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## **GENDER & PEACEBUILDING Frauen und Geschlechterverhältnisse in Post-Conflict Situationen**

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ANNETTE LYTH

**The Impact of International Peace Building on  
Gender Roles in Kosovo<sup>1</sup>**

**1. Introduction**

It is often assumed that women are particularly vulnerable during and after armed conflict. However, the situation also creates a unique opportunity for women to take part in creating new societies from the ruins of the old. In the aftermath of conflict, when countries are beginning to re-build, there are new opportunities to strengthen laws, policies and practices in support of gender equality and women's human rights. All too often these opportunities are missed and instead gender inequalities deepen or worsen in the period after conflict. During recent years, there has been an increasing recognition of women's centrality to reconstruction and peace building. This process was epitomized, in part, by the passage of UN Security Council Resolution 1325 on Women, Peace and Security in 2000.

As in other post-conflict societies, Kosovo in 1999/2000 offered substantial opportunities to effect positive change for women. Reforms were implemented throughout the political and social institutions, the justice system, education, social services, and health care and there was an active promotion of the civil society. The aim of this article is to examine how the United Nations, as the main actor in post-conflict Kosovo, was able to make use of this window of opportunity to gender mainstream the reconstruction and to enhance gender equality in line with a number of its own standards. Gender equality here refers to equal rights, responsibilities and opportunities of women and men and girls and boys (Lessons Learned Unit 2000: 6).

The natural focus in this article will therefore be on the crucial period of the UN Mission's initial phase, 1999 – 2001, during which new administrative structures were put in place. A process of handover of power has now started, but it is a complicated task to evaluate the impact of this ongoing process on gender roles as it falls outside of the scope of this discussion.

This article will focus on three aspects of the role of women in post-conflict Kosovo; women as victims of (sexual) violence, women in post-conflict elections, and women as active partners in post-conflict reconstruction. Because the gender component of any peace building initiative cannot be evaluated outside the context of social, cultural and political frameworks that accept and perpetuate gender in-

equality, this article will also examine how discrimination against women in the family and in the public sphere might serve as obstacles to changing longstanding gender roles.

## 2. Gender and Gender Mainstreaming

There has been an evolving recognition by most feminist scholars that women's lives can only be fully understood when studied in terms of prevailing gender relations (Steans 1998: 4). Gender is a socially constructed definition of women and men. It is the social design of a biological sex, determined by a conception of tasks, functions and roles attributed to women and men in society and in public and private life. As it is a culturally specific definition of femininity and masculinity, it varies in time and space.

The construction and reproduction of gender takes place at the individual level as well as at the societal level. Individual human beings shape gender roles and norms through their activities and reproduce them by conforming to expectations (Council of Europe 1998). The understanding of gender as both an aspect of personal identity and an integral part of social institutions and practices, avoids the pitfalls of voluntarism, that is, the idea that people exercise free choice over their actions, and various forms of determinism, which suggest that human behaviour is wholly conditioned by constraints (Steans 1998: 13).

As, traditionally, men have had a stronger position than women in societies around the world; the values and norms in society have been shaped accordingly. Therefore, this construction contains an unequal power relationship where men are dominant and women are subordinate in most spheres of life. Over time, it has been recognised that society is characterised by a male bias, where often only the male experience is considered suitable preparation for enabling people to take part in politics and other power structures.

Gender mainstreaming was defined by the UN Economic and Social Council in 1997 as "the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes in all areas and at all levels. It is a strategy for making the concerns and experiences of women and men an integral dimension of design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated" (United Nations 2002: 4). In the context of conflict and post-conflict situations, gender mainstreaming depends upon recognising and working in response to the different experiences of women and men related to conflict and peace building.

The primary goal of gender mainstreaming is thus to create gender equality by breaking the male bias in the society and to give men and women equal opportunities to shape their own lives and influence their society. In order to implement

gender mainstreaming, it is therefore not enough to adopt "gender neutral" policies as they would often continue and maybe even increase gender inequalities. Instead, a new thinking is required, required which incorporates a gender equality perspective at every stage and all levels of policymaking and by all actors (Council of Europe 1998). However, many of the institutional frameworks and operations of peace building and reconstruction fail to address underlying gender roles and associated power dynamics that create the basis for institutionalized gender discrimination. One obstacle, which this article will explore, is that in many cases, "gender" and "gender perspectives" have become shorthand terms for women and women-specific interventions (Strickland/Duvvury 2003: 19). Often what appears to be a gender sensitive approach fails to address the underlying context that determines women's experiences and opportunities for empowerment in conflict and post-conflict transitions. These approaches risk marginalising women into "special programs" outside of "standard" programs and mainstream government ministries, such as those observed in Kosovo and UNMIK.

