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Report on drafting process of UN Security Council Resolution 1325 on Women, Peace, Security

Submission to the OSCE, Vienna, UN Women

Introduction

This report is submitted by Women in Black, Serbia in order to draw attention to the absence of the implementation on UN Security Council Resolution 1325 on Women, Peace, Security in Serbia, and the non-transparent and non-democratic process of preparing the National Action Plan on Resolution 1325. This report is largely based on Women in Black grassroots activities in the field and its network – women organizations around Serbia with their comprehensive experiences in peace and anti-military activisms.

Overview

Although UN Security Council Resolution 1325 was adopted on October 31, 2000, the Serbian government has not started its implementation yet. Even though the UN Resolutions do not legally oblige the member states, the Serbian government bears a political and ethical responsibility to do so, especially after years of leading role in regional war conflicts.

Serbia has not passed the National Action Plan on Resolution 1325 on Women, Peace, Security, the draft National Action Plan is waiting to be proposed to the Government and is in the procedure to be adopted till the end of this year. Also, the drafting process started in the spring this year and was lead by Ministry of Defense, following by exclusion of the non-governmental organizations, who have to be one of the key actors in National Action Plan's drafting and implementation.

The process of drafting the National Action Plan (NAP) on Resolution 1325 on Women, Peace, Security

Civil society

In the Recommendations for drafting the NAP, the civil society has an unspecified influence. The experience of peace activism is completely excluded and it is set aside in the report of the working group which dealt with the participation of women in conflict resolution, post-conflict situations and peacekeeping operations.

The drafting process of the NAP testifies to the absence of civil society from this process, not acknowledging the long-term efforts, initiatives and commitment of civil society organizations in education, promotion, and lobbying for the implementation of Resolution 1325 in Serbia.

The experience in other countries of the region (ex. Bosnia and Herzegovina) shows that the drafting process of the NAP has been 'public and clear,' that women's organizations working for a long period of time on Resolution 1325 were included from the beginning in this process. The short deadline for submitting comments, suggestions and objections (from the end of February to 15 March 2010) is yet further evidence of the non-transparent and non-participative model in Serbia. (In Bosnia and Herzegovina a working group for drafting the NAP worked for a year and a half, meeting every other month.)

The Ministry of Defense as the organizer of drafting process

The Ministry of Defense has been appointed as necessary implementer, which symbolically shifts the meaning of Resolution 1325.

The Ministry of Defense as the key leader of the drafting process of the NAP testifies to the militaristic approach to security, an approach that is, among others, characterized by: army and police dimension, militarization of society – the transmission of military values and organization to all spheres of life; absence of civil society in the creation of the notion and practice of security, marginalization of women, etc. Nevertheless, in this traditional militaristic approach to security, the main subject of security is not the citizens but the state, or more exactly, its political and economic elite.

Also, the number of women in the professional army service at the Ministry of Defense and Serbian Army in 2009 was 330 or 1.94% of the total number of professional military personnel. Data on representation of women in managerial positions in the Ministry of Defense show that men hold position of Minister, as well as State Secretary, a Deputy Minister and Secretary to the Minister. Despite the lack of the quota percentage of women in decision-making positions in the Ministry of Defense and Serbian Army, the Ministry took the main role in the drafting the process of the NAP on this important Resolution.

Apart from that, the experience of the wars of the 1990s in ex-Yugoslavia and particularly the role of the Armed Forces of Serbia that have inherited the burden of the Yugoslav People's Army (of the Military of Yugoslavia, of the Military of Serbia and Montenegro) as one of the main executive organs of the regime of Slobodan Milosevic, calls into question the credibility of this institution as the implementer of the drafting process of the NAP, and this is particularly unacceptable from the feminist pacifist point of view.

Namely, the Ministry of Defense is required, according to article 11 of Resolution 1325 ("Emphasizes the responsibility of all states to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes including those relating to sexual and other violence against women and girls, and in this regard stresses the need to exclude these crimes, where feasible from amnesty provisions") to take a clear and unequivocal position towards the genocide in Srebrenica, in line with the decision of the International Court of Justice (February 2007), to support, following the Resolution of the European parliament, the proclamation of July 11 as the Day of Remembrance of the Srebrenica genocide. In this case, the Ministry of Defense would obtain a higher degree of confidence on the part of civil society organizations that continuously advocate for penalizing all crimes, first of all those committed in our names, and then of all the other ones.

