United Nations Security Council
Resolution 1325: Women, Peace and Security
in the countries of Western Balkans and Slovenia

A briefing paper for the project *Time for Women’s Rights and Gender Equality in Montenegro*

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The contents of this publication are the sole responsibility of the author and can in no way be taken to reflect the views of the Government of Republic of Slovenia.
## Acronyms

<table>
<thead>
<tr>
<th>Acronym</th>
<th>Full Form</th>
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<tr>
<td>AGE</td>
<td>Agency for Gender Equality</td>
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<tr>
<td>AU</td>
<td>African Union</td>
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<tr>
<td>CEDAW</td>
<td>Convention on the Elimination of All Forms of Discrimination against Women</td>
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<tr>
<td>CSOs</td>
<td>Civil Society Organizations</td>
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<tr>
<td>ECOWAS</td>
<td>Economic Community of West Africa</td>
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<tr>
<td>EPLO</td>
<td>European Peacebuilding Liaison Office</td>
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<td>EU</td>
<td>European Union</td>
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<tr>
<td>FIGAP</td>
<td>Financial Mechanisms for Implementing of the Gender Action Plan</td>
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<td>GBV</td>
<td>Gender-based Violence</td>
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<tr>
<td>HLSC-WPS</td>
<td>A High-level United Nations Steering Committee on Women, Peace and Security</td>
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<td>ICGLR</td>
<td>International Conference of the Great Lakes Region</td>
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<td>ICTY</td>
<td>International Criminal Tribunal for the Former Yugoslavia</td>
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<tr>
<td>M&amp;E</td>
<td>Monitoring and Evaluation</td>
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<tr>
<td>MoD</td>
<td>Ministry of Defence</td>
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<tr>
<td>NAP</td>
<td>National Action Plan</td>
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<td>NGO</td>
<td>Non-Governmental Organization</td>
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<td>UN</td>
<td>United Nations</td>
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<td>UNDP</td>
<td>United Nations Development Programme</td>
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<td>UNSG</td>
<td>United Nations Secretary-General</td>
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<td>UN Women</td>
<td>United Nations Entity for Gender Equality and the Empowerment of Women</td>
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<td>SADC</td>
<td>The Southern African Development Community</td>
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<tr>
<td>SWAP</td>
<td>United Nations System-wide Action Plan</td>
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<td>WPS</td>
<td>Women, Peace and Security</td>
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1. Introduction

In October 2000 the United Nations Security Council adopted Resolution 1325 on women, peace and security (from here on referred to as UNSCR 1325 or Resolution) in a recognition of the serious impact that armed-conflicts have on women, and acknowledgement of the potential of women to contribute to establishing and sustaining peace. The Resolution is regarded as one of the most influential documents in this field; it represents a document that established legitimacy and a framework for introducing and advocating gender equality and gender mainstreaming in all sectors and actions related to peace and security.

The UNSCR 1325 calls for actions on different levels and by different stakeholders. At the international level, within the United Nation Systems, the provisions of the Resolution have been translated into action through the United Nations System Wide National Action Plan. At the regional level, several initiatives, such as European Union Comprehensive approach to the implementation of UNSCRs 1325 and 1820 on women, peace and security have been initiated, aiming to build a regional cooperation and actions in this field. However, the national states are bearing the great share of responsibility to translate the provisions of the Resolution into their policy frameworks and actions, in a way that is systematic and sustainable, and actually contributes to a positive change in the lives of women and men affected by the conflicts.

Several countries have adopted national action plans for implementation of the Resolution (from here on referred to as NAPs); among them all countries of the Western Balkans, with exception of Montenegro (is currently considering to develop a NAP), and Albania (has incorporated the provisions of the Resolution in other related policies and strategies). Although their NAPs have several common features and points, they differ in, among others, focus and depth, level of investments, comprehensiveness of the activities and monitoring frameworks.

The drafting of NAPs in several countries of Western Balkans contributed to more visible role of women in peacekeeping and security sectors, however the actual changes are still lagging behind and the progress in implementation of the UNSCR 1325 is considered to be slow and inadequate. Existing study and reports indicate that women remain marginalized in the security and related sectors, and that there are limited opportunities for leadership and participation of women in decision making in peace and security-related structures as well as in processes. Integration of women or gender perspectives into the work of mainstream peace and security institutions happens more often on an “ad hoc” basis, than in a systematic and sustainable way. The gender-based violence remains high and the injustices, particularly sexual violence, women disproportionately suffer during the war, are inadequately addressed.

This year marks the 15th anniversary of the adoption of the Resolution. However, the progress done, lessons learned and challenges in implementing the provisions of the UNSCR 1325 at the global, regional and, most importantly, national level, clearly indicate that this is not a time for celebration, but most notably, the time to invigorate the efforts in implementing the
Resolution and improving the lives and security of women across the globe.

1.1. The scope and content of the briefing paper

The aim of this paper is to provide a brief overview of the current state and progress done in the implementation of the United Nations Security Council Resolution 1325 in selected countries of Western Balkans (Croatia, Bosnia and Herzegovina (from here on referred to also as BiH), Serbia, Kosovo, Former Yugoslav Republic of Macedonia (from here on referred to as Macedonia)) and, where relevant, Slovenia. Using the comparative approach, it further aims to provide overview of the adopted National Action Plans (NAPs), to identify good practices and lessons learned in implementing the resolution as well as assessing key challenges and gaps in this field.

All the countries in focus of this study have emerged with the disintegration of Yugoslavia and are, accept for Slovenia and Croatia, currently mid-income transition countries. Majority of them still suffer from unresolved statehood issues and the heritage of conflict. Montenegro and Albania are not included in the study, as they have not yet developed UNSCR 1325 NAPs. Where relevant and possible, Slovenia is included for the sake of comparison as well as for stimulating discussion on the Women, Peace and Security Agenda (WPS Agenda) in the country, which is usually excluded from regional comparative studies in this field. The study was conducted between November 2014 and June 2015.

The study is organized around two main sections:

- First section introduces UNSCR 1325 and its complimenting documents and looks into the international legal and policy context for the implementation of UNSCR 1325. It provides a brief overview of the approaches and initiatives aimed to accelerate the implementation of the Resolution at a global/international and regional level.

- Second section focuses on National Action Plans in selected countries of Western Balkans and Slovenia and compares their content and scope. It presents an overview of NAPs, including the process of development of NAPs, structures and focus, monitoring frameworks and oversees mechanisms and processes. It also highlights the gaps in the design of the NAPs and some common challenges in their implementation at the national level.

The 15th anniversary of the UNSCR 1325 prompted new researches on the implementation of the Resolution, including a global report commissioned by the United Nations Security Council. There have been some other comparative studies already done in this field in the past. In order not to duplicate the efforts, this paper’s primary research methodology is a desk research, focusing on mapping, reviewing and analysing adopted NAPs and existing reports.
and studies on the topic done in the countries of Western Balkans and beyond. Although highlighting some achievements and challenges encountered by the target countries in the implementation of the UNSCR 1325, this review cannot be considered as a comprehensive study or evaluation of the level of implementation of the Resolution.

Hopefully, this briefing paper will be a useful resource for countries that are currently developing NAPs, most notably Montenegro, as well as for those that are revising their NAPs or aiming to accelerate efforts in implementing the UNSCR 1325 in the wake of its 15th anniversary.

United Nations Security Council Resolution 1325 is the first resolution of United Nations Security Council, which recognizes the disproportionate impact that war and conflicts have on women, highlighting the fact that women have been historically left out of the peace processes and stabilization efforts, and insists on their meaningful inclusion in maintenance of international peace and security. The resolution calls on the United Nations entities and the Member States to undertake a range of actions to increase the representation and participation of women in preventing, managing and resolving conflicts, and to include them in the entire process of peace-making, peacekeeping and peace-building efforts. It also aims to advance respect for and protection of women’s rights, ensuring that women’s security is enhanced in conflict and post-conflict affected contexts.4

Given the broad scope of the UNSCR 1325 and the variety of topics as well as challenges with monitoring of the implementation, the United Nations Secretary General’s Report5 organized resolution into four pillars:6

1.) Prevention: Reduction of conflict-related and all other forms of structural and physical violence against women, particularly sexual and gender-based violence (e.g. women and girls’ political, economic, social and cultural rights are protected and enforced by national laws in line with the international standards; operational mechanisms and structures are in place for strengthening physical security and safety for women and girls; women and girls at risk and sexual and gender-based violence victims have access to the appropriate health, psycho-social and livelihood support services; increased access to justice for women whose rights are violated, etc.).

2.) Participation: Inclusion of women and their interests in decision-making processes related to the prevention, management and resolution of conflicts (e.g. increased representation and meaningful participation of women in the United Nations and other international missions related to peace and security; increased representation and meaningful participation of women in formal and informal peace negotiations and peacebuilding processes; increased representation and meaningful participation of women in national and local governance: as citizens, elected officials and decision-makers; increased participation of women and women’s organizations in activities to prevent, manage, resolve and respond to a conflict and violations of women’s and girls’ human rights, etc.).

3.) Protection: Assuring women’s safety, physical and mental health and economic security as well as respecting their human rights (e.g. operational gender-responsive systems are in place to monitor and report on violations of women and girl’s rights during conflict, ceasefires,

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peace negotiations and post-conflict; international, national and non-state security actors are responsive to and held accountable for any violations of the rights of women and girls in line with the international standards; provisions addressing the specific needs and issues of women and girls are included in the early-warning systems and conflict prevention mechanisms and that their implementation is monitored, etc.).

4.) Relief and Recovery: Women’s specific needs are met in conflict and post-conflict situations (e.g. needs of women and girls, especially vulnerable groups/persons, sexual- and gender-based violence victims, female ex-combatants, refugees and returnees are addressed in relief, early recovery, and economic recovery programmes; post-conflict institutions and processes of national dialogue, transitional justice, reconciliation and post-conflict governance reforms are gender-responsive; disarmament, demobilization and reintegretion and security sector reform programmes address the specific security and other needs of female security actors, ex-combatants, and women and girls associated with armed groups).

The majority of the National Action Plans as well as recent studies conducted in this field are organized around these four pillars.

While the UNSCR 1325 provides a general overview of the actions to be taken by international organizations and national institutions on women, peace and security, it has been often criticised for its rather general approach, and most notably, for the lack of implementation and oversight mechanisms. Subsequently, additional Security Council resolutions were developed, with the aim to strengthen the normative architecture for protection of women’s rights during and after conflict and for addressing their needs in the recovery and peace building period:

- Security Council resolutions 1820 (2008), 1888 (2009), 1960 (2010), 2106 (2013) aim to address widespread and systematic sexual violence as a tactic of warfare, including aiming to strengthen the international action in addressing this type of violence and impunity for it.
- Security Council resolution 1889 (2009) aims to strengthen the implementation and monitoring of UNSCR 1325 as well as to enhance the UN commitment to engage women in peace negotiations, the governance and financing of post conflict recovery as well as in peacebuilding initiatives.
- Resolution 2122 (2013) aims to strengthen the participation of women in the WPS agenda and resolution 1325 (2013) additionally addresses issues of women’s empowerment, access to justice, information and documentation of human rights violations, and civil society engagement.

