

Serbian Women Take Steps to Advance Peace Initiatives

by Vesna Jaric



This article offers an introduction and overview of the process of institutionalisation of gender equality in Serbia. It highlights the application of United Nations Security Council Resolution (UNSCR) 1325 and thus, examines the process of the formulation of the National Action Plan (NAP) 1325 and the manner of which the content of UNSCR 1325 has been adapted to the specific national context.

Given the crucial role that women NGOs had exercised in peace building during the war years in the Balkans during the nineties, this article looks into the process of how NGOs were included in the drafting process of the NAP 1325. The final part of this article provides an assessment of the extent to which NAP 1325 has been coordinated with other existing institutional mechanisms and their activities in the field of gender equality in the country, as well as an assessment of the possible impact it might have on the position of women in Serbia.



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The process of the implementation of the Action Plan for the National Strategy for Improving the Position of Women and Promoting Gender Equality is the main focus of the discussion in this paper.

Institutionalising Gender

The Republic of Serbia has undergone profound national changes since the overthrow of Milosevic's regime in October 2000 and its "21st century velvet revolution." These historical points marked the beginning of Serbia's transition to democracy. The process implied significant institutional reforms in all sectors. The most reluctant to change has been the security sector, even though some important steps may be observed there as well. A good example of it is the formulation of the NAP for the implementation of UNSCR in the Republic of Serbia.

Ever since crucial political changes in the country occurred in the year 2000, and the State has started the transition to democratic order, an integral part of democratisation and internal reforms has been the integration of the gender-equality component in the state system. The first step towards the institutionalisation of gender equality was to establish the gender equality institutional mechanisms. The establishment of institutions did not follow a predefined order. It was driven by the presence of strong advocates of women's human rights in different branches of power. The first mechanism for gender equality to be established in Serbia was the Gender Equality Committee of the Parliament in 2002. The women MPs (Members of Parliament) strongly advocated for the institutionalisation of this mechanism and other significant legislative changes such as the recognition of domestic violence in the Family Law¹ and in the Penal Law². The women MPs acted in close cooperation with women's NGOs. That same year, the Council for gender equality was established as an advisory body of the Government but it wasn't constituted until 2004 when the state officials were nominated as representatives to the Council by the line ministries.

The executive power mechanism was established only in mid 2007 as the Sector for Gender

Equality within the Ministry of Labour and Social Policy, and became a Directorate within the same ministry the following year. The first independent control mechanism for gender equality was established within the Ombudsman office in 2008 and in the same year, one of the five Ombudsman deputies elected by the Parliament was in charge of the gender equality component. The last central level power mechanism was established in 2010 through the Commissioner for Equality which was elected by the Parliament. That institution has the mandate to act upon the umbrella law against discrimination³ on all grounds including grounds on sex and gender. The Commissioner was elected in the year 2010 with an election amid a huge debate in the NGO sector. One part of the civil sector that was active in the field of human rights, threw their support to the Coalition Against Discrimination which supported a male candidate in the person of a long term male activist and human rights defender. On the other hand, the majority of women's NGOs strongly supported a female candidate in the person of the Dean of Law Faculty at the University of Nis in Serbia who is also a women's human rights defender. She was eventually elected.

The debate in the civil sector demonstrated the presence of strong interest groups and publicly revealed that the Serbian women's movement is not immune to divisions within different political interests. However, the institutional debate was not as much interested in the choice of the candidate as it is interested in the "unclear" division of mandates between the Ombudsman and the Commissioner. There was a lingering question on the necessity of a new mechanism even though the European Union's (EU) directives⁴ are clear on this regard.

As far as the legislative and policy framework is concerned, I will mention significant achievements in gender-specific legislation and policies. Within a set of anti-discrimination laws in late 2009, the Parliament adopted the Gender Equality Law⁵ after eight years of various attempts to push it through. Strong dedication of the Serbian Government to the EU accession process played a significant role. The Gender Equality Law is one of the international obligations and conditions

