



# The Kosova Women's Network

Serving, Protecting and Promoting the Rights of Women and Girls

# 1325

## Facts & Fables

A collection of stories about the implementation of United Nations Security Council Resolution 1325 on Women, Peace, and Security in Kosovo

Prishtina, Kosovo  
2011



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*In memoriam, with love and respect for Nekibe Kelmendi  
(1944-2011), a committed advocate of United Nations  
Security Council Resolution 1325*



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# ACRONYMS

AAK	Alliance for the Future of Kosovo
AGE	Agency for Gender Equality
CCK	Criminal Code of Kosovo
CDF	Community Development Fund
CEDAW	Convention on the Elimination of All Forms of Violence against Women
CIVPOL	UN Civilian Police
DDR	Disarmament, Demobilization, and Reintegration
DPKO	Department of Peacekeeping Operations
EC	European Commission
ESDP	European Security and Defense Policy
EU	European Union
EULEX	European Union Rule of Law Mission in Kosovo
EUSR	European Union Special Representative in Kosovo
FRY	Federal Republic of Yugoslavia
GBV	Gender-based violence
HRGO	Human Rights and Gender Office (EULEX)
ICC	International Criminal Court
ICO	International Civilian Office
ICTY	International Criminal Tribunal for the former Yugoslavia
IOM	International Organization for Migration
KFOR	Kosovo Force (NATO)
KLA	Kosovo Liberation Army
KP	Kosovo Police
KPC	Kosovo Protection Corps
KPS	Kosovo Police Service
KSF	Kosovo Security Force
KWI	Kosovo Women's Initiative

KWN	Kosova Women’s Network
LDK	Democratic League of Kosovo
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
OGA	Office of Gender Affairs (UNMIK)
OHCHR	Office of the High Commissioner for Human Rights
OSCE	Organization for Security and Cooperation in Europe
PDK	Democratic Party of Kosovo
RTK	Radio Television Kosovo
RWL	Regional Women’s Lobby for Peace, Security and Justice in South East Europe
SRSB	Special Representative of the Secretary-General
UN	United Nations
UN Women	United Nations Entity for Gender Equality and Empowerment of Women
UNDP	United Nations Development Programme
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children’s Fund
UNIFEM	United Nations Development Fund for Women
UNFPA	United Nations Population Fund
UNMIK	United Nations Interim Administration in Kosovo
UNSC	United Nations Security Council
VWS	Victims and Witnesses Section (ICTY)
WHO	World Health Organization

# **INTRODUCTION**

# What's the story?

*"I want this publication to be seen not as a report, but more like something that makes you smile and say, 'How can that happen?' And I want to bring attention to the fact that 1325 is important, not just its sister resolutions."*

– Igballe Rogova, Executive Director,  
Kosova Women's Network

*"There is always a risk of backlash after war, and I think women were frustrated as well. I remember Igo told me that she would never ever go to another 1325 conference again; she had enough of that. So I think there was also some tiredness or frustration. But I hope that it has passed. It was a time of big expectations and then perhaps things did not go as well as people had hoped."*

– Sirpa Rautio, former Head of Human Rights and  
Gender Office, European Union Rule of  
Law Mission in Kosovo (EULEX)

"I'm sick of reports," Igballe (Igo) Rogova told a group of young women crowded around a wooden picnic table in Prishtina. "Just like I tell people: I'm sick of conferences on 1325 too." As Executive Director of the Kosova Women's Network (KWN), she had spoken at dozens of conferences in Brussels, Vienna, and Stockholm about United Nations Security Council Resolution 1325 on Women, Peace, and Security. This Resolution affirms the important role of women in preventing and resolving conflict, peace negotiations, peacekeeping, humanitarian assistance, and reconstruction. It calls for women's equal participation in all efforts to further peace and security.

"I'll never go to another conference. You know why? Because it's just words. You talk and talk and these high level people pretend to listen, but then they don't take any action. Then you go to another conference on the same topic two months later and say the same things again. I'm sick and tired of talking to people who don't listen. I want to see some action." The women nodded sympathetically, and everyone took a sip of Peja beer. It was summertime, and they had gathered to discuss writing a report on the implementation of Resolution 1325 over the last ten years in Kosovo.

Perplexed, one woman asked, "Why do you want to work on this report now?"

"I want it to be seen not as a report," Igballe said, "but more like something that makes you smile and say, 'How can that happen?' And I want to remind people that 1325 is important, not just its sister resolutions."<sup>1</sup>

The five researchers set off to collect stories from UN bodies, military forces, Kosovar institutions, and activists. Nazlie Bala, women's rights activist, described clearly the questions they sought to answer: "We've used 1325 since 1999, even before such a Resolution existed," she said, "and how much it has been implemented by those who have the responsibility is a question that needs to be answered. It was started by the UN Mission, and how much implementation was done, we don't know. The other UN agencies all have it in their documents, but how much it is used, we don't know."

Researchers knew from past experience that breaking the somewhat elusive Resolution into measurable actions was no easy task. However, their load had been lightened: the UN Secretary General's proposed indicators for measuring Resolution 1325 could now serve as their guide.<sup>2</sup> With these indicators in hand, they entered offices and bars, drank coffees and wine, wrote emails and emails and more emails, requesting information from various institutions.

These are the facts they collected and the stories they heard. This publication includes "facts": statistics, dates, names, places, and issues surrounding the implementation of

Resolution 1325 in Kosovo. Yet, it also includes “fables,” that is, “a narration intended to enforce a useful truth,” as Merriam Webster puts it.<sup>3</sup> Thus, while we do not claim that all stories presented here are factual, we do feel that they are crucial in illustrating how people remember and believe that the Resolution has been implemented. When stories are contradictory, they may shed light on misunderstandings and miscommunication that slow cooperation and progress towards the Resolution’s implementation.

While the Secretary-General’s indicators were useful for guiding our research, when we began writing they quickly became a “straightjacket” that obscured cross cutting themes and stifled the thick description arising from our interviews. Stories did not seem to fit within the indicators, but burst beyond indicators’ seams. Prevention of domestic violence required legal protection, but also economic independence, women’s greater participation in police, and training for police and judges, for example. Thus our findings related to the UN Secretary-General’s indicators are woven throughout the chapters rather than arranged in neat little categories. In case you miss each fable’s lesson, findings are summarized in Annex 1.

This introductory chapter includes a definition of Resolution 1325, as well as respondents’ understandings of the Resolution. It also presents the key actors in the context of post-conflict Kosovo. The first section of the book focuses on women’s participation in international organizations; negotiations; Kosovo politics; and other public institutions like the Kosovo Police and new security force. The second section weaves together the Secretary-General’s “pillars” of prevention, protection, and relief and recovery in chapters that focus on safeguarding women’s security. These deal with insecurities emphasized by respondents, but also identified in prior research: war-time sexual violence; preventing further conflict; trafficking; domestic violence; and human security more broadly. In the conclusion we summarize key findings on the extent to which Resolution 1325 has been

implemented; factors contributing to or hindering its implementation; and suggested actions moving forward.

## **“Lack of teeth”**

*“Security Council resolutions are often very brief and very broad. It’s quite challenging to interpret them concretely, and this one is no exception.”*

- Luciano Calestini, United Nations Children’s Fund (UNICEF)

*“Nothing is articulated in 1325. It is just dust in your eyes. They’re misty words, checkmate words, and nothing else.”*

- Sevdije Ahmeti, women’s rights activist

We asked, “What does Resolution 1325 mean to you?”

While some clearly understood key aspects of the Resolution, others seemed confused. Two respondents had never heard of it. “To be frank, I don’t have much knowledge,” a representative of a Kosovo institution said. “I know that it is related to the protection of women’s rights, but nothing more.” Some thought they knew, but clearly did not. “It’s a law that has not been implemented in Kosovo. The report exists, but it hasn’t been discussed in public,” a women’s rights activist said. Others shuffled through their papers, became visibly flustered, or were annoyed that we didn’t send this question in advance.

UN Security Council Resolution 1325 is not a law. Nor is it a report. It has been the subject of conferences, reports, and media attention for ten years in Kosovo.

Osnat Lubrani, United Nations Development Programme (UNDP) Resident Representative in Kosovo, gave the most accurate explanation:

Resolution 1325 is very broad, addressing multiple actors, including the United Nations, but also UN member states. 1325 is a landmark Resolution in introducing women's concerns and perspectives before the Security Council and setting the core principles for addressing these [...] Resolution 1325 calls for strengthening women's role in shaping conflict prevention and peace processes, but also generally in governance. While some measures have been taken to increase women's representation in decision-making, when it comes to peace and security matters, too often women are still absent from tables where decisions are being taken. [...] In past years, four supporting resolutions were adopted by the Security Council, 1820, 1888, 1889, and 1960, that tackle specific areas raised in Resolution 1325, particularly in order to address sexual violence targeted at women and girls in conflict-related settings. These resolutions call for the establishment of global indicators and monitoring systems, analysis, and reporting arrangements to ensure that vigorous action is taken to better protect women from violence and bring an end to impunity.<sup>4</sup>

Central to Resolution 1325 is the concept of gender mainstreaming, which the United Nations Development Fund for Women (UNIFEM) defines as:

[A] strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation 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.<sup>5</sup>

Alluding to the notion of gender mainstreaming, Nazlie Bala of UNDP said, "1325 for me means women's empowerment at different levels: security, gender equality, and economic empowerment."<sup>6</sup> Institutional gender advisors are well aware that the Resolution requires women's participation and inclusion as decision-makers. At the NATO Kosovo Force (KFOR), Elisabeth Schleicher said that "women and girls must not be viewed only as victims but as active participants at all levels and sectors of society."<sup>7</sup>

Perhaps the greatest confusion we encountered was over whether the Resolution was a firm requirement or simply "a guide." Being a UN resolution, it has vague language that fosters this confusion. Even worse, for a document about women, it is expressed in a gendered language. "How lovely, you want to 'urge' and 'encourage'," said the United Nations Interim Administration Mission in Kosovo (UNMIK) former gender advisor Clare Hutchinson:

When we do training I always say, "Read this. Is there anything in it that strikes you?" The whole document "encourages the Secretary-General to do *his* work" in terms of "his." I'm like, "There'll never be a woman secretary-general?" [...] It's a misogynistic language coming out of the document that is supposed to do something different." The message is, "We know that you are all women and you will all feel very comfortable sitting around a table holding hands, and we encourage it." The language is of a softer nature, so the interpretation is of a softer nature. The Resolution won't necessarily be taken with the respect that it needs. I feel that's an obstacle.<sup>8</sup>

Resolution 1325 is not a convention. Therefore it "lacks teeth."

## **“It was a big, messy mission in the beginning...”**

*"The starting point of course was that EULEX came and UNMIK didn't leave. The planning presumptions fell apart. So in the beginning it was just messy. It was very big, with very fragmented structures, with large but separate components, and with a complicated mandate.*

*Then it became clear that there was very little guidance. The EU is a new actor in the field of peace-building so it did not have a lot of institutional memory to draw on. So first it was the realization that actually people do not really even know how to work, or there are no clear priorities set or guidance, particularly on the monitoring side, especially police. They didn't really know what they were supposed to do. Police need very clear guidance, and there certainly wasn't anything on gender issues and little on human rights to start with.*

– Sirpa Rautio, former Head of Human Rights and Gender Office, EULEX

A cacophony of actors, interests and agendas have called Kosovo home since the end of the war. The United Nations Interim Administration Mission in Kosovo (UNMIK) was established in 1999 under Security Council Resolution 1244 with the mandate to govern Kosovo, then still formally under Serbia's sovereignty, until its political status could be decided. An initial three-year mandate became four-year, then five, then continued on in six month increments until the present day. With time, UNMIK shrunk in size, particularly as competencies were handed over first to Kosovo's Provisional Self-Government, and since February 2008, after the

declaration of independence, to the Government of the Republic of Kosovo.

Since 1999 UNMIK and international actors serving under it have had the responsibility to implement Resolution 1325. These actors include the Organization for Security and Cooperation in Europe (OSCE), responsible for “democratization and institution-building” and the Office of the United Nations High Commissioner for Refugees (UNHCR), tasked with humanitarian assistance. According to Frode Mouring, the former Head of UNDP, the whole UN-led international administration has a duty to implement the Resolution.<sup>9</sup> As a duty-bearer for Kosovo, the UN’s role and obligation are to assure that international agreements are respected. Unfortunately, Mouring said, “not everybody has seen it the same way.”

Since the declaration of independence, responsibility for implementing the Resolution also has rested on Kosovo’s institutions. If there was confusion before, the matter became even foggier. Although other UN conventions and resolutions such as the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) became law, the Kosovo Assembly did not adopt 1325 into its national legislation. Lacking recognition by two key members of the Security Council, Russia and China, Kosovo has not obtained UN membership yet, and thus cannot be called formally accountable for the adoption of UN documents. Even so, representatives of Kosovar institutions and women’s rights activists alike seem to agree that Kosovo as a post-conflict country seeking to join the UN should implement the Resolution. In this regard, there is a need to establish the Resolution within national legislation. The Kosovo Police and Kosovo Security Force, supported by UN agencies and women’s organizations, already have established policies directly related to Resolution 1325.

Kosovo institutions are not exactly alone in the complicated system of governance established since 2008; independence was obtained under a negotiated agreement

with the major western powers on the condition of further international supervision. A European Union Rule of Law Mission, EULEX, entered Kosovo in February 2008 to “mentor, monitor, and advise” the Kosovar authorities in establishing the rule of law, focusing on police, judiciary, and customs. The few executive powers that EULEX retains deal with the ability to investigate and prosecute serious and sensitive crimes, such as war crimes, trafficking, terrorism, corruption, and serious financial crimes.<sup>10</sup> Remaining status-neutral, it functions within the framework of the 1999 Resolution 1244, looking to Brussels for directions. An International Civilian Office (ICO) presides on the protection of minorities and decentralization, under the guidance of a 25-country steering committee.

The “messy beginning” of EULEX, highlighted by gender advisor Sirpa Rautio, was probably inevitable, given the complexity of Kosovo’s system of governance. Equally inevitable was the confusion on what exactly the mandate of EULEX was in terms of implementing Resolution 1325. Notably, the Council of the European Union calls for implementation of Resolution 1325 in the context of European Security and Defence Policy (ESDP).<sup>11</sup> With EULEX being the largest ESDP Mission ever to be deployed, their mandate assumes responsibility for implementing Resolution 1325. Less specifically, EULEX Kosovo is tasked with “ensuring that all its activities respect international standards concerning human rights and gender mainstreaming.”<sup>12</sup>

Resolution 1325 also calls for institutions responsible for security in Kosovo to implement its provisions. Initially, the North Atlantic Treaty Organization (NATO) took responsibility for ensuring security, and 45,000 troops from around the world landed in Kosovo in 1999 as part of the Kosovo Force (KFOR). UNMIK installed the UN civilian police (CIVPOL), also known as the UNMIK police. The UNMIK Department of Justice and CIVPOL led combined efforts for “police and justice.” They later involved the newly trained local Kosovo Police Service (KPS) that became the independent Kosovo

Police. The former guerrilla group, the Kosovo Liberation Army (KLA), was disarmed and transitioned into the Kosovo Protection Corps (KPC),<sup>13</sup> a civilian organization. Eventually part of this agency joined the Kosovo Security Force (KSF).

In 2010, the UN Secretary-General formulated a comprehensive plan that established indicators for monitoring the implementation of Resolution 1325, which specifies responsibilities and indicators of progress. The indicators give the following actors a responsibility to implement the Resolution: the Department of Peacekeeping Operations (DPKO) in New York, United Nations representatives, UNMIK, other UN agencies, the OSCE, the Government of Kosovo, Kosovo Police, Kosovo Security Force, EULEX, ICO, and KFOR. The indicators are a necessary clarification, because without clear guidelines the implementation of Resolution 1325 had remained hostage to local practices and political will. The plethora of actors at play in Kosovo often has meant that the ball of implementing Resolution 1325 sometimes was dropped or tossed to a willing or unwilling other.

# **SECTION I. PARTICIPATION**

*"After the war there was the tendency of marginalizing women from politics despite the fact that in Kosovo women were highly involved in the process of liberation, independence, and democracy."*

– Edita Tahiri, Deputy Prime Minister for Foreign Affairs and National Security

Grey clouds covered the sky in Prishtina on 8 March 1998, International Women's Day. The dreary weather didn't seem to dampen the determined spirit of the 15,000 women who had gathered before the United States Information Office. There was a constant buzz as murmuring women held blank, white papers aloft, symbolizing the absence of human rights in Kosovo. Through this visual spectacle, they sought to peacefully draw international attention to the violence unleashed by the Milošević regime against civilians in the rural region of Drenica, a mere 30 miles from Prishtina.<sup>1</sup>

Demonstrations continued over the weeks that followed. Five days later an impressive crowd of roughly 50,000 gathered, demanding an end to the Serbian blockade of Drenica, where no humanitarian aid had been able to reach thousands of displaced and wounded people for weeks.

Another demonstration, organized by women's groups and the Women's Forum of the Democratic League of Kosovo (LDK), brought together 12,000 women on 16 March 1998. Women marched from Prishtina to Drenica in their effort to bring "Bread for Drenica." Clutching loaves of bread the long line of women walked in silence until they reached the town of Fushë Kosova, just outside Prishtina. Serbian police prevented them from marching farther, threatening to intervene if they proceeded. Seeking to maintain peace, the procession of women eventually turned, gathering momentum until they arrived at the International Red Cross office in Prishtina. There, they somberly laid thousands of loaves of bread in a symbolic gesture.

The crowd then made its way towards the UNHCR office. Again women were thwarted by the Serbian police from reaching their destination. As they stood in front of the Serbian cordon, they began to chant, ever so softly at first, "Bread for Drenica." Their chant grew increasingly louder, "Bread for Drenica!" The words swelled and became a forceful chant. Here were thousands of women speaking out, protesting, and actively participating in activities seeking an end to the violations of women's and citizens' rights perpetrated by Serbian military and police.

"Women were, I would say, a vital part of the movement for independence, at that time led by the LDK," Edita Tahiri recalled, twelve years later. Sitting in her new office as Deputy Prime Minister for Foreign Affairs and National Security, we listened as her thoughts drifted back in time. In the 1990s, women had participated actively in the Kosovar Albanian civil resistance against Serbia's oppressive and discriminatory policies and as members of the armed resistance mounted by the Kosovo Liberation Army (KLA). Women played leading roles in inter-ethnic human rights organizations spanning Kosovo and Serbia, calling for an end to war, rape, and killings.

"Women were in politics, diplomacy, negotiation, and the battlefield," Edita Tahiri said. "So given this important role in [...] making the nation free from Serbian occupation, which lasted almost ten years, it was normally expected that after the war women would be supported in their role in politics." It did not happen. As it often is the case after wars, women were pushed from the center to the margins. Sirpa Rautio saw this transition over time:

Just when the war was breaking, I was in Drenica when the first killings happened. I was working for the UN Office for the High Commissioner for Human Rights in Sarajevo and was temporarily deployed to help colleagues working in Serbia and Kosovo as the human rights situation and security conditions

worsened. I worked with the Mother Tereza Society. The place was really tense, but Kosovo women were driving everything. I don't remember men involved in anything that we did [...] whatever it was, it was women. And they were incredible women. So I was a bit shocked when I came back ten years later and saw that women seemed to be pushed farther to the margins. In some ways in 1998 women were more systematically involved.<sup>2</sup>

# **"MISSIONS ARE STILL VERY MUCH A MALE BUSINESS"**

*"In this country very little is known about this Resolution. It is widely unknown, even to UNMIK personnel. Not even gender specialists who worked for UNMIK promoted it. If a great mission like this does not engage in the promotion of one of their own resolutions, it represents a great loss."*

- Luljeta Vuniqi, Executive Director,  
Kosovar Gender Studies Center

On 10 June 1999, the Security Council approved Resolution 1244,<sup>3</sup> which, along with the Military Technical Agreement between the International Security Force (KFOR) and the governments of the Federal Republic of Yugoslavia and the Republic of Serbia,<sup>4</sup> may be considered a peace "agreement." Both documents ended and "significantly" transformed "a violent conflict so that it" could be "addressed more constructively."<sup>5</sup> Resolution 1244 did not resolve the conflict between Kosovo and Serbia, leaving this to be discussed later. It suspended Serbia's sovereignty over Kosovo and granted unmitigated power to a United Nations-led international administration to govern the former Serbian autonomous province until its final political status could be decided. Although Resolution 1244 did not include "specific provisions to improve the security and status of women and girls,"<sup>6</sup> women leaders rejoiced that the UN would govern Kosovo temporarily.

"We greeted joyfully the decision that put Kosovo under a UN administration," Igballe Rogova recalled.<sup>7</sup> "The UN was to us the revered international organization which developed and passed key documents that stipulated women's rights and promoted their integration at all levels of decision-making." Women's rights activists and politicians alike expected to gain additional influence in decision-making processes with the entrance of the UN. After all, the UN had established such key documents as the Convention on the Elimination of All forms of Discrimination against Women (CEDAW) and fostered the adoption of the Beijing Fourth World Conference of Women Declaration and its Platform for Action of 1995.

"For me it was good that we were having internationals in Kosovo," recalled Veproje Shehu, Director of medica Kosova:

When the internationals came, I thought that they would not have the social attitudes and stereotypes we have here about women. I had a lot of hopes and expectations. There were achievements, but the hopes and expectations that I had really were not met.<sup>8</sup>

"I wish I was not so excited," said Igballe Rogova. "From day one UNMIK didn't want to communicate with women's organizations. They didn't want to communicate with women. Their structure was completely patriarchal. 'Yes,' they said, 'we came to a patriarchal society, that's why we are all men.' I was shocked."<sup>9</sup>

Kosovo's society is rather traditionalist, but with stark differences between the rural and the urban world. Under the modernizing influence of post-World War II socialist Yugoslavia, women cadres gained positions in government, industry, education, and health. During the Milošević regime, women emerged as leaders in the resistance movement.

Taking the whole of Kosovo society as a patriarchal world was ignorant of its rich history and patently wrong.

Igballe Rogova has plenty of stories that reveal how the international presence was unprepared to face Kosovo's postwar reality:

When we came back from being refugees, we had to push and push. The first UNMIK SRSG [Special Representative of the Secretary-General] Bernard Kouchner looked at women as objects.

In October 1999, the same year after the war, came Kofi Annan, then Secretary-General of the UN. Kofi Annan was planning a meeting with civil society. Guess what? There were no women invited because UNMIK and OSCE said they "had come to a patriarchal society."

But we had an ally: Lesley Abdela. Before she came to Kosovo she learned about it. So when she came to OSCE she went to a meeting with Hans Christian, the Director of the Department of Democratization.

And Lesley said to him, "Where are the women?"

And Hans said, "Com'mon, you forgot that this is a patriarchal society."

She said, "I know there are women's organizations."

When she found out Kofi Annan was coming, she went to the OSCE Head of Mission Daan Everts and Kouchner and asked, "Why aren't there any women invited?"

They said, "The invitations have been sent, and there is no time to make changes."

Then she sent a fax to Kofi Annan, saying, "I know you care about gender, and this is the situation. There are no women invited to your meeting with Kosovo civil society."

He wrote back saying, "I want women to be there."

She wrote to women and said, "You have one minute each. Think of what you want to say. One minute each."

That day when they saw three strong women come through the door, Sevdije Ahmeti, Vjosa Dobruna, and me, both Kouchner and Everts panicked.

Kouchner spoke first. You have no idea how long he spoke. And then Kofi Annan looked at him. God, I loved it. He said, "Shut up," with his eyes. Kouchner said, "Now the Secretary-General will say something."

Annan said, "No, no, no. I'm not here to speak. I'm here to listen."

Can you imagine?

Poor Kosovar men there. They were told they would only shake hands with Kofi Annan; they did not know they could speak. Annan said, "I'm here to listen. Who wants to speak?"

We raised our hands. Sevdije Ahmeti mentioned women's security and Vjosa Dobruna spoke about women's economic empowerment.

Then I asked, "Why are women not in the Transitional Council that assists in governing Kosovo until the elections?"

Annan said, "I promise you that in three weeks maximum there will be women there."

Afterwards, the men congratulated us. They said, "My God! You women are so organized!"

Do you know what happened next? The next day Lesley was fired. Okay, she was not fired officially, but she was "removed."<sup>10</sup>

Lesley Abdela's contract was terminated because she had breached protocol by informing Kofi Annan that women had not been invited to meet him.

While they were frustrated by the UN's initial failure to include them in the Kosovo Transitional Council, among other decisions, activists were encouraged by the passage of United Nations Security Council Resolution 1325 on Women, Peace, and Security on 31 October 2000. The Resolution signaled an international commitment to ensuring women's participation in the peace process, as well as broader decision-making processes. Igballe Rogova remembered:

When the UN signed this Resolution the friend we had in the Women's Commission for Refugee Women and Children, Maha Muna, sent us this information because we had been telling the Women's Commission what was happening in Kosovo: how they were ignoring women.

And she said, "Use it."

So from day one we started using the Resolution. We were writing letters to UNMIK, to the UN in New York even, saying, "You have to implement the Resolution."<sup>11</sup>

There is growing consensus on the importance of women's presence in decision-making positions within relevant regional peacekeeping and conflict prevention organizations. Women's participation may enable preventative diplomacy that considers the specific needs and issues of women and girls, according to the UN Secretary-General.<sup>12</sup> What is a "regional organization"? Now hang in here:

The [UN] Charter deliberately provides no precise definition of regional arrangements and agencies, thus allowing useful flexibility for undertaking by a group of states to deal with a matter appropriate for

regional action which also could contribute to the maintenance of international peace and security.<sup>13</sup>

In all the leading regional organizations involved in conflict prevention, namely the European Union (EU), NATO, and OSCE, women’s representation was low (see Table 1). While women hold some executive positions, we found little substantial evidence that they have addressed issues of importance to women and girls in Kosovo with relation to conflict prevention. The only noteworthy exception was Ulrike Lunacek, member of the European Parliament for Austria and European Parliament rapporteur for Kosovo since 2009. On nearly every visit to Kosovo, she met with women’s groups both formally and informally to hear their concerns. She took some issues raised by Kosovo women to the European Parliament.

**Table 1.**  
**Number and Percentage of Women in Regional Organizations involved in Preventing Conflict**

Regional Organization	Women	Men	% Women
European Parliament (2011)	259	477	35.2%
European Parliament Presidents (1952-present)	2	25	7.4%
European Commission (2010-2014)	9	18	33.3%
NATO Secretary Generals (1988-present)	0	12	0.0%
NATO Permanent Representatives	1	26	3.7%
OSCE Secretaries General (1993-present)	0	5	0.0%

Resolution 1325 also calls for “increased representation and meaningful participation of women in the United Nations and other international missions related to peace and security.”<sup>14</sup> “Women’s share of senior positions in United Nations field missions” can serve as a “proxy measure of the extent to which women’s needs and interests are addressed in high-level decision-making,” according to the UN Secretary-General. Despite this guidance, women have not been employed by international missions in Kosovo at the same rate as men. Nor have women occupied as many high-level decision-making positions (see Table 2).

“They actually didn’t implement it themselves,” said activist Ariana Qosaj-Mustafa. “They had double standards. In all the years we had the UN mission we never saw any woman being appointed SRSG and leading the mission in Kosovo.”<sup>15</sup> Indeed, out of nine SRSGs, none were women.

“They are very patriarchal and traditional,” said Flora Macula, then of UNIFEM. “So you will not find women within UNMIK structures. I’m talking about the senior positions. Never was there one woman in this kind of position within UNMIK, and how can you promote something when you are not showing the model first?”<sup>16</sup>

“In terms of UNMIK itself, the record of women in decision-making is extremely poor,” agreed former UNMIK gender advisor Clare Hutchinson, “We don’t have women at the highest possible level.”<sup>17</sup>

**Table 2. Women’s Share of Senior Positions in Missions to Kosovo**

Position	Men	Women	% Women
UNMIK SRSGs	9	0	0%
OSCE Heads		0	0%
EULEX (overall)	2175	637	29%
ICO Heads	1	0	0%
KFOR Commanders	16	0	0%

Despite the mission's lip service to "1325," the same pattern of indifference to women's participation was repeated by EULEX. Although the EU mission committed to 1325 and to particular procedural steps in terms of meeting with women twice per year, integrating a gender perspective in training and policies, and reporting on the implementation of Resolution 1325,<sup>18</sup> the mission itself was, as women's rights activist Luljeta Vuniqi said, "male dominated."<sup>19</sup> In July 2011, women held roughly 23 percent of positions within the mission.<sup>20</sup> Most top positions are covered by former military personnel. The fact that "people with a military-background are leading a civilian mission [...] is nonsense," Vuniqi said. A former EU official concurred:

EULEX was supposed to be a civilian mission and of course some staff were more civilian than others. But overall I think that missions draw lots of ex-military persons to key positions, not only in police functions, but also in other functions. The security was in my mind hyped up so that the environment was definitely masculine. And you know these people don't think of gender. They don't take it seriously in most cases.

Then also the way that the mission had been planned. I think that human rights and gender were an afterthought. Even for those components where you would think that some expertise would have been hired, such as for police, it was only one person dealing with domestic violence out of 2,500 staff. It was clear that the issue was marginal.

You didn't have women. You didn't have experts hired for this topic, and overall I think the attitude was that, "Women are not our business." Even those sympathetic to gender issues felt it was for others, not for EULEX, which has other priorities. They would say, "Well it's very important, but the European Commission is dealing with these things." So it was clearly not a priority. [...] Missions are still

very much a male business, despite a lot of efforts and 1325.

"From my perspective, which is mainly looking at EULEX and other international actors, the main challenge is still the marginalization of women from decision-making and participation," said Sirpa Rautio, who once led the EULEX Human Rights and Gender Office. "I expected more from the EU."<sup>21</sup>

The obstacles to women's involvement at senior levels in international missions are several. Reliance on member states to appoint women, lack of expertise among gender advisors, and Kosovo being a non-family duty station, have all contributed to women's limited representation. "We don't have women at the highest possible level," Clare Hutchinson said, "because of the member states."<sup>22</sup> UN member states are obliged to recruit and send women to UN missions, but few have considered this a priority. Missions have minimal control over who is sent. EULEX faced a similar issue. "The Human Rights and Gender Office has put in place staffing policies in Human Resources Management towards decreasing the gender imbalance within the mission," according to EULEX. However, "here it has to be noted that the EU member states carry the responsibility to nominate women or men for EULEX. EULEX recruitment has not much room to maneuver when no women are nominated for certain positions."<sup>23</sup>

Also, due to the volatility of the security situation, field missions have tended not to permit (or fund, where applicable) the relocation of families to Kosovo. Given women's tendency to serve as caregivers, as data across countries confirm, this affects disproportionately women's ability to work in missions. It is difficult to attract women to international missions when they are unable to relocate their families with them.

While women were underrepresented numerically, the presence of gender advisors at high level positions within

missions could help ensure that women's needs and interests would be considered in decision-making processes.<sup>24</sup>

"The Office of Gender Affairs (OGA) was the first of its kind among the Department of Peacekeeping Operations (DPKO) missions," according to UNMIK's Philippe Tissot. "It was a sort of pilot project of the Gender Advisory Units, which most of the 15 DPKO missions today are equipped with." OGA was established in 1999, "as a political advisory unit on gender issues."<sup>25</sup> OGA existed within UNMIK through 2008, and gender focal points remained within the mission afterward. OGA's mandate involved implementing gender mainstreaming within UNMIK, that is, making sure that gender perspectives and equality are central to all activities. It was charged with coordinating efforts towards gender equality among and within UNMIK; offering opportunities for women's organizations to have a greater role in decision-making processes; promoting minority women's interests; and strengthening government capacity to handle issues with an impact on women. Indeed, it was a tall order. In its early days, the office functioned within the civil administration.

"I don't think we have been effective at all, due to the very nature of how the office was set up," said Clare Hutchinson:

I think there were problems from the very beginning [...] in terms of the leadership of the office. [...] I think the last SRSG [Holkeri] and this SRSG [Jessen-Petersen] were very open to include gender, but before that I don't think that there was any movement that went forward. [...] The office was placed under the civil administration, pillar 2, and wasn't placed at the SRSG's office. I'll be very frank; the only reason it was moved was because the last chief of the office, Maddalena Pizzotti, pushed very hard to get it placed in the SRSG's office. She was right; it should have been in the SRSG's office. We're not an advisor to the civil administration. We're an

advisor to the mission, and it was moved [...] due to the commitment of the last SRSG.<sup>26</sup>

When SRSG Søren Jessen-Peterson moved the office, Luljeta Vuniqi said, he “really gave them the support and the power to do their job, which was not the case before. They were really a marginalized office before, without any competencies. They were very low in the structure of the UN. He brought it really on the highest level.”<sup>27</sup>

Yet critics have noted that the mere creation of the Gender Advisor post does not necessarily further gender quality or promote women’s interests and needs. “I think they want to show that they think of gender and they make a position called ‘Gender advisor,’” Igballe Rogova said.<sup>28</sup> “I think it’s a shame,” said Clare Hutchinson:

To me it’s like a check box: “Okay, we have a woman. Tick. We’ve done gender.” Or “We will just say we are mainstreaming gender.” The OSCE doesn’t have a dedicated gender person, “but it’s okay because we have mainstreamed it. Tick.” This just definitely isn’t acceptable.

I think it’s the lack of understanding: just because you open a program and you stick a woman in it, doesn’t mean you are doing anything in terms of gender. It means you have your nice little gender balance column, filled out.

Officials tended to departmentalize issues and to see gender as a separate issue. Gender must be considered and made applicable in all areas of the mission’s work, the very meaning of gender mainstreaming.

“I’ll be very honest,” Clare Hutchinson said, trying to explain how difficult it was for her to persuade her colleagues that gender equality should be considered in all aspects of UNMIK’s work:

Minorities are minorities, and we have often been excluded from issues of minorities. It's the same as in the economic working groups. [...] I'm not an economist but I'd be very much interested in the economic aspect of everything, and I have always pushed to say I'd like to be on the standards working group of the economy.

"Oh no! We need to sort the economy out first and then we'll talk about gender."

It's the same, "We'll sort the refugees, the minorities, the Internally Displaced Persons... then you tell me your gender aspect."

"52 percent of these people don't need to have a voice?" I asked. So while we are trying to work on it, of course there are obstacles.

Despite its mandate under Resolution 1325 to include women in decision-making processes, "to voice their concerns and articulate their proposals to the highest UN authorities,"<sup>29</sup> the UNMIK Office of Gender Affairs also often butted heads with activists. "We've had a very rocky relationship," Clare Hutchinson admitted. For women's rights activist Luljeta Vuniqi, "the OGA office is the worst experience, really":

They are meant to be our voice. They are meant to be our partner, but that never happened. Time to time you know they would pick some organization up, work with them, but that was not their role. I mean when you see their role and what they did, you can see how minor and small and problematic was the whole thing. [...]