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7 The paper considers and refers to all the Resolutions jointly as Women, Peace and Security Resolutions (WPS Resolutions), however due to the broad scope of the agenda, it will focus most attention to the UNSCR 1325 as overreaching Resolution that has also initiated the most discussions and actions in this field.
**Table 1: Key points of the follow up WPS Resolutions**

<table>
<thead>
<tr>
<th>Resolution</th>
<th>Key Points</th>
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| UNSCR 1820 (2008) | • focus on need for protection of women from gender-based violence  
• highlights women’s victimization versus women’s empowerment |
| UNSCR 1888 (2009) | • promotes accountability mechanisms  
• complements Resolution 1820 on gender-based violence in conflict  
• calls for appointment of a Special Representative of the Secretary General to advance UN’s work on sexual violence |
| UNSCR 1889 (2009) | • builds on the theme of increased implementation measures, complementing Resolution 1325  
• inclusion of the concept of women’s empowerment (far/even more progressive than Resolutions 1820 and 1888) |
| UNSCR 1960 (2010) | • emphasis on need to address sexual violence during conflict, including by UN personnel/peacekeepers  
• praise for work of gender advisors and anticipation of appointment of women protection advisers in peacekeeping missions;  
• asks to deploy greater numbers of female police and military personnel in peacekeeping operations |
| UNSCR 2106 (2013) | • addresses impunity and operationalizes guidance on sexual violence in conflict;  
• addresses areas of justice, women’s empowerment, arms, women’s human rights, and civil society engagement |
| UNSCR 2122 (2013) | • builds on the participation elements of the women, peace and security agenda and furthers implementation of UNSCR 1325  
• substantially addresses issues of women’s empowerment, access to justice, information and documentation of human rights violations, civil society engagement  
• requests more briefings for the Security Council from various entities on issues of women, peace and security |

*Source: Swaine 2009 in Miller et. al 2014.*

### 2.1. Global architecture for implementation and promotion of the UNSCR 1325

While main instrument for the implementation of the UNSCR 1325 by the UN Member States are National Action Plans, which contextualize the UNSCR 1325 to the local needs and
circumstances, at the international level the United Nations System-wide action plan (SWAP) was first developed to cover the period 2005-2007, involving all relevant entities across the UN system and detailing out the activities that each was pursuing. However, the plan was not fulfilling its expectations, and was described as merely a “list of activities, without stated baseline data, performance indicators, and time-lines”. Its failure however contributed to a development of global indicators to monitor UN system implementation of the Resolution. 26 such indicators, organized around the four pillars of UNSCR 1325 were published in 2010. These Pillars, and related indicators, were reflected in the 2008-2009 UN System-wide Action Plan, which in 2010, was replaced by the Strategic Results Framework on Women, Peace and Security (2011-2020). The strategic results framework provides a joint vision for action to advance implementation of Security Council Resolution 1325 (2000) and related resolutions on women and peace and security for the UN agencies until year 2020. Framework is organized around four pillars of Resolution (prevention, participation, protection, relief and recovery), and a High-level United Nations Steering Committee on Women, Peace and Security (HLSC-WPS) has been established to oversee and monitor progress.

The international frameworks consider a range of stakeholders at different level involved and tasked to implement the UNSCR 1325. The McKean and O’Rourke clustered them according to following levels: political (member states), executive (Security Council), bespoke agencies (UN Women) and within peacebuilding activities.

**Table 2: Multi-level Enforcement of the UNSCR 1325 in the UN System**

<table>
<thead>
<tr>
<th>COMMITMENT</th>
<th>MECHANISM</th>
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<tbody>
<tr>
<td>Political</td>
<td>“Friends of 1325” – group of member states monitoring implementation across the UN General Assembly Committees</td>
</tr>
<tr>
<td>Executive</td>
<td>Periodic reports of the UN Secretary General to the Security Council</td>
</tr>
<tr>
<td>Bespoke Institution</td>
<td>UN Women assisting implementation across UN system and within member states</td>
</tr>
<tr>
<td>Peacebuilding Activities</td>
<td>UN Seven-Point Action Plan on Gender Responsible Peacebuilding (2010)</td>
</tr>
</tbody>
</table>

Voluntary Ad-hoc group of UN Member State Friends of 1325 indicates the political commitment to the implementation of the Resolution. This group, composed of states that are promoting and advocating for the implementation of the UNSCR 1325, meets on a regular basis and aims to promote principles of UNSCR 1325 in the six General Assembly committees, Economic and Social Council, and other inter-governmental bodies. UNIFEM and the NGO Working Group on Women, Peace and Security participate in the group’s meetings on invitation.

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The periodic reports of the UN Secretary-General (UNSG) to the Security Council present an executive commitment to UNSCR 1325 within the UN system. In the annual reports UNSG provides updated information on the integration of UNSCR 1325 within UN activities in peace processes, peacekeeping operations, humanitarian operations, reconstruction and rehabilitation, disarmament, demobilisation and reintegration. The report also includes good practices, lessons learned and the measurement of progress through impact assessments, results-based management tools and performance indicators. It also proposes measures to improve implementation of UNSCR 1325 across the UN system.

In his 2013 report, for example, the UNSG recognized the efforts and progress made, particularly “in the form of increased provision of technical resources such as expertise and training as well as acknowledges the improved monitoring framework for the tracking progress of the UNSCR 1325, through national and regional action plans, the UN strategic results framework and improved use of indicators and data in this and other similar coordination tools”. Although noting increased efforts in monitoring, prevention and prosecution of violence against women in conflict, the report also highlighted several gaps and challenges in this field, and called for a greater attention to be placed on a full range of human rights violations experienced by women, including the gender-specific impacts of forced displacement, family separation, withholding of humanitarian assistance and loss of land, property and livelihood. Human trafficking and early and forced marriage in conflict settings were also mentioned as the issues that demand greater attention. It also encouraged to find the way to bridge the gaps between the political, human rights and development arms of the United Nations to address the full range of socioeconomic and political drivers of lasting peace and to strengthen community resilience and capacity for non-violent conflict resolution, thus addressing the root causes of the conflicts. In his 2014 report, UNSG noted achievements made at the normative level; including adoption of two new WPS related resolutions (UNSCR 2106 and UNSCR 2122) and adoption of General recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations by the Committee on the Elimination of all forms of Discrimination against women. However, equally, the 2014 report also pointed out persisting challenges at the implementation level and in sustaining progress, particularly linked to protection and participation of women in conflict prevention, resolution and peacebuilding in several conflict countries. It also pointed out new developments of concern, among others he mentioned targeted violence and human rights violations linked to terrorism committed against women and girls, violent extremism and transnational organized crime.

United Nations agency UN Women, which became operational in January 2011, monitors UNSCR 1325 implementation within the UN system, and offers technical assistance to the

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member states. In case of Western Balkan countries, the support of the UN Women has been acknowledged in several studies, including the study done by Helsinki Committee, which highlighted the project Advancing the Implementation of UNSCR 1325 on Women, Peace and Security in the Western Balkans, launched in 2011, as playing “a decisive roles in efforts to elaborate normative frameworks, further strengthen the security sector and civil society capacities to implement and monitor the UNSCR 1325 commitments in the individual countries, improve overall progress on gender equality and empower women processes in the entire region of the Western Balkans”. UN Women were also involved in providing technical support for the elaboration of the second NAP of BiH and first NAP of Kosovo adopted in 2014. By commissioning a baseline/mapping assessment on progress in the implementation of the UNSCR 1325 and supported identification of entry points for developing the National Action Plan (NAP) for the UNSCR 1325, UN Women also assisted with the development of the Macedonian NAP.

The integration of the UNSCR 1325 within the UN peacebuilding activities was formalised in 2010, with the adoption of the United Nations Action Plan for Gender-Responsive Peacebuilding. The plan’s seven commitments address issues such as post conflict planning and governance, democratic and legal institutions, economics and finance).

2.2. A brief overview of the complementary regional approaches

Regional action plans and initiatives can be seen as an intermediate step between actions at the international level and those taken at the national level, and can play a complementary and mutually supportive role with the national action plans. Regional initiatives are also important, as pointed out by McMinn and O’Rourke, because “the impact of conflict typically crosses borders”. In the recent years, regional initiatives for promotion and implementation of the UNSCR 1325 have been developed, falling under the auspices of different regional organisations and networks, such as the African Union (AU), the International Conference of the Great Lakes Region (ICGLR), the Arab League and organisations such as the Organisation for Security and Co-operation in Europe (OSCE), the North Atlantic Treaty Organisation (NATO) and the European Union (EU).

McMinn and O’Rourke recognized that regional approaches have taken one of two forms: regional organisations or networks integrated the UNSCR 1325 into regional approaches to gender policy, or they prepared a separate action plan for the implementation of the UNSCR 1325.

1325. Until this point, four regional action plans have been developed: European Union Regional Action Plan (2008), NATO Regional Action Plan (2010), Regional Action Plan of the Economic Community of West Africa (ECOWAS) (2010) and Pacific Regional Action Plan,26 which was adopted in 2012 and is covering all the members of the Pacific Islands Forum.27

Europe is leading the way when it comes to efforts to implement the UNSCR 1325. At the EU-level the Comprehensive approach to the EU implementation of the UNSCRs 1325 and 1820 on women, peace and security28 was adopted in 2008 by the Council of Europe, giving the EU a more coherent policy framework to guide the actions of all its institutions on gender and peacebuilding issues.29 This document is complemented by the Implementation of the UNSCR 1325 as reinforced by the UNSCR 1820 in the context of Common Security and Defence Policy (now known as Common Security and Defence Policy), which was adopted the same year. Generally referred to as the Comprehensive Approach (CA), the documents set out a common EU approach to the implementation, complementing what already exists at national levels in terms of NAPs and strategies.30

The EU has also developed 17 indicators to measure its commitment to the implementation of the UNSCR 1325, for which it presents regular reports, encompassing collection of good practices, as well as encountered challenges. Some of the other key challenges in implementing the EU-wide comprehensive approach, identified in the first report in 2011 were among others: lack of coordination at the local level, with only 16 delegations having local coordination mechanisms; lack of reporting on women's participation in peace negotiations; low representation of women among the EU heads of delegations, with only one delegation (out of 26) being led by a woman and the continuous perception of gender as “women issues”.31 Civil society organisations (CSOs) are also pointing out, that there is a gap between the European policy and practice, calling out to the EU to “practice what it preaches”, including by increasing the number of women working within its own institutions.


30 The CA lists a series of specific measures and divides them into a number of categories: political support for the UNSCR 1325 and 1820 (e.g. the CA states that the EU will promote the implementation of the WPS resolutions through its political and human rights dialogues with partner countries, and through political statements within international fora); training on the WPS issues (e.g. the European Commission commits to organising HQ-based training); exchange of information and best practices (e.g. the CA establishes a WPS task force and commits to an annual exchange of Member States on the state of implementation of the UNSCR 1325 etc.); action at country and regional levels (includes a commitment to ensure that EU financial instruments with a conflict prevention, crisis management or post-conflict component will incorporate a gender dimension in their programming and implementation); integration of the WPS considerations in sector activity, including security, governance and civil society, economic security, health, education and humanitarian aid; co-operation with the UN and other international actors; monitoring and evaluation (e.g. includes a commitment to further develop indicators for progress). See: EPLO. Implementation of the UNSCR 1325 in Europe. Available at: http://www.eplo.org/implementation-of-unscr-1325-in-europe.html

as well as appointing women to senior-level positions at the national, regional and international levels.  

