

Newsletter „Women, Peace and Security“ February 2011.



Dear readers, by publishing this newsletter, we wish to contribute to better information about UN documents on security, demilitarisation, and to the greater influence of women on post-conflict problems solving, first of all in Serbia, and then in the Western Balkans. We hope that this newsletter will be read by those who are interested in the re-examination of the traditional concept of national security, the reform of the security sector, the gender dimension of security, security integrations and feminist antimilitarist concept of security. We expect your contributions on these questions. It is accessible online on the website: www.zeneucnom.org

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Activities of Women in Black on the demilitarization of security

Women in Black Network meeting

Feminist activism

We held the Network meeting in Vrnjacka Banja from February, 3rd to February, 5th 2012. There were various issues discussed. We analyzed our previous activities and discussed future ones. Milos Urosevic spoke about visiting places where crimes were committed in our names: Topcider, where two guardsmen were executed, Serbia's crimes of aggression in Lovas and Vukovar, about trials in Belgrade Special Court for Lovas and Cuska, as well as trials of fascist groups 'Honour' and '1389'.

Sasa Kovacevic presented the Bulletin of Solidarity, which provides information about Women in Black joining international campaigns during December 2011 and January 2012. These are campaigns of WLUML (Women living under Muslim laws), who wrote an urgent letter to the officials of Nigeria against the law prohibiting public support to members of LGBT community. Also within their campaign, WLUML and Women in Black wrote to the State Secretary of USA, Hillary Clinton, requesting the international institutions not to leave Afghan women during the process of democratization of the state. Then, they joined Amnesty International's campaign in order to protect human rights defenders who were not released last year. Also, they have joined the Avaaz action to extend the UN agreement regarding climate changes, the CODE PINK campaign against the Senate decision to direct a huge amount of money – 662 billion of dollars – to a legal document authorising the military to arrest USA citizens without the presence of lawyer or initiation of court proceedings. Women in Black also joined Avaaz campaign to ensure that USA Congress will not allow the censorship of Internet, Amnesty International's campaign to abolish the death penalty in Yemen, IANSA's campaign (International network of women's actions against small arms) to tighten control over the sale of weapons, the Avaaz campaign revealing what the Japanese government does with foreign donations for reduction of the consequences of the earthquake that happened in 2011, and War resisters international's campaign of writing letters to conscientious objectors who are jailed all over the world because of their political choice. Women in Black sent more than one hundred letters. They also joined the WLUML campaign against the arrest of two activists in Teheran, as well as the Stolen Beauty's campaign against the misuse of the resources of the Palestinian occupied territories by Jewish cosmetic companies.

Gordana Subotic explained how we can monitor UN Security Council 1325 Resolution in Serbia with forty eight indicators and that women from Colombia expressed praise for Women in Black Network of Serbia. Natasa Lambic spoke about 'feminist mapping' and Goran Lazin presented Women in Black video activism, saying that his aim is to 'improve the visibility of the effects of various forms of transitional justice, especially from the feminist point of view.' Within the exchange 'Autonomous but different' regarding the activities of Women in Black Serbian Network, activists from Novi Becej, Leskovac, Vlasotince, and Nis spoke about the status of Roma people, activities dealing with confronting the past, etc.

Stasa Zajovic gave an informative talk about the 'Indignados' movement in Spain, and Milovan Pissari, who lives between Treviso and Belgrade spoke about alternatives in Italy. Lino Veljak encouraged common thinking on Stefan Hessel's essay 'Time for outrage!'. Djordje Balmazovic, represented the art group Skart, saying he is guided by Edmund Burke's maxim stating that 'All that is necessary for the triumph of evil is that good men do nothing.'

There were meetings and events, as well as a presentation by the Belgrade writer Marija Ivanic.