I don't know how they managed to have these persons. All the time they were changing and coming up with people who were very narrow minded, very prejudiced, without any knowledge of the country, of the situation on the ground, and without any will to understand. They would come and

go, never landing here, never being in Kosovo, with their minds and with their feet, you know? Sometimes they would change after six months.<sup>30</sup>

"The women who were leading the process didn't know what gender was," said Edita Tahiri's political advisor Arjeta Rexhaj. "Sometimes we got the picture: they wanted to extend their salaries by continuing to work in Kosovo and not talk about issues. The Resolution is not implemented even by those who created it."<sup>31</sup> When activists heard that a new European Union Rule of Law Mission (EULEX) would replace UNMIK, they rallied to document UNMIK's shortcomings and to encourage the new EULEX mission not to repeat UNMIK's mistakes.

The EULEX Human Rights and Gender Office (HRGO) was established as "an advisory and policy office that has a predominantly preventive, advisory and coordination function in ensuring that all EULEX Kosovo activities respect international standards concerning human rights and gender mainstreaming." The Office had two positions for international gender experts and one position for a national gender expert since the mission opened in 2008.<sup>32</sup>

Despite all this, the general feeling is that gender "was planned to be marginalized" within EULEX. When asked in 2007 about the mechanisms that the EU was putting in place from its headquarters in Brussels towards implementing Resolution 1325, Clare Hutchinson said:

I was told [that people in Brussels] don't see why they would have to have somebody advising, owning gender, because there wouldn't be enough work. [...] So I don't believe that they actually understand at their highest levels, to be able to filter it down to the level that's going to be in Kosovo. I think they are going to throw or bandy around the word "1325," like they will "gender mainstreaming," "gender balance," but they lack an understanding of what it is.

And I also said, "If you are going to use 1325, you need to understand that you are then going to be held accountable for implementing 1325. Because you cannot simply use it as a word. You will be held accountable on how well you do this, and if you are actually going [...] to show a commitment to gender. It is not a commitment unless you implement it, so you need to be very careful and understand where you want to go with the work you are going to do. Because as far as I'm concerned, a unit that is set up for gender, puppies, candy, gender, is not a commitment to 1325, or to women's role in the future of Kosovo."

EULEX has not fared much better than UNMIK in implementing Resolution 1325, as illustrated by the underrepresentation of women and insufficient attention to women's security, described in later chapters.

KFOR had a late start in terms of institutionalizing a gender perspective in Kosovo. Respective troop contributing countries had a responsibility to provide pre-deployment training in accordance with Resolution 1325. However, women's rights activists felt additional training was necessary in Kosovo. In 2007, Igballe Rogova recalled their efforts to encourage KFOR to provide training:

In 2005, Kvinna till Kvinna organized a meeting in Swebat, the Swedish KFOR camp. We lectured there about women's condition in Kosovo, 1325, and our culture. That was it. We wanted to continue these lectures but it didn't happen.

In 2007 I was invited to a meeting in Sweden where [UN Special Envoy to the Kosovo Status Negotiations] Martti Ahtisaari was speaking. They invited me to speak on Kosovo's status. The meeting involved high level decision-makers like the ambassadors of Serbia and of Russia to Sweden,

among others. After I spoke, Carl Henrik Assargard [former political advisor at the KFOR Multinational Taskforce Headquarters] approached me because what I shared there really struck him. He said, "We have to meet."

When we returned to Kosovo, he came to the office. We talked, and three hours later he said, "Okay, what would KWN like from KFOR?"

I explained, "Since 1999 we really have been eager to go to the bases regularly to talk about culture, women's position, and 1325." Following our conversation, he organized these meetings.

Women's rights activists spoke twice at Swedish, Finnish, and Irish KFOR bases in 2007.<sup>33</sup> However, when Carl Henrik Assargard's mission ended, so too did training sessions involving women's rights activists. His successor did not continue the program. Some bases, like the United States military base, never agreed to participate in the program. "The U.S. doesn't need it, huh?" Luljeta Vuniqi said:

It's 2007, so you can see how much attention they paid to this. They came in 1999, and after eight years they decided to do this: only for two hours, some awareness-raising about gender issues. I'm glad, but a lot of time has been lost. It could have been done in a different way, and it would have had some impact.

They really do not pay any attention to gender. All I see from KFOR are very strange TV ads and huge billboards all over Kosovo with very patronizing messages. For example, the KFOR billboards where you see a woman showing a pie, saying "I am Kosovo, too." The point was, "I am included. I am here." And you have this traditional, stereotypical role of women cooking pies, like, "Don't forget the women; they cook pies." They couldn't

think about anything else, like a picture of a businesswoman or a woman working. Having a woman with a pie, saying, "I am Kosovo, too" is insulting, and weird, and prejudiced.<sup>34</sup>

Kosova Women's Network (KWN) members reacted against the stereotyping of Kosovar women, and Kosovars more generally, in a letter to KFOR in 2010. They received an instant response from KFOR. "They changed the ad," said Belgjzare Muharremi, former KWN Board Chair, "and they consulted us each time something new came up, saying, 'Is it okay how we have represented women and men?'"<sup>35</sup> KWN members have since reviewed KFOR public relations materials to ensure that they are gender sensitive.

A NATO decision to establish a gender advisor position did not come until 2010, with the first advisor hired in November 2010.<sup>36</sup> The process to establish this position began in December 2007, based on a formal NATO Euro Atlantic Partnership Council policy on implementing Resolution 1325, but creating the position within KFOR took time. Elisabeth Schleicher is the second Gender Advisor in the ten-year stay of KFOR.<sup>37</sup> She is encouraging the employment of women within KFOR, such as in Liaison Monitoring Teams that are in daily contact with the Kosovar population. She is also working to mainstream gender perspectives into KFOR operations by educating and training staff.

Tilly Stroosnijder served as the gender advisor of the UNMIK Police and was the first police gender advisor in United Nations missions worldwide as part of a "pilot" initiative. Her problems had to do with the bureaucratic structure of the United Nations:

For the UN this was a process of learning by doing. In the world of gender advisors my appointment was received as a direct threat by the Office of Gender Affairs. There was a lack of understanding within UNMIK about how police operate, communicate,

“how” to implement gender in a security sector. This slowed down the process of the two-folded job I was assigned to, which was internally and externally mainstreaming gender in relevant fields of police in the mission and in the Kosovo Police Service. Secondly, I was isolated by the gender advisor of the UNMIK mission and was excluded and not recognized in the work I did. And I was excluded in the UN reporting and meeting system with DPKO.

Stroosnijder said she had to “fight” for mandatory gender and domestic violence training for incoming police personnel, which was not installed until 2004.<sup>38</sup> The training dealt with domestic violence, trafficking, child abuse, and the zero tolerance policy for UNMIK police visiting blacklisted bars where trafficking was believed to occur. While she saw some positive changes over time, she felt much more had to be done:

The UN now has gender advisors in DPKO police and military. This is a big step forward, but not enough from my perspective. After 12 years in missions at the operational level, I see that they understand the gender concept, the “what,” but they seriously lack understanding of the “how” process at the operational level. Implementing gender within the police differs from the military, and it differs among police forces. We need to accept this in order to be successful. We *must* adjust ourselves to the mission and the gender reality in the host country. SERVING together with national interlocutors in a contextual manner is key for progress in gender equality and sustainability towards local ownership!

The Organization for Security and Cooperation in Europe (OSCE), tasked with furthering democratization, has had gender focal points rather than gender advisors. Ariana

Qosaj-Mustafa who used to work with the OSCE said, "The gender focal point was basically a task that was 'added on' to somebody who had a bit better knowledge about women's rights."<sup>39</sup> The nature of an "add on" task among other responsibilities made it difficult to balance at times. Gender focal points also lacked the influence of high-level advisors. "I had certain leverage," said Theordora Krumova, a former OSCE gender focal point. "But at the same time this designated position opened my eyes to see how little I could do from my mid-level position."<sup>40</sup>

"If you don't have that seniority and involvement at the highest level, then you will not gain projects," said Ariana Qosaj-Mustafa:

Gender focal points have to cover a wide variety of issues and activities. In mid-2009, they tried to redress that by appointing the Deputy Head of Mission as the gender focal point for the mission. It was just added onto the Deputy Head of Mission, but again, deputy head of missions realistically are people that come from diplomatic and other backgrounds, so they don't have that much expertise on gender. I believe they changed that now recently. They now have another person who actually advises the Deputy Head of Mission on gender issues. But again it's more of an advisory capacity rather than having a strategic management tool to actually implement gender budgeting and gender mainstreaming. In Vienna they have a senior gender advisor but you know their resources are very limited. They cannot advise and work individually with each mission because they have to cover a much wider variety of issues and activities.

[Also, at the mission level] people don't know how to do it. They are not that well trained in the induction course in Vienna. It is really about having these 20 or 30 minutes sessions on the division of

gender and sex and that's all that people get; they don't get concrete tools how to do gender mainstreaming.

This is why "gender advisors at the senior management level and full time gender program officers are needed, not only gender focal points," emphasized UNDP Senior Gender Advisor Jocelyne Talbot. "We need these multi-level positions. This is work. These are full-time jobs."<sup>41</sup> Talbot stressed the importance of placing senior gender advisors at the highest level where they have the mandate and ability to bring a gender perspective into the institution. Evidence suggested that her senior position enabled her to mainstream gender within the UNDP to a greater extent than, for example, the focal points who had served within the UNDP before her. She installed institutional arrangements towards furthering gender equality, including the implementation of Resolution 1325.<sup>42</sup> Her senior position enabled her to influence budget planning, as well as internal procedures such as procurement and hiring practices. The installment of the gender marker for identifying the extent to which gender was mainstreamed within UNDP programs indicates the progress she facilitated over time.<sup>43</sup>

Overall, missions are "big machineries" that are difficult to turn, said Sirpa Rautio who had worked for both the UN and EU:

I like to think that we achieved something. Definitely we became more of a player. It was planned to be marginalized. I think that we managed to get out of that, and get to the strategic planning point, get to the processes, and, in doing so, get a bit more influence. But it was made unnecessarily difficult due to the mandate's weakness on human rights and gender and our position and size.

Aside from a few notable accomplishments, feelings of marginalization and powerlessness seem the recurring themes among gender advisors in Kosovo. As Clare Hutchinson summarized, "I think there has been a separation of, 'Oh gender... You do your thing. And we will do the serious things. We'll do the real things. And yes, we'll play with you because we have to, but we are not really going to take you seriously. And I think that that is the biggest obstacle." An exception was Jocelyne Talbot, who holds a senior position within UNDP and thus has been able to influence shifts in policy.

Gender advisors' ability to ensure the interests of women are represented seems to depend on their seniority and power within the mission; knowledge of and dedication to implementing the Resolution; and superiors' willingness to follow their recommendations. Their ability to further gender equality within their institutions can be diminished by internal resistance, fear of losing their job, a lack of expertise, insufficient gender disaggregated data, short mandates, and constant staff turnover, so "you always have to redo things that you think you've already sorted out" all posed challenges.

Securing a gender balance in international missions, as foreseen by the UN Secretary-General, works under the assumption that only women can ensure meaningful representation of women's interests, a myth that many women's organizations are trying to dispel. A recurring theme among respondents was the importance of women and men working together towards gender equality. "If we really want to take UNSCR 1325 to another level, we will have to get men on board," said KFOR Gender Advisor Elisabeth Schleicher. "So it would make sense to have a Gender Team consisting not only of women but also of men."

# "NO WOMEN IN THE NEGOTIATION TEAM"

*"The Security Council should change their attitude about the Resolution [...] because when they came with their mission in Kosovo, only one woman from England was an Ambassador; all others were men. The first step for implementing this Resolution should start from the United Nations itself; they should give an opportunity for women to participate more."*

- Gjylnaze Sylja, Member of Parliament, 2007

It was 2001, and UNMIK representatives prepared the agenda for the first United Nations Security Council delegation to visit Kosovo. Ambassador Anwarul K. Chowdhury of Bangladesh, who was leading the delegation, wanted to meet women's groups. However, UNMIK representatives said, "The delegation's agenda is already full." Ambassador Chowdhury, an advocate of Resolution 1325's initial passage, insisted upon meeting women. He asked for the hours of the scheduled agenda.

"8:00 a.m. to 9:30 p.m.," UNMIK responded.

Ambassador Chowdhury requested a meeting with women's groups at 9:30 p.m. at his hotel.

Although women leaders felt it was an embarrassment to meet late at night at a hotel, rather than officially, they agreed because of Ambassador Chowdhury's persistence and commitment.

Women politicians and activists went to the hotel together. They were happily surprised to find Ambassador Chowdhury's entire delegation present for the meeting. UNMIK representatives also attended, including the Deputy

Head of UNMIK, Tom Kennings, who had been in Kosovo for nearly two years and had never requested a meeting with women, women's rights activists said.

Ambassador Chowdhury's initiative to meet women set a positive example of seeking to "increase the participation of women and women's organizations in activities to prevent, manage, resolve and respond to conflict and violations of women's and girls' human rights," as Resolution 1325 advises.<sup>44</sup> It was, however, a consultation which resulted more from his political will than from Security Council instructions, as later visiting missions would illustrate. "For me, he was a hero," Igballe Rogova said.

In December 2002, the second United Nations Security Council delegation arrived in Kosovo, led by Norwegian Ambassador Ole Peter Kolby. Yet again, UNMIK did not include meeting with women on the agenda. Again women lobbied to meet the delegation, and again the meeting took place after regular working hours. When the Security Council delegation entered the meeting room, Kosovar women saw that out of 15 members, it included a single woman.<sup>45</sup> Igballe Rogova recalled:

So we were sitting, not just Albanian women, but there were Serb women, Bosnian women, Turkish women, Roma women. We were all talking about Kosovo's political status and Resolution 1244. Then Ambassador Kolby interrupted, "Status is an issue for political parties. Let's talk about women's issues. Let's talk about Resolution 1325 for example."

We looked at him like, "What?"

We were insulted and surprised at the Ambassador's obvious lack of knowledge that, in accordance with Resolution 1325, women should be involved in negotiating Kosovo's final political status. We asked him, "Don't you think that status is an issue that affects women? This is directly stated in Resolution 1325."<sup>46</sup>

And then we said, "Speaking about 1325, how come your delegation has only one woman?" This guy was so embarrassed.

He said, "I'm sorry I have another meeting." He left.

Another Scandinavian arrived in Kosovo some years later, Igballe Rogova continued:

Kai Eide did not want to meet women at all. And his mission was important: it was on the political status of Kosovo. Kai Eide was a Special Envoy of the UN Secretary-General in 2005. He was monitoring the implementation of the "Standards for Kosovo" [and assessing "whether the conditions were in place to enter into a political process designed to determine the future status of Kosovo"].<sup>47</sup> Every time he came to Kosovo and Serbia he failed to meet women.

He was finally like, "Okay," after we pushed to meet with him.

When we met with him, we started talking about status, and this guy was like, "Do not talk to me like men. Let's talk about women's issues."

And we were like, "Woo-pa!" And we said, "1325 gives us the right to talk about status."

And he said, "Oh I feel sorry..." because he never read the Resolution, and he turned to his assistant and said, "What does the Resolution say?" So then he was quiet. The man shut his mouth, and he didn't say a word because he didn't know about the Resolution.

So lack of political will and lack of knowledge, these are two reasons why it's not implemented.

Notably, Ambassador Kai Eide's final report on Kosovo's preparedness to start negotiations on its status did not mention women once.<sup>48</sup>

Three out of four reports written by Security Council monitoring missions visiting Kosovo did not mention women or girls at all.<sup>49</sup> The one report that did state that the Head of Mission, Ambassador Ole Peter Kolby, met women in 2002. "Civil society representatives emphasized that women of different ethnicities were working together on peace-building projects but did not receive any support from UNMIK or from OSCE," it stated.<sup>50</sup> The report cited Resolution 1325 and "noted" how "women could also contribute to the development of civil society and play an important role in reconciling communities."<sup>51</sup> However, the report did not mention issues women face or violations of women's human rights. In comparison to other issues discussed in the report, women's needs were glossed over.

## **The Unity Team negotiates... (without women)**

*"Women were not part of the discussion on the final status of Kosovo."*

- Arjeta Rexhaj, Political Advisor to Deputy Prime Minister  
Edita Tahiri

"In the years 2005 and 2006, Kosovo was preparing for another phase of peace talks with Serbia," said Edita Tahiri, "and while the ideas were launched that status should be discussed with Serbia under the UN mediation of Ahtisaari, we women wanted to have women at the negotiating table for peace and the resolution of the political question of Kosovo. We really worked hard in different ways. First, we organized between us this coordination between women in politics and civil society leaders, also individually, to lobby for having women in Vienna talks.

Igballe Rogova recalled:

There was so much division between political parties. The late President Rugova, together with UN representatives, decided to form this so called political forum in September 2005 to bring unity. The then SRSG Søren Jessen-Petersen and Rugova talked, and they offered the "Unity Team."

Who was in that Unity Team? Political party leaders whose parties won seats in Parliament, plus the Chair of the Parliament, plus the Prime Minister. And so from that forum when negotiations started, those were the people that led the negotiations. And that was their excuse to us...

When we said, "Why are there no women; we have two political parties led by women?"

"None of them got parliamentary seats," they said. "That's why they are not in the team."

We didn't accept that; that's their excuse.

And then there is another seat on the negotiation team for civil society. Without consulting civil society, they have decided to bring this guy Blerim Shala to represent civil society. He was the Chief Editor of the newspaper *Zëri*. But Blerim Shala was not chosen by civil society. He was chosen by those leaders. There was a possibility there to have someone from civil society, some strong woman. But no, they decided everything themselves without asking anyone.

Then we said, "If we are not going to have women on the negotiation team, we are going to have women in working groups." So we pushed to have women in the working groups from the start.<sup>52</sup>

Despite the obstacles facing them, the women of Kosovo were determined to play their part in negotiations.

“And that was the period when we started the Women’s Peace Coalition,” Igballe Rogova said.<sup>53</sup> “KWN with the Women in Black Network decided to start this coalition because, number one, there was no woman in the negotiation team. Yes, they had one woman, but she was not representing the women of Serbia, so they were feeling like they don’t have a woman either.”

The Women’s Peace Coalition renewed the old ties existing among activists in the region since the days of the former Yugoslavia. During the 1990s, Women in Black Belgrade had served as a regional epicenter for women organizing for peace and against the wars in Bosnia and Kosovo. The Kosova Women’s Network and Women in Black Network joined forces to advocate for women’s improved representation in the negotiations.

Soon after, the Regional Women’s Lobby for Peace, Security, and Justice in South East Europe (RWL) was established in 2006. It brought together prominent women from civil society and politics throughout the former Yugoslavia to advocate on issues of common concern. Both the Coalition and Lobby lobbied for women’s inclusion in the negotiations. Both were significant in that they joined Serbian and Kosovar women, among others in the region, in publicly supporting Kosovo’s independence. Edita Tahiri who would later chair RWL recalled:

We used also [RWL] to lobby for having women in the Vienna negotiations [which occurred in February 2006]. We lobbied with political parties here, the institutions of the Kosovo government, the Parliament, and the President. We also lobbied with UNMIK officials. We even lobbied directly with Ahtisaari, by meeting him, by sending different letters... we lobbied the Security Council.

Civil society representatives Igo Rogova, Luljeta Vuniqi, and Flora Macula met with the Security Council delegation in Kosovo, lobbied for this.

However after all that lobbying, the Vienna talks ended up without any woman representative at the table, which we thought was a deficit of democracy and lack of vision. It also showed disrespect for the women in Kosovo who were ready to sacrifice lives during the occupation, taking the highest state responsibilities. Besides that, women have the capacity to do peace-making work. Kosovo women have also the capital, the merit for that. However all was disregarded.

The Vienna talks were held without women at the table, and I consider it a failure, but not of us as women, because we were proactive. We consider it men's failure. I don't like to be against men. I think that a partnership between the genders can help women, but this was a case where a masculine mentality dominated and left women outside the process. This did not come only from Kosovar men, but also from internationals.

## **Pretty please, "King" Petersen?**

*"Let me tell you something, 1325 is primarily for the international troops when they go on their mission: how they should treat women there, how they should support women in international institutions. This is why 1325 was made. But when a war starts, the UN sits together with groups involved in the conflict, and they never think of women. And that's why they 'urge' women to be at the negotiation table rather than require it."*

- Igballe Rogova, Executive Director,  
Kosova Women's Network

Encouraged by his demonstrated attention to gender issues, women activists turned to SRSG Søren Jesson-Petersen and asked him to include women in the negotiations on Kosovo's final political status. "We hoped that the UN would change and would start implementing the Resolution," said Igballe Rogova:

But when the negotiation process started and we realized there were no women in the negotiation team, [...] we went to the SRSG and said, "You have to push the negotiation team to have a woman inside."

He said, he couldn't do anything.

But this is ridiculous. Let me tell you, he could! Because he pushed whatever else was needed on my government.<sup>54</sup>

Unlike other SRSGs, "I think that he [...] really pushed, and he tried," said Luljeta Vuniqi:

Even though he was trying and he was listening to us, I think even he did not do what he really could. I mean the SRSG in Kosovo is a very powerful man. They can take any decision they want. I mean in 25 hours he dismissed the President of the Parliament [Mr. Daci]. He dismissed the Prime Minister [Mr. Kosumi]. So if the [SRSG] can dismiss in 25 hours two of the highest people here, talking about local leadership, then how come [...] he or anybody after him, couldn't do anything to change the content of the negotiating team? It's such a smaller task than dismissing both persons.

But Søren Jesson-Petersen was also very frustrated with the situation. He was very sensitive regarding women's issues. In the last meeting that we had [before he left Kosovo] he said, "I failed. I could not convince them to establish a team with

women." When men usually fail they do not accept failure this easily, but he did. Somehow this coincided with his position. He was like the King of Kosovo. He could replace prime ministers and ministers and yet he accepted failure this easily. He had regular meetings with women's groups and agreed with them, but in relation to other topics this one was like a side-dish.<sup>55</sup>

## **"These people that work with Ahtisaari, they did not include gender at all"**

*"During the Ahtisaari period there were no women, even though they contributed before and after the war."*

- Ariana Qosaj-Mustafa

The "Final Status" negotiation process was drawing near. It would put in place a new agreement, replacing Resolution 1244, many hoped. This time, women thought, that piece of parchment to be signed would have input from women. This time, the negotiators had a responsibility to ensure women's involvement in the negotiations; they had to because the UN Security Council said so in Resolution 1325.<sup>56</sup> Finnish Ambassador and Special Envoy to the Kosovo Status negotiations, Martti Ahtisaari, led the process.

"Mr. Ahtisaari was concerned with the continuous involvement of women and women leaders throughout the status definition process," said Philippe Tissot, from UNMIK's external affairs, who organized the meetings. "He made a

point, every time he came, to meet with civil society representatives, including women leaders.”

Women activists felt differently.

“What was irritating me,” Veprora Shehu said, “was when we asked, ‘Why hasn’t anything been done to have a woman on the negotiation team?’ He presented [Albanian traditionalism] as one of the obstacles, like, ‘We didn’t want to break the tradition.’ You can imagine what kind of an excuse that was!”<sup>57</sup>

“We always have to push for meeting,” said Igballe Rogova. Despite the responsibility of international negotiators under Resolution 1325:

Even with Martti Ahtisaari we always had to push through the Regional Women’s Lobby for a meeting. He was always listening and we thought that he would do something towards implementing the Resolution, but even Martti Ahtisaari did not implement 1325, and he could. He was in charge of the negotiations and he could say, “According to 1325, I want to see women.” But he didn’t. I think his main concern was to bring together Serbs and Albanians. He didn’t think of other issues.<sup>58</sup>

“We really urged and advocated and sent letters for example to implement that part of 1325 which explicitly says that women should be included in the negotiation processes for peace,” said Luljeta Vunijqi.<sup>59</sup>

“We tried first with letters,” said Igballe Rogova, but when that failed, “We had a protest in the street. Together with Women in Black as part of the Women’s Peace Coalition we both had protests at the same time, on the same day, at the same hour in Prishtina and Belgrade.”

“No more flowers! We want power,” read the placards on 8 March 2006 in Prishtina. Women gathered to reject the tradition of giving flowers on International Women’s Day and to demand that they be given a seat at the negotiation table.

"It was minus 20 degrees [Celsius]," Igballe Rogova recalled, "And we had an outdoor protest with a play, songs, and 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 six or seven months; they were not removing it, but they were not having women in the negotiation team."<sup>60</sup>

When they were unable to secure women seats at the table, the Regional Women's Lobby and the Women's Peace Coalition sought to influence the negotiations through advocacy letters about the preservation and protection of cultural heritage and in support of a just and lasting solution for Kosovo.<sup>61</sup> The latter put women's rights activists in Serbia at risk; the Women in Black office was raided and activists received death threats.

In the end, women participated in the working groups. "We are happy to have women in the working groups," Igballe Rogova said, "but it's not the same."

As the negotiations facilitated by Ahtisaari came to a close in the later part of 2007 the Regional Women's Lobby undertook a final push to express the views of some women in the region that Kosovo should be independent and Resolution 1325 should be considered in any peace agreement. Their letter in support of Kosovo's declaration of independence included signatures from leading politicians and activists from throughout South East Europe, including countries that refused to recognize any declaration of Kosovo's independence.

At the same time, the United Nations Security Council sent a three-day fact finding mission before deciding on Kosovo's final status. It arrived in 2007, led by Belgian Ambassador Jonan Verbeke.<sup>62</sup> The mission involved 12 ambassadors from the Security Council, whose mission was to collect information on the situation in Kosovo and Serbia. The agenda of the mission included meetings with political leaders from Kosovo, Serbia, and Albania. "We wanted to include women. And we achieved, with some of our friends [...] to

include seven women in the reception, not in the formal agenda," Flora Macula, in her supporting role as UNIFEM, recalled. Among those who would meet the delegation were Regional Women's Lobby members including Igballe Rogova, Luljeta Vuniqi, Teuta Sahatqija, Nekibe Kelmendi, Nataša Kandić, and Sonia Biserko.

"The Lobby went and sent documents calling for the acceptance of Kosovo's independence," said Teuta Sahatqija. "People like Sonja Biserko and Nataša Kandić, [U.S. Ambassador] Tina Kaidanow, and others [...] helped spread the statement for the recognition of the independence of Kosovo. Our requests were presented throughout the media in the region, in each country, and even in New York."<sup>63</sup>

Flora Macula recollected women's efforts to lobby the Security Council delegation:

We met prior to the reception to make some kind of strategy, "How to support women to lobby and to deliver this declaration to each member of the Security Council?" [...] The declaration was about supporting the independence of Kosovo, of course by respecting all the rights of minorities. And it was signed by all of the members of the Regional Women's Lobby.

So, the women prepared. We had declarations. Teuta and Nekibe were inside the Parliament. They met [members of the Security Council delegation, and they delivered the declaration of the Regional Women's Lobby.

That night we went together to the reception, and we were waiting for [the Security Council delegation] because they would bring them by bus. when they brought them in the yard of the Parliament, and all the people were surrounding them, I said, 'Oh, the strategy failed. We do not have access to them.'"

So we asked the Prime Minister and two of the ministers to help the women reach [the Security Council ambassadors]. I was seeing which of the ambassadors was free to talk, and Tina Kaidanow was so helpful. She took the declaration and started to deliver it, and brought to us some of the Security Council ambassadors so we started talking to them. I was listening to the discussions between [the Russian Ambassador to the Security Council Vitaly] Churkin, Nataša Kandić, and Sonia Biserko.

[Sonia Biserko and Nataša Kandić, human rights activists from Serbia, said that the Security Council] "should consider human rights."

He said, "Come on, territory is important for many; it's not only human rights." [...]

They gave him the declaration and he said, "No, I don't want any kind of paper. Send it, if you want, to the hotel." They sent it to Hotel Victory. He was so rude and after saying that, he disappeared. After 15 minutes of discussion with him, he left the reception. The South African representative said something like, "I don't want to talk. I want to eat."<sup>64</sup>

Another ambassador "was very disappointed by our questions," Luljeta Vuniqi added. "[He] said, 'I am not here to discuss women's rights.' He was upset that we did not take the stance of victims in these negotiations, as he had expected."

"And what the Government said in the end was that only the women were lobbying [for Kosovo at the reception], no one else," Flora Macula concluded:

At that time, the Prime Minister and others recognized the force of women lobbying. The result was that they included 1325 in the new Resolution for Kosovo. [...] There was one paragraph that referred to the implementation of 1325 and the inclusion of women

in peace negotiations. It was the direct consequence of this meeting. [...] So something was achieved. The new resolution [recognizing Kosovo's independence] was not even put on the desk of the Security Council because Russia said they would veto it.

As the resolution on Kosovo's independence was never presented to the Security Council, no new peace agreement replaced Resolution 1244. Thus, to date, no peace agreement in Kosovo has included "provisions to improve the security and status of women and girls" explicitly.<sup>65</sup> Nor did Ahtisaari's Comprehensive Proposal for the Kosovo Status Settlement mention Resolution 1325 or girls. "Women" was mentioned a single time in reference to CEDAW.<sup>66</sup>

"The Resolution strongly demands inclusion of women in decision making places, especially in peace negotiations," said Igballe Rogova. "All these leaders at local and international [levels], they don't want to show that. Or they don't want to give space to women for that position because they say, 'It's our duty. It's men's duty to talk about peace.'" Thus, neither the mediation team nor the delegations ever seem to have had a gender advisor. Nor were women ever granted official observer status during the negotiations.<sup>67</sup> Arjeta Rexhaj summarized:

Since the end of the war and especially during the crucial period of state formation when the process of determining Kosovo's destiny had started, women's primary demands in Kosovo were focused on the participation of women in the dialogue and negotiations. [...] Women were not part of the discussion on the final status of Kosovo in Vienna in 2006. Then in 2007, the Kosova Women's Network and the Kosova Women's Lobby advocated for women's representation in the negotiations for the future status of Kosovo, as foreseen in UN Resolution 1325. Their proposal that a well-known woman

politician be included in the negotiation team of Kosovo was ignored. As a result, the final document of the comprehensive proposal on settling the status of Kosovo has been negotiated by male leaders of the main political parties, and women have not been included in this process. This crucial political document regulates the main fields of state formation for Kosovo's institutions and international missions in Kosovo.<sup>68</sup>

## **“We have Edita! Why don't you take her?”**

*“So this is that victory. We worked hard for Vienna. We got the Brussels Dialogue.”*

- Edita Tahiri, Deputy Prime Minister for Foreign Policy and National Security and Head of the Technical Dialogue with Serbia

“If you look today at Edita,” said Igballe Rogova, “we did so much work around her. During the negotiations [in 2006] we went in the street and shouted, ‘We have Edita! Why don't you take her?’”<sup>69</sup> Edita Tahiri had experience with negotiations dating back to the Rambouillet Accords Conference in 1999, as well as previously via her involvement in foreign policy for the Democratic League of Kosovo (LDK) during the 1990s. Yet, only in 2011 was she given an official diplomatic role in postwar Kosovo, as the Head of the Technical Dialogue with Serbia. The nearly decade-long struggle of women's rights activists to gain a seat at the negotiation table finally paid off. Edita Tahiri's appointment at the forefront of the Technical Dialogue in 2011 was a firm step forward towards implementing Resolution 1325.

"I must say that today, in this time, women have made a lot of progress not only in Kosovo, but also worldwide," Edita Tahiri reflected in 2011:

I think that this is a victory for all our work, to prove to the society that the women of Kosovo have the capacity to lead in a similar manner as men. There should not be gender discrimination [in the state's] leading structures. This is that victory. We worked hard for Vienna. We got the Brussels Dialogue.

To date, the Dialogue has surrounded "practical issues" that can "improve the lives of people," Edita Tahiri said:

We started talking about free movement, free trade, or about energy issue, telecom. Then we are speaking about returning the documents that Serbia took from Kosovo during the war like the civil registry and cadaster; war damage to Kosovo's cultural heritage; the issue of missing persons, etc. We'll talk about transport and other technical issues.

It has yet to be seen if Edita Tahiri will be able to use her position to advocate for other issues important to women during the Technical Dialogue with Serbia. "To what extent have you been able to raise issues impacting women and girls specifically, within the negotiations," we asked.

Well, this has not been a topic, but I am sure that in the time when the topic of war damage will come up, we will initiate this discussion. [...] My focus is dialogue, interests, issues, but sometimes I may not visualize what women's interests are. [...] I think that I am only thinking about the topic of missing persons and war damages; then we have to work on the issue of women.<sup>70</sup>



# "FROM THE MARGINS TO THE FRONTLINE"

*"This marginalization upset us women, especially us in politics and civil society leadership. So we were of course thinking of strategies for bringing women from the margins to the frontline."*

- Edita Tahiri, Deputy Prime Minister for Foreign Policy and National Security

"I can tell you a story of how we got a quota," said Edita Tahiri, referring to the 30 percent of parliamentary and municipal assembly seats reserved for women:

After the war there was the tendency of marginalizing women from politics despite the fact that women in Kosovo were highly involved in the process of liberation, independence, and democracy. This marginalization upset us women, especially us in politics and civil society leadership. So we were of course thinking of strategies for bringing women from the margins to the frontline. And this is how we started to advocate the quota for women. Women politicians and civil society, our goal was common: empowering women starting from the Parliament.

At that time, the breakthrough happened in a very strange way. We were talking to political parties in Kosovo, but also to UNMIK, the international administration in Kosovo, who didn't bring a model of women's involvement because they were also mostly men.

Until the first local elections were held, there were municipal leaderships. However, they were based more on self-appointment than any procedure. So I initiated procedures in the Municipality of Prishtina for choosing the Mayor until the elections. My proposal was that the Council of Political Parties, including branches of the central leaderships of political parties, gather and vote for the Mayor. It was not all democratic, but it was better than a self-appointed Mayor. In that formula, which at that time I convinced UNMIK to apply in Prishtina, I was a LDK candidate. There were other candidates from other parties like the Democratic Party of Kosovo (PDK). I won.

But the UNMIK Chief, Kouchner, was not ready to implement this. The reason was that there was a competition between the LDK and the ex-armed resistance [which had become the PDK]. And because we as LDK won, he said, "I cannot implement this decision because if the ex-KLA or the PDK are upset, then they might not want to be part of the elections." Instead, Kouchner proposed a compromise formula of having co-mayors: one from LDK and one from PDK. I refused this proposal as absurd and undemocratic. So because of stability, Kouchner didn't implement my position as the Mayor of Prishtina Municipality, although I won the support of the majority of political parties. [...]

So women were critical of Kouchner. He could not even appear publicly in those days. Whenever he was in public speeches or debates, women would criticize him. And one day he came to me and said, "I cannot bear this pressure which comes from Kosovar women anymore."

And I said, "Well, I think that women do legitimate things."

Then he said, "What can I do for women, so to be able to have some peace with women in Kosovo, not to be criticized?"

I said to him, "Well you have a chance to support our quota of 30 percent. If UNMIK supports it, so will political parties. Here we can have women as 30 percent in municipal assemblies and the Parliament."