Beside the EU, also other regional organizations are making progress in supporting the UNSCR 1325 principles or more broadly as in the case of the African Union (AU), promoting gender equality in the peace and security arena without adopting a UNSCR 1325 Regional Action Plan. The African Union Gender Policy statements (2009, 2013) have taken a broader position toward the women’s empowerment tying gender equality to socio-economic development as well as to security issues. While the Gender Policy is not specifically focused on the UNSCR 1325, it has been recognized by Miller at all (2014), as an important action for operationalizing the AU gender-policy commitments and is a step toward an AU-level 1325 action plan.  

Also in Africa, the Southern African Development Community (SADC) adopted Protocol on Gender and Development (2008), and the International Conference of the Great Lakes Region in 2006 adopted the Pact on Peace, Stability, and Development in the Great Lakes Region. Both documents integrate UNSCR 1325 principles.

Some of the regional initiatives and their different forms are provided in the table below.

### Table 3: Integration of the UNSCR 1325 into (Sub) Regional Gender Policy

<table>
<thead>
<tr>
<th>MECHANISMS</th>
<th>FEATURES</th>
<th>EXAMPLES</th>
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<tbody>
<tr>
<td></td>
<td>monitoring mechanisms</td>
<td></td>
</tr>
<tr>
<td>Declaration</td>
<td>Soft-law, declaratory, aspirational, no mechanism</td>
<td>ICGLR Goma Declaration</td>
</tr>
<tr>
<td></td>
<td>for monitoring and evaluation</td>
<td></td>
</tr>
<tr>
<td>Declaration plus monitoring</td>
<td>Declaratory plus follow-up mechanism</td>
<td>African Union Solemn Declaration of Gender Equality in Africa, states submit annual reports on implementation</td>
</tr>
<tr>
<td>-framework</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gender Policy Framework</td>
<td>The UNSCR 1325 as explicit part of normative</td>
<td>OSCE Action Plan for Promotion of Gender Equality; references the UNSCR</td>
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<tr>
<td></td>
<td>framework for regional gender policy; no specific</td>
<td>1325 in Preamble and relevant provisions.</td>
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<tr>
<td></td>
<td>enforcement/implementation</td>
<td></td>
</tr>
<tr>
<td>Gender Policy Implementation</td>
<td>Benchmarks on performance; implementation monitored</td>
<td>OSCE Implementation Plan: sets out methodology, programmatic measures and functional responsibility for implementation</td>
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<td>Plan</td>
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*Adopted from McMinn & O’Rourke*

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32 In 2010 network of CSOs presented a 10 point recommendations for further implementation of UNSCR 1325 and related WPS commitments in and by Europe. Those include: 1. Prioritise, enable and strengthen the participation of women in peace and security matters and include a set of minimum standards in all WPS action plans /strategies; 2. Engage civil society organisations in the development, implementation and monitoring and evaluation of WPS plans, include meaningful indicators and M&E mechanisms in WPS action plans and strategies; 3. Allocate specific WPS resources (financial and human) and appoint a high-level representative on women, peace and security; 4. Ensure that the European External Action Service contributes to further implementation of UNSCR 1325 and related resolutions, and functions in line with WPS commitments, strengthen the EU Task Force on WPS to further coordination and implementation; 5. Ensure implementation of WPS commitments in CSDP missions, prepare an annual report on European implementation of WPS commitments. For more, see: 10 points on 10 years UNSCR 1325 in Europe. CSO position paper on Europe-wide implementation of UNSCR 1325. Available at: http://www.peacewomen.org/node/91299


35 Ibid.
2.3. The complementary role of the UNSCR 1325 with the Convention on Elimination of all forms of Discrimination against Women

The UNSCR 1325 is often seen as a legally-binding document, because it has been adopted by the United Nations Security Council. However, as several authors point out, since the UNSCR 1325 was not adopted under Chapter 7 of the UN Charter International Peace and Security, it is actually not formally legally-binding for the UN member states. Similarly, as pointed out by Swaine (2009), the language used in the resolution only “urges”, “requests”, “encourages”, and “calls upon” governments and parties to act, and is thus “propositional” in nature.36 Furthermore, although presenting important political framework, the UNSCR 1325 and other related resolutions, “do not include any clear mechanisms for monitoring implementation so as to ensure accountability as well as full implementation of the principles enshrined therein”.37

The status of the Resolution as an international “soft law” presents a challenge for its implementation. However, in recent years there have been attempts to increase the legal force of the Resolution and strengthen the mechanisms for monitoring implementation, by linking the provisions of the UNSCR 1325 with the legally binding human rights “hard law”, most notably the Convention of the Elimination of all Forms of the Discrimination against Women (CEDAW).

The content of the UNSCR 1325 being fully in line and finding expression in the substantive provisions of the CEDAW, which is a binding source of international law for 188 UN Member States that ratified it,38 has also been retreated on several occasions by the Committee on Convention of the Elimination of all Forms of the Discrimination against Women (CEDAW Committee), which is tasked to oversee the implementation of the CEDAW by national states.39

The CEDAW Committee made a step further in extending the legally-binding provisions available under the body of the international human rights laws to the WPS resolutions in October 2013, when it adopted the General Recommendation No. 30 on women in conflict prevention, conflict and post-conflict situations. In General Recommendation No. 30, the Committee additionally clarified the application of the Convention to situations of armed conflict and political crises, to prevention and resolution of conflicts and to the various complex peacebuilding and post-conflict reconstruction processes. It further recommended the use of the CEDAW reporting procedure to report on the implementation of the WPS resolutions, which would immediately enhance the enforcement mechanisms available under the UNSCR 1325.

The elaboration of UNSCR 1325 as legally binding obligations on state parties to CEDAW is thus substantially enhancing the legal force and the mechanisms for ensuring state

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38 Those include all states of Western Balkans and Slovenia.
enforcement of the Resolution and making the CEDAW Committee an important monitoring mechanism overseeing the implementation of the UNSCR 1325 and issuing a legally binding Concluding Observations to implement the CEDAW and its provisions linked to the UNSCR 1325.

The importance of positioning of the UNSCR 1325 within the CEDAW framework has been further retreated in the CEDAW Committee’s open letter to the Radhika Coomaraswamy, a coordinator of a recently commissioned global study on the implementation of the UNSCR 1325, in which it highlighted the need for “a concerted and integrated approach that places the implementation of the Security Council Agenda on Women, Peace and Security into the broader framework of the implementation of the Convention and its Optional Protocol”.40 In the letter Committee again explained that, “the States parties to the CEDAW are already urged to provide information on the implementation of the Security Council Agenda on Women, Peace and Security (…), including by specifically reporting on compliance with any agreed United Nations benchmarks or indicators developed as a part of that agenda. Using the CEDAW reporting procedure to include information on the implementation of the Security Council commitments, can consolidate the Convention as well as the Security Council agenda and broaden, strengthen and operationalize gender equality”.41

The Committee has already been requesting the state parties to report on implementation of the WPS agenda in their periodic reports to the CEDAW Committee. The WPS agenda is also featuring in some of the Concluding Observations CEDAW Committee has issued to the States. For example, in Concluding Observations to the BiH, the Committee has, among others, called the state party to ensure the full implementation of the UNSCR 1325 “through the State party’s action plan and develop concrete measures to enhance the participation of women in decision-making processes relating to post-conflict policies and strategies, taking into account the needs of women and girls, in particular with regards to their social rehabilitation and reintegration.”42 It also called the state to develop comprehensive approach to improvement of status and position of all the women victims of war, including to repress the stigma that follows sexual violence, enlarge measures and restitutions, support and rehabilitation, and ensure equal access to these services for all women victims of war, no matter where they live. It also touched the area of trafficking and exploitation of prostitution, which features in the BiH’s NAP, calling for strengthening the mechanisms aimed at early identification and referring victims of trafficking, with special retrospect on Roma women and internally displaced people, as well as preventive measures, i.e. raising the awareness about risks of human trafficking among endangered groups of women.43

In comparison, the Committee was much more reserved in relation to the situation of women in the post-conflict setting and implementation of the UNSCR 1325 in Serbia. For example, it

40 Ibid.
42 Committee on the Elimination of Discrimination against Women. Concluding observations on the combined fourth and fifth periodic reports of Bosnia and Herzegovina. CEDAW/C/BIH/CO/4-5 Available at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fBIH%2fCO%2f4-5&Lang=en. For more detailed analysis of the WPS agenda in the CEDAW Concluding Observations to the countries of Western Balkans, see chapter 3.
has welcomed the adoption of Serbian NAP and recommended Serbian government to ensure full implementation of the resolution and to develop concrete measures to enhance the participation of women in decision-making processes relating to post-conflict policies and strategies. It has expressed concern over the non-involvement of women’s organizations in the drafting of the NAP, as well as over the lack of adequate state funding for the implementation of those and other strategies and action plans aimed at eliminating all forms of discrimination against women, including against women affected by the war. On the other hand, the UNSCR 1325 does not feature in Committee’s Recommendations and concluding observations of Macedonia. The Resolution is also not mentioned in the List of issues directed to Slovenia before the consideration of its report by the CEDAW Committee in October 2015.

44 However, Committee does indirectly touch some of the principles of the UNSCR 1325 mentioned in the Macedonian NAP, including it calls for strengthening existing criminal and family law or to adopt a comprehensive law addressing all forms of violence against women, including domestic and sexual violence. Committe also calls for the increased participation of women in political and public life, including in high-ranking posts in the diplomatic service, at the municipal level and in mayoral positions.

3. Resolution UNSCR 1325 in the countries of Western Balkans

In the majority of the countries, the translation of the UNSCR 1325 and related resolutions took place through the creation of the National Action Plans (NAP) - a specific official government document that includes plans to mainstream gender into peacebuilding, security operations and other sections of government within a country and abroad. A NAP provides the opportunity for governments to, in cooperation with other actors, analyse current situation, initiate strategic actions, identify priorities and resources, define timeframe, determine responsibilities among different actors, set the monitoring and accountability mechanism and mobilise resources.\(^{46}\) It has also been acknowledged that the NAPs also present an important tool for tracking progress on women and peace and security issues, taking into the account the country context and other specifics.\(^{47}\)

### 3.1. National Action Plans in the countries of Western Balkans

Globally, at least 43 states have developed National Action Plans\(^{48}\) for the implementation of the UNSCR 1325, including all states of Western Balkans, with exception of Montenegro and Albania. Although statistics are gradually improving, this means that less than a quarter of the United Nations member states have adopted the NAP, majority of them are situated in the European continent.

The first two countries that have adopted the NAPs in the region of Western Balkans were Bosnia and Herzegovina (2010) and Serbia (2010), followed by Slovenia (2011), Croatia (2011) and Macedonia (2012). The last one was Kosovo, which adopted the NAP in 2014.\(^{49}\) In 2013 Gender Equality Agency of Bosnia and Herzegovina launched a process of public consultations for the development of the second National Action Plan for Bosnia and Herzegovina for the period 2014 – 2017,\(^{50}\) which was adopted in the same year by the BiH Council of Ministers. In this regard, BiH presents the only country in Western Balkans that has adopted and is currently already implementing the second UNSCR 1325 NAP.

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\(^{47}\) It also needs to be noted that some voices were sceptical of the added value of the NAPs for the implementation of the UNSCR 1325. For example, Swaine (2009) feared that this will lead to “segregation of women’s issues from mainstream security issues”, and might situate “women’s issues” into security arena rather than mainstreaming gender across all the levels of government and operations, thus undermining the achievements of the UNSCR 1325.

