

FRIDE

STRENGTHENING WOMEN'S CITIZENSHIP IN THE CONTEXT OF STATE-BUILDING: KOSOVO SECURITY SECTOR AND DECENTRALISATION

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INTRODUCTION

Following the declaration of independence in 2008, the Kosovar government has spearheaded the building of state institutions. Kosovo's institutions have a responsibility to develop in a way that makes them accountable and responsive towards the country's citizens, while also developing priority strategies and policies. In order to inform a more gender-aware and women-responsive state-building process in Kosovo, it is necessary to investigate the extent to which current processes are responsive to women and allow for their participation, now that Kosovo's institutions have become autonomous after almost a decade of UN administration.

This study on state-building and women's citizenship in Kosovo was conducted by KIPRED in partnership with FRIDE through an investigation of the impact of state-building on women and the opportunities and policy options for promoting women's citizenship¹ in state-building processes. It is part of a multi-country research project being led by FRIDE and ODI on state-building and women's citizenship. The overall purpose of the project is to inform and promote state-building processes in fragile states that result in stronger citizenship for women.² The project draws



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This study has been undertaken by KIPRED in partnership with FRIDE, supported by the Ministry of Foreign Affairs of the Netherlands.

¹ See FRIDE and ODI Conceptual Framework on Women's Citizenship and State-Building research project at <http://www.fride.org/project/17/strengthening-women%27s-citizenship-in-the-context-of-state-building>.

² The project will help provide this knowledge by generating country level evidence and cross country analysis of women's citizenship and relationship to the state in various fragile state contexts; the impact of different state-building processes on women; and the opportunities and policy options for promoting women's citizenship within state-building processes. It will compile lessons learnt and develop recommendations for international actors and national policy makers on how they can strengthen women's citizenship through their state-building strategies. The project will also promote stronger gender analysis within state-building theory and research. The project comprises research in the following countries: Sierra Leone, Guatemala, Burundi, Kosovo, Colombia, and Sudan.

on a common conceptual framework and methodology and will generate country level evidence and cross-country analysis of women's citizenship and their relationship to the state in various fragile state contexts.³

For the purpose of this study, state-building is seen as a process of developing a resilient state and involves building state capability and legitimacy. The state-building process is primarily driven by negotiations between the state and society regarding the expectations each has of the other.⁴ Women's citizenship is defined as a) women's possession of rights including formally having rights and being able to substantively exercise them and b) women's participation in politics through both formal and informal political processes.⁵ The study examines how ongoing state-building processes impact men and women differently due to their distinct positions in society.

Taking this into account, the Kosovo study analyses the impact of state-building on women and the opportunities and policy options for promoting women's citizenship in state-building processes. It focuses on two reform processes: security sector reform and the process of decentralisation. It specifically looks at how women's rights and participation are ensured in ongoing initiatives within these two reform processes. The report also assesses the possibility of using current initiatives to enhance the state's accountability towards women.

Research approach and methodology

Research for this report was undertaken from November 2009 to April 2010. During this period, KIPRED conducted semi-structured interviews with key informants including government officials, women involved in politics, women activists, representatives from international missions and donors, NGOs working on women's issues and village activists. The process also included a roundtable organised with key stakeholders, which took place on April 7 2010 in Prishtina, at which preliminary findings and recommendations were discussed.

The study also took into account secondary data and material, such as (1) relevant literature and reports on security sector reform, decentralisation, state-building and women's citizenship; (2) policy documents, strategy papers, and legislation; and (3) information regarding international donors' support to gender-related projects within security sector reform and decentralisation.

The report considered ongoing developments within both central and local institutions including the legislative, executive and implementation levels. At the local level, the work of municipalities and women's engagement in formal or informal structures were also taken into account in order to draw conclusions on women's perspectives in municipal decision-making processes.

The municipalities selected for investigation are in urban and rural areas, for example the municipalities of Prishtina/Priština and Malisheva/Mališeva. The study also examined the developments in the newly-created municipality of Graçanicë/Gračanica as foreseen by the decentralisation plan following the local municipal elections held in November 2009. This municipality was assessed in order to see to what extent decentralisation is reflective of female perspectives and to investigate an area in Kosovo with minority community representation. This approach was adopted as the study acknowledged a wider, multi-tiered definition of citizenship by Yuval-Davis that 'considers the issue of women's citizenship not only by contrast to that of men, but also in relation to women's affiliation to dominant or subordinate groups, their ethnicity, origin and urban or rural residence'.⁶ By acknowledging the distinction between women of different origins, ethnicities and from urban or rural areas, their differing needs and interests may lead to numerous possible responses.

³ The project and this study in particular are supported by the Ministry of Foreign Affairs of the Netherlands. The project also receives funds from the Norwegian Government and the Spanish Agency for International Cooperation (AECID).

⁴ This study uses the definitions of state-building given by the Organisation for Economic Co-operation and Development, Development Co-operation Directorate (OECD-DAC). A resilient state is one that is capable and legitimate and that delivers functions that match the expectations of society. In order to achieve this, political processes are required to negotiate the mutual expectations of state and society. A fragile state is one that lacks resilience. In particular it does not have effective political processes to balance state-society expectations or manage changes to these expectations. It can face constraints in terms of capacity, legitimacy or political will. Supra note at 1.

⁵ Supra note at 1.

⁶ Nira Yuval-Davis, 'Women, Difference and Citizenship', *Feminist Review* 57 (1997), pp.4–27.

The standard definition of citizenship is that it is the relationship between the individual and the state in which they live. However, this definition has recently been expanded to understand citizenship as the individual's relationship to both the state and society. In this relationship, people experience citizenship through the lens of their group membership and identity. Therefore, citizenship should be seen as both a status and a practice, meaning that people have citizenship rights, but also obligations to act as citizens.⁷

The core components of citizenship for the purpose of the study are defined as follows:

Possession of rights. This includes both formally having rights and being able to substantively exercise these. (This refers both to civil and political rights and to economic, social and cultural rights.)

Participation in politics. This includes the ability to participate in both formal and informal political processes.

The relationship between citizens' political participation and their rights is a mutually reinforcing one. Greater participation in politics enables citizens to make claims for stronger rights, which in turn enable them to participate more in political processes and make their voices heard. Establishing this virtuous cycle is particularly important in fragile contexts, where citizens may have very few rights or opportunities to participate and exercise their rights.

Women tend to face a particularly large gap between formal and substantive citizenship, as discriminatory practices and economic, social and cultural barriers prevent them from exercising their rights or participating in politics. The study provides evidence for the fact that women's relationship to the formal state is often mediated by male family members or community leaders, giving them little direct access to the formal state. Furthermore, it acknowledges that gender-based violence⁸ and threats to women's physical security can prevent them from participating in public spaces as citizens. State-building processes can fundamentally transform the way in which citizenship is constructed and experienced, in particular altering citizens' relationships to the state and providing new rights and responsibilities for citizens. State-building therefore has the potential to transform and strengthen women's citizenship.

In order to assess women's needs and interests and the obstacles they may face in exercising their citizenship rights and participating in politics, the assistance given to women and advocacy on their behalf by Civil Society Organisations (CSOs), specifically women-focused NGOs, was investigated. The research also looked at how such NGOs represent women's needs and interests within both municipal and central government structures by analysing the obstacles women-focused NGOs face to ensure that their voices are heard in the process.

Further, the study assessed the involvement of women in politics and their lobbying on women's issues, as well as the extent to which the current political structure includes women's needs and interests. This was done by analysing the formal representation of women politicians in political party structures, in addition to their opportunities to influence the official agendas of the parties which focus on women's needs and interests. The study also identified the obstacles that women face as they try to advance to decision-making positions once they have entered the political sphere.

The analysis below starts with a general overview of past and current state-building developments in Kosovo. Chapter III provides an in-depth examination of the on-going state-building processes in Kosovo, focusing on developments within the areas of security sector reform and decentralisation. Chapters IV and V offer an analysis of the engagement of these two processes with women's rights and participation. Chapters VI and VII analyse and conclude on main findings from the processes by offering a number of policy recommendations on how the state-building processes can be more inclusive of women.

⁷ Supra note at 1.

⁸ Gender-based violence is 'violence that is directed against a woman because she is a woman or that affects women disproportionately.' See CEDAW Committee General Recommendation No.19 on Violence Against Women.

GENERAL OVERVIEW

In 1989, the Assembly of the Republic of Serbia adopted a new constitution that revoked Kosovo's status as a provincial autonomy of Serbia.⁹ In 1998, an armed conflict erupted between the Serbian military forces and the Kosovo Liberation Army (KLA), prompting NATO's intervention, which placed Kosovo under the international administration of the United Nations. In 1999, the administration of the UN Mission in Kosovo (UNMIK) was deployed. UNMIK lasted almost a decade (1999–2008) and was the largest ever UN mission, with executive, legal and judicial power over Kosovo. As the main authority in Kosovo, it was also mandated to build up the Kosovo Provisional Institutions of Self-Government (PISG) and to provide security under the lead of the North Atlantic Treaty Organisation (NATO), known as the Kosovo Forces (KFOR).¹⁰

The transfer of powers from UNMIK to Kosovo's own institutions was gradual, with UNMIK retaining the greater share of powers in issues related to the judiciary, border administration, police and security until a final political settlement was reached for Kosovo. The creation of the PISG structures was characterised by UNMIK's processes of close consultations with mostly political elites, transferring the structures by 'koso-varising' them and handing over responsibilities to local institutions. UNMIK simultaneously organised the election process in Kosovo by trying to legitimise institutions.¹¹ UNMIK consultations with the main political elites in post-conflict Kosovo were mainly dominated by male leaders, excluding women from the process.¹² As the Executive Director of the Kosova Women's Network¹³ stated to KIPRED: *[...]UNMIK came to Kosova with a very patriarchal system and model. So our leadership saw then that this is the system how it should be...without women. For example when two important UN delegations came to Kosova it was the women that insisted to meet with the delegation because they came to Kosova and did not list meeting with women leaders in their agenda.*

In November 2005 the UN Secretary General appointed Marti Ahtisaari as the UN Special Envoy. He developed the Comprehensive Proposal for the Kosovo Status Settlement (CSP). The settlement proposal was rejected at the UN Security Council in April 2007 as a result of Russian opposition. The Kosovo Assembly accepted the CSP on April 4 2007 and declared independence in February 2008. It committed itself to implementing the CSP and invited the international presence (under the lead of the International Civilian Office, as envisaged in the Ahtisaari proposal) to assist in the process. Since then, Kosovo has been recognised as a state by 69 other states around the world including 22 European Union member states and other key western powers.¹⁴

A: Post-independence Kosovo

Following the rejection of the CSP at the UNSC, the UN Secretary General announced in May 2008 that UNMIK would continue to operate in Kosovo in a limited capacity under a 'status neutral' framework.¹⁵ Following the declaration of independence, a number of international missions were also deployed in Kosovo in

⁹ Kosovo was one of the eight constituent elements of the Socialist Federal Republic of Yugoslavia's (SFRY) federation based on the 1974 SFRY Constitution. Under the Kosovo Constitution of 1974, Kosovo was also a member of the rotating federal presidency and had a right of veto at both federal and republican levels. Kosovo also had its provincial government, constitution, constitutional court, secretariat for external relations, etc. See 'Enhancing Civilian Management and Oversight of the Security Sector in Kosovo,' KIPRED 2005 at <http://www.kipred.net/site/documents/Enhancing%20Civilian%20Management%20and%20Oversight%20of%20the%20Security%20Sector%20in%20Kosovo.pdf>. See also 'Constitution of Socialist Autonomous Province of Kosovo, 1974' (Prosveta, Belgrade, 1974).

¹⁰ UN Security Council Resolution 1244 on the Situation Relating to Kosovo at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/172/89/PDF/N9917289.pdf>.

¹¹ Dominik Zaum in 'States of Conflict: A case study on state-building in Kosovo', IPPR 2009.

¹² On the criticisms of the process of setting up the PISG structures and the gender-blindness of the UNMIK mission, see Kosova Women's Network (KWN) report on Implementation of UNSCR 1325 on Women, Peace and Security in Kosovo, available at <http://www.womensnetwork.org/images/pdf/Monitoring%20Implementation%20of%20UNSCR%201325%20in%20Kosova.pdf> (last accessed January 2010).

¹³ <http://www.womensnetwork.org>

¹⁴ Information as of July 2010, accessed at <http://www.kosovothanksyou.com/statistics/>

¹⁵ See UN Security Council Resolution 1244 on the Situation Relating to Kosovo and Ilir Deda, 'Kosovo' in Nations in Transit 2009, Freedom House 2009.

a rather unclear structure. The EU Rule of Law Mission (EULEX Kosovo) is the biggest European Security and Defence Policy mission to date. In addition to EULEX, the International Civilian Office (ICO) supports and supervises the implementation of the CSP. The international missions are also supported by the remaining UN structures including the UN mission in Kosovo and the Organisation for Security and Co-operation (OSCE) mission in Kosovo.

Even though Kosovo is a sovereign state under the CSP, it is supervised by the international community, which can also exercise certain executive powers to ensure the implementation of the political settlement. EULEX Kosovo remains neutral concerning Kosovo's independence.¹⁶ The ICO is mandated with overseeing the implementation of the CSP and has certain corrective powers, for example the annulment of decisions or laws by Kosovo institutions or removing public officials if their actions are seen as contrary to the CSP.

B: Current priorities of Kosovo institutions

Under the CSP and the Kosovo Constitution that entered into force on June 15 2008, Kosovo authorities exercise the main share of power at the executive, legislative and judicial levels. The institutions should promote and fully respect the process of reconciliation amongst all Kosovo communities, reflecting the principles of gender equality as determined by directly applicable international human rights standards, including the UN Convention on All Forms of Discrimination against Women (CEDAW).¹⁷

Following the central and local government elections held in November 2007, Kosovo started to establish additional ministries including the Ministry of the Kosovo Security Force, the Ministry of Foreign Affairs and the Ministry of Internal Affairs. Under the initial leadership of UNMIK, the development of capacities in institutions such as the Kosovo Police, judiciary and other security structures faced many challenges. Under UN Security Council Resolution 1244 and the Constitutional Framework for Provisional Self-Government in Kosovo (2001),¹⁸ UNMIK was to transfer its administrative powers as the Kosovo provisional institutions of self-government were in the process of formation, exercising certain reserved powers and responsibilities until the final political settlement for Kosovo was achieved. As powers were slowly transferred to the Kosovo PISG, the institutions were left with limited capacity to fully exercise their mandate in areas of security and justice. This limited capacity was recognised in the aftermath of the declaration of independence. Kosovar institutions called upon a number of international missions and donors to support the state in the areas of rule of law, justice and security.

During 2010, the Kosovo government announced as priority areas the rule of law, economic development and foreign investment.¹⁹ A number of other reforms and institution-building processes occurred at the same time, among them security sector reform. The Ministry of the Kosovo Security Force was set up, supporting the development of the Kosovo Police as a unified chain of command structure and decentralisation. During 2009, the executive level continued to undertake mainly capital investments in infrastructure support such as road building and reconstruction.