set by the EU in the accession process. This law is fully compliant with the EU directives regulating equal opportunities for women and men. The EU conditionality policy, together with strong grassroots NGO sector in Serbia, exercised a strong “sandwich” pressure which resulted to the adoption of the first gender-specific legislation. The year 2009 was crucial for the institutionalisation of gender equality measures given the fact that at the beginning of the same year, the National Strategy for Improving the Position of Women and Promoting Gender Equality was adopted⁶ on February 13th 2009. The Action Plan⁷ for its implementation was adopted the following year. Towards the end of 2010, gender equality concepts were instigated in the security sector, traditionally the most reluctant sector to change, with the adoption of the National Action Plan for the Implementation of UNSCR 1325 in the Republic of Serbia⁸ on December 26th 2010. The positive trend in the formulation of gender-specific policies spilled-over in the year 2011 with the adoption of the National Strategy for the Prevention and Elimination of Violence against Women in Family and Intimate Partner Relationships on April 1st 2011.

Overview of UNSCR 1325

The UNSCR 1325 adopted on October 31st 2000 is a direct outcome of the Beijing Declaration and the Platform for Action. It is of crucial significance to women living in the territories of armed conflict. The UN Security Council has expressed concern that “civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons. They are also increasingly targeted by combatants and armed elements.”⁹ For these reasons, the

UN member states, through this resolution, are invited to work on increasing the number of women at all levels of decision-making in conflict resolution and peace building processes. The Resolution urges the UN Secretary-General to expand the role and boost

the contribution of women in field operations headed by UN, especially among the military observers, civilian police, human rights and humanitarian personnel.

The UN has taken on the role of providing member states with the guidelines and training materials about protection, rights and the particular needs of women. The Resolution invites the member states to adopt the gender perspective in peace negotiations and agreements which takes consideration of the following: “(a) the situation of girls during repatriation, resettlement, rehabilitation, reintegration and post-conflict reconstruction; (b) measures that support local women’s peace initiatives and indigenous processes for conflict resolution, (c) measures that involve women in all the implementation mechanisms of the peace agreements and (d) measures that ensure the protection and respect for the human rights of women and girls, particularly as these relate to the constitution, the electoral system, the police and the judiciary.” The Resolution emphasises the need to exclude sexual and other violence against women crimes from crimes that are eligible for amnesty provisions.

A short overview of the UNSCR 1325 provides the context upon which we can measure the faithfulness of local efforts to the Resolution.

Role of the Women’s Movement in Serbia

In its twenty centuries of history, Serbia has seen the rise and fall of its women’s movement several times. The beginning of the last wave of women’s movement in Serbia that continues to this day may be identified in the conference “Drug-ca. Women’s issue, new approaches?”¹⁰ which was held in Belgrade in 1978. It gathered feminists from all over ex-Yugoslavia and other areas where they were active. Since that time, the women’s movement in Serbia has been gaining strength. It reached the peak of activism in the nineties¹¹ during wartime in the Balkans. It was the women’s movement in the nineties that actually spawned the peace movement in the country. This was the time when the first among women’s NGOs acquired its shape and structures. Women in Black was among the first women’s NGOs at the time. It was strongly





Women in Black
The nights grow
longer. The war
drags on. The
Women in Black
stand in silent vigil
on the Arcata Plaza,
California.

against all forms of war, mass rape as a war strategy and aggression in armed conflict that were taking place in the Balkans at the time. After the adoption of UNSCR 1325, Women in Black was the first to embrace the Resolution as an advocacy tool. In the beginning, their activism was directed to pressure the Parliament to adopt the UNSCR 1325, then later on, it was for the adoption of the National Action Plan for the implementation of UNSCR 1325.

Every year on October 31st, Women in Black would persistently organise public events to remind the state of its responsibility to formulate and adopt provisions for the contextualisation and implementation of UNSCR 1325.¹² The first draft of the national resolution entitled “Women, Peace, Security”¹³ was submitted to the Parliament by the civil society sector with the Women in Black in the forefront of the action. For a long time, the draft was practically ignored at the Parliament. Several years later, with the vigorous activism of Women in Black, the draft was finally taken up for discussion at the Parliament and became an issue for public debate.