\(^{48}\) There were several calls from the President of the Security Council to the UN Member States to develop NAPs for implementation of the UNSCR 1325, including in 2004 and 2007. Equally, the 2004 and 2008 Reports of the UN Secretary-General on the implementation of the UNSCR 1325 recommended development of the regional and national NAPs for the UNSCR 1325 and broader WPS agenda. For more, see: United Nations. 2010. Planning for action on women and peace and security. National-level implementation of Resolution 1325 (2000). New York: United Nations.

\(^{49}\) Adopted by the Government of the Republic of Kosovo, Decision No. 09/168, dated 29 January 2014.

\(^{50}\) Agencija za ravnopravnost spola BIH. Javne konsultacije AP 1325. Available at: http://www.1325.arsbih.gov.ba/2013/12/11/javne-konsultacije/
Montenegro is currently considering preparing a NAP. However, at this point it is still implementing the UNSCR 1325 in indirect and decentralized way, by carrying out selected UNSCR 1325-related activities, such as organisation of gender-based trainings, conferences, seminars and creating conditions for use of gender-sensitive language in security institutions. However, observers noted that the implementation of the UNSCR 1325 has been slow and that there is still a lack of activities regarding the preparation of the NAP. Opposed to other countries in the region, Albania has integrated the provisions of the UNSCR 1325 into other gender related documents, including the National strategy on gender equality and reduction of gender based violence and domestic violence for the period 2007–2010 and revised strategy for the period 2011–2015.

3.1.1. Process of developing National Action Plans

As highlighted by several authors, the process of developing and adopting NAPs is important for several reasons. For example, it has a potential to raise awareness and strengthen capacities of various stakeholders, as it was the case in Kosovo, where the development of a NAP has reported to “strengthen the national focus on women, peace and security (WPS)”, which resulted in an “increased national-level understanding for the need of having a WPS agenda at state level as well as the need of increased actions”. Furthermore, Miller et. all (2014) acknowledged that the process of developing and adopting the NAP has a potential to empower civil society and bridge social divisions along gender, ethnic, and religious lines, including through strengthening existing social networks, forging new ones, developing new modes of communication (e.g. through social media), and finding ways to overcome barriers. In this regard, it can importantly contribute to strengthening and sustaining political stability in a country or a region.

Equally, Civil Society Advisory Group to the UN on Peace, Women and Security in its study noted, that, in general, the process of developing a NAP has often been as valuable as its final content. They highlighted that holding consultations with stakeholders can be a tool for building capacity and promoting dialogue on sensitive issues. The process has been also seen as a confidence building mechanism, an instrument for conflict resolution and reconciliation, and an opportunity to share experiences and explore cross-cutting issues.

Review coordinated by the Belgrade Centre for Security Policy additionally pointed out that the “NAP adoption assists prioritisation of the WPS agenda, helps develop inter-agency and cross-sectorial partnerships and strengthens accountability for implementation of the UNSCR 1325”. Adopting a specific document for the WPS agenda has also contributed to increased visibility and importance of the role of the civil society in the WPS field. It was also reported that development and implementation of the NAP leads to improved coordination among government agencies, strengthens their capacities and contributes to more comprehensive understanding of security through received training and peer exchange.58

Other studies point out similar and additional benefits of the development of a NAP, including:

- **Coherence and coordination between the government agencies**: Resolution 1325 requires Member States to take action in a number of different areas. A NAP is therefore a good mechanism for a government to reflect on what has already been done and to elaborate on further commitments and plans. A NAP allows government departments to have a clear division of labour and can help to identify potential civil society partners for implementing the Resolution.

- **Improved monitoring and evaluation and enhanced accountability**: the NAPs can provide objectives, benchmarks and indicators which can enhance implementation and increase the accountability. Realistic and clear work plans often increase the effectiveness of monitoring and evaluation.

- **Increased ownership and awareness**: The development of a NAP provides a forum for a discussion and sharing of experiences on women, peace and security issues of people from diverse government agencies, CSOs and international organizations.

- **Increased relevance**: the NAPs can be “a way of pulling out the relevant parts of the UNSCR 1325 and bringing them to national processes and frameworks, making the resolution relevant to domestic and foreign policy making”.59

The majority of the studies under review are highlighting the key role of civil society, particularly women’s CSOs, in sensitizing societies and governments on the UNSCR 1325 and promoting and advocating for the adoption of the NAPs.60 For example, in Bosnia and Herzegovina, non-governmental organisation Women to Women translated the text of the resolution into the local language and organized a series of public debates around it.61

In some countries, the coalitions or multi-sectorial working groups were involved in drafting of a NAP. For example, drafting of Kosovo’s NAP was done through a working group composed of 28 members, including the representatives of various public institutions, civil society, and international partners. The working group was coordinated by the Agency for


Gender Equality at the Prime Minister’s Office. The entire process was supported by the UN Women and the Office of the High Commissioner for Human Rights. In BiH, for example, the government representatives formed a coalition with civil society members to advocate for formulation and adoption of the NAP. The outcomes of this process were also new links and relationships which have been useful also in advancing other civil society goals.

The data on involvement of the CSOs in drafting of the Macedonian NAP are not explicitly known. However, the CSOs were excluded from the drafting of the Serbian NAP; the lack of inclusion and consultation with the CSOs during the NAP drafting process was also raised as a concern by the CEDAW Committee in its Concluding Observations for Serbia. Also the UN study highlighted that interventions that do not include the civil society engagement, run the risk of missing essential information, experiences and, consequently, the capacity to more effectively respond to the needs of all stakeholders or push for gender equality and sustainable peace. Furthermore, it is acknowledged, that “engaging actors with different roles and functions can contribute to a planning process that takes into the account a variety of different perspectives. This in turn can make the resulting NAP more inclusive and increase the level of the ownership and commitment to its implementation.”

However, despite of the efforts and invaluable contribution of the CSOs around sensitising and pushing for the adoption of NAPs, as pointed out by some studies, we need to acknowledge that without the political will at the governmental level, and, most notably, international peer pressure and support from the international organisations, particularly at the occasion of the 10th anniversary of the UNSCR 1325, many countries in Western Balkans might still not have developed their NAPs. This was also noted in the comparative research led by the Belgrade Centre for Security Policy, stating that “the opportunity for the UNSCR 1325 to become part of the region’s mainstream politics only opened once the international community, as part of their own governments’ and organisations’ preparations for marking the tenth anniversary of the UNSCR 1325, began supporting work by the Balkan governments related to the 1325 agenda, with the dominant motivation for the Balkan governments’ adoption of the NAPs at an early stage was in order to join consolidated democracies’ security clubs (e.g. the EU, NATO, the CoE, etc.) by strengthening key government institutions for provision of security and gender equality”. The support from the international agencies such as the European Union, the United Nations Development Programme (UNDP), the UN Women and individual governments, as already pointed out above, has been instrumental in the development of several NAPs in the countries of Western Balkans.
3.1.2. Structures, priorities and goals of National Action Plans

All NAPs seem to be formulated around the four pillars of the UNSCR 1325: prevention, participation, protection and relief and recovery. However they differ, among others, in focus and depth, level of investments, comprehensiveness of the activities and monitoring frameworks.

In order to get a general overview of the NAPs, we can consult the comparative analysis carried out by Miller, Milad & Swaine (2014). The study is based on the 21 criteria framework of analysis. The criteria are organized in the following clusters:

- preparation (leading agents, CSOs involvement),
- implementation (timeline, roles, coordination, financial allocation),
- monitoring and evaluation (indicators, reporting, CSO monitoring).

The study analyses NAPs and categorizes them in accordance whether they “not mention” (NM); “mention, but not with specifics” (M/NS); or “mention with specifics” (S) selected criteria.

Table 4: Comparative analysis of the NAPs using 21 criteria framework of analysis

<table>
<thead>
<tr>
<th>Basic Information</th>
<th>Preparation</th>
<th>Implementation</th>
<th>Monitoring and Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country (year adopted)</td>
<td>Leading Agents</td>
<td>CSO involvement</td>
<td>Timeline</td>
</tr>
<tr>
<td>BIH (2012)</td>
<td>S</td>
<td>M/NS</td>
<td>S</td>
</tr>
<tr>
<td>CROATIA (2011)</td>
<td>S</td>
<td>NM</td>
<td>M/NS</td>
</tr>
<tr>
<td>SERBIA (2011)</td>
<td>S</td>
<td>NM</td>
<td>S</td>
</tr>
<tr>
<td>SLOVENIA (2011)</td>
<td>NM</td>
<td>M/NS</td>
<td>NM</td>
</tr>
<tr>
<td>MACEDONIA (2013)</td>
<td>NM</td>
<td>NM</td>
<td>NM</td>
</tr>
<tr>
<td>KOSOVO (2104)</td>
<td>S</td>
<td>S</td>
<td>S</td>
</tr>
</tbody>
</table>

(S = Specific, M/NS = Mentioned but not specific, NM = Not mentioned)

From the table above, it can be seen that the Kosovo and the first NAP of Bosnia and Herzegovina (2010-2013) mention all nine criteria and provide specific details on seven of them; among the 42 countries that were subject of analysis, the first NAP of Bosnia and Herzegovina was ranked the highest. Kosovo’s NAP was not yet adopted at the time the analysis was carried out. On the contrary, Macedonian NAP is the only NAP among 42

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67 The 20 criteria were developed by Gumru in 2008. Authors of the quoted analysis added “partnership” as an additional criterion.

68 Kosovo NAP has not been adopted at the time that comparative analysis was carried out. The estimates were therefore added by the author of this brief. However, since the NAP matrix of Kosovo is not publically available, these are just estimates done on the analysis of the existing literature on Kosovo NAP and might not be completely accurate.

69 “Not mentioned” means that there was no reference to a particular element in the NAP. “Non-specific” means that there was reference to an element, but details were lacking. “Specific” means that the NAP clearly expressed details relating to a particular element.
countries under review, which does not specify even one of the nine studied elements; consequently it is ranked at the bottom of all analysed countries. Although the authors of the study acknowledged that there is no one-to-one relationship between the specificity and overall or particular measures, they also concluded that trends and plausible relationships may exist.\textsuperscript{70}

Criteria used in the research present some of the elements that should, according to the group of the CSOs, form the set of minimum standards, which each NAP should contain. These include: specific and realistic goals, objectives and priority actions; timelines; a dedicated budget; indicators, benchmarks and targets; clear lines of responsibility to specific individuals, units or functions, both governmental and non-governmental; a results-oriented and transparent reporting and monitoring mechanism, including a high-level taskforce/review committee; a system for tracking funds allocated to implementation; and mechanisms for civil society participation in the implementation, monitoring and review of the plan or strategy.\textsuperscript{71}

### 3.1.2.1. Areas covered by the National Action Plans

The United Nation study recommended that conducting a WPS assessment is a good way to start the process of identifying strategic priorities and evaluating current capacities, resources and gaps in this field. General overview of the structure of the NAPs shows that the majority of the NAPs in the countries of Western Balkans contain at least brief situational analysis, in which they analyse the current legal framework on gender equality and briefly assess the current situation in the selected WPS-related fields. They also provide some background information related to the Resolution.

