



POLICY PAPER

No. 6/16 – May 2016

SECURITY SECTOR IN KOSOVO FROM A GENDER PERSPECTIVE

www.kipred.org

This project is supported by: European Commission, European Union Office in Kosovo and the Swiss Cooperation Office –Kosovo (SCO-K), Kosovar Civil Society Foundation (KCSF).



Content and views expressed in this publication are those of KIPRED and should not be considered as the views of the European Commission, European Union Office in Kosovo or SCO-K, KCSF.

Prepared by: Ariana Qosaj – Mustafa and Violeta Haxholli

Research supported by: Njomza Sejdullahu and Vlora Gaxherri

Copyright © 2016 by KIPRED. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior written permission of the publisher. Please contact info@kipred.org or +381 38 227 778.

Published by:



Kosovar Institute for Policy Research and Development
Abdyl Frashëri Str, No. 44
10 000 Prishtina, Kosovo
Phone +381 38 227 778
www.kipred.org



Syri i Vizionit
Isa Demaj, No. 14 30000
Peja/Pec, Kosovo
Phone +381 (0) 39 423 240
www.syriivizionit.org

Contents

- I. Introduction 3
- II. The EU Requirements on Gender Equality 3
- III. The Legal Framework..... 5
- IV. Overall Gender Representation in Kosovo..... 9
- V. Gender Representation in Kosovo Police and the Kosovo Security Forces..... 14
 - a) The institutional set-up:..... 14
 - b) Representation of women in the Kosovo Police..... 17
 - c) Representation of Women in the Kosovo Security Force (KSF) 20
- VI. Conclusion and Recommendations 23
- VII. Recommendations 24
- VIII. Annex 27

I. Introduction

Kosovo has developed a number of policies and mechanisms in order to respond to the needs of its citizens, in particular in regard to the security matters. The legal framework of Kosovo on equality between women and men has improved by updating the new package related to human rights in May 2015, in particular with the approval of the Law on Gender Equality. Significant structural challenges remain and implementation will require serious efforts. However, as this paper shows, women encounter differences existing between their formal and informal rights reflected in their everyday activities due to discriminatory practices, including economic, social and cultural barriers, as well as due to family obligations. These practices continue to prevent them from a full fulfilment of their own rights and direct participation in decision-making. Women have been directly affected by the high levels of poverty, the lack of health insurance schemes, protection of their rights at workplace, including their maternity leave and protection from sexual harassment as well as with a lower representation in employment, affecting their equal opportunities vis-à-vis men.

This policy paper provides an analysis regarding the position of women in the security sector of Kosovo, with a focus on the Kosovo Police and the Kosovo Security Force (KSF) as well as the general impact, identified through the political opportunities and/or options in order to further and substantially promote the active participation of women in these institutions.

II. The EU Requirements on Gender Equality

Gender Equality remains one of the core values and objectives of the European Union. In September 2015, re-instating its commitments, the European Commission and the European External Action Service adopted a new framework on the Activities of EU's External Relations on Gender Equality and Women's Empowerment 2016-2020.¹ This new framework sets out four pillars of specific indicators and targets such as, fighting violence against women and girls; economic and social empowerment of women and girls; strengthening voice and participation of women and girls; and last but not least is the shifting of institutional culture, which calls upon all EU actors, to analyze the local context for women and girls in countries where they work and implement the identified priorities.

The European Union (EU) has monitored and reported on the state of gender equality in Kosovo through annual progress reports. In the 2015 progress report for Kosovo, the EU noted that Kosovo had made some progress in the promotion and enforcement of human rights by adopting a

¹ European Commission, "Framework for Gender Equality and Women's Empowerment: Transforming the Lives of Girls and Women through EU External Relations (2016-2020)". Available at: http://europa.eu/rapid/press-release_IP-15-5690_en.htm

package of laws on human rights respectively, the Law on Ombudsperson² and the Law on Gender Equality³ and Law on Protection from Discrimination.⁴ According to the EU, the new laws have strengthened the institutional framework and have clarified the roles of public institutions such as the Ombudsperson's Office and of the Agency for Gender Equality.⁵ However, the EU considers of serious concern the fact that the laws were adopted under fast-track procedure which limited the possibility for parliamentary debate.⁶

The EU has stressed that, in order to have effective promotion and implementation of human rights in Kosovo, proper implementation of these laws is essential, including establishing a judicial track record of discrimination cases and training to enhance institutional capacities. Furthermore, the human rights strategy needs to be updated, whilst the political and financial commitment on human rights issues at all levels should increase. In addition, ownership and effective delivery is still undermined by the continued donor dependency of the government in this sector.⁷

Further, the EU considers that Kosovo's legal framework on equality between women and men improved through the adoption in May 2015 of the Law on Gender Equality in accordance with international standards. However, serious efforts are needed for the process of implementation due to significant structural challenges. The EU also noted that the impact of inter-institutional secretariat that deals with the monitoring implementation of the Action Plan on the UN Resolution 1325 on Women, Peace and Security is still limited. In addition, the role of the Agency for Gender Equality in policy-making should be strengthened.⁸ The EU mentioned the fact that the Agency did not assess the implementation of the Programme for Gender Equality 2008-2013.⁹

The EU has noted the fact that every Kosovo police station has a unit responsible for gender-based violence. However, according to the EU, no progress has been made on combating domestic violence and gender-based violence, despite the appointment of a national coordinator for this matter. Moreover, the ability to cross-track and monitor cases in investigation and judiciary proceedings is undermined by the absence of a system of regular data collection across institutions. In the 2015 Progress Report for Kosovo the EU also suggests that Kosovo institutions should evaluate the implementation of the 2011–2014 Strategy and Action Plan against Domestic Violence before drafting a new one.

² The Republic of Kosovo Assembly, Law No. 05/L -019 on Ombudsperson. Available at, <http://www.assembly-kosova.org/common/docs/ligjet/05-L-019%20a.pdf>

³ The Republic of Kosovo Assembly, Law No. 05/L -020 on Gender Equality. Available at: <http://www.assembly-kosova.org/common/docs/ligjet/05-L-020%20a.pdf>

⁴ The Republic of Kosovo Assembly, Law No. 05/L-021 on the Protection from Discrimination. Available at: <http://www.assembly-kosova.org/common/docs/ligjet/05-L-021%20a.pdf>

⁵ European Union 2015 Progress Report for Kosovo, pg.20. Available at: http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_kosovo.pdf

⁶ Ibid, pg.7.

⁷ Ibid, pg.20.

⁸ Ibid, pg. 24.

⁹ Ibid, pg. 45.

Also it is necessary that the anti-trafficking and domestic violence help-line provides assistance to non-Albanian speaking victims, including in the northern municipalities.¹⁰

The EU notes that women remain under-represented in decision-making positions both at national and local level.¹¹ Meanwhile, at national level, the situation worsened, as only two (2) ministers out of 20 are women and only six (6) out of 15 chairs of Parliamentary Committees. In terms of equal opportunities, the Law on Gender Equality needs to be implemented and enforcement of legislation needs to be improved to address high unemployment among women and under-representation of women at all levels of decision-making.¹² The EU stresses further that market conditions are especially difficult for women with only one (1) in five (5) women of working age are active in the labour market and only one (1) in eight (8) women are employed.¹³ Moreover, insufficient implementation of the maternity leave provisions especially in the private sector undermines the efforts to tackle discrimination against women in the workplace.¹⁴

In 2013 and 2014 progress reports, the EU praised the establishment of the Association of Women of the Kosovo Police¹⁵ and the fact that the Association prepared a communication strategy and action plan 2014-2016, which aimed to promote police work for women and to address their challenges in pursuing a career in the police.¹⁶ Also, in the 2011 progress report for Kosovo, the EU mentioned the establishment of the Human Rights and Gender Equality Unit in the Ministry for the Kosovo Security Force.¹⁷ Nevertheless, the EU has not assessed the progress of these bodies in the following years.

III. The Legal Framework

The legal framework on gender equality and protection of discrimination of women is not yet fully harmonized. Provisions that guarantee women's equal representation continue to be scattered in various laws, whilst the quota for women's representation differs from one law to the other. Further, the implementation of laws continues to be limited. For example the representation of women in the security sector in particular in the Kosovo Police and Kosovo Security Force continues to be low, especially in the decision-making positions. Moreover, these institutions disregard the gender quota during recruitment and promotion which is exclusively merit based. Even though the requirements

¹⁰ Ibid, pg. 24.

¹¹ Ibid, pg. 24.

¹² Ibid, pg.45.

¹³ Ibid, pg. 32.

¹⁴ Ibid, pg.45.

¹⁵ European Union 2013 Progress Report for Kosovo, pg. 49. Available at:

http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/ks_rapport_2013.pdf

¹⁶ European Union 2014 Progress Report for Kosovo, pg.51. Available at:

http://ec.europa.eu/enlargement/pdf/key_documents/2014/20141008-kosovo-progress-report_en.pdf

¹⁷ European Union 2011 Progress Report for Kosovo, pg.17. Available at,

http://ec.europa.eu/enlargement/pdf/key_documents/2011/package/ks_rapport_2011_en.pdf

of equal representation foreseen by the Law on Gender Equality aim for 50% of the gender less represented, these provisions continue to be wishful and far from implementable in reality.