The agreement on Women in Black future activities includes feminist approach of confronting the past, visiting the places where crimes were committed in our names (Bosnia and Serbia), monitoring of trials for war crimes in Belgrade, street actions. The art engagement regarding confrontation the past also includes the Dah Theatre play 'Crossing the line.' It is based on the book-'Women's side of war' published by Women in Black. In March, there will be feminist/antimilitary discussions, where women engaged in the working group monitoring of UN Security Council 1325 Resolution will be involved as well as the security experts. In May an action for the International women's actions for peace and disarmament and the International Day of women's health and reproductive rights will be organised. Ksenija Atanasijevic's book, 'Ethics of courage', edited by Ljiljana Vuletic, will be presented in numerous libraries in Serbia. We intend to organise a regional/activist exhibition of 'Women's heritage,' promoting research and view of Belgrade from the female perspective, about female communists, national heroines, as well as setting up a memorial plaque on the house of Ksenija Atanasijevic in Belgrade.

A celebration of the International Women's Day will be organised under the 'neither excessive, neither obedient - in solidarity and rebellious' motto.

The beginning of Serbian aggression against Bosnia and Herzegovina on 6th of April and 9th of May, as the Day of Victory over fascism, will be marked in the towns all over Serbia. Members of the Network of Women in Black will start in July on the peace march from Nezuk to Potocari, to mark the anniversary of the genocide in Srebrenica and at Potocari, and a Belgrade action will also be organised on this occasion.

The anniversary of Strpci abduction-remembering the death train

'Tomorrow will be nineteen years since members of the 'Avengers,' a unit of Republic Srpska's army led by Milan Lukic, took passengers of non-Serb nationality - 18 Muslims and one Croat, from the train no. 671 on the Belgrade-Bar railway, on the 27th station *Strpci*, in February of 1993. Those who were kidnapped were killed in the barracks, near Visegrad and then, they threw them in Drina river,' emphasised Women in Black in their statement, of 26th of February 2012. And they continued: 'Kidnapped persons were: Esad Kapetanovic, Ilijaz Licina, Fehim Bakija, Seco Softic, Rifet Husovic, Sead Djecevic, Ismet Babacic, Halil Zupcevic, Adem Alomerovic, Rasim Coric, Fikret Memetovic, Favzija Zekovic, Nijazim Kajevic, Muhedin Hanic, Safet Preljevic, Dzafer Topuzovic, Jusuf Rastoder, Zvezdan Zulicic and Tomo Buzov. All of them were citizens of the Social Federative Republic of Yugoslavia and Sead Djecevic was only sixteen years old. The bodies of only three passengers were found. Among one hundred and sixty Muslims, victims of war in Bosnia and Herzegovina, who were thrown in the Perucac Lake, the bodies of Rasim Coric and Jusuf Rastoder were recently found. Earlier, the remains of Halil

Zupcevic were found as well, and DNA analysis confirmed that they belong to him, one of the people kidnapped in Strpci.' Women in Black emphasise that 'Only Nebojsa Ranisavljevic was prosecuted for this crime, with a fifteen-year sentence, and it was in Montenegro. Milan Lukic was sentenced to life imprisonment in July 2009 by the first instance judgment of the Hague Tribunal for the terrible crimes he committed against the Muslim population in Visegrad, in Eastern Bosnia between 1992 and 1994.' He appealed. However, such a monstrous crime cannot be reduced to only two of the perpetrators. In accordance with the documentation of the Railway transport enterprise of Belgrade, the Yugoslav Army and Belgrade government knew about the plan of kidnapping, but those who planned it, who were commanders, the organisers and the perpetrators are not punished. Dobrica Cosic was President of the Social Republic of Yugoslavia then, and Dragoljub Ojdanic was Chief of the General Staff of the Yugoslav Army. The manager of the Belgrade Railway transport enterprise was Milomir Minic, senior official of the Social Party of Serbia. Criminals have been living peacefully for almost two decades. On the monument dedicated to the victims, in Prijepolje, it says: 'Whoever in this country forgets 27th of February 1993. and Strpci station gave up the future.'