Special programs might be an important interim strategy to safeguard women's rights to participate and to access resources where mainstream programs and agencies marginalise or exclude women. It is important that such strategies be accompanied by a gender mainstreaming strategy "to transform 'mainstream' institutions so that men and women, girls and boys, have equal/complementary access to resources, ability to control resources and the right to participate" (Women's Commission for Refugee Women and Children 2001: 29). The consequences of the failure to do so will be described in more detail later in this article when specific focus areas will be discussed. While gender mainstreaming does not replace the need for targeted, women-focused policies and programs, these should be seen as adjuncts, not as substitutes (Strickland/Duvvury 2003:17).

### 3. Women and Peace Building in the International Framework

Armed conflicts affect women and men differently. Although each conflict presents specific dynamics there are some common denominators. These often include the likelihood that men have been more active in organised fighting, while women may have had to flee to refugee camps, been subjected to violence, and had to assume non-traditional responsibilities intensified by their efforts to secure food, shelter and security for their families. This is precisely what happened in Kosovo 1998-99, when open conflict broke out following the formation of the KLA and its open defiance of the Serb state authorities. These different experiences need to be recognised in order to construct programmes that respond to the actual (rather than assumed) needs of all those involved (The UN Department for Disarmament Affairs 2001).



Peace building and conflict resolution initiatives have the potential to impact on gender roles within a society in ways that can be broadly categorised as follows:

- (a) Positive impact: In order to positively affect gender roles and relations within a society, the initiative must include an understanding of systemic gender inequality (i.e. what are the gender roles before and during conflict), and the ways in which women and men are affected differently by conflict. It must also recognise, through the initiative, an opportunity to redress power imbalances and bring a voice to women's concerns. Women's participatory role must be seen as critical, not as political lip service, because it is truly perceived as essential to the furthering of human rights, democracy and sustainable peace. Further attributes of an initiative that impacts positively on gender include social inclusion and valuing women's roles as agents of change. This is necessarily set in a mutually beneficial context: not only asking how the peace building process might benefit women, but also how it can benefit from women.
- (b) No impact: it is difficult to imagine that any peace building initiative could have no impact on gender roles within a given society. Even attempts which seek to avert any negative impact on women's and men's roles, without taking any positive action to address women's needs and promote their participation, can only reinforce pre-existing structures of inequality. In this way, seemingly gender neutral efforts end up having a negative effect.
- (c) Negative impact: A negative impact on gender roles is usually characterised by a failure to recognise the gender implications of conflict from the beginning, a failure to conceptualise gender as a central component of peace building and, an exclusion of women from decision-making processes and positions of power. Additional characteristics include a failure to assess the needs of women as beneficiaries of peace building processes, and a tendency to reinforce the link between women and victim discourse (i.e. reinforce gender stereotypes about male and female roles in conflict). Such an approach will not only risk that existing gender discrimination remains intact, but that it is strengthened.<sup>2</sup>

The need for and value of women's involvement in peace building, as well as the need for changing the traditional roles of women and men as a prerequisite for achieving gender equality in real terms, are well outlined in international standards, *inter alia*:

The preamble of the Convention on the Elimination of All Forms of Discrimination Against Women states that "[...] the full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women on equal terms with men in all fields [...]." It further recog-

nises that "[...] a change in the traditional role of men as well as the role of women in society and in the family is needed to achieve full equality between men and women [...]" (United Nations 1994).

The Global Framework of the Beijing Platform for Action provides that "women's full participation in decision-making, conflict prevention and resolution and all other peace initiatives is essential to the realization of lasting peace [...]" (Beijing Declaration and Platform for Action 1995). Among those critical areas of concern identified in the declaration are: violence against women, effect of armed conflicts on women, including those living under foreign occupation, inequality between men and women in the sharing of power and decision-making at all levels.

On October 31, 2000, the UN Security Council adopted Resolution 1325 concerning the role of women in peace building and negotiations concerning peace and conflict resolution. Paragraph 13 encourages "all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants" (UN SC 2000).

Other concerns include insufficient mechanisms at all levels to promote the advancement of women, and a lack of respect for and inadequate promotion and protection of the human rights of women.

Despite the frameworks described above, however, it is a truism that their implementation falls seriously short of their potential. Women's representatives and women's groups in Kosovo struggled to have a voice or involvement in post-conflict decision-making. In an open letter from the Kosova Women's Network (a network of 40 women's NGO's) to the women in Iraq, they write: "We greeted joyfully the decision that put Kosovo under a UN administration. [...] but most of those agencies did not recognize that we existed and often refused to hear what we had to say on decisions that affected our lives and our future. [...] Instead of dedicating all our energy to helping women and their families put together lives shattered by war, we expended effort in fighting to be heard and in proving to UNMIK that we knew what was best for us, that women in Kosova were not just victims waiting to be helped - they could help themselves, as they did in the past, and they could be key and effective actors in building their own future" (Kosovo Women's Network 2003).

The importance of involving women in peace building efforts has been proven by research that shows the connection between the status of women in a society and its level of conflict. Violent conflict is more common in countries with a low representation of women in parliament, and where domestic violence against women is more widespread than in more gender equal societies. Utilising the knowledge and expertise of women is therefore a peace promoting activity in itself (Söderberg Jacobson 2004:6).



