and protections to the victims of gender-based crimes under its purview.

The responsibility of the Gender Section, within the OSCE Office of the Secretary General, is to ensure transparency in the recruitment and representation of women across all operational levels within OMIK as well as the implementation of policies on harassment, sexual harassment and gender discrimination. Staff within the Section are charged with ensuring there is a gender sensitive professional working environment, and in cooperation with OSCE Training Section, the Gender Section staff are to provide a 'gender orientation' for current and incoming staff to "increase their capacity to mainstream a gender perspective into OSCE policies, programmes and activities."³⁴

Gender Focal Points are *in theory* appointed in all departments of the Office of the Secretariat, as well as in all Missions and Institutions. OMIK must also appoint gender focal points in its five field offices. These structures are intended to develop and monitor all field projects that are relevant to advancement and protection of human rights of

³⁰ Preamble to United Nations General Assembly Resolution 34/180 of 18 December 1979 (CEDAW).

³¹ Decision No. 14/04, 2004 OSCE Action Plan for the Promotion of Gender Equality, Ministerial Council, OSCE, Sofia December 2004,
http://www.osce.org/documents/mcs/2004/12/3917_en.pdf

³² Ministerial Council, OSCE, Ljubljana 2005,
http://www.osce.org/documents/mcs/2005/12/17432_en.pdf

³³ Ministerial Council, OSCE, Ljubljana 2005,
http://www.osce.org/documents/mcs/2005/12/17433_en.pdf

³⁴ Secretariat – Training Section, OSCE website, <http://www.osce.org/training/13181.html>

women in Kosovo. The gender focal point staff also has the responsibility to liaise with and support women's organisations in the community, and to link to the Secretariat and Office for Democratic Institutions and Human Rights (ODIHR).

Within the Human Rights Division and Rule of Law Division, the gender related work is primarily focused on supporting the practical development of legislation and mechanisms for implementation. Through its Victim Advocacy and Support Section, the department continues to be the mission focal point on issues related to anti-trafficking, gender-based violence, legislative and policy support of government institutions responsible for gender issues and victim assistance. Pillar I comprises the UNMIK Police and the Department of Justice within a conjointly coordinated administration. The Victims Advocacy and Assistance Unit (VAAU) was created within the Judicial Development Division (JDD) in 2002 to address the needs of victims of crime, especially of sexual and domestic violence and trafficking, to encourage their participation in the investigation and prosecution phases of judicial processes. Though not directed or planned in specific response to or guided by UNSCR1325, VAAU by definition contributes to the protection of the rights of women and girls. UNSCR1325 seems not to be explicitly known or understood within the division or Pillar I, although early discussion of the VAAU included the comment:

... The VAAU helps bring justice closer to the people. By giving victims guidance through the judicial process (in police proceedings, the courtroom etc.), and by letting victims know what to expect, the VAAU also helps to make justice more humane. For example if a rape victim is afraid to testify in the court room the perpetrator can be removed. "Now even the more vulnerable victims will have institutional support. They will no longer feel alone, unprotected, stigmatised, or intimidated to go to court," says Vjosa Muhaxheri, Kosovan co-ordinator for victims' support in the VAAU.³⁵

VAAU aims at integration and institutionalization of the rights of victims of crime through policy and legislative advice, training and advocacy, and the provision of comprehensive assistance and support services and resources. VAAU is also responsible for recruitment, training and deployment of victims' advocates to provide support services, including to those living in minority communities and enclaves. VAAU has built up a network of Victims' Advocates across Kosovo to support victims, and this was extended in 2005, when VAAU and the Post and Telecommunication of Kosovo (PTK) set up a toll-free 'Help Line' for victims of gender violence. VAAU is active in the fight against human trafficking and liaises regularly with policy makers and legislative bodies. However, a concern continues to be

... The sustainability of the VAAU after the international community has left Kosovo. But its architects say the idea is sustainable because it is at the core of any human rights based justice system and because it has involved Kosovans from the beginning. Perhaps the most important insurance for its sustainability is

³⁵ Mumbi Njau, "Victim advocacy, delivering justice to the victim," *Focus Kosovo*, February 2003.

that under the new draft criminal code court fines may be used to support the VAAU's activities, particularly the establishments of a trust fund for victims.³⁶

In the future, even more attention to the inter-departmental approach currently used by VAAU, supported by an appropriate budget, would enable a more coordinated and cross-sectoral approach, since liaison with civil society groups will be essential to ensuring that VAAU can properly meet its objectives.

The Gender Focal Point for the OSCE reports that in practice, other political priorities tend to subordinate a gender focus so that it often becomes marginalised within the Pillar III commitments dealing with democratisation and institution building in Kosovo. Overall, there is a lack of competent senior and managerial staff able to integrate the work of the Gender Office in accordance with OSCE Action Plan. Gender seems to be considered a 'soft' issue and tends to be marginalised within the work under Pillar III. It was reported that the induction program conducted in Vienna is generally inadequate to inform staff about gender mainstreaming and obligations arising from UNSCR 1325 and related human rights treaties. However, many of the staff employed to work on gender issues have prior professional experience in this field and the Gender Office depends on their individual skills rather than supporting the comprehensive integration of gender mainstreaming into the skills base within OSCE.

The OSCE 2007 *Annual Evaluation Report on the Implementation of the 2004 Action Plan for the Promotion of Gender Equality*³⁷ maintains there has been an increase in the number of *international professional women in OSCE* from 37 percent in 2005 to 43 percent in 2006. Yet only five women occupy middle management positions out of 34 posts. There has never been a female Head or Deputy Head of Mission. A similar trend is seen in the wider ranks of OSCE, with a general increase in the representation of women in all professional positions³⁸ (35 percent in 2004, 40 percent in 2005 and 42 percent in 2006), but only a slight increase in the percentage of women in lower management positions, namely 17 percent in 2006.

Of the many international organisations and agencies operating within Kosovo under UNMIK and in relation to the PISG, only the major operators have been considered in this report:

The United Nations Development Programme (UNDP) has been present in Kosovo since the 'emergency phase' in 1999. Its mandate is to build capacity in the community of local experts and institutions in order to further develop skills in policy formulation in Kosovo. An important focus is its networking on human development issues among Kosovan decision makers, the media, civil society and the public. While internationally it is noted that developmental policy areas inevitably require the inclusion of gender analysis, the UNDP does not specifically address this in its work, except in using methodological measurements such as the Gender Development Index (GDI) as one of

³⁶ Ibid.

³⁷ *2007 Annual Evaluation Report on the Implementation of the 2004 Action Plan for the Promotion of Gender Equality*, OSCE, Vienna, 15 June 2007
http://www.osce.org/documents/sg/2007/06/25578_en.pdf

³⁸ This figure is about employment of local women in OSCE operations.

its three key indicators in quantitative research analysis.³⁹ The Resident Representative of UNDP commented that UNMIK could be judged as not fully addressing certain human rights obligations in Kosovo. The persistence of gender inequalities particularly around domestic violence and trafficking, in the light of the establishment of the Gender Equality Laws shows how much is still to be done before these are fully implemented.

UNDP is not mandated to specifically investigate gender issues. However, staff had recently networked through women's organisations in a community based programme around the flooding of the Iber River and saw that liaison as appropriate and necessary. The Program Analyst at UNDP commented that gender equality issues are still seen as separate to human rights issues, and are not prioritised in various UN agencies including UNDP and UNMIK. However, the gender balance within UNDP in Kosovo was about 50/50. In her view, it was widely considered that resolving the status of Kosovo and security issues were more important than gender equality. UNDP does not report on gender in its institutional structure and no specific reports on the implementation of either CEDAW or UNSCR1325 as operational principles have been sought from UNDP by UNMIK, although the work of UNIFEM was noted in this regard.

The United Nations Development Fund for Women (UNIFEM) “provides financial and technical assistance to innovative programmes and strategies to foster women’s empowerment and gender equality.”⁴⁰ UNIFEM has been present in Kosovo since August 1999. UNIFEM in Kosovo concentrates on providing “financial or technical assistance to the innovative programme initiatives that promote women’s human rights, and main areas are women’s political participation, economic security and rights, and elimination of violence against women and girls.”⁴¹ Like UNDP and UNHCR, UNIFEM works as an inter-governmental UN organisation, liaising and collaborating with government and civil society and “... working with other UN agencies, because our mandate is also to mainstream gender within other UN agencies.”⁴² UNIFEM played a pivotal role in coordinating government and civil society to negotiate and produce the Plan of Action for the Advancement of Gender Equality, adopted by the government in 2004. Following the establishment of the Office for Gender Equality in the Office of the Prime Minister, UNIFEM has continued to support the office by assisting in the development of a strategic plan for the implementation of the Plan of Action.

Specifically in regard to UNSCR1325, Flora Macula, project manager of UNIFEM in Kosovo commented

... we work in two directions, one is supporting activities, actions of civil society on advocacy, [at the] same time building capacity of civil society on lobbying and advocacy, and another side is supporting government institutions and or security sectors on implementation of 1325, so ... we are using 1325 as a tool ... because peace and peace building is more than a resolution, it's a tool [for wider social and political change].⁴³

³⁹ Specifically, UNDP's reporting uses the indicators; Human Development Index (HDI), the Gender Development Index (GDI) and the Human Poverty Index (HPI).

⁴⁰ See <http://www.unifem.org/>

⁴¹ Flora Macula interview, July 2007.

⁴² Ibid.

⁴³ Ibid.

UNIFEM in Kosovo has recently been involved in researching women's economic rights in order to inform policies that provide more economic opportunities for women, especially with regard to women's participation in the paid workforce. Currently the rate of female unemployment in Kosovo stands at about 60 percent, and overall, the public economic activity of women at 31 percent, compared to 75 percent of men.⁴⁴ UNIFEM continues to fund and support training for legal professionals on gender issues and to generally build capacity in the professional sector, specifically in relation to harmonising existing and new laws with the UN's gender perspective and international law. UNIFEM has also supported a pilot study on gender budgeting and training of trainers in order to create a pool of gender equality experts.

The United Nations Population Fund (UNFPA) was established in Kosovo in July 1999. Its mandate was to "restore basic and safe conditions for women and their newborn babies"⁴⁵ as part of the initial emergency response. However in 2000, UNFPA was mandated as "the lead agency in reproductive health in Kosovo." UNFPA seeks to improve access to reproductive health services and importantly to build institutional capacity to collect, analyse and utilize population-based research data.

Reporting on recent UNFPA activities, the Head of UNFPA, Karl Kulesa said

... In the beginning we were focused more in rehabilitation and emergency support to women and men ... We rehabilitated two regional maternity wards. We are particularly proud of the one in Prizren because it is in perfect shape and it has become the most popular maternity ward. It's not just to our credit, it's incredible how it is maintained ... it looks like any other hospital in Europe; it is not just technically good it is also managed well. Now we are focusing on increasing good reproductive health services to be available in Kosovo. Generally we work as a UN organisation through the government, that is our principal mandate and our principal partner is the Ministry of Health. ...Another issue [we work with] is how abortion is managed. ...Mostly we focus on women's health, but men have to be involved because men are part of society so it requires partnership. We are promoting contraceptives [and we do this], through our local NGOs.

UNFPA sees itself as providing "fundamental tools" for the post-conflict reconstruction in Kosovo but has also been "very active in promoting draft law and law about pregnancy in a way that is [in the] interest of women". The Head of the programme explained that while decision-makers "like to talk about big policies such as equal opportunities we focus on something more basic, yet family planning has revolutionised Western Europe since contraceptive pills were introduced in the 1960s. Since then women can [more easily] engage in employment and negotiate for changes in sexual relationships."⁴⁶

⁴⁴ See UNIFEM's regional report "The Story behind the Numbers: Women and Employment in Central and Eastern Europe and the Western Commonwealth of Independent States," <http://www.unifem.sk/index.cfm?Module=Static&page=w&s=IWP>

⁴⁵ See <http://www.unfpakos.org/>

⁴⁶ Karl Kulesa interview, November 2007

UNFPA works closely with the OGA but reported that UNMIK is not as serious as it should be about gender mainstreaming, and that for UNMIK “gender is always an afterthought”,

... The OGA is always struggling with the[m] and now if you look the organisational plan of the [proposed] EU mission, gender is a sub-division within human rights. UNFPA are not happy with that at all, because gender it is not just about human rights. In Kosovo you have the law, you have framework, and now we have to have resources to create mechanisms, and then a budget for gender issues that will continue after the resolution of Kosovo’s final status.

UNFPA in Kosovo has worked with women parliamentarians to promote reproductive health issues in legal and policy structures as well as through their civil society connections. In 2006 and 2007, women parliamentarians were supported to visit Bosnia-Herzegovina, Thailand and Egypt to investigate and compare health policies. The visit to Egypt by Ferid Agani, MP, provided particularly useful insights into Islamic family planning practices and policies.

Although UNFPA’s work is within the over-arching provisions on UNSCR1325, it does not specifically reference the resolution in its operations. It was noted however that globally well over 50 percent of its staff are female and that the top three, four, five people are women. It offers gender training for staff on abuse in the office including sexual harassment. “UNFPA policy includes statements on all forms of discrimination including gender. It doesn’t mean that it’s not happening but it’s easier to protect our staff.”

The United Nations Children’s Fund (UNICEF) has worked in Kosovo since 1999. It initiated a new post-emergency phase programme of cooperation with the PISG in 2005. UNICEF’s key focus is to “raise knowledge and awareness at the government level of human rights in general, and improve services provided to children and women in particular.”⁴⁷ UNICEF works in partnership with civil society groups including youth groups and women’s networks. It also liaises with the Office of the Prime Minister, the Agency for Gender Equality (AGE), the Ministries of Health, Education, Social Welfare, Youth, and the Department of Justice, and with the Ombudsperson Institution. UNICEF’s mandate in Kosovo is to

... Support the government in its efforts to create a tolerant society that respects human rights, appreciates diversity, and overcomes current attitudes towards social exclusion, marginalisation and discrimination and for the voices of those concerned to be heard.⁴⁸

The respondent from UNICEF commented that, “for UNICEF, women’s rights are crucially important. We consider that it’s not possible to realize children’s rights without having women’s rights. We know that women in society are a key factor in achieving children’s rights.”⁴⁹ The Convention of the Rights of the Child (CRC) and CEDAW are the international legal basis of UNICEF’s work in Kosovo. Although it does not

⁴⁷ See <http://www.unicef.org/kosovo/overview.html>

⁴⁸ Ibid.

⁴⁹ Arbena Kuriu interview, November 2007.

specifically reference UNSCR1325, UNICEF works within its provisions, and its gender officers have attended training on UNSCR1325 offered by the AGE. UNICEF's key interventions are in the spheres of health and education, recognizing that "Kosovo has the highest infant mortality rate in South Eastern Europe".⁵⁰ UNICEF also currently works on the school dropout rate, especially for rural girls and marginalised groups such as the Roma community. UNICEF's aim is to achieve universal education for all children in Kosovo. Arbena Kuriu commented that

...in some rural areas 15 percent of women are illiterate. UNICEF is supporting women illiteracy projects with the Ministry of Education. It is not enough to have women with some basic literacy; literacy is a means to engage them in employment and to empower them. There are some other forms of discrimination against women that UNICEF is working with: trafficking women, also trafficking children and girls up to eighteen years old. We have been very active in the working groups to combat trafficking and we are part of the Action Plan against trafficking.⁵¹

The recognition of international legal principles supporting gender equality was argued by the respondent to be insufficient in Kosovo, and that the government needed to better budget for the implementation of policies and programmes that will concretise gender equality.

It is not enough to adopt, it's not enough to ratify the convention. It's not enough to review legislation, because you can have perfect laws and legislation but if there is no implementation then it's nothing. So in Kosovo the government should keep in mind that they have to implement the different policies and to enforce implementation mechanisms.

There should also be an adequate ... budget. In the past we have been involved negotiating strategies and policies for women's and children's rights but there are no budgets to support them and to implement them. Sometimes external donors would donate funds in an ad hoc way, but not give long term backing for a project. Budget commitment should not mean that funds are only part of an additional budget; it should be mainstreamed so that women's and children's issues can have [properly] allocated budgets and be a priority.⁵²

The Office of the UN High Commissioner for Refugees (UNHCR) has operated in Kosovo since 1999 and is mandated to address the protection, shelter, emergency relief, education and health issues of displaced persons and refugees. UNHCR is not strictly a UN Agency but rather a coordinating body that operates at the request of governments or under the authority of the United Nations on refugee return or resettlement.⁵³ UNHCR works closely with the UN Mission in Kosovo (UNMIK)'s Office of Returns and Communities, and the PISG. Most recently UNHCR is working in "the community on inter-ethnic dialogue and confidence-building measures to ensure adequate security,

⁵⁰ Ibid.

⁵¹ Ibid.

⁵² Ibid.

⁵³ See Gil Loescher. *The UNHCR and World Politics: A Perilous Path*, Oxford University Press. 2002.

freedom of movement and access to basic services, including employment for the sustainable return of minority communities.”⁵⁴

Respondents described the work of UNHCR in Kosovo like this

... in the Ex-Yugoslavia the UN Secretary-General tasked us to look [at] the issue of the displaced people, but we have been given a new role under the Security Council Resolution 1244 when it comes to [the] specific situation of Kosovo. We are not tasked to coordinate but to monitor to supervise some issues while UNMIK and some other organisations are the main actors to implement different kinds of activities. Our office in Kosovo is focused in two issues, on the refugees because is part of our mandate according to Geneva Convention, and the second is returnees. We protect and supervise both men and women; we don't make a division between the genders, we help 'persons of concern'⁵⁵. But in our policy gender mainstreaming has become part of our daily work, we have to make all our protection, we organize focus groups with women, men children, and we are trying to change the approach of gender division.