We agreed to organize an international conference in Kosovo and Kouchner and I were the keynote speakers. It was an international conference of women in politics. The conference happened and women from different political and civil society organizations participated. The main conclusion was support for the 30 percent quota for women.

After these conclusions Kouchner was very active so the quota became part of the law. At that time UNMIK was the one that issued the law.

For me, this is a very interesting story. [...] Because Kouchner harmed us in Prishtina Municipality by opposing my nomination, he wanted to compensate or he wanted to really show women in Kosovo that he was not against women's participation. That was how we achieved this quota.

I have to add that there was a lot of misinterpretation about who launched the quota. There was sometimes the view that the quota was an idea of the internationals. I have to say that the quota was our idea because we were looking for ways to come back from the margins to the frontline.<sup>71</sup>

The quota requires that at least 30 percent of the candidates on political party lists during elections are women. Towards gender equality it also stipulates that at least 30 percent of the candidates must be men. The quota enabled women to secure 30 percent of the seats in the municipal assemblies and later in the Parliament.<sup>72</sup> The positive impact

of this measure on the “increased representation and meaningful participation of women in national and local governance” was evident.<sup>73</sup> Women secured only eight percent of the seats in the first municipal elections in 2000, but the quota guaranteed 30 percent in future elections.<sup>74</sup> Eventually, the Law on Gender Equality (2004) would call for women and men to each hold at least 40 percent of positions at all decision-making levels.

Increasing women’s participation at every level of politics is crucial, but insufficient. The Kosova Women’s Lobby, an *ad hoc* group uniting women in civil society and politics around issues of common concern, joined the broader Reforma 2004 Coalition in recommending changes to the electoral system in 2003.<sup>75</sup> They wanted to address critiques that the quota “can bring numbers but not always quality” as it would enable voters to vote for their preferred candidates among multiple choices, Edita Tahiri said.<sup>76</sup> They believed that an open list electoral system, where voters selected candidates by name rather than party, would enable citizens to elect and hold accountable individual women. While advocacy efforts did not succeed in time for the 2004 elections, an open list electoral system was introduced in 2007. This enabled measurement of the extent to which women were elected by name recognition or received seats thanks to the quota. In 2007, 43 percent of the women in Parliament were elected by name recognition and 37 percent in 2010.<sup>77</sup>

By 2011, the quota was under threat with European Commission (EC) pressure. The EC’s representative on the Kosovo Election Commission stated that the quota was “undemocratic.” Women’s rights activists questioned whether having a primarily male Parliament would be democratic. “I don’t think political leaders in Kosovo would give places to women if it wasn’t for the quota,” Igballe Rogova said:

In the last meeting when we discussed the electoral system some parliamentarians said, “We don’t need

quotas." They didn't realize how easy they got into the Parliament because of the quota. I said, "Without the quota you would not be able to touch the threshold of the Parliament doors with your foot."<sup>78</sup>

The quota also had advocates among men. Former Police General Director turned parliamentarian Behar Selimi aptly stated, "The quota is needed until the mentality that we need women represented is reached."<sup>79</sup>

The quota alone, however, has not guaranteed women's "meaningful participation."<sup>80</sup> Only a couple women have ever served as mayors, the powerful position at the municipal level. Despite the decentralization process, decision-making remains centralized in Kosovo. The "old boys' network" receives directives from political party leaders sitting in Prishtina. Political parties tend to remain male-dominated and centralized.<sup>81</sup> Women's rights activist Sevdije Ahmeti believed that male political party leaders played the role of puppeteer in decision-making processes. "Women are married to political parties. They dance the way the political party leader pulls the string. No one saw it necessary to implement 1325 or CEDAW."<sup>82</sup> She believed women were used merely as "puppets," instruments to voice the opinions of men.

Even if not all women parliamentarians were "puppets," they did struggle to make their voices heard. Donika Kadaj, a parliamentarian for AAK recalled:

[During a meeting with my colleagues,] I sneezed, and nobody said, "Bless you." As a joke I said, "Bless you," to myself.

And my colleague replied, "You're a woman, and you must sneeze three times for someone to say, bless you." It confirmed what women have been saying all the time: we must work and perform three times better just to be considered equal.<sup>83</sup>

Teuta Sahatqija, the former head of ORA party and a two-term parliamentarian agreed:

If there is no strong woman within the structure [of a party] this shows that without affirmative measures women cannot compete equally with men for positions. Their foundation is simply not the same. It is like having a man start off from floor twenty of a building whilst the woman has to start from the ground floor. [...]

Primarily, when a woman speaks, there will be two to three times more attention paid to her appearance, than to her words, her text. There will be sarcastic smiles by men. In the beginning, women have to be very strong when it comes to speaking out about a subject whilst men have a blank check handed to them.<sup>84</sup>

That most decisions continued to be made within political parties and parties tended to be led by men limited women's "meaningful" participation in decision-making processes.<sup>85</sup> As political parties in Kosovo remain rather hierarchical, men do not necessarily have greater decision-making power than women if they do not sit at the top of the party.

The quota did not necessarily ensure the "representation" of diverse women's interests within decision-making processes either. The interests of Roma women, for example, have been largely ignored, according to Roma women's rights activist Shpresa Agushi:

Unequal and insufficient participation of Roma women in decision-making positions at the local and national government levels have impacted the exclusion of issues faced by Roma women in Kosovo laws and in political developments, economic and social. This happens because some governmental institutions and international institutions in Kosovo do not include

women of all ethnic groups in Kosovo, and in particular they do not involve Roma women. [...] There are no relations of cooperation between Roma women NGOs and the Assembly, ministries of Kosovo, and UNMIK in order to transmit the worries and the proposals of Roma women and girls.<sup>86</sup>

Serb women's rights activist Snezana Karadzic said ethnic minority women faced obstacles to participating in decision-making processes.<sup>87</sup> "I have a lot of barricades," she said. "More or less we are all alone."

In addition, "Not necessarily every woman is a champion of women's rights," said Theodora Krumova, a former OSCE gender focal point. "There were times in which women have not differentiated between the party and their position as women," Teuta Sahatqija acknowledged.<sup>88</sup> "This means that, at that time, the party was a priority because it was the time of state building and [working towards] the independence of Kosovo." Nationhood was seen as the primary focus and gender equality as a separate and secondary issue, rather than something to be considered throughout Kosovo's state-building process. "We have little or no examples where they actually forgot their political background and thought as women," Naime Sherifi said. "They often represent the parties they are in rather than women, as women themselves."<sup>89</sup> A recurring critique was the limited extent to which women parliamentarians brought issues facing women into political debates.

Establishing a critical mass of women can be crucial for bringing about change, UNDP Resident Representative Osnat Lubrani said:

When women find themselves as the token women among a majority of men, they are under greater pressure to adopt the same perspective or approach of the majority. In countries like Norway, where women constitute a critical mass of decision-makers,

women are more confident to champion gender and other issues that are of particular concern to women. Having the balance between perspectives of both women and men is so very important.<sup>90</sup>

Establishing a critical mass of women is important for ensuring that women's voices are heard in decision-making processes.

Towards this end, women parliamentarians have initiated efforts to rejuvenate the Women's Caucus. Initially established in 2005, women parliamentarians sometimes clashed due to differing political party interests. Competition among women also posed obstacles to joint advocacy. "The worst part is that women are still very harmful to each other," said Shpresa Agushi.<sup>91</sup> "We're censoring ourselves." Arjeta Rexhaj agreed, "Women are often attacked by women."<sup>92</sup>

Women put aside their differences, uniting in early 2011 and giving the Women's Caucus a new name: the Group of Women Deputies of Kosovo. By 2011 hopes ran high that women might tip-toe across party lines to address issues of common concern to all women. "Unity among us is also a weapon," commented Donika Kadaj, a woman parliamentarian and member. "We are the largest group in the Parliament. We invite a number of women to this group, and they come regardless of their party and ethnicity. [...] Our main theme and agenda focus on creating a space or sensitive legislative package in relation to gender."<sup>93</sup>

The Group of Women Deputies forged a plan with various topics and a strategy, according to which a member must raise an issue impacting women in every parliamentary session.<sup>94</sup> To date, women have raised issues such as women's involvement in Radio Television Kosovo (RTK), girls' access to education, the Labor Law, protection against cancer, the insufficient number of women ambassadors appointed, and the masculinized naming of schools and roads.

Women have had some impact, according to Donika Kadaj. Since "many of the parliamentary groups have men

speaking officially to the media, it seems that it is mostly the work of men,” she said. “However, if you read the transcripts of the work done in the committees you will see that in that aspect a greater volume of quality work is done by women.”

Then, in 2011, Atifete Jahjaga was appointed the first woman President of Kosovo, shattering stereotypes and “setting an example in the region.” “There was a lot of skepticism when they picked Atifete as President,” said Naime Sherifi, “but I believe that there are women who can lead a state. [...] The case of a woman president and Deputy Prime Minister [Edita Tahiri] are signs that we are moving forward.”<sup>95</sup>

Atifete Jahjaga’s position as President exemplifies progress in terms of women’s political participation.<sup>96</sup> “Now we have a female president, first in the region. We have two deputy prime ministers. We have three women in the [...] cabinet of ministers,” Ariana Qosaj-Mustafa listed women’s accomplishments in securing decision-making positions as of 2011 (see Table 3).<sup>97</sup>

**Table 3.**  
**Women in Decision-making Positions in Kosovo**

Position	Women	Men	% Women
Presidents	1	5	16.7%
Prime Ministers	0	6	0.0%
Deputy Prime Ministers (2011)	2	4	33%
Ministers (2011)	2	17	10.5%
Prime Minister’s Office (2007)	46	102	31.1%
Deputy Ministers (2011)	0	33	0.0%
Foreign missions	13	59	18.1%
All institutions (2007)	6,013	10,711	36.5%

While the President served as a positive image of a woman in a leadership position, her ability to ensure that the needs and interests of women in Kosovo would be addressed was limited by the political system, said Ariana Qosaj-Mustafa, the President's Political Advisor for Legal Affairs. "The presidency depends on the mandate, meaning on the parliamentary system," she commented. "This means that our actions are limited regarding the function of institutions and the proclamation of laws. Any law that we disapprove of can still go through even without our consent. And the executive branch is greatly underrepresented by women. Until we have a change in the philosophy, in the mindset of these political leaders, not much will change," she concluded.

Overall, women participated more in decision-making processes in 2011 than they did in 2000. The enactment of the quota, the appointment of a woman President, the attainment of some high-level positions, and the slowly shifting perceptions of women politicians are signs of positive change. The rejuvenation of the Group of Women Deputies is another positive step. Women have used Resolution 1325 to assert themselves in the political arena. They have contributed the Resolution's implementation through their lobbying and sheer determination to infuse life into this written document.

# WOMEN IN KOSOVO INSTITUTIONS

The Constitution of Kosovo names gender equality as a fundamental value and participation is one of its more evident manifestations. The Law on Gender Equality, approved in 2004, calls for “equal opportunities for both female and male participation in the political, economical, social, cultural and other fields of social life.”<sup>98</sup> The Assembly of Kosovo, civil service, Judicial Council, and Constitutional Court, among others, must ensure that the principles of gender equality are respected. The topics addressed in the Law on Gender Equality are extensive, leading some to see it more as a wish list than an implementable law.

The Law considers gender equality requirements to have been met when women’s participation reaches 40 percent within all institutions.<sup>99</sup> Forty versus 60 percent hardly seems equal. However, it is an impressive goal if we consider that of the European Union countries that have quotas, these generally range between 30 percent and 50 percent.<sup>100</sup> The Law also stipulates that gender equality must be considered in the naming of institutions, public undertakings, and roads.<sup>101</sup> It requires all public and private institutions to provide equal employment opportunities for women and men. Following extensive advocacy on behalf of women’s rights activists, the Law also established the Agency for Gender Equality within the Prime Minister’s Office, theoretically at the highest possible level.

The Agency for Gender Equality (AGE) was created in 2005 to implement and monitor the implementation of the Law on Gender Equality, promote policies towards gender equality, propose research on gender equality issues, and

work to increase gender equality awareness, among other tasks.<sup>102</sup> Mehdi Geci described his duties at the AGE in 2007:

I have to participate in all laws that have to do with human rights and gender equality. We participate in working groups; we prepare comments, suggestions and recommendations. Also we are obligated to participate in all parliamentary commissions and to be active by giving our suggestions, and recommendations according to that law.<sup>103</sup>

He faced challenges, however. AGE is under-resourced. "The first obstacle is the small number of people who work in this Agency," he said. "Now we face a lack of capacity." The shortcomings were apparent to Arjeta Rexhaj: "We expected much more from this institution [...] but there were not qualified people." She added, "Officials for gender equality in Prishtina don't cooperate with us as much as they should. We have some kind of collaboration, but they don't take initiative for implementing the Resolution or laws."<sup>104</sup> In 2007, Luljeta Vuniqi agreed:

It's unbelievable: they do not understand their role and civil society's role. They are organizing, for example, roundtables and activities that women's organizations should do. They are supposed to create policies, to help women's organizations in their work, and to monitor the implementation of the Law on Gender Equality, Anti-discrimination Law, and so on. [...] I understand that they have so little power, so little support, budget, staff, and very low capacities.<sup>105</sup>

Respondents expressed concern that although it is supposed to be an independent agency, it is exposed to political interference. The appointment of a permanent Chief Executive Officer took six years. The candidate finally selected

in 2011, a politician's relative, was too young and inexperienced to push for the implementation of the ambitious Law on Gender Equality, women's rights activists felt. Municipal gender equality officers and gender focal points appointed within the ministries also seemed to lack knowledge, sufficient financing, and political clout to further gender equality.<sup>106</sup>

"A big mistake was to think that gender equality is achieved by merely establishing an Agency for Gender Equality," said Besim M. Kajtazi, Head of the Department of Human Rights. Sirpa Rautio agreed, "I hope the gender machinery gets stronger because it was not working effectively. It was fragmented and seemed marginal."

Despite the long list of criticisms, AGE had a few key achievements, such as collaborating with KWN to carry out research on domestic violence, ensuring KWN experts were included in the working groups drafting the new Law on Protection against Domestic Violence, and cooperating with the Statistical Office of Kosovo to publish gender disaggregated data.

## **Security: "It's a man's world"**

*"[Security is] a male dominated system. Pushing to have a woman involved in the National Security Council, Edita, is an ongoing process for me. I worked on it for three years. Even from the international community I didn't get a clear answer. I started talking about national security legislation. No one would talk to me because it's 'men's work,' like that song, 'It's a Man's World.'"*

- Arjeta Rexhaj, Political Advisor to Deputy Prime Minister Edita Tahiri

Policemen whispered to each other in the locker room. Atifete had just been promoted to the position of General Major. She was the first woman in Kosovo to hold such a high position within the Kosovo Police. Her male colleagues grumbled, ignoring her decade of service, the fact that she passed all the tests, and climbed her way up the ladder from officer to major to colonel and eventually General Major.

"I had no idea about this gender implementation thing," former Police General Director Behar Selimi commented years later. "These two women, [Flora Macula and Igballe Rogova], told me about it and then we started pushing together for greater gender parity and gender mainstreaming within the police." Drawing from his newfound knowledge, Selimi later pushed for his counterparts in the police to promote a woman who possessed the same knowledge. "She passed all the exams," Selimi told his colleagues. "She's very hard-working. Why doesn't she receive the same promotion as I?"

Eventually other police officials caved in, without any logical justification otherwise. But the locker room gossip continued with unfounded tirades as policemen struggled to justify how a woman could be promoted to such a position.

Not only would General Major Atifete Jahjaga move on to develop the five-year strategy for the Kosovo Police together with her colleague Lieutenant Tahire Haxholli, but she would eventually serve her country as the first woman President not only in Kosovo, but the region.

Towards strengthening the physical security and safety of women and girls, women's equal participation in responsible bodies, namely the justice, security, and Foreign Service sectors, is crucial.<sup>107</sup> Women's involvement in these sectors, the UN Secretary-General writes, can serve as "a proxy for the responsiveness of justice, security and foreign service sector actors to women's concerns." Equal participation is not only about equal opportunities for qualified women to fill these positions, but also about obtaining better

results due to their involvement. Having more women present allows for gender mainstreaming to be furthered. In some instances, women can provide a secure environment for other women to speak out about crimes, Hysni Shala, Kosovo Police Sergeant and Coordinator of Human Rights said:

Kosovo's citizens have different requirements based on gender. When the victim is a woman, we expect the person who treats her to be a woman too. We had cases in which a policewoman received information from someone that a man would not have received. Even children find it easier to communicate with women than men.<sup>108</sup>

The presence of women in the security sector adds an element of sensitivity, as women may be better able to "feel for the victim," he said. Employing women in security sectors proves invaluable when responding to the specific security needs of women and girls or ensuring their fair treatment. Women can widen narrow understandings of gender issues and shed light on women's security concerns, allowing for a more equal participation in society by women and girls.

Even so, institutions have struggled to ensure women's equal participation in sectors traditionally seen as "a man's world." "The profession of policeman is perceived as a masculine position and more as a force than a service," said Hysni Shala. "This mentality is not only present here in Kosovo but everywhere [in the world]."<sup>109</sup> Indeed, some respondents blamed UNMIK for transporting from their own countries into Kosovo a poor example of women's inclusion within security forces. Former General Director, Behar Selimi, recalled policemen arguing against proposed policies towards gender equality, stating, "even UNMIK did not have this many women."<sup>110</sup> Selimi shared his experience:

All obstacles in implementing Resolution 1325 come from a culture of male resistance, which is not only

local but also international. [This is] a male resistant culture to the participation of women in security positions or security services: military, police, and other agencies that implement law and order. This culture didn't impress me so much. I had my opinion about the internationals. I never thought that they were the most qualified from around the world, but I still expected them to be more cooperative, more committed to build the philosophy of gender equality, particularly Resolution 1325. Being in Kosovo, they are obliged to implement that Resolution because it has to do with international peacekeeping missions. This was an obstacle because we expected the international police would offer a good example of implementing Resolution 1325. We didn't find any good example. Still, in their police force there are no women in strategic positions. This was an obstacle because we didn't have something on which we could base the new police force. In the meantime, we didn't have legislation to make this Resolution mandatory.

And international staff didn't know what Resolution 1325 was. [...] Only the present police commissioner knew because he used to work in the panel for reviewing peacekeeping missions in the world. [...] We tried to suggest, continuously starting from the UNMIK SRSG, to start training on Resolution 1325 for all their staff, police chiefs, military chiefs, and mechanisms they used to establish state order. But absolutely they were surprised, "What is this Resolution 1325?" And they said, "What is wrong with this Behar who is insisting on this issue?" Even internationals were surprised that I was doing this job in the name of equality.

The efforts of Selimi and other advocates of gender equality led to progress within the Kosovo Police, including the introduction of measures towards protecting women's and

girls' human rights.<sup>111</sup> This included establishing an Advisor for Gender Issues within its administrative structure, a Committee for Gender Equality with 100 regional gender advisors, an action plan for incorporating gender in all fields, specialized regional units for anti-trafficking and domestic violence, Standard Operating Procedures for both trafficking and domestic violence cases, and policies towards furthering women's participation at all ranks.<sup>112</sup>

The percentage of women participating in some police ranks has increased slightly with time, including colonels, majors, security officers and civil staff. Now women serve as regional commander, colonel, leader of the recruitment department and chief of a directorate.<sup>113</sup> However, overall police appear to be "struggling" to retain women.<sup>114</sup> Where women comprised 20.6 percent of the Kosovo Police in 1999, this fell to 14.7 percent in 2011.<sup>115</sup> In all ranks but civil staff women comprised 15 percent or less of the force.

A decrease in women's participation within the Kosovo Police over the last few years has been attributed to insufficient income, change of marital status, and working conditions.<sup>116</sup> The fact that police work involves travel and women tend to have more care responsibilities at home meant that women or their families may not consider policing a suitable occupation.<sup>117</sup> Haxholli explained:

Most policewomen have been unmarried. In the moment that they are married they might leave due to pregnancy because maternity leave is very short. [...] Some are probably married outside Kosovo or married with a person who does not like this profession or does not like that women work at all. Or the husband may not like the tasks that are done by policewomen, if the woman was a wife, a mother, and has to work the night patrol. But here we have a policy: when a woman becomes pregnant, we assign another, easier task like working as administration or

office staff. She who has a child one year or younger does not have to work at night, but maybe after one year she would be wanted for night patrol. If she has a jealous husband, he definitely imposes that she resign.<sup>118</sup>

Thus, in an attempt to retain women,<sup>119</sup> the Kosovo Police adopted rules making work easier on women during pregnancy, such as the potential to be transferred closer to where they live, allowing them to go home more often during the week, and generally decreasing the difficulty of their position.<sup>120</sup> Women are encouraged to apply through brochures, articles, fliers, and visits by police units that speak with women in rural areas. "We have met with parents of women who were strong applicants and explained the contribution they would make to the preservation of the country," Haxholli said.

## **The new security force and other institutions**

*"Often in post-conflict situations you're trying to re-create those security structures, which are often quite a hangover from whatever they did during the conflict. So often there is some degree of purging the old and trying to bring in the new. You're trying to overcome those stereotypes and those problems."*

- Christos Theodoropoulos, Senior  
Protection Officer, UNHCR

With images, memorials, and statues of weapon-bearing men strewn about Kosovo and international media, the thought that women carried weapons in the conflict may

not have crossed people's minds. Yet, 857 women comprised an estimated 3.33 percent of registered former Kosovo Liberation Army (KLA) fighters.<sup>121</sup> What happens to soldiers when the fighting ends?

Disarmament, Demobilization and Reintegration (DDR) programs seek to disarm former combatants, asking them to: "forfeit your weapon and enter 'normal life.'" The UN Secretary-General calls for attention to the specific security and other needs of women ex-combatants and security actors.<sup>122</sup> He proposes assessing the extent to which women and girls are included in reparation programs by examining the percentage of benefits they receive.

Reparations in terms of monetary payments have not existed in Kosovo, though programs offered humanitarian and other transitional assistance for former KLA fighters. At least two large-scale DDR programs existed in Kosovo, but they did not maintain data on the monetary equivalent that women and girls received, as proposed by the UN Secretary-General. Nor did any known efforts exist to "mitigate factors that prevent women's and girls' access to reparations or DDR benefits."

For the first DDR program, UNMIK and KFOR contracted the International Organization for Migration (IOM) to facilitate the demilitarization and reintegration of KLA ex-combatants in 1999, as called for by Resolution 1244. IOM representatives entered regions throughout Kosovo in a massive campaign to register all KLA members. IOM did not undertake any specific assessment focused on the needs of women ex-combatants. Their mandate involved providing skills training and job placement assistance to all former combatants, regardless of gender. In total, they registered 25,723 former KLA combatants, including 857 female combatants (3.3 percent). No gender-disaggregated records exist on how women benefitted specifically. Overall, 1,961 former combatants were referred for short-term employment, 2,881 for long-term employment, and 4,552 entered the Kosovo Protection Corps (KPC).<sup>123</sup>

With only 17.7 percent of registered ex-combatants joining the KPC, thousands had to secure other livelihoods. In 2009, the UNDP KPC resettlement program assisted 1,462 women and men enrolled in transitioning to civilian life.<sup>124</sup> UNDP offered counseling for participants and “facilitated their difficult transition from life in uniform as a member of the KPC, to life as a civilian.”<sup>125</sup> “The vast majority of them are now well along the path to reintegration,” UNDP reported. The program assisted 42 women, comprising 2.9 percent of the caseload.

With time and decreasing international aid, veterans face increasingly dire economic conditions. “They who sacrificed themselves and were imprisoned for decades never received any awards or public recognition,” Shukrije Gashi of Partners Kosova said.<sup>126</sup> “They were not granted state care or any benefits such as pensions or health insurance.” Unlike people with special needs or the elderly, veterans are not entitled to state benefits. “There is nothing,” said Muharrem Xhemajli, President of the Organization of Veterans of the Kosovo Liberation Army.<sup>127</sup> “No benefits or anything are institutionalized for women or men veterans.” This became a key rallying point for some veterans who camped for 61 days before the Parliament in 2011, demanding government attention to their plight.<sup>128</sup> Their demonstration became a hunger strike as they called for the adoption of the draft law on “KLA values,” which would provide them with state benefits similar to those already received by war invalids and the families of persons who died during the war.<sup>129</sup> On 22 July the strike ended with veterans standing by to see if the law would be approved in 2012 as promised by government officials.<sup>130</sup>

Those veterans who had joined the KPC worked as part of this civilian security organization, which operated from 1999 to 2009. Women comprised 3.5 percent of the KPC.<sup>131</sup> Women’s unequal participation was attributed to insufficient job openings. “We don’t have a woman general,” said the then KPC Gender Focal Point Fahri Sadriu in 2007. “We

considered giving more opportunity to women because they deserve it. We would select a woman general but we don't have enough space. If we had the opportunity we would do something more."<sup>132</sup> They would later appoint a woman colonel. "But not because she was female," emphasized Colonel Safet Sylja, "but on the basis of merit."<sup>133</sup>

In 2008, the KPC transformed into the new Kosovo Security Force (KSF) with the mandate "to participate in crisis response operations, including peace support operations, to assist civil authorities in responding to natural and other disasters and emergencies [and] to dispose of explosives."<sup>134</sup> In 2011, women comprised a meagerly 8.2 percent of the Force. "We are still not completely satisfied with the number of women in the Kosovo Security Force," said Halime Morina, Coordinator of the KSF Human Rights Unit. "But it has improved drastically and it is improving," she said.<sup>135</sup> They have undertaken recruitment campaigns involving mobile teams in an attempt to encourage citizens and women in particular to apply. "I'm a woman, I'm in KSF, and I'm not discriminated against," women said during town meetings where they sought to recruit more women. "My rights are respected." Following these meetings, 100 women were accepted into KSF.<sup>136</sup>

The Ministry of the Kosovo Security Force oversees and inspects all the activities of the security force. It is also responsible for developing, and implementing laws and regulations as well as proposing and overseeing the security force budget.<sup>137</sup> As every other ministry, it has a human rights unit and gender officer. The Ministry has collaborated with experts to draft an action plan for furthering human rights and gender equality within the Ministry and KSF, adopted in September 2011.<sup>138</sup> It states "the objectives and actions that must be taken in order to further gender equality and implement Resolution 1325," Halime Morina said.<sup>139</sup>

Altogether, the 37 women working in the Ministry comprise 32.7 percent of its workforce. Some women sit in decision-making positions, including seven lieutenants and

five women colonels, three of which head departments. Although women are somewhat better represented than in the Kosovo Protection Corps, they remain underrepresented compared to men. Women do not comprise 40 percent of the Ministry as foreseen in the Law on Gender Equality.

The Kosovo Security Council established in 2009 did not initially include any women, impacting the extent to which women's needs were considered in national security policy. Women's rights activists felt the Council had a ways to go towards ensuring women's and girls' specific security needs were considered, Ariana Qosaj-Mustafa said:

When it comes to key decisions where priorities are being set, sadly we don't see many women involved. Even when a national security strategy is being drafted, we don't have many of women's security issues present, only mentioning trafficking of human beings, but without any concrete follow-up and activities and budget.

The National Security Strategy, still being drafted, should consider women's and girls' security needs, as per the UN Secretary-General's guidance.<sup>140</sup>

Women also remained underrepresented in Kosovo's Foreign Service, established in 2008. Initially, not a single woman was appointed to an ambassador position within the Foreign Service.<sup>141</sup> Women comprised a meagerly 15 percent of diplomats (three women) in diplomatic and consular missions of the Republic of Kosovo in 2008. This increased slightly to 18 percent (13 women) from 2009-2011. Headway can be attributed to the outcry by women parliamentarians and the Kosova Women's Network who demanded that women should have decision-making positions within the service. Even so, in 2011 only two of the 18 ambassadors were women (see Table 4).<sup>142</sup> The proposed appointments for 2012 did not include a single woman, prompting reactions from women parliamentarians.<sup>143</sup>

Within the justice system, the Kosovo Supreme Court had seven women judges and four men. Overall, 28 percent of the 244 judges in all courts were women and 30 percent of the 88 prosecutors.<sup>144</sup> Within the Kosovo Judicial Council, 39 percent of employees were women, though 10 of the 12 decision-making posts were held by men. The Kosovo Judicial Council did not undertake any specific efforts to recruit or employ women because they had enough women candidates applying, they said.

Overall, women remained underrepresented in all Kosovo institutions. A major challenge institutions faced in recruiting and retaining women has been what respondents called the “patriarchal mentality”, still present in Kosovo and internationally, which lends to a security sector that is primarily “a man’s world.” Overcoming this mentality and recruiting more women into all levels of institutions is crucial for ensuring that women’s and girls’ specific security needs are considered and addressed.

**Table 4. Women and Men in Foreign Missions<sup>145</sup>**

Year	Women	Men	% Women
2008	3	17	15%
2009	13	59	18%
2010	13	59	18%
2011	13	59	18%

# **SECTION II. SECURITY**

*"Security as a concept has to do with everybody and it has to be offered to everybody. If you create security only for a particular part of society the other part will feel insecure. Security doesn't have the same meaning for men as for women. In Kosovo we have a postwar situation where almost everybody felt insecure. But I think a new social framework is being created in which security is playing an important role."*

- Behar Selimi, former General Director,  
Kosovo Police

"My point of view about the security of women in Kosovo is that it's not so good," said Fahri Sadriu in 2007 when he served as the Board Coordinator for Gender Equality in the Kosovo Protection Corps.<sup>1</sup> "Security includes many things such as personal insurance, health, and economic [security]," he said. This section examines diverse aspects of women's security, based on Resolution 1325. This includes the extent to which women and girls *feel* safe in Kosovo.<sup>2</sup> The UN Secretary-General requests that the "safety, physical, and mental health of women and girls and their economic security are assured and their human rights respected."<sup>3</sup> The state of Kosovo and UN entities have responsibilities to prevent rights violations and protect women and girls, based on Resolution 1325.

The Government of Kosovo has yet to develop an index for monitoring women's and girls' security and identifying their concerns.<sup>4</sup> Therefore, each of the following chapters explores an area in which the UN Secretary-General encourages attention in safeguarding women's and girls' security: preventing war-time sexual violence; ensuring post-conflict protection, including via early warning systems of possible renewed violence; preventing trafficking; safeguarding women and girls from domestic violence; and, more broadly, ensuring their human security.

# **DURING THE WAR, "WOMEN WEREN'T PROTECTED FROM VIOLENCE EVEN FOR ONE MOMENT"**

*"Women weren't protected from violence even for one moment. In Kosovo, they say, thousands of women were raped, but nothing is known for sure."*

- Nora Ahmetaj, Director, Centre for Research Documentation and Publication

They were wearing military clothes and had black scarves on their heads. They took my sister-in-law into the front room, and they were hitting her and telling her to shut up. The children were screaming, and they also screamed at the children. She was with the paramilitary for [a] half-hour. She was resisting, and they beat her, and the children could hear her screaming. I could only hear what was going on. I heard them slapping her. The children did not understand that they were raping her. After they raped my sister-in-law, they put her in line with us and shot her.<sup>5</sup>

This testimony of a woman eye witness from Peja, recorded by Human Rights Watch, is only one of many accounts of the atrocities instigated against women and girls

during the 1998-1999 war. Violence perpetrated by Serbian paramilitaries and police during this period has been well documented. The widespread reports of sexual violence led Human Rights Watch to assert that rape was used as a weapon of "ethnic cleansing" in Kosovo. "Rapes were not rare and isolated acts committed by individuals, but rather were used deliberately as an instrument to terrorize the civilian population, extort money from families, and push people to flee their homes," Human Rights Watch wrote.

Considering the heinous acts of violence against women during the wars in the former Yugoslavia, the 1998 Rome Statute that established the International Criminal Court (ICC) recognizes that "rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence" are "crimes against humanity" when "committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack."<sup>6</sup> The International Criminal Tribunal for the former Yugoslavia (ICTY) includes rape and "other inhumane acts" as "crimes against humanity."<sup>7</sup> Resolution 1325 "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."<sup>8</sup> Unfortunately the Resolution came too late for Kosovo.

"It is primarily the young women who are rounded up in villages and small cities. The soldiers take groups of 5 to 30 women to unknown places in trucks or they are locked up in houses where the soldiers live," wrote psychologist D. Serrano Fitamant in May 1999.<sup>9</sup> She continued:

Any resistance is met with threats of being burned alive. Gjakova, Pec [Peja] and Drenitza [Drenica] were often indicated as places where kidnaping [*sic*] and collective rapes took place. The women were individually raped by many men, during a few hours but sometimes even for days. [In Berlenitz,] they then cut open the stomachs of many pregnant

women and skewered the fetus on their blades. [...] In the same city a group of 30 young girls was forced to follow the soldiers into a house while the mothers waited outside. For two hours the mothers listened to the screams of the young victims who then came out one by one. Some were covered in blood, others were crying and their heads were hanging low.

"These are not occasional incidents committed by a few crazy men," wrote Regan Ralph at Human Rights Watch. "Rape was used as an instrument of war in Kosovo, and it should be punished as such. The men who committed these terrible crimes must be brought to justice."<sup>10</sup> Human Rights Watch documented 96 rapes that had occurred during the war in Kosovo. Estimates suggest that between 10 and 45 thousand women and girls were raped during the war.<sup>11</sup> "Women in Kosovo are waiting for justice, and so far none of the Kosovo indictments have included sex crimes," said Regan Ralph in 2000. "The sooner there are investigations and prosecutions, the sooner these women can begin to rebuild their lives."<sup>12</sup>

As the only formal institution of transitional justice related to the Kosovo war, the International Criminal Tribunal for the Former Yugoslavia (ICTY) is responsible for implementing Resolution 1325 by ensuring that "processes of transitional justice, reconciliation and reconstruction are gender responsive."<sup>13</sup> Yet, the mandate of the ICTY is not particularly responsive to women's specific needs. The 79-page ICTY Statute mentions "women" only twice, both times related to Bosnia and Herzegovina. Girls are never mentioned, nor are crimes allegedly committed against women in Kosovo.<sup>14</sup> The ICTY outcome reports do mention Kosovo, but not gender-based violence.

The ICTY has had a gender unit since 2003, responsible for furthering gender equality at the ICTY.<sup>15</sup> A gender advisor sat in the Office of the Prosecutor, working to mainstream gender expertise throughout the ICTY and to

encourage a sensitive approach to investigating and indicting gender-based crimes.<sup>16</sup> A sexual investigation team was formed in 1995 to train police for such investigations; it was later dissolved once awareness had increased.