Recent reports have critiqued the ongoing interventions of Kosovo's government in the fight against corruption and organised crime, with the aim of creating a system based on good governance and rule of law principles.²⁰ The international community increasingly stipulates that governance in Kosovo be based on the effective rule of law, sustainable economic development and good governance principles.²¹ Affected by scarce resources and a lack of development strategies, the institutions are struggling to deliver to their citizens. The government still has to develop a National Development Strategy: most donor interventions in

¹⁶ In accordance with the Council's Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX Kosovo under UNSCR 1244 at http://eulex-kosovo.eu/en/info/docs/JointActionEULEX_EN.pdf.

¹⁷ The Article 22(6) of the Kosovo Constitution, accessed at <http://www.kushtetutakosoves.info/repository/docs/Constitution.of.the.Republic.of.Kosovo.pdf> (accessed December 2009).

¹⁸ UNMIK Regulation 2001/09 on the Constitutional Framework for Provisional Self-Government in Kosovo, at <http://www.unmikonline.org/const-framework.htm>.

¹⁹ Kosovar Prime Minister's website, at <http://www.kryeministri-ks.net/?page=2,9,1300>.

²⁰ See for example 'The Fragile Triangle: Police, judges and prosecutors coordination during criminal proceedings response in Kosovo', KIPRED 2010, available at http://www.kipred.net/site/documents/The_Fragile_Triangle.pdf.

²¹ See European Commission, 'Progress Report 2009: Kosovo'.

development aid have been guided by the Mid-Term Expenditures Framework (2008–2010) developed by the Ministry of Economy and Finance, which allocates a budget for different expenditures.

Further, the European Commission Progress Report for Kosovo in 2009 has faced a number of challenges in the areas of good governance, public administration, consolidation of the rule of law and an independent judiciary, including the fight against corruption, organised crime and anti-human trafficking measures.²² The European Commission's report states that Kosovo's institutions should be effective in tackling these challenges, using measurable and concrete indicators. The fulfillment of the recommendations of the 2009 Progress Report is essential in bringing Kosovo closer to achieving a European Union membership perspective.

C: Challenges for women's citizenship in Kosovo

As stated in the introduction, women's citizenship in terms of the possession of and ability to exercise rights and political participation has been identified as being different or unequal to men's.²³ Belonging to a particular gender in a particular culture, time and space may signify that different roles and responsibilities are seen fit for women and men and in different contexts.²⁴ These roles and responsibilities may mean that women are less visible due to their everyday activities. The possibility of exercising rights guaranteed by law is further hampered by discriminatory practices resulting from women's economic, social and cultural position in society.

The last Kosovo Poverty Assessment estimates that around 45 per cent of the Kosovo population is poor and a further 18 per cent is vulnerable to poverty.²⁵ These economic disadvantages have a tendency to increase if persons reside in rural areas.²⁶ Many women and girls engage in family and household labour at an early age, meaning that access to higher education is limited by family or matrimonial responsibilities. This in turn affects female participation in the labour force.²⁷ There are reduced employment opportunities for women in a country where almost 45 per cent of the population is unemployed.²⁸ Although Kosovo has not had an official census since 1981, the World Bank estimates that the unemployment rate for women is higher than that of men, with 72 per cent of women unemployed compared to 65 per cent of men from the total unemployment rate. The level of engagement in the labour force affects women's economic status, making women dependent on male family members. Women are directly affected by high levels of unemployment and poverty, and the lack of social security schemes and high infant and maternal mortality rates further impact their equality of opportunity vis-à-vis men. The current Kosovo pension system and social assistance provided to families in need²⁹ leaves families economically fragile. The heaviest burden continues to fall upon women, who 'traditionally' take on domestic tasks and childcare when the state provides a poor social security system and health care. Women-focused NGOs have expressed concern that current government investments are undermining economic investments in other areas, causing deficiencies in sustainable development and the development of appropriate health, social and pension systems.³⁰

²² Recent findings and recommendations of the 'Kosovo under UN SCR 1244/99 2009 Progress Report' compiled by the European Commission (2009) at http://www.delprn.ec.europa.eu/repository/docs/ks_rapport_2009_en.pdf.

²³ For a more detailed explanation see FRIDE and ODI Conceptual Framework on the project Women's Citizenship and State-Building Processes, *supra* note at 1.

²⁴ Naila Kabeer, *Inclusive Citizenship: Meanings and Expressions* (London: Zed Books 2005).

²⁵ See Kosovo Poverty Assessment at <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/ECAEXT/KOSOVOEXTN/0,,contentMDK:21761784~menuPK:297775~pagePK:64027988~piPK:64027986~theSitePK:297770~isCURL:Y,00.html> (accessed 30 October 2009).

²⁶ In Kosovo, 55 per cent of the population live in rural areas; 45 per cent in urban areas. Source: Kosovo Statistical Office Population Publication, 'Women and Men in Kosovo-2008' (March 2009), at http://www.ks-gov.net/ESK/eng/index.php?option=com_docman&task=cat_view&gid=8&Itemid=8 (accessed 5 November 2009).

²⁷ The education enrolment rates for girls and boys in primary education are almost equal, whereas at high school level the enrolment rates are slightly higher for boys than girls. The enrolment of girls in university education decreases substantially. This also affects the level of participation of women in the labour force.

²⁸ *Supra* note at 24.

²⁹ For example, the social assistance scheme offered to a family of seven members can amount to a total assistance of €75 per family. The pension offered to persons above 65 years of age amounts to €80. The infant and maternal mortality rate in Kosovo is among the highest in the region of South East Europe (UNICEF at <http://www.unicef.org/kosovo/children.html>).

³⁰ KIPRED interviews with the Kosovar Center for Gender Studies and the Kosova Women's Network, January 2010. See also Ana Lukatela, 'Corruption and Access to Justice in Southeast Europe: Addressing the Gender Dimensions', Regional Women's Lobby for Peace, Security and Justice, pp.1–9.

Kosovo's society also affirms or tolerates violence as a way of disciplining and raising children or keeping women in 'control'. A recent report by the Kosova Women's Network noted that most respondents agreed that 'children need to be disciplined', although they could not agree upon which discipline methods were to be used.³¹ More women³² than men agreed that children need to be 'spanked' in order to discipline them, while both men and women (41 per cent of respondents) considered that 'Boys should have stricter discipline than girls because it makes them strong' and 'Girls need more discipline than boys so that they will be morally correct'.³³ These views show that disciplining by approving of or using violence against children may be seen as appropriate by society to mould future generations of men and women in different gendered roles with differing responsibilities.

Once married, male and female roles and responsibilities may continue to differ. In the KWN report, most respondents from rural zones tended to agree that of newlywed couples, it is the woman who should be engaged with childcare and domestic duties. Younger generations (below 45 years old) tended to disagree. In most families, decision-making within the family unit remains a male preserve, with women rarely deciding on their child's education or bigger purchases. Unequal female participation in decision-making has also been observed in the public domain. In community meetings held in rural areas, women's participation is around 5–10 per cent, in comparison to 90–95 per cent male participation.³⁴ In the meetings organised by municipal authorities, women's participation is also lower in comparison to men's. This practice of unequal participation of women from rural zones in family and public decision-making directly affects women's capacity to exercise their rights.

The human rights framework in Kosovo to protect women from violence and ensure gender equality principles has been enacted during the UNMIK era, as women-focused NGOs and women activists advocated strongly for the use of human rights language to gain equality for women. In 2004, the Assembly adopted the Kosovo Law on Gender Equality, which complemented the creation of gender equality officers at both ministerial and municipal levels.³⁵ After the declaration of independence in 2008, the Kosovo Constitution also called for the authorities to continue observing respect for women's rights and gender equality.³⁶ In 2008 the Kosovo government drafted and approved the Kosovo Programme on Gender Equality 2008–2013 (KPGE), implementable under the lead of the Agency for Gender Equality (AGE) at Prime Ministerial level.

The implementation of laws and policies remains an ongoing challenge, as institutions have not provided adequate human and financial resources to support their mandates on mainstreaming policies and priorities from a gender perspective.³⁷ For example, the Kosovo Agency for Gender Equality operates with an annual budget of around €200,000, which also covers their operational costs.³⁸ The Programme on Gender Equality has identified a number of objectives for implementation but lacks governmental budget allocation to implement its activities. The implementation is left to the Ministries themselves, depending on their will to allocate funds for the implementation of gender-aware policies.

³¹ Ariana Qosaj-Mustafa and Nicole Farnsworth, 'More than Words on paper: response of justice providers to cases of domestic violence in Kosovo', KWN 2009. This survey interviewed 1,256 women and men of all ages and ethnic groups across Kosovo in relation to social perceptions of domestic violence in Kosovo.

³² Women that were unemployed, living in rural areas and living in families with four or more family members agreed that a few forms of violence are needed to discipline children and to ensure a correct upbringing.

³³ Ibid.

³⁴ UN Office of Gender Affairs, 'Women and Men in Kosovo' (2003) available at <http://www.officeofgenderaffairs.unmikonline.org> (accessed December 2009). Also KIPRED interview with the Director of the Kosovo Municipality Association, January 2010.

³⁵ Kosovo Assembly Law on Gender Equality Nr.2004/02 at http://www.unmikonline.org/regulations/unmikgazette/02english/E2004regs/RE2004_18_ALE2004_02.pdf.

³⁶ Kosovo Constitution Article 7, paragraph 1 and 2 at <http://www.kushtetutakosoves.info/repository/docs/Constitution.of.the.Republic.of.Kosovo.pdf>.

³⁷ 'Gender mainstreaming' is referred to as 'the (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making...'. It should include analysis of activities, policies and strategies by looking at how activities affect men and women differently. See 'EU Comprehensive Approach for the Implementation of UN SCR Resolutions 1325 and 1880 on Women, Peace and Security' (2008), available at http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news187.pdf.

³⁸ Interview with Acting Chief Executive Officer of Agency for Gender Equality, December 2009.

As laws and institutions lag behind in implementation, accompanied with de facto discrimination against women, women's participation in both formal and informal state-building processes must be analysed in order to understand the challenges women face in fully exercising their citizenship rights and participation.

D: The role of women-focused NGOs in state-building processes in Kosovo

Women's organisations in Kosovo have been among the most active users of UN Security Council Resolution 1325 on Women, Peace and Security in their efforts to ensure the inclusion of a women's perspective at all levels of decision-making.³⁹ The use of UNSCR 1325 was seen as an effective tool especially given that Kosovo was administered by the UN in the past, and continues to be supported by international missions. Nevertheless, few international missions or organisations used UNSCR 1325 in their peace-building strategies.⁴⁰ In particular, the UN administration failed to appoint women in key decision-making positions. For example, the Kosovo Transitional Council (the equivalent to the government cabinet appointed by the SRSG of UNMIK) failed to appoint any female members and acknowledge the role that the women of Kosovo had played before and during the conflict.⁴¹ Of twenty government departments created by UNMIK, only two were headed by women.

Using UNSCR 1325 during and after the peace settlement would have ensured that women's needs and interests were reflected.⁴² However, neither Kosovar institutions nor the UNMIK applied a gender responsive approach. The Kosova Women's Network reported on a number of initiatives undertaken during 2006 and 2007 to ensure women's participation in the negotiations for the resolution of the status of Kosovo. KWN and the Kosovo Women's Lobby (KWL), formed by women politicians, were completely ignored and not invited to participate in the talks: both international and Kosovar representatives were reluctant to meet with the groups.⁴³

³⁹ KWN has been active in requesting the implementation of female participation at all levels of decision-making through the drafting and implementation of gender-aware legislation and protection of women's human rights; requiring that the newly created institutions of the police and Kosovo Security Forces – including judicial authorities, victim advocates and social workers – undergo continuous education on gender-sensitive legislation and protection of women's human rights; as well as seeking affective redress on ongoing violations of women's human rights. See KWN reports on Implementation of UNSCR 1325 on Women, Peace and Security (2007 and 2nd edition 2009) at <http://www.womensnetwork.org/images/pdf/Monitoring%20Implementation%20of%20UNSCR%201325%20in%20Kosova.pdf>.

⁴⁰ Ibid.

⁴¹ Women-focused NGOs have worked continuously at all levels prior to and immediately after the conflict. In particular, women activists were involved in the political landscape prior to the 1998–1999 war or assisted victims of sexual violence or gender-based violence during the war, worked on the provision of humanitarian aid for the population and provided educational activities which aimed to reduce illiteracy among women. After the conflict, as institutions were being created, women-focused NGOs started networking with the civil service and central level government to support processes in relation to women's education, women's political participation and women's empowerment. Furthermore, a number of women activists have been involved in drafting relevant strategies and laws, including the drafting of the National Action Plan for the Achievement of Gender Law on Gender Equality, the Law on Anti-Discrimination and the UNMIK Regulation on Protection Against Domestic Violence. See KWN, Monitoring the Implementation of UNSCR 1325 in Kosovo, executive summary at <http://www.womensnetwork.org/images/pdf/KWN%20Report%201325.pdf>, or Chris Corrin in 'Gender Audit of Reconstruction Programmes in South Eastern Europe' (2000), available at <http://www.bndlg.de/~wplarr/GENDER-AUDIT-OF-RECONSTRUCTION-PROGRAMMES--ccGAudit.htm>.

⁴² See also A. Sherriff and K. Barnes, 'Enhancing the EU Response to women and armed conflict', European Centre for Development Policy Management for Austrian Development Cooperation, International Alert, Federal Ministry for Economic Cooperation and Development (2008).

⁴³ Mrs Edita Tahiri, a well-known politician who also participated in the Rambouillet talks on Kosovo held in 1998, was proposed for the negotiation team lead by Mrs Ahtisaari.

KIPRED interview with Mrs Tahiri, member of Kosovo Women's Lobby and Mrs Rogova of KWN, January 2010

³⁰ KIPRED interviews with the Kosovar Center for Gender Studies and the Kosova Women's Network, January 2010. See also Ana Lukatela, 'Corruption and Access to Justice in Southeast Europe: Addressing the Gender Dimensions', Regional Women's Lobby for Peace, Security and Justice, pp.1–9.

Women-focused NGOs advocated that UNMIK and the Kosovo government should develop measures to provide assistance and protection for victims of gender-based violence.⁴⁴ However, these NGOs believe that funding for women's groups has been decreasing during the past two years as a result of the global economic crisis and the orientation of funds to the government.⁴⁵ This has significantly limited women-focused NGOs' involvement in existing state-building processes, particularly in municipal and rural areas, as funding has cut the support for specific projects.

Women-focused NGOs have taken a leading role in organising alliances or coalitions to pressure the government for accountability. A case in point is the Kosovo Women's Lobby, which pressured for women's participation in the status negotiations process in 2007. However, these alliances now seem less prominent, as there is no organised system which involves women from different institutions and provides administrative support to coordinate women's involvement in different fields. Alliances of women from different backgrounds (such as women in politics and women working for women-focused NGOs or in academia) are somewhat lacking. They are currently not utilised as a means of mobilisation for advocacy and putting pressure on the government to deliver on its commitments regarding the implementation of women's rights.

