

## Gender Perspective and Women’s Participation in the Dialogue on Normalization

The Council for Inclusive Governance (CIG) organized on March 3, 2023, in Tirana, Albania, a roundtable for a group of representatives of political parties, members of parliaments, and civil society organizations from Serbia and Kosovo to discuss issues related to incorporating a gender perspective into the Kosovo-Serbia dialogue and increasing women’s meaningful inclusion in the process. The participants recommended that a gender perspective should be considered in future processes, especially in areas where one gender is affected disproportionately, and that more women should be involved in the dialogue process.

The United Nations Security Council Resolution 1325 on Women, Peace and Security, adopted 23 years ago, has contributed to gender mainstreaming globally. Post-conflict situations have proven the essential role of women in peacebuilding processes. But their role is even more necessary for maintaining peace. These issues are often omitted by leaders who are more concerned with such issues as status or gaining political victories. Thus, with women in the processes of negotiation and implementation, as well as with the proper inclusion of a gender perspective, agreements are usually more comprehensive, sustainable, and more implementable. The question remains how to include these practices and perspectives in the current Serbia-Kosovo dialogue. Participants offered a number of suggestions.

### Perspective and representation

The United Nations Security Council Resolution 1325 calls on all actors involved in negotiating and implementing peace agreements to adopt a gender perspective. Despite its contribution to heightening awareness of the significance of a gender perspective in the field of peace and security, however, the Resolution does not define what a gender perspective is or how it should be applied in the context of a peace process. From 1990 to 2000, just 11 percent of peace agreements made reference to women. After 2000 (until 2015), over 27 percent referenced women.<sup>1</sup> In peace processes between 1992 and 2019, women constituted, “on average, 13 percent of negotiators, 6 percent of mediators, and 6 percent of signatories in major peace processes around the world.”<sup>2</sup> The main gender provisions in peace agreements have been: a) gender quotas for political representation and government employment; b) post-conflict issues and transitional justice; c)

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<sup>1</sup> Christine Bell, “Text and Context: Evaluating Peace Agreements for their ‘Gender Perspective,’” Research Paper, UN Women, New York, October 2015, p. 13.

<sup>2</sup> “Women’s Participation in Peace Processes”, Council on Foreign Relations, <https://www.unwomen.org/en/what-we-do/peace-and-security/facts-and-figures>.

measures to combat violence against women; and d) women's economic empowerment and development such as land and inheritance rights.<sup>3</sup>

Research shows gender provisions are more likely to be included when women are part of these negotiations. Women's presence in agenda-setting processes is politically important. Women were made party to many official negotiations, including in Burundi, Afghanistan and in an internal dialogue in the Democratic Republic of the Congo. Women's recommendations in these forums included: a minimum 30 percent quota for women in decision-making processes; statutory guarantees for women's rights and equal treatment; special measures ensuring reintegration of displaced women; women's rights to property ownership and inheritance, and the end of impunity to the perpetrators of gender-based crimes. In Burundi, Northern Ireland, Colombia and Guatemala, women managed to incorporate some of these proposals in the final peace agreements.<sup>4</sup>In the Balkans, however, many were critical of the absence of women in the Dayton Process and the gender impact of the ethnic division model employed in Bosnia and Herzegovina.

CIG conducted a research study and found that Kosovo and Serbia negotiated in Brussels for over 10 years producing some 50 documents, consisting of about 150 pages, resulting in 21 agreements of which 9 were implemented, 6 were largely implemented, 4 were partly implemented, and 2 were not implemented. In total, about 80 percent of the Brussels agreements have been implemented. When some say Serbia and Kosovo reached 33 agreements, and others say 36 or 47, they are all correct. Some consider each of the about 50 documents that the parties negotiated as agreements. But not all of these documents are agreements; some are agreement modifications, revisions, upgrades, and implementation plans. For instance, the *Freedom of Movement Agreement* consists of four documents: the core agreement signed in 2011 and three 'revisions' in 2016, 2017, and 2022. There are also about 18 certificates—out of a total of 52—that were mutually recognized but were negotiated at different stages of the dialogue. In this paper, for example, all the certificates are included under the *Chambers of Commerce Agreement*, since the chambers were largely in charge of negotiating them. But the ADR certificate agreement<sup>5</sup> was negotiated separately and is considered as a separate agreement.