Explicit links to UNSCR1325 are absent in the public work of UNHCR in Kosovo, despite the relevance of the resolution for its work, as expressed in the Preamble to UNSCR1325, and in articles 8, 9, 10, 11 and 12. Nevertheless, UNHCR staff responded by pointing out the specific responsibilities of UNMIK and the PISG for the operational framework under which UNHCR concentrates on refugee and IDP returns and resettlement. The referencing of UNSCR1325 to campaigns against gendered violence and within the UNHCR to promoting women staff into positions of responsibility was noted:

Since 2002 we have a [more gender sensitive] approach - we have high commissioners, and [our] commitments to IDPs, refugees, and returnee women, are that [there must be] equal participation of women in all decision-making bodies, and to the extent that it's possible, up to 50 percent. Then we have the registration of women, - we saw what happened in the field during our work, men go and register for their wives in their name as head of household. The high commissioner ... requires that all people particularly women are registered with their own names so they can have access to assistance. They cannot get assistance through their male representatives or members. We pay particular attention to 'persons of concern', especially women who are victims of gender-based violence, and also [ensure] that women are included in food distribution and that food is given directly to women not their male members. It is often the case that when the man gets the food for the family he then sells it for money, so the family has no food. Another thing required by the UNHCR is to provide women with access to sanitary materials that is specific for women; these are special action points which are referred to as 'gender protection'...⁵⁶

⁵⁴ See UNHCR website: <http://www.unhcr.org/cgi-bin/teXis/vtx/balkans-country?country=kosovo&display=protection>

⁵⁵ 'Persons of concern' is the term used by the UNHCR to denote displaced and homeless persons, whether or not they are refugees. The category includes asylum-seekers, refugees, stateless persons, the internally displaced and returnees: *The Protection Induction Programme Handbook* <http://www.unhcr.org/publ/PUBL/44b5005c2.pdf>

⁵⁶ Interview with Tamara Jerman and Vjollca Gjonbalaj, November, 2007.

The UNHCR maintains that 'gender' is not, in itself, a basis for protection under the 1951 Refugee Convention but if the Convention is interpreted in the most inclusive sense then attention must be paid to gender-related matters, such as, "acts of sexual violence, domestic violence, coerced family planning, female genital mutilation, punishment for transgression of social mores, and discrimination against homosexuals".⁵⁷

b. National institutions and organisations

The Assembly of Kosovo, according to constitutional provisions, is the highest provisional self-government and representative and lawmaking institution in Kosovo.⁵⁸ It consists of fourteen party political groupings who participate in the Assembly within five parliamentary groups.⁵⁹ There are thirty municipalities in Kosovo comprising the local authorities within the Association of Municipalities under Article 10 of the European Charter of Local Autonomy of the Council of Europe. Chapter 3 of the Constitutional Framework on Human Rights reads:

All persons in Kosovo shall enjoy, without discrimination on any ground and in full equality, human rights and fundamental freedoms.

The 2001 Constitutional Framework established the Provisional Institutions of Self-Government, which include the Assembly, the President of Kosovo, the Government, and the Courts and other bodies as formulated. Although UNSCR1325 is not specifically mentioned, CEDAW is linked directly to the promotion of women's rights in the Constitution

Provisional Institutions of Self-Government shall observe and ensure internationally recognised human rights and fundamental freedoms, including those rights and freedoms set forth in [inter alia] the Convention on the Elimination of All Forms of Discrimination against Women [CEDAW].

The Standards for Kosovo Implementation Plan defines the objectives and actions and policies to be undertaken by PISG structures, and other institutions, to reach human rights standards expected of a "a truly multi-ethnic, stable and democratic Kosovo which is approaching European standards."⁶⁰ UNMIK is responsible for the rule of law, however all standards are to be achieved in collaboration with PISG and UNMIK. The objectives concentrate on rule of law, freedom of movement, sustainable returns, economy, property rights, cultural heritage, Kosovo Protection Corps and dialogue with Belgrade. Each of the Standards is divided into a number of goals. Gender has been integrated as a cross-cutting issue across the standards. Gender equality objectives and

⁵⁷ *The Protection Induction Programme Handbook*
<http://www.unhcr.org/publ/PUBL/44b5005c2.pdf> p. 6.

⁵⁸ The Assembly is regulated with Chapter 9 of the Constitutional Framework for the Provisional Self-Government in Kosovo.

⁵⁹ See The Kosovo Assembly, <http://www.assemblyofkosovo.org/>

⁶⁰ *Kosovo Standards Implementation Plan, 2004*
http://www.unmikonline.org/pub/misc/ksip_eng.pdf

specific actions have been incorporated into the Standards Implementation Plan endorsed by the UN Security Council on 12th December, 2003. Regular monthly assessments monitor progress and are reported to working groups co-chaired by PISG and senior international officials. Only one of the nine groups is chaired by a woman.

The OGA has developed gender sensitive indicators linked to the different standards as a 'tangible barometer' to gauge progress towards gender equality, as well as gender checklists on each of the Standards as a 'roadmap' towards equal opportunity for women and men in Kosovo. The OGA has also cross-referenced the gender issues in the Standards for Kosovo with relevant articles. This is a significant effort to translate UNSCR1325 into practice and engage UNMIK as a whole in its implementation.

While most government representatives at both national and municipal levels have a basic knowledge of UNSCR1325, the process to articulate the resolution and related human rights instruments within domestic legislation is not always clearly understood⁶¹. The mechanisms for achieving gender equality have been set in place at all levels of government but articulation into policies and administrative rules is slow due to financial constraints and the will of officials at higher decision-making levels. Some interviewees quoted examples of irregular and uncoordinated cooperation from the international community's leadership and agencies that have hindered the effective inclusion of women in decision-making processes and slowed the initiation of informed gender mainstreaming from national to municipal levels of government. Furthermore, respondents pointed to frequent examples of limited and unproductive cross-governmental dialogue and to a lack of political will at the national level to involve more women in decision-making. Implementation is seen as dependant on individual leadership. In 2006-07 deliberations over the future status of Kosovo were given priority.⁶²

The quota-driven achievement of near thirty percent representation of women in the parliament is regarded by most interviewees as an achievement "with compromised quality". Respondents noted the overall marginalisation of women within party structures and the lack of programmes for gender mainstreaming within both party policies and the political negotiations of the Assembly.

At the municipal level, the positions of Municipal Gender Officers (discussed above) were considered by some interviewees to illustrate the limited enactment of mechanisms for gender equality and a general lack of awareness of gender issues at municipal levels. Again, as stated earlier, financial constraints were seen as limiting not only the work of the municipal gender officers but also the inclusion of women in decision-making processes at the municipal level.

In accordance with the Gender Equality Law, in April 2005, the Office for Gender Equality within the Office of the Prime Minister was set up, and in 2007 transformed into the Agency for Gender Equality (AGE). Its purpose is to raise awareness of and promote

⁶¹ From the interviews completed 2007, by KWN, Kosovo

⁶² The Kosovo government's mechanisms to achieve the gender equality include; The Plan of Standards of Kosovo; the Law on Gender Equality (UNMIK resolution 2004/18); the Antidiscrimination Law, August 2004; the Administrative Instruction on Gender Equality, 2003 and 2007 (NO. 2007/03-MPS); the Resolution against the trafficking of human rights and the Resolution on domestic violence protection, 2003/12.

gender equality. Some interviewees commented that any initiatives to do with UNSCR1325 are likely to fail, despite the Agency having “free hands to implement whatever it wants including gender equality.” The response noted that the Agency functions under considerable political pressure to meet the expectations of the day. On the other hand, the Chancellor of the AGE stated that the Agency concentrates on implementing CEDAW, and has no particular training on UNSCR1325. Similar lack of clarity on how UNSCR1325 is implemented was evident in the response of the Legal Office in Ministry of Public Services, who argued that the role of the Legal Office is not necessarily to be involved in the implementation of UNSCR1325 but rather in drafting gender relevant laws.

According to the High Officer for Equal Opportunity and Gender Issues at AOGG, established in April 2003, the Prime Minister has made some attempts to increase the participation of women in decision-making. However the outcomes are not very obvious. Currently, women do not reach the highest levels of government decision-making and there are no women in the ‘final status’ negotiations. At the middle levels of central government women occupy about 38 percent of the leading positions.⁶³ The AOGG’s has closely cooperated with KWN and UNIFEM about the National Action Plan for the Achievement of Gender Equality (NAP), yet, no particular attention has been given to UNSCR1325, and the reasons given typically identify UNMIK’s lack of attention to the resolution.

The Kosovo Police Service (KPS) was established under the mandate of the OSCE to develop an effective police institution for a democratic Kosovo. UNMIK’s mandate under UNSCR1244 included the task to establish a new police force. KPS is under the command of UNMIK whose police commissioner commands both the international police (CIVPOL) and KPS. KPS reached its mandated size of nearly 7,000 officers in 2004. About 85 percent of KPS officers are ethnic Albanians, 15 percent are ethnic Serbs and other ethnicities. About 15 percent of KPS are women officers.

The Kosovo Protection Corps (KPC) is a civilian emergency services organisation under United Nations administration since 1999, when KPC was created by the promulgation of UNMIK Regulation 1999/8 and the agreement of a “Statement of Principles” on the KPC’s permitted role in Kosovo. UNMIK Regulation 1999/8 instructs that its mandate includes:⁶⁴ humanitarian assistance and contributing to rebuilding infrastructure and communities. About 2 percent of the KPC are female cadets.

The Kosovo Correction Service (KCS) is administered by the Penal Management Division (UNMIK Pillar I, Department of Justice and Police). Since its creation in 1999, six detention centres and two prisons have been established, 1300 staff have been recruited and given basic training, legal fundamentals for penal correction have been

⁶³ Statistical Office of Kosovo, 2007. *Gratë dhe burrat Kosovë (Women and Men in Kosovo)*, p. 44

⁶⁴ KPC is mandated under UNMIK to provide disaster response particularly for major fires, industrial accidents or toxic spills; to conduct search and rescue operations; to provide humanitarian assistance; to assist in de-mining; and to contribute to rebuilding infrastructure and communities in Kosovo.

drafted, and Kosovar Directors have been recruited. A Kosovar Commissioner was appointed in 2006. Only a small percentage of the KCS are female officers.

Additional laws, policies and institutions in Kosovo applicable to empowerment and promotion of women's rights at national level are addressed in the following: legislation:

The Gender Equality Law (GEL) came in effect in 2004. It established standards for achieving gender equality, and allocated responsibilities for the achievement of equality throughout the Assembly, government and ministries and local government bodies. GEL specifically mandates the establishment of the Office of Gender Equality as a separate government institution, including the appointment of a Gender Equality Attorney to monitor and supervise implementation of the GEL and review gender rules violations and cases of gender discrimination.

The National Action Plan for the Achievement of Gender Equality (NAP) is generally regarded as a concrete step towards effective gender mainstreaming and incorporating provisions of UNSCR1325 into policy. The Kosovo National Action Plan specifically included women representatives from civil society in its working group.⁶⁵ As mentioned earlier the NAP was developed with the assistance of UNIFEM and finally adopted by the Kosovo government in April 2004. It explicitly draws upon the CEDAW Convention, the Beijing Declaration and Platform for Action. Developed from the NAP, the *Strategic Objectives and Actions Addressing Specific Critical Areas* focuses on health, human rights and violence against women and children, education, politics and culture.⁶⁶ It commits all levels of government and civil society groups to developing anti-discrimination measures and empowering vulnerable groups. It outlines the responsibility of the government for the co-ordination and implementation of these measures. Importantly, NAP looks at the general Kosovo context, analyzing post-conflict changes and their consequences. NAP maintains that its aims are to be achieved by cross-sectional cooperation of non-governmental, national and international institutions in the period 2003-2007.

The Anti-discrimination Law was enacted in 2004, driven by the need for legislation covering the "importance of supporting coexistence, protection of human rights, and fair representation of people of Kosovo in the development process of democratic self-governing institutions."⁶⁷ The government is obliged to provide information on the Anti-Discrimination Law and specific training is provided to judges and prosecutors on the practical and consistent use of law. The law "forbids direct and indirect discrimination and also defines all of its forms – harassment, victimization and segregation, among

⁶⁵ *The Kosovo Action Plan for the Achievement of Gender Equality*, UNIFEM. This is rare, for example when compared to the NAP of Denmark, for drafted only by cross-governmental institutions.

⁶⁶ Ibid.

⁶⁷ See Marcus Brand, *The Development Of Kosovo Institutions And The Transition Of Authority From UNMIK To Local Self-Government*, Geneva, The Centre for Applied Studies in International Negotiations (CASIN), January 2003.

others. [...] A major innovation is [...] that] the burden of proof [is placed] on the party accused of discriminatory action.”⁶⁸

In accordance with the Gender Equality Law, 2004, the **Office for Gender Equality within the Office of the Prime Minister** was set up in 2005 and in April 2007 transformed into the **Agency for Gender Equality (AGE)** as an executive agency, headed by an executive chief accountable to the Prime Minister. The Agency is funded by the resources allocated to the Office of the Prime Minister and is composed of three directorates, described below. In 2004, a Gender Office was also established in each government Ministry by the AOGG and the Inter-ministerial group with the purpose of coordinating, managing and supervising all gender related functions within the ministries. The Gender Officers assist in the formulation of gender policy plans and work towards the realisation of policies and strategies. In 2005, twelve of thirteen ministries had such positions.

AGE typically holds cross-sector roundtable discussions to raise awareness about gender equality. AGE also facilitates capacity-building with civil society groups and workshops on European legal standards.

Now we are in that phase preparing a report about implementation of the CEDAW convention. We [have] had trainings on gender equality and integration in European Union in order to look at the challenges and obstacles and the role of gender equality in European Union, and I can mention the Action Plan for European Partnership. This plan was required by European Commission. We prepared the action plan for Partnership.⁶⁹

In the interview, it emerged that the AGE faces a number of problems despite the clarity of its operational objectives

The first obstacle is the small number of people who work in this office ... we are only eight officials including our manager. We face a lack of capacity and a lack of specific training [about UNSCR1325 for example]. Usually when we speak about UNSCR1325 the staff and manager will ask for a jurist, but we have just two jurists here. For us the biggest challenge is time [to do trainings] because we have to compile a law or regulation, and also we have to prepare comments for Assembly Commission.

However the respondent also reported that in 2006 the PISG implemented a strategy to raise the position of women in decision making. The strategy commenced in 2007, and was based on the provisions of UNSCR1325 and CEDAW. Part of the strategy involved the Kosovo Prime Minister announcing 2007 as a year of positive discrimination based on gender. The Ministry of Public Services is thus obliged to compile an administrative regulation to implement it. AGE researched the statistics on women in decision making that fed into the strategy⁷⁰.

⁶⁸ Radoslaw Rzehak, *Anti-Discrimination Law adopted, implementation begins, Focus Kosovo* <http://www.unmikonline.org/pub/focuskos/feb05/focusksocaffair2.htm>

⁶⁹ Medhi Geci interview, July 2007.

⁷⁰ Ibid.

Within the Ministry of Public Services, the *Directorate for Legislation* monitors and implements the 2004 Gender Equality Law, as well as any relevant regulations to the law. It is responsible for communicating to the government and the ministries any amendments and aligning of laws, as well as drafting gender equality promotion policies and supervising their implementation. This Directorate assists the Subcommittee for Gender Equality within the Parliamentary Committee for Legislation in the review of laws.

The *Directorate for Cooperation* is responsible for coordinating and supervising all activities conducted by Officers for Gender Affairs within the ministries and in the municipalities. This Directorate coordinates its activities with the Office of Good Governance, the Unit for Gender Equality, the Ombudsperson Institution and it also cooperates with the UNMIK Office for Gender Affairs. Specifically it supports and funds projects and activities initiated by public institutions and promotes the gender equality projects of non-governmental organisations that are relevant to and cooperating with this directorate's framework.

The jurisdiction of the third Directorate is *Reporting and Monitoring for the Achievement of Gender Equality*. As indicated above, AGE is required to report on and supervise the implementation of international agreements on gender equality (including UNSCR1325) and to facilitate professional assistance and develop methods and techniques that help implementation. It is also required to initiate research and analysis in gender relevant fields.

The Advisory Office on Good Governance, Human Rights, Equal Opportunities and Gender Issues (AOGG) was set up in 2002, within the Office of the Prime Minister. The main responsibility of the Office, promulgated by the UNMIK Regulations 2001/19 and 2005/15 is monitoring and development of mechanisms for democratic society based on human rights, especially those of women, children and disabled people. These objectives are achieved through "initiation, drafting and supervision of the implementation of policies, action plans and strategies in the sphere of Good Governance, Human Rights, Equal Opportunities and Gender Issues".⁷¹ AOGG has a leading role in coordinating all anti-trafficking activities in Kosovo and in implementation of the Kosovo Action Plan to Combat Trafficking in Human Beings.

The interministerial group for achieving gender equality was established by the Office of the Prime Minister in April 2003 and includes representatives from the AOGG, which presides over it, all ministries, NGOs and representatives of agencies working on gender issues. The interministerial group works within the framework of the NAP to identify priorities within the ministries, create policies, develop programmes, and work on common strategies with respect to gender equality in all aspects of life. The group is also involved in 'Standards' reporting from the ministries.