E: Political participation of women

Political life in Kosovo was long dominated by status talks and calls for independence. Once independence was attained, the political elite of the Unity team revealed 'a deeply divided political class that tends to engage in personal rivalries rather than work towards programmatic solutions to Kosovo's socioeconomic and political challenges'.⁴⁶ Kosovo's political parties developed from a particular context and history: the Alliance for the Future of Kosovo (AAK) and the Democratic Party of Kosovo (PDK) were established by commanders of the former Kosovo Liberation Army, while the Democratic League of Kosovo (LDK) was an organised political movement established in 1989, at the core of whose activities was the peaceful resistance against the state oppression of the 1990s. In 2007, Kosovo's first elections took place, with an open-list voting system in order to increase the legitimacy and accountability of the elected officials.⁴⁷ However, at national level, the new open lists system was organised with a single district voting system that created dominant leaders as a by-product of the electoral system.⁴⁸ In the municipal elections, the electorate voted directly to elect mayors for the first time, offering the chance for new leaders to rise within political parties.⁴⁹ Kosovo's electoral system has provided power to those that head the candidate lists, who are usually presidents of political parties.

The political elite and presidencies of the main parties are mainly led by men, who also dominate decision-making processes. An alternative space for female political participation has been provided by the electoral quota, which was a result of a number of advocacy initiatives initiated by women-focused NGOs, women

⁴⁴ The Kosova Women's Network and the Coalition Against Domestic Violence and Sexual Exploitation (formed in 2006 of NGOs providing shelter to victims of gender-based violence) have been actively cooperating with the Agency for Gender Equality (AGE) in supporting the agency's work on drafting the Kosovo National Action Plan Against Domestic Violence. Further, KWN has been a member of the Legal Working Group on drafting the Kosovo Law on Protection Against Domestic Violence by also drafting a report on the response of justice providers to cases of domestic violence in Kosovo. The purpose of the report was to offer recommendations based on findings to the AGE and UNDP, for use when drafting the action plan against domestic violence in Kosovo. This example is a positive move as regards the government and civil society working together in articulating the needs of women.

See for example the Kosova Women's Network Newsletter, issued bi-monthly and available at www.womensnetwork.org.

⁴⁵ KIPRED interview with KWN and UNIFEM advisor, January 2010.

⁴⁶ See Dominik Zaum, 'States of Conflict: A case study on state-building in Kosovo', IPPR 2009.

⁴⁷ For a critique of the electoral system in Kosovo based on a proportional system of representation and a closed list system see 'The Rise of the Citizen: Challenges and Choices,' UNDP Kosovo 2004.

⁴⁸ For example, 54 per cent of voters voted for the top bearer of the list. KIPRED Report on 'Analysis of Elections: Trends and Lessons Learned' (2008), available at <http://www.kipred.net/publications>.

⁴⁹ Ibid.

activists and the international community. It stipulates that 30 per cent of candidates on the electoral lists should be women (one in three).⁵⁰ The quota system offered the possibility that women could hold 37 parliamentary seats in the Kosovo Assembly out of a total 120 seats (30.8 per cent women).⁵¹ Even though Kosovo has been ranked first in the region in terms of a strong legal framework for protection of the human rights of women and the mechanisms for achievement of gender equality,⁵² there has been less willingness by predominantly male-led institutions to provide means for women to participate in key decision-making posts. For example, only two women have been appointed as ministers in Kosovo's seventeen ministries.

The two political parties elected into government, PDK and LDK, have around 10 per cent of women members in the presidency, while AAK, the opposition party, has 30 per cent. No women hold the vice-presidential positions in AAK or PDK; LDK had one woman vice-president, who left the party to join AAK.⁵³ This situation is repeated with regards to the participation of women in the Kosovo Assembly structures. The current Assembly Presidency is predominantly led by men, and there are no women leading any of the Parliamentary Groups. Of 16 Parliamentary Committees, only two are chaired by women. However, more women than men tend to participate in the Committee on Health, Work and Social Welfare and in the Committee on Human Rights, Gender Equality, Missing Persons and Petitions.⁵⁴ One female politician claimed that these committees are allocated to women as they tend to be more knowledgeable on issues related to health and social welfare due to their everyday tasks of supporting child and family welfare.⁵⁵

A few female politicians claimed that in the political arena, women lack presence in meetings where most decisions are taken. One senior woman politician described this as the 'Zanzi Bar' situation, claiming that the main decisions are systematically made in settings not accessible to women, with meetings being held in coffee bars or restaurants late at night when female politicians are at home with their families and children.⁵⁶

Others claimed that the absence of women at the decision-making level in political parties is responsible for the low number of female appointments in central and local government.⁵⁷ Parties are mainly dominated by male leaders, who have a final say on the selection of candidates. This is often influenced by nepotism or the selection of women from the regions where political party leaders come from.⁵⁸ Only in a few parties is there a positive move to incorporate women with strong professional and educational backgrounds. At the same time, there is a tendency to involve women when it comes to issues perceived as more typically female, such as health, social welfare and human rights, seen as less of a priority for the parties. These stereotypes hamper women's engagement in all areas of decision-making.

⁵⁰ Section 5.2 of UNMIK Regulation 2004/12 on Elections for the Assembly of Kosovo amended by UNMIK Regulation 2007/26 and 2007/28 as well as Section 5.2 of the UNMIK Regulation 2007/27 on Municipal Elections in Kosovo.

⁵¹ Source: Kosovo Assembly website at <http://www.kuvendikosoves.org/?cid=2,110>.

⁵² UNDP Kosovo Human Development Report 2004, available at <http://www.undp-ks.org> and KWN Report: 'Monitoring Implementation of UN Security Council Resolution 1325,' second edition (2009).

⁵³ Personal communication between KIPRED and the PDK Secretariat, LDK and AAK, April 2010.

⁵⁴ Ibid.

⁵⁵ KIPRED interview with MP of Democratic Party of Kosovo (PDK), January 2010.

⁵⁶ The 'Zanzi Bar' event refers to an apparent crisis after the municipal November Elections in 2009, when the main leading political party PDK declared that the current government coalition was breaking up. The announcement was broadcast on the public television channel in December 2009. The Kosovo Deputy Prime Minister and current Vice President of PDK, Mr Hajredin Kuçi and a government spokesperson announced the news on the alleged break-up of the coalition coming out of a local bar named 'Zanzi Bar', near the Headquarters of PDK at 1 AM. Source: RTK.

⁵⁷ KIPRED interviews with women MPs of PDK, ADK and LDD, January 2010.

⁵⁸ Ibid.

The table below provides data regarding the enrolment of women at the executive, legislative and other institutional levels.

Table 1

Percentage of women in the Kosovo Police (excluding Civil Servants and Security Officers)	12.59%
Percentage of women in the Kosovo Police in total (Police, Civil Staff, Security Officers)	14.75%
Percentage of women members in the Kosovo Assembly	30.83% ⁵⁹
Percentage of women members in the Municipal Assemblies	33.90% ⁶⁰
Percentage of women ministers in the Kosovo government	11.76%
Percentage of women mayors	0.00%
Percentage of women deputy mayors	9.38%
Percentage of women chairs of Parliamentary Committees	6.25%
Percentage of women vice-chairs of Parliamentary Committees	43.75%
Percentage of women members of Parliamentary Committees	34.91%

Most political parties hold women's forums that could potentially influence party policy-making. However, so far the forums have mainly focused on meetings that have been unable to address issues relevant to women including the building of women-responsive programmes. Even though political parties in Kosovo have been criticised for their lack of party programmes in general and for attracting specific voters,⁶¹ most party programmes remain blind to the need for policies which respond to women's needs and perspectives.

The overall lack of discussions in the formal sessions of the Kosovo Assembly on women's rights and gender equality was mentioned by women-focused NGOs as an indicator that women in politics only follow the priorities of male leaders and the political party they are affiliated to, instead of actively shaping the agenda. Women participating in political parties are certain of their election due to the quota system, making them less eager to communicate with the electorate and specifically raise women's needs and interests.⁶² A rare positive example mentioned during research was a female politician involved in advocating for financial support from an international donor for a shelter accommodating domestic violence victims.

Female politicians claim that the male-dominated parties tend to give only nominal support to women politicians, but resist in engaging women in the decision-making processes. As previously stated, male leaders make the most of the decisions in informal gatherings where women are rarely present. In cases where initiatives were undertaken by women parliamentarians, such as the Kosovo Assembly's Informal Group of Women's analysis of the reform of the municipal elections law from a gender perspective, no formal follow-up has been offered by the Assembly Presidency.⁶³ In order to ensure substantial female participation in decision-making processes, women within political parties should have adequate human and budgetary resources, enabling them to impact ongoing processes within the Assembly.

In spite of the existing formal equality rights across gender issues, the relatively solid legal framework for

⁵⁹ Source: Kosovo Assembly website, <http://assembly-kosova.org/?cid=1,192>.

See for example the Kosova Women's Network Newsletter, issued bi-monthly and available at www.womensnetwork.org.

⁶⁰ Source: Central Elections Commission, Mayor candidate results at <http://www.kqz-ks.org/SKQZ-WEB/al/zgjedhjetekosoves/materiale/rezultatet2009/komune/FinalCandidatesSeatsAllocation.pdf>.

⁶¹ See KIPRED Discussion Paper 'Reforming the electoral system in Kosova' (2005) at http://www.kipred.net/site/documents/Reforming_the_Electoral_System_of_Kosova_Discussion_Paper.pdf.

⁶² For Interviews with KWN and Kosovo Gender Studies Center, January 2010.

⁶³ The Informal Group of Women is composed of women members of parliament of different political parties in the Assembly of Kosovo. They serve as an informal caucus initiated by the support of the National Democratic Institute office in Kosovo and discuss issues related to women. So far the group has mainly been engaged in organising awareness-raising initiatives for the rights of women among the public. See <http://www.ndi.org/node/15320>.

the protection of human rights and the quota system, women in Kosovo still face significant challenges when it comes to substantially exercising their citizenship and actively shaping decision-making processes through participation in both formal and informal political processes. Deeply entrenched discriminatory practices, a male-dominated political sphere and the limited presence of women in the party presidencies and decision-making structures are some of the main factors depriving women of the ability to fully exercise their citizenship.

With this in mind, the following sections look at the ongoing state-building processes in the areas of security sector reform and decentralisation in order to assess current developments in these sectors as well as to investigate opportunities to enhance women's citizenship. Both of the processes are interesting examples of ongoing state-building initiatives, which have been given priority by the Kosovo government and supported heavily by the international community. As they are under review or are still being set-up – in particular the decentralisation process, with the creation of new municipalities – they can serve as potential arenas in which to enhance women's citizenship in Kosovo. On the other hand, if these processes do not take into account the needs and interests of women, they may end up having a gender neutral impact which prevents women in particular from substantially exercising their citizenship and actively shaping decision-making processes in Kosovo.

ONGOING STATE-BUILDING PROCESSES: Security sector reform and decentralisation

State-building processes can fundamentally transform the way in which citizenship is constructed and experienced, in particular altering citizens' relationships to the state and providing new rights and responsibilities for citizens. State-building therefore has the potential to transform and strengthen women's citizenship.

The security sector is an interesting case due to its UN legacy and current developments. The building of security institutions fell directly under the UN administration mandate.⁶⁴ Accordingly, by supporting the PISG the UN administration led to the creation of the Kosovo Police (KP) and the Kosovo Protection Corps as a civilian emergency service agency. As a civilian force, the UNMIK was responsible for building an appropriate environment to execute the mandate of the military Kosovo Forces (KFOR), led by NATO with the aim of establishing and maintaining public safety and order. For a few years, the KP service remained under legal uncertainty, as there was no specific legislation defining its roles and responsibilities. During the same period, the former KLA went through a process of demilitarisation and the Kosovo Protection Corps (KPC) was created.⁶⁵

The transfer of powers from UNMIK to the so-called Provisional Institutions of Self-Government (PISG) was a slow process. In 2005, UNMIK Regulation 2005/54 promulgated the framework and guiding principles for the Kosovo Police Service. After the declaration of independence in 2008, two new ministries on Internal Affairs and Security Forces respectively were created. By mid-2008, the Kosovo Assembly adopted the law on the Kosovo Police as a public service to ensure law and order within the framework of Kosovo Ministry of Internal Affairs.⁶⁶

The UN administration has not been widely commended for its democratic decision-making system, especially in terms of deciding on priorities in the security area (as an area of reserved powers).⁶⁷ Citizen voices in these decision-making processes were rarely heard.⁶⁸ This hampered the ownership and sustainability of the

⁶⁴ Under UN Security Council Resolution 1244 on the Situation in Kosovo.

⁶⁵ KIPRED study on Enhancing Civilian Management and Oversight of the Security Sector in Kosovo, 2005.

⁶⁶ Kosovo Assembly Law on Police Nr.03/L-035 at http://www.kuvendikosoves.org/common/docs/ligjet/2008_03-L035_en.pdf.

⁶⁷ Paper 11: 'The Weakest Link: Public Oversight of the Security Sector in Kosovo', KIPRED Policy Brief Series Paper 11 (2008), available at http://www.kipred.net/site/documents/PB_11_eng.pdf.

⁶⁸ Ibid.

initiatives undertaken. Nevertheless, there have also been some positive developments. Women activists and women-focused NGOs supported by international organisations such as UNIFEM have advocated for security sector reform to become gender-sensitive by taking into account the different needs of men and women, rather than relying on the traditional male approach to security issues.⁶⁹

In this regard, the Kosovo Police in particular has successfully integrated UNSCR 1325 provisions on incorporating women into decision-making processes and has increased the representation of women in the police forces. Around 15 per cent of the total Kosovo Police force, including police officers and civilian staff, are women.⁷⁰ One commendable area is the strong institutional framework that has been created in order to respond to violence against women, including the creation of specialised units to protect victims of domestic violence and human trafficking. These initiatives were followed up with development of training curricula for the police on gender equality and protection of the human rights of women. Similarly, the Kosovo Protection Corps has offered training on gender equality and conducted a number of campaigns to increase the representation of women in the Corps.⁷¹

At the local level, a number of structures for public safety and security were created, also by engaging community policing structures. The main structures formed are the Municipal Councils for Community Safety (MCCSs) and the Local Committees for Public Safety (LCPSs), in whose forums NGOs can participate. In this context, this study examined the question of the extent to which these local structures have been responsive to women's needs and how their responsiveness could be improved.

Concerning decentralisation, the CSP proposed the status of 'supervised independence' for Kosovo by incorporating a section on decentralisation, based on the principle of self-government for all ethnic communities. The decentralisation framework has been further detailed in the Kosovo Assembly Law on Local Self-Government,⁷² which foresees increased local government for all Kosovo municipalities including the creation of six new municipalities for minority communities with increased self-governing competencies in sectors including health, education, local economic development and social services.⁷³ The process has been gaining political support and has been prioritised by the Kosovar government, especially following the set-up of the new Serb municipalities after the 2009 local elections.⁷⁴ The aim of the process is to bring local government closer to its citizens and to allow substantial self-government for all Kosovar communities. The process of decentralisation did not initially include women when decisions were being made on the CSP as a result of the existing political landscape and the urgency of the matter.⁷⁵ It was developed with gender-neutral policies and lacked in-depth analysis on the different positions of men and women in the society as citizens. Nevertheless, its current implementation phase offers a window of opportunity for a gender-responsive approach that would pay more attention to women's needs and the enhancing of women's rights and participation in decision-making.