'Since we do not want to give up the future, on Monday, 27th of February 2012 at 1 p.m., we will mark this day of tragedy with our vigil in the entrance of Belgrade railway station, from where literary and symbolically the death train started, and near the place where the government plans to set up a monument for 'all the victims of war and homeland defenders, in the region of ex-Yugoslavia and during the wars of nineties,' insulting once



again the victims.' We do that to remind all of us of the responsibility we have towards those who were killed in our names, and to demand as all the previous years before, that the perpetrators, regardless of rank in the social hierarchy, should be strongly punished' – the statement concludes. On 27th of February at 1p.m., 24 representatives of Women in Black, dressed in black, held signs in front of the main railway station: 'The train stopped at 15.48,' 'We remember,' 'Justice for the victims, punishment for the perpetrators,' 'We remember the crimes committed in Sandzak,' 'The train of death no. 671 departed from here.' Two placards read the names of the killed passengers, of those whose only sin was belonging to undesirable nationality.

Cynically tailoring history

Because Belgrade authorities express the intention to set up a monument in the park across the train station – 'for all the victims of war and homeland defenders, in the region of ex-Yugoslavia and during the wars of the nineties'– Women in Black issued a statement condemning this move of Serbian government 'as an inhuman and immoral act which equates victims and criminals' on February, 17th.

'We demand of you to stop tailoring history cynically, which presents criminal aggressors of Serbian armies as defenders of the country. We consider that raising a monument for the participants in the wars of Serbian aggression is shameful. Victims, disabled and raped women, looted and destroyed homes resulted from these wars. At the same time, we remind that the intention of Women in Black and of free citizens of Belgrade to build a monument for the victims of genocide was rejected in a degrading manner and without any understanding. We have always considered that not having any involvement at all, even more so in a war of aggression is an act of heroic virtue. This is why we supported deserters, conscientious objectors and anti-war activists, who have suffered because of huge state repression, but also because of society's blindness resulting from nationalist ideology. We have also demanded to raise a monument to the unknown Serbian deserter, and it was not accepted. If it had been accepted, it would mean that actual government made a real break with the criminal policy of Slobodan Milosevic' – the statement read.

Women in Black emphasise that the intention of the municipality and leadership of the Democratic Party is unambiguous. The intention of the monument the municipality intend to build, was expressed in a statement by Zoran Alimpic, councilor of the Assembly of the City of Belgrade: 'All the monuments in the world are dedicated to the soldiers in the wars, and are in some way monuments to people who were killing or shooting.' He also said that it is a 'monument to the defenders, people who are called in the army to defend their country, who came and who gave their lives.' Alimpic is a member of the Democratic Party whose president is Boris Tadic. With the construction of such a terrifying monument in Belgrade, which has been envisioned by Spanish dictator Franco too, the government refused once and for all to confront the past and mocks all the ICTY verdicts. We remind that there were similar attempts before to equate victims and perpetrators through memorial features, and it was a cruel insult to the victims of the criminal invasions on Vukovar, Dubrovnik, Sarajevo, Srebrenica, Drenica and other places of aggression, designed and ordered in Belgrade. The municipality thereby proves to be serious concurrent to the extreme right militant groups glorifying war crimes and their perpetrators. We urge and encourage freethinking citizens of Belgrade to oppose this attempt, and not to accept the relativisation of criminal policy, not to agree with a glorification of war crimes and war criminals' – Women in Black's statement declared.