#### 4. The Entry of the International Community

The entry of the first major international operation in Kosovo, the OSCE Kosovo Verification Mission (KVM), in autumn 1998 had an immediate, if unintended, impact on gender roles in Kosovo, as the number of brothels in Kosovo immediately increased significantly. Although trafficking was already a well-known phenomenon in the Balkan area at the time, no preventive work had been undertaken before the arrival of the international community to Kosovo. Neither the NATO troops of KFOR, UN nor OSCE had any element on trafficking in their training for mission members at the time. Nor did any of these organisations have any kind of Code of Conduct for their mission members regarding the exploitation of women subject to trafficking.

There are more preventive activities today, such as pre-mission training on trafficking for some KFOR soldiers (e.g. in Sweden) and the development of a Code of Conduct for OSCE mission members.<sup>3</sup> However, these measures can no longer be described as preventive actions as the brothels and the trafficking victims are already a part of the reality in Kosovo. Reports claim that since 1999 the sex industry has increased considerably and has even been characterised as the fastest growing »business« in post-war Kosovo (Xharra 2002).

Unintended effects on gender roles such as increasing prostitution and trafficking in connection to the entry of an international operation cannot be overlooked while examining the influence of peace building. These are unintended effects that occur in all conflict areas where the international community intervenes and thus constitutes a major influence on the conscious gender work of the international and national organisations.

#### 5. Historical and Political Background Setting

In the course of the twentieth century, people in the former Yugoslav area have lived under a number of different systems including: dynastic monarchy, constitutional monarchy, fascist occupation, communist one-party rule, nationalism, and most lately in the case of Kosovo, under the rule of the United Nations. Under most of these systems, women were told that there were more important and urgent things than gender equality to attend to, and that gender equality could wait while achieving the other goals (Ramet 1999:6).

In 1974, Kosovo (where the majority of the population is Albanian) was given autonomy as a province of Serbia by a new constitution of Yugoslavia. This autonomy was revoked by the Serbian authorities in 1990 with the dissolution of the parliament in Kosovo, the justification being that it was working against Serbian national interest. A harsh regime was introduced with the aim to make Kosovo more Serbian; Albanian newspapers were closed and virtually all education in Albanian was stopped. All public employees were forced to sign a declaration of loy-

alty to the Serbian regime that led to the dismissal of almost all Albanians as they refused to sign this declaration. In autumn 1991, there was an illegal referendum on independence for Kosovo and in 1992, the Kosovo Albanians elected a new Parliament that was subsequently declared illegal by the Serb authorities. Ibrahim Rugova was then designated "President". A parallel Albanian structure evolved side by side with the official Serbian state structure, one that included health care, a quasi-judicial and an educational system.

As the Kosovo Albanians got more involved in their struggle for ethnic recognition in the 1990's, it also became increasingly more difficult for women activists to fight openly for the enhancement of women's rights. The call for ethnic solidarity among Kosovo Albanians was so strong, and the cost of breaking rank so high, that most women could not choose to emphasise their gender identity over their Albanian identity. The general perception was that women could not become free women as long as they were occupied as a nation, and that after the liberation the women would get their freedom automatically (Mertus 1999: 172).

Yet, a simplistic view of Kosovo's women as under-emancipated, suppressed by their patriarchs and locked into ancient traditions would seriously mislead an outsider. The position of women was strengthened during the 1970's, especially with regard to higher education, when the university in Pristina began instruction in Albanian. In 1988, 29.8 percent of the graduates and 60 percent of teaching staff were women. In 1989, 40 percent of upper secondary pupils were women (Lyth 2001: 10). Women were also active as professionals in the aforementioned parallel structures, mainly in traditional women's areas such as education and health. Although during the 1990's it was, to a certain degree, difficult for women to criticise openly traditions in Kosovo society that worked against the emancipation of women. Nevertheless, there were some women's NGO's already active then, such as the Centre for the Protection of Women and Children and Motrat Qiriazhi. Due to the prevailing circumstances, these organisations were mainly engaged in humanitarian assistance, but most of them also had more political aims, and agendas, which encompassed the empowerment of women and improving the status of women in society.

In 1998, after more than six months of escalating armed conflict between Yugoslav and Serbian forces and the Kosovo Liberation Army (KLA), the UN Security Council passed Resolution 1199. This resolution called for an immediate cease-fire in Kosovo, an international presence to monitor it, the withdrawal of "security units used for civilian repression", and dialogue on the future of the province (UN SC 1998). On October 16, 1998, the OSCE Kosovo Verification Mission (OSCE-KVM) was established to monitor compliance with Resolution 1199 and with the cease-fire. With the collapse of the Rambouillet peace process, KVM was withdrawn from Kosovo on March 20, 1999, in the face of an untenable situation

of deteriorating security. On April 24, 1999, NATO started a bombing campaign against Serbia that ended in June 1999 with Security Council Resolution 1244, which created the United Nations Interim Administration in Kosovo (UNMIK). Hence, it was a complex reality that met the international community when it entered Kosovo in the summer of 1999. As stated above, women in Kosovo were living (and continue to live) under very different circumstances depending on where they live, what kind of education they have and which family they come from. Although a broad statement, it can nevertheless be said that a modern, more westernised woman could be found in the cities, whereas the situation for women was more traditional in the countryside. Most importantly, there was already a solid base of active NGO's, intellectuals and professional women in place on which the international community could build in its effort to promote gender equality in a way that would ensure local ownership and long term sustainability.