SECURITY SECTOR REFORM AND WOMEN'S PARTICIPATION

This section looks at the inclusion of women's concerns within security structures at the local and central

⁶⁹ Since 2006, the UNIFEM Kosovo Office has worked on integrating a gender perspective into the security sector. In March 2010, the office also launched a study on gender and security in order to inform policy makers and practitioners in the security sector on how to build gender-responsive policies and practices. The Kosova Women's Network has regularly reported on the implementation of UNSCR 1325. KIPRED interview with UNIFEM and KWN, January 2010.

⁷⁰ KIPRED interview with Hysni Shala, Gender Focal Point of the Kosovo Police in December 2009.

⁷¹ The participation of women in the former KPC was around 3 per cent. Source: 'Baseline Study on Gender and Security: A Mapping of Security Sector Actors in Kosovo and Gender-Related Policies, Practices and Strategies', UNIFEM Kosovo.

⁷² See Kosovo Assembly Law on Local Self-Government, Nr.03/L-040 at http://www.assembly.kosova.org/common/docs/ligjet/2008_03/L040_en.pdf.

⁷³ Ibid.

⁷⁴ The Serb turnout was ten times higher in the elections organised by the Kosovo government in 2009 than in November 2007 when Kosovo was still administered by UNMIK. See 'Decentralisation in Kosovo I: Municipal elections and the Serb Participation', KIPRED 2009.

⁷⁵ KIPRED interview with the Minister of Local Government Administration, December 2009.

levels by examining to what extent these structures have responded to ensure women's participation. It examines two main structures currently undergoing institutional building and reform, the Kosovo Police and the newly created Kosovo Security Force. The section also analyses parliamentary oversight of the security sector and the central government's response in order to assess their level of engagement with women's rights and the practical exercise of these.

There are numerous ways to ensure that women's citizenship requirements are fully met and implemented. These requirements not only call for women's rights to be identified and defined appropriately, but also include specific mechanisms and tools to implement them. UNSCR 1325 states that the prevention of and protection from violence is a benefit for all members of society, but special attention should be paid to particular insecurities affecting women, including gender-based violence. By mainstreaming a gender perspective into different policies and strategies, gender-sensitive early warning mechanisms should be implemented, efforts to prevent violence against women should be strengthened, and the promotion of women's participation in such processes through formal and informal participation measures should be developed.⁷⁶ The on-going security sector reforms should acknowledge and respond to gender inequalities, ensure the participation of women within their structures and offer effective tools for implementing women's rights.

The Kosovo Police is one of the few institutions in Kosovo and the wider region that is known to draft gender-responsive policies, to increase women's representation within its structure and to create institutional mechanisms that respond to acts of violence against women. In particular, the Kosovo Police developed special domestic violence and anti-trafficking investigation units to protect women from violence. A number of local safety and security structures have been established at the municipal and local levels with the aim of increasing cooperation among the local government, security structures, NGOs and citizen forums. However, as men's and women's perceptions of security issues differ, attention should be focused on the dimension of human security within traditional perceptions of security; for example, the use of firearms may be considered crucial to men's security, but it can end up posing a security threat to women, in particular in domestic violence cases.⁷⁷ KIPRED has found a number of shortcomings in the effective implementation of policies and the responsiveness of mechanisms which limit the ability to respond effectively to women's insecurities.

A: Mapping of security institutions

Current challenges

Security sector reform is often seen as a process directed at the central state level, with a top-down approach to defining priorities. However, an attempt is made to widen the concept by incorporating a human security perspective, taking into account the needs of each human through a bottom-up approach.⁷⁸ Moreover, a more gender-sensitive approach aims to take into account the different needs of men and women. The human security approach is thus inherently inclusive of women as it seeks to ensure that men's and women's different security needs are recognised and security mechanisms are tailored to enable the full participation of all citizens in decision-making processes.⁷⁹

Prior to the declaration of independence, a number of reforms were made to the security sector. The first period (1999-2005) is predominantly referred to as 'Security Sector Building' under the direct lead of the international administration in Kosovo.⁸⁰ The involvement of the Kosovar authorities, and to some extent of civil society, only started in 2005 with the so-called 'Internal Security Sector Review' process and the creation of the Kosovo Ministry of Internal Affairs (MIA) and the Ministry of Justice. Local ownership throughout the

⁷⁶ UNSCR 1325 on Women, Peace and Security, adopted October 2000 at http://www.un.org/events/res_1325e.pdf (last accessed March 2010).

⁷⁷ See further information on the human security dimension and security issues in the UNIFEM Baseline Study on 'Gender and Security: A Mapping of Security Sector Actors in Kosovo and Gender-Related Policies, Practices and Strategies', launched 12 March 2010.

⁷⁸ See for example Karen Barnes, 'Building an inclusive security sector: How the EU can support a gender-sensitive security sector reform in conflict-affected contexts', Initiative for Peacebuilding 2009.

⁷⁹ See 'OECD DAC Handbook on Security Sector Reform. Section 9: Integrating Gender Awareness and Equality', 2007 Edition.

⁸⁰ See Lulzim Peci, Ilir Dugolli and Qemajl Marmullakaj, 'The Weakest Link: Public Oversight of the Security Sector in Kosovo', KIPRED, August 2008.

⁸¹ *Supra note at 66.*

process was limited as responsibilities were slowly transferred to the local structures.⁸¹ The post-independence period focused on the creation of new security structures in Kosovo, such as the Kosovo Security Force, the Kosovo Security Council and the Kosovo Intelligence Agency. The period has also been characterised by the intensive support given to reforming and building the capacity of the Kosovo Police through the adoption of the Law on Police.⁸²

Post-independent Kosovo and the Kosovo Constitution paved the way for the establishment of the institutional security structure in Kosovo.⁸³ The constitution envisaged the creation of the Kosovo Security Council (KSC) chaired by the Kosovo Prime Minister, which was mandated to develop security related policies and strategies and to advise the government on security issues.⁸⁴ Further, the applicable Kosovo law grants the KSC the role of strategically identifying security threats and risks with additional powers in cases of state emergency such as natural disasters or war.⁸⁵ The KSC is the leading body in drafting the National Security Strategy. The KSC's structure does not currently include any women representatives or CSO representatives, specifically women-focused NGOs in an advisory capacity.⁸⁶ The drafting of the National Security Strategy has been led by the Kosovo Ministry of Internal Affairs and the Kosovo Secretariat of the Security Council. However, the International Civilian Office (ICO) has been heavily involved in the process and has delivered a draft of its own as a final product.⁸⁷ The process of drafting the Kosovo Security strategy has lacked transparency and inclusiveness of civil society groups, in particular of women-focused NGOs, which has precluded adequate consideration of women's needs and concerns.⁸⁸

The everyday work of the KSC is supported by the Secretariat and the Situation Centre. In their recruitment process, these two bodies claim to have tried to address the issue of women's representation within their structures.⁸⁹ However, there is no specific recruitment policy in this regard to increase the participation of women. To date, the Agency for Gender Equality has monitored the number of women employed within their structures. There are currently only four women in administrative roles out of a total of 26 staff members in the Secretariat and one woman out of a total of 12 staff members in the Situation Centre.⁹⁰ Despite the small numbers of women within the support structure of the KSC, the Situation Centre has been encouraging other relevant security institutions to engage more women in order to increase the number of women generally.

B: Parliamentary oversight of the security sector and inclusion of women's perspectives

In accordance with the CSP, the Kosovo Assembly also created the Assembly Committee on Internal Affairs and Security Issues. Amongst other activities, the Committee is required to engage in the development and supervision of policies and strategies for internal security and to increase parliamentary oversight through proactive supervision.⁹¹ The Assembly Committee has three women out of a total of nine members, thus women's representation stands at 33.3 per cent. The Committee has focused mainly on 'high' security issues such as border management, the situation in the northern part of Kosovo or emergency preparations in

⁸² Kosovo Assembly Law on Police, Nr.03/L-035, at http://www.assembly-kosova.org/common/docs/ligjet/2008_03-L035_en.pdf.

⁸³ Article 127 of the Kosovo Constitution and the UN Special Envoy Ahtisaari's Comprehensive Settlement Plan on Status Resolution.

⁸⁴ Kosovo Center for Security Studies, Assessment of the Kosovo Security Council role in the security sector (Pristina: Kosovo Center for Security Studies, 2008).

⁸⁵ Assembly Law on the Kosovo Security Council (Law No. 03/L-050).

⁸⁶ In the KSC executive membership is provided to the Prime Minister, Deputy Prime Minister and other ministries covering security issues. The possibility to engage external actors in the capacity of non-permanent members and an advisory role is not excluded under Article 3.5 of the Law on Establishment of Kosovo Security Council No. 03/L-050 at http://www.assemblyofkosovo.org/common/docs/ligjet/2008_03-L050_en.pdf.

⁸⁷ KIPRED communication with a UNDP advisor on drafting the National Security Strategy, March 2010.

⁸⁸ KIPRED interview with the KWN Executive Director and a UNIFEM advisor, December 2009-January 2010.

⁸⁹ Interview with Mr Afrim Haxhiu, Secretary of the Kosovo Secretariat, January 2010.

⁹⁰ Ibid.

⁹¹ At <http://www.kuvendikosoves.org/?cid=2,110,83>

cases of natural disasters. This has led the Committee to take a more traditional approach to security issues in exercising its mandate and role. As outreach to citizens and public debates were found to be lacking during 2008 and 2009, the Committee, funded by the OSCE Mission in Kosovo and UNDP, expanded its discussions with citizens by organising public debates in the municipalities. The debates focused on the opinions of citizens regarding what they perceive to be the most pertinent security and safety issues.⁹² In 2008 a roundtable was organised in co-operation with KIPRED on parliamentary and civil society oversight of the security sector, including discussions about best practices in the region. The turn-out of women at these debates was minimal as security issues are often perceived by stakeholders as a sphere reserved for men, and more traditional approaches to the discussion of security issues were part of the debates.⁹³

However, the Assembly Committee is struggling in general to implement its public oversight mandate. In particular, regular communication between the existing municipal and local safety and security structures and the Committee is lacking.⁹⁴ The Kosova Women's Network has so far not been invited to any of the formal Committee discussions. Incorporating discussions on women seems difficult as the Assembly Committee defines its role according to a more traditional approach to security. As stated by the Head of the Assembly Committee:

[...] I would say that we focus on issues of priorities in the security realm and you have to acknowledge that there are difficulties within the security debates to divide discussions for men and women [...] we speak of ideas and vision in general as there are separate venues where women's issues should be discussed.

The limited work relationship and cooperation between the Assembly Committee and women-focused NGOs has hampered the sharing of information as well as advocacy on the development of women-responsive security interventions. No issues relating to women and their insecurities have been officially discussed at any of the parliamentary debates organised by the Committee. None of the female committee members have raised any concerns particular to women in the formal discussions of the Committee, nor have they initiated discussions on women's insecurities caused by domestic violence, rape, or human trafficking. These issues have been ignored due to other priorities such as border control, the safety and security of citizens in local communities, or the security problem in the northern part of Kosovo.⁹⁵ Commonly, these issues are considered from the perspective of more traditional approaches to security, while discussions relating to gender are lacking. There is a need for focused discussions on security issues affecting women which derive from gender-based violence, for example, or a broadening of 'traditional' perceptions of security so that these also take into account gender relations. Currently, the policies discussed at the committee level are gender-neutral in their approach.

The Agency for Gender Equality has also very recently started to engage in developing policies and strategies with CSOs and women-focused NGOs. Supported by UNDP, the Agency commissioned a report on domestic violence and gender-based violence to develop evidence-based planning for the drafting of the Action Plan against Domestic Violence.⁹⁶ But so far the Agency has failed to develop mechanisms for regular cooperation and communication regarding security issues with women-focused NGOs, women parliamentarians and other executive levels such as the Kosovo Security Council. Co-ordination on women and security issues under the lead of this body has been limited as the AGE has only organised infrequent meetings with the stakeholders involved. In 2010 the AGE aims to bridge the concept of gender and security by forming a Gender and Security Secretariat.⁹⁷ The Secretariat's role would be to review the Kosovo Programme on Gender Equality (2008-2013) and to incorporate a specific chapter on gender and security within the Programme.

On-going approaches at both the executive and legislative levels continue to consider citizens as if they were all treated equally, and well-informed security policies and strategies are lacking. These are missed opportunities that will have a direct impact on women and what these structures can offer to women to feel

⁹² E-mail communication with UNDP consultant of the Assembly Committee, April 2010.

⁹³ Personal communication with the former project coordinator of KIPRED, April 2010.

⁹⁴ Interview with municipal and village representatives, January 2010.

⁹⁵ KIPRED interview with the Head of the Assembly Committee on Internal Affairs and Security issues, December 2009.

⁹⁶ See KWN Report, 'Security begins at home: Research to inform the first National Strategy and Action Plan Against Domestic Violence in Kosovo' (2008) at <http://www.womensnetwork.org/images/pdf/shqip/tjera/security%20begins%20at%20home.pdf>.

⁹⁷ Interview with the Acting Chief Executive Officer of the AGE, December 2009.

C: Role of women-focused NGOs and international organisations

Women-focused NGOs continue to feature amongst the most active users of UNSCR 1325 in advocating the inclusion of a human security perspective within security institutions, including international missions. The platform for advocacy has been based on continuous monitoring of the implementation of Resolution 1325 during and after the UNMIK era, with two reports drafted on the implementation of the Resolution⁹⁸ and close follow-up of the implementation of recommendations. The reports have also recommended that the AGE lead the drafting of a mid-term Kosovo Action Plan on the Implementation of Resolution 1325, and KWN plans to support the work of AGE in 2010 in drafting the Action Plan on Resolution 1325.

The Kosova Women's Network has attempted to form part of the Kosovo Security Council as well, but the chair of the KSC has not responded positively to this.⁹⁹ This raises serious concerns about the process of drafting the Kosovo Security Strategy as the key framework strategy. KIPRED has found that the draft Strategy only lists trafficking in human beings as a security threat for women. The lack of reflection on specific security threats to women and of a more gender-sensitive approach to general security issues raises questions about how and to what extent security policies will be implemented upon the Strategy's adoption.

In 2006 UNIFEM started to lead the Security and Gender Co-ordination Group, which brings together heads of UN agencies as well as representatives of ICO, EULEX, OSCE and UNMIK. The group aimed to improve coordination, information sharing and joint action by integrating a gender perspective when drafting security sector policies. In 2008 the group expanded to incorporate local institutions by including the Agency for Gender Equality and the Kosovo Security Force as members. Recently, the Kosova Women's Network has been invited to form part of the group. The Co-ordination Group has been predominantly international, but it has supported the AGE to become more gender-responsive regarding security issues. For example, it has shared its comments with the AGE on the draft Strategy, and comments were delivered to the KSC for review. The comments also called for an emphasis on the insecurities that women and girls face, such as gender-based violence, threats deriving from reproductive and sexual health as well as natural or man-made disasters including internal displacement, and how these affect women and men differently. Nonetheless, the current draft Strategy does not reflect the comments of the group.¹⁰⁰

Women-focused NGOs have claimed that due to the global economic crisis and the tendency among donors to direct funding to the Kosovo government since the declaration of independence, they are struggling to continue their activities. Some NGOs have claimed that major reductions in donor funding have affected projects concerning women and gender issues since other areas are prioritised. These cuts have had a direct impact on their engagement with women and security issues, in particular in municipalities and rural areas. In some municipalities such as Malisheva, there are no active women-focused NGOs due to the lack of funds.