As discussed in the last chapter, women's participation in security and justice institutions can impact the extent to which these institutions consider the specific interests and needs of women and girls. Women comprise roughly half of the total employees at the ICTY, though men tend to be represented more in decision-making positions (see Table 5). With regard to the number of Kosovar women who testified at the ICTY, statistics are "not configured to provide data of this nature."<sup>17</sup>

In line with Resolution 1325, Prishtina, Sarajevo, Zagreb, and Belgrade all have ICTY outreach offices with a mandate to facilitate activities in communities and engage local groups.<sup>18</sup> Outreach aims to "communicate to the people of the former Yugoslavia the importance of holding accountable individuals who violate international humanitarian law and the significance of rendering justice to victims." The UN Secretary-General also encourages bodies like the ICTY to

**Table 5. Staff at the ICTY by Gender and Position**

Position	Women	Men	% Women
ICTY staff overall	448	456	50%
Presidents	1	6	14%
Vice Presidents	2	4	33%
Current permanent judges	2	14	13%
Prior permanent judges	6	25	19%
Current Ad Litem Judges	4	5	44%
Former Ad Litem Judges	10	15	40%
Prosecutors (all)	2	3	40%
Deputy prosecutors (all)	0	3	0%

carry out hearings and meetings with women's groups.<sup>19</sup> If such meetings have occurred, women's groups in Kosovo have not heard about them. While attention was given to women in Bosnia, no known ICTY outreach campaigns have targeted women in Kosovo. Rather, victims in Kosovo seem to have been largely ignored by the official transitional justice process at the ICTY.

Charges involving acts of sexual violence allegedly perpetrated in Kosovo appeared in only four cases: Milošević, Milutinović et al, Đjordžević, and Haradinaj et al.<sup>20</sup> While Haradinaj and Milutinović were acquitted, Milošević passed away during his trial. Vlastimir Đjordžević was convicted of persecutions on political, racial, or religious grounds, murder, deportation, and forcible transfer. He was sentenced to 27 years imprisonment for his "encouragement" or "support" of forces that: "forced deportation of approximately 800,000 Kosovo Albanian civilians," "murdered hundreds of Kosovo Albanian civilians and other persons taking no active part in the hostilities and sexually assaulted Kosovo Albanians, in particular women."<sup>21</sup> Yet, he was not convicted of charges relating to sexual violence:

While the Chamber has found that incidents of sexual assault have been established, no evidence has been presented that the perpetrators acted with intent to discriminate. Intent to discriminate is an essential element which must be proved. Therefore, the charge of persecutions committed through sexual assault has not been established.<sup>22</sup>

Thus, of the hundreds, potentially thousands, of cases of alleged sexual violence, not a single perpetrator of sexual violence in Kosovo has been convicted by the ICTY. The "extent to which violations of women's and girls' rights are addressed in view of known patterns of war-time violations" has been insignificant.<sup>23</sup>

What might be slowing the justice process? Women's rights activists in Kosovo said that securing sufficient evidence for charging alleged perpetrators proved extremely challenging due to the extensive investigation process. Women's rights activist Sevdije Ahmeti explained:

Dates were very important. If women had a date when the crime occurred, I would study an archive of the Yugoslav police, and find out who was there on that date. It was the most dangerous work I did. [...] I would take ICTY investigators to these sensitive places. Then the investigators needed to contact the women, but the interview was too long and harmful. It took hours and days. Each part needed hours to explain, and you can't miss even the smallest of details. [...] Victims needed to remember the place, the number of perpetrators, the uniform of the perpetrators, the name of the commander... all these details made many women unable to be good candidates for witnesses. [...] It's a type of exam, while meanwhile some victims needed doctors, gynecologists, abortions. After the exam there were certain candidates that "passed" as "good witnesses."<sup>24</sup>

Although they had been victims of horrendous crimes, many women struggled to recall all of the details necessary for them to be a "good witness."

Provisions enabling women from Kosovo to testify also were less than satisfactory, Ahmeti said. For the few women who "passed the test" and could testify at the ICTY, "the consequences are very high," she said. "The accused has the right to have the name of the witness accusing them, by international law." Thus, Milošević, for example, could share the names of witnesses with his colleagues in Belgrade, potentially placing witnesses at risk, Ahmeti said.

The ICTY offered witness protection to avoid “the stigma that often follows the victims of sexual violence [and] presents a real obstacle to their efforts to re-socialise and continue with their lives.”<sup>25</sup> The ICTY witness protection unit has measures such as relocation and changing the victim’s identity. The ICTY provides support through the Victims and Witnesses Section (VWS):

When required, the VWS offers psychological counseling designed to ease the possible trauma of testimony. Experienced staff reinforce the witness’s coping mechanisms, and ensure that they fully control their input and exercise of rights during court proceedings. Moreover, the VWS staff is supposed to monitor the court appearance, at all times ensuring that the witness is not exposed to unbearable strain. After the testimony, VWS officers help witnesses reflect on their court experience and try to help bring some form of closure.<sup>26</sup>

While the ICTY’s witness protection services sound thorough, women’s rights activists in Kosovo felt witness protection and psychological counseling were insufficient. Ahmeti explained:

Witness protection starts the day they step into the tribunal and ends after they finish giving testimony. Now where can the victim go? Many times the perpetrator still is waiting to be found, identified, and jailed. There is the fear that the victim’s family will be killed, or that she will be killed.

In instances where witness protection was offered, sometimes it arrived late, according to Veprora Shehu whose organization *medica Kosova* assisted two witnesses:

During the war the witness was gang raped for two weeks and her father, sister, and brother were all

killed in front of her eyes. She was a double witness in front of the tribunal in 2002-2003.

After she went to the ICTY the first time, her neighbors asked her about testifying. She said she was testifying about the killing of her family. There was a direct broadcast of the issue on TV. She was examined once for both crimes to save the ICTY's time. It was a closed session, not on TV, but the neighbors still found out.

She then had a second hearing to give her final statement. She refused. She didn't want to return to Kosovo. She already had been returned after the first hearing even though she didn't want to. She had a son and wanted the tribunal to guarantee them relocation to a third country. They said yes, so she went back to the ICTY and now she lives [elsewhere].

Protection is not available like this in all cases. Insecure circumstances and the government not providing security for these women allow impunity to continue.<sup>27</sup>

As Kosovo is a small country with strong family bonds and social networks, anonymity and confidentiality are difficult to ensure. "People know each other," commented Nora Ahmetaj. "Even with witness protection, somebody might recognize your voice."<sup>28</sup> Vepore Shehu agreed:

The lack of guarantees make women not want to testify. They should have started these trials a long time ago. The more time goes by, the more difficult it is. Women are married now. How can you expect them to go back? [...] How can we have implementation of 1325 if we don't have this justice for women?

Hesitancy to revisit the traumatic past, insufficient anonymity, and fear of perpetrators still roaming free all preclude women from coming forward to testify.

Yet, experience from experts and women's rights activists suggests that some women are ready to testify when the right conditions are established. Contrary to other reports, Fitament wrote:

I was surprised at their willingness to speak, as so many people had told me that they would be unwilling to talk about experiences which their communities regard as shameful. However I found the women did very much want to talk and had not been able to because there had been no one appropriate for them to talk to.<sup>29</sup>

Perhaps some women's rights activists and investigators were lured into widely held assumptions that "stigma and shame" would prevent women from coming forward. Yet, had greater efforts been taken to create a secure climate in which women could speak, victims of rape may have been willing to testify, women rights activists' recent conversations with women suggest.

Aside from the ICTY, UNMIK investigated and prosecuted war crimes that involved sexual violence, but data did not track sexual violence and was thus unavailable.<sup>30</sup> UN and EU officials told KWN that UNMIK left behind "messy" case files that EULEX then had to sift through.

"In January 2009, EULEX inherited from UNMIK reports received from 1999 onwards of more than 1,187 acts of suspected war crimes which UNMIK believes lack sufficient evidence to be handed over for prosecution and a further 50 that were referred to the UNMIK Criminal Division for indictment," the UN Secretary-General reported.<sup>31</sup> Under its mandate, EULEX's executive powers included to "ensure that cases of war crimes [...] are properly investigated, prosecuted, adjudicated and enforced, according to the

applicable law.”<sup>32</sup> EULEX established a War Crimes Investigations Unit tasked with investigating missing persons, locating grave sites, and collecting evidence.

By August 2009, EULEX had begun investigating 50 cases, but 1,009 cases remained inactive, including 158 cases dismissed for lack of evidence, among other reasons.<sup>33</sup> The number of these cases that involved sexual violence was unavailable. As of 2010, none of the more than 40 international EULEX judges were dealing exclusively with war crimes and only two of the 20 prosecutors were dedicated to war crimes.<sup>34</sup> By the end of 2009, EULEX had tried four war crimes cases involving eight defendants;<sup>35</sup> seven were convicted and one died. Of the seven EULEX case files that involved charges of war crimes against civilians, none involved sexual violence. Only one case involved a woman victim, a Kosovo Albanian whom KLA member Idriz Gashi shot to death in the woods near Vranoc, Peja on 12 August 1998.<sup>36</sup> Gashi was convicted and received only 14 years imprisonment. Not a single case involving sexual violence perpetrated by Serbian forces against women was found.

Initially sexual violence perpetrated against women during the war did not appear to be a priority for EULEX, Lina Andeer of Swedish women’s rights organization Kvinna till Kvinna said:

We met the Chief Investigator. He didn’t think it was possible to investigate cases of rape as a war crime. It is not possible to find the real statistics and numbers, he said. They are not taking any special measures to find out about rape. There are five cases reported, but we’ve found there should be more. There is a lack of will, coordination, and capacity even with all their access and ability. It is difficult to open up the wounds of the victims after ten years, but EULEX has this executive mandate and they don’t do anything about it.<sup>37</sup>

EULEX representatives said cases had not moved forward because time had passed, identifying witnesses willing to testify was difficult, and evidence was lacking.<sup>38</sup> As of 2011, tides were slowly turning, though, and EULEX began investigating sexual violence cases. EULEX representatives also met with women's organizations to discuss the process and potential collaboration.

Another important action towards encouraging women to demand justice, or simply to live more peacefully within their communities, involves transforming social norms. Following the media hype surrounding victims immediately after the war, what women's rights activists called the "re-raping" of women, silence engulfed the issue. Unlike in Bosnia, where politicians publicly recognized and strongly denounced the sexual violence perpetrated against women and girls, no such public recognition of rape occurred in Kosovo, despite women activists' requests for such recognition. "Government members will continue to ignore women if there is no public recognition," Igballe Rogova said.<sup>39</sup> Vepore Shehu added, "There needs to be something in the law, in public, so that people know it's important and that women didn't want it. It could have happened to a woman they know." She said:

I think public recognition is something that comforts you. One of my husband's clients got pointed at on a bus. She was a rape survivor. After that she decided that she would walk to work instead. Finally when she returned to using the bus someone pointed to her and asked her if she was the girl who was raped and she responded, "Yes, but I didn't ask for it." Some people think that women were asking for it, when in fact women were at great danger going to get food and supplies for their households as the men hid in the basements during the war.

Veprorë Shehu believes that more public outreach campaigns are needed so that people will become "more empathetic and thoughtful about the issue."

Towards an institutionalized response, her organization *Medica Kosova* also has instigated efforts to amend the Law on the Status and the Rights of the Families of Heroes, Invalids, Veterans, and Members of the KLA and of the Families of Civilian Victims of War, which does not entitle victims of sexual violence to benefits or pensions.<sup>40</sup> Recognition and social assistance towards protecting victims' wellbeing, women's rights activists say, is crucial for unweaving the web of silence and unfounded guilt surrounding women who suffered sexual violence during the war.

# **“WOMEN’S SECURITY ... A PRIMARY OBJECTIVE FOR PEACEKEEPERS”**

*"A comprehensive and sustainable peace is not possible in post-conflict situations unless women's security and participation is a primary objective for peacekeepers."*

- UN senior official, Security Council meeting, 2008<sup>41</sup>

It was morning in the small, quiet village of Krushë e Vogel. The village began to bustle with townsfolk arising to complete their daily tasks. Women of the village carried pitchforks on their way to move grass and begin their strenuous labor for the day. Few women had male family members to help them. On 26 March 1999, 114 men, 70 percent of the men in the village, had been separated from their families and massacred by their own Serb neighbors. Others went missing. Additional crimes like rape and torture were committed against women and children before their Serb neighbors and paramilitary forces chased them to the Drini River, telling them to either “drown themselves or walk to Albania.” Their homes were then raised to the ground, their cattle killed, and their fields destroyed.

Although these crimes were never prosecuted or even acknowledged by the Government of Serbia, the women in the village have worked hard to rebuild their lives with support from local women’s organizations. Now they can

make their own living. They have learnt to drive tractors, bring their own goods to market, and provide peer support to each other. Life has slowly been looking brighter.

On 25 May 2006 at around 9:15 a.m. something out of the ordinary stirred in Krushë e Vogel. Twelve UNMIK police armored vehicles arrived unannounced. Neither the Kosovo Police, nor elected officials, nor anyone from the village were informed about their visit. The vehicles stopped, and an UNMIK police officer asked a girl where they could find the house of the Batusha family. As the girl pointed to the house, other villagers peered into the motionless vehicles. They saw inside the cars their former Serb neighbors who had committed atrocities against them seven years ago.

"They are coming back!" A woman screamed, as the memories of that horrid day in March 1999, returned to haunt her.

Hearing her, women on their way to the fields approached the UNMIK vehicles. On behalf of the women villagers, Shpresa Shehu, a leader, schoolteacher, and women's rights activist, asked the UNMIK police if the women could speak with the passengers in the vehicles. The women wanted to ask their neighbors what had become of their children and husbands still missing since the war. The UNMIK officers refused.

Dissatisfied with the response and fearful of their neighbors' return, women sat in the middle of the road, preventing the UNMIK convoy from proceeding into their village. UNMIK police officers tried to forcibly move the women, grabbing them by the shoulders. When the women began to struggle, officers started hitting them with riot batons and the butts of their guns. This incited women to throw stones at the UNMIK police officers.

Eventually, the officers returned to their armored vehicles. As they drove away, they projected tear gas, including as they passed the schoolhouse on the edge of the village, where primary school children were playing during recess.

Dozens of children had to be taken to the hospital in Prizren for treatment for tear gas, while women suffered psychological shock. When women's rights activists arrived to support them, they found the women shaking with fear, deeply disturbed with memories from the war and anxious that the murderers of their loved ones would return.

"I saw the exact same expressions on their faces that day as I saw the day that their homes were burned and their family members were killed," said women's rights activist Marta Prenkpalaj of the Motrat Qiriazi Association.<sup>42</sup> On that horrific night in 1999, when the women and children of Krushë e Vogel were forced out of their homes, she had used a tractor to take them across the river to safety. "The UNMIK police have re-traumatized them, she said."

"The UNMIK police failed to inform any of the democratic institutions about their visit; they used unnecessary violence against women and children; and they refused to let the women communicate with the people they were transporting," the Kosova Women's Network wrote in a letter addressed to UNMIK Special Representative to the Secretary-General Søren Jessen-Peterson and UNMIK Police Commissioner Kai Vittrup.<sup>43</sup> The letter eventually led to a full inquiry and a public apology by Jessen-Peterson.<sup>44</sup> Vittrup left the mission later that year.<sup>45</sup>

The UN Secretary-General calls on the UN Security Council and regional organizations to establish provisions that address the specific needs of women and girls in early warning systems and conflict prevention mechanisms.<sup>46</sup> However, a Security Council examination conducted after "a bloody decade of peacekeeping failures, such as in [...] the former Yugoslavia" revealed the lack of attention to women's and girls' needs. "The Council has never included a mention of women, peace and security in its resolutions on the situations in [...] Kosovo," the report concluded.<sup>47</sup> Aside from a few statements and actions at the mission level,<sup>48</sup> the UN Security Council itself has not taken any known actions

related to Resolution 1325 to address the needs of women and girls in Kosovo.<sup>49</sup>

The UN Secretary-General calls for police and military components of peacekeeping missions to issue directives that include "measures to protect women's and girls' human rights."<sup>50</sup> However, as the story of Krushë e Vogel suggests, not only have measures been inadequate, but some actions by UNMIK representatives in post-conflict Kosovo ignored the specific needs of women and girls, harming them instead.

"Measures were taken, but they were not effective in my humble perception," said Tilly Stroosnijder, the Police Gender Advisor for UNMIK.<sup>51</sup> The pre-planning, crime assessments, coordination, communication, training, Standard Operating Procedures, and policies all contained "a lot of gaps," she said. "We as internationals needed to cooperate closely with host interlocutors [the Kosovo police] to understand the context, but we didn't." Poor cooperation with the Kosovo police meant security issues were insufficiently understood and thus under-addressed.

Well-informed measures to protect women's and girls' human rights require accurate context analyses of the specific security threats they face.<sup>52</sup> No such analyses specific to women and girls seem to have been conducted by peacekeepers in Kosovo. Instead, institutions said they considered all citizens' security needs. "We do not believe that UNMIK carried out specific assessments of threats to women and girls," wrote Philippe Tissot of UNMIK, "although UNMIK regularly carried out assessments of the security situation generally in Kosovo."

Similarly, KFOR uses an "integrated approach" whereby "gender is not an additional thing to do but should be an integral part of every activity," according to KFOR Gender Advisor Elisabeth Schleicher:

To understand the situation on the ground is at the same time an early warning system. When KFOR makes an analysis on the specific needs of the

population we take into account the whole picture, meaning the different needs, roles, responsibilities, and security threats of men, women, boys, and girls.<sup>53</sup>

Thus context analyses, early warning systems, and directives are not specific to women and girls, but rather consider their needs as part of KFOR's overall mandate and daily work.

In EULEX, police did not initially have directives in place towards protecting women's and girls' human rights, said gender advisor Sirpa Rautio:

There was no specific guidance issued by the police component. The Human Rights and Gender Office increasingly tried to push for such guidance in particular in how to address trafficking in human beings. Generally, the guidance that existed was generic and it seemed to us that police were not fully aware how they were supposed to carry out their work. [...] Police need very clear guidance, and there certainly wasn't anything on gender issues.<sup>54</sup>

Installing specific operating procedures for police at the outset is crucial, respondents said. With time EULEX developed some policies, such as "to assist the Kosovo institutions to combat the crime of human trafficking."<sup>55</sup>

In terms of early warning systems, aside from KFOR's ongoing monitoring, UNDP in Kosovo has been issuing since 2001 Early Warning Reports that could warn of conflict and enable preventative actions considering the needs of women and girls.<sup>56</sup> However, the reports seldom mentioned women's and girls' specific needs, let alone actions for addressing these. Three reports never mentioned women at all. Rarely was data within the reports disaggregated by gender.

A review of international missions' early warning systems, context analyses, and peacekeeping directives revealed that few *specifically* sought to safeguard women's

and girls' human rights.<sup>57</sup> Rather, they said, women's and girls' needs were considered within missions' work more broadly.

## **Monitoring and responding to rights violations**

*"There was never any knowledge management in the mission. You never had a central location or database where all this stuff was kept. [...] Unfortunately this is how UNMIK kept statistics too. This is why it is pretty much impossible to compare crime statistics from 2000 to today. What happened was that the first person responsible for statistics in the UNMIK police was from Georgia, for example. And so she came in and she did it the way they did it in Atlanta. Then the next person that came in, well he was from Hamburg. And so he changed the whole system because, 'This is how we do it in Hamburg.' Now you end up with a situation where even if you compare the databases that still exist, you're comparing apples and oranges. This is one of the problems."*

- Former OSCE employee

"People were shocked when they heard how 1325 was not implemented by those who signed it in Kosovo," Igballe Rogova said. "In 2008 UNIFEM sent a delegation to meet the Committee on Women's Rights and Gender Equality in the EU Parliament. It involved members of the Regional Women's Lobby, including Edita Tahiri, Flora Macula, and me. While I was there, I learned a lot, especially from the EU women deputies." Kosovar women activists decided to collaborate with women in the EU to increase awareness

about Resolution 1325 and its implementation in Kosovo. "The idea was that we had to bring a group of Kosovar women politicians and women from civil society to the EU Parliament so deputies could hear that implementation is not working," Rogova continued, "because they don't know. And the reason they don't know is because the UN only said nice things in their reports home. 'We did this...we did that.' It's all lies."<sup>58</sup>

The UN Secretary-General calls for "operational gender-responsive systems [...] to monitor, report and respond on violations of women's and girls' rights during conflict, ceasefires, peace negotiations and after conflict."<sup>59</sup> Perhaps the most authoritative monitor of violations of women's and girls' human rights in Kosovo should have been UNMIK in its periodic reports to the Security Council.<sup>60</sup> A bit of digging and examination of these reports between 2002 and 2011 reveals that 20 out of 37 reports (54 percent) mention issues related to women's and girls' human rights, with a notable increase in later years.<sup>61</sup> This means that nearly half of the reports are silent on the issue. None of the UNMIK reports involve a gender mainstreaming approach. This would include attention to how both the context and UNMIK intervention impact women and men differently. Only separate short sections deal with women and girls, who then become invisible elsewhere in the reports. The human rights issues mentioned include violence against women, lack of access to justice for women, women's insufficient participation in decision-making processes, gender inequalities, failures of laws to include provisions towards gender equality, insufficient consultation with women's groups, and the need to strengthen the Gender Equality Office, the predecessor of AGE.

UNMIK reports tend to focus on the shortcomings of local leaders, usually remaining silent on its own planned actions as an administrator of Kosovo. Rarely are measures taken or implemented by UNMIK detailed. Exceptions include planned activities to implement "a long-term strategy to

increase the number and improve the position of women in the Provisional Institutions" in 2006,<sup>62</sup> and efforts to establish "seven additional Gender Equality Committees [...] in the municipalities."<sup>63</sup>

To what extent have gender advisors' reports been included in UNMIK reporting to the UN Security Council?<sup>64</sup> Unfortunately former gender advisors were unreachable and UNMIK lacks institutional memory on this issue. We did locate Tilly Stroosnijder, former Police Gender Advisor for UNMIK, who said the UNMIK Office of Gender Affairs "excluded" her from "the UN reporting and meeting system."<sup>65</sup>

When asked if UNMIK included input from Kosovar women in reports, the recurring theme among women's rights activists was that they were not consulted.<sup>66</sup> "The UN has been a champion in ignoring organizations," said Luljeta Vuniqi.<sup>67</sup> "The UNMIK Office of Gender Affairs thinks they will lose their jobs if they report what Kosovar women do and that we mobilize," said Igballe Rogova in 2007. "They should think how we can work together rather than taking all the glory for themselves." Activists felt that their concerns and the issues for which they advocated were not sufficiently included in UNMIK's reports to the UN Security Council. The exception was a recent effort coordinated by the Office of the High Commissioner for Human Rights (OHCHR) in Kosovo, where KWN's research on access to justice for domestic violence victims was included in the UNMIK report.<sup>68</sup> Except this notable exception, which occurred after UNMIK's administrative powers had been significantly reduced, respondents felt UNMIK reports were not wholly truthful because UNMIK officials tended to exaggerate their own achievements while ignoring the voices of Kosovar women. The monitors failed to monitor themselves.

Aside from UNMIK, Kosovo has other human rights bodies tasked with monitoring, investigating, reporting, and referring violations of women's and girls' human rights, towards implementing Resolution 1325.<sup>69</sup> These include the OHCHR, EULEX, Ombudsperson Institution, and Office of

Good Governance, Human Rights, Equal Opportunities, and Gender Issues. None of these human rights bodies have had women in leadership positions, which may have impacted their ability to attend to women's security concerns. Men have led all of these institutions since their establishment in Kosovo, and their consultations with women's organizations have been largely *ad hoc*.

Due to human rights bodies' poor data collection systems, it is impossible to examine gender disaggregated data on the types of cases reported, referred, and investigated. KWN requests for information, particularly from UNMIK and EULEX, became Ping-Pong balls batted back and forth between personnel for four months. In the end no one sent any of the requested data. These monitors made it almost impossible to check what they monitored and how.

The lack of data and proper tracking mechanisms undermine progress made in terms of participation. Arbena Kuriu at OHCHR maintains contact and good relations with women's organizations.<sup>70</sup> The OHCHR, she said, "works continuously with other UN agencies through the Security and Gender Coordination Group and it has advised the Kosovo Women's Network on special procedures."<sup>71</sup> OHCHR's recent actions seem largely due to Kuriu's individual efforts. Women's rights activists said that in the ten years prior to her involvement, the OHCHR seldom met or collaborated with women's organizations. At the Ombudsperson Institution, Legal Council for Gender Equality Luljeta Domaniku said her unit regularly met with the Kosovar Gender Studies Center, Open Door organization, and women Lawyers' Association Norma to identify human rights violations. Yet, when asked, "What kinds of systems do you have in place to monitor violations of women's rights," Kuriu and Domaniku report poor results.

The OHCHR's international strategy includes Resolution 1325, and the Kosovo office updated its gender policy in 2011.<sup>72</sup> In this context, they established a task force on women's rights and gender, consisting of senior staff who

make programmatic recommendations and implement gender-based training for professionals, Kuriu said:

It's part of our overall monitoring of human rights in Kosovo. Women have been identified in Kosovo as a special vulnerable group together with others. In that sense we pay particular attention to monitoring women's rights issues. Also we mainstream gender programs in our own programs' action plans.<sup>73</sup>

The OHCHR global website offers contact information for reporting incidents of gender violence. Oral or written reports are investigated and cases potentially referred for special procedures. However, the extent to which Kosovar women have reported rights violations and sought to use special procedures is unclear. Since information surrounding special procedures is confidential, the OHCHR cannot follow what becomes of reported violations.

Another human rights body, the Ombudsperson Institution in Kosovo has a Gender Equality Unit, founded in March 2005 in accordance with the Law on Gender Equality.<sup>74</sup> The unit advises the court on cases when necessary and later monitors those cases as they proceed through the court. Its mandate involves addressing "discrimination on a gender basis, amending the laws and engaging in the implementation of the Law on Gender Equality," explained Domaniku.<sup>75</sup>

In 2010, the Ombudsperson Institution received 1,233 complaints but did not disaggregate them according to gender-based rights violations.<sup>76</sup> Based on memory, Domaniku recalled four domestic violence cases in 2010. Women did report cases of sexual violence to the Ombudsperson Institution. According to procedures, women then were instructed to report their cases to the appropriate Kosovar institution. However, women hesitated, and such cases often were dropped, Domaniku said. Thus these sensitive cases went unaddressed.

A third human rights body, EULEX, does not seem to have any formal system for monitoring violations of women's and girls' human rights, but rather monitors issues in an "*ad hoc*" manner.<sup>77</sup> EULEX has committed to meeting women's groups twice per year to hear their concerns.<sup>78</sup> It accepts referrals from as well as consults with women's organizations assisting women whose rights have been violated. Alleged violations of women's and girls' rights can be reported, referred, and investigated by EULEX.<sup>79</sup> In the past, EULEX has monitored trafficking, domestic violence, sexual violence, and rape cases, among others.<sup>80</sup> EULEX was unable to provide information regarding the number of cases involving alleged gender-based crimes that it monitored as part of its mandate.<sup>81</sup> However, KWN's own review of EULEX criminal case summaries suggests that out of 189 criminal cases received by EULEX judges between 2009 and 2011 only 11 involved women victims.

Finally, the Office of Good Governance, Human Rights, Equal Opportunities and Gender Issues in the Office of the Prime Minister, established in 2002, monitors and advises ministers on issues related to human rights. It also coordinates the Human Rights Units in all ministries. As part of their responsibilities to monitor the implementation of human rights legislation in Kosovo, they reported on the implementation of the Strategy and Action Plan on Human Rights in the Republic of Kosovo (2009-2011), which included assessing the performance of institutions responsible for safeguarding women's and girls' human rights.<sup>82</sup> Although Kosovo has not yet joined the United Nations, through this office the Government of Kosovo has started reporting on some international conventions recognized in Kosovo law, such as economic, social, and cultural rights.<sup>83</sup>

# TRAFFICKING: "BOYS WILL BE BOYS. YOU EDUCATE YOUR GIRLS."

*"Since the end of the war, sex trafficking has spread like cancer."*

- From the film *The Whistleblower*

"It was right after the war, 1999, and sex trafficking had not happened yet. We sat down and talked about trafficking coming to Kosovo if we didn't organize," Igballe Rogova recalled. She and other women's rights activists attended a meeting with KFOR, UNMIK, and various international organizations:

UNMIK representatives were like, "No, trafficking cannot happen."

Women's organizations said, "Let's get together, and let's talk about this now to prevent it from coming."

And UNMIK people said, "How do you know that it will happen?"

We said, "Because in Bosnia Herzegovina it happened after the war." We gave examples of how trafficking can happen.

Two hours later a high official in KFOR, stood, grabbed his notebook, and on the way out said, "Boys will be boys. You educate your girls."

For us it was a sign of what KFOR believed: "No matter Resolution 1325, no matter any regulation, we are going to do what we need to do. Our boys need sex."<sup>84</sup>

Sex trafficking in postwar Kosovo is perhaps the clearest example of international actors failing to prevent, monitor, report, and refer violations of women's and girls' rights.<sup>85</sup> From the beginning, it appeared that there would be no consideration of sex trafficking as a crime and no intention to punish it.

The large and predominantly male international presence in Kosovo immediately after the war was a key factor in the increased demand for sexual services, facilitating the trafficking of women and girls to, from, and through Kosovo.<sup>86</sup> "This crime started to appear when the troops came in," said UNMIK Police Gender Advisor Tilly Stroosnijder. Former Police General Director Behar Selimi agreed:

The international presence has played a huge part in human trafficking and the trafficking of women. The fact that they did not have their families close and that they were rich in comparison to the locals helped increase trafficking and prostitution. UNMIK's mechanism to control illegal migration was never functional. Everyone came in and went out until we locals took responsibility of the borders.<sup>87</sup>

That military and "peacekeeping" forces contribute to the proliferation of trafficking has been well-documented by various international human rights monitors.<sup>88</sup> The rapid increase of reported cases in Kosovo corresponded with the plethora of peacekeepers in Kosovo.

"I was forced by the boss to serve international soldiers and police officers" a trafficked woman told Amnesty International.<sup>89</sup> Case after case documented by Amnesty International offers evidence from the lives of women and

girls trafficked from Moldova, Bulgaria, the Ukraine, and beyond to Kosovo's sex industry.

This patently violated not only the law, but also the UN Secretary-General's calls for "international, national and non-State security actors" to be "responsive to and held to account for any violations of the rights of women and girls, in line with international standards." Any "sexual exploitation and abuse allegedly perpetrated by uniformed, civilian peacekeepers and/or humanitarian workers" must be acted upon, and security actors must take precautions towards prevention.<sup>90</sup>

UNMIK promulgated a Regulation on the Prohibition of Trafficking in Persons in Kosovo in January 2001.<sup>91</sup> The Regulation criminalized both traffickers and those knowingly using the services of trafficked women. UNMIK established a National Plan of Action on Trafficking, replaced by a new governmental plan in 2011.<sup>92</sup> The Constitution of the Republic of Kosovo and Criminal Code of Kosovo forbid human trafficking, while several other applicable laws also deal with trafficking.<sup>93</sup>

Compared to international standards elsewhere, Kosovo law differs in the severity of punishment. Where the Criminal Code of Kosovo (CCK) foresees penalties ranging from six months to 20 years imprisonment and a potential fine of up to €500,000,<sup>94</sup> the Council of Europe Convention on Action against Trafficking in Human Beings establishes a five year mandatory minimum sentence for those guilty of trafficking.<sup>95</sup> Additionally, the EU framework recently added more provisions for the protection of women victims of trafficking to include physical, psychological, and social recovery. Both the EU and Kosovo offer translation and interpreting services, legal counseling and information related to their rights and services available, secure housing, and psychological and medical assistance.<sup>96</sup> In Kosovo, however, these benefits have been subject to availability of donor contributions "made specifically for this purpose and recorded as designated donor grants in the Kosovo Consolidated

Budget.”<sup>97</sup> Both national strategies and action plans sought to promote long term reintegration services for victims of trafficking, which includes educational and employment services.

Police receive training and established a specialized anti-trafficking unit in 2004, which led to the closing of some locales involved in prostitution.<sup>98</sup> Members of the justice system also received some training. Kosovo established a National Anti-Trafficking Coordinator to “coordinate, monitor and report on the implementation of policies against trafficking in human beings,” a secretariat to support the coordinator, an inter-ministerial working group, as well as other institutions tasked with responsibilities related to addressing trafficking and its consequences.<sup>99</sup>

An attempt at prevention was the “Off Limits” list, created in January 2001.<sup>100</sup> With time the initial 75 bars and premises listed as “off limits” for UNMIK, KFOR, and OSCE personnel swelled to 200-some locations allegedly involved in prostitution. Most institutions also installed training for personnel and codes of conduct that frowned upon the use of sexual services. Whether these attempts at prevention had the desired effect is unclear. Arbena Kuriu of OHCHR felt preventative efforts were successful:

The high profile response in terms of preventing trafficking after the conflict in Kosovo was a very good and coordinated response by international actors. There were funds related to combatting trafficking and it showed great results. In the beginning it was very much reported that the international community were the main ones involved in terms of demand when it came to trafficking services but then it dropped drastically due to successful policies introduced by UNMIK and KFOR.<sup>101</sup>

Other respondents were not convinced that preventative efforts changed existing behaviors. “People could have gone

or not gone," said Shpresa Mulliqi of the OSCE. "No one was checking. Therefore I have no idea if anyone or how many of them violated this advice."<sup>102</sup> It was not until 2002 that some workers perhaps took the "Off Limits" list more seriously, a former OSCE employee said:

I certainly knew about people going to off-limit bars, but this was at a time when there was a bit of a grey area; the off-limit list was something that was informal. It wasn't until there was a very clear pronouncement: "Look these are off-limits, and if you go there your contract could be terminated." Once the list became serious I never really heard of people going. It doesn't mean they didn't. It's just I didn't hear about it.<sup>103</sup>

He felt that some "bad apples" would engage in prostitution and other deplorable behavior regardless of preventative institutional measures. Some "marginal people who engage in illegal acts do it either when their judgment is slightly impaired or there's an opportunistic moment." Those who might be convinced to participate in illegal acts by "bad apples" might refrain with a policy in place.

Firsthand experiences of women's rights activists like Igballe Rogova suggest that prevention efforts simply encouraged trafficking to go underground or elsewhere:

What they were doing in 2002 was that the military organized special bus trips for soldiers to other countries. So they showed that in Kosovo they were not involved in trafficking, but they were doing what they "had to do" in another country. I saw with my own eyes the American military organize sex trips to Sofia, Bulgaria, where the minute they arrived in the hotel there were women waiting for them. It was organized. I have seen German military in Tetova, Macedonia. Suddenly they decided not to get involved

in trafficking in Kosovo because there was so much pressure: "Don't do it!" So they started organizing in Macedonia. Meaning: boys will be boys, still today.<sup>104</sup>

An UNMIK official agreed, "When efforts were made to regulate, demand shifted to neighboring countries."

As of 2011, international institutions did not seem to use the off-limits list anymore. EULEX did not adopt the list used by UNMIK. Their prevention efforts consisted of training staff about trafficking and installing a "strict Code of Conduct" that forbade the purchase of sexual services.<sup>105</sup> EULEX staff believed the "police force is very professional" and would not be involved in such activities. Yet a former EULEX staff member was not entirely convinced. "It is difficult for me to see how effective this type of Code of Conduct or training really can be," Sirpa Rautio said. "I think reasonable people hear the lecture; they understand the policy. But then I don't know how much this kind of lecture or policy helps those who are misbehaving." Only "real accountability works," she said, "showing that you are serious by using the sanctions available to the mission."