The Ombudsperson Institution was initially established by UNMIK Regulation No. 2000/38:

⁷¹ Kosovo Prime Minister's website, <http://www.ks-gov.net/pm/?menuid=3&subid=1&subs=81&lingo=2>

The Ombudsperson shall promote and protect the rights and freedoms of individuals and legal entities and ensure that all persons in Kosovo are able to exercise effectively the human rights and fundamental freedoms safeguarded by international human rights standards, in particular the European Convention on Human Rights and its Protocols and the International Covenant on Civil and Political Rights.⁷²

The Ombudsperson has a mandate to receive and investigate complaints concerning discrimination cases against UNMIK and PISG. However, since 2006, the Ombudsperson's office was transferred to local competency and it is no longer mandated to investigate cases involving international agencies or individuals according to UNMIK Regulation No. 2006/06, superseding Regulation No. 2000/38.

It also has the responsibility for reviewing draft legislation and policies, commenting on the implementation human rights laws and good governance. The Ombudsperson can mediate between parties involved in a complaint, provide advocacy and advice and raise concerns via media. The services offered by the Ombudsperson's Office are free of charge. The respondent from the Ombudsperson's Office described its tasks:

...there are three units within the Ombudsperson's Office. Firstly is the group for children's rights, then a group working against discrimination and [thirdly a group advocating] for gender equality. The ideas behind creating these groups was that there some social categories that are more discriminated against ... The children's group was created in cooperation with UNICEF, so the other two groups were created after laws were approved by government [specific to those groups]. In these laws the Ombudsperson's Office is described as a special mechanism, and thus the laws for gender equality also requested that the Ombudsperson may deal with [disputes about] gender equalities.⁷³

Recently the Centre for Protection of Women and Children lodged a complaint about UNMIK's erratic implementation of policies against domestic violence. However, it is not in the mandate of the Ombudsperson to investigate complaints against international institutions and agencies. Respondents commented on the frustration of women who are unable to proceed against discriminatory work practices, such as sexual harassment and unfair dismissal from international agencies.

c. Kosovo Civil Society

A distinctive aspect of Kosovar civil society is the leadership of women's organisations and NGOs who have worked concertedly at the grassroots level and networked substantially into the civil service and central government processes to educate and support local women's participation. This section of the report focuses exclusively on women's organisations, although they comprise only one sector of the broader civil society in Kosovo.

⁷² UNMIK Regulation 2000/38, June 2000.

⁷³ Violeta Krasniqi interview, July 2007.

The majority of the civil society representatives interviewed⁷⁴ showed an understanding of the international legal framework for the achievement of gender equality: UNSCR1325, CEDAW and the Beijing Platform for Action. Within women's organisations these framework have particular resonance. As mentioned earlier, Kosovar women activists were centrally involved in drafting the National Action Plan for the Achievement of Gender Equality. However, the process supported by UNIFEM, built staunchly upon international legal tools for the advancement of women's human rights and upon pre-existing connections with transnational advocacy networks, some of which were linked prior to 1999.

The extensive Kosovo Women's Network (KWN) brings together 81 women's organisations representing all ethnic groups and various communities throughout Kosovo. Smaller organisations within the network were not surveyed for this report. KWN's mission is to "support, protect and promote the rights and the interests of women and girls throughout Kosova, regardless of their political beliefs, religion, age, level of education, sexual orientation and ability. KWN fulfills its mission through the exchange of experience and information, partnership and networking, research, advocacy and service."⁷⁵ Its member groups are drawn from a wide range of social sectors, including education, economic development, psycho-social services, special needs, capacity-building, gender studies research, groups working on gender-based violence and groups offering legal advocacy and support.

As Executive Director Igballe Rogova explained, UNSCR1325 was eagerly taken up by women activists as a means for obliging hitherto reluctant international agencies into dialogue with women's groups in Kosovo:

[In 1999] ... before I came to Kosova from being a refugee I was very excited because the UN was to administer Kosova I had so many expectations, and I was very excited, and [I thought] they will respect women's rights, and implement all the declarations, but ... when I came home from day one I realised they were completely ignoring the women's movement, and women leaders in Kosova. We had women in politics, very powerful women, and women in civil society, very powerful women, they were all ignored, and I thought how can we really change that? So we tried, we organised meetings to advocate ... and just to say "listen to us." And then when UN signed this resolution, we had then a friend in an organisation, Women Commission for Refugee Women and Children, and in that organisation was working a woman who went to a job in UNIFEM, her name is Maha Muna. We were telling the women's commission what was happening in Kosova how they were ignoring women and Maha said use this resolution. So from day one in 2000 we started using the report and we were advocating or, using the resolution, we were writing letters to the UN, to UN New York even, saying you have to implement this resolution.⁷⁶

Kosovar women's organisations have directly contributed to the implementation of UNSCR1325 in various official and informal meetings, trainings, demonstrations, projects, local, regional and international networking and lobbying. The activities of women's organisations include assisting victims of sexual violence during the war,

⁷⁴ From the interviews completed 2007, by KWN, Kosovo

⁷⁵ See the KWN website at <http://www.womensnetwork.org>

⁷⁶ Igballe Rogova interview, July 2007.

domestic violence and trafficking. Currently, KWN member organisations liaise with and regularly lobby governmental offices at all levels, both individually and under the KWN umbrella.

Women's groups are the only sector of Kosovar society that explicitly and consistently addresses UNSCR1325 as an operational principle to be integrated into their work. As a direct result of this, in 2007 KWN began a ground-breaking series of talks to KFOR military forces stationed in Kosovo about how and why UNSCR1325 is important to their mission. However, overall lobbying for the empowerment and advancement of women in Kosovo is undermined by insufficient ongoing cooperation from national institutions and the international community with women's groups.⁷⁷

From the interviews it was clear that there is a frequent communication gap between many of the international administrators and women's groups. Although on the surface there is usually an apparent willingness to consult and discuss, it has been hard won through the efforts of KWN in particular. Overall, international administrators have been slow to comprehensively ensure ongoing support for the initiatives taken by civil society groups to further women's equal access to development and human rights more broadly. Clearly this reflects the lack of direct accountability by international administrators to the Kosovar public and that the international legal principles of human rights, including gender equality, need considerably more than the current rhetorical support offered by the international community. Discussing the obstacles facing a comprehensive implementation of UNSCR1325, the KWN Executive Director explained:

Lack of political will is the first obstacle and lack of knowledge is second. But lack of political will is number 1... The resolution strongly demands the inclusion of women in decision-making places, especially in peace negotiations. [But] all these leaders at local and international levels don't want to give space to women ... because they think its men's duty to talk about peace, and the resolution has so many articles that especially UN in particular feels it is impossible to implement. For example, one article is against trafficking. But ... everywhere the military goes, we see trafficking. So it will be like undermining their plan [to fully implement 1325].⁷⁸

The ironic position of women's organisations using an international legal mechanism to hold international agencies to account for their often tardy record in mainstreaming gender equality principles is very apparent to women's organisations. Emerging from the interviews with women in civil society was a sense that this awareness renews their determination to comprehensively address the gender inequities in post-conflict Kosovo by networking across political and social sectors and re-linking with sister groups in neighbouring states. A draft summary report on UNSCR1325 implementation in Kosovo was compiled in March 2006 and is included as Appendix 3.

Although acknowledging the efficient work of grassroots organisations, Flora Macula suggests that more activities need to be conducted on their part:

⁷⁷ Ibid.

⁷⁸ Ibid.

... there should be more work from NGO's...more arguments, more building capacity to somehow improve the organisations.⁷⁹

Yet the capacity for local women's groups to meet and discuss proactively is a significant strength of this sector of Kosovar civil society, as evidenced in a roundtable meeting in July to discuss "lessons learnt from eight years of UNMIK" and to prepare some recommendations for the incoming European Union Mission in the period following a decision on Kosovo's final status. The meeting comprised members of KWN as well as representatives from international agencies and government. The roundtable discussion was in effect a summary of the achievements and forward thinking of the women's organisations and was organised into two parts:

1. Achievements discussed at the roundtable: "we are not in [the] same place as eight years ago"

The establishment of gender specific legislation on domestic violence, anti-trafficking, gender equality, family, and anti-discrimination advanced the possibility of gender equality becoming a goal in Kosovo, which would make significant improvements to women's and children's rights possible and improve gender relations overall. The unifying and strengthening of the Kosovar women's movement was an outcome of the administration by international agencies, as one woman put it; we "needed to work together, so [we] came together".⁸⁰ In the face of the sometimes overwhelming administration by international agencies, the renewing and re-establishing of the Kosovo Women's Lobby; and the Regional Women's Lobby for South East Europe; especially the (re)connections with Serbian women was a necessary and positive step towards building a cohesive civil society. The importing of unfamiliar ideas and agendas without sufficient consultation, stimulated and sometimes provoked a more coherent and determined response from women's networks than might otherwise have been achieved in eight years.

The establishment of gender mechanisms in all levels of government, although not always implemented, are theoretically and potentially important focal points which may be developed in the future, in particular, the inter-municipality governmental working group is an important 'bridging' mechanism at the community level to help translate national and international law into everyday lives and needs. Secondly, the burgeoning of NGOs focused on women's issues which have been funded by international agencies have enabled some to become securely embedded in Kosovar society and can therefore work more effectively together and separately.

The meeting participants agreed that there have been many successes in individual women being able to start businesses, although there is still room for improvement in women's capacity to obtain bank loans and compete economically in the business world.

It was agreed that the National Action Plan for the Achievement of Gender Equality adopted by the Prime Minister and government was a significant step forward in promoting and protecting women's rights and setting standards for the implementation of gender equality at all levels of government. Three elements are particularly important:

⁷⁹ Flora Macula interview, July 2007.

⁸⁰ Roundtable discussion, Kosovo Gender Studies Centre, July, 2007.

the establishing of eight standards for Kosovo as part of the “standards’ plan” reinforced the importance of gender equality as a human rights agenda in achieving a multi-ethnic democratic state. Secondly, the political lobbying around the NAP and Standards again brought women civil society leaders and politicians together around important issues. Thirdly, lobbying and working with both media and government officials has made obvious that the achievement of gender equality is an ongoing process that must be continually monitored in a multi-faceted way. The role of women in the media was considered by all to be important strategically.

The process of researching and producing the shadow report on UNSCR1325 in 2005 was recognised as a step towards understanding the complex organisational processes and networking necessary to use UNSCR1325 as an advocacy tool. “Imposing ourselves as an important force” was a catch-phrase given to the many groups’ responses to the oversight of UNMIK. Although often problematic in its ‘top-down’ style and inadequate consultations with civil society, many UNMIK structures offered a physical, material and psychological space to some women’s groups enabling them to ‘self organise’ and establish their own priorities and agendas. It was agreed that the period being discussed, saw many women’s groups gain the experience and skills to become effective lobbyists and some individual members were also able to up-skill in areas relevant to gender equality.

The roundtable considered various experiences of working with international agencies on gender issues and the discussion ranged widely. Recounting the “lessons learnt” the following comments speculated:

... it is hoped that EUMIK unlike UNMIK, will be more ready to utilize the existing capacities, will and enthusiasm of the local NGO-s active in the field of gender issues in Kosova, which would in return allow for cooperation and partnership in developing joint projects. As a result, ample information from the field will be made available to EUMIK, to allow for better, more meaningful and effective policies and projects (which was not the case during UNMIK administration).

As an extreme case of an “opportunity lost” one could consider the organisation “Kosovo Women’s Initiative” (KWI), established in July 1999. KWI was created after the United States Department of State, Bureau of Population, Refugees and Migration allocated a grant of 10 million US dollars to the United Nations High Commission for Refugees (UNHCR) for the implementation of this project. The idea was to use this fund to support the needs of Kosovar women and to help regenerate and consolidate existing Kosovar women organisations, which had been heavily damaged and in some cases destroyed during the war of 1999.

However, a grave mistake was committed, which eventually resulted in the complete failure of this initiative. The planning of allocation of funds was carried out through a “top-down” approach. There was no prior consultation of local actors, which would enable clear identification of real needs of Kosovar women and of women NGOs. Consequently, the major proportion of the grant went to UNHCR to fund its international partners’ operational costs. A further consequence was that due to the lack of local knowledge and relevant information, the remaining part of the funds was distributed on an “ad hoc” basis

to organisations that terminated their activities as soon as donations were spent and funds ceased to flow.⁸¹

Summarising the recommendations of the roundtable discussion, the organiser further commented, “With the intention that the mistakes of the past eight years be prevented in the future, it is necessary that the EUMIK mission take into consideration experiences of local actors during the 1999-2007 period.”⁸²

2. Recommendations from the roundtable: “We are not starting from zero”

The meeting outlined conclusions they would like to see taken up by the incoming European Union Mission in Kosovo:

1. Legal and political mechanisms are needed to implement gender equality but better qualified people are also needed to implement them;
2. International actors must be more participatory and willing to collaborate with local people;
3. It would be wise for the incoming Mission to not start with a “blame game”, that is, to not start with negative and untested assumptions about the local population;
4. Women in civil society must actively help shape the EU Mission mandate by being pro-active in establishing a mutually agreed ‘gender agenda’;
5. A gender perspective should be inserted into the EU mission’s forward planning, and this should be explained and negotiated with local actors from the beginning;
6. Gender perspectives should be established and maintained at senior levels of leadership in the Mission rather than confined to the levels usually occupied by women;
7. Transparency in all administrative processes is expected and will be lobbied for and monitored by civil society groups;
8. Money towards trainings new arrivals;
9. A cross-sector task group should be established to induct staff and workers on current issues and lessons learnt, in order to ensure continuity and open communication;
10. Open channels of communication with women’s groups must be established and maintained on a regular, on-going basis;
11. All international actors must consult local women’s groups when designing programs to support local women.

Part Two: Obligations of UNSCR1325

The second section of this report on the implementation of UNSCR1325 summarises the main findings in sections defined by UNSCR1325 as key areas of obligation:

⁸¹ Luljeta Vuniqui, *Welcome to Kosovo! Part two*, Kosovo Gender Studies Centre, August 2007, p. 7. For more information on the example cited, see Chris Corrin *Gender Audit*, Jock M. Baker and Hilde Haug *Final Report: External Evaluation of the Kosovo Women’s Initiative* (2002).

⁸² Luljeta Vuniqui, *Welcome to Kosovo! Part two*, Kosovo Gender Studies Centre, August 2007, p. 7.

- Inclusion of women at all decision-making levels;
- Gender perspective and training of police and military personnel;
- Protection and respect of human rights of women and girls;
- Inclusion of gender perspective in UN reports.

a. Inclusion of a Gender Perspective at All Levels of Decision-Making

UNSCR1325 in Article one “*Urges* Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict.” Article 8 “*Urges*” member of states to ensure increased representation of women at all decision-making levels national, regional and international institutions and mechanisms for the prevention, management and resolution of conflict.

The Rambouillet Agreement, drafted by NATO forces in March 1999, which ended the war, had sex or gender reference occurring only in *Chapter 2, ‘Police and Civil Public Security’, Article 1, General Principles*. The foreign affairs spokesperson for (President) Ibrahim Rugova, Edita Tahiri, was the only woman present during the Rambouillet negotiations. She commented that she did not feel gender discrimination in the early independence movement and at Rambouillet:

... it was 10 years before the independence movement responded to the Serbian occupation here, playing our role in the process of disintegration of Yugoslavia by trying to realise our dream for the independence of Kosova. I was at the top of this movement, and the rest were 14 men ... in that time I did not feel any gender discrimination, even though I was sitting in the meetings only with men, even at Rambouillet ... I never felt this gender difference and discrimination.⁸³

The post war climate in Kosovo was however, characterised by increased marginalisation of women in all spheres and societal pressures to conform to more traditional roles:

After the war, it was liberation from this burden of occupation, men were aggressive, and women were marginalized, including me.⁸⁴

Optimism among women activists at the arrival of the international community in Kosovo⁸⁵ was quickly confronted by the lack of awareness, knowledge and interest of the senior international administration staff to support and practice gender mainstreaming. Not only was gender failing to be recognised in the highest levels of the international decision-making processes, but also the staff willing to work on gender mainstreaming processes were not encouraged and thus failed to include gender-mainstreaming as a policy making principle.

⁸³ Edita Tahiri interview, July 2007.

⁸⁴ Edita Tahiri interview, July 2007.

⁸⁵ *Getting it Right?; Gender Approach to UNMIK Administration 2001 in Kosovo*, Kvinna Till Kvinna.

