



Advocacy Card

Addressing Gender Equality and Women's Empowerment in EC' Pre-accession Assistance to Kosovo

International Gender Policy Network

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INTRODUCTION

The European Union (EU) has made commitments to promote gender equality and women's empowerment outside its borders. As stated in the "2006-2010 Roadmap for Equality Between Women and Men", "Gender equality is a goal in itself, a human right and contributes to reducing poverty. The EU is a key player in international development efforts and adheres to internationally recognised principles such as the Millennium Development Declaration and the Beijing Platform for Action (BPfA). It has reaffirmed gender equality as one of the five key principles of the development policy in the European Consensus on development."¹ Although the EU's different levels of commitment provide third countries with opportunities to address gender inequalities on their domestic soil, challenges remain to bring these commitments into effect.

Civil society organizations point at the gap between policy and practice: an overview of the European Commission's annual work, legislative programmes and policy strategy documents reveals a limited integration of gender concerns.² Furthermore, the participation of civil society organizations (CSOs) and mainly women's groups in policy discussion and formulation lacks a clear mechanism, despite the obligation of EU institutions to support a political dialogue with them.³ As an active promoter of gender equality, the International Gender Policy Network (IGPN) intends to engage in a dialogue with the Commission's Delegations in the countries of Eastern Europe, South-eastern Europe, Caucasus and Central Asia in the matter of the upcoming revision of the country and regional strategy documents (Country Strategy Papers, Regional Strategy Papers, Multi-annual Indicative Planning Documents). The IGPN has taken the opportunity of the midterm-review and the annual review of the country/regional strategy documents to highlight the weaknesses of development cooperation and pre-accession assistance in terms of gender concerns, and to advocate for improvements.

Within the framework of this advocacy activity, the IGPN has prepared twenty two Advocacy Cards for individual countries linked with IGPN, and one common Regional Advocacy Card. The aim of this advocacy work is to remind the European and national representatives of their policy commitments. The Advocacy Card for EC pre-accession assistance to Kosovo firstly provides an overview of EU's commitments to gender equality and women's empowerment. Secondly, the strategy document for Kosovo is examined in the context of the EU's commitments to gender equality. Next, an assessment of gender issues in EC's assistance to Kosovo is presented. Finally, recommendations are proposed to the actors involved in various degrees in the preparation of the strategy document: the EU officials, national government and civil society organizations.

¹ A Roadmap for equality between women and men 2006-2010, *European Community*, (COM 2006) 92 final, p. 9, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0092:FIN:EN:PDF>

² Who decides? Gender mapping the European Union's policy and decision-making in the areas of development, external relations and trade, *WIDE*, 2007, p. 10

³ For more information see Chapter 2 in Who decides? Gender mapping the European Union's policy and decision-making in the areas of development, external relations and trade, *WIDE*, 2007