BiH’s NAP 2014-2017 also makes a reference to the Concluding Observations of the CEDAW Committee on the implementation of the WPS related provisions of the CEDAW in BiH.\textsuperscript{72} Kosovo draft NAP, for example, also sets out principles underpinning the NAP; these include: transparency and inclusion, local ownership, inter-sectorial approach and continuity. Their NAP also explicitly recognizes a human rights-based approach as the leading approach of the NAP.\textsuperscript{73} Slovenian NAP does not provide for situational analysis in the introductory section, however the NAP Action Matrix contains “current status” category, in which it highlights what has been achieved so far in relation to specific measures stipulated in the NAP (e.g. it provides for some sort of basic baseline assessment for each particular measure).

Although not all NAPs strictly follow the four pillars of the UNSCR 1325, they appear to cover the main principles, with the particular focus on the participation, prevention and protection pillars. Briefly analysing through different NAPs, we can find the following measures as a common feature in several of the NAPs:\textsuperscript{74}

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\textsuperscript{71} 10 points on 10 years UNSCR 1325 in Europe. CSO position paper on Europe-wide implementation of UN Security Council Resolution 1325. Available at: http://www.peacewomen.org/node/91299


\textsuperscript{74} Pristhine: Kosovë

1.) Participation, which aims at the inclusion of women and their interests in the decision-making processes related to the prevention, management and resolution of conflicts.

The majority of the measures under this pillar are concerned with improving laws and policies as well as creating the instruments and mechanisms to increase the representation of women in security sector and, in general, in decision-making positions, including increasing the number of women in army, police in peace-keeping missions and other external security provisions. This would include creating and implementing institutional plans for developing careers of women in sectors of defence and security, developing standards for application of quotas, establishing a function of a gender focal point, and creating a data base on persons vocationally trained on gender equality issues in BiH’s NAP. Similarly, Macedonian NAP aims to develop a national civilian capacity for multinational operations by creating a centralised roster of capacities for civilian missions. It also aims to involve women in peace-building at home and to increase representation of the ethnic minority women at all levels of the government.

Serbian NAP also recognises the need to introduce a post of a gender advisor for operations, who would assist in sensitising forces to the protection of women and support women’s active participation. Also Kosovo’s NAP foresees setting up supporting mechanisms, such as women career counselling officers and child care centres, etc. BiH’s NAP, for example, provides for measures aiming to increase capacities and networks of women in the field of participation, including through organisation of trainings on political, leadership skills and skills of female candidates for the elections as well as organisation of public networking events.

Several NAPs also include measures to raise awareness about importance of participation of women in decision making and achieving peace and security within the relevant governmental institution and services. This includes introducing gender perspective in curriculums of the police academies, promotion of the police calling in high schools, inclusion of the topics related to the gender equality in all the aspects of the education of members of the armed forces and introduction of gender equality issues in regular trainings for the senior public servants (BiH’s NAP).

2.) Measures linked to the prevention pillar, the aim of which is to prevent conflict-related and all forms of structural and physical violence against women.

All NAPs include measures aiming to increase capacity of public servants and other stakeholders on the issues of women in security sector, particularly in regard to protection from the gender-based violence (GBV). For example, Croatian NAP includes measures for raising awareness of women victims of armed conflicts and the importance of the implementation of UNSCR 1325 and related resolutions in the operation of judicial bodies. First and the second NAPs of Bosnia and Herzegovina, also specifically include reference to training police and prosecutors in investigating human trafficking.


The majority of the NAPs also include measures to develop knowledge about and the capacity to understand GBV threats to women in the peace-keeping environment and in foreign policy. Although, in the majority of the countries in the region most measures are designed in a way to achieve security sector reforms at home and within internal policies, this is not the case for Croatia and Slovenia, which, similarly as in the NAPs in the majority of EU and NATO countries, are more oriented towards integrating the gender equality issues into the foreign policy agenda and in “exporting security and development assistance abroad”.  

For example, almost all Slovenian activities for implementation of the UNSCR 1325 are focusing on pushing for gender mainstreaming and gender equality in the work of international organisations, including increasing the visibility of the violence against women and girls in the international human rights and funding organisations, such as the UN Special Procedures and Trust Fund for the benefit of victims of crimes. Measures to promote gender equality and to address GBV violence in the peace-keeping environment are also included in other NAPs, for example Serbian NAP includes measures such as training in conflict prevention, negotiation and mediation as part of training for the peace operations.

Several NAPs focus on the improvement of the legal protection of women, including increasing attention to the protection and respect for women’s rights (Macedonia) or establishing effective protection of women and girls from discrimination, violation of rights and from gender-based violence (Serbia). A special feature of Serbia’s NAP, as highlighted in the study coordinated by the Belgrade Centre for Security Policy, are measures that aim to protect women employed in security institutions, including introduction of peer support mechanisms for protection against gender-based discrimination, such as “persons of trust/trustworthy.” Kosovo’s NAP additionally creates opportunities for micro-financing small businesses led by women, as well as promotes equal opportunities for employment and promotion in different workplaces, with the focus in the security sector and the Kosovo Police.

As pointed out by the Belgrade Centre for Security Policy, with exception of the Macedonian NAP and second BiH’s NAP, majority of the NAPs do not recognize the important role and potential of women in the prevention and recovery of the society after a conflict or an emergency. As mentioned, Macedonia’s NAP in this regard promotes the active role of women in conflict prevention and the recovery after emergencies and it is the only NAP which acknowledges a gender-based risk assessment for natural disasters, and especially the vulnerability of rural women to natural and humanitarian crises and catastrophes. It also envisages the engagement of women in the conflict-prevention and recovery at a local level.

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BiH’s and Croatian NAPs\textsuperscript{81} include reference to the landmines and other explosive remnants of the war. BiH’s NAP links the lack of economic empowerment and enhancement of the women’s economic potential to the goal of clearing the mined areas. Mined areas are considered as a hinder to the development of women’s economic potential in rural areas.\textsuperscript{82}

3.) Measures linked to the protection pillar, with the aim to assure women’s safety, physical and mental health and economic security.

All NAPs contain measures aimed at improvement of the protection of women both in their home countries and in countries where national security forces might be deployed as a part of the peace-keeping operations.\textsuperscript{83} For example, Serbian, BiH’s and Kosovo’s NAPs include goals linked to the threats to women based on the heritage of conflict; among others one of the goals of Serbian NAP is to ensure objective public information about the problems facing women and girls, who are victims of sexual abuse and other international crimes against humanity,\textsuperscript{84} including effective and efficient work on discovering, arresting and prosecuting the perpetrators of international war crimes who are in Serbia.

BiH’s NAP foresees improved legal framework and mechanism for realizing the rights of the victims of sexual violence during and after the war, which includes measures such as increase in the resources and strengthened capacities to address the backlog of court cases, harmonisation of criminal law with the international standards, development and adaption of the guidelines and standards for the implementation of the witness protection program and establishment of sustainable and operational program to protect witnesses and victims of sexual violence. Kosovo’s NAP also includes comprehensive activities aiming to address the past, including war-related sexual violence. Their action plan, among others, include: documentation of the cases of survivors, creation and dissemination of a research on the status and rights of survivors of war-related sexual violence, improvement in the access to the justice and the organisation of trainings for the police investigators, prosecutors, and judges with the aim to improve efficiency of their response to war-related sexual violence cases.\textsuperscript{85} It also includes measures aiming to improve reintegration and rehabilitation of the victims, through the provision of psychosocial, medical and legal (free) aid, and measures aiming to support survivors of conflict/war-related sexual violence through business-initiation training.\textsuperscript{86} Similar measures are foreseen in the BiH’s NAP (2014-2017); among others it foresees establishment of a model for comprehensive support and care for women survivors of war-related sexual violence, including legal services and psychosocial and financial aid. It also includes capacity building and improved cooperation among institutions responsible for

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\textsuperscript{84} National Action plan of Serbia. Available at: http://www. eplo.org/implementation-of-unscr-1325-in-europe


the care and the rights of women victims of sexual violence during and after the war (centres for social work, judges and prosecutors, medical facilities, etc.). Although rape was used as a weapon of war in Croatia, its NAP does not provide for measures to address war-related sexual violence at the national level.

BiH’s NAP is the only document that explicitly links the risks of human trafficking not only to the socio-economic conditions (e.g. poverty, unemployment, discrimination against women), but also to the post-conflict heritage: the displacement of large number of people. Some other NAPs also recognise human trafficking as a threat, but not at the level of an objective.

However, as pointed out by the Belgrade Centre for Security Policy, all NAPs have in common the noble cause of protecting women, but, with some exceptions, they rarely recognise the active role that women can take in prevention of and protection against GBV, as well as in peace and security.

Bosnia and Hercegovina has, in its second NAP, introduced the broader concept of security, - a concept of human security, through which it recognizes the three pillars (participation, protection and prevention). Although the NAP foresees preparation of the guidelines on the implementation of the NAPs, including on the operationalisation of the concept of human security, the mid-term objectives under the strategic goal two are the same as in the first NAP: reduced rate of trafficking, improved support and help for women and girls victims of sexual violence during and after the war and decreased danger from mines.  

4.) Horizontal pillar: Improved conditions and approaches to implementation of the UNSCR 1325 National Action Plan.

The NAP of Bosnia and Hercegovina for the period 2014-2017 introduces new horizontal pillar, which contains measures to improve conditions and approach to implementation of the UNSCR 1325, such as measures to improve mechanisms for coordination of implementation of the NAP (establishing coordination committee, meetings with coordination board, reporting). As briefly mentioned above, it also foresees the preparation and adoption of guidelines for the implementation of NAP (including the operationalisation of the concept of human security, localization of the UNSCR 1325, introduction of quotas, gender responsible budgeting, etc.), and measures aiming at the improved cooperation with other stakeholders at the national (local authorities and non-government organizations) and the regional level (information exchange, study visits, joint projects etc.). Other NAPs also include measures aiming at improving the implementation of the UNSCR 1325, such as encouraging the exchange of experiences in the implementation of the UNSCR 1325 at the international and regional level in the Croatian NAP. The latter also aims to strengthen cooperation with the CSOs and religious groups that are providing humanitarian and other aid linked to the implementation of the resolution. Several NAPs, including Kosovo’s one, include activities to raise awareness and promote the UNSCR 1325, such as public debates, awareness campaigns, roundtables and other forms of media exposure.