## 6. The Creation of UNMIK

Before the Kosovo conflict entered its final and most destructive phase during the NATO bombings, the international community made a last attempt to reach a negotiated settlement and invited representatives of the Kosovo Albanians and the Federal Republic of Yugoslavia (FRY)/Serbian authorities to Rambouillet in France. The ensuing draft agreement was eventually signed by the Kosovo Albanian delegation, whereas the FRY delegation refused to accept its terms. The negotiations set a classical scene at the peace-negotiating table with a virtually all male presence. The Kosovo Albanian delegation consisted of fifteen men and one woman (Edita Tahiri of the LDK, Ibrahim Rugova's party), the FRY delegation of fifteen men.

What is significant here about the Rambouillet negotiations, since they were the culmination of yearlong efforts by of the international community to end the crisis/conflict by diplomatic means, means is that the negotiations can be described as "gender neutral", i.e. they did not provide for any particular activities to address underlying gender biases and promote gender equality. Gender neutral policies does not respond to the analysis or the positive policies spelled out in documents as CEDAW and the Beijing Platform for Action. Rambouillet has this in common with the Dayton Agreement and many other peace agreements all over the world (Lithander 2000). Because Rambouillet and later UN Security Council Resolution 1244 did not take CEDAW nor the Beijing Platform for Action into consideration, there was, was from the very beginning, a lack of gender sensitivity in the international community structures which would have been responsible for the implementation of the agreement. Less gender-neutral peace accords contribute to gender sensitivity as part of the strategies within the implementing bodies from the very start of their missions.

Even though the Rambouillet Agreement was never signed and the international OSCE presence was evacuated from Kosovo, it remained a relevant document since UN Security Council Resolution 1244 makes specific reference to it. Conceptually, Resolution 1244 also fell short of the demands from Beijing and human rights treaties, as it was gender neutral and did not, for example, include a clear condemnation of gender-based discrimination. As women's special interests and needs were not taken into consideration in resolution 1244, gender awareness in general has been lacking in the implementation process. The virtual absence of women in the peace negotiations at Rambouillet perpetuated and institutionalised the marginalisation of women in the political process after the conflict.

When the United Nations Mission in Kosovo (UNMIK) was established through Security Council Resolution 1244 in June 1999, it was tasked to set up an interim civil administration in Kosovo. This interim body would run the administration in lieu of a state until democratic elections had been held and the final status of Kosovo had been determined. By 2004, some steps had been taken to hand over power to the local authorities, but the main decision making remained in the hands of the UNMIK and in particular to its head, the Special Representative of the Secretary General (SRSG). As stated in the introduction, this article focuses on the period before this handover process started. As the dynamic between the international and national community was altered quite significantly by the handover of power, it would have to be studied separately.

Soon after UNMIK's deployment, the SRSG created a consultative group of local representatives called the Kosovo Transitional Council (KTC). In its initial phase, it had twelve members, both Serbs and Albanians, but none of them female. When the Joint Interim Administrative Structure (JIAS) was created and the Interim Administrative Council (IAC) was set up after December 1999 as the SRSG's main consultative body, the KTC was enlarged to include 36 members, some 17 percent of whom were women. When the eight-member IAC was created, however, the KTC lost most of its importance and Kosovo Albanian women were once again excluded from the closest circle of decision-making.

All three Albanian representatives on the IAC were male while the Serb representative was female. The Serb representative, Rada Trajkovic, who later became leader of the Serb caucus in the Kosovo Assembly, was met by a similar phenomenon as the Albanians during the 1980s – that one's ethnic identification takes precedent over gender in times of oppression by another group.

An observer position for a "civil society representative" was also created and a conscious effort was made to find a suitable (Kosovo Albanian) woman in order to adjust the otherwise uneven gender balance. The observer had the right to attend all IAC meetings and the right to speak, but not to vote. While it must be appreciated that the SRSG tried to introduce a Kosovar Albanian woman into this body;



it is significant that, yet again, women were associated with "civil society" and NGO's, both considered "soft issues" when it comes to policy making and conflict resolution. Consequently the civil society observer was given a very weak role and was not able to gain any leverage in the debates of the IAC and was not either perceived as an important factor by the public.

After having set out the context in which the UNMIK was set up, this article will now examine the impact of the peace building efforts of the international community on gender roles in three particular areas: women as victims of (sexual) violence, women in post-conflict elections and women as active partners in post-conflict reconstruction.