COMMITMENTS TO GENDER EQUALITY AND WOMEN'S EMPOWERMENT

- ❖ A commitment to gender equality is reflected in a number of politically and legally binding documents of the EU and EC (Treaty of Amsterdam, Maastricht Treaty, Charter for Fundamental Rights of the EU, Convention on the Elimination of all Forms of Discrimination against Women [CEDAW], Beijing Declaration and Platform for Action, Millennium Development Goals).
- ❖ The promotion of gender equality outside the EU is outlined as the number 6 priority area of the **2006-2010 Roadmap for Equality between Women and Men** (Commissions' Communication). This priority is further detailed as follows: 6.1 Enforcement of EU legislation in acceding, candidate and potential candidate countries and 6.2 Promotion of gender equality in the European Neighbourhood Policy (ENP), external and development policies. The key actions taken by the Commission will include monitoring and promoting gender mainstreaming and specific measures in the ENP, EU external relations and development policies, at policy dialogue and programming levels (Regional/Country Strategy Papers and Poverty Reduction Strategy Papers); at implementation level, particular attention will be devoted to gender mainstreaming in the new aid modalities (budget support and sector programmes).
- ❖ In terms of the EU development cooperation policy, the crucial policy framework for promoting gender equality is the European Consensus on Development, agreed upon in 2005 by the European Commission, the Council and the Parliament, and the representatives of the member states, where gender equality is defined as a cross-cutting issue.⁴ Furthermore, the **2007 Commission Communication on "Gender Equality and Women's Empowerment in Development Cooperation"** is the first step towards a coordinated European approach to promoting gender equality and empowering women through development cooperation.⁵
- ❖ Related to the 2007 Commission Communication is the document "Conclusions of the Council of the EU and of the Representatives of the Governments of the Member States", also known as the **Council Conclusion**. One of the conclusions is the following: "The Council recognizes the Commission's and the Member States' specific responsibility to support developing country partners in eliminating discrimination and gender inequality by increasing visibility and accountability on gender equality and women's empowerment in development cooperation and to promote and engage in an enhanced political dialogue at all levels, including the highest political level, which incorporates gender equality explicitly as a central theme."⁶
- ❖ In line with these documents, the EU has supported a **twin-track approach: gender mainstreaming** (mainstreaming gender issues into all aspects of development policy) and **specific measures** aimed at socioeconomic and political empowerment of women.

⁴ "EU Policy Framework for Promoting Gender Equality," *European Commission*, http://ec.europa.eu/development/policies/crosscutting/genderequ_en.cfm

⁵ "EU Policy Framework for Promoting Gender Equality," *European Commission*, http://ec.europa.eu/development/policies/crosscutting/genderequ_en.cfm

⁶ Conclusions of the Council of the EU and of the Representatives of the Governments of the Member States meeting with the Council on Gender Equality and Women's Empowerment in Development Cooperation, *Council of the European Union*, 15 May 2007, <http://register.consilium.europa.eu/pdf/en/07/st09/st09561.en07.pdf>

GENDER IN THE STRATEGY DOCUMENT FOR KOSOVO

Preface to the Strategy Document

The aim of the EU's overall assistance to Kosovo, an EU potential candidate country, is to support the country's progress towards reaching the Copenhagen accession criteria and to prepare the country for possible future EU membership. For candidate or potential candidate countries, EC's programmes and financial assistance are formulated in the Instruments for Pre-accession Assistance (IPA).⁷ The EC's strategic planning document under the IPA is the Multi-annual Indicative Planning Document (MIPD). Another important document is the Accession Partnership (AP) with an annual report called Progress Report, which monitors and assesses achievements of the country during the year.

The strategic areas of the MIPD 2007–2009 are covered by five components: Transition Assistance and Institution Building, Cross-border Cooperation, Regional Development, Human Resources Development, and Rural Development. Gender equality is considered a horizontal issue in the strategy documents. Potential candidate countries receive assistance through components I and II of the IPA. The MIPD is issued for a three year rolling period and is reviewed on an annual basis.

Analysis of the Document from a Gender Perspective

The MIPD 2007-2009 for Kosovo under UNSCR 1244 mentions gender equality as a cross-cutting issue: "Equal opportunities and non discrimination of women, minority and vulnerable groups (including children, disabled and elderly people) will find considerations in all aspects of EC funded activities, particularly in relation to public services, legislative matters and socio-economic support programmes." (MIPD, p. 8)

Moreover, gender issues are pointed out in relation to poverty reduction on p. 16: "There is not yet an effective and coordinated strategy in Kosovo to alleviate poverty although around 37% of the population live in poverty with around 15% in extreme poverty. Direct economic development support to vulnerable groups such as women, youth and minorities and mainstreaming their participation in existing PISG and donor initiatives is needed."

Yet, even though gender equality is introduced as a cross-cutting issue in the document, there are many instances when gender questions could be further elaborated. Gender issues could be incorporated into the main priorities of component I - Transition Assistance and Institution Building - particularly in reference to rural development, education, or concerning the development of policies compatible with the European standards (p. 19–21).