88 Ibid.
3.1.2.2. Action Matrix and Monitoring framework

Since there is a number of different groups and institutions usually involved in the implementation of the NAPs, and subsequently in monitoring and evaluation (M&E), it is essential that a NAP includes clear lines of responsibility and a delineation of tasks for each actor involved. Also a realistic time frame for implementation and a commitment to regular review, evaluation and re-design will improve the probability that the plan will be comprehensively implemented.\(^{89}\)

The Action Matrix for the implementation of NAPs differs among different countries. For example, as noted by Katarina Selimi, The Action Matrix of Kosovo is organized in a way that outputs feed into activities. For each activity/output there are concrete indicators planned to be achieved, which are further elaborated in the existing baselines and desired targets. Additionally, for each activity it states which is the lead institution or partner institution or organization responsible for the implementation, year and cost of realization. Furthermore, the action matrix of the Kosovo’s NAP has envisaged a section within the matrix that points out what data sources will be produced by each activity/output, such as reports, policy documents, or published researches. Researchers point out that this section of Kosovo’s NAP represents a good practice of monitoring mechanism, however, only, if monitoring is actually going to be implemented as planned.\(^{90}\)

Table 5: Kosovo’s NAP Action Matrix

<table>
<thead>
<tr>
<th>Outputs</th>
<th>Indicators</th>
<th>Lead Agency</th>
<th>Timeframe</th>
<th>Cost</th>
<th>Sources</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activities</td>
<td>Baseline targets</td>
<td>Responsible for implementation</td>
<td>Year of realization</td>
<td>Committed, uncommitted</td>
<td>Data Collection</td>
</tr>
</tbody>
</table>

Kosovo’s NAP is considered, compared with other states of South-East Europe, as one with one of the most detailed action matrix. The Kosovo’s NAP is also the only one that contains detailed information on budget spending per each activity/output.\(^{91}\)

First NAP of Bosnia and Hercegovina has been following similar pattern, with action matrix detailing objectives, activities, responsible institutions, indicators, deadlines and sources of funding. There were indicators in place in relation to the activities listed under each objective, which were linked to specific timelines, with the majority of them being quantitative in nature.\(^{92}\) Similarly, the second BiH’s NAP (2014-2017) includes strategic goals, midterm

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\(^{91}\) Ibid.

objectives, expected results, activities needed to achieve expected results, key stakeholders, deadlines and sources of funding. \(^{93}\) However, the Action Matrix does not include indicators, because the Government has a plan to produce separate monitoring and evaluation plan. Slovenian Action Matrix is organized around general goals, activities, responsibilities, status, objectives and date for first reporting. Other countries have less elaborated Action Matrixes and indicators. The Macedonian NAP even fails to mention many concrete actions that are to be taken.

Ideally, an action matrix should be designed in a way to allow for robust monitoring and evaluation of the implementation of the NAP and the UNSCR 1325 in general, including assessing the impact of the Resolution. Ideally, and to the extent possible, the NAP indicators should be aligned with the global UNSCR 1325 indicators presented in 2010, allowing for global monitoring of implementation of the UNSCR 1325. Although, majority of the NAPs include indicators, their quality and scope differs. They are also rarely designed in a way to assess the impact and are not following the whole results-based/result’s chain monitoring framework. \(^{94}\) Kosovo’s, Croatian and the Action Matrix of the first BiH’s NAP include measurable indicators by each sub-activity in order to facilitate M&E. However, Croatian indicators are only quantitative and without specified timelines linked to them.\(^{95}\) Slovenia’s indicators are not specified and the benchmark/baseline study is weak, making any robust monitoring of the implementation of the NAP a challenging task.

A need for more effective monitoring and evaluation system was actually one of the lessons learned from the first NAP of Bosnia and Hercegovina (2010-2013). The evaluation review highlighted that action plan consisted of too many indicators, which were difficult to monitor and evaluate, also because there was no unique and effective system of reporting set in place. Another recognized challenge was also that almost all the indicators were quantitative, and thus was difficult to monitor the real progress in realizing strategic and midterm objectives and qualitative institutional and social changes in achieving gender equality. Based on those findings, it has been proposed to develop a separate monitoring and evaluation plan after the adoption of the second NAP (2014-2017). The monitoring and evaluation paper is foreseen to contain the following elements: methods and protocols for collecting data; structure of keeping and updating data (including information about who collects data, who has the data and the source of data) and appropriate reporting mechanisms (including reporting forms, dynamics of reporting and other forms of communication with stakeholders about the implementation of the NAP).\(^{96}\)

\textit{Table 6: A checklist for an effective monitoring and evaluation framework}


\(^{94}\) To track changes a “results chain” tool increasingly applied in international development to map how interventions are intended to result in the desired change or impact. A “result” is a measurable change that is the direct consequence from a cause-and-effect relationship. For each element in the results chain, there is a desired result for which an indicator or set of indicators can be developed to show whether or not this is being achieved. For more, see: United Nations Secretariat. Ten-year Impact Study on Implementation of UN Security Council Resolution 1325 (2000) on Women, Peace and Security in Peacekeeping. Final Report to the United Nations Department of Peacekeeping Operations. Department of Field Support. Department of Peacekeeping Operations United Nations Secretariat.


A checklist for an effective monitoring and evaluation framework:

- Does the text clearly define lines of responsibility for NAP implementation and results among the various actors?
- Are precise and realistic timeframes and resources envisaged for the NAP’s implementation?
- Does the NAP define accountability mechanisms? Who is in charge of data collection and analysis? Who decides on changes to the NAP or to the approach of the implementation, based on monitoring reports and periodic reviews?
- Does the NAP define the role of civil society and entry points for input and feedback in the government-led process of monitoring and evaluation?
- Are the monitoring reports on the NAP’s implementation publicly available, as well as other channels of access to the data necessary for independent monitoring of the NAP’s implementation?
- Are the key resources in place for collection of the data necessary for monitoring and evaluation? Are the implementing agencies and the key monitoring mechanisms able to use gender-based analysis and collect sex-disaggregated data to enable the success of the implementation to be measured, gaps and patterns to be identified?
- Does the NAP clearly specify various plan periods, indicating moments for the review and assessment, thus encouraging accountability, evaluation and revision of plans?
- Are common reporting templates in place for all government agencies in charge of the NAP’s implementation, meaning that their monitoring contributions can be presented in a comprehensive whole-government report?
- Are there well-defined indicators that reflect impact and not just activities and outputs?


In the absence of some of the key elements of an effective monitoring and evaluation framework, such as baseline data, data on specific indicators and spending attribution related to the NAP, it is, therefore, challenging to fully evaluate and assess the impact of the NAPs and the UNSCR 1325 in the region. This is problematic, as monitoring and evaluation allows those, who are responsible for programmatic activities, to track results, inform future planning efforts, and assess what is working and what could be modified.

3.1.3. Monitoring and reporting of the National Action Plans of the UNSCR 1325

The responsibility for monitoring and reporting on the implementation of the NAP is vested in different institutions. For example, in Slovenia, the Inter-ministerial Working Commission on Human Rights is responsible for assessing effectiveness and the implementation of the NAP. The Commission has to review NAP every second year and, if necessary, suggest to the Government appropriate amendments and additional activities. Croatian NAP places monitoring responsibility in the hands of the Working Group responsible for drafting of the NAP. The Working Groups has to annually submit an implementation report to the Human Rights Commission of the Government of the Republic of Croatia. In Kosovo this

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responsibility is vested in the Agency for Gender Equality (AGE), which also assumes the responsibility of a coordinator and implementer of large bulk of activities foreseen in the NAP. In this regard, the observers acknowledged that: “While reporting should be a duty of the AGE, monitoring as a parallel duty, leads to the conclusion that the policy-maker is monitoring its own progress”. 99 In BiH, the Coordination Board, composed of institutions from security sector and one member representing non-government sector is responsible for among others: consideration and the adoption of annual operative plans for the implementation of Action plan, coordination of the implementation of activities in relevant institutions, the international organizations and non-government organizations and monitoring other activities aimed at implementation of the UNSCR 1325 in Bosnia and Herzegovina.100

Calls were made to increase the involvement of the parliamentarians and their relevant committees in the drafting of NAPs and, later on, in the monitoring of NAPs implementation, as it is believed that this can offer additional venue of accountability, holds potential for increasing public interest in the WPS agenda, as well as offer more stringent oversight of state action (or in-action).101 This practice is present, for example, in Bosnia and Herzegovina, which is submitting annual reports on the implementation of the UNSCR 1325 for the adoption to the Parliamentary Assembly of Bosnia and Herzegovina.102 However, in Kosovo, the exclusion of Parliament from drafting of the NAP received some criticisms.103

Although several NAPs foresee the review processes for their action plans, very little reviews or official monitoring and evaluation reports are publicly available. The implementation reports were available for selected years for the first NAP of Bosnia and Herzegovina (2010-2013) and for Serbian and Croatian NAP. However, the latter just specifies the activities carried out under each goal and measure.

The CSOs and other civil society actors can also provide important feedback and views on national policies through shadow reports.104 The CSOs have been monitoring the implementation of the UNSCR 1325 in some countries of Western Balkans even before the adoption of the NAPs. For example, NGOs Kosovo Women’s Network and Zene Zenama from Bosnia and Herzegovina has been engaged in an ongoing monitoring of the implementation of the UNSCR 1325 since 2004. Engaging in monitoring was recognized as one of the effective ways to raise awareness of the UNSCR 1325, promote gender equality in the security sector and push for the development of a NAP. Also at present, the CSOs are

strongly involved in preparation of independent or so called shadow reports on the implementation of the NAPs and the UNSCR 1325.  

However, the CSOs differ in their monitoring approaches, from strictly monitoring the implementation of the activities and following proposed indicators, to questioning general approach of governments in translating the UNSCR 1325 and related resolutions at the national level. For example, the Serbian feminist organisations understand and promote the WPS agenda through the feminist concept of security and are highly critical towards traditional male dominated militarized concept of security and control that, according to them, dominates Serbian NAP. As alternative, they are promoting an autonomous feminist antimilitary concept of security captured in the Women’s Charter of Security, which defines security as absence of violence against women, and equal access to power (political, economic, and social). They define peace as the absence of fear, hatred, poverty, all forms of discrimination, injustice and as freedom from the fear of being different. Their concept of feminist security also includes strict implementation of laws of transitional justice and the idea that “more arms do not mean more security”. For more, see: Women in Black. 2012. Independent Monitoring of the Implementation of Resolution 1325 in Serbia. Belgrade: Women in Black.
4. Implementation of the UNSCR 1325 in the countries of Western Balkans

Despite recognizing the positive effects of the development of NAPs, many authors warn that their development should not be an aim in itself, but rather the beginning of a process aimed at effecting real and meaningful change on the ground. Similarly, if we used the words of the researchers at the Belgrade Centre for Security Policy, NAP should only stand as an entry point for enhanced respect for women’s rights and empowerment and for acknowledging a country’s commitment to the WPS related issues.¹⁰⁶

However, there are not many national reports on the implementation of the UNSCR 1325 in countries of Western Balkans available, which makes any in-depth assessment and review a challenging task. This is also because, as mentioned above, in several countries, the tracking of progress is also hindered by the way how the NAPs have been constructed, e.g. without dedicated budget; indicators, benchmarks and targets; clear lines of responsibility and results-oriented and transparent monitoring and evaluation mechanisms.¹⁰⁷

Table 7: Lessons learned from the implementation of the first UNSCR 1325 NAP in Bosnia and Hercegovina (2010-2013)

<table>
<thead>
<tr>
<th>Lessons learned by the implementation of the first NAP for the implementation of the UNSCR 1325 in Bosnia and Hercegovina (2010-2013)</th>
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<tbody>
<tr>
<td>Bosnia and Hercegovina is currently the only country in the Western Balkans, which has developed and is implementing the second NAP for implementation of the UNSCR 1325 (for the period 2014-2017). According to the Government of BiH, independent evaluators considered the first NAP (2010-2013) as a good practice model in public policy drafting and implementation. This was also because:</td>
</tr>
<tr>
<td>• The NAP was created in a manner that connects goals and activities of the plan with existing mandates of relevant institutions in charge of the security policy.</td>
</tr>
<tr>
<td>• The Agency for Gender Equality played a key role in providing expert and technical support to the institutions in implementation of Action plan, especially to the Ministry of defence and the Ministry of security, including through educational activities. This tactics was recognized as strengthening local ownership and creating greater support for implementation of the NAP among key stakeholders.</td>
</tr>
<tr>
<td>• Regular meetings by the Coordination Board, which showed substantial understanding of the NAP and real commitment to its implementation. The reason for this commitment was partly also, because most of the Coordination Board members were involved in drafting of the NAP.</td>
</tr>
<tr>
<td>• Stakeholders consistently used NAP as a platform to fulfil results and answer questions related to inclusion of women in peace and security (e.g. in workshops, presentations,</td>
</tr>
</tbody>
</table>


¹⁰⁷ EPLO. 2010. UNSCR 1325 in Europe. 21 case studies of implementation. Edited by EPLO. Available at: http://www.eplo.org/implementation-of-unscr-1325-in-europe
meetings and media promotions), which also resulted in increased interest of young women from rural areas to participate in armed forces.