Solidarity instead of charity

Women in Black, through their action of solidarity with the poor who find themselves in the toughest conditions this winter, wanted to remind that solidarity means meeting minimum social justice and human compassion, not charity. They declared in a statement on February, 11th: 'As peace activists we do not expect such an act of solidarity of the state, but we do require of the state to fulfill all the obligations that it has taken, the accountability for the money received for Roma Decade. We want all of us to recall that at this moment, in extremely difficult conditions, the poorest and most vulnerable are Roma people in informal settlements around Belgrade and throughout Serbia. Once again, we demand what we believe to be the minimum obligations of the state of Serbia: to fulfill to the last point all the commitments related to the Roma Decade and to a fundamental human right to shelter.' In the conclusion of the statement Women in Black also declared: 'As always, Women in Black and Serbian civil society noted the state's unfulfilled obligations in the case of the Roma

population as well as all the relevant factors of international Network for Human Rights and of the international community. Women in Black visited on Sunday 12th of February the informal settlement of Roma people near Belleville, to show their solidarity and support. They distributed help for thirty families. In the blizzard and temperatures of minus eight degrees Celsius, about fifty people from the village had a discussion with Women in Black activists. Residents said that no state institutions, despite the declared state of emergency, addressed or offered any help in firewood, clothes, food, medicine, or suggested other solutions to them. The Red Cross, the Centres for Social Work or any other humanitarian organisation did not offer any help either. The most jeopardised are the children. Three babies less than four months, as well as fifteen of them between one and two years old are living there. They lack of clothes, medicines and infant food. Five children, who are under five, have bronchial asthma, but they do not have inhalers. These are the data for just one of one hundred and sixty other informal settlements. Heating is needed the most and the only solution is the evacuation of the population to a place with decent conditions for life, and especially heating. After this conversation, Women in Black activists concluded that the state did not fulfill its obligations in accordance with the National Action Plan for Roma population since 2009. Most of the population was left without any care in the circumstances of a state of emergency. Women in Black formed a mobile team visiting the informal settlements in Belgrade and providing them with support within Women in Black's means. All of those who wanted to show solidarity could bring medicine, food, footwear, warm clothing and blankets to Women in Black's offices. This aid action organised by Women in Black was also joined by the Regional Centre for Minorities, Women's Autonomous Centre, Reconstruction-Women's Fund and Humanitarian Law Fund, as well as many other civil society activists.

Representatives of Women in Black and of the Regional Centre visited the settlement near Belleville once more on 15th of February, Serbia's National Day, and distributed the help they have collected again. Talking to the residents of the village, activists learned that the authorities used the excuse of the public holiday to avoid delivering the money for the firewood? The statement of Women in Black and the Regional Centre for minorities said that: 'out of 300 families living



in this neighbourhood only 70, chosen completely randomly, have received the confirmation that they are entitled to a compensation of 5,000 RSD for the firewood.' The promise remained on paper because the Centre for Social Work of New Belgrade did not get money for this. The state has once more ignored the disaster experienced by its poorest residents. They still do not exist for the state and are invisible as the redundant people, whose suffering is only misused before the elections. Help gathered by the civil society and citizens of Belgrade cannot meet the needs of the most vulnerable.

The statement also pointed out that 'we must not forget that the eradication of poverty is one of the most important duties and obligations of the state, because the state is the service of all its citizens, and therefore they pay for it.' Distribution of the third part of aid took place on February, 19th in Belleville settlement.

There is no excuse for violence

'Red Star fan Ivan Bogdanov was convicted on 9th of February 2012 in front of the First Municipal Court to two years in prison for beating up one citizen and three policemen with a two-metre long pole, six years ago, before a basketball game between Partizan and Red Star in Belgrade. He had been convicted for possession of explosive substances even earlier.