We consider that the Ministry of Defense should work on the amnesty of all deserters of war in the wars from 1991 to 1999, the investigation of the deaths of soldiers in the military barracks of the Armed Forces of Serbia from 2000 on, the revocation of ranks and decorations from all the officers of the Yugoslav People's Army and Yugoslav Armed Forces who participated in the wars of 1991-1999 and did not distinguish themselves by opposing war crimes. Inasmuch as these conditions are fulfilled, the Ministry would be able to be one of the implementers of the drafting process of the NAP, but never the main leader in drafting procedure and implementer of these activities.

Also, the Ministry of Defense should propose the inclusion of women's experiences from the wars, as well as peace movement experiences, both national and regional, in the curriculum of military and police schools and academies, in order to increase the sense of responsibility and recognition of the civil position.

Preconditions for Serbian State to implement Resolution 1325

- *The basic subject of security are citizens, not states* – the whole process of drafting the NAP must aim at achieving human security, and this security cannot be achieved without an active and autonomous role of civil society organizations.
- *States are required to ensure the security of their citizens*: insofar as a state orients its security towards people and not towards repressive institutions (army, police), the assurance that this state will take care of and protect them is higher.
- *Recognition of the importance of civil society, i.e. non-state actors*: civil citizens' organizations request a higher possibility and a higher responsibility in the promotion of human security.
- *Increase the number of women in the state institutions which are making decision on security and defense issues*: The State should include institutional mechanisms of gender equality on all levels into a decision-making on security and defense issues. However, higher percentage of women in managerial positions in the Ministry of Defense and Serbian Army, would not necessarily mean the achieving the aspirations of human security. Often women leaders followed the old, patriarchal model of management, when they came to power on important positions.
- *Request for the punishment of those who violate human rights and humanitarian laws*: the establishment of the International Criminal Tribunal, as well as of the International Criminal Tribunal for the former Yugoslavia and for Rwanda, represents an important step in the field of human security. Including also the active advocacy for the implementation of the UN Resolution on human rights defenders, which is in the case of Serbia highly disputable since the reports of UN special rapporteur on the position of human rights defenders in Serbia are unfavorable and since the state has not taken adequate measures for the security of human rights defenders.
- *Human security requires a multidisciplinary approach*: this implies the cooperation and coordination of institutional and extra-institutional activity, as well as citizens.
- *Women are actors of peace and not only victims of war*: the major part of antiwar actions in Serbia since the beginning of the 1990s, and after the war, and the actions for the punishment of war crimes have been initiated by peace activists and women human rights defenders, but they have been the most frequent target of attack both from state and non-state actors. Animosity towards female activists of civil society is still

present, especially towards those who demand accountability for the war and for war crimes. Those female human rights defenders are frequently attacked by media and by clerical-fascist and neo-Nazi organizations.

Conclusion

Although, the UN Security Council Resolution 1325 was adopted ten years ago, the Serbian government has not started its implementation yet. This postponement shows the inadequate compliance of state to deal with these significant documents which prioritize women's rights and peace building. In the same time, the Serbian state lost the time and the opportunity to deal with the past, start court trials and punish war crime indicters, begin with the policy of accountability and modernized defense and security sector.

Regarding the position of the Ministry of Defense in drafting procedure of National Action Plan on the Resolution 1325, we argue that it is a discreditable one, because of its role in Milosevic' regime, and participation in the wars of 1991-1999. Also, many army personnel responsible for wars have not been lustrated yet. The Ministry, still, is not taking a clear and explicit position towards the genocide in Srebrenica, and other war crimes.

The comprehensive implementation of the Resolution 1325 on Women, Peace, and Security requires significant role of civil society organizations, especially, women's groups and anti-war groups and citizens. Unfortunately, the Ministry of Defense, as a key factor of the drafting process, has already excluded representatives of civil society organizations which have decades of experiences in anti-war campaigns, women's rights and peace building. Serbian institutions will adopt NAP for the implementation of the Resolution 1325 in order to meet another formal request made by the international community; Women in Black will, along with related civil society organizations, continue to monitor the implementation of Resolution 1325, of which we will notify relevant domestic and international organizations.