Initially the regulation, and later the criminal code, did enable investigations, raids, and bar checks to take place. One of the first investigations into trafficking in Kosovo occurred in July 2001. UNMIK launched an investigation regarding allegations that a Romanian woman and two U.S. UNMIK police officers were collaborating with a brothel owner in Mitrovica to traffic women. The internal report by the head of the regional police unit warned, "the whole credibility of the United Nations Mission in Kosovo Police is in question."<sup>106</sup> The report alleged that one U.S. officer had been picking up trafficked women on the boundary between Kosovo and Serbia while in uniform, and while driving an UNMIK police car. A second U.S. police officer allegedly warned the owner that a police investigation was underway and divulged police information about previous trafficking and prostitution operations.

Just how many uniformed and civilian peacekeepers were accused of sexual exploitation and abuse in Kosovo and what became of them? Between 2002 and April 2004 the UNMIK Police Trafficking in Persons Investigation Unit found:

52 KFOR soldiers, 3 international police and 8 international civilians from various agencies in 'off limits premises'. The KFOR soldiers were handed over to the Military Police and the civilian staff to their respective departments for further investigation and appropriate disciplinary action. In accordance with the UNMIK Police regulations, the international police officers were repatriated to their home countries.<sup>107</sup>

In 2003 ten police officers were either repatriated or dismissed due to allegations related to trafficking, and 22 to 27 KFOR officers were suspected of committing offences related to trafficking.<sup>108</sup> What became of them afterward is unknown.

UNMIK later established a Conduct and Disciplinary Unit in 2006, a complaint mechanism responsible for implementing a "zero tolerance policy." Between 2006 and 2011, UNMIK recorded only two cases of misconduct involving sexual exploitation.<sup>109</sup> Both were referred and investigated but insufficient evidence meant that allegations were found to be "unsubstantiated." With regard to other peacekeepers and humanitarian workers,<sup>110</sup> KFOR did not respond to our request for information pertaining to alleged cases of sexual exploitation. EULEX would not provide information as to whether any personnel had been accused of engagement in prostitution or trafficking as this information was "confidential." Cases of humanitarian workers' alleged involvement in sexual misconduct were reported in media, such as the indictment of UNHCR official Rashidoon Khan on "charges of sexual exploitation of minors under 16 years of age and human trafficking."<sup>111</sup> Overall, however, insufficient access to data and perhaps some institutions' poor data

collection practices made it difficult to quantify the number of cases referred and acted upon.<sup>112</sup>

It seems that peacekeepers who used prostitution services or pimped, involving themselves in trafficking, were seldom prosecuted. The Kosovo Police had their hands tied because both civilian and military peacekeepers enjoyed diplomatic immunity. By definition, "the person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention."<sup>113</sup> "He," notably rather than "they," cannot be tried for crimes allegedly committed in Kosovo even after the expiration of "his" mandate. Thus KFOR and UNMIK personnel remain immune from any form of arrest or detention by any State other than their sending State. This exemption continues through the expiration of their mandate and after personnel are no longer employed by KFOR or UNMIK.<sup>114</sup> The fact that security actors were contracted coupled with their diplomatic immunity made accountability challenging, a former OSCE official elaborated:

Here's the general issue of using contractors to bring police officers in. This, to me is a big, big problem. The film *The Whistleblower* was largely accurate. Contractors did all the contracts for police officers and OSCE. They're a defense contractor, and the U.S. State Department decides that they don't want to create a contractual relationship with the Americans going to these missions. So they hire CPI, Civilian Police International, or they hire DynCorp or any of these companies to be the intermediary so they don't have to create this relationship. What ends up happening is that when you're hired by a company, but yet you work for somebody else, you've got not only this mixed loyalty, but who do you listen to? Do you listen to the person who is writing your paycheck or do you listen to the person that on paper you're supposed to report to?<sup>115</sup>

Despite its responsibilities to implement Resolution 1325,<sup>116</sup> the UN Department of Peacekeeping Operations (DPKO) seemingly has been reluctant to waive diplomatic immunity granted to civilian and military peacekeepers. DPKO fears that countries might pull funding or troops from peacekeeping missions, a former UN official with first-hand knowledge commented:

In the summer of 2001 the Sub-Commission on the Promotion and Protection of Human Rights tried to adopt a resolution in the UN which would have bound the secretariat to look into the issue,<sup>117</sup> and at the very least to include in people's contract that, "Even if you have immunity, your home country would agree to prosecute you." I remember that people in DPKO said, "No way." Why? Because they received such pressure from the member states. DPKO and the UN in general have to be quite careful as to how much they push issues of accountability because they of course need troop contributing nations. For the next crisis, whether it's all humanitarian or whether it's military, they need people to go into these areas to perform these functions, and if states say, "look no way," then peace-keeping is over.

Towards implementing Resolution 1325, member states must play a greater role in addressing impunity. UNMIK Police Gender Advisor Tilly Stroosnijder agreed:

Policies and directives were adopted, and a zero policy was implemented, but I would like to see an accurate follow up and transparency when cases occur. Now perpetrators are removed from missions, but seen in other missions. This should not happen [...] Still we need improvement at the DPKO level in cooperation with the member states so that these

officers are not able to join missions anymore, and they should be sentenced by home country laws.

We struggled to learn what happened to the dozens of peacekeepers and humanitarian workers allegedly involved in sexual exploitation and abuse in Kosovo, scouring newspapers, internet sources, and reports. It was difficult to tell what happens after repatriation. Diplomatic immunity enabled peacekeepers from certain countries to receive less than a "slap on the wrist" after committing several crimes, an inside source told us. According to this respondent, UNMIK often turned a blind eye towards cases, particularly if the perpetrator was no longer a member of their staff.

In only two identifiable cases was there some form of justice. One involved UNHCR official Rashidoo Khan, convicted of sexually abusing under-aged girls in Kosovo, human trafficking, and selling narcotics in 2005.<sup>118</sup> His was the first such case treated within Kosovo, but he was sentenced to only three years in a Kosovo prison. The second was the infamous case of Sgt. Frank J. Ronghi. For those who have not heard already, Ronghi was an American peacekeeper serving in Kosovo. He was investigated, tried, and found guilty of "committing indecent acts with" and murdering an 11-year-old girl. "It's easy to get away with this in a third world country," he had told witness Private First Class Michael J. Stegemolloer. "He knew because he had done it in the desert."<sup>119</sup> Indeed cases of peacekeepers and aid workers sexually exploiting women and girls exist in Sudan, Côte d'Ivoire, Haiti, Liberia, the Democratic Republic of the Congo, Cambodia, and Eritrea, to name a few.<sup>120</sup> However, the Ronghi case was exemplary, a former OSCE official felt:

This is a good example of how the system is supposed to work, in the sense that this soldier had immunity. This soldier was certainly never going to be prosecuted in Kosovo. The American military did what

they call an Article 32 hearing, basically a grand jury where they determine whether there is enough *prima facie* evidence to have a trial. That was held here in Kosovo at Camp Bondsteel. It's my understanding that they just picked serving officers to sit on this. They determined, "Yep, there's enough evidence to have a court martial." So they sent the guy back to Germany, and they had a full court martial. He was convicted, and now he's serving life without parole in Fort Leavenworth, Kansas.<sup>121</sup>

This is the kind of example that the UN should be setting. Okay, we understand in some countries both the individual who may have committed a crime and their country might not want them to be tried in a country where there are numerous legal problems. There may be huge biases in the legal system against internationals. But then you as a country have the responsibility to prosecute your national. So the UN should cooperate with prosecutors in the home country and help gather the information they need in order to conduct a proper trial.

For the trafficking cases tried in Kosovo, lenient sentencing seemed to exist. "The first step towards prevention is raising awareness within legal institutions towards greater punishment," said Naime Sherifi, who leads a women's shelter. "Three people were sentenced to five years in prison because of human trafficking and yet our judge still did not put them in prison." Sherifi witnessed low sentencing in other cases related to trafficking as well. "Why would someone only get two years imprisonment after they sold a human being for money?"

Despite all the talk about EULEX efforts to investigate and prosecute trafficking,<sup>122</sup> according to the available criminal court summaries, EULEX only completed three cases that included trafficking charges.<sup>123</sup> In one case, three men

were convicted of rape, trafficking, and facilitating the prostitution of a 15 and a 17-year-old girl. Their aggregated punishments for these crimes were twelve, ten, and twelve years' imprisonment, respectively.<sup>124</sup>

In conclusion, extensive evidence suggests that Kosovo saw a significant rise in organized prostitution in 1999, which accompanied the arrival of thousands of primarily male KFOR troops and UNMIK personnel. Loose border control by UNMIK and KFOR and insufficient protection mechanisms immediately after the war created an enabling environment for trafficking to occur. While preventative efforts like training and the off-limits list may have discouraged some from frequenting establishments, respondents tended to feel that others would use sexual services in any case. Quantitatively it is impossible to measure the number of alleged cases due to poor data collection, a lack of institutional memory, and "confidentiality." Justice seems rare considering diplomatic immunity and the slowness of most UN member states to prosecute.

# DOMESTIC VIOLENCE: ARE WOMEN PROTECTED?

*"Who cared about domestic violence? There were so many priorities back then... how to establish new institutions, good governance, political rights... and domestic violence was not considered a priority. However, when we talk about half the population's security in their private lives, of course it's a priority."*

- Ariana Qosaj-Mustafa, former  
OSCE gender focal point

Sakibe Doli was working the night shift at the women's shelter. So far it had been a quiet, uneventful night. The women and children who had suffered domestic violence slept quietly in the shelter, presumably, protected from prior perpetrators of violence. The shelter's location was supposed to be secret but in the small town of Gjakova word had spread fast, and soon even taxi drivers knew how to find it. This particular night the silence engulfing the shelter was suddenly broken by the thumping of loud music. Sakibe peered outside between the curtains. It was one of the husbands of the women she was charged to protect. As his car neared, the music became louder. Neighbors came to their windows and began telephoning Sakibe to ask, "What is happening?"

She called the police, and they responded quickly. A police car quietly pulled up behind the man's vehicle, lights off, attempting to catch the man with an element of surprise.

When the police car turned on its lights, they swept through the darkness and onto the man’s car. He was caught. The policewoman arrested him on charges of disturbing the peace and breaking his protection order. As he was escorted into the squad car a smug smirk spread across his face. He knew that the consequences of his actions would be minimal. The court later found him guilty and he was sentenced to prison.

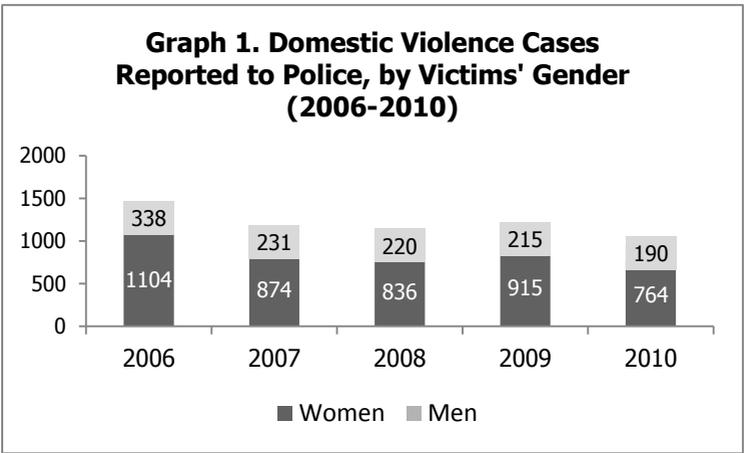
However, a short time later he reappeared at the shelter and continued threatening shelter staff, including Sakibe.<sup>125</sup> “We are afraid, as a shelter, when we face a violator,” she said in 2007. “During the first five years police reacted very fast when we called them. We didn’t have to worry, ‘Are they coming or not?’ But now it is different. It has happened that a violator had connections with someone within the Kosovo Police, and they didn’t come at all.” An investigation of this incident later led to the dismissal of the police captain and commander. “With the new hierarchy in

**Table 6. Types of Domestic Violence Perpetrated, Reported to Kosovo Police**

Crime	2005	2006	2007	2008	2009	2010	Total
Murder	1	4	4	6	3	5	<b>23</b>
Attempted murder	4	3	6	4	3	4	<b>24</b>
Light bodily harm	290	408	462	513	538	457	<b>2,668</b>
Grievous bodily harm	5	21	14	3	9	10	<b>62</b>
Physical maltreatment	17	83	2	71	141	60	<b>374</b>
Physical attack	661	341	215		58	79	<b>1,354</b>
Sexual abuse/ assault / rape	2	0	2	3	2	0	<b>9</b>

the Gjakova police, cooperation is very good. After what happened in the past, everything runs smoothly,” Sakibe said.<sup>126</sup>

As elsewhere in the world, domestic violence continues to threaten the physical and psychological security of women and girls. Domestic violence has been persistent and pervasive in postwar Kosovo.<sup>127</sup> Between 2005 and 2010, 23 people allegedly were murdered within a domestic violence relationship, according to the Kosovo Police. Since 2002, more than a thousand people have reported domestic violence every year (slightly fewer in 2010). Women tend to experience violence more than men, representing 79 percent of the victims in reported domestic violence cases (see Graph 1).<sup>128</sup> Perpetrators of domestic violence tend to be men (91.1 percent),<sup>129</sup> particularly husbands (56 percent of perpetrators), though fathers, mothers, and other family members also perpetrate violence.



The crime of domestic violence requires complex responses, as women’s security is intertwined with the security of their communities. Protecting women from violence and preventing future violence depend on women’s

trust of the police; sufficient police training; reducing privately owned small weapons; the implementation of laws; and an effective judiciary. Shelters are crucial for offering temporary protection, and women require resources towards living independently.

## Who protects women?

*If we identify a domestic violence case, arresting the offender is within our duty, but we also need to find a way to resolve the case. In one case the woman who reported six years' continuous abuse asked, "What do you offer me? How would you help me if I report the violence?"*

*"We have the law and provisions for shelter."*

*"But for how long can I stay in the shelter?"*

*"Six months and you have good conditions."*

*"What will the court do? If the children remain with me, what will I be offered? Who will take care of my children? I don't work. Will I be offered work?"*

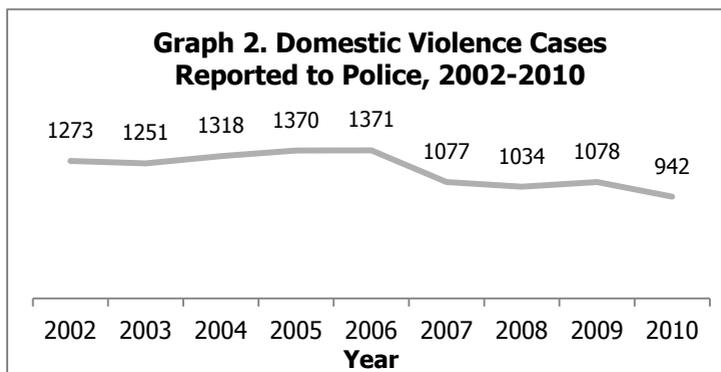
*We as [the Kosovo Police] find it difficult to implement our side. It's difficult to reach equality because the woman wants to be independent from the man, but we cannot offer this.<sup>130</sup>*

- Lieutenant Tahire Haxholli

In a 2008 Kosovo-wide survey, nearly 40 percent of the respondents who had suffered violence did not tell anyone. Underreporting remains a serious problem and makes it difficult to estimate accurately the magnitude of domestic violence in Kosovo. At first glance, this crime appears to be decreasing (see Graph 2). This is not the case. The same Kosovo-wide survey suggests that 43 percent of

Kosovars have suffered some form of domestic violence in their lifetimes (46 percent of women and nearly 40 percent of men).<sup>131</sup> One reason for underreporting, not unique to Kosovo, is that Kosovars tend to consider domestic violence a private matter and feel that it is shameful to speak openly about it.<sup>132</sup> Kosovar women hesitate to report domestic violence out of concern for public embarrassment, stigmatization, or because they erroneously feel that the crime was their fault. More concretely, women fear retaliation from perpetrators or losing custody of their children. They are often forced by economic inequality to depend on their husbands' income to survive and care for children, a subordination that prevents them from leaving violent home situations. They do not know that there are laws protecting them and often are not aware of their rights.

A substantial legislative framework is in place now. The Constitution of the Republic of Kosovo imports international human rights standards in legislating against domestic violence. The Law on Protection against Domestic Violence defines domestic violence and outlines the use of protection orders, the responsibilities of law enforcement, criminal offences, and proceedings.<sup>133</sup> The Criminal Code mentions crimes committed within a domestic relationship, such as light or grievous bodily harm, coercion, threat, unlawful deprivation of liberty, sexual assault, and rape.<sup>134</sup>



These are treated as crimes regardless of whether they occur in a domestic relationship or externally. A National Strategy and Action Plan against Domestic Violence was adopted in 2011, and the Ministry of Labor and Social Welfare provides partial institutional funding for women's shelters. Overall, Kosovo's legislation related to domestic violence seems in line with international standards, as requested by the UN Secretary-General.<sup>135</sup>

Establishing the legal framework towards tackling impunity and preventing gender-based violence was perhaps one of the most significant accomplishments in the last decade towards safeguarding women's security, as per Resolution 1325. Ariana Qosaj-Mustafa collaborated with diverse institutions in drafting the original UNMIK Regulation on Protection against Domestic Violence while at the OSCE. She recalled the crucial changes the legislation effected when it entered into force in 2003:

It's a success story because I remember being called by international police officers who had to deal with cases of domestic violence. For example, if a woman was sheltered, her husband would come to the shelter and do whatever he wanted because there were no protection orders. They couldn't actually implement any protection mechanisms until she went through the process of divorce and custody. Until she was an immediate victim of domestic violence, there was not much that could be done.

When the law was signed by the Special Representative to the Secretary-General, the first call we received the very next day was from one of these international police officers. There was this guy who had been annoying them for months. The minute the police would leave, he would go and harass the victim. It was a very heavy case of domestic violence. She was in the shelter with the kids, and the kids

were terrified as soon as they saw the car and their father driving around the shelter.

The police officers had been calling me all the time saying, "What happened with the Regulation? Can we have these protection orders?"

"No, it's still a draft."

It was probably lying for a couple months on the shelves of some UN legal advisor, but after four months it was signed. This woman immediately requested a protection order. The guy was informed that he had a protection order against him, but he violated it because he was a violent person. He went again around the shelter, but this time he had a temporary measure not to approach the victim within 150 meters, or they could arrest him.

These were small steps but you could feel that some things were changing slowly. Initially not many judges knew of the law, but after some time there were hundreds of these protection orders being assigned.<sup>136</sup> It is some form of protection.<sup>137</sup>

With the law established, the next step was to ensure training for security sector and justice personnel on how to address gender-based violence.<sup>138</sup> Women must be able to trust police and courts in order to request protection. The police and the courts need to understand the reticence, fear, and vulnerability of women victims. Within the justice sector, Enver Peci, Chair of the Kosovo Judicial Council, said that "trainings are done based on necessity":

At the beginning of the year, the themes for the trainings are selected and shown to the judges. Whoever is interested in a particular training applies. The trainings are obligatory. If judges don't put to practice or abide by what they have been taught during trainings, a disciplinary prosecutor follows the case.<sup>139</sup>

Thus judges' training related to gender-based violence seems *ad hoc* rather than mandatory, though it has been a "priority" topic in recent years, he said. This includes training on domestic violence legislation.

The Kosovo Police allocates seven out of 40 hours of annual mandatory training to gender equality, and the two-month Lieutenant training also includes four to five days on the subject. Training deals with the Law on Gender Equality; the police strategy on women's rights as human rights; trafficking; handling domestic violence cases; and Resolution 1325.<sup>140</sup> "The Resolution makes up a percentage of our training," said Hysni Shala. "If the training lasts longer, training on the Resolution will be extended as well."<sup>141</sup> Units specialized in domestic violence and trafficking receive additional mandatory training. "The course on abuse within the family is a specific one for investigators who work with abuse in the family," Lieutenant Tahire Haxholli said.

In addition, community policing has sought to prevent domestic violence, former Police General Director Behar Selimi said:

It is routine to go and get information about a family that has problems, and our units go and talk not like officers, but "man to man." This is the essence of the new police service in Kosovo. We are not police who before everything else use force in every case, but we use other mechanisms to resolve problems. This used to be an absurd concept for police. Before, they just went and made an arrest. But now we have other methods.<sup>142</sup>

Police investigations of alleged crimes, policies, and new mechanisms perhaps have had some deterrent effect on potential future violence. Security actors made great strides in protecting women, contributing not only to the implementation of Resolution 1325, UNDP Resident

Representative Osnat Lubrani said, but also to the improvement of community safety in general:

The engagement between gender equality advocates and security actors, whether in the Kosovo Police, the Kosovo Protection Corps, or the establishment of community safety services at the municipal level, has led to increased awareness of women's security concerns. We've seen more training to sensitize law enforcement personnel on gender issues and ensure their appropriate response to domestic violence, including through better control of firearms possession. Also, the adoption of gender equality policies and strategies by security institutions, and the creation of gender units to support and monitor their implementation, is a very positive development.<sup>143</sup>

Specific to Kosovo is a long history of distrust for state institutions and law enforcement agents. Historically, Kosovars have relied more on the family than on the state for protection and thus hesitate to forfeit weapons held for family protection. Ironically these weapons make women more vulnerable to domestic violence and violence by firearms.<sup>144</sup> Every year weapons are used to commit crimes within domestic relationships.<sup>145</sup> However insufficient national data collection systems make it difficult to assess accurately the correlation between violence against women and illicit arms.<sup>146</sup> As "small arms and light weapons can proliferate and are often used to threaten women" in post-conflict areas, the UN Secretary-General calls for national mechanisms that control these weapons towards enhancing security for women.<sup>147</sup> Between 2007 and 2010, UNDP's Kosovo Small Arms Control Initiative brought together institutions to devise an action plan for implementing a Kosovo Small Arms Control Strategy.<sup>148</sup> As part of this strategy, the Ministry of Internal Affairs is responsible for researching via survey the extent of

small arms in Kosovo and then comparing this with crime statistics from the Kosovo Police.<sup>149</sup>

The Kosovo Police partnered with women's shelters and other relevant institutions, establishing standard operating procedures for assisting cases. Police established trained domestic violence units in each municipality to deal specifically with domestic violence. "This includes a policy where each police station must have a woman and a man," Haxholli said.<sup>150</sup> Qualified policewomen interview women and children victims who may find it easier to "communicate with women than men," Shala said. Policewomen conduct interviews, take photographs of injuries, and assist women who have suffered violence.

"The growth of women's participation in the police has had an impact on rising reports," said Selimi. "Women have it easier to talk to other women about their problems and issues than to men." Outreach campaigns by women's organizations to educate the population about their rights may have also encouraged reporting. "I think the reports have to do with trust," Shala said. "They are reported, given the trust people have towards us." He continued:

I think that our society has increased awareness and citizens are reporting more cases now. [...] I believe that these cases existed before, but they were not reported. So I cannot say that there is an increase in cases, but there is an increase in information and reporting.

More women in police, police outreach efforts, media coverage of the issue, shelters' assistance offered to victims, and training all contributed to reporting.

Notably, however, police representatives were referring to the period between 2003 and 2006 when reporting increased. Reporting declined after 2006. Women's rights activists attribute this not to a decrease in domestic violence but rather to a loss of trust in the justice system.

“Women were reporting domestic violence, but then they lost trust in institutions when no action was taken,” Igballe Rogova said. Police investigations have limited impact if the justice system does not hand down firm sentences for perpetrators. Here the police and judiciary have a ways to go in “combating impunity and creating a deterrent effect,” as per the UN Secretary-General’s guidance.<sup>151</sup>

## **“Justice is far away”**

*“I don’t think that there is much progress in combating violence against women, especially domestic violence. Not many cases have been prosecuted.”*

*- Arbena Kuriu, OHCHR*

On 18 May 2011, 27-year-old Diana Kastrati was walking to the University of Prishtina.<sup>152</sup> The last few years had been tough, but with courage and support from her family she had left her abusive husband. The Kosovo Police helped her request a protection order against him, and now she only had to wait for the judge to approve it. The judge was late; days had passed since it should have been approved, but Diana had high hopes that she would soon be guaranteed safety. The battle over custody of her eight-year-old daughter might take more time as she had to prove she would be financially capable of raising a child. A university education would open new doors, she thought, as she walked by the gas station near her home that morning. Suddenly gun shots rang out. Diana died instantly. Her husband disappeared.

Diana’s tragic death underscored the fact that protection for women is still inadequate. The Law on Protection against Domestic Violence was unable to prevent

violence and save her life, as the judge failed to provide the protection order in time. "The institutions do not see it as a problem that could cost someone her life," said Naime Sherifi, Chair of the Board of Directors of the Shelter Coalition in Kosovo:

We had plenty of cases regarding domestic violence that have been pushed aside or not taken as seriously as they should when it came to implementing and executing laws. [...] In our society there is still the impression that a marriage can be held by coercion and violence and that the man should be the dominant figure. The fact that Diana Kastrati was killed shocked us all. The fact that intellectual women can be mistreated and fall victim to violence shows that our collective awareness regarding gender equality has not changed.<sup>153</sup>

Protecting women and preventing future violence entails ensuring access to justice when women's rights are violated.<sup>154</sup> However, judges' tendency to forgive men's violent behavior prevailed.<sup>155</sup> For example, when a perpetrator said that "the marriage would end then and there because his wife reported him," the judge's sentiment was telling:

The police shouldn't have arrested [the perpetrator]; they didn't think what would happen to the couple. Now she is divorced. We have to respect that there is a patriarchal society here. The police shouldn't arrest him even though the woman accused him. Both of them should be kept together in the police station and not to arrest the husband or anything similar that could impact their marriage and lead to divorce.<sup>156</sup>

The judge failed to recognize the rights of the victim, preferring instead to maintain the family unit. The possibility

of unfair trials dissuades women from filing cases or testifying,<sup>157</sup> as well as contributes to a general lack of faith in institutions.<sup>158</sup> "Many of the victims have let go of the cases because they felt betrayed, unprotected, and simply not safe," Sherifi said.

Women also fear losing custody of their children. In the event of divorce, the custody, care, and education of any minor children is decided in court.<sup>159</sup> The court investigates all relevant circumstances and decides whether the custody will be granted to one parent, both parents (shared), or to a third party.<sup>160</sup> The fact that women are underemployed compared to men in Kosovo affects the proportion of cases favoring matriarchal as opposed to patriarchal custody. Judges tend to grant child custody to men as more financially "suitable" caretakers, sometimes despite a history of violence. Court orders for men to make child support payments are rare and seldom enforced.<sup>161</sup> Luljeta Vuniqi said:

Problems regarding child support payments have always existed. There were cases in which the mother would deliberately choose to stay in the marriage only because the sole custody for the child would have been given to the father if they divorced. Men find more work and have greater economic power, which is why they often gain custody of the children.<sup>162</sup>

Although she felt the situation was slowly changing, women's financial dependence on male family members still prevented women from seeking justice. "Most of the time women aren't able to press charges because they cannot afford to pay the fees,"<sup>163</sup> Shpresa Agushi said.

For women who do report violence, often the future is grim with witness protection programs and restriction orders still not functioning well.<sup>164</sup> Low sentencing also fails to prevent repeat violence, Sherifi said:

These people have to get longer sentences. We had this case of a husband who heated up a screwdriver and burned and tortured his wife in a very sadistic way. He burned her genitals with other instruments, the woman he spent 18 years with! And he was only sentenced to nine years imprisonment? That is not enough!

Assessing quantitatively women's overall access to justice is challenging considering the insufficient data collection systems.<sup>165</sup> No national registry of cases exists, so examining judges' sentencing practices would require visiting each court individually and sifting through piles of paper records. Data collection systems within the justice system are particularly inadequate when it comes to collecting gender-disaggregated data.

EULEX's record-keeping systems for gender-based crimes were not much better. If they do maintain such data, EULEX representatives were unable to respond to requests for information in a timely manner. Therefore KWN manually counted cases posted on the EULEX website. Only three of the 189 criminal cases involved domestic violence; in these, men murdered their wives.<sup>166</sup> Their sentences were three and a half years, 10 years, and 15 years imprisonment, respectively.<sup>167</sup> The relatively few cases related to domestic violence crimes may be attributed in part to the fact that only one out of the 2,500 initial police officers within EULEX dealt specifically with domestic violence cases.<sup>168</sup> Within civil courts where rulings on protection orders occur, none of the 117 cases monitored by EULEX related to women, mentioned women, or involved women.<sup>169</sup>

While remarkable progress has been made over the past ten years in establishing a legislative framework and institutional mechanisms for protecting women, institutions must now enforce it. "Impunity" was the recurring theme among respondents who felt that justice rarely lives up to its name in Kosovo. In numerous cases law enforcement officers,

judges, and prosecutors faltered when called to intervene in domestic violence cases.<sup>170</sup> Dysfunctional courts, customary law, the backlog of cases, prejudicial judges, nepotism, corruption, and that cases affecting women were not considered a priority were reasons for women's insufficient access to justice. Justice system failures to provide protection orders in time, automatically prosecute domestic violence cases as crimes, and allocate adequate sentences mean that women and those who seek to help them have inadequate protection.

# MOVING BEYOND MARGINALITY: A BROADER SENSE OF SECURITY

*"In Kosovo, customary law continues to function above the law; a girl and a boy are not born equal."*

- Donika Kadaj, Member of Parliament

The remote village of Brod is nestled in a valley surrounded by towering mountains that border Albania and Macedonia.<sup>171</sup> The women of the village and United Nations representatives visiting from Prishtina squeezed into a classroom at the local primary school. They chatted about pressing issues: the future of the village, unemployment, domestic violence, access to education...

"In terms of education, the women in the room told us that not a single woman in Brod had spent even one day in secondary school," Luciano Calestini, the Deputy Head of UNICEF, was shocked to learn. "Equally concerning is the issue of domestic violence," he said. When United Nations staff asked about this largely taboo topic, the women responded, "This is not a problem here!" But as the conversation progressed, a woman clarified, "It's not a problem here: men don't hit us, unless we say, 'No.'" Violence appeared to be such a normal response to women's independence that it was not recognized as an issue.

After the meeting, the United Nations team paused for a coffee at a small café in another village. Two teenage

boys stared at the large group of English-speaking visitors, a rare sight. They were invited to join the group. One boy was 17 and getting married the following week to a 16-year-old girl.<sup>172</sup> "It is likely by next year this young couple will already have a baby," Luciano said. "That infant will be raised by this couple and their family, inevitably with the same attitudes and practices of past generations that prevented this boy's young bride from going to school. You can see the cycle of exclusion set to continue in the life of an infant not even born yet."

"So, 1325 is very far from places like Dragash," he concluded. "It's three hours down the road from Prishtina, but it's a hundred years away."

The visit was part of a UNDP-supported project that sought to integrate the Municipality of Dragash as an extension of the Sharr National Park, a magnificent mountain area where people still live in isolation and poverty. UNDP Resident Representative Osnat Lubrani said that it took a "special proactive effort to reach out to the women and ensure that their views and perspectives were included."<sup>173</sup>

While the legislation protecting women's security and human rights is generally in line with international standards,<sup>174</sup> it is in marginal areas, and among marginal groups such as minorities, that women are more disempowered. "It is a fact that they have less access to education due to the distance from school," said Shpresa Mulliqi, "and in some cases, they drop out due to employment, marriage, or giving birth." She hesitated before adding, "Some people may not like what I say, but this is the reality. We as a society tend to verbally support whatever is offered by the international community, but when it comes to implementation, resistance appears." This includes protecting interrelated dimensions of security: education, health, employment, and a life free from violence. Beyond Kosovo's cities, the areas that remain isolated both physically and culturally require attention.

Ethnic minority women face many of the same issues as Kosovar Albanian women, but their situation is exacerbated

by their double marginality. Serb women feel insecure, as well as isolated without proper public transportation linking Serb majority municipalities to other parts of Kosovo. Ethnic Gorani women living in rural areas in and surrounding Brod are vulnerable due to a lack of access to education and early marriage. Roma, Egyptian, and Ashkali women face similar challenges. Shpresa Agushi, Director of the Roma, Ashkali, and Egyptian Women's Network, said:

Roma women are represented too little and in a very discriminatory way. Kosovo Serbs are always mentioned as the primary minority. Our communities are only brought up when donors require it from institutions. Otherwise we are not considered. Internationals should see us as equal, but among the minorities, they forget we exist.<sup>175</sup>

UNMIK forgot that hundreds of Roma lived in settlements contaminated with lead, on the margins of northern Kosovo, an area plagued by interethnic conflict, lawlessness, and neglect. "An UNMIK report commissioned in 2000 recommended relocation of the camps because of it, but it was never acted upon," the BBC reported.<sup>176</sup> In 2007, UNDP representatives elaborated the "long story":

The settlement had tailings in serious heavy metal contaminants, especially lead, which had a degenerative impact particularly on children. And UNMIK didn't do much about it; they didn't see it as problematic and obviously seriously underestimated the problem. [...] I think that UNMIK later realized the challenge perhaps a few years too late.<sup>177</sup>

The dire environmental situation in these settlements impacted women in particular. The Society for Threatened People reported, "Most women who get pregnant in the camps these days miscarry. No matter if it is their first child or

their tenth child, it is most likely they will miscarry."<sup>178</sup> Women feared their children would become sick and die. They observed children "getting angry and violent over little things. They lose their hearing [and] get disorientated when they walk. As they get worse they lose their memory and vomit every day." Though it is a great honor for women to become pregnant, women self-aborted, fearing for the wellbeing of future children.<sup>179</sup> Only in 2010 did international actors start closing the camps and supporting the relocation of Roma, Ashkali, and Egyptians who had been living in deplorable conditions for a decade.<sup>180</sup>

Overall, while some programs have sought to target the specific needs of women and girls in post-conflict Kosovo, many remain vulnerable and marginalized.<sup>181</sup> Their security "is not good enough in all fields of life," Agushi said.<sup>182</sup>

## Marginal education

*"Gender equality is achieved when women's level of education and economic situation is 50-50 compared to men. We still have not achieved that. In fact, we still have women who are illiterate."*

- Naime Sherifi

Each night, before she fell asleep, fantasies filled her head. These were not the normal fantasies of a fifteen-year-old girl. She wasn't dreaming about what new outfit she could wear or cute boys at the café. Instead she fantasized about finishing high school and starting her own business. This was unlikely, as her family had decided not to send her to secondary school. She loved school and begged them not to pull her out of school, but it was the only option they had. They couldn't afford to educate her and her two brothers at the same time; the travel and school supply costs were too

high. A girl could never support them in their old age; she would be married and join some other family. So here she was, at home, dreaming of school. As for starting her own business, when she told her mother, her mother roared with laughter. "Why did I give birth to a daughter who lives inside her dreams," she said. "Why couldn't she just find a nice boy to marry?"