Bogdanov was brought to hear the verdict from the detention in which he stays, because there was fear he could repeat the offense he was convicted for in Italy to three years and three months. The Italian judge sentenced him immediately because of 'resistance to officials, damage and inappropriate behaviour in the stadium' during the match Serbia – Italy in Genoa in October of 2010. His sentence was turned into a five-year ban on entry in all EU countries later on' – Women in Black reported on February, 9th after the verdict. The statement added 'that the trial is repeated in Belgrade for the six members of Anarcho-sindicalist initiative, who have thrown a Molotov cocktail onto the Greek embassy in Belgrade, two and a half years ago. First of all they were accused for terrorism, but the Prosecution changed the accusation into 'causing danger to human lives and property of large scale.' They have caused a damage of 18€ and have spent six months in detention.' In the end of the Women in Black statement it is emphasized the hypocrisy of the judicial system of Serbia: 'Women in Black want to point out the disproportion between the prosecutions processes of a hooligan on the one hand and the anarchists on the other. To the returnee in court is judged by the slow and anarchists with the accelerated procedure. This seriously undermines the equal treatment of citizens in front of justice. In addition, if Bogdanov had been sentenced on time, it is possible that he would not have created any incidents in Genoa and the sentence would have fulfilled its preventive role. The Italian judge punished in a harsher way those who committed the damage, compared to a Belgrade judge who gave a milder sentence to a person who physically injured four people. Women in Black demand harsh and on time punishments for physical attacks on the integrity of citizens. As a group which consistently strives for non-violent methods of action only, we can not justify any kind of violence, but we do consider that this kind of punishment policy contributes to the encouragement of extreme groups of hooligans and legitimises fascist tendencies in our society' – the statement concluded.

Is the Headquarter executive a war criminal?

Civil society organisations invited on 22nd of February 2012 the War Crimes Prosecution to investigate the Humanitarian Law Fund's quotes on the possible responsibility of the Serbian Army Headquarter executive, Ljubisa Dikovic, for war crimes committed in Kosovo and Bosnia and Herzegovina.

According to the statement, 'from the moment Humanitarian Law Fund have published data on Dikovic, the relevant institutions and the Ministry of Defence – Dragan Sutanovac put an effort to

defend the new elected Headquarter executive and attacked human rights organisations instead of checking the Humanitarian Law Fund's quotes. The Humanitarian Law Fund did not write the accusation or sentence, but quoted publicly available data, which demand serious and judicial review. Any decision of the institutions, even eventually the ascertainment of the accountability of any individual, should not and must not be judged as an attack on the institutions and the state. Moreover, a thorough investigation and decisions based on the facts would contribute to building institutions and the rule of law in Serbia.' Civil society organisations evaluated Minister Sutanovac's statement treating human right defenders and the extremist organisations 'Honour' and Serbian National Movement 1389 in the same way, as dangerous from the point of view of the protection of human rights as well as of the protection of the rule of law. In this statement in the interview in Pescanik, he said: 'those things should not be published' and that 'Serbia has faced with the committed crimes, by ending the cooperation with Hague Tribunal.' Human rights organisations strongly support the initialisation of the issue of war crimes in Kosovo in public and they invite Minister Sutanovac to assist public disclosure of facts that can lead to the discovery of the truth about war crimes and the prosecution of those who are responsible. 'We emphasise that it is in public interest to investigate the responsibility of all those who are placed in such positions of responsibility, and any discussion on appointments leads to authorities who are responsible in front of citizens' – the statement, signed by Women in Black together with 12 other NGOs, concludes.