The same paper grouped the Brussels documents into 21 core agreements. How did we do it? By grouping the individual documents into area agreements. For instance, the agreements on police integration, civil protection integration, and the regional police commander *in Kosovo's north*—three agreements—have all been grouped into one: Integration of Serb Security Structures in Kosovo's North, because they all fit into the *security area* and were all negotiated at the same time in Brussels. But, for instance, the Mitrovica Bridge agreement has not been included in the Freedom of Movement, because, in addition to its freedom of movement elements, it also includes a provision on a "boundary demarcation" between South Mitrovica and North Mitrovica, and it

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<sup>3</sup> The Global Study on the implementation of the United Nations Security Council Resolution 1325, UN Women, New York, 2015, pp. 37-63

<sup>4</sup> Ibid

<sup>5</sup> ADR certificates - certificates for drivers and certificates for vehicles. The agreement is based on the UN Convention on ADR certificates (Agreement of 30 September 1957 concerning the International Carriage of Dangerous Goods by Road) and the international and European standards for transportation of dangerous goods

was also negotiated as a separate agreement.<sup>6</sup>

Throughout this research, it was evident that a gender perspective was not part of the dialogue. Some of the agreements, such as integration of Serb security structures in Kosovo's north, worked to the disadvantage women, as most of the approximate 700 jobs were given to men. Women's participation in the dialogue was also insignificant, especially at decision-making levels.

Additionally, the entire process lacked a proper gender balance. Women from Kosovo and Serbia have not been sufficiently included in existing process either. The EU side has done better: Two EU dialogue facilitators were women—EU's foreign and security policy chiefs Catherine Ashton and Federica Mogherini. Apart from Edita Tahiri, who served as Kosovo's chief negotiator, Serbia's and Kosovo's delegations are primarily, if not entirely, composed of men. A participant noted that even though more women participate in the technical discussions, their number is still significantly lower than that of men, adding that “women were not present at all in about 60 percent of the discussions.”

“This has to change, and fast.” The dialogue should reflect better gender representation not only in the negotiations but also in policymaking at home. “It is impossible to discuss women's role in the dialogue if we don't discuss women's position in society” stressed a participant. Although many acknowledged that the situation for women is now better in Serbia and Kosovo, they noted that it did not come easy. It was a lengthy process, mostly driven by international institutions but also by the wish of Serbia and Kosovo to become part of the European political and security architecture. For example, a crucial change happened through the new election laws adopted with the support of the Organization for Security and Cooperation in Europe (OSCE) that established quotas for women.

These affirmative pieces of legislation in both Kosovo and Serbia helped women get more space in the national political mainstream.<sup>7</sup> Still, it is not enough, as the laws on gender equality prescribe 50 percent quota for women, while the election laws in Serbia and Kosovo are not harmonized with them and prescribe at least 40 percent and 30 percent of the “less represented gender.” Many women politicians became important in the political life first through quotas but now have established their own profiles, a participant said. “Their public images are strong, and some have become powerful leaders,” especially in Kosovo where the electoral system with open lists enables them to gain individual votes directly and thus become more independent from party leaderships that remain entirely dominated by men. In Serbia, the electoral system is still based on closed lists, allowing party leaderships to design candidate lists. A participant suggested Serbia should also “open the electoral lists.”

Despite these breakthroughs, gender inequality remains a concern in both societies.

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<sup>6</sup> See Shpetim Gashi, Igor Novakovic, Brussels Agreements Between Kosovo and Serbia. A Quantitative Implementation Assessment, Friedrich Ebert Foundation, 2020, <http://www.cigonline.net/wp-content/uploads/2021/02/17009-1.pdf>

<sup>7</sup> In Serbia Law on Election of Deputies (amendments in 2003 and 2020) – Article 40a. In Kosovo Law No. 003/L-073 On General Election – Article 27.

Participants recommended that the dialogue in the next phases enable more women to take meaningful part in the negotiation delegations and in the implementation process.

A participant argued that including women in negotiation processes increases the chances for peace. Some were skeptical about it. “It is not just about the representation, but also about what you bring to the table,” a participant responded. “I am not sure if having Vjosa Osmani or Ana Brnabic at the table would bring significant changes.” Another speaker insisted that there is “no difference between members of parliament in Kosovo, men and women have a rather similar perspective on the dialogue.” But the majority of others said strong inclusion of women would make a substantial difference in the process and its outcomes.

Many stressed that the focus should be on inclusion. “The dialogue between Belgrade and Pristina is part of a larger process that should also include normalization between men and women,” a participant argued. “When wars end, their outcomes affect women more than men,” they added, noting that it is not enough just to end conflicts and wars. Without women’s meaningful participation in post-war processes, “there is no peace, only an absence of war.” In other words, without the inclusion of women in the dialogue, there will be no meaningful normalization within and between Kosovo and Serbia. “Men decide when to go to war and when to make peace,” usually by signing a piece of paper, but “winning peace is on the shoulders of women, who are usually focused on life-related issues.” A participant stressed that this could be illustrated by how the leaders send messages about the dialogue. “They go to Brussels and say ‘we will win,’ instead of saying ‘we will reach an agreement’.” That is a masculine narrative of power and it should be changed.” Sometimes the discourse is everything, as it is crucial for securing a wider societal acceptance of the agreements and implementation. “It would be proper to include women’s perspective of power – that power should be something one ‘shares with,’ as opposed to most men’s perspective of ‘power over.’”