## 7. Specific Areas of Focus

### 7.1 Women as Victims of (Sexual) Violence

It is well documented that rape occurred on a systematic scale during the war in Kosovo (OSCE/ODIHR 1999; Wareham 2000). Rarely before, though, has rape in a war been used so bluntly for propaganda purposes.

When the fighting broke out in Kosovo 1998 and intensified during NATO's bombardment at the end of March 1999, many knew that mass rapes were likely to occur given the previous experiences in Bosnia and Croatia. This general expectation proved disastrous for many women in Kosovo. As the refugees crossed the border into Macedonia, they had difficulty getting through the waiting crowd of journalists. If the journalists spotted a woman who wore signs of ill treatment, they immediately barged her with questions about whether she had been raped. In some instances, they were able to persuade the women to confess that they had been raped while the camera was running. In many of these cases those women, who were still traumatised and had been taken by surprise by reporters, soon regretted their openness (OSCE/ODIHR 1999).

The Kosovo Albanian political leaders quickly picked up on the propaganda value of these rapes and were very eager to encourage the women to talk about their experiences. From a culture where rape, by tradition, is met by compact silence, it became very easy to gain access to talk to these women in private. The men present would always leave the room or the tent with the encouragement to the women to tell "everything" (Lyth 2001:19).

Autumn 1999 therefore provided a unique opportunity to change attitudes and misperceptions in the Kosovo society about sexual violence and gender. However, having cited the mass-rapes as one of justification for the NATO bombings, (NATO 1999) once the war was over, the international community's political agenda translated into not only a silence on the rapes, but also a prioritisation of crimes resulting in a diminution in the seriousness of those rapes. Ethnically motivated

violence was given almost all attention regarding awareness raising, prevention and prosecution, whereas other crimes including those committed on the basis of gender, were not considered as serious by the UN administration.

The Interim Administrative Council (IAC), comprised of what the international community considered at the time to be the three most important Albanian leaders, was pushed several times by the international community to condemn violence against ethnic minorities in Kosovo. Not once was violence against women on the agenda and consequently no statement against violence against women was ever issued. Instead, the focus of frequent statements was on inter-ethnic violence, missing men in Serbian jails and war invalids from the former KLA.

At the same time, time the human rights reports produced by the OSCE, various NGO's and journalists, focused almost univocally on inter-ethnic and political violence (i.e. between Serbs and Albanians and between rival Albanian political factions), giving the impression that these were the major occurrences of violence in Kosovo. Admittedly, the rate of homicide and other violent crimes attributable to inter-ethnic and political disputes is still higher than in any other country in the region. Yet, judging from internal UNMIK police reports, it appears that violence against women is at least as common as either of the two former types of violence. A UNIFEM Report (Warehem 2000) that was produced in 2000 concludes that men and women in Kosovo looked very differently on the notion of domestic violence. Women defined violence in broad terms to cover emotional, psychological, and physical mistreatment. Men, on the other hand, restricted the definition to physical harm inflicted upon a woman with visible consequences. Women would perceive light injury or hitting as violence, men would define violence in terms of severe bodily harm.

Although there has been some important progress in fighting violence against women, there are, unfortunately, still indicators that violence against women continues to be treated as a "women's issue" rather than a societal problem. In 2002, the OSCE Mission in Kosovo (OMIK) produced a Background Report on the Gender Situation in Kosovo, where it stated that violence against women had increased significantly during the previous year (OMIK 2002). However, when the Mission reported on the general situation on violence in Kosovo in 2003, gender based violence was not mentioned once, although the report did classify violence as organised and disorganised crime; ethnically-motivated attacks; personal and family disputes; political personal attacks; political generalised attacks (OMIK 2003a). The similarity between these types of violence is that they are all committed by private actors and not by state agents as in the classic constellation of human rights violations. Hence, it appears that the gender sensitive approach here resulted in visualising the problem of violence against women, but it also put it into a special category and thus it vanished from the general reporting on violence in Kosovo.

## 7.2 Women in Post-Conflict Elections

During the 1990's, women in Kosovo played an important role in the Albanian parallel structure. The LDK, which was the main political party during those years, had an important women's branch. Edita Tahiri was President Ibrahim Rugova's spokesperson on foreign affairs issues. Kaqusha Jashari, the last president of the autonomous government in the 1980's later became one of the leaders of the Kosovo Social Democrats. It is therefore not new that Kosovo women are politically active and represented up to highest level.

However, in the aftermath of the conflict there was a concern among both women activists and women politicians that female candidates would be outmanoeuvred by the political parties, especially as some of the political parties were based on different coalitions of former guerrilla members. Developments in other post-communist countries prove that this was not an unfounded fear.