Kosovar women's activists and non-governmental organisations expected that the UN administration would actively support and cooperate with local women activists, but as indicated earlier, local women have struggled to have any voice or involvement in post-conflict decision-making. Discussing the lack of women's representation in the current talks to determine Kosovo's final status, Igballe Rogova commented:

... there [is] this lack of political will ... In the beginning we tried first with letters, then we had a protest in the street ... it was minus 20 degrees and we had our outdoor protest with plays, with songs, with a big banner saying Resolution 1325 gives us the right to be in [the] negotiation team. The banner stayed on the walls of [the] parliament building for 6 or 7 months. And that was the period when we had started Women's Peace Coalition with the Women in Black Network in Serbia. We decided to start this coalition because firstly, there were no women in the negotiation team, yes, ok they had one woman but she was not representing all women of Serbia, so they felt like they didn't have a woman there. So we both had protests at the same time, on the same day, at the same hour, in Prishtina and in Belgrade, and then we continued to work together. We thought if we, women, cannot be in [the] negotiation team, we can be [an] alternative voice, and we can bring women's perspective in negotiation talks. How? We brought statements, we wrote statements before they met there, in Vienna, and in every statement we sent we mentioned 1325, in every letter, and with the Women's Peace Coalition, we sent statements about what we felt about the status of Kosova, so we used the resolution, and said things like every letter we sent, we used the space to mention 1325. I think this resolution helped us to have a special meeting with the Special Envoy who was in charge of [the] negotiation process, Martti Ahtisaari, because he opened the door for us every time we requested a meeting. During 2006 we met four times with him, but officially we lacked that representation.⁸⁶

However, taking a step back to 1999, the establishment by UNMIK of the Kosovo Transitional Council (KTC) perhaps pre-figured what was to be the dominant gender practice of the international intervention. The KTC was a consultative body to the Special Representative of the Secretary General (SRSG) that included 12 local representatives, both Serbian and Albanian who were all males. On the Albanian side, the local representatives selected were from the Kosovo Liberation Army (KLA), the military leaders during the armed conflict, arguably diminishing the alternative voice of the LDK party. Thus the information about Kosovo society provided by this traditionally orientated sector of Albanian society was often one-sided and viewed the inclusion of women in post-conflict society rebuilding negatively, despite women's public roles throughout the nineties and for some, during the war. Public references to the lack of "competent and strong women" justified women's exclusion from the political sphere. Even as members of political parties women generally failed to be included in cooperation with UNMIK officials:

... even those [internationals] who have compiled this resolution, when a delegation comes to meet PDK members they meet only men... decision-making structures of UNMIK were [populated by] men so I think this is the problem because they [ignored] this resolution or didn't apply it in the right way.⁸⁷

⁸⁶ Igballe Rogova interview, July, 2007.

⁸⁷ Flora Brovina interview, August, 2007.

Many women activists considered that the international community reinforced discriminatory attitudes towards women, and tended to portray Kosovo's women as being trapped in repressive, backward traditions that undermined any hope of gender equality and which could not be challenged without upsetting the dominance of male values in Kosovo. The Joint Interim Administrative Structure (JIAS), created at the end of 1999, together with the Interim Administrative Council included three male Albanian representatives and one female Serb representative. Eventually, KTC was enlarged to include 17 percent women, but by that time had lost most of its importance. When in 2001, the President of the UN Security Council visited Prishtina and met with local women NGO representatives, he acknowledged the efforts of the women's movement in Kosovo to promote reconciliation and inter-group cooperation. However for many women in civil society, "this diplomatic gesture did not translate into a more qualitative participation by women at the mid and top level of the peace-building process then – or now."⁸⁸

The majority of those interviewed in 2007, believe that responsibility for the implementation of UNSCR1325 lies with the highest levels of decision-making bodies. This is on one hand an acknowledgment of the overarching power of the office of the SRSG and on the other hand, an assertion the PISG structures increasingly bear responsibility for promotion and protection of gender equality.

As the ultimate decision-maker in Kosovo, UNMIK and UN agencies as well as international organisations in Kosovo are expected to set an example for local institutions by implementing the Resolution throughout the final status negotiation process and relevant international tools for gender equality. Although SRSG Soren Jessen Petterson has shown limited effort in assisting Kosovo women by bringing OGA to the highest levels within UNMIK structures and giving them powers to complete their job, the overall lack political will on behalf of Petterson, who possessed power to impact the composition of the negotiation team, has been detrimental to the inclusion of women in negotiation processes.⁸⁹ The creation of the Unity Team by former President Ibrahim Rugova and SRSG Petterson with political party leaders that won seats in the parliament, including chair of the parliament and Prime Minister, foresaw the inclusion of a representative from civil society. Choosing a man, Chief Editor of the paper *Zëri* Blerim Shala, to fill this position is a clear example of the effective exclusion of women from political and civil society levels during the peace negotiations processes.⁹⁰

Flora Brovina claims that it is essential to include women for more successful negotiations as they have better understanding and knowledge in cultural heritage and strategic points, decentralisation and centralisation. Reflecting on women elected to the government in 2003, she said:

There were women who had experience and knew how to negotiate, they knew more history and they also have invested in [the] freedom of Kosovo.⁹¹

⁸⁸ Monica Llamazares, *The women of Kosovo: Missing Links in a Failing Post-War Peace building*

⁸⁹ Luljeta Vuniqi interview, July 2007.

⁹⁰ Igballe Rogova interview, July 2007.

⁹¹ Flora Brovina interview, August 2007.

Out of the twenty-one members drafting the new constitution only four are women. Respondents commented that more are needed in order to ensure that women's issues are presented and thought about in such decision-making circles. Nekibe Kelmendi, a Deputy in the Assembly of Kosovo and Chairwoman of the Commission for Public Services, Local Administration and Media commented:

Personally I am committed to find a place in the Constitution that will refer to the Resolution 1325, since it is known very well that the structure of [the] Kosova population is almost 50 percent - 50 percent, so women should have a role in decision-making and in decision-making institutions ... unfortunately in practice, it is not a reality. I would like to mention that even the United Nations itself, in the Security Council where this Resolution was ... adopted, (I had [a] chance in 2004 to participate in a congress at the United Nations on gender equality and women's rights) and I saw that even women within the United Nations are not included in the decision-making departments and organs. Instead they are more often used as administrators; as a staff at the lower levels.

While individual UNMIK and OSCE staff have supported local women and a number of initiatives have been undertaken by different international organisations to address gender issues, the significance of such initiatives on their overall work and addressing women's issues as a separate area of human rights and women as a separate group in society is debatable. It was widely believed by the respondents that the presence of the international community in Kosovo has reinforced underlying gender hierarchies.⁹²

In general, most international offices and a plethora of positions with a 'gender responsibility' seem to be poorly-managed with no well-defined plans of action and clear aims, resulting not in gender mainstreaming, but in further marginalisation and treatment of women's issues and concerns as soft issues in comparison to greater political agendas and ambitions "and to an atmosphere of competition and territoriality between the numerous players."⁹³

In addition, the Executive Director of the Kosovo Gender Studies Centre (KGSC) pointed out that there is little understanding of the importance of the work of civil society, and scarce political will to build partnerships with women's organisations to help facilitate women's leadership and entry into decision-making roles. It was felt that international agencies come to Kosovo with prejudicial views and all too often on a short-term basis. Funding for various projects is limited by donors often having their own political agendas. Thus, in addition to civil society depending on international donations, no support is provided by PISG structures.⁹⁴

A number of underlying causes for the comparative lack of women in decision-making positions have been identified by women in local government and civil society. Foremost is the effect of the superficial understanding of UNSCR1325, which reflects a general lack of political will among leadership to promote gender equality:

⁹² The Kosovo Report: Conflict, International Response, Lessons Learned. *The Independent International Commission on Kosovo*. Oxford University Press, 2000.

⁹³ Ibid.

⁹⁴ Karl Kulesa interview, November, 2007.

In the UN I don't see any strong commitment to Resolution 1325, I think they only wanted to have some document to be able to say to the women, here you are [this is for you]. This is not enough. Once you create a mechanism, you need a commitment to be able to implement it. So I think that UN highest bodies do not support women issues.⁹⁵

It was reported that UNMIK lacks professionalism and consistency in the gender-balance of its own employee selection and concerns were expressed about the actual knowledge and visioning of components required for peace and security specific to cultural, national, political and gender relations in Kosovo:

When UNMIK came in, employed women, and they never were based on gender perspective to employ them but they just were based in if she is beautiful, knows a little bit of English, and [if so] you had priority. Where are the professionals? We had many women professionals. We have many educated generations, but UNMIK was never based on this. By getting experts from different fields, and all this because they had no information's which they could get based on research that had to be conducted for the country that they are going.⁹⁶

The third reason given was the belief that the predominantly male culture in key positions of UNMIK structures undermines the administration's capacity to ensure the inclusion of women in decision-making. Since the inception of the mission, all five SRSGs have been male, as have all Principal Deputy and Deputy SRSGs. Heads of Mission and Deputy Heads of Mission of the other pillars have all been male with female Department Directors only occasionally appointed:

...women in the United Nations have not been included in the decision-making departments and organs, but they are more used as administrators, as staff of lower level...⁹⁷

The UN agencies such as UNICEF, UNIFEM, UNFPA, UNHCR and UNDP tended to have more women in key positions, but were initially excluded from participation in UNMIK's most senior level discussions and decision-making in the earlier post-conflict years. However, this has subsequently changed. These agencies have more consistent and concerted practices in line with women's human rights and UNSCR1325 provisions, despite their generally not referencing the latter in operational policy.

Indeed, Igballe Rogova points to the crucial support of UNIFEM in Kosovo for the local projects of women's organisations:

[T]hey support local initiatives, and that's why I admire them, I admire the office in Prishtina.⁹⁸

At the national level, the Gender Equality Law aims to establish equal representation of men and women at all levels in executive, legislative and judicial bodies, public

⁹⁵ Edita Tahiri, interview, July 2007.

⁹⁶ Lumnije Decani, interview, July 2007.

⁹⁷ Nekibe Kelmendi, interview, July 2007.

⁹⁸ Igballe Rogova, interview, July 2007.

institutions and appointments in central and local government. According to the Law on Gender Equality, Section 3.2:

[E]qual gender participation of both females and males, according to Section 3.1, is achieved in cases where the participation of the particular gender in the institutions, bodies or at the level of authority is 40 percent.

The second National Assembly elections in October 2004 enabled election of 33 women parliamentarians to the 120 seat Assembly (27.5 percent). Women also occupy 28 percent of all municipal assemblies' seats. Over thirty political parties participated and 49.5 percent of the electorate of almost 1.5 million eligible voters cast their ballots. However, few women hold the highest decision-making positions or are ministers. Only one of the ten government ministers is female. Only one of the nine permanent secretaries is female; and two of the five heads of the parliamentary groups are women. Amongst the eighteen parliamentary committee heads, seven are women but only two of the chief executive officers in municipalities are female:

... I fought against corruption and nepotism; because I said these phenomena lead Kosovo to failure [...] I tried to change political system so that quality people come to parliament and government... There was no good success...⁹⁹

Despite numerous trainings for women political candidates from 2002, and the connections made between women community leaders and female politicians there is still a great deal of criticism from each group towards each other's performance on social and political issues. Perhaps this reflects many of the disjunctions and contradictions between the theory and practice of international human rights standards when they are inconsistently applied.

According to most interviewees the introduction of the quota system for achieving gender equality in 2001 has not brought about expected results and there is overall concern women elected to the government at any level tend to be relatively unprepared to represent the visions of women and work for the required change, as Edi Shukriu, ADK Vice-President points out:

[W]hat we succeeded is only 30 percent of women in parliament which looks like theatre, I would like to have women in parliament but qualified women to raise their voice, but unfortunately this is not happening.¹⁰⁰

Some respondents claimed that the image of "silent" women representatives is not factual but rather many women in parliament need to impose themselves and insist on gaining better positions within government. Overall gender inequality in decision-making processes was considered to necessarily start within political parties:

If political parties were more focused, if they had priority increasing women's position within [the] party for sure we would have also women in [the] negotiation group, we would have more women ministers, in [the] presidency and everywhere else.¹⁰¹

⁹⁹ Edita Tahiri interview, July 2007.

¹⁰⁰ Edi Shukriu interview, July 2007.

¹⁰¹ Teuta Sahatcia interview, July 2007.

The advantage of some smaller parties created in new tradition, such as ORA and ADK, is that they have women in the highest decision-making positions within the party. Teuta Sahatcia, Member of Parliament and vice president of the ORA party, argues that the gender equality policy within the party is due to the party's statute guaranteeing a minimum of 30 percent women's participation in every organ of the party. In the youth forum there is currently 53 percent female membership.

However, within bigger parties, such as PDK, there is no particular policy on gender equality and no programme on the implementation of UNSCR1325. Women are described as unaware of their rights within the party, and it was reported that women do not know what to expect from the presidency, are not equal with men as the presidency and furthermore are excluded from the decision-making processes.

... a lot of things are not implemented in government or parliament. Assembly men still decide during their coffee [break] with their colleagues so in parliament they don't do anything.¹⁰²

While government representatives might have basic knowledge of UNSCR1325, the steps and strategies to implementation are not sufficiently understood.

Political leadership, also the institutional representatives, whoever really, it's the fact that there is a low level of understanding, of knowing of existing the content of 1325 but existing as a Resolution. Nobody knows about it [...] we had this meeting with our prime minister. He was so proud [to know] what is 1325, because in previous meetings he didn't know... you know now but what are you doing to really implement it, so that was another disappointment.¹⁰³

There was a belief overall that some elected representatives to the government and parliament were corrupt and many men in parliament were perceived as more aggressive in running for power:

[W]e are marginalised [...] not because that we don't have skills to face all the problems that Kosovar society is facing, but for the fact we are simply ignored from [the] male world.¹⁰⁴

This was felt to ultimately compound the difficulty women had in presenting their ideas; risking being further subordinated, marginalized and ignored, even if the number of women in the National Assembly was to increase significantly:

We still don't have opportunity when you are discriminated within party and then to raise voice for a place in parliament. It will not make a great [change] to increase the numbers of women in parliament to 50 percent.¹⁰⁵

Kaqusha Jashari, leader of the Social Democratic Party of Kosovo with 30 percent of women in the bodies of the party but with no seats in the parliament, comments on the

¹⁰² Flora Brovina interview, July 2007.

¹⁰³ Luljeta Vuniqi interview, July 2007.

¹⁰⁴ Flora Brovina interview, July 2007.

¹⁰⁵ Ibid.

readiness of the society as such to accept women as leaders, as there is general public opinion there are no capable women to be leaders of the state. Open list elections are further detrimental to women being elected, as people “choose the men they know” from the lists. The 2001 elections were based on the closed list system and the quota for the women representatives was achieved, however it has been argued by Jashari that women are being chosen due to party loyalty, rather than leadership capabilities:

... because of the lack of democracy inside the party, women’s leadership qualities are not expressed. Very often women are in the lists just because of the required structures and not because their quality...Till now we did not have quality because it was insisted [we should] just achieve the [quota’s] percentage.¹⁰⁶

On the other side, some respondents see the campaign to change to an open list electoral system as a positive step in increasing women’s participation in decision-making processes. It is argued this will ensure individual accountability of chosen men leaders rather than the whole party (even if women are not chosen) in their representation of interests of women and their compliance to implementation of gender relevant laws and policies. Supporters of the open list system suggest that open lists will push for both quality and quantity, as it will discourage and prevent corruption during candidate nominations:

...they nominated loyalists and tried to eliminate independent voices, the visionary voice; because they thought they are the potential rivals to them.¹⁰⁷

Supporters of the open lists system interviewed believe the driving force for the local and national change lies with grassroots levels, as the PISG are not open to change. The non-governmental sector is considered to have responsibility for changing the government structure by direct lobbying. The respondents voiced a generally positive outlook about the achievement of gender equality among citizens and believe society will ultimately accept women as state leaders.

Although the national structural mechanisms for achieving gender equality have been established, implementation remains slow due to financial constraints and seems mainly dependent on higher decision-making levels. Edita Tahiri stated that cultural activity is crucial for changing the public attitudes towards gender. She maintained that women’s security and empowerment could be attained without having women in the highest decision-making positions to serve as role models for the society:

... we should identify the top women and use them as a model for the rest, because if we want to encourage and empower the women to come to the political or other aspects of life, and to lead, to become leaders, encourage the leadership of women, then we have to identify models.¹⁰⁸

However, to be successfully elected within the party and to stand in the national elections women need resources and logistical support:¹⁰⁹

¹⁰⁶ Kaqusha Jashari, interview, July 2007.

¹⁰⁷ Edita Tahiri interview, July 2007.

¹⁰⁸ Edita Tahiri interview, July 2007.

¹⁰⁹ Flora Brovina interview, August 2007.

Women in politics in this country do not have any money to run for the seat in parliament¹¹⁰

It was argued that distribution of the allocated budget by international community priorities should include financial assistance of the women involved in politics. At the moment the budget allocated for the gender specific concerns tends to be distributed among non-political sectors due to restrictions on the funding of political activities.

At the municipal level, equal gender participation in the civil services is not achieved. Women tend to be employed within the municipal executive branches rather than elected to the municipal legislative branches:

The overall conclusion is that even when the quota of 40 percent is realised, women's representation in senior management positions is not improved.¹¹¹

Women in civil services are usually employed in supporting roles including cleaning and assistance positions. The reasons usually stated are about alleged shortcomings in the work and inactivity of MOGE's and a disregard for gender equality laws by senior municipal managers and central government authorities "inappropriately following existing procedures". The latter could in turn fall within the description of discrimination and the barrier to implementing gender equality seems to be a point connected with a culture resistant to working-women. The job titles of MOGEs are felt to lack sufficient seniority in a hierarchy-conscious environment. MOGEs lack formal authority, and a right to participate in decision-making, which has a direct impact on the resources available to them and their ability to work with the rural population on UNSCR1325. Namely, there is lack of respect for MOGEs Kosovo-wide and no guidance and assistance from central governance levels to fulfil their mandate.

Although most MOGE's have attended fundamental training, concern is expressed. Regular meetings with AGE have recently decreased and are not conducted on a monthly basis as required by law. The inactivity of MOGEs is evident in preparation of MOGE's action plan, thus there is no prioritising and planning of activities resulting in no accountability of MOGEs at central and municipal levels.

There is an overall lack of understanding of the role of MOGEs by senior municipal management and in most municipalities, MOGEs are being deliberately excluded from recruitment processes and tasked with a multitude roles. In addition, MOGE's are sometimes victims of the circumstances in their municipalities where financial resources for activities are critical but not always forthcoming from municipal budgets. A lack of female candidates for municipal-level vacancies is also a reason for non-improvement in

¹¹⁰ Edita Tahiri interview, July 2007.