Protection against discrimination based on gender as well as principles of gender equality for Kosovo citizens are guaranteed primarily by the Constitution of the Republic of Kosovo. This document states that, “the constitutional order of the Republic of Kosovo is based on the principles of [...] equality, respect for human rights and non-discrimination.” Furthermore, “the Republic of Kosovo ensures gender equality as a fundamental value for the democratic development of the society, providing equal opportunities for both female and male participation in the political, economic, social, cultural and other areas of societal life.”¹⁸ The Constitution also guarantees that, all are equal before the law and that everyone enjoys the right to equal legal protection without discrimination. In addition, no one shall be discriminated on grounds of gender, language, religion etc.¹⁹ Furthermore, the composition of public institutions such as Kosovo Assembly, Judiciary and Civil Service shall reflect the diversity of the people of Kosovo and take into account internationally recognized principles of gender equality.²⁰

The international agreements and instruments on human rights are enlisted within the constitution and are directly applicable in the Republic of Kosovo and, in the case of conflict, have priority over provisions of laws and other acts of public institutions. Some of the international agreements binding for Kosovo are the Universal Declaration of Human Rights, European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols, International Covenant on Civil and Political Rights and its Protocols, Convention on the Elimination of All Forms of Discrimination against Women etc.²¹

The principles of the Constitution on non-discrimination including gender discrimination are also reflected in the Law on Protection from Discrimination²² and the Law on Gender Equality, drafted in accordance with international standards and adopted in May 2015.²³ In addition, the new Law on Gender Equality has set a parity rule aiming for 50-50 percent of representation of men and women at any level of decision-making in the political and public life.²⁴ This ambitious principle remains an important principle for Kosovo institutions to strive for.

¹⁸ Constitution of the Republic of Kosovo, Article 7 [Values], Paragraph 1 and 2. Available at:

<http://www.kuvendikosoves.org/common/docs/Constitution1%20of%20the%20Republic%20of%20Kosovo.pdf>

¹⁹ Ibid, Article 24 [Equality Before the Law], Paragraph 1 and 2.

²⁰ Ibid, Article 71 [Qualification and Gender Equality], Paragraph 2; Article 101 [Civil Service], Paragraph 1; Article 104 [Appointment and Removal of Judges], Paragraph 2; Article 109 [State Prosecutor], Paragraph 4; Article 114 [Composition and Mandate of the Constitutional Court], Paragraph 1.

²¹ Ibid, Article 22 [Direct Applicability of International Agreements and Instruments], Paragraph 1 to 8.

²² Law No. 05/L-021 On the Protection From Discrimination. Available at: <http://www.assembly-kosova.org/common/docs/ligjet/05-L-021%20a.pdf>

²³ Law No. 05/L -020 On Gender Equality. Available at: <http://www.assembly-kosova.org/common/docs/ligjet/05-L-020%20a.pdf>

²⁴ Ibid, Article 6 paragraph 8.

The main purpose of the Law on Gender Equality is to guarantee, protect and promote equality between genders as a basic value of democratic development of society.²⁵ According to the Law, gender equality is defined as the entire and equal exercise of women and men, of their human rights. Equality is seen as non-presence of gender based discrimination in opportunities, sharing of resources or benefits, as well as access to services.²⁶ The Law also foresees special measures in order to increase gender equality. Hence the Law calls upon, public institutions to take temporary special measures in order to accelerate the realization of actual equality between women and men in areas where inequalities exist. Such measures may include quotas, support programs including for economic empowerment as well as preferential treatment.²⁷ Finally, the Law also foresees sanctions for violations of its legal provisions. The fines that can be ordered are low ranging from 300 Euros up to 900 Euros depending on the severity of the offense.²⁸

Nevertheless, the legal provisions on gender equality are only partially implementable as the current provisions of the Law on Gender Equality are not yet reflected in other laws. For example, while the Law on Gender Equality foresees equal representation of women and men in all legislative, executive and judiciary bodies and other public institutions to be set at 50%, the current Laws on National and Local Elections in Kosovo continue to foresee gender representation by the quota of 30%.²⁹ Thus, these two laws would need amendments in order to reflect the new requirements of the Law on Gender Equality.

Despite the perplexed legal provisions in different laws on gender equality, the changes brought in by the Law on Gender Equality should be seen as positive. However, women's representation continues to be further challenged in different sectors such as the security institutions, particularly in the Kosovo Police and the Kosovo Security Force, which are traditionally considered as men's domain. The provisions of equal representation between women and man foreseen by the Law on Gender Equality are not applicable to the Kosovo Police and the Kosovo Security Force. The Law on Kosovo Police takes into consideration the principles of gender equality and gender-based discrimination. Hence, the Law lists among its guiding principles the "...commitment to employment, advancement and assignment of duties in comprehensive, merit-based and non-discriminatory manner, [...] and by recognizing the principles of gender equality and human rights foreseen by the Constitution."³⁰ It is worth mentioning that the former Law on Kosovo Police use to consider as a serious disciplinary offence, the discriminatory actions on the basis of gender [...]³¹

²⁵ Law No. 05/L-020 On Gender Equality, Chapter I, General Provisions, Article 1: Purpose, Paragraph 1.

²⁶ Ibid, Article 3: Definitions, 1.1.

²⁷ Ibid, Article 6: Special Measures.

²⁸ Chapter V Sanctions, Article 23: Punitive Provisions. Paragraph 1-5.

²⁹ See Law No. 03 / L-073 On National Elections in the Republic of Kosovo. Available at: http://www.assembly-kosova.org/common/docs/ligjet/2008_03-L073_al.pdf. See also Law No. 03 / L-072 On Local Elections in the Republic of Kosovo. Available at: http://www.assembly-kosova.org/common/docs/ligjet/2008_03-L072_al.pdf

³⁰ Law No. 04/L-076 On Police, Chapter I: General Provisions, Article 2: Guiding Principles, Paragraph 1.7. Available at: http://www.kosovopolice.com/repository/docs/Law_on_Police.pdf

³¹ Law No. 03/L-035 On Police, Chapter IV, Senior Management of the Police, Article 46: Serious Disciplinary Offences, Paragraph k. Available at: http://www.assembly-kosova.org/common/docs/ligjet/2008_03-L035_en.pdf

but, the respective Article was removed when the Law was amended in 2012.³² Nevertheless, the career promotions within the Kosovo Police are done primarily based on merit, thus having men usually advancing on decision-making positions.³³

On the other hand, unlike the Law on the Kosovo Police, the Law on the Kosovo Security Force does not foresee any special considerations on gender equality. The law states only that all citizens of Kosovo having attained the age of 18, are eligible to apply for membership in the Kosovo Security Force.³⁴ Further, citizens may enrol in the Kosovo Security Force upon satisfying the screening criteria. In addition, selection will be based on medical and physical fitness, merit, the needs and priorities of the Kosovo Security Force and successful completion of the approved vetting procedure.³⁵

As analysis shows below, women in the Kosovo Police and the Kosovo Security Force face difficulties in balancing their private and professional life which restrains them from being properly represented in these institutions. Cultural aspects are also among the reasons that keep girls and women away from joining the security sector or dropping out, should they have successfully been admitted. Also, once they become part of these institutions, career promotion of women police and women soldiers is more challenging compared to men, thus resulting in poor percentages of women in higher ranks.

Nevertheless, KIPRED has found that in both institutions, women are given priority in promotion, if the selection is between a man and a woman fulfilling equally the requested criteria.³⁶ However, no specific legal act has been developed as such to substantiate these promotion criteria. Subsequently, among criteria's set are also the development of trainings that women often fail to complete. This particularly applies to long trainings or trainings in other countries that women often miss, due to private responsibilities such as house and child care. Hence, women efforts to achieve higher ranks are undermined by their family responsibilities less burdening for men. Accordingly, conditions as appropriate maternity leave, easier access to child care facilities as well as state supported child care may ease the access of women to employment as well as support women to balance career and family life. Without appropriate support structures the representation of women and their advancement in the security sector related careers remains challenged.

In ending, Kosovo has ensured a sufficient and proper legislation related to gender equality and anti-discrimination in line with international human rights standards. However, implementation of the respective legislation remains a challenge, depending from the willingness of all stakeholders as well

³² Law No. 04/L-076 On Police. Available at: http://www.kosovopolice.com/repository/docs/Law_on_Police.pdf

³³ See also KIPRED report, "Strengthening Women's Citizenship in the Context of State-Building: Kosovo Security Sector and Decentralisation", July 2010. Available at, http://fride.org/download/IP_Women_Citizenship_Kosovo_ENG_ag10.pdf

³⁴ Law No. 03/L-046 Law on the Kosovo Security Force, Chapter III: Kosovo Security Force, Article 13: Membership, Paragraph 13.1. Available at: http://www.kuvendikosoves.org/common/docs/ligjet/2008_03-L046_en.pdf

³⁵ Ibid, Paragraph 13.2.