Furthermore, KIPRED has observed that the level of cooperation and coordination of activities between women-focused NGOs and women parliamentarians is lower for security issues. An oft-mentioned reason was the feeling of distrust among NGOs towards the role of women parliamentarians in advocating for women's rights. The reasons cited for this distrust include the lack of monitoring by women MPs of the implementation of the law on gender equality and their hesitance to initiate debate at formal sessions of the Assembly. Women parliamentarians more frequently espouse the official agendas of political parties; they do not talk of gender equality and women as such initiatives, in their view, would marginalise them.¹⁰¹

In general, the on-going policy and institutional building processes within the security sector are seen as interventions requiring a central state level response. So far, none of the concerns or comments voiced by women-focused NGOs and submitted by the UNIFEM-led Co-ordination Group to the KSC on the draft Strategy have been reviewed. Priorities are defined according to a top-down approach, and the inclusion

⁹⁸ *Supra note at 12.*

⁹⁹ KWN delivered a letter to the chair of the KSC on including a representative of KWN as an advisor and non-permanent member in order to reflect on women and security issues. KIPRED interview with the Executive Director of KWN.

¹⁰⁰ KIPRED interview with a UNIFEM representative and the Acting Chief Executive Officer of Agency for Gender Equality, January 2010 and December 2009, respectively.

¹⁰¹ Interviews with KWN and women politicians, January and February 2010.

of women's concerns is therefore limited. Traditional and rigid perceptions of what security issues should encompass prevail. In order to incorporate more of a human security perspective, the concept of security should be widened to take into account the different needs of men and women by introducing a more bottom-up analysis that identifies these

D: Local and municipal security structures

Most of the safety- and security-related policies and mechanisms were developed and created during the UNMIK era. The structures were rather weakly co-ordinated and the initiation of activities by a number of donors led to overlap.¹⁰² The issue of the co-ordination of safety and security structures was first addressed in the Administrative Instruction of the Ministry of Internal Affairs and the Ministry of Local Government Administration, as well as the Kosovo Police Law.¹⁰³ The applicable law determines the operation and coordination of the Municipal Community Safety Councils (MCSCs) and the Local Public Safety Committees (LPSCs). The MCSCs are chaired by the mayor and the LPSCs are established by the police. The aim of the structures is to identify and respond to the different security needs and threats that citizens face in different communities. In addition, in 2003, Community Safety Action Teams (CSATs) were set up by the OSCE Mission in Kosovo and the US Department of Justice.¹⁰⁴ The LPSCs and CSATs include police officers as participants, and they both report to the MCSCs. The MCSCs also allow for the participation of NGOs. These structures have so far developed a number of projects for and by citizens with the support of municipal officials and police officers. However, they have struggled to develop their outreach to municipal and local structures as their work has been mainly focused at the central level.

KIPRED has found that local safety and security structures continually take a more traditional and rigid approach to observing security issues. The institutional mechanisms at local levels often depend on the will of the mayor or local police staff to call meetings and often lack financial support to implement the projects identified. Furthermore, most of the institutions interviewed by KIPRED have shown only a narrow understanding of the purpose of these mechanisms by seeing security as a tool to reconcile ethnic communities and identify possible threats to these communities only.¹⁰⁵ The main projects addressed so far have been related to the security of ethnic communities or safety projects without a specific focus on women. An exception are the CSATs, which have developed better outreach policies and used community-based policing to establish closer relations with citizens.

Once again, women's level of involvement in these forums is low. Women in rural zones continue to be heavily under-represented at local community meetings. In some municipalities security structures do not meet regularly, or in the case of the municipality of Malisheva, women-focused NGOs have ceased to exist due to a lack of funds, which affects the level of advocacy of women's needs. In rural zones in particular, the prevalent mentality whereby women stay in-doors, and are not actively engaged in community activities if these are voluntary, has served to exclude women from the processes in which safety and security needs are identified. The CSATs have a greater potential to attract the participation of citizens including women due to their outreach in rural zones as well. However, so far these teams have not been able to adequately ensure the participation of women and girls.¹⁰⁶ The teams were never offered any training on women's rights or gender equality in order to increase awareness among their members of the need to reach out to women when drafting and implementing projects at community levels.

Even in cases where women-focused NGOs participate, women's needs are rarely discussed or addressed since a more traditional approach to what security issues should focus on is favoured. The projects initiated at these forums have mainly been concerned with the environment, traffic safety or safety in schools. Few projects have addressed the insecurities that women face and measures to counter these, such as the need for street lightning to increase free movement for women, and few projects address domestic

¹⁰² KIPRED interview with civil staff of the Ministry of Internal Affairs, December 2009.

¹⁰³ At http://www.kuvendikosoves.org/common/docs/ligjet/2008_03-L035_en.pdf.

¹⁰⁴ These action teams were first piloted in 4 Kosovo municipalities and today cover 20 Kosovo municipalities. See OSCE Mission in Kosovo Report 'Assessing the Impact: Kosovo's Community Safety Action Teams' (2008) at http://www.osce.org/documents/mik/2009/03/36621_en.pdf.

¹⁰⁵ Interviews with municipal officials, village leaders and police officers, December 2009 and January 2010.

¹⁰⁶ Kosovo Internal Security Sector Review (2006), UNDP Office in Kosovo at http://www.ks.undp.org/repository/docs/ISSR_report_eng_ver2.pdf.

violence.¹⁰⁷ In general, an increased focus on human security should be developed in order to make these local structures more responsive to the needs of women and girls.

E: The Kosovo Police's response to women and security

The Kosovo Police functions under the direct authority of the Ministry of Internal Affairs and the supervision of the General Director of the Police. The Ministry does not manage the KP in operational terms, but it does execute and develop policies, strategies and legislation in order to ensure public order and safety.¹⁰⁸ The priorities and activities of the Ministry are defined based on the inputs provided by the annual Police Report. Nevertheless, if different priorities are identified at the central policy level, such as by the Ministerial Council led by the Kosovo Prime Minister, the actions of the Ministry can be changed to encompass them.

The Ministry of Internal Affairs has developed a number of human rights and gender mechanisms at both local and central level to review how legislation and policies have a different impact on men and women.¹⁰⁹ However, the recommendations issued by these structures are not taken properly into account given the continual lack of financial and human resources. For example, the gender focal point within the Kosovo Police also acts as the human rights focal point. There is also a gap in communication and coordination at the level of designing and implementing policies. The MIA is a permanent member of the Kosovo Security Council, but so far it has not incorporated domestic violence as a security threat to women into the draft Kosovo Strategy on Security. Moreover, the current draft does not reflect the numerous mechanisms and strategies that exist within the Kosovo Police to respond to incidents of domestic violence and trafficking in human beings.

Under the lead of UNMIK and the OSCE Mission in Kosovo in particular, the Kosovo Police registered a high level of participation of women police officers in its structure. Generally, the KP has developed responsive policies and mechanisms to address security threats to women and girls who are the victims of domestic violence and trafficking in human beings. Nonetheless, even though some women are present in the KP's decision-making structures,¹¹⁰ women's participation is lower than men's. KIPRED observed a significant drop-out rate among women officers from the KP. In 2006, the proportion of female police officers in the KP stood at almost 15 per cent, whereas nowadays the enrolment rate of women into uniform and ranked positions has fallen to 12.59 per cent.¹¹¹ The drop-out of male police officers has also been observed, but this has not affected the male enrolment rate. The most commonly identified reasons for the drop-out of female police officers are the challenging roles police officers play and the difficulties in balancing such roles with parental obligations.¹¹² Low financial remuneration was also mentioned.

The KP has developed a number of policies and operational procedures to ensure equality amongst its male and female officers and an inclusive approach towards all police officers, including in terms of their recruitment and career promotion.¹¹³ However, the existing recruitment policies do not allow for positive discrimination to increase women's representation within the KP, as happened in the past. The new Law on Police enacted in 2008, contrary to the provisions of the Kosovo Law on Gender Equality and other police procedures, foresees

¹⁰⁷ Interview with Director of Community Affairs Department at Kosovo Police HQ, December 2010.

¹⁰⁸ Article 5 of the Kosovo Law on Police at [http://www.mpb-ks.org/repository/docs/2008_03-L035_en\[1\].pdf](http://www.mpb-ks.org/repository/docs/2008_03-L035_en[1].pdf).

¹⁰⁹ The Ministry has a gender focal point within the Human Rights Division. Similar structures are created in each of the municipalities of Kosovo. The Kosovo Police also has a gender focal point at its main headquarters and has appointed police officers to deal with gender issues at some local police stations. KIPRED interview with the Ministry of Internal Affairs, January 2010.

¹¹⁰ The senior appointed positions and senior management level at Kosovo Police consist of: General Director (1 Male, 0 Female); Deputy General Director (1M, 1F); Assistant General Directors (5M, 0F); Colonel (12M, 2F); Lieutenant Colonel (21M, 2F); Major (26M, 4F). Female representation therefore stands at 12 per cent, as of January 2010.

¹¹¹ These calculations do not include Civil Servants and Security Officers of the Kosovo Police in its ranking system.

¹¹² KIPRED interview with a KP female officer, February 2010.

¹¹³ For example Kosovo Policy and Procedure # P-6.20 on Gender Equality and inclusiveness in Kosovo Police (2007-2009); #P-122 on Harassment and #P-123 on Discrimination. KIPRED personal communication with female police officer at the KP.

the recruitment of new KP officers and career promotion based on the principle of meritocracy.¹¹⁴ In the past, the KP developed a procedure so that recruitment at all levels within the police would reflect the multi-ethnic composition of society and respect the international standards on gender equality included in the instruments for protection of human rights.¹¹⁵ In recent years, however, this approach has not been maintained; outreach policies have not been developed to increase applications to police structures from women in rural or urban areas.¹¹⁶ The existing recruitment and career promotion policies are not managing to decrease the drop-out rate of female officers; nor have specific affirmative actions been developed, as encouraged by Kosovo Law on Gender Equality,¹¹⁷ to increase the number of female police officers within the KP. The current lack of initiatives to draft gender-sensitive policies aimed at the recruitment and career promotion of female officers may have a direct impact on the KP's ability to ensure women's participation in its structure.

Furthermore, sensitive harassment and anti-discrimination policies can contribute to offering an appropriate working environment for women police officers in particular. The Kosovo Law on Anti-Discrimination has included provisions to condemn violations involving harassment, in particular violations deriving from sexual harassment.¹¹⁸ The Kosovo Law on Police Inspectorate generally defines the procedure for upholding individual rights and the principle of non-discrimination within the police. However, the police procedures are contrary to the requirement of the Kosovo Law on Anti-Discrimination that the principle of burden of proof be applied in cases of alleged discrimination. This requirement was drafted for the purpose of allowing discrimination cases to be reported, especially sexual harassment cases that can be sensitive. So far, the KP has yet to monitor the application of its procedures, especially its sexual harassment and anti-discrimination policies. Reporting of sexual harassment cases within the KP is almost inexistent.¹¹⁹ Clearly, the current anti-discrimination and harassment policies within the police do not comply with the applicable Kosovo law, which is likely to explain the lack of reporting of sexual harassment cases within the KP. The Advisory Board on Gender Equality and Women's Human Rights would need to plan to monitor police procedures with regard to employment, harassment and career promotion in order to develop a basis to decrease the female police officer drop-out rate within the KP.

F: The Kosovo Police's response to prevent violence against women

Prevention mechanisms are also crucial in responding to the security threats to women victims of gender-based violence, as stipulated in UNSCR 1325 on Women, Peace and Security. Although a number of policies and mechanisms have been set up within the KP to protect women victims of domestic violence, its outreach initiatives to increase the reporting of domestic violence and prevent further violence seem limited.

In recent years, it has been observed that the reporting of domestic violence incidents is decreasing in Kosovo.¹²⁰ A number of safety and security structures created at municipal and local levels under the supervision of the MIA are not being sufficiently utilised by the KP to identify and respond to particular security threats to women. The low participation of women in local security forums poses a challenge. The KP should work on developing outreach policies to increase the participation of women in these forums. The KP has also appointed acting gender focal points from the existing pool of community police officers or domestic violence investigators to act as members of the KP Network on Gender Equality. The existing KP gender focal points at local police stations are not being sufficiently utilised for outreach activities to engage women in safety and security structures, including the LPSCs facilitated by the police in different areas.

¹¹⁴ Article 2 of Law on Police, Nr.03/L-035 at http://www.kuvendikosoves.org/common/docs/ligjet/2008_03-L035_en.pdf.

¹¹⁵ Kosovo Police Policy Procedure #P-6.20 on Gender Equality and Inclusiveness in the Kosovo Police. E-mail communication with high ranking female KP officer, February 2010.

¹¹⁶ KIPRED interview with the KP's Gender Focal Point, December 2010.

¹¹⁷ Article 2.11 and 2.12 of the Kosovo Law on Gender Equality Nr.2004/02 at http://www.assembly-kosova.org/common/docs/ligjet/2004_2_en.pdf.

¹¹⁸ These Kosovo Assembly Law on Anti-Discrimination No.2004/03 Article 8 stipulates that 'when persons consider themselves wronged because the principle of equal treatment has not been applied to them...before a court or other administrative authority...it shall be for the respondent to prove that there has been no breach of the principle of equal treatment.' At http://208.116.0.60/common/docs/ligjet/2004_3_en.pdf.

¹¹⁹ Interview with a female high ranking police officer, February 2010.

¹²⁰ Ibid.

Developing the capacity and knowledge of the police at local or regional police stations to increase the understanding of the needs of domestic violence victims is the duty of the Kosovo Centre for Public Safety, Education and Development (KCPSED). KCPSED is mandated to draft training curricula for KP officers and to offer continuous education to the police. The centre has so far developed basic mandatory training on gender equality and advanced training covering women and security, including awareness of the requirements of security institutions in accordance with UNSCR 1325. During 2009 the Centre provided advanced training on gender equality to around 60 police officers.¹²¹ Making this training mandatory for police officers working at different levels is necessary, taking into account the high turnover in the police structure. KIPRED observed from interviews with investigative police officers working on domestic violence cases in Police Station 2 that some had not undertaken the prior training offered on domestic violence and gender equality. Monitoring the attendance of police officers working on domestic violence and other forms of gender-based violence at these trainings and ensuring that the police provide follow-up should be seen as a priority for KCPSED and the KP Advisory Board on Gender Equality and Women's Human Rights.

During 2009, the KP organised five regional roundtables and one roundtable with minority communities on 'Domestic Violence' and drafted a report with findings and recommendations for the KP.¹²² However, such initiatives should be undertaken on a continuous basis and supported financially by the KP's management with regular follow-up activities.

Overall, even though the Kosovo Police has created a number of policies and institutional mechanisms to respond to the needs of victims of gender-based violence, a more comprehensive, well-informed and co-ordinated mechanism between municipal, local and central levels should be developed. Many of the existing mechanisms have responded well to gender equality requirements, but they still face difficulties in advancing the concept further by addressing various forms of women's insecurities. Donors that have continuously supported these structures should develop training and outreach tools to better address the issue of supporting the participation of women and youth in such structures.