Serbian and Albanian sides of truth

The continuation of the trial of the members of the paramilitary unit 'Jackals,' the Territorial Defense and the police, accused of war crimes in the Cuska village in Kosovo, was held from February, 20th to February, 24th with the examination of defence witnesses at the Department for War Crimes of the High Court in Belgrade. The 13 perpetrators who have executed 44 Albanian civilians on 14th of May 1999 in Cuska village are on trial. It is the home village of Agim Çeku, politician from Kosovo, who lost his family members in this crime. Two Albanian witnesses were heard and one witness, a former accused and acquitted for the same crime. It is Veselin Besovic who testified: 'All the testimonies of Albanian witnesses were false, with the aim to expel Serbs from Kosovo and Metohija. I was accused based on false testimonies and deliberated due to lack of evidences. I do not know anything about Cuska.' The witness Tahir Kajnezir was asked to tell what he knew about the massacre in Cuska, and he said: 'They surrounded us on three sides. One soldier asked: 'where is Agim Çeku?' One man told him, but the soldier hit him and he fell. Then he asked another man, who showed him and they took him away. We heard a gunshot. I could not say anything. Then I heard another gunshot. They killed another man. Women and children started crying. Then they ordered us to hand them in, everything we had. They took from us everything we had and then told us we are free to leave to Albania. I cannot say what happened later on, I can only speak about what I saw. Three houses were burned, but I do not know who burnt them. I survived and therefore I came to say the truth. I did not come to slander on anybody, but to say what I do know.' The witness Aisha Kelmendi spoke: 'That day the 'Jackals' surrounded our village, gathered all the settlers on the central square, where they divided men from women. They forced us to toss our things on the floor – documents, money and jewellery. We had to keep our hands on our napes, and then they split us into two lines. One was for women and the other one for men. They took us, women, in the yard of one house, and then they pushed

men inside of three houses. First, they shot them in their backs, and then they burnt their bodies. That day they killed my son and my husband.' Srecko Popovic, the accused, said on the trial that the 'Jackals' were part of the intervention police unit within the 177th regular units of the Yugoslav Army. Through this statement it is denied that they were a paramilitary group, which has far reaching consequences for the character of the Kosovo war and state-organised crimes.

||| The experiences from the world



Resolving Conflict – Riots, Confrontation and UN Security Council Resolution 1325

Security Council Resolution 1325, UN Implementation

Make Every Woman Count

On 31 October 2000, the UN Security Council adopted Resolution 1325 (SC1325) affirming the importance of women's voices in the resolution of war and conflict. http://www.un.org/events/res_1325e.pdf (accessed 20 January 2012) For women and women's organisations, this was an extraordinary achievement.

The UN remains, as it has ever been, male-dominated. No woman has ever headed the UN. Despite the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), in all top level positions, women tend to be discounted as leaders, for women figure in far fewer numbers in any but lower level and support roles. As High Commissioner for Human Rights, Mary Robinson then Louise Arbor held the highest positions women had attained in the UN. Women have held the office of Special Rapporteur on Violence Against Women since its inception in 2009. Meanwhile a woman heads the women's division – now titled UN Women. Despite these appointments, little has changed since 1973, when Shirley Hazzard wrote her searing critique of the UN, *The Defeat of an Ideal*, which she followed in 1990 with *Countenance of Truth*.

The UN Security Council is most patriarchal of all. Nonetheless, after years of lobbying, it acknowledged the importance of women's place not only at the conference table but at all levels in post-conflict and post-war negotiations. Of course, this recognition would not have come without the concerted efforts of women and women's organisations and still, more than ten years on, despite SC1325, women's inclusion under SC Resolution 1325 has increased to 11 per cent only. http://www.securityanddevelopment.org/index.php?option=com_content&view=article&id=61&Itemid=81 (accessed 20 January 2012).

In Iraq, women say they have 'less political influence' now than 'at any time before the US invasion'. Despite a parliamentary quota which means women members constitute 25 per cent, today women's affairs is the sole portfolio held by a woman. No woman was included in the negotiations that determined upon a compromise government, although over the period 2006-2010 six women, then four, led ministries.

<http://www.nytimes.com/2011/03/13/world/middleeast/13baghdad.html> (accessed 20 January 2012) SC1325 appears to have had minimal, if any, impact on reconstruction or plans for moving forward.

In Afghanistan, women have been lobbying for inclusion in talks involving the Taliban, but are not confident that commitments will be honoured.