³⁶ KIPRED interviews with officials of Kosovo Police and Kosovo Security Force, May 2016, Prishtina.

as development of appropriate state supported programmes and policies to balance family and career needs of women in the security sector in particular. In addition, laws not in line with the Law on Gender Equality provisions in particular the parity system for equal representation should be harmonised to reflect its novelties. This would also make the perplexed legislation harmonised within a full legal framework on gender equality. Furthermore, security institutions such as the Kosovo Police and the Kosovo Security Force should use the updated legal instruments in line with the new laws on gender equality and anti-discrimination, namely the special measures, in order to promote and increase women's representation in the security sector.

IV. Overall Gender Representation in Kosovo

Kosovo institutions, supported during the time of UNMIK and also after the declaration of independence in 2008, continued to comply with the gender quota during elections in order to ensure representation and participation of women in politics and in decision-making. The quota system has come as a result of a number of initiatives undertaken by women focused NGOs, women activists and women in politics as well as the support by international community.³⁷ The quota system calls for a 30% representation with the number increasing in recent central elections in 2014 to 32.5% after voting of women candidates.³⁸ Nevertheless, the quota has failed to provide effective decision-making power for women as the Parliamentary Presidency and the Parliamentary Committees are mainly dominated by men. Respectively, there is one (1) vice-president of the Kosovo Assembly from Lëvizja Vetëvendosje and out of 15 Parliamentary Committees there are six (6) Committees led by women. Whilst formally the requirements of the Law on Gender Equality that institutions should ensure a minimum representation in the legislative bodies to 50%, factual representation and decision-making powers within the Kosovo political parties remains far from the required quota.³⁹ This is also reflected in the chairs of parliamentary groups with two (2) women as chairs of the parliamentary groups out of seven (7) current parliamentary groups. Also the presidencies of the four major political parties have an average 20% of women members⁴⁰ whilst internal decision-making continues to remain in the hands of few men as party leaders.

³⁷ See KIPRED report, "Strengthening Women's Citizenship in the Context of State-Building: Kosovo Security Sector and Decentralisation", July 2010.

³⁸ In the Kosovo Assembly there are 39 women MP's out of 120 MP's in total. See Kosovo Assembly website at <http://www.kuvendikosoves.org/?cid=2,102>

³⁹ See Article 6, paragraph 8 of the Kosovo Law on Gender Equality.

⁴⁰ The Democratic Party of Kosovo (PDK) has 16.6% women in the party presidency; the Democratic League of Kosovo (LDK) has 21%; and both the Self-Determination Movement (LVV) and the Alliance for the Future of Kosovo (AAK) have 20% women in their party presidencies. See also KIPRED report "Policy and Decision-Making in Political Parties in Kosovo: Women, Youth and Ethnic Communities", May 2015, pp.5-8. Available at, http://www.kas.de/wf/doc/kas_42089-1522-2-30.pdf?150720101237

The negative trend on representation of women is mainly noticeable at the executive level. In the current Government of Kosovo (GoK) there are only two (2) women appointed as ministers out of 20 minister positions. Also, five (5) women have been appointed in recent months as vice-ministers however enjoying limited competences in regard to decision-making as compared to ministers (See Table 1.1). Furthermore, out of 33 municipalities of Kosovo there is only one (1) woman elected as mayor in the municipality of Gjakova that further reflects the low number of women candidates proposed by political parties to run for municipal governments.

Women continue to be less represented in the rural forums in a ratio of 95% men vs. 5% women with majority of village councils dominated by men.⁴¹ Women's roles continue to be challenged by the social and cultural division of roles and responsibilities mainly seeing women solely responsible for child-raising, elderly care including education and providing for family well-being or other home related chores. This often leads that women are less engaged in public forums limited by their private sphere engagements.⁴² The quota system was also foreseen for municipal governments, with the system raising the representation of women in the Municipal Assemblies from mandatory 30% to 34% in the 2013 local elections.⁴³ Yet the formal representation of women in government and legislative levels has not resulted with real profits for women, especially in the decision making and in orienting priorities to meet the needs and interests of women. This is also opposite from the results of the 2013 local elections with substantial changes occurring in the election of mayors and changing of political party representation in almost 50 per cent of municipalities as a result of more than 40.000 votes casted by women.

For example in 2016, the GoK continued to invest one third of its annual budget to capital investment projects with 30% of its budget divided in building the high-way with Skopje, FYROM.⁴⁴ On the other hand, Kosovo citizens continue to face stringent living conditions with poverty estimated to be at 30% of population living under poverty line and at 10% extreme poverty, especially affecting 38% of women headed households and 65% men and women living in the countryside.⁴⁵ Further, less than 10% of businesses in Kosovo are led or owned by women with estimated only 3% of credits going to women with low collateral guarantees as almost 90% of property in Kosovo is registered with men. The overall health and social situation also continues to be fragile with Kosovo remaining the only country in its proximate region without an effective

⁴¹ KIPRED report, "Strengthening Women's Citizenship in the Context of State-Building: Kosovo Security Sector and Decentralisation", July 2010.

⁴² Ibid, pg.7.

⁴³ See KIPRED Report "Local Elections of 2013 in Kosovo: General Overview and Recommendations on Electoral Reform", March 2014, http://www.kipred.org/repository/docs/Local_Elections_of_2013_in_Kosovo-General_Overview_and_Recommendations_on_Electoral_Reform_869258.pdf

⁴⁴ See Tables of Kosovo Budget 2016, at <https://gzk.rks-gov.net/ActDocumentDetail.aspx?ActID=11324>.

⁴⁵ See Country Gender Profile, an Analysis of Gender Differences of All Levels in Kosovo, Swedish Embassy Kosovo 2014 available at http://www.swedenabroad.com/ImageVaultFiles/id_20757/cf_347/Orgut_Kosovo_Gender_Profile_FINAL_2014-05-08.PDF.

health insurance system and minimum social assistance schemes amounting to 75 Euro's per a family with 6 members.⁴⁶

With the leadership of the political parties continuing to be dominated by men, major political party programmes and decision of the GOK disregard the different needs and interests of women and men, resulting with gender-blind policies.

The oversight role of the Kosovo Assembly to ensure that governmental policies and priorities meet up to different needs of women and men as reinstated with the existence of the electoral quota, have proven weak so far. In particular the oversight of the security sector by the MP's continues to be dominated through the traditional perceptions of security issues.⁴⁷ The Parliamentary Committee on Human Rights, Gender Equality, Missing Persons and Petitions the only mandated committee to cover gender equality also covers a variety of other issues. In 2015, the Committee was involved in processing the government's initiative on drafting the new Law on Gender Equality, foreseen as an initiative with the EU requirements for Kosovo to draft a set of a human rights package of laws for a free visa travel regime with the EU. The Law on Gender Equality was drafted jointly with the Law on Protection from Discrimination and the Law on Kosovo Ombudsperson.⁴⁸ Other initiatives such as sexual harassment in public institutions including the Assembly, although initiated for parliamentary debate, by the Chairperson of the Human Rights Committee,⁴⁹ was removed from the agenda of the debate without any explanation.

Further another crucial committee tasked with the oversight of security issues i.e. the Committee on Internal Affairs, Security and Supervision of the Kosovo Security Forces, has had minimal impact on women's security issues by failing to use a more human security perspective but rather seeing security from a more traditional perception. 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 recognized and security mechanisms are tailored to enable the full participation of all citizens in decision-making processes.⁵⁰

For example the committee so far has never monitored nor discussed governmental laws and policies related to gender-based violence in particular domestic violence and/or trafficking in human

⁴⁶ See Statistical Office of Kosovo, Publication on Social Welfare, Third Quarter 2015 available at <https://ask.rks-gov.net/sq/mireqenia-sociale>

⁴⁷ See also KIPRED paper offered similar findings of the Assembly Oversight from a gender perspective in 2010 in "Strengthening Women's Citizenship in the Context of State-Building: Kosovo Security Sector and Decentralisation", July 2010. Available at, http://fride.org/descarga/IP_Women_Citizenship_Kosovo_ENG_ag10.pdf.

⁴⁸ See Visa Liberalization Roadmap with Kosovo, pg.14. Available at: https://eeas.europa.eu/delegations/kosovo/documents/eu_travel/visa_liberalisation_with_kosovo_roadmap.pdf

⁴⁹ KIPRED interview with MP Lirije Kajtazi, Chairperson of the Committee on Human Rights, Gender Equality, Missing Persons and Petitions. May 2016.