One model to increase women's participation in the political sphere is the introduction of quotas. Before the municipal elections on October 28, 2000 in Kosovo UNMIK decided to institute a women's quota in the lists of candidates built on the same model that had been used in the April 2000 Bosnian local elections. It required that 30 percent of the first fifteen candidates on the candidates' lists be women. In the regulation on the municipal elections, it was formulated as:

"Each candidates' list shall include at least thirty percent of female candidates in the first fifteen candidates. Within the first fifteen candidates on each candidates' list, at least one female shall be placed among the first three candidates, and at least one female shall be placed in each full set of three candidates thereafter. This rule shall not apply to those lists comprised of less than three candidates." (UNMIK/REG/2000/39).

As the quota was introduced, there was some resistance both from the international side and at the local level. Some political parties argued that they did not have enough competent and strong women (sic!), thereby continuing the misperception that there are other and higher demands on a woman wanting to enter the political sphere than on a man. Many high representatives in the international organisations were very sceptical, predictably referring to the traditional nature of Kosovo society, which in their eyes was not ripe for "this sort of thing". It is interesting to note that no such doubts were expressed when introducing ethnical quotas for elected assemblies at municipal and Kosovo wide level, although it is arguably much harder to pin down ethnical groups as compared to sexes. There was, however, also strong support for the quota both among women politicians and NGO women in Kosovo and fortunately also in the OSCE Mission in Kosovo. After initial hesitations, all political parties managed to find a sufficient number of women to place on their candidates' lists.



Unfortunately, the well-intentioned idea of quotas was undermined by the use of an open list system. "Open list" means that the voter can mark one candidate of his or her preference who will then move upwards on the list. Closed lists, on the other hand, show only the names of the party and there is no possibility for the voter to interfere with the order of the candidates as determined by the party. As a consequence of the open list system, only 8.26 percent women were actually elected to Municipal Assemblies. In Pristina, the figure was some 15 percent. In several Municipal Assemblies, no women were elected at all. The OSCE explanation of these results was that given the traditional nature of Kosovar society, both male and female voters had preferred to choose male candidates (OMIK 2000).

This explanation failed to mention the fact that UNMIK had already created an unequal starting point for the male and female candidates by appointing mainly men into the initial consultative bodies and the interim administrative structure. It also failed to recognise that, according to experience in many other countries, to be successful, quotas have to be included in a broader context, accompanied by a number of other activities, such as a public information element. Instead, the quotas in Kosovo were introduced at a late stage and without supporting measures. The OSCE also failed to analyse and publicly discuss the discrepancy between the quota requirement and the disappointing results for women candidates. For instance, the effect of widespread "family voting" on the outcome deserved more attention.

The municipal elections continued in 2000 with the open list system and resulted in a mere 8 percent female representation. In the 2002 municipal elections, the system changed and the combined use of closed lists and the gender rule resulted in the election of approximately 28 percent female representatives across the 30 Municipal Assemblies.

The discussion concerning closed versus open lists continues in Kosovo. Local political forces represented in the Elections Working Group (EWG), both from majority and from minority communities, have expressed their support for open lists. The main argument in favour describes open lists as a more "democratic" option ensuring stronger links and accountability of the elected representatives to the constituents. However, the fact that open lists are difficult to reconcile with absolute safeguards for gender representation has thus far prevented the EWG from reaching consensus on recommending a change to open lists. The proponents of open lists have expressed their support of the principle of strong equal gender representation, but have failed to recognise the goal of empowering women as an internal responsibility of their parties, in case the system does not automatically result in their election (OMIK 2003b).

From the start, when quotas were used in the first Kosovo elections under international administration, the quota system was treated more as a women's issue rat-

her than a step to secure gender equality. When the OSCE organised a conference on women in politics, with the subtitle "An Agenda for Kosovo Communities", in October 2000, the speaker's list consisted only of women, apart from the introductory speech and the conclusion where two high profile international men from the OSCE mission appeared. Of the 63 participants, only one was a man, and he was a journalist, not a politician.

In January 2003, an orientation course on gender was held by the UNMIK and in the press release describing the event it stated that the list of guests included representatives of the Department of Local Administration, the Prime Minister's Office, UNIFEM and women members of the Kosovo Assembly. Hence, the misperception that gender equality only concerns women continues to prevail in Kosovo. This misperception is lethal as it denies the reality that the issue of equal political representation for men and women goes beyond the inner circle of believers and into the mainstreamed political arena. It is also a major obstacle against any sustainable impact of gender quotas or any other action for enhancing gender equality.

### **7.3 Women as Active Partners in Post-Conflict Reconstruction**

In the summer of 1999, there was a sense of optimism among the women activists in Kosovo. Finally, they hoped, it was possible to openly and aggressively promote women's rights and advance the position of women. As the new system was put in place, there was a belief that women would be treated as equals to men and be integrally included in the work of rebuilding Kosovo. The fact that it was the international community who was to govern Kosovo at first only to fuel the optimism of the women activists, as the United Nations has been very active in stressing the importance of involving women in all its activities, in particular peacekeeping and peace building. The UN was to the women activists "the revered international organisation that developed and passed key documents that stipulated women's rights and promoted their integration in all levels of decision-making" (Kosova Women's Network 2003).