¹¹¹ *The Role and Functioning of the Municipal Officers for Gender Equality in Kosovo*, OSCE, Department Of Human Rights & Rule Of Law
http://www.osce.org/documents/mik/2006/11/22088_en.pdf

the equal participation in decision-making levels.¹¹² Currently there are no minority community members in MOGE positions.¹¹³

According to Cyme Mahmutaj, the High Officer for Equal Opportunity and Gender Issues at AOGG since April 2003, the AOGG has been effectively active in the drafting of the National Action Plan for the Achievement of Gender Equality, but more essentially in creation of a mandate and election of gender focal points within ministries through consultation with permanent secretaries every six months. The importance of the Office is seen as a “connecting bridge with all international mechanisms concerning gender issues and human rights, not only in the region but also further.”¹¹⁴ The lack of implementation of UNSCR1325 by UNMIK, and the fact that no woman was Kosovo’s administrator in the past eight years and no woman has ever led international military forces is seen as a serious obstacle in the conduct of AOGG. Mostly men attended meetings with Ahtisaari and the feeling of inadequacy was reinforced if the women were present:

I had [the] impression they [men] were thinking ‘you should go home, check the law for family because that is where you belong.’¹¹⁵

Although the new Prime Minister has made some attempts to increase participation of women in decision-making, the efforts are not visible. The AOGG has close cooperation with two strong actors, KWN and UNIFEM, and perceives it as crucial for its survival. In addition, Mahmutaj believes the National Action Plan for the Achievement of Gender Equality has successfully been implemented within national institutional mechanisms.

In the view of Behar Selimi, the KPS coordinator for gender issues, gender equality has received considerable attention in strategic planning for inclusion of women in decision-making levels and gender content, and provisions of UNSCR 1325 have been integrated in the police training and training curricula of KPS supervisors, sergeants and lieutenants.

From the interviewees, it is apparent, that the regulations governing selection, recruitment and career development within KPS are conducted in accordance with UNSCR1325 and consider the equal representation of women not only in administrative, but also in operational parts of the services. An overall presentation of women officers of 15 percent has been achieved. Amongst the top-ranking women in the KPS, there is one general, a colonel, a regional commander, and a female chief of operations. The position of advisor on gender issues has been integrated within the KPS administrative structures and a committee for gender equality created with two gender advisors for each region in Kosovo. In addition, fifty percent of the Advisors for Gender Issues located at police stations throughout Kosovo are females.

Behar Selimi considers the male, resistant culture in both international and local institutions is the main obstacle to implementing the Resolution. Overall, international

¹¹² *The Role and Functioning of the Municipal Officers for Gender Equality in Kosovo*, OSCE, Department of Human Rights and Rule of Law.
http://www.osce.org/documents/mik/2006/11/22088_en.pdf

¹¹³ Ibid.

¹¹⁴ Cyme Mahmutaj interview, July 2007.

¹¹⁵ Ibid.

administrators have been slow to further women's equal access to development and human rights more broadly reflecting the lack of direct accountability to the Kosovo public. The international police force did not set a positive example in implementing UNSCR1325 but rather tended to exclude women from the highest staffing levels. Through its close cooperation with UNIFEM, KPS has been organizing working meetings and seminars to raise awareness of the importance of women's participation at decision-making levels.¹¹⁶

Increasing women's participation in governance and their active inclusion in the highest levels of leadership and decision-making was considered to be directly linked with a meaningful and just representation of women in media:

Media are important instrument[s] for activity presentations; we have [a] small number of women who lead media. We watch all day long men on TV who asks from their colleagues women to write something for them because they have a speech on TV, they present [the women's] thoughts as their own ideas. Also media present women very superficially not for example about negotiation group or what is her opinion about economical development [or] what she thinks about culture. She always has her own opinion about everything. Even if a woman is not [a] member of [a] party she might be a citizen, but she also could have her own opinion. Also one ... aspect of 1325 is [the] poverty issue, which is connected with education, economical situation and gender equality.¹¹⁷

Aferdita Kelmendi and Xheraldina Vula commented on the need for a gendered focus in television programmes to educate and influence about gender stereotypical attitudes in society and to ensure positive gender images and an equal presentation of men and women in media. In Kosovo, women comprise the largest TV audience.¹¹⁸ The initiative to produce a documentary film advocating and explaining Resolution 1325 by RTV21 had an educational aim:

... we got an idea and we did [it] in [a] pure educative way, not to educate only women activists but women in all [parts of] society, also to debate how to educate the community, and what we can achieve with Resolution 1325.

Aferdita Kelmendi, executive director of RTV21, maintains that there is a fundamentally different approach to gender by TV stations run by men. In addition, Vjosa Dobruna, chair of the board at RTK, stated that women are generally not satisfied with their presence in media, especially in RTK programmes; namely that media are interested more in the presentation of political issues than social and gender issues.

It was noted that although one third of the Assembly of Kosovo are women, it is rare for women to be asked to appear in the newspaper or on TV to comment on daily problems of political nature. However, when looking at written press, the perception of women is generally more positive and the majority of articles were felt to acknowledge the achievements of women in politics, sports, economics and other fields of life.

¹¹⁶ Hysni Shala interview, July 2007.

¹¹⁷ Flora Brovina, interview, August 2007

¹¹⁸ Aferdita Kelmendi and Xheraldina Vula, interview, July 2007.

Finally, in Kosovo the legacy of the political turbulence of the 1990s and the post war period continues to undermine women's participation in public life, especially in politics and the economy. Many families in Kosovo live in very poor conditions. Unemployment has decreased since 2002, but in 2005 still amounted to 33 percent of the male workforce and 60 percent of the female workforce.¹¹⁹ Relatively low levels of education complicate opportunities for paid employment for many women. For example, while literacy for both males and females is high until the age of 45, for women aged 50 and over 24 percent are illiterate compared to 4 percent of males. Further, following the new system of schooling introduced in 2003/2004, 81 percent of dropouts across all levels of education are female. The highest level of education completed by most males and females is secondary school; only 6 percent of males and 5 percent of females between the ages of twenty and thirty years in 2003 had completed tertiary education.¹²⁰ Clearly, more strategies are necessary to promote women's human rights to education, if women are to be suitably trained to enter the various levels of political and civic decision-making. Although it is obvious that women are excluded from public life because of their poor educational background, and lack of employment opportunities, the male culture of the political and civic sectors contributes substantially to women's absence.

b. Gender perspective in the training of policing and military personnel: law and order

UNSCR1325 Article Seven "*Urges*" member states to increase voluntary financial, technical and logistical support for gender sensitive training efforts, including those undertaken by relevant funds and programmes, inter alia the United Nations Fund for Women and the United Nations Children's Fund and by the Office of the United Nations High Commissioner for Refugees and other relevant bodies.

In regard to the consequences for gender mainstreaming as a foundational consideration in the humanitarian mandate of KFOR, the unevenness of the gender training of KFOR troops is disappointing. Gender training is more likely to be included in the education of forces from most Western and Northern European countries rather than from member states further afield. Swedish, Italian and German KFOR troops in particular have worked with women's organisations on the local problem of trafficking and forced prostitution after it was discovered that no training was provided on these subjects for the KFOR military. However, NGOs lack the authority to set up such training without institutional support from UNMIK and KFOR command, which is not forthcoming. In April 2007 an estimated total 16,000 soldiers from 34 countries are present as KFOR; no gender disaggregated statistics are available.¹²¹

The KPC has 5,052 members of whom approximately 2 percent are women. Respondents suggested there are significant problems for women seeking promotion through the ranks because of the recruitment ban that impedes movement and promotion and that there is a 'male-centric' culture amongst recruitments. However, KPC troops receive gender training in a series of four two-day modules and then attend

¹¹⁹ Statistical Office of Kosovo, 2007. Labour Market in *Gratë dhe burrat Kosovë (Women and Men in Kosovo*, p. 29.

¹²⁰ Ibid. p. 27.

¹²¹ See NATO, *Information on Troops in Kosovo*
www.nato.int/kfor/docu/pr/2007/04/pr070404.htm

occasional ongoing courses once the classes are completed. Plans include the development of a 'training of trainers' course in order to ensure internal capability.

Within the Kosovo Correction Service (KCS) steps have been taken to implement UNSCR1325 in staff training with the intention that this will become a permanent feature of Basic Training for Correctional Officers, with plans for more advanced training for managers. A survey has also been devised for all staff to identify concerns with conditions of service, from which policies and activities are to be designed to develop in-house gender trainers; enhance opportunities for female KCS staff to apply for senior positions; advance gender training for managers and create job descriptions for equal opportunity officers. Although implementation of gender mainstreaming is mandated within the service, it is not yet a designated task for any officer. The KCS Deputy Director is the focal point for gender issues. About 18 percent of KCS are women, most of them civilians in administrative positions. Only male staff work in decision-making levels.

The Kosovo Police Service (KPS) has been effectively integrating UNSCR1325 into its roles and obligations both at administrative and operational levels. The KPS Coordinator for Gender Issues states the percentage of uniformed female officers is currently about 15 percent, with 10 percent of female officers in decision-making positions, that is, between the ranks of Sergeant and General. Amongst the top-ranking women in KPS, there is one general, a colonel, a regional commander responsible for 2-3 municipalities and a female chief of operations. In addition fifty percent of the Advisors for Gender Issues located at police stations throughout Kosovo are females. Although attention to gender has been integrated into police administration, the formalisation of the law and regulations in the future is considered to depend upon individual leadership in KPS and EU. There was some speculation about the establishment of an EU presence in Kosovo once 'final status' has been decided. The KPS gender focal point reported that KPS has supportive working relationships with the Agency for Gender Equality and that the mutual information exchange with the Prime Minister's Office, community, NGO's and region wide has been very effective and useful. Slow but positive changes are seen in gender-mainstreaming, despite the persistence of stereotyping gender issues and distrust of gender balance.

c. Protection and respect of human rights of women and girls

Resolution 1325, Article Ten "*Calls* on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict."

Stability and maintenance of peace in post-conflict societies is directly connected and determined by attainment of human security. In post-conflict Kosovo, violence and harassment against women has increased and this is generally understood as reflecting the effects of the poor economic situation and post-war trauma.

According to UNIFEM, insecurity of women and girls is maintained and reinforced with persistence of gender inequality, especially prominent in post-conflict societies due to the erosion of social infrastructures:¹²²

Whether it is economic security, food security, health security, personal or political security, women and young girls are affected in a very specific way due to their physical, emotional and material differences and due to the important social, economic, and political inequalities existing between women and men.

Household responsibilities, non-provision of childcare, unfavorable working conditions, under-recognized and undervalued employment activities, male priority hiring are barriers in realization of women's economical aspirations. Kosovo's socio-economic situation is further exasperated by the slow economic development, drastic economic reforms and privatization of socially owned enterprises.¹²³

Approximately, 37 percent of the Kosovo population lives on less than €1.42 per day. An increasing number of people are classified as living in extreme poverty; more than 15 percent of the population living on less than €0.93 per day.¹²⁴ According to statistics in 2007, the unemployment rate for women amounts above 70 percent with average employment around 50 percent.¹²⁵ The unemployment rate for 15 to 24 year olds is 70.5 percent, twice as high as adults.¹²⁶

Employment opportunities for women are mainly in areas of agriculture and small enterprises. According to the overview of the privatization processes in Kosovo, the number of women among 2,100 pre-qualified bidders is 70, with 49 women standing alone and 21 representing different companies, making a representation of only 3 percent women. The importance of women's economic security in Kosovo has not been acknowledged during the final status negotiations and in everyday political processes, though stability depends on women's security.

The failed attempts to incorporate women's perspectives into the government's economic strategy have a significant impact on the attainment of women's and girls' security. The compilation of strategic macro-economic components has so far disregarded any important gender specific concerns, signalling disinterest in women's rights. The impact of economic insecurity is evident in many spheres of life such as employment, marriage, inheritance, obtaining credit loans and education. Promotion of equal opportunities for everyone is essential through consideration of political, economic,

¹²² See UNIFEM's regional report "The Story behind the Numbers: Women and Employment in Central and Eastern Europe and the Western Commonwealth of Independent States,"

<http://www.unifem.sk/index.cfm?Module=Static&page=w&s=IWP>

¹²³ Women at Work; The economic situation and opportunities for women in Kosovo, UNIFEM, DFID. September 2000

¹²⁴ IFRC, *Montenegro, Serbia and Kosovo: Kosovo Programme and Budget 2007*, <http://www.ifrc.org/docs/appeals/annual06/MAACS00105.pdf>

¹²⁵ DSRSG Office for News and Communication, Press Briefing Transcript, http://www.euinkosovo.org/upload_briefing/Economic_percent20Press_percent20Briefing_percent2022_percent20March_percent202007.pdf March, 2007.

¹²⁶ UNDP website, *Economic development and employment*, <http://www.kosovo.undp.org/?cid=2,89,222>, 2007.

social, cultural, demographic, institutional environmental and religious factors. To be effective macro-economic strategies should address economic insecurity in its fundamentals with the creation of specific programs and with deep analysis of the budget:

[W]hen we talk about women's empowerment, let's say women's economic empowerment, it should be special programmes for this disadvantaged group to come and to be equal.¹²⁷

Private property

Traditionally Kosovar men own private property and despite rights to joint ownership in marriage; title is usually listed in the man's name. On divorce women often lose joint property assets.

According to legislation on gender equality in Kosovo, inheritance is a transfer of a person's property based on the law or based on a will (inheritance) from a deceased (decedent) to one person or several persons (theirs or legates) according to the provisions set out by law. The property of a decedent who has no children shall be inherited by his parents and spouse. The descendant's parents shall inherit half of the property in equal shares, and the other half of the property shall be inherited by his spouse. If there is no surviving spouse, the parents of a decedent shall inherit the entire property in equal shares and this represents the second rank of inheritance that comes into use only if the first rank of inheritance does not exist.¹²⁸

Lacking titles to property, it is also very difficult for women to secure loans for private business. A lack of collateral, low levels of education and lack of entrepreneurial experience prevent women entering into this market, especially in rural areas.

According to the Gender Equality Law, the work of both partners through which common property is created, is considered equal contribution for the creation of common property and in case of divorce the common property is equally divided.¹²⁹ Inheritors, both females and males can obtain and can renounce her/his share, after the registration of their property, and people of both genders shall have equal access to the insurance system and social welfare during their entire life.¹³⁰

Privatization

A key instrument in the transition to a market economy is privatization. The privatization programme for Kosovo is provided for in the regulation to establish the Kosovo Trust Agency (KTA). KTA is responsible for the management oversight of socially owned enterprises and publicly owned enterprises (energy, waste, water, the airport, railways

¹²⁷ Flora Brovina interview, August 2007.

¹²⁸ Know Your Rights, Group for analysis and study of gender equality (GASGE), Prishtina 2005.

¹²⁹ Law No. 2004/2; The Law on Gender Equality in Kosovo, Gender Equality and Civil Rights p. 11.

¹³⁰ Law No. 2004/2; The Law on Gender Equality in Kosovo, Gender Equality and Civil Rights p. 12.

and the post and telecommunications systems). There are no women on the Board of the Kosovo Trust Agency.

In 2004, structural reforms progressed at a modest pace, though the authorities made some important steps forward, including the resumption of the privatization process of Socially Owned Enterprises (SOEs) and the adoption of the Law on International Financial Agreements leading to the signing of a Framework Agreement with the European Investment Bank (EIB) on 3 May 2005 to facilitate lending to Kosovo.

The gender impact of this process has not been analysed. However, it is not unreasonable to assume that given traditional hiring patterns and the profoundly difficult economic situation, that women will be continue to be adversely affected. Without strong labour unions to represent them and given the persistence of patriarchal attitudes that favour employment of men as the family provider, women workers in the SOE's are likely to be among the first to lose their employment.

The privatization process has focused more attention on the possibility of employment for numbers of Serb employees – for example, KosovoTrans that also provides bus services to the Serbian enclaves – than on gender employment equality. The pattern of instability and uncertainties related to the final resolution of Kosovo's status hamper investment and growth. Under-investment, reform and low employment levels are inextricably interwoven and compounded by the 'false' economy of heavy personal investment in homes and small businesses fuelled by the Diaspora, primarily young men, who continue to send remittances (13 percent of the GDP) to extended family groups.

Domestic Violence

When the campaign "16 Days of Activism Against Violence" was launched for the first time in 2000, the issue of domestic violence was still taboo in Kosovo. Various awareness-raising activities have been changing people's attitudes towards violence against women and children and the number of reported cases has increased.¹³¹ Many cases of domestic violence and rape go unreported as it is regarded as a private matter.¹³²

Domestic violence in Kosovo in all of its forms is recognised at the international level and is sanctioned through legal protections and established assistance mechanisms of domestic violence. However, despite positive developments in law and policies, courts are failing to properly implement the Domestic Violence Regulation.¹³³

Regulation 2003/12 foresees insurance of three types of protection orders. Protection orders with some or all of the foreseen measures provided in Regulation 2003/12 for Protection against Domestic Violence can be determined by court session in maximum duration of 12 months and shall be issued within 15 days from the receipt of the request. A woman may request the extension of a protection order after this prescribed period if

¹³¹ OSCE Feature – Changing attitudes toward domestic violence, 14 December 2004.