⁵⁰ See KIPRED paper "Strengthening Women's Citizenship in the Context of State-Building: Kosovo Security Sector and Decentralisation", July 2010, pg.16. Quoted by the OECD DAC Handbook on Security Sector Reform. Section 9: Integrating Gender Awareness and Equality, 2007 Edition.

beings including trafficking of women and girls in Kosovo for the purposes of sexual exploitation. Parliamentary Committees are neutral in their analysis with a more traditional based perception of security lacking a pro-active monitoring approach from a gender perspective. This may also be affected by the fact that there is only one (1) woman MP out of nine (9) MP's in the respective Committee.⁵¹ There were few individual initiatives to cover issues related to security for women such as the initiative to discuss the opening of child care facilities for members of Kosovo police in order to address the female drop-out in the KP. The Committee on Security has also publicly expressed its readiness to have female officers from KP to attend the meetings of the Committee and raise concerns. This has not happened so far. The Assembly Committee for the oversight of the security sector, namely the Committee on Internal Affairs, Security and Supervision of the Kosovo Security Force, must demonstrate determination to increase their callings for cooperation practically. There needs to exist a constant review of inequality needs of women and men within the security sector and potentially issued raised by the members of the Committees should be followed up by concrete initiatives in this regard.

The initiatives undertaken by the mandated Committee's rather are ad-hoc and lack any particular strategy hampered also by the lack of cooperation among all parties represented within the Women's Caucus of Kosovo Assembly. There are minimal interests with the women MP's from political parties in power and in opposition to overcome political barriers, in order to represent the interests and rights of women and their specific security needs. Further, the cooperation of the Women's Caucus in the fifth legislative mandate has also been disrupted by the appointment of a non-consensual chairperson and the refusal of the opposition MP's to attend its meetings.⁵² Furthermore, the cooperation in between the Women Caucus of Kosovo Assembly and the Agency for Gender Equality continues to be sporadic and limited only in the issues related to ad-hoc legal amendments.⁵³ Taking into account the important role of the Agency on Gender Equality related to gender equality, women MPs would need to enhance and open their mutual cooperation in advocating jointly the issues pertaining to gender equality concerns.

The cooperation amongst Government Ministries and the Assembly Committees remains insufficient without a proper follow-up. The invitations for discussions sent to MPs by the officials of the ministries are often disregarded by the former.⁵⁴ Differently, women MPs claim to have shown willingness to cooperate with the executive levels however their willingness was not followed through by any particular initiative.⁵⁵ Stuck in the blame game the security related needs of women and men continue to be analysed from a gender-neutral perspective and insufficiently addressed by women MP's and other mandated government officials.

⁵¹ MP from PDK group i.e. Democratic Party of Kosovo.

⁵² Interview with MP and Vice-Chair of Kosovo Assembly, Miss. Aida Derguti, May 2016.

⁵³ KIPRED interview with officials of the Agency for Gender Equality, May 2016 in Prishtina.

⁵⁴ KIPRED interview with advisor to Ministry for the Kosovo Security Force, May 2016 in Prishtina.

⁵⁵ Discussion at KIPRED and SiV Roundtable held 20 May 2016, in Prishtina.

In ending, the CSOs and few MP's have stated the necessity to maintain the electoral system of quota in order to ensure women representation in politics.⁵⁶ Nevertheless, the current electoral quota may have created a degree of comfort for women within political parties.

As stated by one woman MP:

“Men will support likely an obedient woman (in politics, drafters note), not necessarily a woman that might jeopardise their position” (within the political party, drafters note).⁵⁷

Few women candidates selected by the leaders of the political parties may have shown the parties tendency to select women from particular regions that may bear the potential to be more “obedient” towards the leader. Women MP's have been subject to criticism that they continue to represent only official agendas of the political parties they come from and do not represent the needs and interest of women for which they have been nominated by the given quota. The CSO's recommend that these practices should end.⁵⁸ Furthermore, alliances in between CSO's and women MP's should be developed in a continuous and coherent manner.

Overall, women continue to be under-represented in the labour market and public life with lower representation in decision-making. The struggle of balancing the private life with work, discriminatory practices relegating women to the private spheres continue to hamper their active involvement in decision making. The quota of 30 per cent has increased women's participation in the legislative and executive institutions. However, the representation has remained numerical as political party priorities continue to be dominated by male leaders not often reflecting the needs and interests of their female voters. In addition, the entry of women in politics continues to be dominated by the respective support of the political party leaders though a centralised system of decision-making. Often active women in local initiatives or community life and political activism remain unnoticed. Further, once elected women politicians remain stuck in a limbo of action between acting upon women's needs and interests and the priorities of their male party leaders, with the latter usually prevailing. Gender issues are seen less important with the quota also guaranteeing a certain level of conformity.

The analysis below, further critically analysis the current level of representation of women in domains traditionally considered as male dominated sectors by scrutinising the existing legal and policy set-up against factual representation of women within the key security sectors.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Ibid.

V. Gender Representation in Kosovo Police and the Kosovo Security Forces

a) The institutional set-up:

Women NGOs and institutions have successfully raised a number of significant issues regarding women and their security during the recent years, however the voice of women is rarely heard in the central level institutions, in particular in the security sector. A number of initiatives, supported at municipal level in the aspect of women security, including here also the mechanisms for addressing gender based violence, remain insufficiently reflected in the strategy and action plans of the central level authorities.

The participation of women in decision-making processes remains lower compared with men. In the main institutional mechanisms mandated to develop the politics in the security sector, including the Kosovo Security Council, the representation of gender remains minimal, limited by the current law that predetermines the participation of members in the Council by the respective positions and mandates held.⁵⁹ The permanent members with executive powers of the Council are the Prime-Minister, the Deputy Prime Ministers, the Kosovo Security Forces Minister, Minister of Foreign Affairs, the Minister of Internal Affairs, Minister of Justice, Minister of Economy and Finance and Minister of Returns and Communities. As the current GoK set up is dominated by men, with only two (2) women ministers, this is reflected also in the decision-making composition of the Council.

The Kosovo Security Council has the mandate to estimate and identify in a strategic manner the security threats and risks. The “Analysis of the Strategic Review of the Security Sector in Kosovo” drafted in 2014, continues to remain neutral as far as gender is concerned.⁶⁰ The highest strategic review of the security of Kosovo remains blind in terms of addressing for example the inequality issues including trafficking in humans, gender-based violence and sexual violence as causing different consequences to security needs of men and women.⁶¹ The current security strategic review of Kosovo fails to use a more of a human security framework to reflect the specific security needs of women and men including for example gender-based violence and trafficking in human beings. This strategic analysis refers to social inclusion and training of the new generations, without specifically elaborating on the tools to be used. It further refers to human trafficking without further detailed elaboration but referring only to the existing law on the fight against human trafficking without specifically elaborating the activities to overcome this global crime. In the entire analysis women and

⁵⁹ The Republic of Kosovo Assembly, Law No. 03/L-050 on the Establishment of the Kosovo Security Council, Article 3: Composition. Available at, http://www.assembly-kosova.org/common/docs/ligjet/2008_03-L050_en.pdf

⁶⁰ The Government of the Republic of Kosovo, “Analysis of the Strategic Review of the Security Sector in Kosovo”, 2014, pg.46. Available at: http://www.kryeministri-ks.net/repository/docs/Analiza_e_Rishikimit_Strategjik_te_Sektorit_te_Sigurise_se_RKS_06032014.pdf

⁶¹ See for example the analysis of security risk threats including globalisation, non-state violence, trafficking in humans and sexual violence. “French White Paper: Defence and National Security, 2013. Foreword by Francois Hollande, President of the French Republic. “Available at, <file:///C:/Users/ari/Documents/White%20paper%20on%20defense%20%202013.pdf>

girls are mentioned once, in terms of improving their opportunities in the future.⁶² The tools to be used are not specified. For comparison the French White Paper on Defence and National Security, provides for a separate analysis and contribution of men and women within the French security structures.⁶³

Further, the Kosovo Security Council is currently monitoring also the National Strategy for Prevention of Violent Extremism and Radicalization Leading to Terrorism. As a measure to fulfil the objective in *preventing violent extremism and radicalization*, the strategy refers to the development of a regional initiative for the purpose of enhancing the collaboration of central institutions and municipalities including of women network structures.⁶⁴ However, apart from this, the involvement of women in preventing the violent extremism and radicalization remains to be further monitored during the assessment of the strategy in question.

Furthermore, the Agency on Gender Equality has a mandate to assess the implementation of the Kosovo Program for Gender Equality (2008-2013), however as mentioned also in the 2015 EU Progress Report, the Agency has not concluded this assessment. In addition, the role of the Agency in regard to policy-making remains weak.⁶⁵ Kosovo institutions continue to fail in providing sufficient human and financial resources to support their mandates to integrate the gender perspective. For example, the Kosovo Agency for Gender Equality operates with an annual budget of less than € 200,000, which also covers their operational expenditures.⁶⁶ Their 2015 project line activities amounted to approximately € 40,000.⁶⁷

The Agency for Gender Equality is also mandated to monitor the implementation of the UN Security Council Resolution 1325.⁶⁸ In addition, the Agency has adopted in 2014 the “Action Plan on the Implementation of the Resolution 1325: Women, Peace and Security (2013-2015).”⁶⁹ The Agency appointed to lead the Inter-institutional Secretariat for the Coordination of this Action

⁶² The Government of the Republic of Kosovo, “Analysis of the Strategic Review of the Security Sector in Kosovo”, 2014, pg.46. Available at: http://www.kryeministri-ks.net/repository/docs/Analiza_e_Rishikimit_Strategjik_te_Sektorit_te_Sigurise_se_RKS_06032014.pdf

⁶³ Supra note at 60.