<http://www.nowomennopeace.org/blog/item/400-join-us-women-war-and-peace-peace-unveiled#about> (accessed 20 January 2012) The Revolutionary Association of the Women of Afghanistan (RAWA), the organisation most constructively orientated and best placed to provide non-adversarial insights into resolving not only the political conflict, but the economic programme necessary to ensure forward movement in health and education is ignored. RAWA's programme of training and development stands as a beacon in a ravaged landscape. Yet RAWA is seen by some as antagonistic to Afghanistan's development, simply because RAWA promotes women and girls' education and sees foreign occupation as detrimental to Afghanistan's future.

In Africa, despite strong women and the cooperative strength of women's organisations, the picture is bleak. Rwanda has made a gigantic leap, with a parliament seating more than 50 per cent women, a woman Speaker and eight ministries held by women.

<http://www.guardian.co.uk/world/2010/may/28/womens-rights-rwanda> (accessed 20 January 2012) Yet this is the exception. Despite women's central role in ending South African apartheid and ensuring the Constitution recognises women as fully autonomous political, social and economic beings, the ANC and the Parliament have not embraced women's equality as meaning precisely that: equal numbers of women, equal power of women, everywhere and nowhere ignored. In the Democratic Republic of the Congo (DRC) generational rape of women and girls continues unremittingly. Women have established 'recovery camps' for victims/survivors, many of whom are accompanied by the children born of rapes, and some of whom are themselves the offspring of raped mothers. Women's equal participation in negotiations and discussions for seeking an end to the conflict is remote.

The 'Arab Spring' has seen no ice-thaw so far as women's power and presence at the negotiation table is concerned. Women were at the forefront of demonstrations in Egypt to dislodge Hosni Mubarak and his charlatan cohort. <http://www.guardian.co.uk/world/2011/dec/20/egyptian-women-protest-cairo-treatment> (accessed 20 January 2012) Yet come his departure and the purported reconstruction of the country and its politics, women are sidelined. SC1325 apparently has no meaning, with the part played by women in seeking a free future for Egypt – women and men, girls and boys – has passed into (or more likely out of) history. Even before Mubarak's departure, women demonstrators were attacked and sexually harassed in Tahrir Square. Is it solely the women of Egypt, together with women around the world who saw and identified with them, who will remember, in her story, these brave demonstrators for liberty, equality and unity in struggle?

There is, too, another dimension to the application of SC1325 – this not even recognised in its breach. While UN Member States such as the United States, the United Kingdom and Australia call for women's equality in the remaking of countries riven by war and conflict, there is no recognition of SC1325 as having application in resolving conflicts in these 'first world' nations themselves. Why not?

The Preamble to SC1325 refers initially to 'armed conflict'. Yet SC1325 does not limit itself to war

and conflicts where arms are employed. Rather, it affirms 'the important role of women in the prevention and resolution of conflicts and in peace-building', further 'stressing the importance of [women's] equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase [women's] role in decision-making with regard to conflict prevention and resolution'. It affirms, too, 'the need to implement fully international humanitarian and human rights law that protects the rights of women and girls during and after conflicts'.

'Armed' conflict returns, again, in that part of SC1325 'urging' and 'encouraging' action on the part of Member States and the Secretary-General. At the same time, 'conflict' (without the 'armed' qualifier) appears in significant paragraphs, including but not limited to those where the SC:

1. Urges Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict;
2. Encourages the Secretary-General to implement his strategic plan of action ... calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes; ...

Conflicts are not limited to Africa, the Balkans or the Middle-East. The United States has experienced race rioting at various periods of its history, most recently in Cincinnati in 2001 following the shooting of a 19-year-old African American, Timothy Thomas, by a 'white' police officer, http://en.wikipedia.org/wiki/2001_Cincinnati_Riots (accessed 20 January 2012) as has the United Kingdom. In August 2011, riots occurred in London, Birmingham and other centres, http://en.wikipedia.org/wiki/2011_London_riots (accessed 20 January 2012) whilst for Australia, in 2005 race riots occurred on Sydney's northern beaches, spreading to other suburbs. This was not the first time race and riots had become an issue for Australia. <http://www.smh.com.au/articles/2005/12/11/1134235951313.html> (accessed 20 January 2012)