The 2007 Progress Report highlights achievements and deficiencies in the area of gender equality. According to the report, some progress was achieved in the area of gender equality, but implementation needs to be speeded up in this area. The report particularly criticizes the status, legitimacy and capacity of the Agency for Gender Equality: "The administrative and professional skills of the agency's staff are very weak. The programme for gender equality and women's empowerment in Kosovo has still to be elaborated. The legitimacy of the agency is undermined by the unclear division of responsibilities between the agency and the office for good governance. The influence of municipal gender officers is limited due to their unclear mandate and limited resources. They report only to the Ministry of Public Services and not to the Agency for Gender Equality. The legislation on domestic violence is not effective. It requires clear implementing rules. Poor knowledge of the

⁷ In January 2007, IPA replaced a series of EU programmes and financial instruments for candidate countries or potential candidate countries, namely PHARE, PHARE CBC, ISPA, SAPARD, CARDS and the financial instrument for Turkey

legislation by judges and prosecutors is an additional obstacle. The legislation on gender equality needs to be further adapted to the actual situation in Kosovo. The Agency for Gender Equality needs greater capacity, legitimacy and a clearer status. These institutional problems have an adverse impact on the situation of women in Kosovo, which is characterized by domestic violence and economic discrimination” (p. 17-18).

DIALOGUE WITH THE EC LIAISON OFFICE TO KOSOVO⁸

The EC’s Liaison Office to Kosovo stresses that gender equality is a very important issue for the EU and the Commission tends to integrate it as a cross-cutting issue in all its policies and projects. The EC assistance ensures gender mainstreaming in all project activities while a separate component of the programmes supports the gender equality agenda. For instance, equal opportunities will be one of the areas of the local Call for Proposals to be launched under the civil society capacity building programme (IPA 2008). In addition, the 2008 EP urges Kosovo to implement the law on gender equality and to ensure the mainstreaming of women’s rights in all existing policies and legislation.

Regarding consultations on policies and projects, the officials say that the EC’s Liaison Office to Kosovo organizes meetings and consultations with civil society organizations as well as with key governmental stakeholders. Consultations do include women’s associations and one of the main governmental players to be consulted in gender issues is the Agency for Gender Equality.

According to the office, the programming of the 2009 Instrument for Pre-accession Assistance (IPA) allocation for Kosovo was launched on Tuesday, 15 July, in a jointly organized workshop by the European Commission Liaison Office and the Agency for European Integration at the Prime Minister’s Office. The round of consultations will probably start after the summer, though the dates are not known yet.

IGPN’S ASSESSMENT OF GENDER ISSUES IN KOSOVO

After July 1999, an emergency phase started in Kosovo with the main purpose of commencing plans and projects for the reconstruction and stabilization of the Kosovar society then just coming out of a war. Numerous international donors stepped in to help with the reconstruction and revival of the Kosovar society. During the years of the international protectorate, Kosovo managed to create a solid basis of legal instruments and institutional mechanisms for accomplishing gender equality.

The most significant achievement in terms of gender has been the development of the National Action Plan for Achieving Gender Equality in Kosovo, which has allowed for the building of an institutional framework for making gender equality a reality in Kosovo. In 2004, the Law on Gender Equality was passed, setting up institutional mechanisms for accomplishing gender equality at the local and national level. These mechanisms are: the Agency for Gender Equality (Office of Prime-Minister); the Advisory Office for Good Governance – the Division for Gender Issues (Office of Prime-Minister); the Unit for Gender Equality – the Institution of the Ombudsperson; Officers for Gender Equality in ministries; the Inter-ministerial Council for Gender Equality; Officers for Gender Equality in municipalities; and municipal committees for gender equalities. It is also worth noting here that since 2002, after a decision by the Central Elections Commission, all political parties in Kosovo are liable to have women represented as one-third of the candidates in their election lists. As a result, 30 % of members of parliament in the Assembly of Kosovo are women. This fact alone ranks Kosovo very high internationally regarding the participation of women in politics. The

⁸ Information in this section has been obtained through email communication of IGPN with the EC Delegation and desk officers in Brussels

participation of women in other important institutions is also at a relatively good level; for example, 13.8 % of the Kosovo Police Service employees are women.