⁶⁴ Office of the Prime Minister of the Republic of Kosovo, “Strategy on Prevention of Violent Extremism and Radicalization Leading to Terrorism 2015-2020”, pg.20. Available at: http://www.mpb-ks.org/repository/docs/STRATEGY_ON_PREVENTION_OF_VIOLENT_EXTREMISM_AND_RADICALISATI_ON_LEADING_TO_TERRORISM_2015-2020.pdf

⁶⁵ Pg.45 of the European Union 2015 Progress Report for Kosovo. Available at: http://ec.europa.eu/enlargement/pdf/key_documents/2015/20151110_report_kosovo.pdf.

⁶⁶ Central Level Budget of the Republic of Kosovo for the year 2016, pg.2. Available at: <https://gzk.rks-gov.net/ActDetail.aspx?ActID=11324>

⁶⁷ KIPRED interview with the Agency for Gender Equality, Prishtina May 2016.

⁶⁸ UN Security Council resolution 1325, 31 October 2000. Available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>

⁶⁹ Agency for Gender Equality, “The Action Plan on the Implementation of the Resolution 1325: Women, Peace and Security, 2013-2015”. Available at, <http://abgi.rks-gov.net/Portals/0/ABGJ%20Plani%20i%20Vepimit%20p%20C3%ABr%20Implementim%20t%C3%AB%20Rezolut%C3%ABs%201325%20tre%20gjuh%C3%AB.pdf>

Plan.⁷⁰ The adopted Action Plan targets specifically to increase the representation of women in the Kosovo Police to a rate of 18% and the rate of 12% in the Kosovo Security Force. Subsequently, the Plan lists among its outputs, the increased awareness of women on how to enter and remain in the security structures. In addition, it aims to reduce institutional hurdles for women in this sector, whilst also built capacities in the security structures for the promotion of women in leadership as well as maintaining women's number in these structures.⁷¹ The Action Plan ended in 2015 and remains to be evaluated further for its impact. No reference is done in the Analysis of the Strategic Review of the Security Sector in Kosovo of 2014 to the 1325 Action Plan of the GoK.

A number of other security institutions are created at municipal levels in order to address the security needs of the Kosovo citizens. These structures continue to consider the security related matters from the traditional and solid perspective. In particular, structures such as municipal security structures such as Municipal Community Safety Councils, that are foreseen as mechanisms to address the needs of communities, however they define local communities from a narrower point of view not often ensuring gender representation. In cases where this participation cannot be ensured due to the absence of women that are less represented at municipal levels, the discussion of the security matters from the gender perspective either is *ad hoc* and depends on individual awareness of the matter.⁷²

However, minimal attention is paid to the comprehensive methods, in particular for the security needs towards women and girls. Furthermore, the transfer and communication of information of municipal initiatives, including the mechanisms for addressing gender based violence, and direct service providers to protect women victims are only send as formal reports to line ministries, however these records are not taken into consideration during the strategic analysis within the central strategic high levels i.e. the discussions in the Kosovo Security Council.

At central levels, Kosovo Police has established a number of mechanisms to respond to incidents related to the domestic violence. However, domestic violence is not mentioned as a security threat in the strategic analysis of the review of the security sector in Kosovo, although the Minister of Internal Affairs is a permanent member of the Kosovo Security Council. This may be due to the lack of vital communication channels between different involved institutions, but also the traditional perception of what is actually considered a security priority in Kosovo.

⁷⁰ Government Decision No.129/2014, date: 27 October 2014. Available at: <http://abgj.rks-gov.net/Portals/0/Vendimi%20i%20ZVKM%20Edita%20Tahiri%20p%C3%ABr%20themelimin%20e%20sekretariatit%20p%C3%ABr%201325.jpg>

⁷¹ Agency for Gender Equality, "The Action Plan on the Implementation of the Resolution 1325: Women, Peace and Security, 2013-2015", pp.115-118.

⁷² KIPRED interview with adviser to the Minister of Internal Affairs, Prishtina, May 2016.

b) Representation of women in the Kosovo Police

Kosovo Police is one of the few institutions in Kosovo and in region known for drafting gender sensitive policies, ensuring women representation and the creation of the institutional mechanisms that respond to acts of violence against women. Nevertheless, Kosovo Police continued to encounter difficulties in addressing the drop out by female uniformed officers which resulted in a decline since 2006, with 13% declining to 11.46% uniformed female officers in 2014. The drop out was recorded also in the number of women in the Correctional Service with 141 women in 2005 to 111 women in 2014.⁷³

Currently, the Kosovo Police in total has 8981 uniformed and civilian staff, out of which 7885 are police officers, whereas 1096 are civilian staff.⁷⁴ From the total number there are 7729 (86.06%) KP male personnel and 1252 female personnel or 13.94%.⁷⁵ In 2014, in the Kosovo Police almost all decision making positions were held by men, including the director, vice-directors (there is one Director of Personnel and Administration led by a woman), department directors, 6 regional directors, whereas only in Gjilan the position was held by a woman with only one woman commander in a police station.⁷⁶ Additionally, the number of women applying with the Kosovo Police continues to be rather low. For example, in the vacancy announcement launched by the Police in May 2014, there were 19736 applications, out of which 93.74% were men, while only 6.26% were female candidates.⁷⁷ Kosovo Police has considered issuing awareness campaigns in order to encourage women to apply for jobs within the Kosovo Police. Also, up to seven (7) additional calls for job applications were opened only for women.⁷⁸

Few factors impact the participation of women within the KP. Cultural barriers and balancing of work and life remains the main challenge. Women have listed several challenges related to applying or working in the Kosovo Police.⁷⁹ Often families remain unsupportive for young girls or women to apply when night-shifts or work in the community traffic is involved. Pressure also comes from friends or society in general. Another obstacle identified by women police officers is maternity leave which is considered not long enough and payment of day care in public and private care facilities

⁷³ Association of Women in Kosovo Police, Newsletter, "Women for the Kosovo's Safety" Available at, <http://www.shgpk-ks.org/publikimet/revista-press-artikuj>

⁷⁴ Kosovo Police, Annual Report 2015, pg. 6. Available at:

http://www.kosovopolice.com/repository/docs/Raporti_vjetor_i_punës_së_Policisë_së_Kosovës_2015_-_SHQIP.pdf

⁷⁵ Ibid, pg.6.

⁷⁶ Agency for Gender Equality, Research Report "Participation, Role and Position of Women in Central and Local Institutions and Political Parties in Kosovo, pg.21. Available at, <http://abgj.rks.gov.net/Portals/0/ABGJ%20Pjesmarria%20roli%20dhe%20pozitat%20e%20grave%20ne%20institucione%20qendrore%20lokale%20dhe%20parti%20politike.pdf>

⁷⁷ Kosovo Police, Annual Report 2014, pg.23. Available at:

http://www.kosovopolice.com/repository/docs/Raporti_i_PK-se_per_vitin_2014_-_versioni_shqip.pdf

⁷⁸ Discussion at KIPRED and SiV Roundtable held 20 May 2016, in Prishtina.

⁷⁹ Association of Women in Kosovo Police, "Gender and Police Work: Applying a Gender Perspective to Overcome Concrete Challenges". Available at: http://www.shgpk-ks.org/uploads/shoqata_e_grave_te_policise_se_kosoves_.pdf

continues to be high when comparing to the salaries of KP.⁸⁰ The on-going government initiative to amend the Law on Labour⁸¹ should carefully consider the provisions regulating the maternity leave in order to allow for women in public service and security structures to balance their work and life commitments. Also the EU Rule of Law Mission in Kosovo, EULEX recommended that in order for Kosovo institutions to encourage the participation and representation of women within the KP, they should ensure family friendly policies to increase and retain among police officers planning motherhood/fatherhood or currently raising a child. Additionally, parental leave systems, childcare and conditions for mothers with small children should be improved in order to attract more women to apply.⁸²

Further, the Law on Kosovo Police of 2012 foresees recruitment procedures that are not in line with the requirements of the Law on Gender Equality. The KP should recruit and offer career promotion opportunities based on meritocracy principles. The current recruitment policies based on merits, have not been successful also in addressing the scale of drop out from the work place of female police officers or reinstating the former numbers of representation that the Police had in the beginning of its establishment.