Another participant said that sometimes the whole process of gender mainstreaming is reduced to merely adding women to the process. “This is about a societal transformation, not just ticking the box.” Another participant noted that “women are stuck in their societal roles, which makes it harder for them to be involved in other spheres. “To increase their impact,” some argued, “women should become party to processes, with solid power to shape decisions.” A participant stressed that the dialogue was seriously lacking in the representation of women from the local Serb community in Kosovo. “It is obvious that some issues that they are concerned with are lacking in the EU-proposed document.”

## **Gender perspective in Kosovo-Serbia dialogue**

The agreement between Serbia and Kosovo is an agreement on normalization, but there is no normalization without a gender perspective. At this stage and with the current process composition (i.e., focused on leaders), it is hard to expect anything to change, apart from maybe the implementation phase. A participant wondered how to include more women in the dialogue, or alternatively how to discuss the elements of the dialogue and its conclusions through some alternative format. Others also referred to the lack of transparency in the dialogue

Another participant suggested an alternative proposal. Instead of demanding a re-composition of the process, there could be a mechanism that would provide a gender audit of the agreed elements. This kind of audit could provide a mechanism for mainstreaming gender perspectives in the agreements and, through it, have a potential influence on the following stages of the process. “The audit should be performed by a gender-balanced group, and it should provide a perspective on how agreement(s) affect equality.”

Many participants agreed, stressing that this would show that there are alternative approaches and also omitted issues that, if included, would significantly increase chances for peace and cooperation. Some stressed that things could be improved if the gender-audit affected the dialogue and its outcomes.

A speaker said that if this plan comes to fruition, the impact will not come instantly. But eventually, it could make a real change. She stressed that the most important thing is to have men who are decision-makers on board and form partnerships with them. Thus, the gender audit has to be disseminated and supported also by men who are decision makers.

Participants debated on how to materialize the gender audit. Some proposed a permanent working group to facilitate the dialogue and audit the draft agreements from a gender perspective. Others stressed that many of them are politicians and that loyalty to their parties could conflict with performing an audit on a permanent basis. “We would be forced to choose between loyalty to gender and loyalty to party.” Non-politicians also said that they are dealing with the dialogue daily and that they could contribute more in a format that was less formal.

Participants agreed that the best way forward would be to continue this discussion through both formal but especially through informal efforts, such as this roundtable, as it allows for more inclusiveness and for open discussions. An informal format would allow participants to bring more issues to the “official table.” Participants agreed that the discussion on gender inclusion and gender equality should become a central aspect of policy debate and policymaking in Serbia and Kosovo.

Participants conducted an audit of the Ohrid agreement.

## Participants

*English Alphabetical Order*

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 Government of Serbia  
**Blerta Deliu Kodra**, Member of Parliament of Kosovo, Democratic Party of Kosovo  
**Natasa Gacesa**, International Secretary, Socialist Party of Serbia  
**Shpetim Gashi**, Vice President, Council for Inclusive Governance  
**Ardian Gjini**, Deputy Chairman, Alliance for the Future of Kosovo  
**Dusan Jovanovic**, International Secretary, Don't Let Belgrade D(r)own  
**Mimoza Kusari Lila**, Member of Parliament of Kosovo, Self-Determination Movement  
**Shqipe Mjekiqi**, Vice President, Democratic League of Kosovo  
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**Cristina Plesoianu**, Political Affairs Officer, UNMIK  
**Jovana Radosavljevic**, Executive Director, New Social Initiative  
**Sanda Raskovic Ivic**, Member of Parliament of Serbia, Peoples' Party  
**Alex Roinishvili Grigorev**, President, Council for Inclusive Governance  
**Dragan Sormaz**, Former Member of Parliament of Serbia, Serbian Progressive Party  
**Sanja Sovrlic**, Journalist  
**Jeta Statovci**, Member of Parliament of Kosovo, Self-Determination Movement  
**Javiera Thais Santa Cruz**, Gender Adviser, UNMIK  
**Visar Ymeri**, Executive Director, Musine Kokollari Institute

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<sup>1</sup> The roundtable was supported by the United Nations Interim Administration Mission in Kosovo. The report is a brief summary of the discussions and does not necessarily reflect the views of individual participants, CIG, and the United Nations.