G: Inclusion of women within the Kosovo Security Force

The Kosovo Security Force (KSF), envisaged under the Comprehensive Settlement Proposal (CSP) and the Kosovo Constitution, was established in January 2009.¹²³ Its capacities are directly developed and supervised by the Kosovo Forces (KFOR) led by NATO's multi-national brigades.¹²⁴ The Kosovo Security Force is a new professional and multiethnic security force aiming to reach a total of 2500 active and 800 reserve members. It is tasked with civil protection operations, natural disasters and emergencies, including crisis response operations within and outside Kosovo. Civilian control of the KSF is conducted by the Ministry of the Kosovo Security Force (MKSF); this, in turn, is also accountable to the Kosovo Assembly, which ensures its democratic oversight through the Supervision Committee on the Kosovo Security Force.¹²⁵ The MKSF is charged with the development, implementation and evaluation of the force's policies and activities.

Under its current structure, the KSF has incorporated some of the personnel from the former Kosovo Protection Corps (KPC). In March 2010, the level of women's representation in the KSF reached 3.1 per cent (57 women) in uniform of a total of 1815 recruits. Of the 57 women recruited, 48 of them came from the former KPC. In contrast, about one third of the staff of the Ministry of the Kosovo Security Force are women.¹²⁶ The KSF is currently recruiting 400 personnel, with the aim of reaching its total number of 2500

¹²¹ KIPRED interview with the KP, December and April 2010.

¹²² Ibid.

¹²³ Annex, paragraph 9 of the CSP.

¹²⁴ The International security presence in Kosovo led by KFOR (Kosovo Forces) was established under UNSCR 1244. The Resolution called for civilian and military presence to end conflict and ensure peace and order. Since June 1999 Kosovo Forces have acted as a multi-national brigade under the command of NATO. On 12 June 2008, NATO agreed on implementing new tasks in Kosovo by assisting the closing down of the Kosovo Protection Corps (KPC) and the establishment of the Kosovo Security Force (KSF). NATO also oversees the civilian structure of the KSF. See further information at <http://www.nato.int/kosovo/docu/u990610a.htm>.

¹²⁵ At <http://www.kuvendikosoves.org/?cid=2,110,91>.

¹²⁶ Interview with the Advisor to the Ministry of Kosovo Security Forces and uniform staff of the KSF, January 2010.

active members and 800 reserves by the end of 2012. There is no official recruitment policy regarding the percentage of women that the KSF aims to recruit; however, KSF representatives claimed that they are aiming to reach a proportion of 15 per cent women.¹²⁷

Even though no internal recruitment policy exists for the recruitment of women, the KSF is guided by the principles set in the Kosovo Law on Gender Equality and other gender equality related strategies.¹²⁸ The current KSF structure was devised using some of the gender equality mechanisms of the former Kosovo Protection Corps. Accordingly, at the end of 2009 the Advisory Board on Gender Equality was set up and the KSF re-appointed the former Gender Advisor of the KPC to act as its Gender Advisor. The delay in appointing the Gender Advisor and making the Advisory Board on Gender Equality operational has been a lost opportunity to recruit more women within the KSF from its onset. Recruitment to the KSF started in January 2009, managed and supervised by KFOR advisors, but no existing mechanisms were in place to oversee the recruitment of women.

The KSF sets lower standards for women in the physical tests in order to encourage more applications from women and their recruitment within the workforce.¹²⁹ Once women recruits enter the KSF, no further advantages are offered to them over men. In some cases when promotion campaigns are organised by the KSF, joint teams of KFOR and KSF staff organise mixed teams of men and women to talk to different communities. In the last KSF recruitment campaign from January to March 2010, the KSF stated that they had had a lower number of women and minorities applying to the KSF, contrary to their expectations. Regarding women applicants in particular, the KSF claims that families seem to be an obstacle as the KSF requirements for staff to move from one place to another may discourage families from supporting women and girls to apply. Infrastructure is also a problem as there are insufficient camps for all KSF recruits.¹³⁰

Once they form part of the KSF, members are offered remedies against harassment and sexual harassment as defined by internal policies. These policies are also published on the internal web system to increase their visibility, yet they will struggle to provide a sufficient response to the male-dominated culture within the KSF if they do not comply with the remedies provided by the Kosovo Law on Anti-Discrimination and the provision of burden of proof.

Currently, training on UNSCR 1325 is not provided for KSF personnel on a continuous basis in accordance with NATO's Bi-Sc Directive 41 requirements¹³¹ Some initiatives designed to raise awareness are implemented, such as the seminar on minorities and gender equality that was held in January 2010 and supported by the Norwegian government; however, such initiatives take place on an ad hoc basis with no clear follow-up. The internal pool of gender trainers still needs to be developed, including strategies on how to promote more women within the KSF's uniformed ranks in higher managerial positions. In particular, the KSF should aim to draft a policy on the recruitment of women with clear strategies and outreach policies in order to be able to attract more applications from women.

Donors' overall approach in supporting the KSF has been limited. The main support is provided by KFOR troops with some contributions from individual member states, as the example above shows. NATO's Bi-Sc Directive 41 was not mentioned as a source of guidance for NATO advisors on the current support provided to the KSF. Ensuring the implementation of NATO guidelines as well as the provision of sufficient human and financial resources should be offered to the KSF in order to enable it to become an inclusive force for women and to offer the potential to change its overall male-dominated culture.

¹²⁷ Ibid.

¹²⁸ *Supra note at 125.*

¹²⁹ Interview with the NATO advisor to KSF and the Advisor to the Ministry of the KSF, February 2010.

¹³⁰ Comment made by a KSF representative at the KIPRED Roundtable on 'Women and State-Building Processes in Kosovo: Security and Decentralization review' (7 April 2010, Prishtina).

¹³¹ Bi-Sc Directive 41 (2009) on Integrating UNSCR 1325 on Women, Peace and Security into the NATO command structure including measures for protection during armed conflict at <http://www.nato.int/cps/en/natolive/index.htm>.

DECENTRALISATION AND WOMEN'S PARTICIPATION AT LOCAL LEVEL

A: Challenges

Regarding the process of decentralisation, the CSP stipulates that Kosovar institutions must enact adequate legislation and build institutions to address the legitimate concerns of the Kosovo Serbs and other minority communities in Kosovo.¹³² The process of decentralisation must be implemented in conjunction with the existing municipalities and the creation of new municipalities after local elections. In addition, the process includes reform of the municipal financial system and capacity building of local government personnel.¹³³

A series of reports have indicated that the financial requirements for successful implementation of the decentralisation process are not being fully met by the Kosovo government or the donor community.¹³⁴ As of January 2010, three municipalities had been formed since the 2009 November municipal elections, the municipalities of Graçanicë/Gračanica, Kllokot/Vrbovac and Ranilug. In 2009 the Ministry of Local Government Administration (MLGA) allocated €3.3 million of funding to support the creation of new municipalities. The donor community pledged a similar amount.¹³⁵ The MLGA should accordingly support the building of municipal premises, courts and police stations for the newly elected municipalities. The current funding does not include the funds that municipalities themselves may subsequently raise to finance their projects, but it will be insufficient to cover all of the expenses that the creation of new municipalities entails.¹³⁶

In order to set up the municipalities, the MLGA and ICO have led the creation of working groups. The formal participation of women in the different working groups was partially ensured. The MLGA prepared the Action Plan for the Implementation of Decentralisation 2008-2010, which planned the creation of five working bodies.¹³⁷ In accordance with this Action Plan, the preparatory group on capacity building and donor co-ordination was required to include the participation of NGOs in the working group, but there were no requirements for the participation of women-focused NGOs per se.

A positive example has been observed in the municipality of Graçanicë/Gračanica, where the Working Group on the Establishment of New Municipalities appointed a representative of the women-focused NGO 'Ruka Ruci' as a member of the preparatory team to act as local expert.¹³⁸ This offered the NGO representative an opportunity to consult a number of women in different villages of the Graçanicë/Gračanica municipality on her own initiative, to discuss issues pertinent to women. The representative consulted women to develop

¹³² Annexes II and III of the CSP available at http://www.unosek.org/docref/Comprehensive_proposal-english.pdf (last accessed December 2009).

¹³³ Kosovo Assembly Law on Local Self-Government Nr.03/L-040, available at http://www.kuvendikosoves.org/common/docs/ligjet/2008_03-L040_en.pdf.

¹³⁴ KIPRED Policy Brief 14 on 'Kosovo at a Cross-Road: Decentralization and the creation of the new municipalities' and KIPRED Policy Brief 16 on 'Decentralization in Kosovo II: Challenges of Serb Majority Municipalities', December 2009 at http://www.kipred.net/site/documents/Decentralization_in_Kosovo_II.pdf.

¹³⁵ Report of Ministry of Local Government Administration, 'Organisation and function of local government in Kosovo (1999-2009)', p.99.

¹³⁶ *Supra note at 133.*

¹³⁷ Working groups on: 1. Reformation of Legislation; 2. Establishment of New Municipalities; 3. Transfer of Competences and Resources; 4. Capacity Building and Donors Co-ordination; and 5. Information Campaigns. Action Plan on the Implementation of Decentralization 2008-2010. See http://www.mapl-ks.org/repository/docs/action%20_%20plan.pdf.

¹³⁸ The project 'Support to minority communities during and after the Decentralisation Process in Kosovo' has been funded by the Ministry of Foreign Affairs of Finland with the European Centre for Minority Issues implemented through local women NGOs. The project goals were to: 1) raise awareness about the decentralisation process; 2) raise the most important issues for women in the new municipalities and 3) explore new ideas regarding how the municipality and the community can work together to overcome the issues identified. The project was implemented through focus groups and roundtables in the future municipalities of Graçanicë/Gračanica and Novobërdë/Novo Brdo, Partesh/Partesh and Ranilug/Ranilug. For further information see http://www.ecmikosovo.org/fileadmin/ecmikosovo.tpl/pdf/09Decentralisation%20Outreach_Women%20in%20New%20Municipalities.pdf

recommendations for the municipal structures expected to be created after the elections in November 2009.¹³⁹ Women mostly raised concerns related to access to health care services and the provision of day-care centres for children, as well as the lack of youth sport centres and shelters for domestic violence victims. Even though there were financial limitations to supporting these initiatives, the NGO put forward these recommendations for review by the preparatory working group on the new municipality. The newly elected Mayor of Graçanicë/Gračanica included a number of these initiatives as part of the recently drafted Municipal Development Plan awaiting approval by the municipal assembly.¹⁴⁰

On the contrary, in the Prishtina/Priština municipality, for example, the limited number of appointments of women to posts in the municipal decision-making structures represented an obstacle for these structures' engagement with women's concerns. Few women representatives in the Municipal Assemblies ever advocate or raise concerns that affect women directly or indirectly, including priorities such as the need for kindergartens and recreational facilities for children, or other security priorities such as street lightning in villages.¹⁴¹ Discussions commonly revolve around the priorities and official agendas of the political party these women are affiliated to, without a focus on women's needs.

The women's forums in political parties mainly concentrate their activities in towns and struggle to develop outreach policies towards women, especially in rural zones. Some women politicians claimed that they lack financial and human resources to implement outreach activities to citizens since resources lie with the leaders of the political parties.¹⁴² Outreach to women in rural zones is important as their political or informal engagement depends on their everyday roles and responsibilities. Women are often engaged in the private sphere, with their responsibilities revolving mainly around their family and domestic activities. Their economic dependence on their husband or the head of their family household also limits their choices. Lack of family support can be a significant obstacle, as women tend not to get involved in political activities or voluntary village forums as these activities are mainly unpaid. Political parties should work closely with their women politicians to develop their outreach, conducting awareness-raising campaigns to encourage the participation of women and girls in politics or in informal levels of decision-making.

Nevertheless, KIPRED has observed a positive trend in the municipal elections of November 2009, finding evidence of a slight increase in the interest shown by political parties in attracting women candidates to run for local government. For the first time, five political parties proposed six women candidates in elections for mayors. Regardless of the election results – none of the women won - this is considered an important development. Moreover, a significant increase of almost 5 per cent was observed in the number of women elected in 33 municipal assemblies, with 33.9 per cent of women candidates elected.¹⁴³ This may be due to political parties' increased interest in attracting voters among the female population, and it represents an opportunity to appoint more women to decision-making levels of local government structures. The municipality of Prishtina/Priština showed a clear tendency towards a better representation of women in senior positions by appointing three women as directors of directorates out of a total of eleven such positions. During the 2007-2009 mandate, no women were appointed as directors.

However, ensuring that women are represented at decision-making levels does not always mean that women's concerns are taken into account. So that women's concerns are discussed and policies are created, the local government should work jointly with women-focused NGOs and international organisations to raise awareness of and build capacity for gender equality and inclusiveness in local government structures. Training should include the provision of specific knowledge about women's rights and tools on how to draft responsive policies given the different needs of men and women. Such training requires active support from mayors and should target the newly elected women and men of the Municipal Assemblies and executive appointees to promote a better understanding of women's needs and provide a venue for more gender responsive planning in Kosovo's newly elected municipalities.

¹³⁹ Interview with a representative of the NGO 'Ruka Ruci' from Graçanicë/Gračanica, January 2010.

¹⁴⁰ Interview with the Mayor of Graçanicë/Gračanica, Mr Bojan Stojanović, January 2010.

¹⁴¹ Interview with a Prishtina Municipal Assembly representative, February 2010.

¹⁴² KIPRED interviews with women politicians, January 2010.

¹⁴³ The municipalities of Zvečan, Zubin Potok and Leposavič are not included in this calculation as voting results have been annulled by the Kosovo Central Elections Commission due to the low turn-out of voters. See www.kqz-ks.org/SKQZ-WEB/en.

B: Raising women's concerns in local government structures

The existing local government in the Prishtina/Priština municipality acknowledged in interviews that CSOs rarely communicate with the institutional structures.¹⁴⁴ This is illustrated by the low levels of citizen and NGO participation in public debates organised by municipalities.¹⁴⁵ The concept of public participation has been criticised in the past for not being entirely understood or implemented, as citizens seem to have little faith in their ability to influence decision-making processes.¹⁴⁶ A recent report published by the UNDP office in Kosovo has shown that the level of citizen participation in decision-making processes at local level is low. 55 per cent of respondents stated that the municipal authorities do not consider citizen's opinions when making decisions. Citizens often view the media as the best means to affect decision-making processes, while attending public meetings or signing a petition are considered less effective ways of making their voices heard.¹⁴⁷ Furthermore, some citizens claimed that knowing or having connections with political party representatives is an easier means of influencing decision-making processes.