Roughly 65 percent of Kosovo women compared to 41 percent of men have not completed a secondary education. On average, women possess only 8.45 years of schooling compared to 10.35 years for men.<sup>183</sup> The fact that girls discontinue their schooling before boys can be attributed only in part to culture-based social norms. Nowadays there is no difference between girls' and boys' schooling in the cities. It is in rural areas where structural conditions, such as family economies and lack of school buildings, keep traditionalism alive. Without a safety net, older people still rely on younger members of their families for survival, and boys must take on this task. They have better job prospects and the historical social responsibility to ensure financial security for elderly parents later in life. Therefore, boys are sent to school instead of girls when financial choices must be made.<sup>184</sup> Often, girls in rural areas must walk a few miles alone, along state roads to reach their school, an itinerant parent would not allow their daughters to undertake. Girls from some ethnic groups have even worse access to education, such as Roma, Ashkali, Egyptian, and Gorani girls. Social norms such as early marriage and economic woes prevent them from attending higher education.<sup>185</sup>

Whether women and girls have access to public services, including education, can indicate "the extent to which women's and girls' specific needs are addressed in the design, financing, and delivery of basic services," according to the UN Secretary-General.<sup>186</sup> Women's unequal access to education puts them at a disadvantage when they seek to enter the labor force later in life. Without economic security, women struggle to protect themselves from violent family

situations, as discussed earlier, and, more generally, to be independent.

## A “black hole” for health

*“What makes it more difficult in rural areas, and for women in particular, is that rural residency is intertwined with women’s level of education and their socioeconomic status. Most of them do not generate income and are not self-sufficient.”*

- Dr. Skender Sylja, Head of Office,  
World Health Organization

Prior to the conflict, the Yugoslav state owned all health facilities. During the nineties, the discriminatory policies of the Government of Serbia meant that Kosovar Albanians lacked access to state healthcare services. Following the ousting of Albanian doctors from public health clinics, Albanians tended not to trust Serb doctors.<sup>187</sup> Kosovar Albanians self-funded their own limited health services as part of the non-governmental Mother Tereza Society for nearly a decade through a voluntary tax.<sup>188</sup>

Then the 1999 war in Kosovo marked a further setback to accessing healthcare. Serbian troops’ violence against women and girls caused severe long term health damage.<sup>189</sup> Serbian blockades left women in areas like Drenica isolated from access to medical care and sanitary supplies.<sup>190</sup> A woman told KWN that she “gave birth to twins in the mountains” after being forced from her home by the Serb military.<sup>191</sup> Other women miscarried or entered into labor early due to trauma. Women’s stories and independent documentation by foreign researchers indicate that women’s and girls’ reproductive health needs were unmet during the war.<sup>192</sup>

After the war, the health sector in general has remained poorly developed.<sup>193</sup> Public health insurance has not existed. The 2004 Kosovo Health Law allows special groups limited access to certain types of public health services free of charge.<sup>194</sup> Provisions in this law directed towards women relate only to maternity, neglecting other relevant services such as gynecological care, therapy, and routine examinations. "Kosovo is a black hole in Europe if we speak about reproductive healthcare," said Visare Gorani Gashi, former acting head of the Agency for Gender Equality.<sup>195</sup>

Resolution 1325 calls for "women's and girls' specific reproductive health needs [to be] met in conflict and post-conflict situations," according to the UN Secretary-General. Kosovo must install policies that improve access to quality reproductive healthcare for citizens. The UN Secretary-General proposes that maternal mortality rates serve as a proxy indicator reflective of the "quality of public services reaching women and girls."<sup>196</sup>

Kosovo's public institutions have not heard this advice. They do not even know the nature and extent of healthcare problems because their record-keeping is so poor. Weak data management systems mean that in 2009 only one maternal death was recorded per 100,000 inhabitants (and none in 2008 and 2007), particularly unbelievable statistics considering that in countries such as Germany where healthcare is significantly better the maternal mortality rate is eight per 100,000 inhabitants.<sup>197</sup> "A significant challenge is the lack of accountability mechanisms in the health sector, such as the lack of maternal and child death audit," said Doina Bologna, who heads UNFPA and believes significant underreporting exists in Kosovo.<sup>198</sup> Dr. Syla agrees: "For example, we have no proper record of cancer in Kosovo where we would know how many women are suffering from breast cancer or cervical cancer. We do not have an adequately functioning information system."<sup>199</sup> This impacts policy and response to illnesses.

While Kosovo lacks quantitative data, experience suggests that women do not have access to quality healthcare, much like the rest of the population. For Kosovo's poor and rural inhabitants, access to healthcare is an even more serious problem. First and foremost, Kosovo has inadequate public hospitals and equipment. "We still don't have health services that are wide-ranging and specific," Dr. Sylja said. Budget allocations to public healthcare and hospitals have been low. The public health system reportedly accounted for a meagerly 9.2 percent of the Kosovo Budget or 35 Euros per capita per year.<sup>200</sup> Without health insurance, people must foot the bill for healthcare costs, including purchasing their own medication. With unemployment wavering around 43.6 percent, healthcare bills are beyond most people's means.<sup>201</sup>

The system's inability to offer healthcare closer to rural women means that they lack access to particular types of healthcare. For example, "the test on breast cancer or cervical cancer is specific and cannot be offered everywhere women live," Dr. Sylja said. Although "emergency rooms and hospitals are everywhere around Kosovo, even in the most remote areas," he said, a gap exists between urban and rural areas regarding access to healthcare. Poor living conditions and long distances between rural homes and healthcare centers limit rural citizens' access. A lack of financial independence can prevent women living in rural areas from travelling to clinics or paying a doctor. "Since most of them do not generate income, they are not independent women," Dr. Sylja said. They depend on the mercy of their families to access healthcare.

Kosovars lack understanding about the importance of routine medical checkups and that regular visits to the doctor could prevent many diseases. "We have a certain way of thinking," Dr. Sylja said. "We only start thinking about our health when we get sick." A fundamental ignorance of preventive medicine contributes to the neglect of women's reproductive health needs, which are narrowly understood as

related merely to sex. Single, divorced, or widowed women in particular face social stigmas associated with visiting the gynecologist. "After the death of my husband I needed to go to the gynecologist, but it was difficult for me because gossip from people and their guesses that I could be pregnant, kept me from doing that."<sup>202</sup> Another young woman told KWN, "I was young and when I told them that I had pain, my mother-in-law said to me, 'The same thing happened to me but it will pass and don't tell about this because it is shameful.'" Families tell women to "deal" with the pain rather than seek medical attention. "He was not interested in my health," another woman said, referring to her husband. "Sometimes he didn't believe me that I was sick. He said to me that we can't go to the doctor for every pain."

Norms rooted in the particular history of Albanians also prevent women's access to health, especially reproductive health. For a people whose struggle for survival and resistance to oppressors is the dominant national narrative, for some members of the population women represent the makers of future warriors. Vepore Shehu, Director of medica Kosova that provides free healthcare to vulnerable women, recalled an illustrative interaction with her neighbor, a doctor:

We were trying to distribute condoms and contraceptives, and my doctor was blaming me for this. He said, "Why are you distributing these things to women? Don't you know that we as an Albanian community need soldiers?"

I told him, "I have a son, but I still hope there are no more wars. Don't you think women have pro-choice rights? We want to have children and plan the family the way we want. We always tell women to protect their health. We aren't telling them to have one or two or no children." I have more children than my doctor anyway, so I told him, "You are the last one to talk about this patriotic right."<sup>203</sup>

Doctors' and family members' "traditional mentality" was a recurring theme in interviews. "Medical service is not just a physical approach. It is also the aspect of communication between a woman and medical personnel," Dr. Sylva said. "Health personnel often treat women as objects rather than subjects." Women also complained about doctors' confidentiality practices.<sup>204</sup>

Similar to physical health, the psychological wellbeing of women and men remains largely unaddressed. In a culture devastated by recent conflict, "there has been no coherent involvement in helping victims, Doina Bologna said."<sup>205</sup> The very thought of seeking psychological assistance remains broadly unaccepted, Sebahate Pacolli from the Kosovo Rehabilitation Center for Torture Victims said:

Immediately after the war, reporting to others that one was going to the psychologist or psychiatrist was taboo. People would think that only crazy or psychotic people would go to the psychiatrist. So we have to work on issues of awareness-raising.<sup>206</sup>

"The hardest thing is when you need a psychiatrist or a gynecologist," a woman said. "The hardest part is to visit them without other people finding out. For the rest of the doctors it is easier, but it's the psychiatrist and gynecologist that we need the most."<sup>207</sup> Muharrem Xhemajli from the Organization for Veterans of the Kosovo Liberation Army said that "it would have been beneficial if state institutions and the state of Kosovo created special rehabilitation programs for members of the Kosovo Liberation Army and especially for women":

Straight after the war we didn't feel these psychological consequences because we had other problems like securing our homes, but now people have time to stop and think. Everyone has started to feel the psychological problems now. It's impossible

to go through a war without any psychological damage. We may think we are okay, but it's impossible. We never did anything to deal with the trauma that was experienced. Sixteen veterans committed suicide. No one knew the cause, but we're sure it's because of the trauma they experienced during the war. There is no one out there dealing with these issues.<sup>208</sup>

Providing psychological counseling to women and men, ex-combatants and civilians is important, Igballe Rogova said. She provided an example of the work her prior organization did in an isolated, mountainous area of Kosovo after the war:

Motrat Qiriazhi, worked with men in Has region. We invited men from abroad who had experienced violence themselves, and they came to speak with men in Has. What a difference, if you compare the Has region in terms of violence to other regions. We assisted men there, but in other regions, nobody, *nobody* did anything.

Organizations like Motrat Qiriazhi, the Kosovo Rehabilitation Center for Torture Victims, One to One, and medica Kosova provided *ad hoc* assistance after the war. However, the lack of institutionalized psychological counseling for post-traumatic stress disorder may contribute to depression and domestic violence, respondents said.

Despite the numerous shortcomings in women's access to healthcare, some respondents saw improvements over the last ten years. "In 1999 you couldn't talk about family planning,"<sup>209</sup> said Visare Mujko-Nimani of UNFPA. "People thought this meant you were trying to decrease the number of Albanians, especially in rural areas. Now this has changed a lot. Now men even buy condoms." There is now a better legislative framework.<sup>210</sup> UNFPA, UNICEF, WHO, and local NGOs have collaborated to support healthcare policy

design, train service providers, undertake public outreach towards raising awareness on various health issues, and offer free contraceptives through the health system. "The WHO has evaluated Kosovo's maternity wards, developed program plans on staff training in all levels, installed a family doctor system, and helped consolidate the Ministry of Health," said Dr. Sylja. In December 2010 the oncology institute finally opened following years of advocacy efforts on behalf of women's rights activists; it provides free of charge exams towards identifying cancer early on.

## Safeguarding women's livelihoods

*"In our tradition women don't get family heritage and divorce processes are very long. There are a lot of obstacles in property division and family heritage. Sometimes I think it's too bad that we keep telling women, 'You have a lot of opportunities in your life,' because these mechanisms are not functioning well. No one thinks to create or offer long term strategies to ensure women prosperity and other opportunities."*

- Violeta (Krasniqi) Rexha, Ombudsperson  
Institution, 2007

"Today I had a case of a woman who is really strong," Ariana Qosaj-Mustafa said while working at the OSCE in 2007:

She is fighting with her father-in-law who is threatening her, and I said to her, "Are you going to claim your property rights?"

And she said, "Yes."

“Are you positive?” I asked because I don’t know what to tell her anymore. I don’t know if I’m putting a bullet in her head if I tell her that she should claim her property rights because her father-in-law might kill her. You see a woman might get killed because she seeks to have the property divided and in her name. She seeks to be acknowledged and justice to be served. Then you are not that proud that you encouraged her to seek justice because you know that violent male behavior is excused by the society. The courts and justice system are far away from being aware of women’s rights and sensitive towards women’s rights.<sup>211</sup>

In theory, women should have equal rights to employment and family assets. In practice, this does not happen. A complex system of traditional norms, structural conditions, and poorly implemented laws makes Kosovo women vulnerable to poverty and disempowerment. More often than not, property belongs to men, and cannot be transferred to or inherited by women. Women thus do not have the collateral to apply for loans. Lack of schooling and access to the labor market, as discussed earlier, make unemployment rates higher among women: 59.6 percent, compared to 42.7 percent among men.<sup>212</sup>

Let’s take property. The Law on Gender Equality establishes women’s equal right to property, but issues exist with the lack of mechanisms for implementation, said Valbona Salihu, a lawyer:

The Law states that the common wealth of spouses should be registered under both their names. If one of them does not do this, the fines are high. But it doesn’t state which institution is going to implement this, or through which mechanism one complains. This is a gap in the law.<sup>213</sup>

The Kosovo Law on Inheritance follows international standards in that a deceased's property should be divided equally among heirs.<sup>214</sup> The law specifies equality in terms of "brothers and sisters" and for the most part has a gender sensitive approach.<sup>215</sup> Again, inequality emerges during the process of making a claim as heir. Inheritance proceedings must be filed for by the heir(s). While the law entitles women heirs to file just as men, cultural norms suggest that a woman heir filing "takes away" from her brothers and other male relatives.<sup>216</sup> Luljeta Vuniqi at the Kosovar Gender Studies Center has researched the issue:

We asked women, why would they resign from their families' inheritance? We came to the conclusion that many resign due to social pressure that emerges from our unwritten laws or, let's say, our cultural habits. They would say, "This is how it is supposed to be. I do not need my family's inheritance. I left it to my brother."

Indeed, records indicate that men comprise the majority of those who have invoked their right to inheritance.<sup>217</sup> As courts fail to require women's presence during proceedings, doors open to women being pressured against filing claims. Even among the property-related cases monitored by EULEX, not a single one dealt with women's right to property, despite EULEX's talk around this issue.<sup>218</sup>

Women who lost family members during the war, or whose family members are still missing, face additional problems in claiming their right to property. Vepore Shehu, whose organization *medica Kosova* supports women with missing husbands in claiming ownership of their property, said, "There were certain procedures that they had to follow before becoming eligible for these rights. They had to claim their husbands were dead." The procedure of declaring one's husband dead is not only psychologically painful, but also often frowned upon by in-laws. Without property and often

without employment, women rely on these family members to survive. Defying their wishes could break women off from the little livelihood security that they have.

Women's disadvantaged economic position can contribute to economic violence, where an abuser uses monetary means to control a family member.<sup>219</sup> Unemployed inhabitants of rural areas with less than a secondary school education tend to be more likely to experience economic violence.<sup>220</sup> With no one to turn to, they are the most in need of livelihood support services, defined by the UN Secretary-General as temporary employment of women and girls "in the context of early economic recovery programmes."<sup>221</sup> Support from UN agencies is meant to protect at risk women and girls. When asked what proportion of their budgets had been allocated to gender equality issues, civil society organizations, or from Multi-Donor Trust Funds to gender equality issues, UN agencies in Kosovo said that they did not have this information available.

The UN Secretary-General suggests monitoring recovery and peace-building funding allocations to assess the "relative priority given to women's empowerment and gender equality." He puts forth a battery of quantitative measures to indicate the extent to which the "needs of women and girls, especially vulnerable groups (internally displaced persons, victims of sexual and gender-based violence, ex-combatants, refugees, returnees) are addressed in relief, early recovery and economic recovery programmes."<sup>222</sup>

Representatives of various UN agencies attribute the lack of data to a number of factors. First, the UN Secretary-General's indicators are new and agencies have not maintained gender disaggregated data over the last decade. Second, many respondents did not have programs or specific projects related to gender equality issues. Rather, they used "gender mainstreaming," integrating gender into their programs. "The fact that we can't say precisely how much we spend on gender programming is a positive sign because it means we have integrated it into all programming," said

Luciano Calestini at UNICEF. Even with such gender mainstreaming, collecting gender-disaggregated data is important for understanding how programs impact women and men differently.

Tracking spending on women and girls in Kosovo is also difficult because the UN Resident Representative is not mandated to track all UN agencies' financial systems.<sup>223</sup> "We have 21 UN agencies active in Kosovo with different mandates, [and] all with their own agency reporting mechanisms," UNDP Gender Advisor Jocelyne Talbot said. Recordkeeping appeared to be improving in 2011, following the introduction of a gender marker system in 2010 at the UNDP. Talbot explained that gender markers cannot measure precisely the budget, but they can indicate progress. The gender marker, mandatory for all UNDP projects, indicates the extent to which gender dimensions are integrated into all phases of a given project. The markers suggest that UNDP has improved its performance in integrating gender dimensions into its projects.<sup>224</sup> UNDP Kosovo also monitors its annual budget to ensure that funds are allocated to gender equality results, Talbot said.

Some UNDP programs focus solely on gender equality issues. "The Women's Safety and Security Initiative is 100 percent gender based," said Nazlie Bala who manages the initiative.<sup>225</sup> This program has played an important role in supporting collaboration between institutions and women's organizations in researching domestic violence, drafting evidenced-based policies, creating curricula for police and judges on domestic violence, and filling in shelters' funding gaps.

Programs like food for work do not seem to have been offered in Kosovo, and we struggled to identify programs that provided women with temporary employment as such.<sup>226</sup> There have been projects that aim to improve women's economic plight.<sup>227</sup> For example, the EU-funded project Beautiful Kosovo allocated five million Euros towards poverty reduction and combating unemployment among

marginalized groups, including women, in 2010.<sup>228</sup> The World Bank-supported Community Development Fund (CDF), a local non-governmental organization, distributed funds to women's organizations and projects, but this comprised only five percent of CDF funds.<sup>229</sup> The European Union has not had gender specific programs, but "of the total \$2.5 million spent on grants for civil society under the Political Criteria section, \$530,000 was allocated for four projects dealing with women's rights." UN Women, Kvinna till Kvinna, STAR Network of World Learning, and various foreign governments were among the financial supporters of women's organizations. Perhaps the largest single fund targeting women in immediate postwar Kosovo was the Kosovo Women's Initiative (KWI), a UNHCR-run, U.S.-funded project that sought to assist women affected by war.<sup>230</sup> It was modeled after similar projects in Bosnia and Rwanda, Sevdije Ahmeti said:

\$10 million was given to women's organizations. There was the Rwanda Women's Initiative and now AWI in Afghanistan. Who spent that money? It was international organizations, not women's organizations. It went towards sewing courses, hairdressing, and computers, low wage pay, and no jobs. No workplace stuff. Because when you are economically independent, you are free.<sup>231</sup>

Women's rights activists felt the bulk of the money went to international organizations contracted by UNHCR to run the program rather than to Kosovar women. Ahmeti, among others, said international organizations tended to homogenize women in their aid, failing attend to diverse women's needs or to recognize that Kosovo had educated, capable women leaders.

Activists also expressed concern that KWI's small grants for women's organizations, like many donor-funded projects in Kosovo, encouraged women to undertake menial

tasks like sewing and hairdressing where there was minimal market for their products and too little profit to help them climb out of poverty. Indeed the external evaluation of KWI, as one of the largest “income generation” projects targeting women, found that “the proportion of profitable (or even breakeven) projects classed as KWI income generation projects drops below 30 percent.”<sup>232</sup> Later inquiries found few of these businesses still existed, though they had provided some income for a few women and their families in the immediate postwar context.<sup>233</sup> KWI funding dwindled quickly from \$400,000 in 2001 to less than \$28,000 in 2004. “This decrease happened at the same time as a decrease in other sources of funding and was not counterbalanced by increased funds for NGOs from the budget of the Kosovo authorities,” according to UNDP.<sup>234</sup>

The funding available immediately after the war has decreased with time and has become increasingly difficult for women’s groups to secure. “There are less and less funds for women,” said Flora Macula of UN Women. Other respondents, like Ariana Qosaj-Mustafa, said protecting women’s rights simply is not a priority for donors:

Civil society constantly is losing financial support. There are less and less funds for women. Funds for women’s rights are at the bottom of priorities of donors’ lists. If you talk to donors, they do not consider it an important task.<sup>235</sup>

Competition for funds and changing systems mean some women are “successful” in applying while others are not. When asked whether women’s ability to apply for funds has changed over time,<sup>236</sup> Flora Macula said:

Yes of course. Compared to the beginning, com’mon... The forms and the methodologies are changing. Now every government or donor requires results-based management. Before it was different. In

our case we tried to build capacities of those who are weaker like Serb organizations and organizations from small cities, providing training on results-based management. Still, obtaining EU funds is very, very hard. People say it's like writing a dissertation. So I don't think that donors are responding to the capacity of women, particularly smaller organizations.<sup>237</sup>

More advanced women's organizations have adapted to the changing donor climate and are more successful in applying for funding, she said, but funding continues to decline quickly and is insufficient.

# CONCLUSIONS

*"The new EULEX Head of Mission Xavier Bout de Marnhac promised that he would make sure that 1325 would be implemented. I am hoping that something will happen. Yes, EULEX is here to monitor Kosovo's government, but we are here to monitor you, EULEX."*

- Igballe Rogova, speech on the Anniversary of Resolution 1325, 31 October 2010

"To what extent do you think Resolution 1325 has been implemented in Kosovo over the last ten years?" This was the question. The general consensus is clear: few institutions that have the responsibility to implement Resolution 1325 have done so. "Not even internationals have implemented the Resolution, let alone people from Kosovo," Belgjyzare Muharremi said.

Kosovo's legal framework, generally aligned with international standards, sets a foundation for the institutionalization of gender equality, towards implementing Resolution 1325. The Constitution includes CEDAW. The Parliament adopted the Criminal Code, the Anti-discrimination Law, the Law on Domestic Violence, and the Law on Gender Equality, providing the quota that safeguards women's seats at all decision-making levels.

Yet, "Implementation represents a greater problem than establishing a law," said Besim M. Kajtazi. Social norms, tradition, poor economic conditions, and weak institutions, particularly the judiciary, allow for continued systematic exceptions to the application of existing legislation, exemplified by women's limited access to property, hesitancy to file for inheritance rights, inability to claim child custody,

insufficient protection from domestic violence, and lack of access to justice for crimes committed. The persistence of violence in families, unequal access to education for girls, economic inequality between women and men, and continued underrepresentation of women in political decision-making at all levels are evidence that Resolution 1325 is far from implemented.

Where there has been progress, it often followed women's advocacy. "A lot of things don't get implemented, but a lot do, and the majority of them do simply because of civil society," said Clare Hutchinson in 2007. "Not for one moment do I think that our office has made a change in society in Kosovo. I think that civil society has made a change." "KWN remains a very good example," said Shqipe Krasniqi. "They took on the slogan of 1325, and it became a very strong slogan." Women's rights activists advocated for strategies towards gender equality, the establishment of the Agency for Gender Equality at the highest level, and women's participation in negotiations on Kosovo's political status, conducted between 2005 and 2008. When women were not included in the negotiations, the Women's Peace Coalition and the Regional Women's Lobby pushed for women's voices to be heard. Following their extensive advocacy, by 2011 Edita Tahiri led Kosovo's team in the dialogue with Serbia, and Atifete Jahjaga was elected President of the Republic.

Perhaps the "triangle" of cooperation between international actors, civil society, and government institutions has contributed the most to the implementation of Resolution 1325. UNICEF collaborated with women's organizations and the government to improve girls' and women's access to education. UNFPA worked with women's organizations to protect domestic violence victims and train healthcare professionals. UNIFEM (later UN Women), UNDP, and the UNMIK Police united with women's rights activists to support the police and security forces in institutionalizing gender equality, Tilly Stroosnijder said: "I looked for close cooperation with the local women's network and UN Women

in Kosovo. Without them nothing would have moved forward or been sustained!" More women in law enforcement and better training have made the police and Kosovo Security Force sensitive to the principles of Resolution 1325.

While international organizations may not have always implemented the Resolution themselves, their presence and sometimes pressure had some positive impact on Kosovo institutions. "The sociopolitical environment in Kosovo with its large international presence in combination with the Kosovar desire to prove to internationals that we are capable as a state have been great motivators regarding the implementation of 1325," said Behar Selimi. Shqipe Krasniqi agreed that it was not the internationals per se, but Kosovars' hopes for integration into the European Union and United Nations that encouraged domestic institutions to implement the Resolution.

"It's the human factor," said Flora Macula. "When you have the wrong person in the wrong place at the wrong time, it costs a lot." Leadership made the difference. Lesley Abdela pushed for Kosovar women's participation in decisions made by UNMIK and the OSCE; Behar Selimi advocated gender mainstreaming within the police; and Besim M. Kajtazi, Head of the Department of Human Rights, carefully reviewed all legislation: "A gender perspective is not a priority in our society, but for me it was really interesting," he said, "and I felt obligated to compile these legal acts that have to do with gender equality." "Often men can be the most convincing champions for gender equality," Osnat Lubrani said, "especially with other men, helping to bring down barriers and explain that we're not talking about women being against men, but about the equal status of women for the betterment of the entire society, including men. We have evidence today that supporting gender equality accelerates any country's development agenda." Igballe Rogova agreed, "We women cannot push gender alone. That is why we work with men. This made the change in Kosovo." Men's and women's leadership can circumvent the major obstacles to

implementation: a lack of coordination, hierarchic bureaucracy, and the fact that gender equality, so clearly stated in the Resolution and Kosovo's laws, has not been internalized fully yet.

"We have a proverb in Bulgaria 'Five grandmothers and the child is sick' meaning that we are many; but with no proper coordination and division of labor, some issues may be dropped," said Theodora Krumova. "Traditionally the grandmothers take care of the child, but if there are too many grandmothers it may be counterproductive. One might think, 'Okay, the other four will take care of it.'" Several "grandmothers" in Kosovo, from UNMIK to EULEX to Kosovo institutions to KFOR... may mean nobody takes responsibility for implementing Resolution 1325. In some instances responsibilities have been tossed to and fro as "someone else's mandate," while in other cases inefficient overlap and competition exist over who "owns" particular activities. Coordination is so important for progress.

"It's so bureaucratic," Flora Macula said. "It's very technical and oppressive. This is the UN. You can make changes where you are, but they are very personal." While UN bodies look to New York, EULEX depends on directions from Brussels where the European Union sits. Agencies and offices responsible for gender mainstreaming and furthering gender equality at the mission level seem limited by insufficient political weight.

Their superiors often do not understand that "gender" is not a separate "issue" to be considered later. Rather, each policy debate and decision should involve women and assess the different ways women and men may be affected, from security policy to Kosovo's final status to the economy and beyond. The crucial understanding of "how" to implement Resolution 1325, beyond simply "what" 1325 is, has been lacking. "How you actually make it actionable and effective was missing," said Sirpa Rautio. "Police will laugh at 1325 if you don't say, 'This is your job. This is how you monitor...' It

must be concrete." At the outset, clearer instructions from the top are necessary.

Ultimately, implementing Resolution 1325 requires a change in the mentality of people and institutions. "Difficulties arise from the mentality here, in which the man is always dominant and professions that have to do with physical force are seen as typical male professions," Behar Selimi said. "This mentality also exists in the Western world but they are too afraid to show it openly."

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# **Annex 1. Progress on the UN Secretary-General's Proposed Indicators**

KWN used the UN Secretary-General's proposed indicators to assess the extent to which Resolution 1325 has been implemented in Kosovo. This annex summarizes our findings. The first and second columns correspond with the UN Secretary-General's proposed indicators. For the other columns, KWN established its own scoring system. The "Overall Score" is the overall extent to which Resolution 1325 has been implemented in Kosovo as of 2011, where:

- 0 = not implemented
- 1 = partially implemented
- 2 = fully implemented
- DK = don't know or insufficient information

The third column indicates whether there has been progress (+), no change (=) or regress (-) in the implementation of Resolution 1325 in Kosovo in the last decade.

Nr.	Indicator	Overall Score	Progress/Regress	Explanation
<b>PREVENTION</b>				
<b>I. Prevention of all forms of violence against women, particularly sexual and gender-based violence</b>				
1a	Prevalence of sexual violence	1	+	Sexual violence was prevalently used for military/political ends, including recurrent attacks against the same victims. The situation has improved since the war.
1b	Patterns of sexual violence in conflict and post-conflict situations	1	+	There have been positive developments in the police and judiciary, including new policies and training. However, they are not fully implemented and impunity persists, particularly for internationals who possess diplomatic immunity.
<b>II. Operational gender-responsive systems in place to monitor, report and respond on violations of women's and girls' rights during conflict, ceasefires, peace negotiations and after conflict</b>				
2	Extent to which United Nations peacekeeping and special political missions include information on violations of women's and	1	=	Roughly 54% of UNMIK's periodic reports to the Secretary-General included information about violations of women's and girls' rights. Half of the reports were silent

Nr.	Indicator	Overall Score	Progress/Regress	Explanation
	girls' human rights in their periodic reporting to the Security Council			on the issue. None of the UNMIK reports involved a gender mainstreaming approach.
3a	Extent to which violations of women's and girls' human rights are reported, referred and investigated by human rights bodies	DK	DK	Human rights bodies' poor data collection systems made it impossible to examine gender disaggregated data on the types of cases reported, referred, and investigated.
3b	Number and percentage share of women in governance bodies of national human right bodies	0	=	Men have led all of these institutions since their establishment in Kosovo.
<p><b>III. International, national and non-State security actors are responsive to and held to account for any violations of the rights of women and girls, in line with international standards</b></p>				
4	Percentage of reported cases of sexual exploitation and abuse allegedly perpetrated by uniformed, civilian peacekeepers and/or humanitarian workers that are acted upon out of the total number of referred cases	DK	DK	Calculating the percentage is difficult due to insufficient information. However, qualitative information suggests that such cases occurred and were insufficiently acted upon due to diplomatic immunity.

Nr.	Indicator	Overall Score	Progress/Regress	Explanation
5a	Extent to which measures to protect women's and girls' human rights are included in directives issued by heads of military components and heads of police components of peacekeeping missions	1	+	The UNMIK Police, KFOR, and EULEX seem to have been slow in installing these directives, though this improved with time.
5b	Extent to which measures to protect women's and girls' human rights are included in national security policy frameworks	1	+	The Kosovo Police and Kosovo Security Force have installed measures. The National Security Strategy still being drafted could attend more to women's and girls' human rights.
<p><b>IV. Provisions addressing the specific needs and issues of women and girls are included in early warning systems and conflict prevention mechanisms and their implementation is monitored</b></p>				
6	Number and type of actions taken by the Security Council related to Resolution 1325	0	=	Related to Kosovo, the Security Council has not taken any known actions.
7	Number and percentage share of women in executive positions of relevant regional and subregional organizations	1	=	Women are underrepresented in the European Parliament, European Commission, NATO, and OSCE. Only one known woman in a leadership position

Nr.	Indicator	Overall Score	Progress/Regress	Explanation
	involved in preventing conflict			within these organizations has represented Kosovar women's needs.
<b>PARTICIPATION</b>				
<b>V. Inclusion of women and women's interests in decision-making processes related to the prevention, management and resolution of conflicts</b>				
8	Percentage of peace agreements with specific provisions to improve the security and status of women and girls	0	=	Perhaps since UN Security Council Resolution 1244 preceded Resolution 1325, there is no mention of women and girls in Resolution 1244.
<b>VI. Increased representation and meaningful participation of women in United Nations and other international missions related to peace and security</b>				
9	Women's share of senior positions in United Nations field missions	1	+	More women have senior positions in Kosovo now, compared to after the war, but they are still underrepresented.
10	Percentage of field missions with senior gender experts	1	+	Progress with UNDP's senior level gender advisor. Qualitatively, gender experts seem to have struggled to mainstream gender within their missions.
<b>VII. Increased representation and meaningful participation of women in formal and informal peace negotiations and peace building processes</b>				

Nr.	Indicator	Overall Score	Progress/Regress	Explanation
11a	Representation of women among mediators, negotiators, and technical experts in formal peace negotiations	1	+	UNMIK and Kosovo leaders failed to involve women initially. Progress with Edita Tahiri leading the present dialogue with Serbia, but women under-consulted during the negotiations to date.
11b	Women's participation in official observer status, at the beginning and the end of formal peace negotiations	0	=	Never existed.
<b>VIII. Increased representation and meaningful participation of women in national and local governance, as citizens, elected officials and decision makers</b>				
12a	Women's political participation in parliaments and ministerial positions	1	+	Limited progress as more women have been elected and appointed to decision-making positions. Women still under-represented at the municipal level and ministerial positions.
12b	Women's political participation as voters and candidates	DK	DK	KWN could not secure data from OSCE and Kosovo Central Election Commission.
<b>IX. Increased participation of women and women's organizations in activities to prevent, manage, resolve and respond to conflict and violations of women's and girls' human rights</b>				

Nr.	Indicator	Overall Score	Progress/Regress	Explanation
13	Extent to which Security Council missions address specific issues affecting women and girls in the terms of reference and mission reports	0	=	Security Council missions did not prioritize meeting with women. Three out of four reviewed reports by Security Council monitoring missions visiting Kosovo did not mention women or girls.
<b>PROTECTION</b>				
<b>X. Safety, physical and mental health of women and girls and their economic security are assured and their human rights respected</b>				
14	Index of women's and girls' physical security	DK	DK	No such representative, quantitative survey has been conducted.
<b>XI. Political, economic, social and cultural rights of women and girls are protected and enforced by national laws in line with international standards</b>				
15	Extent to which national laws to protect women's and girls' human rights are in line with international standards	1	+	The establishment of national legislation protecting women and girls, in line with international standards is among the greatest successes in post-conflict Kosovo. However, systematic exceptions to the application of existing legislation exist. Implementation remains problematic.

Nr.	Indicator	Overall Score	Progress/ Regress	Explanation
<b>XII. Operational mechanisms and structures in place for strengthening physical security and safety for women and girls</b>				
16	Level of women's participation in the justice, security, and foreign service sectors	1	+	Efforts to attract and retain women have led to increases in the number of women at various levels of justice and security sectors. However, women are still underrepresented in all sectors, particularly in decision-making positions. Women's participation in the foreign service has been very limited.
17	Existence of national mechanisms for control of illicit small arms and light weapons	1	+	The law has been established. However, national level record-keeping must be improved. Weapons appear to remain widespread and have been used to perpetrate domestic violence.
<b>XIII. Women and girls at risk have access to livelihood support services</b>				
18	Percentage of benefits from temporary employment in the context of early economic recovery programs	DK	DK	No known such programs existed in Kosovo.