- Implementation of several projects on localisation of NAP through the implementation of concept of „human security”, carried out by NGOs with cooperation of the Agency for Gender Equality, which helped to identify local priorities and obstacles in realizing the security of women in local communities. These projects are considered as representing innovative examples how to translate the message of the UNSCR 1325 to a local level.

Source: Action plan for implementation of the UNSCR 1325 in Bosnia and Herzegovina for the period 2014-2017.

### 4.1. Key challenges in the implementation of the National Action Plans

Various studies point out several challenges in ensuring that the right structures, political will and funds are available for the implementation of the NAPs and to achieve desired impact. Although existing reports indicate several activities, which are carried out in support of the NAPs, it remains to be questioned how much impact they have on achieving systematic change in the position of women in societies, particularly in the field of peace and security. It also needs to be pointed out that in general monitoring reports, particularly the ones written by the CSOs, are critical towards the level of the implementation of the UNSCR 1325 on the ground.\(^\text{108}\)

In general, this also applies to the UNSCR 1325 NAPs, countries of Western Balkans have relatively elaborate legal and policy frameworks for gender equality and anti-discrimination, aiming to promote the participation of women in public life and the protection and prevention of violence against them. However, as often pointed out, the implementation of the laws and policies has been slow, also due to the lack of financial, material, and human resources needed\(^\text{109}\) as well as necessary political will. In relation to the latter, the comment of the representative of the Kosovo Women’s Network’s about the drafting and implementation of the Kosovo UNSCR 1325 NAP, is explicit enough: “It was Citaku, who was pushing [from the government] the issue of justice for women who suffered sexual crimes, and while she is there it can work... but the future of the plan will depend very much on the people appointed after the next elections and their motivation.”\(^\text{110}\) Equally, Nazlie Bala, women’s rights activists in Kosovo, is seeing the political will as being crucial to support the initiative and the institutional commitment towards the practical implementation of activities, especially the budget.\(^\text{111}\)

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\(^{108}\) One of the most critical is a shadow report made by Serbian CSOs, in which they argue “For the Serbian Government, Resolution 1325 is just another bureaucratic tool for creating the illusion of a false integration and respect of international standards and conventions. The experience of the Working group of the Independent Monitoring of the Implementation of Resolution 1325 in Serbia shows an extreme irresponsibility of the state, a militaristic character of the NAP and the not fulfilment of responsibilities undertaken by adopting the UNSCR 1325; the mis/treatment of UNSCR 1325 in order to design Serbia as a peaceful “force” and to produce a past without war, washing away the bloody trail of war crimes.” For more, see Women in Black. 2012. Independent Monitoring of the Implementation of Resolution 1325 in Serbia. Belgrade: Women in Black.


\(^{111}\) Rrezarta Reka. Strengths and Weaknesses of the National Action Plan for the Implementation of Resolution 1325 in
The overall slow pace of democratic transformation, compounded by the economic crisis and traditional conservative gender-related stereotypes are also considered as hindering the progress forward.\textsuperscript{112}

In general, the following areas are most often invoked as common challenges of the implementation of the NAPs and Resolution in the countries of Western Balkans:

\subsection*{4.1.1. Allocation of resources for the implementation of National Action Plans}

The allocation of the resources remains a significant challenge for the implementation of the UNSCR, with only Kosovo allocating 51\% of the government budget to the NAP (and 49\% left to the decisions of ministries or fundraising success from other sources). The fact that Kosovo’s Government agreed to co-finance that share, is something that head of the UN Women in Kosovo Flora Macura considered a great achievement, stating “Until now, not even five percent of any action plan was supported by a government”, adding that “if they {Kosovo} implement 60 percent, it will be the biggest success in the world.”\textsuperscript{113} Bosnia and Herzegovina secured part of the finances for the implementation of its first NAP (2010-2013) from financial mechanisms for implementation of the Gender Action Plan in BiH (FIGAP Programme), which was established in 2009 by a funding agreement between the Council of Ministers and a group of donors for the period of 5 years. The remaining activities of the BiH’s NAP were foreseen to be covered from the ongoing budget of the responsible institutions.\textsuperscript{114} However, lack of means for an effective implementation of NAP, particularly the remaining part of the budget, was considered as one of the challenges in the implementation of the NAP. The external evaluators pointed out that, the goals and activities from the NAP were not adequately prioritized within the institutional strategies, which resulted in the lack of funds for its implementation. The second BiH’s NAP (2014-2017) is planned to be funded from existing resources of the relevant institutions and donor funds, without being explicit about actual allocation and availability of the funds,\textsuperscript{115} thus similar challenges in the implementation of the NAP can be expected.

Macedonian NAP is explicitly stating that “the activities envisaged in the NAP shall not have any financial implications” and that the responsible institutions will need to make the use of the existing available funds. This means that the activities (which are not written in details) will be implemented within the available budgets of the responsible institutions.\textsuperscript{116} Serbia’s NAP states that the Ministry of Finance will provide financial resources to the Ministries based on their needs,\textsuperscript{117} however, it does not go into the details regarding the exact allocation

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and possible other sources of funding. Croatian NAP also does not include an allocated or estimated budget, e.g. no indicators or actions are included that formulate strategies to increase funding, details what level of funding is required for which specific activity, or what accountability mechanisms will ensure funding is raised and spent while implementing the NAP.\textsuperscript{118}

The uniqueness of the budget allocation in the case of Kosovo is confirmed by comparative analysis of Miller, Pournik and Swaine (2014), which found out that globally, less than five percent of the NAPs have specified financial allocation for the implementation of the planned activities.\textsuperscript{119} Not specifying the finances for the implementation of the NAPs thus presents one of the serious challenges in implementation of the NAPs and the UNSCR 1325 in the countries of Western Balkans.

**4.1.2. Low representation of women in security sector and in high decision-making positions**

UNSCR 1325 calls for increased representation of women in security sector, particularly at the managerial senior positions. With this aim, numerous initiatives have been initiated in many countries in order to promote participation of women in security sectors and peace missions. Most common activities are organized around targeted or more deliberate recruitment of women within the security sector, particularly military. This includes projects that actively promote the military profession through print and electronic media, visiting schools and open door days. In some instances, efforts have been made towards promoting work-life balance and workplace health and safety measures, including sanction mechanisms for gender discrimination, the use of gender-sensitive language and procedures for reporting of sexual harassment.\textsuperscript{120}

However, the progress is slow and representation of women in security sector and in general in relevant decision-making positions remains low. According to the SEECAS study done in 2014 in four countries of Western Balkans (Serbia, BiH, Kosovo and Montenegro), women constitute between 5.69\% and 8.97\% of the armed forces.\textsuperscript{121} Their representation in the army is between 3.85\% and 4.93\%; while in the air force, women account for between 1.5\% and 4.89\% and in the navy for 0.69\%. The study also noted that women are still largely represented in the lowest hierarchical positions and mostly in other services of the armed forces, including civilian, medical and administrative positions, military police and as full-time and part-time reservists. In this category, women account for between 9.81\% and 41.24\%. In multi-national peace support operations, women account for between 1.61\% and 9\% of the deployed forces. In command positions, women are only marginally represented (up to 2.94\%).\textsuperscript{122}

\textsuperscript{119} Ibid.
\textsuperscript{120} SEESAC. 2014. The position of Women in Armed Forces in Western Balkans. SEESAC.
\textsuperscript{121} Countries included in research are BiH, Serbia, Kosovo and Montenegro.
\textsuperscript{122} SEESAC. 2014. The position of Women in Armed Forces in Western Balkans. SEESAC.
Table 8: Examples of good practices initiated by the Ministries of defence in the four countries of Western Balkans

**Examples of good practices initiated by the Ministries of defence in the four countries of Western Balkans:**

- The Ministry of Defence of Bosnia and Herzegovina states that the information on the upcoming vacancies and recruitment drives is shared with media outlets with primarily female audiences. This contributes to increased representation of women candidates and those enrolled in all types of military training.
- In Macedonia, in 2013, the announcement for enrolment in the Military Academy contained, for the first time, language that specifically encouraged women to apply.
- In BiH, to ensure a gender sensitive selection process, the selection commission or committee has to be of mixed male-female composition and the practice is to include members who have attended courses on gender equality.
- The Ministries in all four countries perform background security checks and psychological testing evaluation of candidates. If it is determined that the candidate has committed an act of domestic violence or sexual assault, he or she cannot be engaged in the military.
- The ministries consult the end-users regarding the design and cut of uniforms in order to ensure that they are adapted to the female body and do not negatively affect performance. In BiH, it is mandatory to involve women in the uniform design process while this is encouraged in the Macedonia and in Serbia.
- In all four countries, discrimination on the basis of gender is prohibited. Furthermore, mechanisms for reporting sexual harassment exist.
- To accommodate and recognize the increasing number of women in the armed forces, in Montenegro and Serbia, gender-sensitive language has been introduced. In Serbia, the Service Regulation has been modified to introduce gender-sensitive language in official address to female members, officers, non-commissioned officers and civilians serving in the Serbian Armed Forces.
- To promote gender equality in the armed forces, ministries in all four countries, have appointed individuals responsible for promoting gender equality. In Montenegro, the MoD appointed a Gender Equality Coordinator. In Serbia, a Gender Equality Advisor to the Minister of Defence was appointed. In Macedonia, a Gender Equality Committee was established, and in BiH there is a network of Gender Focal Points in the armed forces.

*Source: SEESAC, 2013*

Other data similarly indicates low representation of women in structures such as the Police and the Army (e.g. in 2013 14.85% of women were part of the police in Kosovo and 11.77% in Montenegro, with only one woman holding a senior position).\(^{123}\)

Table 9: Representation of women in the defence sector of Bosnia and Hercegovina

<table>
<thead>
<tr>
<th>Ministry of Defence/Armed Forces of BiH</th>
<th>2009 % Women</th>
<th>2011 % Women</th>
<th>2013 % Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male/Female employees in the Ministry of Defence of BiH</td>
<td>41,5</td>
<td>36,4</td>
<td>35,6</td>
</tr>
<tr>
<td>Civilians in the Armed Forces of BiH</td>
<td>28</td>
<td>23,8</td>
<td>23,8</td>
</tr>
<tr>
<td>Professional military personnel in the Armed Forces of BiH</td>
<td>3,8</td>
<td>4,8</td>
<td></td>
</tr>
<tr>
<td>Male/Female members of the Armed Forces of BiH</td>
<td>5</td>
<td>5,4</td>
<td>6,5</td>
</tr>
<tr>
<td>Male/female members of peace missions</td>
<td></td>
<td></td>
<td>3,5</td>
</tr>
</tbody>
</table>

Source: Government of Bosnia and Hercegovina. 2014

Although in Bosnia and Hercegovina, the interest of women to be drafted in the Armed Forces is increasing (e.g. in 2008, there were 23 women applicants, while 595 women applied for the position in the call published in 2013), it was reported that majority of the decision-making and command positions, as it is also evident from the table above, are held by men, with women generally confined to administrative/support roles. The perception of defence, the police and security as being “male” domains is still widespread, while women are often on the decision-making boards only when the issues to be dealt with are considered “female”.  