As described above, women in Kosovo were living (and continue to live) under very different circumstances depending on where they live, what kind of education they have and which family they come from. There was a misperception among some of the international staff who thought that Kosovo was an extremely patriarchal society where no women's movement could flourish. Others had their own plans and ready-made programs that they had tried in other countries and were not interested in listening to the local women's NGO's and acknowledging their expertise, as they did not want to change their plans to respond to the reality of women's lives in Kosovo. The reality is that the situation of women and gender roles more generally, are far from uniform or homogenous in Kosovo then and now.

The old book of Leke Dukagjini<sup>4</sup> found on many UN-officers' desks, was frequently referred to if anything needed to be explained about Kosovar society. Its pre-eminence has been very much eroded for over forty years by the institutionalisation of modern laws under the socialist system. Though there are some more extreme traditionalists in Kosovo who still claim the validity of Leke Dukagjini, this is not the consensus among the general population. Yet, some in the international community chose to give more weight to that small group who asserted the old traditional law.

As described above, the women's NGO's were eager to work with the international agencies in developing effective strategies for responding to the pressing needs of Kosovo women. However, most of those agencies did not recognise that they existed and often refused to hear what they had to say on decisions that affected their lives and their future (Rogova 2003). The international administrators thereby undermined the legitimacy of the women activists and advocates of women's rights. The work to strengthen gender equality was undermined when they adopted/reinforced more traditional ways of thinking. Also, the fact that women's NGO's work with groups across ethnic lines was not sufficiently recognised by the UNMIK or OSCE. Their advocacy on behalf of ethnic groups in certain issues was clearly rejected. Women activists expressed the opinion that UNMIK, including the OSCE part of UNMIK, behaved as if only they had the authority to act and to take ownership. The international community in Kosovo gave the impression of not wanting initiatives independent of themselves and their control (Rogova 2003).

At first glance, it may appear that the creation of an Office of Gender Affairs within UNMIK was a step forward toward securing an integrated gender perspective in the work of the mission. However, upon closer examination the picture was more complicated. Its position in the mission made it detached from actual operational issues and the hierarchical administrative framework. At the same time, it became the main, if not only reference point in the mission for women, which had a number of less positive consequences.

What consequences result from a women's branch of a political party having as their main mission contact, a Gender Department, while the main branch, which is typically male dominated, has its main contact directly with the political advisers of the Head of Mission or at least much closer to main power circle? Of course, the answer very much depends on the strength and position of the Gender Unit. At the same time it has to be recognised that the organisational culture of the United Nations Missions (as in many other international organisations) is very territorial and does not encourage cross-section co-operation. It is therefore difficult to see how a separate Gender Unit could be able to have a real and sustained impact on the work of other departments. It may be that the concerns and opinions of women's organisations and women's branches of political parties and the like,

get stuck in the Gender Unit just because of its specific place within the Mission thereby contradicting its own *raison d'être*.

A number of specific gender initiatives were established in the immediate post-conflict reconstruction work. The UN had an Office of Gender Affairs in UNMIK as well as UNIFEM in place; the OSCE had a special Focal Point for Women and Children as well as an Equal Opportunity Bureau within its UNMIK Department for Democratic Governance and Civil Society. However, at the same time as these special gender initiatives were created in different international institutions, there was an apparent shortage of gender-sensitive women or men in high positions. This can be contrasted with the situation in Bosnia and Herzegovina where a number of gender-sensitive women in senior positions managed to raise gender-awareness among the international community as a whole (Lithander 2000). The conclusion must be that it is crucial that persons in senior positions understand gender mainstreaming as a principle in policy-making and that a lack of such understanding or at least an openness to the issues, can never be compensated by special gender initiatives. This conclusion has consequences when planning gender mainstreaming efforts where it is imperative to focus on the recruitment of personnel into senior positions, and not only to specialised gender positions.

## 8. Conclusion

The basis for international peace building in Kosovo, Resolution 1244, does not make any specific references to gender issues and neither did the Rambouillet agreement, which also greatly influenced the early work of UNMIK. Both thereby continue a tradition of gender neutrality, something that, in practice, works against women as they have an unequal point of departure. Although some well-intended measures were taken to correct this injustice after the installation of UNMIK, because the base includes a bias against women, these measures have either failed or had very little effect.

Most of the early gender mechanisms in the international organisations were based on an approach of structural or static solutions to a problem of dynamics and policy. This means that one tended to consider it sufficient to set up a Gender Unit or appoint a Gender Advisor, while continuing with business as usual. Experience in Kosovo has shown that it is certainly not enough to create gender institutions and, at times, these institutions even distract from the real issues.