In order to address the issues related to representation of women within the Kosovo Police as well as the drop-out of women from the KP, Kosovo Police set up the Women's Association in 2012, supported by the UN Women in cooperation with other donors and CSO's. The Association is comprised of more than 600 members throughout Kosovo including uniformed and civilian staff, men and women of the KP. The mission of the Association is to strengthen the role and position of women in the KP, to raise awareness on issues affecting women, promote gender equality and professional development as well as internationally promote the association and women of Kosovo Police.⁸³ The Association has prepared a strategy and a communication action plan for the period 2014-2016 aiming to promote the work of female police officers. It is also a member of the International Association of Women Police. The activities of the Association rely on donor support with few logistical support provided by the KP management. Nevertheless, addressing the longer-term budget needs of the Association which is registered as an NGO remains a challenge.

The KP has also created the Office on Human Rights, engaged in promoting gender equality within the Kosovo Police. The Office on Human Rights continues to be challenged by insufficient resources available to perform its duties.⁸⁴ In relation to the Human Rights Office part of the KP

⁸⁰ Association of Women in Kosovo Police, "Gender and Police Work: Applying a Gender Perspective to Overcome Concrete Challenges". Available at: http://www.shgpk-ks.org/uploads/shoqata_e_grave_te_policise_se_kosoves_.pdf

⁸¹ The Ministry of Labour and Social Welfare in 2015 undertook the initiative to amend the labour law provisions related to maternity leave amongst other and respond to lack of implementation of the law especially by the private sector. However, its current initiatives will also cover the maternity leave in general including of the public sector as guaranteed by the Labour Law. For critical analysis of the initiative and recommendations see for example Kosovo Women's Network report "Striking a Balance Policy Options for Amending Kosovo's Law on Labour," 2016, at <http://www.womensnetwork.org/?FaceID=12>.

⁸² KIPRED E-mail communication with EULEX, May 2016.

⁸³ See the official website of Association of Women in Kosovo Police. Available at: <http://www.shgpk-ks.org/per-ne/misioni>

⁸⁴ Discussion at KIPRED and SiV Roundtable held 20 May 2016, in Prishtina.

organisational structure, the budget and human resources should be addressed by the KP in order to enable its proper functioning.

From its onset the KP Association of Women has undertaken several initiatives in encouraging women to apply to the KP and promote women in uniform within the Police. Examples of activities conducted by the Association relate to the delivery of workshops on work-life balance, free health examinations for women police officers, and creating opportunities to educate and support the career development of women police officers. Subsequently, the Association enjoys the support of KP senior management and has been able to conduct trainings and mentoring programmes within the KP seven regions and to encourage the advancement of women in police through the ranking promotion undertaken during 2013 and 2014. Also trainers engaged by the Women Association conducted meetings with women police officers to raise awareness on being promoted and also prepare them for the written tests to encourage more female applications.⁸⁵

Women and men of Kosovo Police may also face situations with sexual harassment. However, so far no reports within the KP have in recent years been reported to the mandated officials. Among potential reasons identified to have impacted the lack of reporting is also lack of trust on how the case will be solved or what the impact of the case may be should the case leak to other police workers.⁸⁶

The KP has developed a number of mechanisms to report the cases foreseen under the Principles and Procedures of Kosovo Police, namely the principle 1:48: Sexual Harassment. Additionally, an Administrative Instruction 06/2012 was enacted to address violations, measures and disciplinary procedures within the KP. These Instructions offer detailed proceedings on the violations to be followed including for sexual harassment cases.⁸⁷ Nonetheless, it remains unknown to what scale the police women are familiar with the existing procedures and how will they act when faced with sexual harassment.⁸⁸ An anonymous survey could potentially make women police officers more aware as well as assess their levels of understanding of the current procedures. The KP should ensure that women and men of the Kosovo Police are fully aware of sexual harassment in terms of acts and reporting procedures.

Despite of the numerous efforts to increase and retain the number of women police officers in the KP and positive initiatives, the KP still faces challenges in increasing the number of women as they continue to struggle in balancing between family and career opportunities for policewomen. Hence, the Police management needs to assess the needs of policewomen and address them promptly in

⁸⁵ UN Women Report 2015 “Establishing and Strengthening an Association of Women Police: The Case of the Association of Women in Kosovo Police”, pp.21-22. Available at: http://www2.unwomen.org/~media/field%20office%20eca/attachments/publications/country/kosovo/awkp_english_preview.pdf?v=1&d=20160412T162340

⁸⁶ Association of Women in Kosovo Police, “Gender and Police Work: Applying a Gender Perspective to Overcome Concrete Challenges”. Available at: http://www.shgpk-ks.org/uploads/shoqata_e_grave_te_policise_se_kosoves_.pdf

⁸⁷ E-mail Communication of KIPRED with Kosovo Police, Office for Information and Public Relations, May 2016.

⁸⁸ Association of Women in Kosovo Police, “Gender and Police Work: Applying a Gender Perspective to Overcome Concrete Challenges”. Available at: http://www.shgpk-ks.org/uploads/shoqata_e_grave_te_policise_se_kosoves_.pdf

order to achieve a greater representation of women within the Kosovo Police. In particular the senior management jointly with GoK should ensure that the promotion career opportunities take into account to offer the opportunity for women police officers with professional and education capacities to be promoted in higher ranks of the KP. There should be an expressed political willingness by the KP senior management as well as the GoK to implement the requirements of the Law on Gender Equality. In particular, the support should not overstep merited women police officers during the promotion opportunities in line with the laws requirements.

c) Representation of Women in the Kosovo Security Force (KSF)

The Kosovo Security Force (KSF) was established in January 2009.⁸⁹ The KSF 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 that is accountable to the Kosovo Assembly, which ensures its democratic oversight through the Committee on Internal Affairs, Security and Supervision of the Kosovo Security Force. The Ministry is charged with the development, implementation and evaluation of the force's policies and activities.⁹⁰

Over the years the representation of women within the KSF has risen to 8.52 per cent. When compared to previous years from the establishment of the KSF, the percentage has progressively grown from 3.22% in 2009, 4.69% in 2010, 7.01% in 2011, 8.2% in 2012 and 8.1% in 2013.⁹¹ Nevertheless, the representation of women is lower when it comes to the decision-making levels. The promotion based on merits and the requirements of the Kosovo Law on Gender Equality differ, leaving women less represented at highest ranks. Currently the KSF has only one woman with the grade of Colonel that also holds the grade of Deputy Commander in the KSF Command of Training and Doctrine.

The KSF structure upon its establishment adopted the previous mechanisms of the Kosovo Protection Corps related to gender equality.⁹² As of November 2009, the KSF set up the Human Rights Unit in order to ensure that the executive functions and activities of the ministry and of KSF promote internal accountability and compliance with internationally accepted standards of Human Rights. Also a Network for Human Rights and Gender Equality and a Gender Advisor exists. In 2011 the Ministry of KSF also drafted and approved the Policy for Human Rights and Gender Equality. The Policy aims to provide a greater attention on human rights and gender equality,

⁸⁹ Foreseen under Article 126 of the Constitution of Republic of Kosovo, 2008. Available at <http://www.kuvendikosoves.org/common/docs/Constitution1%20of%20the%20Republic%20of%20Kosovo.pdf>

⁹⁰ See Law 03/L-045 on the Ministry for Kosovo Security Force, 2008 available at <http://www.mksf-ks.org/repository/docs/Law%20on%20Ministry%20for%20the%20KSF.pdf>

⁹¹ Ministry for Kosovo Security Forces, 2013 Report "Women in the Kosovo Security Force", pg.2. Available at: http://www.mksf-ks.org/repository/docs/KSF_alb_04022014.pdf

⁹² See KIPRED report, "Strengthening Women's Citizenship in the Context of State-Building: Kosovo Security Sector and Decentralisation", July 2010. Available at, http://fride.org/descarga/IP_Women_Citizenship_Kosovo_ENG_ag10.pdf

integration of human rights and improving of gender balance, whilst also strengthen the role of women by expanding and deepening inter-institutional cooperation.⁹³

The support to KSF comes mainly from NATO, with some contributions organized individually by member states. The NATO Advisory Team (NAT) at the Ministry of KSF and the Advisory and Liaison Team (NLAT) at KSF have provided their support on capacity building through education and training.⁹⁴ In addition, the NATO Advisory Team has been providing its expertise to the Ministry of KSF through its gender advisers, but currently such expertise is not provided. In September 2016 an additional Human Resources Advisor is expected to be appointed dedicated to issues of diversity and equality.⁹⁵ With financial support from the Norway Ministry of Defence, the KSF also conducted joined trainings, adopted a policy on human rights and gender equality and provided trainings and incorporated the exam on human rights and equality for all KSF recruits.⁹⁶ However, KSF continues to have challenges in promoting women officers within KSF at the highest managerial positions, and also offering of advanced trainings for gender equality issues.