<http://www.osce.org/item/25770.html>

¹³² Center for Protection of Women and Children; Annual Report 2002

¹³³ <http://www.osce.org/item/25770.html>

circumstances that jeopardise her wellbeing are still present.¹³⁴ Victims of domestic violence are referred by Kosovo Police Service officers or Centres for Social Welfare, which exist in the municipalities to different, private shelters not controlled by the government. The existence of these provisions goes some way to protecting women but women who are victims of violence must still access the information that support and protection is available; considerable education about women's right to live free from violence remains a need, particularly in rural areas.

In December 2006 a roundtable was organised by UNDP and the Kosovo Ombudsperson Institution to mark the international day for the elimination of violence against women. The roundtable participants discussed the implementation of UNMIK Regulation 2003/12 on Protection against Domestic Violence and promised some new strategies for addressing weaknesses in the current delivery of protection against gender-based violence.¹³⁵

Education

The economic dependence of women and societal attitudes that prevent women's inclusion in decision-making were generally felt to be ignored.¹³⁶ The economic position of women is interconnected with equal access to education and employment.¹³⁷ However, widespread ignorance by national institutions and political parties about gendered poverty is reported. Poverty, rather than physical security, is considered by most respondents to be detrimental to the economic position of women and as such directly influences girls' participation in education. Yet this kind of ironic comment was also common:

I cannot believe that young women do not go to school because of security. I think they don't go to school because their [of] economic situation. [Their] economic situation makes women insecure. Compared with other countries I think we have security here. I don't think that a woman in Paris is much safer than in Kosovo.¹³⁸

According to 2004/2006 statistics men have a slight advantage in education but more women attend primary schools. However, the 2003 data shows the overall gap in gender difference increasing as education advances, with 17 percent more males attending education at ages 15-24 and an even larger gap at years 24-29. Illiteracy for women at older ages is an important cultural issue with 24 percent for the 55-64 age group and 64 and over the number of illiterate women is three times higher than the number of men according to 2003 statistics. In the year 2003/2004, the percentage of girls dropping out of school was 81 percent of the total number of dropouts. There are differences in the education levels of women in rural and urban areas, with only 17 percent of women in rural areas completing education beyond the primary level.¹³⁹ The main reasons given

¹³⁴ Know Your Rights; Group for Analysis and Study of Gender Equality (GASGE) Prishtina 2005

¹³⁵ See www.unitednations.org/Development/Programme.html.

¹³⁶ Cyme Mahmutaj, interview, July 2007.

¹³⁷ Flora Brovina, interview, August 2007.

¹³⁸ Flora Brovina, interview, August 2007.

¹³⁹ Women and Men in Kosovo <http://www.ks-gov.net/ESK/> Statistical Office of Kosovo, March 2007.

for this include social and economic insecurities such as schools being far away, and the unavailability of public transport.

A Unit for Human Rights in the Ministry of Education, Science and Technology (MASHT) was created in 2006, which reports directly to the Prime Minister's Office for Good Governance and to the Office of the Permanent Secretary. The role of the Unit is to observe and follow the implementation of the working strategy for achieving a gender perspective in education within the time frame 2005-2010. It is also responsible for additional strategies and projects that address pre-university and university education and it is mandated to identify any irregularities arising from implementing gender equality laws by MASHT throughout the education system. The education curricula has been developed on the basis of public discussions and a perceived need to address the stereotypical gender roles even at the kindergarten level as well as the division between boys and girls in schools. It conducts specialised trainings for gender issues trainers provided by MASHT and KEDP. There are 21 trainers in seven regions throughout Kosovo who train teachers, and there are also programmes for training preschool staff being developed. In cooperation with UNICEF and Catholic Relief Services, media campaigns, debates and activities have been created to campaign against girls leaving schools early. Contact teams are organised to work with families and attempt to encourage families to return girls to school. Among the RAE community there is a higher tendency for girls to leave school after year nine due to early marriages. With the support of UNICEF, MASHT has included optional subjects at the year eight level, "Life Skills" with modules relating to gender stereotypes, gender roles, trafficking, and communication and cooperation skills. The limitations in budget restrict implementation of envisioned projects and the building of efficient school infrastructure. The lack of space and overcrowded classrooms present difficulties in preventing physical violence. The budget is seen as a main concern in implementing any of the projects and existing laws worked on by MASHT and its partners.

Trafficking and gender-based violence

Kosovo remains a source, transit and destination point for women and children trafficked for sex and domestic work.¹⁴⁰ Amnesty International reports that Kosovo has become a major destination country for women and girls trafficked for forced prostitution.¹⁴¹ Since the arrival of KFOR and the establishment of UNMIK in 1999, women primarily from Moldova, Bulgaria and Ukraine have been trafficked into Kosovo and increasingly local girls and women are trafficked within and out of Kosovo. While OSCE has acknowledged that trafficking is a major problem; UNMIK's measures remain inadequate to combat the problem.¹⁴²

OSCE has well defined frameworks for action to be undertaken by member states in combating trafficking. Maastricht Ministerial Council Decision No. 2, Combating Trafficking in Human Beings (2003) has provided *OSCE Action Plan*

¹⁴⁰ See

http://www.unifem.sk/index.cfm?module=project&page=country&CountryISO=KS#_ftn8

¹⁴¹ *So does it mean that we have the rights? Protecting the human rights of women and girls trafficked for forced prostitution in Kosovo*, 2004,

<http://web.amnesty.org/library/Index/ENGEUR700102004>

¹⁴² UNDP, *Youth: A new generation for a new Kosovo*, *Human Development Report*, 2006, Prishtina

to *Combat Trafficking in Human Beings*¹⁴³. The plan identifies obligations of OSCE institutions and participating states and proposes recommendations to be undertaken in the fields of investigating, law enforcement and prosecuting, protection of victims and prevention of trafficking¹⁴⁴.

OSCE places utmost responsibility in anti-trafficking efforts on PISG. At the national level, the PISG has taken various measures to combat trafficking. The two Standard Operating Procedures (SOPs) in Kosovo consist of policies and state obligations to deal with both internally and internationally trafficked women and children. The Memorandum of Understanding establishing the first SOP was established in 2000 between the OSCE, the UNMIK Police Trafficking and Prostitution Investigation Unit (TPIU), the International Organisation for Migrations (IOM) and an international NGO.¹⁴⁵ The Direct Assistance and Support Working Group is mandated to create and implement “direct assistance and support to victim friendly policies”¹⁴⁶ and is comprised of the Trafficking in Human Beings Section (THBS) of the Kosovo Police Service (KPS), the Victim Advocacy and Assistance Division (VAAD) of the Ministry of Justice (MoJ), two shelter providers, the Ministry of Labour and Social Welfare (MLSW), IOM, and OSCE.

On the strategic level, the *Kosovo Action Plan for Combat of Trafficking in Human Beings* (KAP), adopted in May 2005, outlines various projects and strategic mechanisms to combat trafficking. The Kosovo Anti-Trafficking Co-ordinator, is accountable directly to the Prime Minister, and is responsible for the implementation of KAP, and reporting to the government. He also chairs the Inter-Ministerial working group on Prevention, Protection and Prosecution directly responsible for implementation of KAP principles. The Inter-Ministerial working group includes representatives from the Office of the Prime Minister Advisory Office of Good Governance (AOGG), the Ministry of Education, Science and Technology (MASHT), the Ministry of Culture, Youth, Sports and Non-Residential Issues, the MLSW, the Ministry of Health (MoH), the Ministry of Public Services (MPS) and the Head of the VAAD of the MoJ.¹⁴⁷

In 2007 it is the institutions of the provisional government who are considered responsible for combating trafficking.¹⁴⁸ However, many problems exist with this

¹⁴³ OSCE Decision No. 557, Permanent Council, July 2003
http://www.osce.org/documents/pc/2003/07/724_en.pdf

¹⁴⁴ Secretariat - Office of the Special Representative and Co-ordinator for Combating Trafficking in Human Beings website, <http://www.osce.org/cthb/13336.html>

¹⁴⁵ *Assessment for Establishing a Referral Mechanism for Victims of Trafficking in Human Beings in Kosovo* OSCE, Department of Human Rights, Decentralisation and Communities, Anti-trafficking Unit, October 2007
http://www.osce.org/documents/mik/2007/10/27677_en.pdf

¹⁴⁶ *Assessment for Establishing a Referral Mechanism for Victims of Trafficking in Human Beings in Kosovo* OSCE, Department of Human Rights, Decentralisation and Communities, Antitrafficking Unit, October 2007, http://www.osce.org/documents/mik/2007/10/27677_en.pdf, p. 14.

¹⁴⁷ *Assessment for Establishing a Referral Mechanism for Victims of Trafficking in Human Beings in Kosovo* OSCE, Department of Human Rights, Decentralisation and Communities, Antitrafficking Unit, October 2007, http://www.osce.org/documents/mik/2007/10/27677_en.pdf

¹⁴⁸ See the *Assessment for Establishing a Referral Mechanism for Victims of Trafficking in Human Beings in Kosovo*¹⁴⁸, prepared by Anti-trafficking Unit, Department of Human Rights, Decentralization and Communities.

structure. There is a lack of clarity in how the identification and referral mechanisms are to best function; questions are begged about how to ensure analysis of the current data on trafficking; there is currently no compensation for victims of trafficking; and there needs to be a full-time Anti-trafficking coordinator. In addition:

... post-conflict discriminatory criminal laws ... lack of gender justice, and family members restricting women [and] girls' security seriously diminish their possibility of engagement in peace reconstruction activities.¹⁴⁹

The National Action Plan, Gender Law, Anti-discrimination Law and Family Law are significant accomplishments towards gender equality and they certainly do facilitate the promotion of human rights more broadly in Kosovo. However, the majority of men and women in Kosovo remain uninformed of their rights. Women activists from KWN are active in public campaigns to raise awareness about violence against women and to inform women of their rights. A 2005 campaign included personal narratives and street theatre, addressing a range of examples of gender-based violence, including those perpetrated by internationals.

Development of competent anti-trafficking initiatives and work on domestic violence within KPS has recently consolidated the capacity of local police to tackle gender-based violence. The presence of female officers has been important to more effectively dealing with such crimes. Slow but positive changes are seen in gender-mainstreaming in these areas of concern, despite the persistence of stereotyping gender issues and a general disbelief in the social advantages of gender sensitive social justice policies.

Although victims are reporting more cases to the justice system and there have been positive developments in law and policies, Kosovo's courts are failing to consistently implement the Domestic Violence Regulation. There are however, many examples of civil society collaborations with international actors and government departments on women's human rights. These include KWN's meetings with the division for Gender Issues within the Prime Minister's Office for Good Governance to formulate a joint "Draft Strategy for Human Rights in Kosovo", and UNIFEM's work with the gender units within the Kosovo Protection Corps (KPC) and Kosovo Police Service (KPS) on gender equality legislation and UNSCR1325.

In 2005, the Kosovo Gender Studies Centre (KGSC) reported in cooperation with a number of women's organisations in Kosovo on violence against women for the United Nations Division for the Advancement of Women (UNDAW). In 2004-2005 KGSC compiled a policy against sexual harassment for the University of Prishtina, which was approved in 2005. However, the mechanisms for implementing the policy are still lacking. Then, in 2006 the Office for Good Governance collaborated with KGSC to draft a policy against sexual harassment in the workplace for civil servants, but the policy has not yet been approved. Although not yet enacted, it represents the potential of civil society groups to work effectively together with state actors in articulating the principles of UNSCR1325 into advocacy for human rights.

Minority Rights

¹⁴⁹ McKay, S., *Chapter 7. Women, Human Security, and Peace-building: A Feminist Analysis*, <http://home.hiroshima-u.ac.jp/heiwa/Pub/E19/Chap7.pdf>

Although there is awareness of the existence of UNSCR1325, Roma, Ashkali and Egyptian (RAE) women have not generally been provided with information about the Resolution and relevant anti-discriminatory and gender equality laws, nor do they have any understanding of how those laws are to be implemented or what are the implications of such implementation for their communities and families. RAE women have effectively been excluded from most initiatives that promote women's rights. The cooperation of RAE women with the Kosovo Assembly, government, ministries and UNMIK in the drafting of any laws and in any of the decision-making processes relevant to adaptation of those laws has been non-existent.

Shpresa Agushi, Coordinator since 2006 for the RAE project within KGSC and supported by UNIFEM, notes that the only cooperation with the PISG so far has been signing the contract of cooperation with AGE for the period of 2007-2010.¹⁵⁰ Some Roma NGOs with Shpresa Agushi's support have contributed to the implementation of the Resolution through consulting and advising the working groups of the government, OSCE and KFOS to address issues affecting RAE women. Since 2006, some Roma women have worked on monitoring implementation of gender equality, anti-discrimination and women rights laws in relation to minority rights and have reported to OSI and the European Parliament. However, to date the effects of poverty, discrimination in finding employment, lack of access to health, education and social security services has most profoundly affected women members of the RAE community. There is "need for engagement for creation of a more favourable public and institutional climate, for implementing of all rights of Roma women."¹⁵¹

In summary, some Kosovar politicians have become increasingly active in public support of women's organisations and appear to recognise the importance of establishing gender rights legislation. Local women's activists have played a major role in helping politicians to become more aware of gender equality and in successfully advocating for legislation that supports gender equality as a human right. The National Action Plan, Gender Law, Anti-discrimination Law, and Family Law are significant accomplishments for gender equality and facilitate the promotion and protection of human rights more broadly in Kosovo. However, while gender mechanisms exist at the legislative level, many men and women in Kosovo remain unaware of their rights and how to access the protections provided by such laws. Thus the comprehensive implementation of international legal principles remains to be fully realised.

In post-conflict Kosovo, violence and sexual harassment against women increased reflecting the effects of the poor economic situation and post-war trauma. Women activists from KWN are active in public campaigns to raise awareness about violence against women and to inform women of their rights. The 2005 campaign included personal narratives and street theatre and addressed a range of examples of gender-based violence, including that perpetrated by internationals. While violent crime has decreased steadily since the establishment of CIVPOL/KPS, domestic violence continues at an alarming rate but it is being reported with more frequency. Although victims are reporting more cases to the justice system and there have been positive developments in law and policies, Kosovo's courts are failing to consistently implement

¹⁵⁰ Shpresa Agushi interview, August, 2007.

¹⁵¹ Ibid.

the Domestic Violence Regulation.¹⁵² There are however many examples of civil society collaborations with international actors and government departments on women's human rights. These include KWN's meetings with the Division for Gender Issues within the Prime Minister's Office for Good Governance to formulate a joint "Draft Strategy for Human Rights in Kosovo," and UNIFEM's work with the gender units within the Kosovo Protection Corps (KPC) and Kosovo Police Service (KPS) on gender equality legislation and UNSCR1325. In 2005, the Kosovo Gender Studies Centre (KGSC) sponsored a study in cooperation with a number of women's organisations in Kosovo on violence against women for the United Nations Division for the Advancement of Women (UNDAW).

In 2004-2005 KGSC compiled a policy against sexual harassment for the University of Prishtina, which was approved in 2005. However, the mechanisms for implementing the policy are still lacking. Then, in 2006 the Office for Good Governance collaborated with KGSC to draft a policy against sexual harassment in the workplace for civil servants, but the policy has not yet been approved. Although not yet enacted, it represents the potential of civil society groups to work effectively together with state actors in articulating the principles of UNSCR1325 into advocacy for human rights. KGSC in particular is developing collaborative relationships with the government, institutions, and also with Kosovo's media. The network represented by KWN continues to be a significant defender of women's human rights in Kosovo and in the past two years has forged significant working relationships with major women's organisations in the region.

In 2004, the enactment of the Anti-Discrimination Law was driven by a need to secure legislation that supported the "importance of supporting coexistence, protection of human rights, and fair representation of people of Kosovo in the development process of democratic self-governing institutions." This law forbids direct and indirect discrimination and also defines all of its forms inter alia, harassment, victimisation and segregation. It addresses discrimination in all spheres of social life: employment, education, social care, housing, personal security and access to public life. A major innovation is that the burden of proof is on the party accused of discriminatory action. The individual or institution needs to prove discrimination did not occur. This is particularly important to women struggling with the dominant patriarchal gender discourses in Kosovo.

The Ombudsperson's office is empowered to receive and investigate complaints concerning discrimination cases. In addition, the government is responsible for increasing public awareness about the Anti-Discrimination Law. Specific training is now provided to judges and prosecutors on the practical and consistent use of the law. Recently, the Centre for Protection of Women and Children entered a complaint about UNMIK's erratic implementation of policies against domestic violence. However, since 2006 when the Ombudsperson's office was transferred to local competency, it is no longer mandated to investigate cases involving international agencies or individuals. Respondents commented on the frustration of women who are unable to proceed

¹⁵² The Family Law prohibits domestic violence; UNMIK/reg no 2003/25 On the promulgation of Criminal Offences Against International Law Adopted by the Assembly of Kosovo covers "Criminal offences against life and body" including rape, sexual assault; Regulation 2003/12 provides three types of protection orders including against Domestic Violence.

against discriminatory work practices, such as sexual harassment and unfair dismissal in international agencies.

In 2007 it is apparent that increasing numbers of local women and girls are being internally trafficked, and trafficked out of Kosovo. Despite acknowledgement by the OSCE in 1999 that trafficking is a major problem, UNMIK's measures remain inadequate.¹⁵³ Human rights standards and applicable law in Kosovo¹⁵⁴ are theoretically sufficient to deal with this human rights abuse; however the lack of funding, expertise and coordination suggests a lack of international political will.

d. Inclusion of a gender perspective in UN reporting

Resolution 1325, Article Seventeen "*Requests* the Secretary-General, where appropriate, to include in his reporting to the Security Council, progress on gender mainstreaming throughout peacekeeping missions and all other aspects relating to women and girls".