It is significant that the most positive example of a successful gender initiative in the initial phase of UNMIK was not initiated by any of these Gender Focal Points/Units but by one enlightened person in the right place. In the recruitment of its first class for the new Kosovo Police Service in August 1999, a conscious effort was made to recruit women. The planners of the Police School set an internal tar-



get at 20 percent. The overall percentage of women trained throughout the first twelve courses is 19 percent. The high number of women exceeds the figures in most other European countries. In contrast, at the same time the number of women in the international UNMIK Police and in the Kosovo Protection Corps (the civilian emergency service emerged from the Kosovo Liberation Army), where such an ambitious target was not set, women represent 3 percent and 2 percent respectively. (Lyth 2001: 20).

While it is arguably necessary and useful to have experts on gender issues present in an operation such as UNMIK, the existence of Gender Offices and the like are by no means a guarantee for a sensible, gender-mainstreamed policy on all levels of an administration. One problem with special gender initiatives is that it is often easy for the rest of the mission to "hide" behind these fig-leaf units or persons. The fact that the provisional institutions of self-government, which emerged after the 2001 Assembly elections also include such similar gender-unit type structure (in addition to the UN one) shows the importance of the early phase for providing models for later.

Another clear obstacle for lastingly effective gender work in Kosovo may have been the lack of gender-sensitive and gender-trained senior staff. It is clear that an understanding of gender mainstreaming is virtually imperative for the genuine inclusion of women's aspects in the work of international organisations. Experience shows that it can be very difficult to get senior staff and heads of missions to take gender issues seriously. Herein lays the challenge for those responsible for selecting senior staff and heads of mission. They should be chosen in a gender-mainstreamed way, allowing more women into senior positions and promoting men who are gender-sensitive. Increased attention to this would strengthen gender as a serious issue.

There appears to be an increasing tendency in the international community to create more and more specialised Gender Focal Points and Gender Units. As stated earlier in this article what appears to be a gender sensitive approach often risks marginalising women into "special programs" outside of "standard" programs and mainstream government ministries. It is highly relevant to examine these initiatives in detail in order to judge their real impact, which will enable a discussion on the most effective way to achieve equality between men and women.

Gender mainstreaming is still a relatively new idea and a process of trial and error is needed to find the most effective way forward. It is questionable whether the specific gender initiatives taken have managed to influence the general work of the organisations or whether they underscored the tendency to treat women as a separate and somehow secondary group in society. It is obvious that Gender Focal Points can never replace political will and openness from the highest level in these operations. Practical efforts will only be successful when intervening agencies

not only “add women to projects and programmes” but also truly incorporate women in the institutional process to ensure that their visions, interests and needs are reflected in the definition of policies and strategies. Peace building initiatives may be a missed opportunity from the beginning if the starting point is to view gender as a “women’s issue”. It has to be conceived as an equality issue, with short-term and long-term impact for women and men.

- 1 This article is written in the author’s private capacity and does not necessarily reflect the views of the organization she is working for.
- 2 The author would like to thank Nicole Watson for input on this part and comments and critique on the whole article.
- 3 On 13 November 2000, the OSCE made an amendment to its Code of Conduct for OSCE Mission members. The new addition in the text is as follows: “[...] 6. Compliance with accepted human rights standards: Mission Members must refrain from any conduct, which could be detrimental to the goals of the OSCE. This includes but is not limited to an affiliation with any person who is suspected of being involved in any activity that violates national or international law or accepted human rights standards, or an affiliation with any person who could reasonably be suspected of engaging in the trafficking in human beings. Mission members shall be aware that the use of the services of a person suspected of being a victim of trafficking contributes to both the profit of traffickers and the harm to victims. Mission members shall adopt exemplary standard of personal behaviour to ensure the OSCE is contributing to combating trafficking in human beings, and is not exacerbating the problem” (Lyth 2001: 20).
- 4 A compilation of ancient Albanian customary law containing rules on family law, hereditary law, criminal law and other issues of relevance for the traditional Albanian pastoral society. Parts of it, most notably concerning property rights survived in areas where state authority has been traditionally weak and considered oppressive.

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### Abstracts

The aim of this article is to examine how and to which degree the United Nations, as the main actor in post-conflict Kosovo, was able to gender mainstream the reconstruction and to enhance gender equality in line with a number of its own standards. Many of the gender mechanisms in the UNMIK were based on an approach of structural or static solutions to a problem of dynamics and policy, e.g. specialised gender focal points and gender units. However, what appeared to be a gender sensitive approach often had the consequence of marginalising women into "special programs" outside of "standard" programs.

Ziel dieses Artikels ist zu untersuchen, inwieweit die Vereinten Nationen als hauptsächliche Akteurinnen in post-conflict Kosovo den Wiederaufbau aus einer Genderperspektive organisierten und *gender equality* und eine Reihe anderer eigener Standards stärkten. Viele der Gendermechanismen in der UNMIK basierten auf einer strukturellen oder statischen Annäherung an ein dynamisches, politisches Problem, zum Beispiel mit spezialisierten *Gender Focal Points* und *Gender Units*. Was als geschlechtssensibler Zugang erscheint, führte oft zur Marginalisierung von Frauen durch die Implementierung spezieller Programme außerhalb der Standardprogramme.

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