Municipal officials claim that if women-focused NGOs approach the municipal structures with requests for support, even though these face financial constraints, they still occasionally support projects.¹⁴⁸ For example, in 2007 the municipality of Prishtina/Priština supported a shelter for victims of domestic violence run by a local NGO, Centre to Protect Women and Children, by allocating a municipal building for its use. Generally, such cooperative ventures are not sufficiently explored by NGOs, nor do municipal structures make them known publicly since they face limited budgetary opportunities to support similar initiatives.¹⁴⁹

However, the regular development of policies and strategies that reflect women's needs does not seem to be a practice in the municipality of Prishtina/Priština. Using gender-mainstreaming as a tool to assess the different needs of men and women during policy drafting and the municipal budget allocation was not mentioned by municipal officials.¹⁵⁰ The existing gender equality mechanisms created through the appointment of Municipal Gender Equality Officers (MGOs) do not receive sufficient support from municipal officials, especially at the highest levels.¹⁵¹ Furthermore, MGOs have faced budgetary constraints in implementing their initiatives. The MGO appointed in the Prishtina/Priština municipality has been mainly involved in recruitment procedures for civil service staff or in promotional activities to organise awareness campaigns on the rights of women.¹⁵² MGOs have routinely faced difficulties in implementing their mandate in terms of mainstreaming municipal policies and priorities from a gender perspective, given the lack of sufficient support from municipal structures.

The MLGA has also aimed to increase the awareness of and response to citizen's specific needs shown by municipal structures, including mayors, and to develop a local government that is responsive to citizen's needs and interests. It has done so by regularly monitoring municipalities and drafting a number of policies to bring local government closer to its citizens. For example, it enacted an Administrative Instruction on Municipal Transparency (2008/03) by developing complaints mechanisms for citizens, holding obligatory public meetings including budget reviews, and providing public notification of municipal decisions. However, the process has so far failed to address why many women do not participate in gatherings at local/village levels or to develop outreach policies to increase their participation. A few of the municipal gender and human rights mechanisms have offered awareness-raising campaigns on rights, including awareness about gender equality in rural zones. However, they claim that the participation of citizens, and especially of women, in these training sessions is falling, since budgetary constraints prevent the development of better outreach programmes in rural zones.

¹⁴⁴ KIPRED interview with an official from the municipality of Prishtina, February 2010.

¹⁴⁵ Interview with the Minister of Local Government Administration and a representative of the Kosovo Municipality Association, December 2009 and January 2010, respectively.

¹⁴⁶ Interview with a Prishtina Municipal Assembly representative, February 2010.

¹⁴⁶ See Conference Recommendations from the Country Briefing for Kosovo, 'Strengthening the triangle CSOs-National Governments-European Commission', Croatia (2009) at www.ecas-citizens.eu/index.php?option=com_docman&task.

¹⁴⁷ See Kosovo Mosaic UNDP Report (2009) available at Central Elections Commission due to the low turn-out of voters. See www.kqz-ks.org/SKQZ-WEB/en.

¹⁴⁸ KIPRED interview with a representative of the municipality of Prishtina, February 2010.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.

¹⁵¹ See the OSCE Mission in Kosovo Report, 'The Role and Functioning of the Municipal Officers.'

¹⁵² KIPRED interview with the MGO of Prishtina municipality, February 2010.

C: Role of the international community in the process of decentralisation

The process of decentralisation has gained substantive support from international missions and donors in order to guarantee its effective and successful implementation. As stated above, in 2009 the donor community pledged a contribution of € 3.3 million to the Kosovo government towards the financial requirements for the creation of new municipalities in Kosovo;¹⁵³ in this case, the European Commission Liaison Office was the main donor. Even though this amount has been criticised as insufficient to support many of the challenges lying ahead of the new municipalities, the MLGA has started to develop further support for the construction of new municipal buildings, courts and police stations, including the municipality of Graçanicë/Gračanica. As Kosovo receives preparatory assistance for EU integration through the EC Instrument for Pre-Accession Assistance (IPA), most of this EU funding has been used to improve Kosovo's infrastructure and institution building.¹⁵⁴

The EC's support for decentralisation in Kosovo has, however, failed to focus specifically on assessing the differential needs of men and women, including the need to promote the participation of women at the highest levels in the newly created municipalities in Kosovo, and the promotion of projects on women's economic security, for example. As infrastructure and institution building have been defined as priority areas for intervention, 'gender approaches' have been left aside as a 'luxury' for the moment.¹⁵⁵ This is inconsistent with the requirement stipulated in UNSCR 1325 on Women, Peace and Security that governments and the international community as well as donors should focus on increasing the participation and appointment of women at decision-making levels by also protecting women adequately. As stated by the Council of the European Union, the 'EU recognises the close links between the issues of peace, security, development and gender equality.'¹⁵⁶ Such an approach would also guide the Kosovo government to respond substantially to the requirements for women's rights and participation.

The UN Development Program office in Kosovo has also pledged funding of around \$485,100.00, which is mainly provided by the Norwegian government to support the Kosovo government and the MLGA to create the necessary conditions for the implementation of the road-map on decentralisation in Kosovo.¹⁵⁷ The project also plans to support small-scale projects of NGOs, encouraging collaboration between these and local governments to enhance communication and increase citizen participation at different levels of local government. The project specifically included women in designing the decentralisation programme by including a few gender-related projects.¹⁵⁸ However, the funding amounts are minimal in comparison to the overall value of the programme. A positive development has been the appointment in 2009 of a Senior Gender Advisor at the highest managerial level of UNDP office in Kosovo, which aims to implement gender mainstreaming to review the impacts of projects on women and men, including the decentralisation support projects.

The USAID Effective Municipalities Initiative works closely with the Kosovo Association of Municipalities in order to assist municipalities with effective service delivery and the creation of new municipalities and of new legislation for decentralisation.¹⁵⁹ The initiative has also delivered reports known as the 'Kosovo Mosaic' on citizens' views, focusing on public services and local government delivery. The reports also use gender-desegregated data to assess the level of satisfaction of both men and women in relation to local government delivery. However, the project lacks special attention to women,¹⁶⁰ as policies and strategies are not tailored to women's perspectives.

¹⁵³ Report of the Ministry of Local Government Administration, 'Organisation and function of local government in Kosovo (1999-2009)' (2010).

¹⁵⁴ EC IPA Annual Programme 2009 for Kosovo at http://www.delprn.ec.europa.eu/repository/docs/Summary_of_projects_under_IPA_Annual_Programme_2009_for_Kosovo.pdf.

¹⁵⁵ Interview with a representative of the EC Liaison Office in Kosovo, March 2010.

¹⁵⁶ See 'EU Comprehensive Approach for the Implementation of UNSCR Resolutions 1325 and 1880 on Women, Peace and Security', Council of the European Union 2008 http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news187.pdf.

¹⁵⁷ UNDP Office in Kosovo website at <http://www.ks.undp.org/?cid=2,100,769>.

¹⁵⁸ Interview with the Project Manager at UNDP, February 2010.

¹⁵⁹ At http://www.usaid.gov/kosovo/eng/democracy_governance.html#1

¹⁶⁰ Interview with USAID representative on effective municipality initiatives.

Gender mainstreaming in projects requires gender advisors to be placed at senior management levels, as in the case of the UNDP office in Kosovo. It also requires technical and professional expertise in order to assess the different needs of men and women based on the differential values they are given in distinct contexts. Furthermore, donors often lack monitoring capacities to assess whether projects have been gender responsive or not. In cases where women-specific projects are funded, the funding provided is lower in comparison to other areas identified as priorities in development aid.¹⁶¹

In conclusion, the donors who support the decentralisation process in Kosovo have focused mainly on capacity and institution building and have lacked systematic gender-informed approaches that would take into account the different needs of men and women. The concept of citizenship is approached holistically as all citizens are seen as equal. By taking into account the different needs of men and women due to the discrimination that women face economically, socially and politically, donors should offer funds that would allow for gender mainstreaming from the onset of projects, offering opportunities to women and thereby overcoming discriminatory practices in all areas.

SUMMARY OF MAIN FINDINGS AND RECOMMENDATIONS

Kosovo has developed a number of policies and mechanisms to respond to the needs of its citizens, in particular in relation to security and decentralisation. Nonetheless, as the study has shown, women face a particularly large gap between formal and substantive citizenship due to discriminatory practices including economic, social and cultural barriers and intra-familial relations; these practices continue to prevent them from fully realising their rights or participating in decision-making. Since state-building processes can fundamentally transform the way in which citizenship is constructed and experienced, they have the potential to transform and strengthen women's citizenship.

The following summary of main findings and recommendations explains the impact of the chosen state-building processes on women and identifies opportunities and policy options for promoting women's citizenship within these processes.

Kosovar institutions, created during the UNMIK era and after the declaration of independence, adhere to electoral quotas in order to ensure women's representation and participation in politics. The quota system was the result of a number of advocacy initiatives undertaken by women-focused NGOs, women activists and women active in politics in Kosovo, as well as the international community. The quota system has ensured that 30.8 per cent of the seats in the Kosovo Assembly are currently held by women. However, this has not yet translated into effective decision-making power for women, since the Assembly Presidency and the Assembly Committees are mainly composed of men.

The negative trend towards women's low level of representation is also noticeable at the executive level. Only two women ministers have been appointed out of 17 ministries, whilst no woman has ever been elected as mayor in any of Kosovo's 33 municipalities. The quota system has increased the representation of women in the Kosovo Assembly, but it has failed to result in real gains for women, especially in the areas of decision-making. This is contrary to the explicit requirements of the Kosovo Law on Gender Equality (2004), and is a result of the fact that political party presidencies are male-dominated. Most of the political parties continue to design policies and programmes that do not take into account the different needs of women and men, and are therefore not responsive to women's concerns.

At the latest municipal elections in Kosovo in November 2009, political parties did demonstrate a slight increase in their willingness to attract women candidates for elections and to nominate women to run for municipal office. Five political parties proposed six women candidates to run for election as mayors; however, none of the women candidates won. The election result increased the representation of women in municipal assemblies in comparison with the 2007 local elections, with women accounting for 33.9 per cent of elected members.

Most of the political parties hold women's forums for discussions on women. However, these forums consistently fail to address issues particular to women and have not been able to inform any women-responsive political party programmes. The process of defining political party priorities is compromised by the prevalent centralised system within parties, and parties continue to be seen as the private domain of male leaders. Furthermore, the women's forums are mainly based at the central level, in towns and cities, and lack sufficient outreach policies to attract new women from other areas interested in political activism. Women candidates are selected by political party leaders and the male-dominated party presidencies; the selection process is affected to some extent by nepotism, and there may be a bias towards women from the regions where political parties come from.

Alliances between CSOs and women politicians are generally ad hoc and few in number. In 2007 the Kosova Women's Network and the Kosovo Women's Lobby advocated for the representation of women at the negotiations on the future status of Kosovo, as foreseen by UNSCR 1325. In this case, their proposal to include a well-known woman politician in the Kosovo negotiation team was ignored completely by the team. As a result, the final Comprehensive Proposal for the Kosovo Status Settlement (CSP) document was negotiated by male leaders of leading political parties, with women excluded from the process. This fundamental political paper sets the main areas of state-building for Kosovo institutions and the international missions in Kosovo. Moreover, the current activities of the Kosovo Women's Lobby and similar alliances between NGOs, women activists and women in politics have been affected by the lack of funds, as donor support to NGOs has decreased.

Women's low level of representation and participation in municipal and village structures tends to hinder their engagement in politics. Discriminatory practices against women contribute to their low political participation rate, especially in rural zones, since women's roles are mainly construed around family and domestic activities. Since activism in local political party forums, such as village forums, is voluntary, women are reluctant to get involved and are not encouraged by their families either. The fact that women in Kosovo have lower employment rates than men leaves them economically dependent on their husband or family, a situation which further limits women's choices and the opportunities available to them to get involved in politics.

The CSOs and most of the Kosovar institutions interviewed by KIPRED consider it necessary to maintain the electoral quota system in order to ensure women's participation in the political sphere. However, most also expressed their concern that the current electoral quota has created a certain degree of conformity for women within political parties. Women politicians are criticised for representing the official political party agendas only, without a focus on women. Women politicians rarely raise women's needs and concerns. Yet they claim that the male-dominated parties tend to support women politicians at a surface level only, and resist engaging women in the decision-making processes.

Recommendations

In order to ensure the substantial participation of women in decision-making processes and women-responsive party programmes, political parties and the Kosovo Assembly should provide adequate human resources to women politicians, such as staffing and offices as well as budgetary support for activities organised by the Assembly's Informal Group of Women. Parties could support these initiatives in order to develop party programmes capable of attracting a greater variety of voters by targeting women specifically.

The Kosovo Assembly's Informal Group of Women should continue to organise regular activities to advocate for women's needs and interests. It should move away from awareness-raising activities to focus more on directly addressing the inequalities affecting women specifically. Accordingly, the Kosovo Assembly should provide adequate human and financial resources to allow for the group's institutional activities.

The Informal Group of Women should seek ways to formalise its activities within the Assembly by requesting that the latter provide budgetary and human resources. Similar initiatives should also be supported at municipal assembly levels.

Furthermore, the Informal Group of Women should develop regular cooperation with the Agency for Gender Equality and women-focused NGOs. The group should strive to ensure that lobbying activities within the Kosovo Assembly are supported regularly by women-focused NGOs and women activists, with the aid of gender equality mechanisms.

Alliances between women-focused NGOs and women politicians on issues requiring advocacy should not be ad hoc. Lobbying initiatives similar to the Kosovo Women's Lobby, which comprises NGOs, women activists and women in politics, should be reinitiated. Donors should support such alliances in order to ensure that women's voices are heard.

Donors, in cooperation with the Kosovo Assembly and with the support of local NGOs, should develop continuous education programmes for women in parliament and the municipal assemblies in order to strengthen their capacity to advocate for women's needs and interests.

A: Security sector main findings (with a focus on the Kosovo Police)

The on-going state-building processes in the security sector are still perceived as interventions requiring a central state level response. Priorities are defined according to a top-down approach, and the inclusion of women and their needs is therefore limited. The process is characterised by adherence to a traditional and rigid perception of what security issues encompass.

Although women-focused NGOs have successfully raised a number of important issues in relation to women and security in recent years, women's voices are rarely heard in governmental institutions, especially in the security sector. Participation rates among rural women are even lower. The situation is particularly evident at municipal level where decision-making processes are consistently led by men.

Women's participation in decision-making processes remains lower than men's. In the key institutional mechanisms mandated to develop policies in the security sector, most notably the Kosovo Security Council, there is only one female minister. Furthermore, although the electoral quota has raised the number of women parliamentarians, they rarely raise issues pertaining to women and security. Since its creation in 2008, the Assembly's Commission on Internal Affairs and Security Issues has not yet instigated any formal discussions on women and security. Nor have women parliamentarians requested any formal discussions within the Kosovo Assembly sessions on the level of monitoring and implementation of the provisions of the Kosovo Law on Gender Equality enacted in 2004.

The Kosovo Security Council has the mandate to strategically assess and identify security threats and risks. The KSC is currently developing the Kosovo Security Strategy. At the moment there are no NGO representatives in the KSC, even though the Kosovo Law on the Security Council does not exclude the participation of different bodies in an advisory capacity. The Kosova Women's Network, a local NGO and umbrella organisation for 86 women-focused NGOs in Kosovo, has attempted to become part of the process, but the KSC has not responded. KIPRED has found that the draft Strategy only lists trafficking in human beings as a security threat for women. This lack of reflection on specific security threats to women in the draft Strategy raises concerns about how and to what extent security threats and policies will be implemented upon the adoption of the strategy.