From Activism to Cooperation

In 2009, the NGO Belgrade Fund for Political Excellence (BFPE)¹⁴ initiated the project “Strengthening the Role of Women in Building the New Security Paradigm in Serbia”, as a component of the 2007 Programme targeted to build the capacities of women leaders in local political life.¹⁵ The project was made possible with the support of the Canadian Fund. The BFPE established a close cooperation with the Ministry

of Defence and started the participatory process of drafting the guidelines for the National Action Plan that would pursue the implementation of UNSCR 1325. Forty one persons were consulted through this project and four thematic working groups were constituted. These are, the (1) Role of women in decision making processes, (2) Women’s participation in conflict resolution, in post-conflict situations and in operations related to peace building, (3) Legal instruments for the protection of women and (4) Sensitisation to gender issues of women and men working in the security sector. The groups were composed of representatives from state institutions, academic community, civil society organisations and media. The results of the work of the four thematic working groups were presented in the form of guidelines.¹⁶ These guidelines served as the basis for the next step which was, the drafting of the National Action Plan for the Implementation of the UNSCR 1325 in the Republic of Serbia referred to as NAP 1325.

The actual drafting process of NAP 1325 started in June 2010 when the formal working group of the Government of the Republic of Serbia was incorporated in the proposal of the Ministry of Defence, the ministry in charge for coordinating the drafting and submission of the draft to the Government. This step marked the official recognition of the work initiated by the civil society sector. The working group delivered the Draft with parallel recommendations by October of the same year. The conference organised a celebration of the 10 years adoption of UNSCR 1325 which was marked with the opening of a wide public consultation process. The document was opened for comments until November 16th 2010. After that date, the Ministry of Defence took into consideration the gathered comments, integrated existing texts and submitted the final draft version for Government procedure. The process of legally adopting NAP 1325 by the Government came to a productive conclusion on December 30th 2010. This story chronicles an extraordinary feat in the adoption of a policy document, which to a large extent was also made possible by a wide consensus of support it received during the drafting process.

The Essence of NAP 1325

The creation of NAP 1325 is another milestone for change in the lives of Serbian women. The main priorities of NAP 1325 are:

- Establishing institutional mechanisms for the implementation of NAP 1325;
- Creating conditions for the effective application of gender equality policy in the security sector. This entails increasing the participation of women and their influence in areas relevant to women such as in peace building, defence and security sector activities;
- Ensuring gender-equal representations in conflict resolution missions, in post-conflict efforts and in multinational operations;
- Provide adequate and efficient protection mechanisms for women and girls, from all forms of discrimination and gender-based violence;
- Provide training and education to women and men working in the security sector including their families, on the importance of women's involvement and participation in solving peace-related and security issues and
- Ensure media coverage and support in the realisation of goals and activities defined in NAP 1325.

The goals of the NAP 1325 are in line with the UNSCR 1325's recommendations to member states. Nevertheless, as recommended by the UNSCR 1325, there are no provisions for repatriation and resettlement during the post-conflict period. Such omission may be interpreted as the State's political statement that Serbia has already concluded the period of post-conflict reconstruction, which is a debatable position. The implementation period for NAP 1325 is 2010-2015.

The line ministries responsible for the implementation of NAP 1325 are:

- Ministry of Defence
- Ministry of Interior
- Ministry for Human and Minority Rights
- Gender Equality Directorate within the Ministry of Labour and Social Policy.

NAP 1325 also planned to establish new mechanisms for its implementation. Institutions tapped to participate include: The Political Council (political body at the level of State secretaries, presidents of Parliamentary Committees and representatives of gender institutions); Intersector coordination body (representatives of ministries, administration level); Monitoring body (legislative power); Analytical groups (research teams in state administration) and Gender Advisors and Trust Persons.

Particularly interesting is the context-specific inclusion of Gender Advisors for the ministers and directors of relevant state institutions, with the specific task of mainstreaming gender perspectives in state policies and programmes. Complementary "trust persons" are to be appointed among employees in the organisational units of more than 60 employees. They should offer support to female and male colleagues in stressful situations. They are to cooperate closely with the gender advisors in solving issues of interest for gender equality in the security sector.

Opportunities and Challenges

The activism of women's groups/NGOs was crucial in raising the issue and bringing the topic to the level of a national political agenda. Still, these efforts were not sufficient to the institutionalisation of UNSCR 1325. As far as the State is concerned, the general shift in state politics and reform in the security sector, secured the basis for opening the institutional dialogue on UNSCR 1325 as an integral part of women's human rights. But the state lacked the expertise to deal with the issue adequately. International organisations understood both political and technical goals involved.