There remains a very low level of understanding of gender mainstreaming within international organisations and the commonplace confusion is the equation of 'gender' with women rather than interrogating the differential valuing of men and women in society. In many cases internationals saw the need for 'gender equality' as impossible to achieve in "such a patriarchal society" and commented that most women were so subjugated, the 2004 Gender Equality Law was unlikely to be more than rhetorical. Such attitudes within the international administration have been argued to undermine the attempts of the government and civil society to press for gender justice, such as prefigured by UNSCR1325 and related human rights treaties. Clearly there are enough exceptions to this attitude to enable some cross-sector collaborations about the articulation of UNSCR1325 into regulations, protocols, codes of ethics and the progressive laws achieved in 2005. However, the comprehensive articulation of UNSCR1325 is hindered to a degree by negative international attitudes as much as by the unfamiliarity of local civil servants and the general public.

The UNMIK Office for Gender Affairs reports on the implementation of UNSCR1325 and human rights instruments such as CEDAW. The OGA views UNSCR1325 as a foundational document in its work and is a focus of their training with UN staff. As the respondent commented:

There is lack of understanding - just because you open a programme and you place a woman in it doesn't mean you are doing anything in terms of gender.

¹⁵³ UNDP, Youth; A new generation for a new Kosovo, *Human Development Report*, 2006 Prishtina

¹⁵⁴ UNMIK Regulation 1999/24, On the Law Applicable in Kosovo, 12 December 1999, as amended by UNMIK Regulation 2000/59, 27 October 2000. The regulation provides for four possible sources of applicable law in Kosovo: the law in Kosovo as it existed on 22 March 1989; UNMIK Regulations; the law applied in Kosovo between 22 March 1989 and 12 December 1999 (the date Regulation 1999/24 came into force) if this is more favourable to a criminal defendant or it fills a gap where no law from March 1989 exists; and some, but not all, international human rights standards and laws

UNMIK might say 1325 is important, but in order to understand, women must get a commitment from those who are in power currently, men mostly, to understand that this isn't just about women's issues, this is about society, it's about creating a society that's inclusive.

Education about UNSCR1325 and its relationships with CEDAW, and its relevance to the peace-building process in Kosovo is considered to be sorely needed in UNMIK.

Respondents commented that the UN has not highlighted UNSCR1325 as a necessary focus for UNMIK and although previous SRSG's have commented on its importance, in the view of civil society groups, there is no consistency in the approach to the resolution and its relevance in Kosovo's peace-building. A general failure to identify and promote UNSCR1325 contrasts with the way in which specific issues such as law and order and sexual exploitation and abuse receive attention and direction, despite their being part of the scope of UNSCR1325. It is notable that UNMIK's failure to endorse the implementation of UNSCR1325 reflects its tardiness in involving local women experts or non-governmental organisations (NGOs) in decision-making and programmatic planning.

While it is claimed in OSCE that UNSCR1325 is implemented within its internal structures, the resolution has not in itself been publicised or used strategically and publicly as a framework for OSCE actions in Kosovo. Since 2004 OSCE has included two gender advisers and a gender unit together with various experts appointed for additional gender-focused tasks, but there is a general lack of integration between the gender focal points in OSCE and the wider culture of the organisation. The gender advisers report to the head of the department but gender-mainstreaming in itself is not prioritised more broadly. According to respondents, the lack of an OSCE action plan specific to gender mainstreaming reflects the attitude that in OSCE gender is often considered to be an issue to be taken up when law and order is achieved.

International agencies such as UNDP are not required to report on the inclusion of gender perspectives and mainstreaming in their structures. In Kosovo, despite this UNDP has moved towards increasing its collaborations with government departments, other agencies and civil society groups including women's organisations. A recent example of this multi-tiered approach that other international agencies might consider emulating is UNDP's involvement in the Women Safety and Security Initiative funded jointly by the Bureau for Crisis Prevention and Recovery and the British Council. The collaborative Initiative will investigate violence against women and trafficking with a view to improving the training of law enforcement personnel including judges, as well as looking at the provision of women's shelters.

5. Summary

Overall, the monitoring exercise found that governmental institutions, international organisations and civil society in Kosovo have very different levels of support for and promotion of UNSCR1325. Their levels of engagement with the areas covered by UNSCR1325 and related human rights treaties are also variable. While in principle UNMIK attends to the principles of gender inclusiveness in its operations, working partnerships and policies, its performance and its influence over disseminating gender mainstreaming as a core element of peace-building at the local level, is inconsistent.

The government of Kosovo is by definition bound by and party to all UN international conventions because of its status under the administrative responsibility of UNMIK. Many of the human rights standards were already in force under the Yugoslav constitution and these were incorporated under the regulation on applicable law in 2000. In principle then, women's human rights are not new to the territory of Kosovo and have been 'doubly' protected through the blend of 'domestic' legislation together with the acceptance of the obligations and responsibilities to international conventions such as CEDAW. UNSCR1325 is effectively a reiteration of human rights principles that are often under assault during times of conflict and post-conflict reconstruction. The special relevance of UNSCR1325 to Kosovo then is as a re-statement of key aspects of standing human rights commitments. It is therefore disappointing that UNSCR1325 is rarely mentioned by international administrators and therefore not well used by official bodies as a framework for ongoing action. Civil society on the other hand has seized the opportunities afforded by UNSCR1325 as an advocacy tool to encourage, lobby and promote the participation of women in all levels of public life, in Kosovo and surrounding states, and with many successes.

The test of Kosovo's commitment to the legal frameworks created under UNMIK's international administration will depend on the will of its political institutions to further integrate gender mainstreaming throughout public structures and social conventions and to forge its own human rights accountability locally, nationally and internationally.

6. Recommendations

Arising from the interviews, are a number of key themes, which are formulated here as *needing to be addressed in future research and monitoring*:

1. Despite the progressive gender equality mechanisms that exist in law and policy at all levels of government in Kosovo, there is a lack of thorough and consistent implementation, which must be resolved in order for Kosovo society to be politically balanced.
2. Women in Parliament need to be "pushed to engage". The use of gender quotas has enabled a few women into potential leadership roles in politics and the civil service, but has not generally raised the level of public and political engagement. Incentives and ongoing education may be necessary to improve performance.
3. Gender inequalities are most pronounced in the rural populations, who are inadequately addressed in the existing delivery mechanisms. Work with rural and minority populations must simultaneously address their poverty and comparative lack of access to basic goods and services.
4. The need for economic independence and security in Kosovo at this present time tends to undermine comprehensive attention to promoting gender equality. Wherever 'gender' is seen as a soft issue unconnected to other policy areas, renewed efforts must be put in place to demonstrate the necessity for gender equality in achieving a multi-ethnic, democracy with international standards of human rights.

5. The lack of political will to implement must be evaluated in terms of its causes and monitored constantly to ensure that the level of awareness and understanding foundational to optimally achieving human rights for women and men remains clearly in focus, politically, materially and socially.
6. All international agencies operating in Kosovo, including UNMIK and the incoming EUMIK, should be obliged to demonstrate their implementation of UNSCR1325 in their operating procedures and practices.
7. The lack of women in high decision-making positions must be acknowledged and addressed in terms of policies to positively assist women into these roles.
8. The general lack of understanding of UNSCR1325 should be addressed within the political and civil administrative levels and through the media and education system as a national priority.
9. The innovative and successful leadership of civil society groups deserves the recognition that is demonstrated by regular and planned consultations with national and international bodies on all matters of mutual concern.
10. The current lack of funds for better implementation of the provisions of UNSCR1325 and related instruments on women's human rights must be investigated and remedied from the National budget to better enable cross-sector education programmes that will improve gender relations in Kosovo.

Appendix 1

UNSCR1244: <http://www.unmikonline.org/press/reports/N9917289.pdf>

RESOLUTION 1244 (1999) **Adopted by the Security Council at its 4011th meeting,** **on 10 June 1999**

The Security Council, Bearing in mind the purposes and principles of the Charter of the United Nations, and the primary responsibility of the Security Council for the maintenance of international peace and security,

Recalling its resolutions 1160 (1998) of 31 March 1998, 1199 (1998) of 23 September 1998, 1203 (1998) of 24 October 1998 and 1239 (1999) of 14 May 1999,

Regretting that there has not been full compliance with the requirements of these resolutions,

Determined to resolve the grave humanitarian situation in Kosovo, Federal Republic of Yugoslavia, and to provide for the safe and free return of all refugees and displaced persons to their homes,

Condemning all acts of violence against the Kosovo population as well as all terrorist acts by any party,

Recalling the statement made by the Secretary-General on 9 April 1999, expressing concern at the humanitarian tragedy taking place in Kosovo,

Reaffirming the right of all refugees and displaced persons to return to their homes in safety,

Recalling the jurisdiction and the mandate of the International Tribunal for the Former Yugoslavia,

Welcoming the general principles on a political solution to the Kosovo crisis adopted on 6 May 1999 (S/1999/516, annex 1 to this resolution) and welcoming also the acceptance by the Federal Republic of Yugoslavia of the principles set forth in points 1 to 9 of the paper presented in Belgrade on 2 June 1999 (S/1999/649, annex 2 to this resolution), and the Federal Republic of Yugoslavia's agreement to that paper,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other States of the region, as set out in the Helsinki Final Act and annex 2,

Reaffirming the call in previous resolutions for substantial autonomy and meaningful self-administration for Kosovo,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to ensure the safety and security of international personnel and the implementation by all concerned of their responsibilities under the present resolution, and acting for these purposes under Chapter VII of the Charter of the United Nations,

1. Decides that a political solution to the Kosovo crisis shall be based on the general principles in annex 1 and as further elaborated in the principles and other required elements in annex 2;

2. Welcomes the acceptance by the Federal Republic of Yugoslavia of the principles and other required elements referred to in paragraph 1 above, and demands the full cooperation of the Federal Republic of Yugoslavia in their rapid implementation;

3. Demands in particular that the Federal Republic of Yugoslavia put an immediate and verifiable end to violence and repression in Kosovo, and begin and complete verifiable phased withdrawal from Kosovo of all military, police and paramilitary forces according to a rapid timetable, with which the deployment of the international security presence in Kosovo will be synchronized;

4. Confirms that after the withdrawal an agreed number of Yugoslav and Serb military and police personnel will be permitted to return to Kosovo to perform the functions in accordance with annex 2;

5. Decides on the deployment in Kosovo, under United Nations auspices, of international civil and security presences, with appropriate equipment and personnel as required, and welcomes the agreement of the Federal Republic of Yugoslavia to such presences;

6. Requests the Secretary-General to appoint, in consultation with the Security Council, a Special Representative to control the implementation of the international civil presence, and further requests the Secretary-General to instruct his Special Representative to coordinate closely with the international security presence to ensure that both presences operate towards the same goals and in a mutually supportive manner;

7. Authorizes Member States and relevant international organisations to establish the international security presence in Kosovo as set out in point 4 of annex 2 with all necessary means to fulfil its responsibilities under paragraph 9 below;

8. Affirms the need for the rapid early deployment of effective international civil and security presences to Kosovo, and demands that the parties cooperate fully in their deployment;

9. Decides that the responsibilities of the international security presence to be deployed and acting in Kosovo will include:

(a) Deterring renewed hostilities, maintaining and where necessary enforcing a ceasefire, and ensuring the withdrawal and preventing the return into Kosovo of Federal and Republic military, police and paramilitary forces, except as provided in point 6 of annex 2;

(b) Demilitarizing the Kosovo Liberation Army (KLA) and other armed Kosovo Albanian groups as required in paragraph 15 below;

(c) Establishing a secure environment in which refugees and displaced persons can return home in safety, the international civil presence can operate, a

transitional administration can be established, and humanitarian aid can be delivered;

(d) Ensuring public safety and order until the international civil presence can take responsibility for this task;

(e) Supervising demining until the international civil presence can, as appropriate, take over responsibility for this task;

(f) Supporting, as appropriate, and coordinating closely with the work of the international civil presence;

(g) Conducting border monitoring duties as required; (h) Ensuring the protection and freedom of movement of itself, the international civil presence, and other international organisations;

10. Authorizes the Secretary-General, with the assistance of relevant international organisations, to establish an international civil presence in Kosovo in order to provide an interim administration for Kosovo under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, and which will provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants of Kosovo;

11. Decides that the main responsibilities of the international civil presence will include:

(a) Promoting the establishment, pending a final settlement, of substantial autonomy and self-government in Kosovo, taking full account of annex 2 and of the Rambouillet accords (S/1999/648);

(b) Performing basic civilian administrative functions where and as long as required;

(c) Organizing and overseeing the development of provisional institutions for democratic and autonomous self-government pending a political settlement, including the holding of elections;

(d) Transferring, as these institutions are established, its administrative responsibilities while overseeing and supporting the consolidation of Kosovo's local provisional institutions and other peacebuilding activities;

(e) Facilitating a political process designed to determine Kosovo's future status, taking into account the Rambouillet accords (S/1999/648);

(f) In a final stage, overseeing the transfer of authority from Kosovo's provisional institutions to institutions established under a political settlement;

(g) Supporting the reconstruction of key infrastructure and other economic reconstruction;

(h) Supporting, in coordination with international humanitarian organisations, humanitarian and disaster relief aid;

(i) Maintaining civil law and order, including establishing local police forces and meanwhile through the deployment of international police personnel to serve in Kosovo;

(j) Protecting and promoting human rights;

(k) Assuring the safe and unimpeded return of all refugees and displaced persons to their homes in Kosovo;

12. Emphasizes the need for coordinated humanitarian relief operations, and for the Federal Republic of Yugoslavia to allow unimpeded access to Kosovo by humanitarian aid organisations and to cooperate with such organisations so as to ensure the fast and effective delivery of international aid;

13. Encourages all Member States and international organisations to contribute to economic and social reconstruction as well as to the safe return of refugees and displaced persons, and emphasizes in this context the importance of convening an international donors' conference, particularly for the purposes set out in paragraph 11 (g) above, at the earliest possible date;

14. Demands full cooperation by all concerned, including the international security presence, with the International Tribunal for the Former Yugoslavia;

15. Demands that the KLA and other armed Kosovo Albanian groups end immediately all offensive actions and comply with the requirements for demilitarization as laid down by the head of the international security presence in consultation with the Special Representative of the Secretary-General;

16. Decides that the prohibitions imposed by paragraph 8 of resolution 1160 (1998) shall not apply to arms and related materiel for the use of the international civil and security presences;

17. Welcomes the work in hand in the European Union and other international organisations to develop a comprehensive approach to the economic development and stabilization of the region affected by the Kosovo crisis, including the implementation of a Stability Pact for South Eastern Europe with broad international participation in order to further the promotion of democracy, economic prosperity, stability and regional cooperation;

18. Demands that all States in the region cooperate fully in the implementation of all aspects of this resolution;

19. Decides that the international civil and security presences are established for an initial period of 12 months, to continue thereafter unless the Security Council decides otherwise;

20. Requests the Secretary-General to report to the Council at regular intervals on the implementation of this resolution, including reports from the leaderships of the international civil and security presences, the first reports to be submitted within 30 days of the adoption of this resolution;

21. Decides to remain actively seized of the matter.

Annex 1

Statement by the Chairman on the conclusion of the meeting of the G-8 Foreign Ministers held at the Petersberg Centre on 6 May 1999

The G-8 Foreign Ministers adopted the following general principles on the political solution to the Kosovo crisis:

- Immediate and verifiable end of violence and repression in Kosovo;
- Withdrawal from Kosovo of military, police and paramilitary forces;
- Deployment in Kosovo of effective international civil and security presences, endorsed and adopted by the United Nations, capable of guaranteeing the achievement of the common objectives;

- Establishment of an interim administration for Kosovo to be decided by the Security Council of the United Nations to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo;
- The safe and free return of all refugees and displaced persons and unimpeded access to Kosovo by humanitarian aid organisations;
- A political process towards the establishment of an interim political framework agreement providing for a substantial self-government for Kosovo, taking full account of the Rambouillet accords and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of the KLA;
- Comprehensive approach to the economic development and stabilization of the crisis region.

Annex 2

Agreement should be reached on the following principles to move towards a resolution of the Kosovo crisis:

1. An immediate and verifiable end of violence and repression in Kosovo.
2. Verifiable withdrawal from Kosovo of all military, police and paramilitary forces according to a rapid timetable.
12. Deployment in Kosovo under United Nations auspices of effective international civil and security presences, acting as may be decided under Chapter VII of the Charter, capable of guaranteeing the achievement of common objectives.
13. The international security presence with substantial North Atlantic Treaty Organisation participation must be deployed under unified command and control and authorized to establish a safe environment for all people in Kosovo and to facilitate the safe return to their homes of all displaced persons and refugees.
14. Establishment of an interim administration for Kosovo as a part of the international civil presence under which the people of Kosovo can enjoy substantial autonomy within the Federal Republic of Yugoslavia, to be decided by the Security Council of the United Nations. The interim administration to provide transitional administration while establishing and overseeing the development of provisional democratic self-governing institutions to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo.
15. After withdrawal, an agreed number of Yugoslav and Serbian personnel will be permitted to return to perform the following functions:
 - Liaison with the international civil mission and the international security presence;
 - Marking/clearing minefields;
 - Maintaining a presence at Serb patrimonial sites;
 - Maintaining a presence at key border crossings.
7. Safe and free return of all refugees and displaced persons under the supervision of the Office of the United Nations High Commissioner for Refugees and unimpeded access to Kosovo by humanitarian aid organisations.
8. A political process towards the establishment of an interim political framework agreement providing for substantial self-government for Kosovo, taking full account of the Rambouillet accords and the principles of sovereignty and territorial integrity of the Federal Republic of Yugoslavia and the other countries of the region, and the demilitarization of UCK. Negotiations between the parties for a settlement should not delay or disrupt the establishment of democratic self-governing institutions.
9. A comprehensive approach to the economic development and stabilization of the crisis region. This will include the implementation of a stability pact for South-Eastern

Europe with broad international participation in order to further promotion of democracy, economic prosperity, stability and regional cooperation.