The Kosovo Agency for Gender Equality aims to address the issue of gender and security in its activities planned for 2010 by forming the Gender and Security Secretariat, which will also review the Kosovo Programme on Gender Equality (2008-2013). Co-ordination on gender and security issues under the lead of the AGE is currently weak as the Agency has only organised infrequent meetings with key national stakeholders such as the Ministry of Internal Affairs, and only recently with the Kosovo Security Council.

The government in post-independent Kosovo has been affected by gaps in capacities and institutions across a range of security issues. Therefore, the International Civilian Representative Office, as required by the Ahtisaari Comprehensive Status Proposal (CSP), has been involved in on-going institution and policy reforms

within the security sector. The current international involvement in drafting security sector policies has led to difficulties in guaranteeing local ownership of the process. The process of drafting the Kosovo Security Strategy has lacked transparency and inclusiveness of civil society groups, in particular of women NGOs, in order to reflect upon women's needs and concerns.

A number of security institutions have been created at both the municipal and central levels in order to address the safety and security needs of Kosovo citizens. These structures continue to consider security issues from a rigid and traditional perspective. In particular, structures such as the MCSCs, LPSCs and CSATs are mechanisms designed to address the needs of communities, but they narrowly define local communities as ethnic minorities only, and work solely with these. There is a tendency to focus on inter-ethnic co-operation and crime prevention; minimal attention is paid to an all-inclusive approach, in particular to the security needs of women and girls.

The priorities of the Ministry of Internal Affairs are defined based on the inputs provided by the annual Police Report. In general, women's needs are rarely identified and addressed, and only on an ad hoc basis, as policies drafted within the Ministry fail to analyse gender discrimination and women's needs in particular. For example, the Kosovo Police has created a number of mechanisms to respond to incidents of domestic violence. However, domestic violence is not mentioned as a security threat in the draft Kosovo Security Strategy although the Minister of Internal Affairs is a permanent member of the Kosovo Security Council. This might be due to a lack of vital channels of communication between the various institutions involved.

B: Kosovo Police findings

The Kosovo Police has developed and become known regionally as one of the few security institutions in Kosovo with responsive policies and mechanisms that address security threats pertinent to women, and which includes women within its structure. Nevertheless, KIPRED has observed a significant drop-out rate among uniformed women officers since 2006. In 2006, almost 15 per cent of the police officers were women, but the female enrolment rate has now fallen to 12.38 per cent.¹⁶² The response capacity of the gender equality mechanisms of the KP is currently limited, as a human rights advisor merely doubles up as a gender advisor. The Advisory Board on Gender Equality and Women's Human Rights has also faced difficulties in developing women-responsive policies and monitoring the particular situation of women within the KP.

According to the 2008 Kosovo Police Law, but contrary to the provisions of the Kosovo Law on Gender Equality, the KP should recruit and offer career promotion opportunities based on the principle of meritocracy. The existing recruitment policies based on merit have not succeeded in decreasing the drop-out rate of women officers. Nor have they been followed up by any monitoring of the causes of the drop-out of women officers or the development of outreach policies to increase applications from women in urban or rural areas.

Although a number of policies and mechanisms have been set up within the KP to respond to the needs of domestic violence victims, its outreach initiatives to increase the reporting of domestic violence cases seem limited. In recent years, the number of domestic violence incidents reported in Kosovo has decreased.

The KP is not sufficiently utilising the existing safety and security structures at municipal and local levels to identify and respond to security threats specific to women. The situation is not helped by the low levels of women's participation in local safety and security forums. The KP has created the KP Network on Gender Equality, made up of gender focal points at local level. These comprise local and regional police station representatives. Although ad hoc participation of police gender focal points in municipal and local structures on security has been observed, discussions are rarely initiated on women and their security needs.

The Kosovo Centre for Public Safety, Education and Development (KCPSED), which is mandated to draft training curricula for KP officers and continuous capacity building initiatives within the KP institution, has developed basic mandatory training on gender equality and advanced training on gender equality and women's security, based on the principles of UNSCR 1325. KIPRED observed from interviews with investigative police officers working on domestic violence cases in Police Station #2 that some had not received any such prior training.

¹⁶² See pp. 32–33 for further information on this issue.

Recommendations

The Kosovo Security Council should be open to the participation of CSOs in an advisory position. The Kosova Women's Network, an umbrella organisation for 86 women-focused NGOs in Kosovo, should be invited to form part of the KSC's structure and be offered the opportunity to participate in the drafting of the Kosovo Security Strategy. Ensuring the full participation of women-focused NGOs would promote a human security perspective and increase reflection on women's insecurities in particular.

Furthermore, the AGE should urgently create a Secretariat on Gender and Security Issues in order to incorporate a chapter on Gender and Security within the Kosovo Programme on Gender Equality. The chapter should also entail a detailed breakdown of budgetary implications and government commitments in this regard, and should involve civil society organisations in reviewing and supporting the work of the Secretariat. In parallel with these initiatives, regular communication with the Kosovo Security Council would ensure that women and their security needs are taken into account in the drafting of the Kosovo Security Strategy.

The MIA operational capacities developed to respond to security incidents affecting women in particular should be coordinated and reflected in the draft Kosovo Security Strategy in addressing the safety and security needs of all Kosovo citizens.

Women-focused NGOs should seek to utilise existing local-level safety and security structures to ensure that local structures respond proactively to violations against women. Donors should support gender-related projects and women-focused NGOs at the local and municipal levels in order to redefine the current priorities of safety and security structures.

Donors should support women-focused NGOs and the development of their capacities to respond to challenges deriving from the on-going state-building processes such as security sector reform and institution building. These processes are predominantly led by men given their greater involvement in decision-making, which results in safety and security strategies that are not women-responsive in their design and potentially little impact.

The KP Advisory Board on Gender Equality and Women's Human Rights should be actively engaged in reviewing its existing recruitment and career promotion policies. Furthermore, the Advisory Board should also review its harassment policy to better reflect the specific needs of women by incorporating the principles of the Kosovo Law on Anti-Discrimination on burden of proof. The Advisory Board should also recommend that the KP take affirmative actions, as stipulated in the Kosovo Law on Gender Equality, to call for the recruitment and career promotion of female officers within the KP.

The Advisory Board should work proactively to support the development of the Female Police Officers Association to act as a watch-dog and lobbying group on the level of implementation of women's rights within the KP. In particular, both bodies should work jointly on developing training programmes for women police officers to support their career promotion plans.

The Advisory Board should regularly support the Members Network on Gender Equality at local levels by also developing guidance on how to utilise local safety and security structures for the prevention and reporting of domestic violence cases. The process would support the KP to develop a more integrated response to women's security needs by moving away from reactive responses.

The existing legislation on the creation of local safety and security structures envisages the participation of women-focused NGOs as obligatory in these structures. However, local structures have so far failed to develop specific policies to increase the participation of women, including women from rural zones. The on-going training offered by different local and international actors should focus on offering sessions on gender equality and women's human rights, aiming to increase the participation of women in these forums.

C: Kosovo Security Force findings

Under its current structure, the KSF does not have an official policy on the percentage of women that it aims to recruit. However, KSF representatives claim that their target is for the proportion of women within the force to reach 15 per cent following the provisions of the Kosovo Law on Gender Equality and other relevant gender equality-related strategies.

The KSF structure has adopted the former gender equality mechanisms of the KPC. There is currently an Advisory Board on Gender Equality, and a recently re-appointed Gender Advisor. It seems, however, that the gender equality mechanisms have only recently been formalised, thereby constituting a missed opportunity to affect KSF recruitment from the outset.

The KSF has adopted harassment and sexual harassment policies to prevent harassment and protect victims once they have entered the force. The policies are made available to KSF personnel through the KSF web system, thus ensuring their visibility. However, these policies do not respond to the specifics of the male-dominated culture of the KSF once violations have occurred,¹⁶³ and they do not offer remedies in accordance with the Kosovo Law on Anti-Discrimination.

Training on UNSCR 1325 in accordance with NATO's Bi-Sc Directive 41 is not currently provided for KSF personnel on a continuous basis. The KSF has still not developed an internal pool of gender trainers or developed policies on the promotion of women within the KSF to higher managerial positions, including advanced gender training.

The overall support of donors to the KSF has been limited; support has come mainly from KFOR troops, with some contributions organised by individual member states. Awareness-raising initiatives occasionally take place, such as seminars on minorities and gender equality, but these initiatives are carried out on an ad hoc basis with no clear follow-up.

Recommendations

The KSF's existing Advisory Board on Gender Equality should continuously monitor the Force's on-going recruitment and promotion policies. Furthermore, the Advisory Board should review its harassment policies so that these better reflect the specific needs of women once they enter the KSF.

The Advisory Board and the Gender Advisor should develop a detailed plan of action covering the recruitment and promotion policies of the KSF as well as protection from harassment within the KSF.

The plan of action should also include a detailed outreach plan of promotion campaigns to attract a higher number of women candidates to the KSF. The force should explore the possibility of working jointly with women-focused NGOs to utilise their knowledge and community-based initiatives.

KSF troops should develop more adequate training for their trainers on gender equality and UNSCR 1325 and also consider gender equality issues when recruiting new members. The training modules in gender equality formerly developed within the KPC should be utilised within the KSF to offer appropriate gender equality training. The training should also target senior managers and develop mechanisms to increase the inclusion of women in the decision-making bodies of the KSF.

D: Decentralisation findings

The on-going decentralisation process aims to strengthen the local government in Kosovo and bring it closer to the citizens of different municipalities. However, due to financial constraints, the process has not yet sufficiently delivered on its commitments. Furthermore, from the outset, it has failed to include women in decision-making, or to reflect upon women's needs. Women tend to be under-represented in community/municipal activities. Initiatives to include women are carried out in an ad-hoc and selective manner, as a

¹⁶³ According to sexual harassment policies adopted by the KSF and the Kosovo Police, the burden of proof lies with the person who presses charges and not with the potential perpetrator.

holistic approach towards the concept of citizenship prevails in general. Citizens are seen as equals, which ignores the fact that women suffer from discriminatory practices at the economic, social, political and intra-familial levels and lack equal opportunities in accessing or taking part in municipal decision-making levels.

The financial implications of the successful implementation of the process of decentralisation and the creation of new municipalities are not fully met by the Kosovo government or donor community. As funding is insufficient, the current support provided by the government and donors has not focused on assessing the differential needs of men and women, including the promotion of women's participation at the highest levels in the newly created municipalities in Kosovo, and the promotion of projects on women's economic security. Since infrastructure- and institution-building are defined as priorities, gender perspectives are deemed a 'luxury' and left aside.

Furthermore, the gender equality mechanisms at municipal level continue to face difficulties in mainstreaming gender into municipal planning and budgeting. Problems include constraints on financial and human resources and insufficient consideration by municipal officials. Often, the working plans drafted by gender equality officers are not given a specific budget line, but rather are supported on an ad hoc, project-basis. However, mayors could propose a separate budget line for these activities, to be approved by the Municipal Assembly.

The municipal structures' outreach activities aimed at citizens have also been limited. Some mayors have recently started to hold public meetings with citizens in other places rather than town-halls to increase the level of citizen participation in such forums. However, there are no planned outreach programmes specifically to increase the participation of women, whose turn-out is minimal compared to men's. As a result, the discussions and decisions made at the municipal levels are often not responsive to women.

The participation of CSOs and women-focused NGOs in the decentralisation process and the attendant creation of new municipalities has been minimal. The Preparation Team for the Graçanicë/Gračanica municipality provides a positive example, for it has included women-focused NGOs in the preparation and planning process for the new municipality, and their participation has resulted in a number of women's specific needs being identified and addressed. Nevertheless, this example is unique, for in other working groups on decentralisation, the participation of women-focused NGOs has not been satisfactory.

Recommendations

In order to make the decentralisation activities and projects more responsive to women needs and concerns, local government and donors should support the appointments of gender advisors at senior management levels or review projects for their impacts on women and men. The current project management has been neutral in monitoring the extent of impacts in women and men and should acknowledge discriminatory practices against women that make them less visible in the public realm.

The existing gender equality mechanisms within the municipalities monitored by the MLGA should be provided adequate resources and capacity building activities to ensure the fulfillment of their mandate. Mayors should provide regular support to these mechanisms by also seeking ways to provide a separate budget line for their work plans.

The mayors should develop outreach plans to attract women voters and ensure higher participation of women in such public meetings. The examples of some mayors organising public meetings in places closer to citizens rather than town-halls should be followed.

Women NGO's should be supported in order to work closely with women in rural zones and ensure their voices are being heard in the decentralisation process. The MLGA should continue to support the participation of women from Civil Society Organisations in different decentralisation working groups in particular with the on-going monitoring activities of the work of municipalities at central level.

Donors should offer funding opportunities to women NGOs as it is crucial for them to ensure outreach to rural areas where women face even greater barriers on getting involved in the public sphere.

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ACRONYMS

AAK	Alliance for the Future of Kosovo (Aleanca për Ardhmërinë e Kosovës)
AGE	Agency for Gender Equality
CEC	Central Elections Commission
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CSAT	Community Safety Action Team
CSO	Civil Society Organization
CSP	Comprehensive Settlement Proposal
DAC	Development Assistance Committee
EC	European Commission
ECLO	European Commission Liaison Office
ESDP	European Security and Defence Policy
EU	European Union
EULEX	European Union Rule of Law Mission
FRIDE	Foundation for International Relations and Foreign Dialogue
ICO	International Civilian Office
IPA	Instrument for Pre-Accession Assistance
KCPSED	Kosovo Centre for Public Safety, Education and Development
KFOR	Kosovo Forces
KIA	Kosovo Intelligence Agency
KIPRED	Kosovar Institute for Policy Research and Development
KLA	Kosovo Liberation Army
KMA	Kosovo Municipality Association
KP	Kosovo Police
KPC	Kosovo Protection Corps
KPGE	Kosovo Programme on Gender Equality
KSC	Kosovo Security Council
KSF	Kosovo Security Force
KWL	Kosovo Women's Lobby
KWN	Kosova Women's Network
LDK	Democratic League of Kosovo (Lidhja Demokratike e Kosovës)
LPSC	Local Public Safety Committee
MCSC	Municipal Community Safety Council
MEF	Ministry of Economy and Finance
MFA	Ministry of Foreign Affairs
MGO	Municipal Gender Equality Officer
MIA	Ministry of Internal Affairs
MKSF	Ministry for the Kosovo Security Force
MLGA	Ministry of Local Government Administration
MP	Member of Parliament
MPT	Municipal Preparation Team
NATO	North Atlantic Treaty Organization
NGO	Non-governmental Organization
OECD	Organization for Economic Co-operation and Development
OSCE	Organization for Security and Co-operation in Europe

PDK Democratic Party of Kosovo (Partia Demokratike e Kosovës)
PISG Kosovo Provisional Institutions of Self-Government
RTK Radio Television of Kosovo (Radiotelevizioni i Kosovës)
UN United Nations
UNMIK United Nations Mission in Kosovo
UNSCR United Nations Security Council Resolution
UNDP United Nations Development Program
UNIFEM United Nations Development Fund for Women
USAID United States Agency for International Development