The EU integration and accession process has been declared as one of three State priorities by the last two Governments. On the other hand, technical expert support units like DCAF¹⁷ and UNDP took the role of providing input and supporting the dialogue between state and non-state actors on the issue. Three parties are in rough lines namely, the civil sector, the state actors and the international organisations, where each of these may be seen as heterogenic actor.

In the civil society sector, two types of NGOs can be distinguished. There are those advocating for women's human rights and gender equality, and those who are advocating human rights in general with no specific gender agenda on hand. In the state sector, the involved parties are from the security sector, the Ministry of Defence and the Ministry of Interiors in particular. The gender institutional mechanisms are implemented through the Gender Equality Directorate, Council for Gender Equality and the Committee for Gender Equality in the Parliament. Other line ministries such as the Ministry for Human and Minority Rights and the Ministry of Labour and Social Policy have different perspectives on the approaches to the issue while international organisations have different agenda and cannot be regarded as a homogeneous group.

It may be said that in the Serbian context, the institutionalisation of UNSCR 1325 implies the cooperation of different actors in order to balance-out responses to different interest groups. Such approach requires an investment on a wide-scale participation, but it also provides strong ownership which contributed to the fast adoption of the document. It also sets a sound basis for implementation, although this involves the challenge to ensure efficient coordination systems among the different stakeholders. Both coordination and synergy between the civic society and state sector also means a change in structures. In more specific context, these changes are guided, even though not explicitly stated, by putting to practice and institutionalising feminist concepts and principles. The question inevitably posed within the process of institutionalising feminism in the peace process is, 'What is there to lose and what is there to gain?'

It is indisputable that institutionalising feminism is opening spaces previously precluded from women, for example, more spaces for women professional soldiers¹⁸ and women in decision making positions, among others. Feminist concepts are being integrated in new security theories such as human security, and feminist ideas being contributed in the development and deeper understanding of gender-equity and equality. The thought that feminism is not separated from

the civic society movement opens the door to wider and stronger cooperation among women NGOs. In this way, we are able to direct the flow of change from the grassroots level, implementing institutions and the State to the bigger mainstream consciousness.

Participation in this process of change implies mediation. On the interaction between the state and civil sector, one of the major debates remains on the level of independence of the civil society, as well as the potential risks involved in excessive compromising with established systems. Reversely, staying out of the dialogue with the institutions brings in the risk of marginalisation and reduces the power of lobbying. Institutionalisation also means alignment with certain standards. Many women NGOs are too small and lack funds to have the capacity to follow certain standards. Furthermore, many activists are not necessarily recognised professionals in their field of profession, which is one of the requirements of concerned institutions in peace and development.

Another aspect that is often neglected is the way legal and political environment conjures the obligations of states on women's rights. The political pressure to comply with these internationally recognised standards are regionally more evident now in the context of the supranational characteristics of the European Union. The conditionality policy¹⁹ implies compliance with the norms and standards on equal opportunities for women and men in the accession process. This conditionality contributes significantly to changes in various national structures like legislation, procedures, policies, among others. Opportunities offered in institutionalising feminist consciousness in peace issues are numerous. Yet, there are certain challenges that shouldn't be neglected. When it comes to international pressure, there is a standing risk of incorporating standards and recommendations from "above" without clear understanding of the concepts involved and without contextualised planning and consultation at the national and local levels. This could result to ineffective or weakened institutions and mechanisms with lack of coordination systems and no gender-effective implementable plans.

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NAP 1325 is an example of a wide-scale involvement of interested parties in its entire phase of drafting, combining expertise of state, civil sector and accumulated support of the international organisations. Still, the Women in Black, one of the pioneer NGOs to raise the issue of women, peace and security, was not consulted during the process though it remains in line with UNSCR 1325 in the local context. As a policy document, UNSCR 1325 expresses certain political stands, some of these have highlighted and strengthened the position of women in the

security sector. But the sole increase in the number of women personnel in the security sector is not sufficient to effect the change we are hoping for. Institutional action must be implemented in combination with structural change from all spheres, and with a wide range of civic action.

Feminisation of institutions through NAP 1325 has good potentials, but whether it will keep up with the challenge to change the quality of women's lives for the better, remains a thought-provoking question without available concrete answers. ■

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