In spite of the significant achievements in the field of gender issues, more could have been done had all opportunities been used for more meaningful development. Most critiques coming from Kosovar activists in the field of gender issues are addressed against UNMIK (The United Nations Interim Administration Mission in Kosovo) and its lack of initiatives and the needed will for the implementation of important development projects in the field. The Office of Gender Affairs (OGA), acting in the framework of UNMIK since 1999, has played an insignificant role advancing gender equality, limiting its activities to organizing occasional training events completely ignoring local (governmental and non-governmental) initiatives in the process. As an extreme case of an “opportunity lost” one should consider the organization “Kosovo Women’s Initiative” (KWI), established in July 1999. KWI was created after the United States Department of State, Bureau of Population, Refugees and Migration allocated a grant of 10 million US dollars to the United Nations High Commission for Refugees (UNHCR) for the implementation of this project. The idea was to use this fund to support the needs of Kosovar women and to help regenerate and consolidate existing Kosovar women’s organizations, which had been heavily damaged and in some cases destroyed during the war of 1999. However, a grave mistake was made (that would finally result in the complete failure of this initiative) since the planning of allocation of funds was carried out through a “top-down” approach and without any prior consultation of local actors, which would have substantially contributed to the identification of the real needs of Kosovar women and of women’s NGOs. Consequently, most of the grant went to UNHCR and its international partners’ operational costs.

Nevertheless, women’s NGOs believe that the European Union Rule of Law Mission in Kosovo (EULEX) set up by a Council Joint Action on 4th February 2008 should, unlike UNMIK, show more readiness to utilize existing capacities, will and enthusiasm for the local NGOs active in the field of gender issues in Kosovo, which would in return allow for cooperation and partnership in developing joint projects.

RECOMMENDATIONS

Recommendations to the EU:

- To deliver on its promises to international gender agreements
- To support the development of comprehensive national policies followed by sufficient funding, based on clearly formulated indicators, effective monitoring and evaluation of the approximation and implementation of the policies and projects, in accordance to already set EU policy for gender equality and specifics of the national context
- To strengthen the EC’s internal gender capacity (Gender Desks and Gender Focal Points)
- To follow the twin-track approach, and besides having gender equality as a cross-cutting issue, encourage specific projects on women in calls for proposals (to have a budget line for gender-related activities)
- To strengthen and build the capacity of women’s NGOs to act as watch dogs for the implementation of gender policy
- To help ensure the financial sustainability of women’s NGOs
- To increase the transparency of political dialogue with civil society in partner countries by setting the minimum standards for consultation of the local stakeholders which will be applied during the process of the development of internal policies and the national programming of IPA (6 weeks consultation, targeting NGOs with gender expertise based on established standards etc.)
- To consider appropriate alternatives to the existing implementation of the concept of gender mainstreaming which proves to be ineffective

Recommendations to the National Government:

- To deliver on its promises to international gender agreements
- To address gender concerns on the level of policy as well as practice
- To give special attention to funds allocation to women's organizations and their initiatives aimed at addressing women's issues
- To ensure gender expertise of the national administration

Recommendations to the CSOs

- To lobby the national government to significantly strengthen the efforts towards achieving gender equality and women's empowerment
- To build alliances with other women's organizations in order to strengthen the impact of their advocacy and lobbying activities
- To engage in an active dialogue with the EC Liaison Office in Kosovo
- To provide shadow reports to the government reports on gender equality commitments
- To monitor gender issues in the EC's development cooperation
- To advocate for inclusion of projects that specifically target gender issues, apart from having it as a cross-cutting issue

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