Nr.	Indicator	Overall Score	Progress/ Regress	Explanation
	received by women and girls			
<b>XIV. Increased access to justice for women whose rights are violated</b>				
19	Percentage of referred cases of sexual and gender-based violence against women and girls that are reported, investigated and sentenced	DK	DK	Lack of national level data collection systems where cases are disaggregated by gender meant this could not be measured
20	Hours of training per capita of decision-making personnel in security and justice sector institutions to address cases of sexual and gender-based violence	1	+	Training for international institutions with security responsibilities seems to have been largely <i>ad hoc</i> . The Kosovo Police and Kosovo Security Force institutionalized training. The justice system provided "needs based" training on this topic recently.
<b>RELIEF &amp; RECOVERY</b>				
<b>XV. Women's and girls' specific reproductive health needs are met in conflict and post-conflict situations</b>				
21a	Maternal mortality rate; changes in quality of services available; factors preventing	1	+	Data inaccurate; some services established so the situation has improved since the war, but remains inadequate. Rural

Nr.	Indicator	Overall Score	Progress/Regress	Explanation
	access			and single women in particular lack access due to distance, insufficient finances, and sometimes cultural norms.
21b	Educational enrollment, disaggregated by sex	1	+	While girls' overall enrollment seems to have improved slightly since 2002, rural girls and Roma, Ashkali, Egyptian, and Gorani girls still lack equal access.
<p><b>XVI. The needs of women and girls, especially vulnerable groups (internally displaced persons, victims of sexual and gender-based violence, ex-combatants, refugees, returnees) are addressed in relief, early recovery, and economic recovery programs</b></p>				
22a	Proportion of budget related to indicators that address gender equality issues in strategic planning frameworks	DK	DK	No data available.
22b	Proportion of budget related to targets that address gender equality issues in strategic planning frameworks	DK	DK	No data available.
23a	Proportion of total disbursed funding to civil society organizations that is allocated to address	DK	DK	No data available.

Nr.	Indicator	Overall Score	Progress/Regress	Explanation
	gender equality issues			
23b	Proportion of total disbursed funding to support gender equality issues that is allocated to civil society organizations	DK	DK	No data available.
24a	Proportion of disbursed Multi-Donor Trust Funds (MDTFs) used to address gender equality issues	DK	DK	No data available.
24b	Proportion of total spending of the United Nations system used to support gender equality issues	DK	DK	No data available.
<b>XVII. Post-conflict institutions and processes of transitional justice, reconciliation and reconstruction are gender responsive</b>				
25	Truth and Reconciliation Commissions include provisions to address the rights and participation of women and girls	1	+	Insufficient prosecution of crimes committed against women in Kosovo; improved witness protection, but women feel it is still insufficient.
<b>XVIII. Disarmament, demobilization and reintegration and security sector reform programs address the specific security and other needs of female security actors, ex-combatants, and women and girls associated with armed groups</b>				

Nr.	Indicator	Overall Score	Progress/Regress	Explanation
26a	Percentage of benefits from reparation programs received by women and girls	0	=	There have not been any reparations for anyone.
26b	Percentage of benefits from DDR programs received by women and girls	DK	DK	Data disaggregated by gender unavailable, though some women benefitted from these programs.

## Annex 2. The Method

The UN Secretary-General's recently proposed indicators for monitoring the implementation of Resolution 1325 guided the research (see Annex 1), informing all interview protocols and data collection choices. Researchers interviewed representatives of various institutions, selected based on their responsibility for implementing the Resolution or their knowledge about its implementation (see Annex 3). The researchers collaborated to transcribe, translate into English, and code (analyze) the data, testing initial findings during future interviews. They also drew from interviews conducted in 2007 and 2009, during prior KWN monitoring exercises, towards identifying any changes in the Resolution's implementation over time. Researchers scoured the internet for information, reviewed texts, and requested statistics from institutions. While the researchers volunteered their time initially, the research later benefitted from the generous support of the Austrian Embassy in Prishtina.

The researchers drafted chapters based on the four "pillars" proposed by the UN Secretary-General: Prevention, Participation, Protection, and Relief and Recovery. The drafting was an iterative process: new interviews tested early findings and statistics were added as they trickled in. Communication flew transnationally as the researchers wrote, edited, and re-edited from diverse locations.

When the editor sat down to put it all together, something was not quite right. The chapters repeated each other as the indicators overlapped. The indicators seemed a "straightjacket" that stifled the rich stories respondents had told. She significantly edited the draft with assistance, insight, and moral support from Anna Di Lellio, professor of International Relations at the New School and New York University. Meanwhile, research participants reviewed excerpts and quotations, offering feedback. Some

respondents wrote paragraphs of additional information that they wanted included. Space restrictions and the context meant this was not always possible, though the research team tried to correct any factual mistakes.

Writing a ten-year history is no easy undertaking. Writing such a history in five months, some might say, is impossible. Add summer vacations, institutional bureaucracy, concerns raised in participant checks, and translation, and this was no easy undertaking. Institutions' record-keeping practices were poor and data was missing. Although participant checks sought to validate findings and minimize error, mistakes may exist, and for these the authors apologize.

## Annex 3. Research Participants

Most respondents participated in 2011. However, some participated also or only in 2007 and 2009.

#	Name	Position	Institution
1.	Albert Avdiu	Head of the Secretariat	Kosovo Judicial Council
2.	Arbena Kuriu	Program Officer	Office of the High Commissioner for Human Rights (OHCHR)
3.	Ariana Qosaj-Mustata	Legal Advisor / former National Advisor for Women and Children	Office of the President of the Republic of Kosovo / Organization for Security and Cooperation in Europe (OSCE)
4.	Arjeta Rexhaj	Political Advisor / former Director	Head of Dialogue, Edita Tahiri's office / Center for Gender Training and Studies
5.	Bajram Pajaziti	Director	Department of Martyrs' Families and War Invalids, Ministry of Labor and Social Welfare
6.	Behar Selimi	Member of Parliament / former General Director	Democratic Party of Kosovo (PDK) / Police of Kosovo
7.	Bekim Ajdini	Public Information Officer	International Organization for Migration (IOM)
8.	Belgjzare Muharremi	Director	Open Door women's organization

9.	Besim M. Kajtazi	Head of Human Rights Department	Prime Minister's Office, Republic of Kosovo
10.	Brigitte Holzner, Violeta Rexha, Irina Gudelijevic	Gender Advisor, Human Rights and Gender Officer, Spokesperson	European Union Rule of Law Mission in Kosovo (EULEX)
11.	Christos Theodoropoulos		Office of the United Nations High Commissioner for Refugees (UNHCR)
12.	Clare Hutchinson	Former Gender Advisor	Office of Gender Affairs, United Nations Interim Administration in Kosovo (UNMIK)
13.	Doina Bologna, Visare Mujko Nimani	Chief of Operation, National Program Officer	United Nations Population Fund (UNFPA)
14.	Donika Kadaj	Member of Parliament	Alliance for the Future of Kosovo (AAK)
15.	Edita Tahiri	Head of Technical Dialogue, Deputy Prime Minister	Republic of Kosovo
16.	Elife Krasniqi	Activist	
17.	Elisabeth Schleicher	Gender Advisor	Kosovo Force (KFOR)
18.	Enver Peci	Chair	Kosovo Judicial Council
19.	Fahri Sadriu	Head of G9 / former Gender Focal Point	Kosovo Security Force / Kosovo Protection Corps
20.	Flora Macula	Officer in Charge	UN Women
21.	Frode Muring	Former Head	UNDP

22.	Habit Hajredini	Director	Office of Good Governance, Equal Opportunity and Gender, Prime Minister's Office
23.	Halime Morina	Coordinator	Human Rights Unit, Ministry of Kosovo Security Force
24.	Hysni Shala	Human Rights Coordinator	Kosovo Police
25.	Igballe Rogova	Executive Director	Kosova Women's Network
26.	Jean Wakam	Head	Conduct & Discipline Team, UNMIK
27.	Jocelyne Talbot	Gender Advisor	UNDP
28.	Lina Andeer	Field Representative	Kvinna till Kvinna
29.	Lorik Pustina		International Civilian Office (ICO)
30.	Luciano Calestini, Aferdita Spahiu, Laura Fragiacomò		United Nations Children's Fund (UNICEF)
31.	Luljeta Domaniku	Gender Advisor	Ombudsperson Institution
32.	Luljeta Vuniqi	Executive Director	Kosovo Gender Studies Center
33.	Mehdi Geci		Agency for Gender Equality (2007)
34.	Merita Halitaj	Director	One to One
35.		Department of Finance	Ministry of Health
36.	Muharrem Xhemajli	Head	Organization of Veterans of the Kosovo Liberation Army
37.	Nagip Skenderi	Permanent Secretary	Ministry of Foreign Affairs
38.	Naime Sherifi	President of the Board	Coalition of Women's Shelters

39.	Nazlie Bala	Coordinator	Women's Safety and Security Initiative, UNDP
40.	Nerma Jelacic	Spokesperson	International Criminal Tribunal for the former Yugoslavia (ICTY)
41.	Nora Ahmetaj	Director	Centre for Research, Documentation and Publication
42.	Osnat Lubrani	Resident Representative	UNDP
43.	Pauline Menthonnex	Program Specialist	UNDP
44.	Philippe Tissot	External Affairs	Office of the SRSG, UNMIK
45.	Sebahate Pacolli Krasniqi	Head of the Rehabilitation and Capacity Building Unit	Kosova Rehabilitation Center for Torture Victims
46.	Sevdije Ahmeti	Activist	
47.	Safet Sylja, Shaban Shala	Colonel, General	Office for Issues of Heritage of Kosovo Protection Corps, Ministry of Labor and Social Welfare
48.	Shpresa Agushi	Director	Roma, Ashkali, Egyptian Women's Network
49.	Shpresa Mulliqi	Public Safety Awareness Officer	Special Advisory Unit, Directors Office, Department for Security and Public Safety, OSCE Mission in Kosovo
50.	Shqipe Krasniqi	Acting Head	Agency for Gender Equality, Prime Minister's Office
51.	Shukrije Gashi	Director	Partners Kosova
52.	Sirpa Rautio	Former Head	Human Rights and Gender Equality Office, EULEX

53.	Skender Sylja	Head	World Health Organization (WHO)
54.	Snezana Karadzic	Director	Women's Committee for Protection of Human Rights
55.	Tahire Haxholli	Lieutenant	Kosovo Police
56.	Tanya Castle	UNMIK Public Information Officer	UNMIK
57.	Teuta Sahatqija	Member of Parliament	Democratic League of Kosovo (LDK)
58.	Theodora Krumova	Human Rights Officer	Office of the High Commissioner for Human Rights (OHCHR)
59.	Tilly Stroosnijder	Gender Advisor	UNMIK Police
60.	Valbona Salihu	Director	Lawyers' Association Norma
61.	Vepore Shehu	Executive Director	medica Kosova
62.	Visare Gorani Gashi	Program Officer	Democratic Governance and Human Rights, Embassy of Sweden
63.	Violeta (Krasniqi) Rexha	(Prior position, 2007)	Ombudsperson Institution
Other sources who wished to remain anonymous			

## **Annex 4. 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.

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

# ENDNOTES

## Introduction

<sup>1</sup> Rogova referred to the four supporting resolutions adopted by the UN Security Council, 1820, 1888, 1889, and 1960, which she calls "sister resolutions."

<sup>2</sup> United Nations Security Council, "Women and peace and security: Report of the Secretary-General," S/2010/173, 6 April 2010.

<sup>3</sup> Merriam Webster Online Dictionary, at: <http://www.merriam-webster.com/dictionary/fables>.

<sup>4</sup> KWN correspondence and interview with Osnat Lubrani, UNDP Resident Representative, Prishtina, 4 July 2011.

<sup>5</sup> UNIFEM, *Gender Mainstreaming: An Overview*, UNIFEM, 2002.

<sup>6</sup> KWN interview with Nazlie Bala, Coordinator, UNDP Women's Safety and Security Initiative, Prishtina, 14 June 2011.

<sup>7</sup> KWN interview with Elisabeth Schleicher, KFOR Gender Advisor, Prishtina, 14 July 2011.

<sup>8</sup> KWN interview with Clare Hutchinson, former UNMIK gender advisor, Prishtina, 2007.

<sup>9</sup> KWN interview with Frode Mouring, UNDP, Prishtina, 2007.

<sup>10</sup> EULEX, "Factsheet on EU Rule of Law Mission in Kosovo."

<sup>11</sup> Council of the European Union, Secretariat, "Implementation of UNSCR 1325 in the context of ESDP," Brussels: 29 September 2005, at: [http://www.eulex-kosovo.eu/training/hrqi/docs/170707implementationunscr\\_en.pdf](http://www.eulex-kosovo.eu/training/hrqi/docs/170707implementationunscr_en.pdf).

<sup>12</sup> European Union, "Council Joint Action 2008/5928/CFSP of the European Union."

<sup>13</sup> In Albanian, Trupat Mbrojtëse të Kosovës (TMK).

## Participation

<sup>1</sup> Human Rights Watch, *A Week of Terror in Drenica: Humanitarian Law Violations in Kosovo*, United States: February 1999.

<sup>2</sup> KWN interview with Sirpa Rautio, Former Head of Human Rights and Gender Office, EULEX, 21 September 2011.

<sup>3</sup> UN Security Council Resolution 1244, at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/172/89/PDF/N9917289.pdf?OpenElement>.

<sup>4</sup> NATO, Military Technical Agreement, 9 June 1999, at: <http://www.nato.int/kosovo/docu/a990609a.htm>.

<sup>5</sup> UN Secretary-General, goal V, indicator 8 defines “peace agreements” as “contracts intended to end or significantly transform a violent conflict so that it may be addressed more constructively.”

<sup>6</sup> UN Secretary-General, indicator 8.

<sup>7</sup> Igballe Rogova, “Networking: The Key to Peacebuilding and Organising for a Better Future,” speech made at the International Women’s Conference of CFD, 22-24 May 2003, Zurich, Switzerland, at [http://www.cfd-ch.org/womanoeuvres/wmo\\_ws\\_ref\\_rogova.html](http://www.cfd-ch.org/womanoeuvres/wmo_ws_ref_rogova.html).

<sup>8</sup> KWN correspondence with Veproje Shehu, Executive Director, medica Kosova, 2011.

<sup>9</sup> UNMIK’s tendency to reinforce patriarchy was a recurring theme among respondents.

<sup>10</sup> See also, Lesley Abdela, “Men with a Mission – No Women,” 2 March 2000, at: [http://www.abdela.co.uk/Information/Kosovo/Men\\_with\\_a\\_mission\\_no\\_women.html](http://www.abdela.co.uk/Information/Kosovo/Men_with_a_mission_no_women.html).

<sup>11</sup> KWN interview with Igballe Rogova, Executive Director, Kosova Women’s Network, Prishtina, 2007.

<sup>12</sup> UN Secretary-General, indicator 7.

<sup>13</sup> Peter Joseph Singhatay, “The Role of Regional Organizations in the Maintenance of International Peace and

Security," p. 2, at:  
<http://www.petersinghatey.com/papers/The%20Role%20of%20Regional%20Organizations%20in%20the%20Maintenance%20of%20International%20Peace%20and%20Security.pdf>.

<sup>14</sup> UN Secretary-General, goal VI, indicator 9.

<sup>15</sup> KWN interview with Ariana Qosaj-Mustafa, women's rights activist, Prishtina, 15 July 2011.

<sup>16</sup> KWN interview with Flora Macula, UN Women (then UNIFEM), Prishtina, 2007.

<sup>17</sup> KWN interview with Clare Hutchinson, 2007.

<sup>18</sup> EULEX Head of Mission, Speech at "Open Day: 10 Years UNSCR 1325," 3 November 2010.

<sup>19</sup> KWN interview with Luljeta Vuniqi, Executive Director, Kosovar Gender Studies Center, Prishtina, 12 July 2011. Other respondents made similar statements.

<sup>20</sup> EULEX website, "EULEX staff info" <http://www.eulex-kosovo.eu/en/info/StaffInfo.php>.

<sup>21</sup> KWN interview with Sirpa Rautio, 2011.

<sup>22</sup> KWN interview with Clare Hutchinson, 2007.

<sup>23</sup> KWN correspondence with EULEX, October 2011.

<sup>24</sup> UN Secretary-General, indicator 10 on the presence of senior gender experts in UN field missions.

<sup>25</sup> KWN correspondence with UNMIK, September 2011.

<sup>26</sup> KWN interview with Clare Hutchinson, 2007.

<sup>27</sup> KWN interview with Luljeta Vuniqi, 2007.

<sup>28</sup> KWN interview with Igballe Rogova, 2011.

<sup>29</sup> UN Secretary-General, indicator 10: "level of gender expertise in United Nations decision-making in conflict-affected countries," measured by "the number and percentage of appointed gender advisors."

<sup>30</sup> KWN interview with Luljeta Vuniqi, 2007.

<sup>31</sup> KWN interview with Arjeta Rexhaj, Political Advisor to Deputy Prime Minister Edita Tahiri, Prishtina, 26 July 2011.

<sup>32</sup> KWN correspondence with EULEX, October 2011.

- <sup>33</sup> KWN, *Annual Report 2007*, at: <http://www.womensnetwork.org/images/pdf/kwn%20annual%20report%202007.pdf>, p. 15.
- <sup>34</sup> KWN interview with Luljeta Vuniqi, 2007.
- <sup>35</sup> KWN interview with Belgjzare Muharremi, Director of Open Door women's organization, Prishtina, 22 July 2011.
- <sup>36</sup> NATO, Newsroom, News 17 May 2011, at: [http://www.nato.int/cps/en/natolive/news\\_74396.htm](http://www.nato.int/cps/en/natolive/news_74396.htm). Also, NATO, "Improving gender awareness in KFOR," 17 May 2011, at: [http://www.nato.int/cps/en/natolive/news\\_74396.htm](http://www.nato.int/cps/en/natolive/news_74396.htm).
- <sup>37</sup> KWN interview with Elisabeth Schleicher, Prishtina, 11 July 2011.
- <sup>38</sup> As per UN Secretary-General, indicators 4 and 20.
- <sup>39</sup> KWN interview with Ariana Qosaj-Mustafa, former OSCE representative, Prishtina, 15 July 2011.
- <sup>40</sup> KWN interview with Theodora Krumova, Prishtina, 24 August 2011.
- <sup>41</sup> KWN interview with Jocelyne Talbot, UNDP Gender Advisor, Prishtina, 20 September 2011.
- <sup>42</sup> The new approach of establishing senior gender advisors at senior management levels began in 2009 in conflict and post-conflict countries as an initiative of UNDP Global. UNDP Kosovo was one of the UNDP country offices selected to initiate this new approach (KWN correspondence with Jocelyne Talbot).
- <sup>43</sup> See the chapter, "Safeguarding women's livelihoods."
- <sup>44</sup> UN Secretary-General, goal IX, indicator 13. This is measured by reviewing the "extent to which Security Council missions address specific issues affecting women and girls in the terms of reference and mission reports."
- <sup>45</sup> UN Security Council, "Report of the Security Council Mission to Kosovo and Belgrade, Federal Republic of Yugoslavia," S2002/1376, 19 December 2002, at: <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B->

6D27-4E9C-8CD3-  
CF6E4FF96FF9%7D/kos%20S2002%201376.pdf.

<sup>46</sup> Kosova Women's Network, *Monitoring Implementation of UNSCR 1325 in Kosovo*, Prishtina, Kosovo, 2009.

<sup>47</sup> UN Security Council, "Letter dated 7 October 2005 from the Secretary-General addressed to the President of the Security Council," S/2005/63, 7 October 2005, at: <http://www.ico-kos.org/pdf/KaiEidereport.pdf>.

<sup>48</sup> UN Security Council, "Letter dated 7 October 2005 from the Secretary-General addressed to the President of the Security Council."

<sup>49</sup> Other reports perhaps mentioned women, but we could only find four reports. Two were on the UN Security Council webpage (<http://www.un.org/Docs/sc/missionreports.html>) and two were attached to UN Secretary-General letters related to reports from Martti Ahtisaari (<http://www.un.org/Docs/journal/asp/ws.asp?m=s/2007/168>) and Kai Eide ([http://www.un.org/Docs/sc/unsc\\_presandsg\\_letters05.htm](http://www.un.org/Docs/sc/unsc_presandsg_letters05.htm)).

<sup>50</sup> UN Security Council Mission, "Report of the Security Council Mission to Kosovo and Belgrade, Federal Republic of Yugoslavia 14-17 December 2002," S/2002/1376, 19 December 2002, p. 11.

<sup>51</sup> *Ibid*, p. 8.

<sup>52</sup> KWN interview with Igballe Rogova, 12 July 2007.

<sup>53</sup> *Ibid*.

<sup>54</sup> KWN interview with Igballe Rogova, 2007.

<sup>55</sup> KWN interview with Luljeta Vuniqi, 12 July 2011.

<sup>56</sup> UN Secretary-General, goal VII, indicator 11, "level of participation of women in formal negotiations" and "presence of women in a formal observer or consultative status at the beginning and the end of peace negotiations."

<sup>57</sup> KWN correspondence with Veprora Shehu, 2011.

<sup>58</sup> KWN interview with Igballe Rogova, 20 July 2011.

<sup>59</sup> KWN interview with Luljeta Vuniqi, 2007.

- <sup>60</sup> KWN interview with Igballe Rogova, 12 July 2007.
- <sup>61</sup> Letters available at: [www.womensnetwork.org](http://www.womensnetwork.org).
- <sup>62</sup> UN Department of Public Information, "Press Conference on Security Council fact-finding mission to Belgrade and Kosovo," 24 April 2007, at: <http://reliefweb.int/node/231508>.
- <sup>63</sup> KWN interview with Teuta Sahatqija, Member of Parliament for LDK, Prishtina, 26 July 2011.
- <sup>64</sup> KWN interview with Flora Macula, UN Women, Prishtina, 6 July 2011.
- <sup>65</sup> UN Secretary-General, indicator 8.
- <sup>66</sup> UN Security Council, "Letter dated 26 March 2007 from the Secretary-General addressed to the President of the Security Council: Addendum Comprehensive Proposal for the Kosovo Status Settlement," S/2007/168/Add.1, 26 March 2007, at: [http://www.unosek.org/docref/Comprehensive\\_proposal-english.pdf](http://www.unosek.org/docref/Comprehensive_proposal-english.pdf).
- <sup>67</sup> UN Secretary-General, indicator 11.
- <sup>68</sup> KWN interview with Arjeta Rexhaj, Political Advisor to Edita Tahiri, Prishtina, 26 July 2011.
- <sup>69</sup> KWN interview with Igballe Rogova, Prishtina, 20 July 2011.
- <sup>70</sup> KWN interview with Edita Tahiri, Deputy Prime Minister for Foreign Policy and National Security, Prishtina, 27 July 2011.
- <sup>71</sup> KWN interview with Edita Tahiri, 27 July 2011.
- <sup>72</sup> As per UN Secretary-General indicator 12b, Kosovo's Central Election Commission (CEC) did not possess gender disaggregated data on the number of registered and actual voters (KWN phone conversation with Xhemail Pecani, Executive Secretary, CEC, 10 November 2011).
- <sup>73</sup> UN Secretary-General Goal VIII, indicator 12.
- <sup>74</sup> Elections for the Assembly of Kosovo, UNMIK Regulation no. 2004/12 promulgated on 5 May 2004, sec. 21 and UNMIK regulation no. 2000/39 on the Municipal Election in Kosovo on 8 July 2000, sec. 4.2.
- <sup>75</sup> The Kosova Women's Lobby (KWL) emerged out of the process of drafting the National Action Plan on the

Achievement of Gender Equality, a process that involved women in civil society and women in politics. The group was *ad hoc* and involved individual members in an attempt to avoid institutional and political party demands on women. Even so political party alliances meant that some women later refused to become involved in KWL advocacy efforts. Without an agreed upon coordination structure, the group slowly disintegrated. See Nicole Farnsworth (ed.) for Kosovar Gender Studies Center, *History is Herstory too: The History of Women in Civil Society in Kosovo 1980-2004*, Prishtina: Kosovar Gender Studies Center, 2008, p. 195.

<sup>76</sup> KWN interview with Edita Tahiri.

<sup>77</sup> Institute Democracy for Development (D4D), *Deconstructing Election Trends 2000-2010*, Prishtina: D4D, September 2011.

<sup>78</sup> KWN interview with Igballe Rogova, 20 July 2011.

<sup>79</sup> KWN interview with Behar Selimi, Member of Parliament for PDK, Prishtina, 14 July 2011.

<sup>80</sup> UN Secretary-General, goal VIII, indicator 12a.

<sup>81</sup> Ariana Qosaj-Mustafa for KIPRED, *Strengthening women's citizenship in the context of state building*, Prishtina: KIPRED, 2010, p. 10.

<sup>82</sup> KWN interview with Sevdije Ahmeti, women's rights activist, Prishtina, 4 July 2011.

<sup>83</sup> KWN interview with Donika Kadaj, Member of Parliament for AAK, Prishtina, 31 August 2011.

<sup>84</sup> KWN interview with Teuta Sahatqija, Member of Parliament for LDK, Prishtina, 26 July 2011.

<sup>85</sup> UN Secretary-General, goal VIII, indicator 12a.

<sup>86</sup> KWN interview with Shpresa Agushi, 2007.

<sup>87</sup> KWN interview with Snezana Karazdic, Director, Women's Committee for the Protection of Human Rights, Prishtina, 9 August 2011.

<sup>88</sup> KWN interview with Teuta Sahatqija, Member of Parliament for LDK, Prishtina, 26 July 2011.

- <sup>89</sup> KWN interview with Naime Sherifi, Chair of the Board, Coalition of Shelters and Director, Center for Protection of Women and Children, Prishtina, 25 July 2011.
- <sup>90</sup> KWN interview with Osnat Lubrani, UNDP Resident Representative, Prishtina, 4 July 2011.
- <sup>91</sup> KWN interview with Shpresa Agushi, 21 July 2011.
- <sup>92</sup> KWN interview with Arjeta Rexhaj, 26 July 2011.
- <sup>93</sup> KWN interview with Donika Kadaj, 31 August 2011.
- <sup>94</sup> KWN interview with Teuta Sahatqija, 26 July 2011.
- <sup>95</sup> KWN interview with Naime Sherifi, 25 July 2011.
- <sup>96</sup> UN Secretary-General, indicator 12a.
- <sup>97</sup> KWN interview with Ariana Qosaj-Mustafa, Advisor to President Jahjaga, Prishtina, 15 July 2011.
- <sup>98</sup> Law on Gender Equality, No. 2004/2, 7 June 2004.
- <sup>99</sup> Law on Gender Equality, Art. 3.2.
- <sup>100</sup> Kosovo has enacted a quota for women's participation in the Parliament and municipal assemblies (please see the prior chapter).
- <sup>101</sup> Law on Gender Equality, Art. 3.5. Notably most streets in Kosovo are named after men. Teuta Sahatqija said this shows the "deeply rooted masculine mentality that is counter-productive when it comes to empowering women" (interview, Prishtina, 26 July 2011).
- <sup>102</sup> Law on Gender Equality, Art. 5.2.
- <sup>103</sup> KWN interview with Mehdi Geci, Prishtina, 29 June 2007.
- <sup>104</sup> KWN interview with Arjeta Rexhaj, 10 July 2007.
- <sup>105</sup> KWN interview with Lujeta Vuniqi, 2007.
- <sup>106</sup> KWN, *Monitoring Implementation of United Nations Security Council Resolution 1325 in Kosovo*, Second Edition, Prishtina: KWN, 2009, p. 27.
- <sup>107</sup> UN Secretary-General, goal 16: "Operational mechanisms and structures in place for strengthening physical security and safety for women and girls."

- <sup>108</sup> KWN interview with Hysni Shala, Police Sergeant, Coordinator of Human Rights, Kosovo Police, Prishtina, 22 July 2011.
- <sup>109</sup> KWN interview with Hysni Shala, 22 July 2011.
- <sup>110</sup> KWN interviews with Behar Selimi, former General Director of Kosovo Police, Prishtina, 2007 and 2011.
- <sup>111</sup> UN Secretary-General indicator 5b calls upon national security policy frameworks to protect women's and girls' rights.
- <sup>112</sup> KWN interview with Behar Selimi, 2007.
- <sup>113</sup> KWN interview with Behar Selimi, July 2011.
- <sup>114</sup> KWN interview with Osnat Lubrani, 4 July 2011.
- <sup>115</sup> Data from the Kosovo Police, 2011.
- <sup>116</sup> KWN interview with Hysni Shala, 22 July 2011.
- <sup>117</sup> KWN interview with Shpresa Mulliqi, OSCE, Prishtina, 12 July 2011.
- <sup>118</sup> KWN interview with Tahire Haxholli, September 2011.
- <sup>119</sup> UN Secretary-General, indicator 16.
- <sup>120</sup> KWN interview with Hysni Shala, 22 July 2011.
- <sup>121</sup> International Organization for Migration (IOM), "Socio-economic and demographic profiles of former KLA Combatants Registered by IOM, Vol. 1," Prishtina: IOM, 21 January 2000.
- <sup>122</sup> UN Secretary-General, indicator 26.
- <sup>123</sup> KWN correspondence with IOM, 5 October 2011.
- <sup>124</sup> John Durance and Pauline Menthonnex Gacaferri (ed) for UNDP, "Informator: A KPC Resettlement Programme," Kosovo: UNDP, July 2011, p. 15.
- <sup>125</sup> UNDP, "Informator," p. 5.
- <sup>126</sup> KWN interview with Shukrije Gashi, Director, Partners Kosova, 7 September 2011.
- <sup>127</sup> KWN interview with Muharrem Xhemajli, Prishtina, 15 September 2011.
- <sup>128</sup> *Zeri*, "Veteranet te pakenqaur me ligjin," ["Veterans dissatisfied with the draft law]," 22 July 2011 at:

<http://www.zeri.info/artikulli/1/1/30495/perfundon-greva-e-veteraneve/>.

<sup>129</sup> The Law on the Status and the Rights of the Families of Heroes, Invalids, Veterans and Members of KLA and of the Families of Civilian Victims of War, approved in 2006, did not initially include veterans (Law No. 02/L-2).

<sup>130</sup> Koha Net, "Veteranet ne greve nese nuk zbatohet ligji i premtuar nga Thaqi" ["Veterans on strike if the law isn't implemented like promised by Thaqi"], 15 November 2011 at: <http://www.kohaditore.com/?page=1,13,77005>.

<sup>131</sup> Out of 5,152 employees, 185 were women (Statistical Office of Kosovo, *Women and Men*, Prishtina: SOK, March 2009).

<sup>132</sup> KWN interview with Fahri Sadriu, Former Gender Focal Point, 2007.

<sup>133</sup> KWN interview with Safet Sylja, Prishtina, 19 September 2011.

<sup>134</sup> Law No. 03/L-04, Kosovo Security Force.

<sup>135</sup> KWN interview with Halime Morina, Coordinator, Human Rights Unit, Ministry of Kosovo Security Force (MKSF), Prishtina, 25 October 2011.

<sup>136</sup> KWN interview with Fahri Sadriu, Major, MKSF, Prishtina, 5 September 2011.

<sup>137</sup> Law No. 03/L-045, Ministry of the Kosovo Security Force.

<sup>138</sup> "Action Plan for the Implementation of Human Rights and Gender Equality Policy in MKSF and KSF."

<sup>139</sup> KWN correspondence with Halime Morina, 15 November 2011.

<sup>140</sup> UN Secretary-General, indicator 5b.

<sup>141</sup> Law No. 03/L-122 on Foreign Service of the Republic of Kosovo, 16 December 2008.

<sup>142</sup> For 18 ambassador positions, 275 men and 78 women applied (Ministry of Foreign Affairs, 2010).

<sup>143</sup> Koha Net, "Gratë deputete: Diskriminim, asnjë grua ambasadore" ["Women deputies: Discrimination, not one

woman ambassador”], 11 November 2011, at:  
<http://www.koha.net/?page=1,13,76640>.

<sup>144</sup> Lawyers’ Association Norma, *Research and Monitoring the Implementation of the Law on Gender Equality*, Prishtina: Norma, 2011.

<sup>145</sup> KWN correspondence with Nagip Skenderi, General Secretary, Ministry of Foreign Affairs, 18 October 2011.

## Security

<sup>1</sup> KWN interview with Fahri Sadriu, then Board Coordinator for Gender Equality, Kosovo Protection Corps, 2007.

<sup>2</sup> UN Secretary-General, indicator 14.

<sup>3</sup> UN Secretary-General, goal X.

<sup>4</sup> Shifts in women’s perceptions of security may indicate progress over time in the arena of protection, according to the UN Secretary-General. The Agency for Gender Equality did join UNDP in supporting KWN’s research *Security Begins at Home*, but this only examined one aspect of women’s and girls’ security: domestic violence. The Kosovar Gender Studies Center (KGSC) developed a methodology in 2010 for assessing women’s security using the UN Secretary-General’s indicators (*Women Security Index 2010: Kosovo Report*, Prishtina: KGSC, 2011). However, KGSC drew from panel discussions with experts rather than a Kosovo-wide representative survey of diverse women (as per the UN Secretary-General’s indicator 14). Thus women’s and girls’ perceptions of security disaggregated by particular ethnic, age, and other social groups; how this impacts their ability to participate in public life; and shifts in perceptions over time remain insufficiently assessed and addressed.

<sup>5</sup> Quoted in Human Rights Watch, “Serb Gang-Rapes in Kosovo Exposed,” 20 March 2000, at:  
<http://www.hrw.org/news/2000/03/20/serb-gang-rapes->

kosovo-exposed. The Kosovo woman witnessed the rape of her 28-year-old sister-in-law and the murder of six members of her family by six armed and uniformed Serb men. The incident occurred two days before NATO entered Peja.

<sup>6</sup> Rome Statute, Art. 7.1, g, at:

<http://untreaty.un.org/cod/icc/index.html>.

<sup>7</sup> International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, "Updated Statute of the International Criminal Tribunal for the Former Yugoslavia," September 2009, Art. 5, at:

[http://www.icty.org/x/file/Legal%20Library/Statute/statute\\_s\\_ept09\\_en.pdf](http://www.icty.org/x/file/Legal%20Library/Statute/statute_s_ept09_en.pdf).

<sup>8</sup> UN Security Council Resolution 1325, Art. 10. The United Nations Population Fund (UNFPA) defines gender-based violence as "any harm that is directed against a person on the basis of gender or sex, resulting from power imbalances that exploit [the] distinction between males and females, as also among males and females." Violence can be physical and/or sexual, as well as psychological, economic, or socio-cultural ("Gender-Based Violence In Kosovo: A Case Study", UNFPA, January 2005, at:

[http://www.unfpa.org/women/docs/gbv\\_kosovo.pdf](http://www.unfpa.org/women/docs/gbv_kosovo.pdf)).

<sup>9</sup> D. Serrano Fitamant for UNFPA, "Assessment Report on Sexual Violence in Kosovo," Albania: 28 May 1999, at:

[http://www.ess.uwe.ac.uk/Kosovo/Kosovo-Current\\_News196.htm](http://www.ess.uwe.ac.uk/Kosovo/Kosovo-Current_News196.htm), accessed 30 October 2011.

<sup>10</sup> Regan Ralph, Human Rights Watch, "Serb Gang-Rapes in Kosovo Exposed," 20 March 2000, at

<http://www.hrw.org/news/2000/03/20/serb-gang-rapes-kosovo-exposed>.