Women in KSF continue to be under-represented particularly in the decision-making levels. They continue to be challenged once deciding to apply and enter the KSF. The cultural and institutional context continues to see the military profession exclusively as domain of men, and often women are faced with prejudices. Once they enter KSF, women also face difficulties in carrier promotion and ranking in highest decision-making levels. The numerous laws and policies exist however women face difficulties in practice. The issues of gender equality and diversity should be fully embedded with day to day policy making intertwined by greater awareness of KSF male leaders and managers.⁹⁷

In 2015, the Human Rights Unit of the KSF Ministry conducted a survey to also understand the obstacles and prejudices that women might face once joining the force. Amongst issues mentioned as obstacles have been night shifts for guard duties, short provision of maternity leave and pregnancy related challenges with uniform and physical training.⁹⁸ Women with uniform within the KSF also bear cultural prejudices, with 30% of KSF women requiring to be accompanied by other women colleagues when assigned to night guards. Further, the lack of proper infrastructure, lightening at guard stands and frequent night shifts are particular challenges enlisted by women in the KSF survey.

Another 16 % of women within the KSF found that they do not have equal opportunities in serving at KSF. Reasons mentioned is lack of gender awareness among men and the prejudices carried by

⁹³ Human Rights and Gender Equality Policy in MKSF and KSF, 2011. Available at, <http://mksf-ks.org/repository/docs/Policy%202011-08-25%20ENG.pdf>

⁹⁴ KIPRED interview with NATO official in Kosovo, May 2016 in Prishtina.

⁹⁵ KIPRED E-mail communication with NATO Advisory Team at the Ministry for Kosovo Security Forces, May 2016 Prishtina.

⁹⁶ Discussion at KIPRED and SiV Roundtable held 20 May 2016, in Prishtina.

⁹⁷ KIPRED source, MKSF.

⁹⁸ Ministry for Kosovo Security Forces, Research “The Position of Women - Members of the Kosovo Security Force”, October 2015, pg.12. Available at: http://www.mksf-ks.org/repository/docs/Analiza_e_hulumtimit_SH_2015.pdf.

them that women are not sufficiently prepared to serve in military related callings.⁹⁹ Additionally, another 24% of women in the KSF stated that they feel discriminated, as considered to be physically weak and not prepared for the service. In their view this influences also their approach when promotion opportunities arise. At least 40% of KSF women stated that women are not given training opportunities for career development in KSF in comparison to men. Even when they fulfil the professional criteria's women are not promoted, due to the lack of trust by senior staff and managers that women can perform at the same levels with their male colleagues.¹⁰⁰ Nepotism was also mentioned as a factor that might impair the equal promotion of women within the force.¹⁰¹

Finally, up to 13 women interviewed have said to have reported acts of discrimination in promotion to management, but were not satisfied with the response. Also at least 34 women of KSF decided not to report due to the uncertainty of how their cases will be solved by their supervisors.¹⁰² Women surveyed of the KSF also suggest that complains should not be easily disregarded and should be promptly addressed by the Ministry of KSF and the KSF senior management.

Differently, individual successes of women within the KSF have shown impressive results.¹⁰³ Recently a KSF female lieutenant won the first place in the international competition of 145 representatives was awarded as best soldier organised by the Republic of Croatia.¹⁰⁴ In addition, another female cadet was admitted to the US West Point Military Academy in 2016.

As a follow up to the survey findings, the Ministry of KSF also drafted and adopted an Action Plan which is not available online. The document aims to increase the recruitment of women within the KSF to 12%.¹⁰⁵ The document also calls for concrete steps to be undertaken in order to improve the infrastructure for women and create the necessary conditions for retaining and engaging more women within the force. As the numbers of women within the decision-making ranks continues to be very low, the Action Plan also foresees the application of affirmative policies and measures by including training and scholarships.¹⁰⁶ In this regard the KSF should also use the opportunity to develop its activities and closely cooperate with the Association of Kosovo Women Police, for sharing best practices in awareness raising activities to increase the recruitment of women within the security structures.

⁹⁹ Ministry for Kosovo Security Forces, Research "The Position of Women - Members of the Kosovo Security Force", October 2015, pg.10. Available at: http://www.mksf-ks.org/repository/docs/Analiza_e_hulumtimit_SH_2015.pdf

¹⁰⁰ Ministry for Kosovo Security Forces, Research "The Position of Women - Members of the Kosovo Security Force", October 2015, pg.19. Available at: http://www.mksf-ks.org/repository/docs/Analiza_e_hulumtimit_SH_2015.pdf

¹⁰¹ Ibid.

¹⁰² Ministry for Kosovo Security Forces, Research "The Position of Women - Members of the Kosovo Security Force", October 2015, pp.10-11. Available at: http://www.mksf-ks.org/repository/docs/Analiza_e_hulumtimit_SH_2015.pdf

¹⁰³ KIPRED interview with KSF senior management, May 2016.

¹⁰⁴ Ministry for the Kosovo Security Forces, News Section. Available at, http://mksf-ks.org/?page=1,24,1656#.V3Y_A6Ls6M-

¹⁰⁵ Action Plan for the Implementation of the Recommendations of the Human Rights Unit and Gender Equality at the Ministry of KSF and KSF, 2015. (Hard Copy available with KIPRED.)

¹⁰⁶ Action Plan for the Implementation of the Recommendations of the Human Rights Unit and Gender Equality at the Ministry of KSF and KSF, 2015.

In relation to sexual harassment cases, the KSF does not have a specific or detailed policy on how to handle these cases. However, the reports should be handled based on reporting lines and internal regulations that also cover cases of sexual harassment. A special policy does not exist as with the Kosovo Police and the new requirements of the Law on Protection against Discrimination that bans victimisation as well as protects the concept of equal treatment. The law requires that all public institutions including the Ministry of KSF should act accordingly with the requirements of the law. In accordance to the Law on Protection against Discrimination Article 8, all institutions should act in line with the principles protected by the law and should accordingly draft their policies and legislation.¹⁰⁷ In the Human Rights Survey conducted in 2015, anonymously 5% of women within the KSF have stated to have undergone some form of sexual harassment during their service. Without the existence of specific definition of sexual harassment in line with the requirements of the Law on Protection against Discrimination and separate reporting procedures it is not surprising that there are no official complaints so far within the KSF.¹⁰⁸ The lack of specific procedures regarding cases of sexual harassment decreases the level of understanding of the issue as well as can influence the willingness of KSF women officers to report the cases to senior management.

In ending, even though many policies and strategies may exist in practice challenges remain. Women in KSF continue to be under-represented particularly in decision-making levels. The cultural and institutional context continues to see the military profession exclusively as domain of men, and often women are faced with prejudices. Once they enter KSF, women also face difficulties in carrier promotion and further ranking. The issues of gender equality and diversity should be fully embedded with day to day policy making intertwined by greater awareness of senior managers and male leaders of the KSF.

VI. Conclusion and Recommendations

Women in Kosovo continue to be under-represented in public institutions particularly in the decision-making positions. The percentage of women is predominantly low in the security sector which is traditionally considered a men's domain. The European Union has reported regarding the challenges of women in Kosovo through annual progress reports. Subsequently it has called upon Kosovo institution to undertake the necessary measures in order to improve the situation of women in terms of representation and access to equal opportunities.

Despite the fact that Kosovo has advanced in adopting respective legislation in line with international standards, implementation will require serious efforts. Coordination among stakeholders also needs to increase in order to ensure the functioning of all institutional pillars needed to enhance women's representation. In addition, Kosovo institutions must benefit from the opportunities that the new human rights package of laws offer in order to ensure as much as

¹⁰⁷ See Article 4 and 8 of the Kosovo Law on Protection against Discrimination, available at <http://www.kuvendikosoves.org/common/docs/ligjet/05-L-021%20a.pdf>

¹⁰⁸ Fq.13. http://www.mksf-ks.org/repository/docs/Analiza_e_hulumtimit_SH_2015.pdf

possible the promotion and advancement of gender equality including the appointment of women and men equally as per the requirements of the Law on Gender Equality.

The security sector needs particular attention due to its specificities. Challenges of women participating and representing the security institutions namely the Kosovo Police and the Kosovo Security Force must be acknowledged and addressed promptly. The provisions of the new Law on Gender Equality that foresees affirmative measures in terms of overcoming inequalities as well as ensuring diversity within the security structures should be taken into consideration including by the senior management levels of Kosovo institutions.

The analysis and review of the security sector is still perceived as intervention that requires a response from the central level undermining the existing local and municipal initiatives. The priorities are defined by a top down analysis with on-going initiatives and activities existing at local levels are ignored. The process is dominated with a traditional perception of security matters leaving out any perspective of a more human security approach. Moreover, the coordination and cooperation in between local stakeholders and national stakeholders must improve in order to analyse and solve the identified challenges appropriately.

In ending, it is essential that the obstacles women face by culture, discriminatory practices as well as their relegation to their private domain of activities, is taken into consideration by public institutions when analysing the participation and representation of women within security structures and also in decision-making levels. When drafting policies and strategies particular attention needs to be paid to women's security issues including differing needs of men and women including gender-based violence, human trafficking and domestic violence that directly affect women's civic participation and equal opportunities.