4.1.3. Slow progress in addressing gender-based violence, particularly sexual violence

As highlighted by the Helsinki Committee, women were terrorized and raped *en masse* in Bosnia and Herzegovina and Kosovo and exposed to sexual harassment in other regions during Yugoslavia’s wars in the 1990s. However, beside improvements of legal frameworks and national mechanisms, including introduction of rehabilitation and other programmes for victims of sexual violence in the UNSCR 1325 NAPs, there has been slow or little progress in the implementation of the UNSCR 1325 in regard to addressing the gender-based violence (GBV), particularly sexual violence.

Globally, as well as regionally, the GBV still remains a taboo and several challenges remain, some of most often invoked are: lack of rehabilitation and reparation programmes, lack of access to legal aid, lack of the supportive environment, persisting stigma for the survivors, and the ignorance and lack of understanding of experts of the specific needs of this group. 

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Bosnia and Herzegovina, also because of the complex system and legal framework of the country, the access to affordable and appropriate health and mental care services, including the reproductive health, brings additional traumas and worsening of the psychological well-being of the survivors. \(^{127}\) For example, the concerns over the delays in the adopting measures\(^{128}\) to address the needs of a large number of women victimized by the conflict in Bosnia and Herzegovina were also expressed by the CEDAW Committee, which highlighted the lack of adequate victim reparation in the war crimes trials, support and the rehabilitation measures, such as sustained psychological and medical support, as well as financial and social benefits for the violations suffered during the war, such as enforced disappearances, as some of the challenges in this field. \(^{129}\) One of the challenges in BiH, which was also recognized by the Committee, is women’s inadequate and unequal access to compensation. For example, although, the status of civilian victims of war has been granted to the survivors of sexual violence during the war, the procedure of acquiring this status differs significantly in different entities of Bosnia and Herzegovina, which puts victims in unequal position and exposes them to the difficulties in proving their status, e.g. the documentary evidence required for the recognition of the status of civilian victims of the war are different in Federation of BiH, where this status may be obtained by submission of relevant documentation in cooperation with NGOs, than in the Republika Srpska, where this procedure requires that a person has sustained minimum 60% of bodily injuries. This makes the recognition of this status difficult, especially because medical documentation does not exist in most of the cases. \(^{130}\)

In Kosovo, the challenge also is that many victims of sexual violence have not even documented their cases, thus there is no accurate estimation or documentation of the number of women and girls who were raped or suffered other forms of sexual violence during the war. However, the numbers are believed to be in the thousands. \(^{131}\) Furthermore, monitoring reports point out the persisting failure to deliver justice to the victims of sexual gender-based violence that took place during the conflict. In an attempt to address the injustices, changes of Kosovo’s existing legislation – The Law on the status and rights of martyrs, invalids, veterans, members of the Kosovo Liberation Army - were advocated for, to include the victims of rape and other forms of sexual violence as a recognized category in this piece of legislation. \(^{132}\)

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\(^{128}\) In order to improve the situation The Program for Victims of War-related Rape, Sexual Abuse and Torture in Bosnia and Herzegovina 2013-2016 was drafted with the aim of ensuring full protection and support to victims of war-related rape, sexual abuse and torture, and their families, through the improvement of their access to justice, better rehabilitation, re-socialization and compensation programs, with active participation of all stakeholders. However, the document has not yet been adopted by the Council of Ministers. For more see: Bosnia and Herzegovina. Review of progress made in the implementation of the Beijing Declaration and Platform for Action (1995) and the outcomes of the twenty-third special session of the General Assembly (2000) in Bosnia and Herzegovina April 2014. Available at: http://www.unwomen.org/~media/headquarters/attachments/sections/csw/59/national_reviews/bosnia_herzegovina_review_beijing20.ashx


\(^{130}\) Bosnia and Herzegovina. Review of progress made in the implementation of the Beijing Declaration and Platform for Action (1995) and the outcomes of the twenty-third special session of the General Assembly (2000) in Bosnia and Herzegovina April 2014. Available at: http://www.unwomen.org/~media/headquarters/attachments/sections/csw/59/national_reviews/bosnia_herzegovina_review_beijing20.ashx


After years of advocating for this amendment by the CSOs groups, following intense and controversial debates in the Assembly of Kosovo and media, the amendments of the Law were approved shortly after the adoption of the UNSCR 1325 NAP.\textsuperscript{133}

In Croatia, it was reported, that for a long time, there was no law that regulates the status of women victims of wartime rape, which would provide them with their rights, compensation and needed support. However, in 2011, a working group was formed to develop legal regulations,\textsuperscript{134} and recently the representative of Croatian government at the UN issued a statement in which he expressed the intention of the Croatian Government to prepare comprehensive legislation by which the survivors of sexual violence from the 1990s will be entitled to the status of civilian victims of war.\textsuperscript{135} The access to justice and reparations of women victims of wartime violence, in particular sexual violence, including psychological, medical and other support and compensation, was pointed out also by the CEDAW Committee as one of the issues in the List of issues directed to Croatia before the scheduled examination of its State report in June 2015. Interestingly, the Committee also raised the question on the measures taken by the State party to address the consequences of war on the mental health of men, which appears to be a factor in the increasing numbers of victims of femicide.\textsuperscript{136} None of the concerns raised by the CEDAW Committee are included in the Croatian UNSCR 1325 NAP, which is oriented more towards the promotion of women and the WSP agenda in the foreign policy and international organisation, and, which, outside of the education of the judges, does not include extensive measures on addressing the conflict or post-conflict related GBV on the Croatian territory.

4.1.4. Slow progress in ending impunity and prosecuting war crimes against women

Another common challenge that remains is the impunity and slow progress in the prosecution of war crimes, including GBV-related crimes, which also constitutes an important element in the healing process. In general, it has been observed that many victims in region of the former Yugoslavia feel frustrated over the slow progress in criminal proceedings, lack of adequate communication channels between judicial institutions and the public (particularly the victim and witnesses involved in the case lack information about progress of ongoing proceedings), occurring threats towards victim/witnesses and lack of psychological and legal assistance to victim(s)/witness(es) before, during and after the trials. A common challenge is also the fact that the number of criminal charges raised by the victims of wartime rape is generally low, which can be attributed to the stigma and the lack of psychological support to victim(s)/witness(es), not just during, but also prior and after the proceedings.\textsuperscript{137}

For example, the Serbian CSO monitoring report on the implementation of the UNSCR 1325 highlighted slow and unsatisfactory progress in bringing perpetrators before the courts.

\textsuperscript{134} Ibid.
\textsuperscript{135} Security Council Open Debate on Women, Rule of Law and Transitional Justice in Conflict-Affected Situations, October 18th, 2013, Security Council Chamber Statement by Mr. Medan, Permanent Mission of Croatia to the United Nations. Available at: http://www.peacewomen.org/content/croatia-0
including the fact that there is no data available on the number and progress of sexual gender-based violence prosecutions before the War Crimes panel of the Higher Court in Belgrade. In the case of BiH, the CEDAW Committee has also expressed concerns over impunity, very slow pace of prosecutions and low level of conviction rates of perpetrators of sexual violence. It also raised a concern that the rape cases in a district and cantonal levels are prosecuted as ordinary crimes, and not as war crimes and crimes against humanity. However, interestingly, the BiH judiciary has prosecuted 111 cases, which included charges for sexual violence, which makes Bosnia and Herzegovina the country with the highest number of cases that include the element of sexual violence in an armed conflict adjudicated by domestic judicial institutions. The Court of BiH itself had completed 36 such cases, sentencing 33 perpetrators and exonerating 12 persons, which amounts to 73% of sentences for those individuals who were charged with the crimes of sexual violence.

140 The definitions contained in the Criminal Code are not aligned with the recommendation made by the Committee against Torture. However, the Court of BiH has defined and expanded, in its 28 jurisprudence, the element of force or threat of force. In its first case related to sexual violence, the Court of BiH has defined rape and sexual crimes so that it has added to the notions of “force or the threat of force”, as a possible element of commission of the crime “under coercion”, the element “without the consent of the victim”.
5. Conclusions

None of the studies reviewed disagree that the UNSCR 1325 has a landmark mandate in promoting women’s rights and gender equality in conflict affected countries and regions, and that since it was passed, gender sensitivity and gender mainstreaming have become more visible in the security agenda. However, as retreated above, challenges remain, and ahead of the High-level meeting marking the 15th anniversary of the Resolution, the Security Council stressed that there is a need “for significant shift in how the resolution is implemented; otherwise women’s perspectives will continue to be underrepresented in the conflict prevention, resolution, protection and peacebuilding.”142 This position is retreated by several voices, including the CEDAW Committee, which highlighted that despite progress done “women’s continued suffers from marginalization from formal peace processes, as well as increasing levels of insecurity and violence against women and girls in conflict zones, /.../ furthermore the Resolution has fallen short in terms of addressing systemic violence against women as well as structural discrimination”, this includes preventing rape as a weapon of war.143 These words equally resonated for the implementation of the UNSCR 1325 in the countries of Western Balkans.

In the wake of the 15th anniversary of the UNSCR 1325, it is time to accelerate the progress and efforts, making sure that the policies are translated into the reality of women on the ground. The 2015 should thus mark the start of a reinvigorated agenda for the implementation of the UNSCR 1325, which cannot be advanced without political leadership at the highest levels and increased resources allocated for implementation of existing and development of new NAPs.

142 In UN Women- Preparations for the 2015 High-level Review and Global Study. Available at: http://www.unwomen.org/en/news/in-focus/women-peace-security/1325-review-and-global-study#sthash.k9qWlubs.dpuf
Sources

- 10 points on 10 years UNSCR 1325 in Europe. CSOs position paper on Europe-wide implementation of UN Security Council Resolution 1325. Available at: http://www.peacewomen.org/node/91299
- Committee on the Elimination of Discrimination against Women. List of issues and questions in relation to the combined fourth and fifth periodic reports of Croatia.


EPLO. 2010. UNSCR 1325 in Europe. 21 case studies of implementation. Edited by EPLO. Available at: http://www.eplo.org/implementation-of-unscr-1325-in-europe


Macedonia’s NAP review published by Peacewomen. Available at: miladpourkianalysisdocs/macedonia especificity pournik 2014.pdf


Olivera Injac. Experience of Montenegro in Implementation of the UNSCR 1325 and Security Sector Reform – moving from theory to practice in Kosovar Center for Security
• Security Council Open Debate on Women, Rule of Law and Transitional Justice in Conflict-Affected Situations, October 18th, 2013, Security Council Chamber Statement by Mr. Medan, Permanent Mission of Croatia to the United Nations. Available at:
• SEESAC 2014. The position of Women in Armed Forces in Western Balkans. SESSAC. 2014