10. Suspension of military activity will require acceptance of the principles set forth above in addition to agreement to other, previously identified, required elements, which are specified in the footnote below. A military-technical agreement will then be rapidly concluded that would, among other things, specify additional modalities, including the roles and functions of Yugoslav/Serb personnel in Kosovo:

Withdrawal

- Procedures for withdrawals, including the phased, detailed schedule and delineation of a buffer area in Serbia beyond which forces will be withdrawn;

Returning personnel

- Equipment associated with returning personnel;
- Terms of reference for their functional responsibilities;
- Timetable for their return;
- Delineation of their geographical areas of operation;
- Rules governing their relationship to the international security presence and the international civil mission.
- Suspension of military activity will occur after the beginning of verifiable withdrawals;
- The discussion and achievement of a military-technical agreement shall not extend the previously determined time for completion of withdrawals.

Appendix 2

UNSCR1325: <http://www.peacewomen.org/un/sc/1325.html#Full>

UNITED NATIONS SECURITY COUNCIL RESOLUTION 1325 ON WOMEN, PEACE AND SECURITY

Security Council Resolution 1325 was passed unanimously on 31 October 2000. Resolution (S/RES/1325) is the first resolution ever passed by the Security Council that specifically addresses the impact of war on women, and women's contributions to conflict resolution and sustainable peace.

The Security Council,

Recalling its resolutions 1261 (1999) of 25 August 1999, 1265 (1999) of 17 September 1999, 1296 (2000) of 19 April 2000 and 1314 (2000) of 11 August 2000, as well as relevant statements of its President and recalling also the statement of its President, to the press on the occasion of the United Nations Day for Women's Rights and International Peace of 8 March 2000 (SC/6816),

Recalling also the commitments of the Beijing Declaration and Platform for Action (A/52/231) as well as those contained in the outcome document of the twenty-third Special Session of the United Nations General Assembly entitled "Women 2000: Gender Equality, Development and Peace for the twenty-first century" (A/S-23/10/Rev.1), in particular those concerning women and armed conflict,

Bearing in mind the purposes and principles of the Charter of the United Nations and the primary responsibility of the Security Council under the Charter for the maintenance of international peace and security,

Expressing concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons, and increasingly are targeted by combatants and armed elements, and recognizing the consequent impact this has on durable peace and reconciliation,

Reaffirming the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution,

Reaffirming also the need to implement fully international humanitarian and human rights law that protects the rights of women and girls during and after conflicts,

Emphasizing the need for all parties to ensure that mine clearance and mine awareness programmes take into account the special needs of women and girls,

Recognizing the urgent need to mainstream a gender perspective into peacekeeping operations, and in this regard noting the Windhoek Declaration and the Namibia Plan of Action on Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations (S/2000/693),

Recognizing also the importance of the recommendation contained in the statement of its President to the press of 8 March 2000 for specialized training for all peacekeeping personnel on the protection, special needs and human rights of women and children in conflict situations,

Recognizing that an understanding of the impact of armed conflict on women and girls, effective institutional arrangements to guarantee their protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security,

Noting the need to consolidate data on the impact of armed conflict on women and girls,

1. **Urges** Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict;
2. **Encourages** the Secretary-General to implement his strategic plan of action (A/49/587) calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes;
3. **Urges** the Secretary-General to appoint more women as special representatives and envoys to pursue good offices on his behalf, and in this regard calls on Member States to provide candidates to the Secretary-General, for inclusion in a regularly updated centralized roster;
4. **Further** urges the Secretary-General to seek to expand the role and contribution of women in United Nations field-based operations, and especially among military observers, civilian police, human rights and humanitarian personnel;
5. **Expresses** its willingness to incorporate a gender perspective into peacekeeping operations and urges the Secretary-General to ensure that, where appropriate, field operations include a gender component;

6. **Requests** the Secretary-General to provide to Member States training guidelines and materials on the protection, rights and the particular needs of women, as well as on the importance of involving women in all peacekeeping and peace-building measures, invites Member States to incorporate these elements as well as HIV/AIDS awareness training into their national training programmes for military and civilian police personnel in preparation for deployment and further requests the Secretary-General to ensure that civilian personnel of peacekeeping operations receive similar training;

7. **Urges** Member States to increase their voluntary financial, technical and logistical support for gender-sensitive training efforts, including those undertaken by relevant funds and programmes, inter alia, the United Nations Fund for Women and United Nations Children's Fund, and by the United Nations High Commissioner for Refugees and other relevant bodies;

8. **Calls** on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia: (a) The special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction; (b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements; (c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary;

9. **Calls** upon all parties to armed conflict to respect fully international law applicable to the rights and protection of women and girls as civilians, in particular the obligations applicable to them under the Geneva Conventions of 1949 and the Additional Protocols thereto of 1977, the Refugee Convention of 1951 and the Protocol thereto of 1967, the Convention Security Council - 5 - Press Release SC/6942 4213th Meeting (PM) 31 October 2000 on the Elimination of All Forms of Discrimination against Women of 1979 and the Optional Protocol thereto of 1999 and the United Nations Convention on the Rights of the Child of 1989 and the two Optional Protocols thereto of 25 May 2000, and to bear in mind the relevant provisions of the Rome Statute of the International Criminal Court;

10. **Calls** on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict;

11. **Emphasizes** the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes including those relating to sexual violence against women and girls, and in this regard, stresses the need to exclude these crimes, where feasible from amnesty provisions;

12. **Calls** upon all parties to armed conflict to respect the civilian and humanitarian character of refugee camps and settlements, and to take into

account the particular needs of women and girls, including in their design, and recalls its resolution 1208 (1998) of 19 November 1998;

13. **Encourages** all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants;

14. **Reaffirms** its readiness, whenever measures are adopted under Article 41 of the Charter of the United Nations, to give consideration to their potential impact on the civilian population, bearing in mind the special needs of women and girls, in order to consider appropriate humanitarian exemptions;

15. **Expresses** its willingness to ensure that Security Council missions take into account gender considerations and the rights of women, including through consultation with local and international women's groups;

16. **Invites** the Secretary-General to carry out a study on the impact of armed conflict on women and girls, the role of women in peace-building and the gender dimensions of peace processes and conflict resolution, and further invites him to submit a report to the Security Council on the results of this study and to make this available to all Member States of the United Nations;

17. **Requests** the Secretary-General, where appropriate, to include in his reporting to the Security Council, progress on gender mainstreaming throughout peacekeeping missions and all other aspects relating to women and girls;

18. **Decides** to remain actively seized of the matter.”

Appendix 3

2001-2007 Initiatives towards Implementing UNSCR1325 in Kosovo:

1. In 2001, a United Nations Security Council delegation came to Kosovo. UNMIK representatives preparing the delegation's schedule said that the delegation did not have time to meet with Kosovar women. Women stated that UNSCR1325 gave them right to meet with the delegation. Ambassador Anwarul K. Chowdhury, who was leading the delegation, agreed to meet with women at 9:30 p.m. after the delegation's other scheduled meetings.¹⁵⁵
2. In December 2002, a second United Nations Security Council delegation visited Kosovo. Once again, UNMIK failed to inform or invite local women to meet with the delegation. When Kosovo women became aware of the visit they lobbied for a meeting. They scheduled a meeting with the delegation, once again after hours. During the meeting, the UN ambassador interrupted, saying, "Status is an issue for political parties. Let's talk about women's issues. Let's talk about Resolution 1325 for example." Women were insulted and surprised at the Ambassador's obvious lack of knowledge that, in accordance with UNSCR1325 women should be involved in negotiating Kosovo's final political status. They asked him, "Don't you think that status is an issue that affects women? This is directly stated in Resolution 1325."¹⁵⁶
3. In November 2003 women activists from Kosovo, initiated and supported by UNIFEM, joined a regional initiative advocating for the Resolution's implementation.
4. In February 2004, a Regional Working Group was formed consisting of two representatives of each country. As a result, the UNIFEM team (Kosovo) initiated advocacy action intended to raise public awareness about UNSCR1325 throughout the region with women's groups from Kosovo, Croatia, Bosnia and Herzegovina, Macedonia, Serbia and Montenegro and Albania.
5. In October 2004, a Training Workshop was organized in Sarajevo to increase public awareness and provide information about UNSCR1325 to activists in the region. UNIFEM, Kvinna till Kvinna, and Zene Zenema supported the workshop which was devoted to discussion and analysis of the Resolution by representatives of both women's NGOs and government. The focus included a historical and technical analysis of the Resolution; examples of global initiatives to promote and monitor its implementation; examples of national and regional issues related to the Resolution; and ways in which it might be used to work on these issues. Feminists and activists for women and human rights and peace from Sweden, USA, the Czech Republic, Kosovo, Croatia, Serbia and Bosnia and Herzegovina took part in the conference.
6. Subsequent to the workshop in Sarajevo, the NGOs continued to advocate for the implementation of and increase public awareness of UNSCR1325 throughout their networks. It was also decided to run a second Training Workshop.
7. In April 2005, a workshop was held in Macedonia, sponsored by UNIFEM. The workshop aimed to be practical rather than theoretical and to provide the opportunity to apply the Resolution to current policy debates and to the development of preliminary Action Plans for implementation. Participants from

¹⁵⁵ *Building Peace Empowering Women: Gender Strategies to make UN Security Council Resolution 1325 work*, Vienna 2006, p. 28.

¹⁵⁶ Ibid.

- Macedonia, who had been active in developing their network since the October 2004 Workshop, were also invited to attend as observers.
8. During the first meeting between women and UN Special Envoy, Ambassador Kai Eide in 2005, Kosovar women activists started the meeting by discussing the issue of including women in talks concerning Kosovo's final political status. Ambassador Kai Eide replied jokingly: "Do not talk to me like men." Again they were shocked and responded by saying that UNSCR1325 gives them the right to speak about Kosovo's final political status.¹⁵⁷
 9. The Kosovo Police Service (KPS), Kosovo Protection Corps (KPC), UNIFEM, KFOR, UNMIK police, and Kosovo Women's Network (KWN) initiated cooperation towards advancing the implementation of UNSCR1325. More specifically, UNIFEM and KWN supported the newly formed gender units in KPS and KPC through training, information-sharing, and cooperation around activities that address women's role in decision-making, trafficking and domestic violence. Overall, the initiative aimed to increase communication between women and the police and security sectors.
 10. The Swedish non-governmental organisation Kvinna till Kvinna (KtK) supported networking and activities of Kosovo women's groups to advance implementation of UNSCR1325. KtK also advocated for the inclusion of women in the talks on Kosovo's final status by writing two letters to high-level decision-makers. The first, dated 8 July 2005, was addressed to the UN Special Representative to the Secretary General (SRSG) in Kosovo Soren Jessen Petersen. The second letter, dated 16 January 2006, was addressed to UN Special Envoy for the future status process for Kosovo Martti Ahtisaari, UN Security Council, UN Secretary General Kofi Annan, SRSG Soren Jessen Petersen, and Swedish Foreign Minister Laila Freivalds.
 11. In February 2006, after reading about local activists' initiatives towards women's inclusion in final status talks in the KWN quarterly newsletter "Kosovar Women's Voice," Shevolution (U.K.) initiated cooperation with KWN, advocating in the European Parliament for women to be included on the negotiation team for the final status talks concerning the future of Kosovo. The Advocacy Project (U.S.) also learned about local initiatives focused on UNSCR1325 implementation through the KWN newsletter; they interviewed KWN representatives and ran a story in their newsletter about Kosovars' efforts to ensure women's inclusion in final status talks.
 12. In February, the Council for Defence of Human Rights and Freedom (CHDRF) organized a roundtable on "The role of media and civil society in advancing women's position" in which representatives from the parliament, NGOs, ministries and media participated. In the roundtable the issue of UNSCR1325 and women in decision-making places was also raised. More than ten Kosovo media covered the event.
 13. On 3 March, Kosovo women met with UN Special Envoy for the future status process for Kosovo Martti Ahtisaari and highlighted the need to include women in negotiation talks surrounding Kosovo's final status. Kosovo women advocated for this meeting to take place while meeting with top officials from the Department of Peacekeeping Operations at the United Nations (DPKO) in New York.
 14. In March, KWN signed a memorandum of understanding with Women in Black – Belgrade, whereby they began monitoring together the negotiation process regarding Kosovo's final status to ensure that women's voices were taken into

¹⁵⁷ Ibid.

- account during the negotiations. Their joint initiative was publicly announced in Serbian and Kosovo media.
15. In the week leading up to 8 March, representatives of KWN and Kosovo Women's Lobby (KWL) appeared in more than fifteen electronic and print media (e.g., televised talk shows, news articles) with Kosovo-wide audiences where they increased citizens' awareness about UNSCR1325 and its importance for including more women in decision-making, especially during negotiations concerning Kosovo's final political status.
 16. On 8 March, KWN and KWL organized a demonstration in front of the national theatre in Prishtina. Famous Kosovo singers and actors performed songs and skits written for the occasion, which focused on UNSCR1325 and the importance of involving women in talks concerning Kosovo's final status. All three Kosovo-wide television stations covered the demonstration during main news that evening. Following the event, participants hung a large banner that read, "Resolution 1325 guarantees us the right to participate in final status talks" outside the parliament building in the centre of Prishtina, where it continued to hang for all citizens and politicians to see.
 17. On 8 March, RTV 21 aired a ten-minute program during the main news, which documented efforts and demonstrations around the world on March 8 towards women's greater involvement in decision-making. RTV 21 also aired a thirty-minute special program on the KWN and KWL demonstration, highlighting that UNSCR1325 guarantees women the right to participate in final status talks.
 18. On 8 March, Kosovo women activists wrote to local and international decision-makers demanding women's inclusion in the team negotiating Kosovo's final status, as per UNSCR1325. Letters were sent to UN Special Envoy for the future status process for Kosovo Martti Ahtisaari, the UN Security Council, SRSG Soren Jessen-Petersen, President Fatmir Sejdiu, Prime Minister Agim Ceku, KFOR commander Giuseppe Valotto, the negotiation team and the contact group of five foreign offices in Kosovo. The letter was also read aloud during the aforementioned demonstration.
 19. On 10 March, the Advocacy Training and Resource Centre (ATRC) cooperated with the Gender Training and Research Centre to organize a public discussion during which civil society representatives debated the issue of women's participation in Kosovo's final status negotiations.
 20. On 22 March, ATRC organized another debate on the topic of challenges and oppositions in status talks. Nearly half of the meeting focused on women's inclusion in status talk because women activists attending the debate continuously raised the issue. In the end, Kosovo women activists successfully advocated for the key note speaker – Democratic Party of Kosovo (PDK) Chair Hashim Thaci, also a final status negotiation team member, to promise publicly that a woman would be present on the final negotiation team. This was covered by media.
 21. In June 2007, the Kosovo Gender Studies Centre (KGSC) organized a roundtable where women activists, media, and UN focal points including UNIFEM were invited.
 22. In June and July 2007, KWN held meetings with KFOR forces introducing them to UNSCR1325.
 23. RTV21 has made a documentary about UNSCR1325 and it has been promoted and displayed in the UN and other important places.
 24. RTV21 has started another documentary about UNSCR1325.



Monitoring Implementation of United Nations Security Council Resolution 1325 in Kosovo

Seven years have passed since the United Nations Security Council adopted United Nations Security Council Resolution (UNSCR) 1325 on Women, Peace and Security. The Resolution stresses the importance of mainstreaming a gender perspective into peace-building and peacekeeping operations. Under UNSCR1325 the United Nations Secretary General is obliged to provide member states with training guidelines and materials on the protection, rights and particular needs of women in peacekeeping and peace-building measures. Further, it must ensure that military and civilian personnel who are to be deployed receive such training, provided by Member States.

Despite the existence of this important Resolution, women around the globe continue to struggle for their right to participate in decision-making during and after conflict as well as during peacemaking processes. Women in Kosovo are no exception. While the United Nations Mission in Kosovo and peacekeeping forces in Kosovo have taken some initial steps to implement the

Resolution, this report argues that more often and in general they have failed to ensure its implementation.

Members of civil society in Kosovo, however, have seized the opportunities afforded by UNSCR1325 as an advocacy tool to encourage, lobby and promote the participation of women in all levels of public life. Kosovar women's organisations have thus directly contributed to the implementation of the Resolution.

As part of its efforts to implement UNSCR1325 in Kosovo, the Kosovo Women's Network with support from UNIFEM and UNDEF produced this monitoring report as an assessment of the implementation of UNSCR1325 in Kosovo, with the aim of ensuring successful ongoing advocacy of gender issues at the national level. This report analyses the main findings in sections defined by UNSCR1325 as key areas of obligation: 1) Inclusion of women at all decision-making levels; 2) Gender perspective and training of police and military personnel; 3) Protection and respect of human rights of women and girls; and 4) Inclusion of gender perspective in UN reports.

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