VII. Recommendations

In order to ensure an increase the substantial participation of women in the decision making processes and political party programmes KIPRED recommends that the following steps should be undertaken:

- Kosovo political parties, the Kosovo Assembly and donors should provide human and budgetary recourses for the activities of women in politics before and after elections, including providing continuous support for the activities of the Women's Caucus. Political parties should also develop party programmes sensitive to women's needs and interests in order to attract a larger number of women voters based on the lessons learned from the 2013 local elections. This potential should not be disregarded.
- The Kosovo Assembly Women's Caucus should continue to organize activities on regular basis to advocate on the needs and interests of women. Their role should be pro-active rather than ad-hoc. The caucus should move from awareness raising activities to focus on developing projects and initiatives that will directly address inequalities that affect women in

particular. Accordingly, the Kosovo Assembly should also allocate appropriate human and financial resources in order to support institutionally the activities of the Women's Caucus.

- Furthermore, the Women's Caucus should develop a regular cooperation with the Agency for Gender Equality and Women NGOs. The group should strive to ensure that the lobbying activities within the Kosovo Assembly are supported regularly by women NGOs and women activists.
- The alliances in between institutions, NGOs and women activists should be proactive and strategic. The donors should support these alliances in order to ensure that the voice of women is heard during the decision-making processes in the Kosovo Assembly and beyond.
- The Kosovo Security Council should open its participation also to CSOs in their advisory capacities as foreseen by the on the Establishment of the Kosovo Security Council. Women networks and other security structures represented at municipal and central levels should be allowed to offer their inputs in order to also reflect on-going initiatives related to security on local levels and ensure a more human security approach during preparation and implementation of security strategies.
- The impact of the Agency for Gender Equality (AGE) in evaluating the National Strategy for implementation of Resolution 1325 on Women, Peace and Security has been limited. The future reviews should also include civil society organizations in supporting and reviewing the work of the Secretariat. On the other hand these initiatives should ensure regular communication with the Kosovo Security Council in order to inform the Council on security needs of women and men during the future strategic analysis of security in Kosovo.
- The operational capacities of the Kosovo Police which are overseen by the Ministry of Internal Affairs in responding to the security incidents having an impact on women i.e. gender-based violence acts should be coordinated and reflected in the central decision-making levels. Further, future strategic analysis of the security sector in Kosovo should be more reflective of the security needs of all Kosovo citizens.
- Women NGOs should find ways to use the local level security structures in order to ensure that the local structures respond in a pro-active way towards violations occurring against women. The donors should support local women NGOs and develop their capacities to act in more pro-active manners at both central and local levels. A reflection of their current involvement in decision-making levels current strategic processes related to security are mainly run by men, and therefore continue to result in security strategies that are not designed to respond to the needs and security threats particular to women.
- The Kosovo Police Women's Association in cooperation with the Human Rights Office of the KP should cooperate regularly and draft jointly recommendations for KP to undertake affirmative action's, in line with the requirements of the Kosovo Law on Gender Equality,

aiming to address the drop-out and promotion opportunities for female police officers within the KP.

- Kosovo Police Women's Association need continuous institutional and donor support in developing activities related to balancing work and career opportunities for women in the police. In particular, both bodies should work together to develop training programs for women police officers to support their plans for career promotion.
- Women in KSF continue to be under-represented particularly in highest decision-making levels. The cultural and institutional context continues to see the military profession exclusively as domain of men, and often women are faced with prejudices. Accordingly, the Human Rights and Gender Equality Network of the KSF should continuously monitor the recruitment and promotion policies within the KSF. Furthermore, the Network should draft policies and define clearly the procedures for female officers to report cases of sexual harassment in line with the requirements of the new Anti-Discrimination Law.
- After entry of women within the Force, support programmes should be developed for women to remain in the force as well as develop procedures to ensure equal opportunities in training and promotion of women striving for the requirements of the Law on Gender Equality.
- Human Rights and Gender Equality officials should work to develop a detailed plan of activities including timelines for implementation, budget and human resources, responsible departments in order to address also the current recruitment and promotion policies within the KSF and protection from sexual harassment within the KSF.
- The action plan should also include a detailed plan of awareness raising campaigns targeting women in order to attract a larger number of women candidates. The KSF should regularly cooperate with women NGOs in order to use their knowledge and field presence.
- KSF should follow the example of the Kosovo Police and establish the KSF Women's Association based on the KP model in order to engage pro-actively and in a coherent approach to develop strategies and policies that will offer equal opportunities for women within the Force. In particular, the Association should aim to work on raising the recruitment and career promotion of female officers, whilst continuing to create a working environment, which is free from any forms of sexual harassment.
- In ending, the KSF can utilise numerous laws and policies in particular the Law on Gender Equality and the requirements of the Anti-Discrimination legislation to overcome the practices that hamper representation of women within the force. The issues of gender equality and diversity should be fully embedded with day to day policy making intertwined by greater awareness of KSF male leaders and managers.

VIII. Annex

Central institutions	Total	Men	Women	% of women
Kosovo Assembly	120	81	39	32.50%
Kosovo President	1	1		0.00%
Prime Minister	1	1		0.00%
Deputy-Prime Ministers	2	2		0.00%
Ministers	20	18	2	10.00%
Deputy-Ministers	36	31	5	13.89%

Source: Government Portal

Ministries	Minister	Deputy-Ministers	M	F	% of women
Ministry of Culture, Youth and Sports	M	2	1	1	50.00%
Ministry of Public Administration	M	2	2	0	0.00%
Ministry of Administration and Local Government	M	2	2	0	0.00%
Ministry of Education, Science and Technology	M	2	1	1	50.00%
Ministry of Diaspora	M	2	2	0	0.00%
Ministry of Justice	M	2	2	0	0.00%
Ministry of Finance	M	3	2	1	33.33%
Ministry of Economic Development	M	2	1	1	50.00%
Ministry of European Integration	M	1	1	0	0.00%
Ministry of Kosovo Security Forces	M	2	2	0	0.00%
Ministry of Returns and Communities	M	2	2	0	0.00%
Ministry of Environment and Spatial Planning	M	1	1	0	0.00%
Ministry of Labour and Social Welfare	M	1	0	1	100.00%
Minister without portfolio	F	0	0	0	
Minister without portfolio	M	0	0	0	
Ministry of Agriculture	M	3	3	0	0.00%
Ministry of Internal Affairs	M	3	3	0	0.00%
Ministry of Health	M	3	3	0	0.00%
Ministry of Trade and Industry	F	1	1	0	0.00%
Ministry of Infrastructure	M	2	2	0	0.00%
Total	2 Women	36	31	5	13.89%

Source: Official Websites of the Ministries

Parliamentary Group	Head of Group	Total MP's	Women	% of women
PDK	M	35	12	34.29%
LDK	M	33	10	30.30%
VV	M	17	6	35.29%
Srpska List	M	11	4	36.36%
AAK	M	8	2	25.00%
NISMA	F	6	2	33.33%
6+	F	6	2	33.33%
No group		4	1	25.00%
Total	2	120	39	32.50%

Source: Official Website of the Kosovo Assembly

Permanent Committees	Chairperson	1st Vice Chairperson	Total members	Women members	% of women
Budget and Finance Committee	Man	Woman	11	5	45.45%
Committee on Rights, Interests of Communities and Returns	Woman	Man	11	3	27.27%
Committee on Legislation, Mandates, Immunities, Rules of Procedure of the Assembly and Oversight of Anti-Corruption	Woman	Woman	11	6	54.55%
Committee for European Integration	Woman	Woman	11	6	54.55%
Functional Committees					
Committee on Foreign Affairs	Man	Woman	9	3	33.33%
Committee for Education, Culture, Youth, Sports	Man	Man	9	3	33.33%
Committee for Public Services, Local Administration and Media	Man	Man	9	4	44.44%
Committee for Economic Development, Infrastructure, Trade and Industry	Man	Man	11	2	18.18%
Committee on Health, Labour and Social Welfare	Woman	Man	9	5	55.56%
Committee for Agriculture, Forestry, Environment and Spatial Planning	Woman	Man	9	2	22.22%
Committee on Internal Affairs, Security and Supervision of the Kosovo Security Force	Man	Man	9	1	11.11%
Oversight Committee for Kosovo Intelligence Agency	Man	Man	9	3	33.33%
Oversight Committee on Public Finance	Man	Man	9	1	11.11%
Commission on Human Rights, Gender Equality, Missing Persons and Petitions	Woman	Woman	9	5	55.56%
Stabilization and Association Parliamentary Committee	Man	Man	15	5	33.33%
Total	6 Women	5 Women	105	54	Avg: 35.56%

Source: Official Website of the Kosovo Assembly

This publication is supported by: European Commission and managed by the European Union Office in Kosovo.



This publication is supported by the project the Democratic Society Promotion (DSP), financed by the Swiss Cooperation Office –Kosovo (SCO-K) and managed by the Kosovar Civil Society Foundation (KCSF)



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

**Swiss Agency for Development
and Cooperation SDC**