<sup>11</sup> See Chris Corrin, "Post-conflict Situation in Kosovo," in *If Not Now, When?*, 2001, p. 93; Michelle Hynes and Barbara Lopes Cardozo, "Sexual Violence against Women in Refugee

Settings," *Journal of Women's Health and Gender-based Medicine*, 9, no. 8, 2000, pp. 819-824; and Center for Protection of Women and Children, *Annual 2003*, p. 136.

<sup>12</sup> Human Rights Watch, "Serb Gang-Rapes in Kosovo Exposed."

<sup>13</sup> UN Secretary General, indicator 25.

<sup>14</sup> ICTY, "Updated Statute," resolutions 808 and 827.

<sup>15</sup> The office has the same mandate as other UN departmental focal points (KWN correspondence with ICTY, 18 October 2011), outlined in UN Secretariat, "Secretary-General's bulletin: Departmental focal points for women in the Secretariat," ST/SGB/2008/12, 1 August 2008, at: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/447/38/PDF/N0844738.pdf?OpenElement>.

<sup>16</sup> See Julie Mertus, "When Adding Women Matters: Women's Participation in the International Criminal Tribunal for the Former Yugoslavia," *Seton Hall Law Review*, Vol. 38:1297, 2008, at:

<http://law.shu.edu/Students/academics/journals/law-review/Issues/archives/upload/Mertus-final.pdf>.

<sup>17</sup> KWN correspondence with ICTY, 18 October 2011.

<sup>18</sup> UN ICTY, "Outreach Programme" at:

<http://www.icty.org/sections/Outreach/OutreachProgramme>.

<sup>19</sup> UN Secretary-General, indicator 25a.

<sup>20</sup> KWN correspondence with ICTY, 18 October 2011.

<sup>21</sup> ICTY, Case Information Sheet, "Vlastimir Đorđević," IT-05-87/1.

<sup>22</sup> ICTY, "Judgement Summary," The Hague, 23 February 2011, at:

[http://www.icty.org/x/cases/djordjevic/tjug/en/110223\\_summary.pdf](http://www.icty.org/x/cases/djordjevic/tjug/en/110223_summary.pdf).

<sup>23</sup> UN Secretary-General, indicator 25a.

<sup>24</sup> KWN interview with Sevdije Ahmeti, women's rights activist, Prishtina, 4 July 2011.

<sup>25</sup> ICTY, "Innovative Procedures", at: <http://www.icty.org/sid/10313>, accessed 31 October 2011.

<sup>26</sup> *Ibid.*

<sup>27</sup> KWN interview with Veprora Shehu, Executive Director, medica Kosova, Gjakova, 1 July 2011.

<sup>28</sup> KWN interview with Nora Ahmetaj, Director, Centre for Research, Documentation and Publication, Prishtina, 13 October 2011.

<sup>29</sup> UNFPA, Kosovo/UN rape report, "UN Population Fund Reports Rape, Abduction among Kosovo Refugees," 26 March 2000, at <http://www.radioradicale.it/exagora/kosovo-un-rape-report>.

<sup>30</sup> KWN correspondence with UNMIK official, November 2011.

<sup>31</sup> UN Secretary-General, "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo," S/2009/149, 17 March 2009.

<sup>32</sup> EULEX Kosovo, Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo; Law No. 03/L-053 "On the Jurisdiction, Case Selection and Case Allocation of EULEX Judges and Prosecutors in Kosovo"; and Law No. 03/L-052 "On the Special Prosecution Office of the Republic of Kosovo."

<sup>33</sup> UN Secretary-General, "Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo," S/2009/497, 30 September 2009, Annex I, part 2, "Police", at: <http://www.un.org/Docs/sc/sgrep09.htm>.

<sup>34</sup> Organization for Security and Co-operation in Europe Mission in Kosovo, Department of Human Rights and Communities, "Kosovo's War Crime Trials: An Assessment Ten Years On 1999-2009," May 2010, at: <http://www.osce.org/kosovo/68569>.

<sup>35</sup> *Ibid.*

<sup>36</sup> Supreme Court of Kosovo, Ap-Kz-108/2010, 25 November 2010, <http://www.eulex-kosovo.eu/docs/justice/judgments/criminal->

proceedings/SupremeC/Idriz-Gashi-108-2010/%282010.11.25%29%20JUD%20Idriz%20GASHI%20%28SC%29.ENG\_redacted.pdf.

<sup>37</sup> KWN interview with Lina Andeer, Country Representative, Kvinna till Kvinna, Prishtina, 11 July 2011.

<sup>38</sup> KWN interview with Sirpa Rautio, former Head of Human Rights and Gender Office, EULEX, 21 September 2011.

<sup>39</sup> KWN interview with Igballe Rogova, 20 July 2011.

<sup>40</sup> Law No. 02/L-2, 2006. See also, Ministry of Labor and Social Welfare, "Scope of the Department of Families of Martyrs, War Invalids, and Families of Civilian Victims (DFDIL)," Prishtina: 2010, at: <http://mpms.rks-gov.net/sq-al/departamentet/departamentiifamiljeved%C3%ABshmor%C3%ABve/fush%C3%ABveprintaria.aspx>.

<sup>41</sup> UN News Centre Article, "Women Vital to Peace in Post-conflict Zones, Security Council Hears," at: <http://www.un.org/apps/news/story.asp?NewsID=28758&Cr=women&Cr1=peacekeeping&Kw1=Security+Council+Resolution+1325&Kw2=Kosovo&Kw3>.

<sup>42</sup> KWN, Letter to UNMIK Special Representative to the Secretary General, "Incident in Krusha e Vogel village, Kosovo on 25 May 2006," 26 May 2006, at: [http://www.womensnetwork.org/16letterspressreleases/index\\_english.html](http://www.womensnetwork.org/16letterspressreleases/index_english.html).

<sup>43</sup> *Ibid.*

<sup>44</sup> UNMIK, Press Release, "SRSG announces findings of initial investigation into events at Krushe e Vogel/Mala Krusa on 25 May 2006," UNMIK/PR/1561, 7 June 2006.

<sup>45</sup> UNMIK, Press Release, "UN Secretary-General appoints Stephen Curtis as UNMIK Police Commissioner," UNMIK/PR/1582, 15 September 2006.

<sup>46</sup> UN Secretary-General, indicators 6 and 7.

<sup>47</sup> UN Security Council, "Cross-Cutting Report No. 2 Women Peace and Security," for 1 October 2010: <http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.6>

239031/k.197D/CrossCutting\_Report\_No\_2brWomen\_Peace\_and\_Securitybr1\_October\_2010.htm.

<sup>48</sup> For example, the fact that UNMIK “created a special unit to ensure that victims receive help when they seek justice” was mentioned by the UN Secretary-General during his “Remarks to the Security Council Meeting On Women, Peace and Security,” New York, 19 June 2008, at: <http://www.un.org/apps/sg/sgstats.asp?nid=3239>.

<sup>49</sup> UN Secretary-General, indicator 6.

<sup>50</sup> UN Secretary-General, indicator 5a.

<sup>51</sup> KWN interview with Tilly Stroosnijder, Police Gender Advisor for UNMIK, 2011.

<sup>52</sup> UN Secretary-General, indicator 5a.

<sup>53</sup> KWN correspondence with Elisabeth Schleicher, KFOR Gender Advisor, 17 November 2011.

<sup>54</sup> KWN interview with Sirpa Rautio.

<sup>55</sup> KWN correspondence with EULEX, 7 October 2011.

<sup>56</sup> UN Secretary-General, goal IV.

<sup>57</sup> UN Secretary-General, goal IV and indicator 5a.

<sup>58</sup> KWN interview with Igballe Rogova, 2007.

<sup>59</sup> UN Secretary-General, goal II.

<sup>60</sup> UN Secretary-General, indicator 2.

<sup>61</sup> KWN focused on UNMIK reports to the UN Security Council, as the organization responsible for reporting. UNMIK reports generally included information from the OSCE and cited information from other relevant actors, such as EULEX in later years.

<sup>62</sup> UNMIK Report to the Secretary-General, 20 November 2006, p. 10.

<sup>63</sup> UNMIK Report to the Secretary-General, 26 June 2003, p. 5.

<sup>64</sup> UN Secretary-General, indicator 2.

<sup>65</sup> KWN interview with Tilly Stroosnijder, Police Gender Advisor for UNMIK, 2011.

<sup>66</sup> KWN interviews with five women’s rights activists, 2011.

<sup>67</sup> KWN interview with Luljeta Vuniqi, 2011.

<sup>68</sup> UNMIK Report to the Secretary-General, 12 August 2011, p. 11.

<sup>69</sup> UN Secretary-General, indicator 3a.

<sup>70</sup> As per UN Secretary-General, indicator 3a.

<sup>71</sup> The Security and Gender Coordination Group (SGCG) is an informal group that seeks to coordinate efforts related to gender equality in Kosovo, involving UN agencies, Kosovo institutions, women's organizations, NATO, OSCE, EUSR and EULEX.

<sup>72</sup> OHCHR, "High Commissioner's Strategic Management Plan 2010-2011," at:

<http://www.ohchr.org/Documents/Press/SMP2010-2011.pdf>.

<sup>73</sup> KWN interview with Arbena Kuriu, Program Officer, OHCHR, Prishtina, 27 July 2011.

<sup>74</sup> Law on Gender Equality, Art. 6, according to Luljeta Domaniku, Legal Councilor for Gender Equality of the Ombudsperson Institution (KWN interview, Prishtina, 14 October 2011).

<sup>75</sup> KWN interview with Luljeta Domaniku, 14 October 2011.

<sup>76</sup> Of the cases, women registered 23.4 percent (942 by men and 288 by women), and 26.1 percent of the cases investigated had been filed by women (306 by men and 108 by women).

<sup>77</sup> KWN interview with EULEX representatives, Prishtina, 13 July 2011.

<sup>78</sup> Head of Mission, Speech at Open Day, "10 Years UNSCR 1325," 3 November 2010.

<sup>79</sup> Unfortunately their response to our request for gender-disaggregated data on cases did not arrive in time, so we only used information available online. For more information about the cases we located, please see the next section and "Justice is far away."

<sup>80</sup> EULEX, *Annual Report 2010 on the Judicial Activities of EULEX*, 2010, at: <http://www.eulex-kosovo.eu/en/justice/>.

<sup>81</sup> KWN correspondence with EULEX, 7 October 2011.

<sup>82</sup> Office of Prime Minister, Office of Good Governance, Human Rights, Equal Opportunities and Gender, *Report on the Implementation of the Strategy and Action Plan on Human Rights in the Republic of Kosovo (2009-2011)*, Prishtina: Office of Good Governance, 2011.

<sup>83</sup> KWN interview with Habit Hajredini, Director, Office of Good Governance, Equal Opportunities, and Gender Issues, Office of the Prime Minister of Kosovo, Prishtina, 2 August 2011.

<sup>84</sup> KWN interview with Igballe Rogova, 2007.

<sup>85</sup> UN Secretary-General, indicators 3a, 4, and 5a.

<sup>86</sup> Amnesty International, *Kosovo (Serbia and Montenegro) "So does it mean that we have the rights?" Protecting the human rights of women and girls trafficked for forced prostitution in Kosovo*, EUR 70/010/2004, 5 May 2004, at: <http://www.amnesty.org/en/library/asset/EUR70/010/2004/en/55dae004-d5e4-11dd-bb24-1fb85fe8fa05/eur700102004en.html>.

<sup>87</sup> KWN interview with Behar Selimi, 2011.

<sup>88</sup> Amnesty International, 2004, and United Nations Expert Group Meeting on International Migration and Development, Population Division, Department of Economic and Social Affairs, United Nations Secretariat, New York, 6-8 July 2005. While use of prostitution services and trafficking expanded largely due to the international forces in Kosovo, the local Kosovar clientele seems to have grown with time (UNMIK, "HIV/AIDS Awareness Campaign in Kosovo", UN Nations TV, Programme No. 877, 3 November 2003).

<sup>89</sup> BBC News, "Kosovo UN Troops 'Fuel Sex Trade'," 6 May 2004, at: <http://news.bbc.co.uk/2/hi/europe/3686173.stm>. For other examples, see Amnesty International.

<sup>90</sup> UN Secretary-General, indicator 4. The Secretary-General's bulletin ST/SGB/2003/13 defines sexual exploitation as any actual or attempted abuse of a position of vulnerability,

differential power, or trust, for sexual purposes, including but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. "Sexual abuse" is defined as the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.

<sup>91</sup> UNMIK Regulation No. 2001/4 On the Prohibition of Trafficking in Persons in Kosovo.

<sup>92</sup> Republic of Kosovo, Government, Ministry of Internal Affairs, "National Strategy and Action Plan against Trafficking in Human Beings 2011-2014," August 2011.

<sup>93</sup> The Criminal Code of Kosovo (CCK) defines "trafficking" and penalties (Art. 139); the Kosovo Law on Public Peace and Order refers to forced prostitution as a minor offence, punishable by up to two months (Article 18(8)); and the UNMIK Regulation on the Prohibition of Trafficking in Persons of Kosovo outlined penalties ranging from two to 20 years imprisonment (UNMIK/REG/2001/4, 12 January 2001). Other applicable legislation is outlined in the "National Strategy."

<sup>94</sup> Criminal Code of Kosovo, UNMIK/REG/2003/25, Article 139, Trafficking in Persons.

<sup>95</sup> Warsaw, 16.V.2005.

<sup>96</sup> UNMIK Regulation No. 2001/4 On the Prohibition of Trafficking in Persons in Kosovo.

<sup>97</sup> *Ibid.*

<sup>98</sup> UN Secretary-General, indicator 15 calls for such training.

<sup>99</sup> "National Strategy," pp. 8-10.

<sup>100</sup> UN Secretary-General, indicator 4 calls for monitoring the extent to which preventative efforts have their desired effect.

<sup>101</sup> KWN interview with Arbena Kuriu, 2011.

<sup>102</sup> KWN interview with Shpresa Mulliqi, 2011.

<sup>103</sup> KWN interview with a former OSCE employee, 2011.

<sup>104</sup> KWN interview with Igballe Rogova, 2007.

<sup>105</sup> KWN interview with EULEX representatives, 13 July 2011.

<sup>106</sup> Cited in Amnesty International, "So does it mean that we have the rights?"

<sup>107</sup> UNMIK, "Combating Human Trafficking in Kosovo: Strategy and Commitment", UNMIK, May 2004, at: [http://www.unmikonline.org/misc/UNMIK\\_Whit\\_paper\\_on\\_trafficking.pdf](http://www.unmikonline.org/misc/UNMIK_Whit_paper_on_trafficking.pdf).

<sup>108</sup> BBC News, "Kosovo UN Troops 'Fuel Sex Trade'," 6 May 2004.

<sup>109</sup> KWN interview with Jean Wakam, Head, Conduct & Discipline Team, UNMIK, 26 October 2011.

<sup>110</sup> UN Secretary-General, indicator 4.

<sup>111</sup> Agence France-Presse, "Kosovo: UN employee indicted on sexual harassment, human trafficking charges," 26 May 2005.

<sup>112</sup> As per UN Secretary-General, indicator 4.

<sup>113</sup> Diplomatic immunity as defined by the UN Vienna Convention on Diplomatic Relations of 1961, Article 29, p. 9.

<sup>114</sup> UNMIK/REG/2000/47, at: <http://www.unmikonline.org/regulations/2000/reg47-00.htm>.

<sup>115</sup> KWN interview, 2011.

<sup>116</sup> The UN Secretary-General charges DPKO with responsibilities related to indicator 4.

<sup>117</sup> The resolution that authorized a study was E/CN.4/SUB.2/DEC/2001/105, and the progress report on the study: E/CN.4/Sub.2/2002/6.

<sup>118</sup> IOL News, "UN official held over alleged child abuse," 3 February 2005, at: <http://www.iol.co.za/news/world/un-official-held-over-alleged-child-abuse-1.233105>; and *Daily News*, "Pakistani sentenced for molesting minor in Kosovo," 2 November 2005, at: [http://www.dailytimes.com.pk/default.asp?page=2005%5C11%5C02%5Cstory\\_2-11-2005\\_pg7\\_47](http://www.dailytimes.com.pk/default.asp?page=2005%5C11%5C02%5Cstory_2-11-2005_pg7_47).

<sup>119</sup> Steven Erlanger, "The Ugliest American," *New York Times Magazine*, 2 April 2000, at: <http://www.nytimes.com/2000/04/02/magazine/the-ugliest-american.html?src=pm>.

<sup>120</sup> Save the Children, "Sexual Exploitation and Abuse of Children by Aid Workers and Peacekeepers," Policy Brief, December 2009.

<sup>121</sup> Roger Cohen, "U.S. Sergeant Gets Life in Murder of Kosovo Girl, 11," *The New York Times*, 2 August 2000. For further details, see Steven Erlanger, "The Ugliest American," *The New York Times*, 2 April 2000.

<sup>122</sup> EULEX Head of Mission, "Speech at Open Day: 10 Years UNSCR 1325," 3 November 2010; EULEX policy to assist Kosovo institutions in combatting trafficking; public events dealing with human trafficking; and monitoring of trafficking cases (KWN correspondence with EULEX, 7 October 2011).

<sup>123</sup> KWN requested quantitative information from EULEX regarding all cases, but it was not provided.

<sup>124</sup> EULEX Kosovo, Court Judgments, Criminal Proceedings, Supreme Court of Kosovo, Ap.-Kz No. 106/2007, PnIKr 165/2009, at: <http://www.eulex-kosovo.eu/docs/justice/judgments/criminal-proceedings/SupremeC/SC%20Judgment%20-%20Vladimir%20Ukaj%20et%20alia%20-%20E.pdf>.

<sup>125</sup> KWN interview with Sakibe Doli, Director, Safe House, 2007.

<sup>126</sup> KWN correspondence with Sakibe Doli, 14 November 2011.

<sup>127</sup> Nicole Farnsworth and Ariana Qosaj-Mustafa for KWN, *Security Begins at Home*, Prishtina: KWN, 2008; European Commission, "Kosovo under UNSCR 1244/99 2009 Progress Report," 14 October 2009; Freedom House, "Map of Freedom in the World," Kosovo: Freedom House, 2010; and UNHCR, "UNCHR's Eligibility Guidelines for Assessing the International Protection Needs of Individuals from Kosovo," 9 November 2009, p. 20.

<sup>128</sup> KWN correspondence with Kosovo Police, 2011. Data included alleged domestic violence victims from 2006 to 2010.

<sup>129</sup> KWN, *Security Begins at Home*, p. 48.

- <sup>130</sup> KWN interview with Tahire Haxholli, Lieutenant, Kosovo Police, Prishtina, 2011.
- <sup>131</sup> *Ibid.* Data regarding which ethnic groups, ages, or persons from particular regions tended to suffer domestic violence more was inconclusive.
- <sup>132</sup> *Ibid.*
- <sup>133</sup> Assembly of the Republic of Kosovo, Law No. 03/L, Art. 182. It entered into force on 1 July 2010, and replaced UNMIK Regulation No. 2003/12 on Protection against Domestic Violence.
- <sup>134</sup> UNMIK/REG/2003/25, Provisional Criminal Code of Kosovo, which in 2008 was approved by the Assembly of the Republic of Kosovo as the official Criminal Code of Kosovo. See Law No. 03/L-002.
- <sup>135</sup> UN Secretary-General, indicator 15.
- <sup>136</sup> Between 2006 and 2010, the Kosovo Police recorded 591 protection orders granted by courts and 109 by police (correspondence with KWN, 2011).
- <sup>137</sup> KWN interview with Ariana Qosaj-Mustafa, 23 September 2011.
- <sup>138</sup> UN Secretary-General, indicator 20. Calculating the hours of training decision-making personnel in security and justice sector institutions receive proved challenging as few institutions in Kosovo had institutionalized such training, but rather offered *ad hoc* training. It is interesting that the UN Secretary-General only calls for decision-making personnel to undergo gender training as they typically do not interact with women directly. While the argument could be made that they should pass their knowledge on to other staff, it seems like training would have more impact when experienced firsthand.
- <sup>139</sup> KWN interview with Enver Peci, Prishtina, 2 August 2011.
- <sup>140</sup> KWN interviews with Behar Selimi and Tahire Haxholli.
- <sup>141</sup> KWN interview with Hysni Shala, 2007.
- <sup>142</sup> KWN interview with Behar Selimi, 2007.
- <sup>143</sup> KWN interview with Osnat Lubrani, Prishtina, 4 July 2011.

<sup>144</sup> Anna Di Lellio for the United Nations Development Programme, *Community Safety*, Prishtina: UNDP, 2009, p. 16. A 2003 assessment estimated that around 330,000 to 460,000 civilians have guns in Kosovo, most held illicitly (Anna Khakee and Nicolas Florquin, *Kosovo and the Gun: A Baseline Assessment of Small Arms and Light Weapons in Kosovo*, Special Report, Geneva: UNDP and Small Arms Survey, 2003).

<sup>145</sup> Kosovo police registered 36 cases of armed threats in a domestic relationship between 2006 and 2010 (correspondence with KWN).

<sup>146</sup> *Ibid.*

<sup>147</sup> UN Secretary-General, indicator 17.

<sup>148</sup> UN Department for Disarmament Affairs, "Coordinating Action on Small Arms: The United Nations Policy," 1998. Towards prevention, the Law on Weapons requires a permit, acquired through medical and knowledge-based exams, for those interested in legally owning a weapon for hunting, target shooting, and collection (Republic of Kosovo Law No. 03/L-143).

<sup>149</sup> They have conducted research for internal purposes, but it relied on UNDP's somewhat outdated information.

<sup>150</sup> KWN interview with Tahire Haxholli, 2011.

<sup>151</sup> UN Secretary-General, indicator 1b. While the indicator refers to sexual violence, the goal calls for attention to gender-based violence more broadly.

<sup>152</sup> Story based on media, including *Bota Sot*, "Rrëfim Ekzkluziv i Gëzim Kastratit, baba i Dianës, e vrrarë nga bashkëshorti i saj" ["Story told exclusively by Gezim Kastrati, Diana's father, who was murdered by her husband"], 19 May 2011, at: <http://www.botasot.info/def.php?id=119446&commentspage=4>.

<sup>153</sup> KWN interview with Naime Sherifi, 25 July 2011.

<sup>154</sup> UN Secretary-General, indicator 19.

<sup>155</sup> For details, see Nicole Farnsworth and Ariana Qosaj-Mustafa for KWN, *More than "Words on Paper?" The response of justice providers to domestic violence in Kosovo*, Prishtina: KWN, 2009.

<sup>156</sup> Story based on KWN interviews with judges, in KWN, *More than "Words on Paper?"*

<sup>157</sup> KWN interview with Sevdije Ahmeti, 4 July 2011.

<sup>158</sup> KWN interview with Tahire Haxholli, 8 September 2011.

<sup>159</sup> Divorce is handled through a decision of the court, with the agreement of one or both spouses. Divorce may not be filed for during a spouse's pregnancy or until the joint child is one year old.

<sup>160</sup> Each year the parent who was given custody must produce a work report consisting of all of his/her work for the past year and his/her care for the person under custody relating to health, education, and other important matters.

<sup>161</sup> KWN, *More than "Words on Paper?"*

<sup>162</sup> KWN interview with Luljeta Vuniqi, 12 July 2011.

<sup>163</sup> KWN interview with Shpresa Agushi, 21 July 2011.

<sup>164</sup> KWN interview with Lina Andeer, 11 July 2011.

<sup>165</sup> UN Secretary-General, indicator 19.

<sup>166</sup> The other cases involving women victims were the trafficking and war crimes cases mentioned earlier.

<sup>167</sup> EULEX Kosovo, Court Judgments, Criminal Proceedings, Supreme Court of Kosovo, Ap.-Kz No. 128/2010, at: <http://www.eulex-kosovo.eu/docs/justice/judgments/criminal-proceedings/SupremeC/128-2010/%282010.08.03%29%20JUD%20%28SC%29.ENG redacted.pdf.pdf> and Ap.-Kz No. 192/2010, at: <http://www.eulex-kosovo.eu/docs/justice/judgments/criminal-proceedings/SupremeC/192-2010-EnverHasani/%282010.10.05%29%20JUD%20%20Enver%20HASANI%20%28SC%29.ENG redacted.pdf>.

<sup>168</sup> KWN interview with Sirpa Rautio, 27 September 2011.

<sup>169</sup> EULEX Kosovo, Court Judgments, Civil Proceedings, at: <http://www.eulex-kosovo.eu/en/judgments/CV-Supreme-Court.php>.

<sup>170</sup> KWN, *More than "Words on Paper?"*

<sup>171</sup> Story based on interview with Luciano Calestini, Prishtina, 11 August 2011.

<sup>172</sup> The legal age to marry in Kosovo is 18, except in cases where spouses have demonstrated a certain level of responsibility to marry at age 16. Similar requirements exist in most countries. Arranged marriages can still be found to take place in Kosovo, particularly in rural areas. According to the Kosovo Family Law "marriage shall not be valid when the will has been obtained under coercion, threat or by mistake or any other lack of free will of the future spouses" (Art. 18). Factual or out of wedlock relationships, where a couple live together and share responsibilities, financial support, and property rights, are given marital status with rights and obligations. With regard to homosexuality, Kosovo's Constitution does not limit marriage to people of different genders. However, the Family Law in Kosovo considers a legitimate marriage to be between a man and woman. It rejects discrimination on the grounds of race, nationality, or religion (Law Nr. 2004/32).

<sup>173</sup> KWN interview with Osnat Lubrani.

<sup>174</sup> As per UN Secretary-General, indicator 15.

<sup>175</sup> KWN interview with Shpresa Agushi, 21 July 2011.

<sup>176</sup> Matt Prodger for BBC, "Toxic Camp angers Kosovo Roma," 13 June 2005, at: <http://news.bbc.co.uk/2/hi/europe/4080048.stm>.

<sup>177</sup> KWN interview with Frode Mouring, UNDP, Prishtina, 22 June 2007.

<sup>178</sup> Jasna Causevic and Stefan Liebing (ed) for Society for Threatened People, *Highest Level of Lead in Samples of Human Hair, "Under the eyes of UNMIK: 560 Roma refugees*

*exposed to deadly heavy metals since 1999*," December 2005, p. 9.

<sup>179</sup> *Ibid.*

<sup>180</sup> Human Rights Watch, "Lead-Contaminated Roma Camps in Kosovo Shut Down," 9 December 2010, at: <http://www.hrw.org/news/2010/11/24/lead-contaminated-roma-camps-kosovo-shut-down>.

<sup>181</sup> Immediately after the war, women established the Kosova Women's Network to bring women's homogenized or hushed voices to the forefront of post-conflict decision-making. Dr. Skender Sylja commented, "The Kosova Women's Network has had a very active role in addressing the needs of women in remote areas of Kosovo, groups which very often have been marginalized. They have united, voiced their opinion, and made themselves heard" (KWN interview, 11 August 2011).

<sup>182</sup> KWN interview with Shpresa Agushi, Prishtina, 25 July 2007.

<sup>183</sup> UNDP, *Human Development Report for Kosovo: The Rise of the Citizen: Challenges and Choices*, 2004, p. 119.

<sup>184</sup> KWN, *Security Begins at Home*, 2008 and discussions with women, particularly in rural areas.

<sup>185</sup> Kosovar Stability Initiative (IKS), Policy Paper, "En Route to the EU: Area-Based Development Opportunities," Prishtina: IKS, 8 April 2011.

<sup>186</sup> UN Secretary General, indicator 21b.

<sup>187</sup> Howard Clark, *Civil Resistance in Kosovo*, London: Pluto Press, 2000, p. 75; and Centre for Protection of Women and Children (CPWC), *Social Map on Women in Kosovo: 1995-2000, Sociological Interpretation*, Prishtina: CPWC, 2004, p. 20.

<sup>188</sup> UNICEF, UNFPA, and WHO, "Improving Health of Women and Children of Kosovo," Kosovo: 2007-2010, p. 8.

<sup>189</sup> D. Serrano Fitamant for the United Nations Population Fund (UNFPA), "Assessment Report on Sexual Violence in Kosovo," Albania: 28 May 1999, at:

[http://www.ess.uwe.ac.uk/Kosovo/Kosovo-Current\\_News196.htm](http://www.ess.uwe.ac.uk/Kosovo/Kosovo-Current_News196.htm), accessed 30 October 2011.

<sup>190</sup> Fitamant, 1999.

<sup>191</sup> Nicole Farnsworth for KWN, *Exploratory Research on the Extent of Gender-Based Violence in Kosova and Its Impact on Women's Reproductive Health*, Prishtina: KWN, 2008, p. 14.

<sup>192</sup> UN Secretary-General, Goal XV.

<sup>193</sup> Balkan Investigative Reporting Network (BIRN), "Report on Kosovo's Healthcare System" Prishtina: BIRN, 2009. Reasons included low quality services, corrupt medical staff, and the lack of adequate pharmacies.

<sup>194</sup> Kosovo Health Law, No. 2004/ 4. Special groups are defined as: children and adolescents up to 15 years of age; pupils and students; citizens over 65 years of age; citizens who are close family members of martyrs, war invalids, and other invalids, their close family members, as well as beneficiaries of social assistance and close members of their families; and persons with disabilities.

<sup>195</sup> KWN interview with Visare Gorani Gashi, National Program Officer for Human Rights, Democracy and Rule of Law, Embassy of Sweden, Prishtina, 14 July 2011.

<sup>196</sup> UN Secretary General, indicator 21.

<sup>197</sup> UNICEF, "Germany at a Glance," 2 March 2010, at: [http://www.unicef.org/infobycountry/germany\\_statistics.html](http://www.unicef.org/infobycountry/germany_statistics.html).

<sup>198</sup> KWN correspondence with Doina Bologna, Chief of Operations, UNFPA, 2011.

<sup>199</sup> KWN interview with Skender Sylja.

<sup>200</sup> Lul Raka, *National Background Report on Health Research for Kosovo (under UNSCR 1244)*, Prishtina: 2009, p. 10.

<sup>201</sup> Statistical Office of Kosovo, "Rate of Unemployment," 11 December 2008, at: <http://esk.rks-gov.net/ENG/statistikat-sociale/employment>.

<sup>202</sup> All stories from KWN, *Exploratory Research*, p. 30.

<sup>203</sup> KWN interview with Vepore Shehu, medica Kosova, Gjakova, 1 July 2011.

- <sup>204</sup> Kosovo Women's Network, Kosovo Women's Initiative and the United Nations Country Team in Kosovo, *Voice of Women*, Prishtina: December 2004.
- <sup>205</sup> KWN interview with Doina Bologa, 13 July 2011.
- <sup>206</sup> KWN interview with Sebahate Pacolli, Head, Rehabilitation and Capacity Building Unit, Prishtina, 9 August 2011.
- <sup>207</sup> *Voice of Women*, p. 31.
- <sup>208</sup> KWN interview with Muharrem Xhemajli, Prishtina, 15 September 2011.
- <sup>209</sup> KWN interview with Visare Mujko-Nimani, Assistant Representative, UNFPA, 13 July 2011.
- <sup>210</sup> KWN interview Skender Sylja.
- <sup>211</sup> KWN interview with Ariana Qosaj-Mustafa, 2007.
- <sup>212</sup> Statistical Office of Kosovo, *Kosovo Labor Force Survey*, Prishtina: SOK, 2009.
- <sup>213</sup> KWN interview with Valbona Salihu.
- <sup>214</sup> Most states across Europe have strict laws, like "forced heirship" in France, that ensure equal division of property among children and family members; these place a certain emphasis on property remaining in the bloodline. The "equality in inheritance" section of the Kosovo Law refers to children born in and out of wedlock, as well as adopted children, as equal without mention of gender.
- <sup>215</sup> As per UN Secretary-General, indicator 15.
- <sup>216</sup> Lawyers' Association Norma, *Research and Monitoring the Implementation of the Law on Gender Equality*, Prishtina: 2011.
- <sup>217</sup> According to Norma's research, in 2008 out of the 4,452 heirs to claim their right to inheritance only 1,041 were women. In 2009, there were 1,003 women heirs versus 3,194 men.
- <sup>218</sup> KWN review of court proceedings (EULEX, "Court Judgements," Civil Proceedings, <http://www.eulex-kosovo.eu/en/judgments/CV-Supreme-Court.php>). While EULEX has organized discussions around this issue (EULEX,

"Time for Kosovo women to inherit property!" 10 March 2011, at: <http://www.eulex-kosovo.eu/en/news/000279.php>), they do not seem to have monitored the implementation of laws related to women's equal access to property within the courtroom.

<sup>219</sup> OSCE and the Ministry for Labour and Social Welfare (MLSW), "Responding to Incidents of Domestic Violence: Manual for Social Services Officers," Prishtina: January 2006, p. 14. Nearly 15 percent of respondents to a KWN Kosovo-wide survey reported experiencing economic violence (*Security Begins at Home*, p. 35).

<sup>220</sup> KWN, *Security Begins at Home*, p. 35.

<sup>221</sup> UN Secretary-General, indicator 18.

<sup>222</sup> UN Secretary-General, indicators 22 (a), 22 (b), 23 (a), 23 (b), 24 (a), and 24 (b).

<sup>223</sup> KWN interview with Jocelyne Talbot, Gender Advisor, UNDP, Prishtina, 20 September 2011.

<sup>224</sup> For example in 2010, a UNDP gender audit showed that 35.5 percent of projects did not have any outputs that were "expected to contribute noticeably to gender equality" (a "0" score). In 2011 only one project in its closeout phase had this score. Further, where in 2010 only two of 31 projects (6.5 percent) ensured that gender equality was a principal objective (the highest score of "3"), six of 23 projects (26 percent) did in 2011. In 2009, UNDP estimated that roughly 15 percent of its program budget was allocated to gender and women's empowerment, concentrated in a few projects.

<sup>225</sup> KWN interview with Nazlie Bala, Prishtina, 14 July 2011.

<sup>226</sup> UN Secretary-General, indicator 18.

<sup>227</sup> For example, the UN Kosovo Team (UNKT) offered vocational trainings in subjects such as entrepreneurship, marketing, business environment, project management, business finance and business plan writing (KWN interview with Jocelyne Talbot).

<sup>228</sup> European Union, "Beautiful Kosovo Programme: Guidelines for Municipalities and Selection Criteria."

<sup>229</sup> UNDP, *Price of Peace: Financing for gender equality in post-conflict reconstruction*, New York: UNDP, 2010.

<sup>230</sup> For a full history, see KGSC, *History is Herstory too*.

<sup>231</sup> KWN interview with Sevdije Ahmeti.

<sup>232</sup> Jock Baker and Hilde Haug, *Final Report: External Evaluation of the Kosovo Women's Initiative*, Geneva: UNHCR Evaluation and Policy Analysis Unit, November 2002, at: <http://www.womenwarpeace.org/kosovo/docs/kosovowomensinitiative.pdf>, p. 32.

<sup>233</sup> KGSC, *History is Herstory too*.

<sup>234</sup> UNDP, *Price of Peace*.

<sup>235</sup> KWN interview with Ariana Qosaj-Mustafa, 23 September 2011.

<sup>236</sup> UN Secretary-General, indicator 23a.

<sup>237</sup> KWN interview with Flora Macula, 19 September 2011.



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