In seeking to deal with these riots and their underlying causes, SC1235 has never been mentioned, much less invoked. During and after the Sydney riots, at no time did the Howard Government take on board the principles embodied in SC1325 – namely, that women should be equally involved in any and all efforts to resolve the conflict. Typically, as in any matters now deemed to have 'religion' rather than race at their base, if the Howard Government saw itself as having any responsibility to consult or bring parties together, it sought the advice and involvement of religious leaders, particularly imams. As with all major religions, little hope for women or women's equal participation there. In the United Kingdom, the current Prime Minister David Cameron has said race had nothing to do with the conflict, with 'gangs' being responsible. <http://www.independent.co.uk/news/uk/crime/official-cabinet-ministers-wrong-about-cause-of-riots-2375515.html> (accessed 20 January 2012) Apart from the failure to recognise that race discrimination and the holding of a criminal record are intimately linked, clearly the relevance or application of SC1325 and its principles are not in contention.

The idea that SC1325 relates to war and conflict solely where arms are involved is misplaced. In any event, even arms may be employed in domestic conflicts such as occurred – and have recurred – in the United States and the United Kingdom. In both countries, deaths have been a part of the riots, and 'arms' can encompass the use of knives and guns by non-military personnel. Fortunately, no deaths occurred in the Sydney instance; however, it is known that individuals and 'gangs' do go armed, at

least on occasion, even in Australia. 'Armed' can include 'carrying weapons', being 'equipped', 'fortified' or 'prepared' with weapons and implements that can be employed for that purpose.

Even if a more restricted definition of 'armed conflict' is used, this does not detract from the scope of SC1325 in covering 'conflicts' where arms are not employed.

In any event, why should 'first world' countries ignore the application of SC1325 to themselves, when they advocate its application to the 'third world'? Countries in Africa, the Balkans and the Middle-East no doubt are sensitive to the hypocrisy of fellow members of the United Nations when those members seek to impose standards to which they fail to adhere domestically. The United States has never had a woman president. The United Kingdom has ever only had one female Prime Minister, and Australia has only recently gained the first. As for equality in political forums, including parliament and congress – state, federal and regional – Scotland and Wales stand alone as having equal numbers of female and male members. What if women were to demand equality in circumstances where, in consequence of economics and politics – along with race and religion – conflicts emerge domestically? Awaiting the outcome is unlikely to see any 50:50 representation around any negotiation table or in any fully-fledged processes toward resolution.

SC1325 'calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective ...' Amongst other matters, the call is to 'promote measures' supporting 'local women's peace initiatives and indigenous processes for conflict resolution' and to 'involve women' in all 'implementation mechanisms' of peace agreements.

'Peace' and 'peace agreements', like 'conflict' and 'conflict resolution', are not matters applying solely 'over there' – outside Australia, the United States and the United Kingdom. Albeit armed conflict in its traditional sense is, fortunately, in the past for each of these nations, this does not mean that women's role, women's voice and women's capacity for negotiation and constructive settlement of conflicts arising on the home ground should be ignored.



It is time for Member States of the UN to recognise their responsibilities not only to endeavour to ensure implementation of SC1325 outside their own boundaries, but to take heed of the provisions applicable on the domestic front. Rather than stand by until the next riot, or pay heed only to men's voices in seeking to resolve the circumstances and disputation leading to such outbreaks, governments in Australia, the United Kingdom and the United States, indeed governments the world over, must pay heed to SC1235 and, hence, to the importance of women and women's contribution to the resolution of conflict. Peace at home, like peace abroad, is possible only if this principle is implemented as a way of life.

(Source: Make Every Woman Count)

BOSNIA-HERZEGOVINA: Are Bosnian and Herzegovinian Victims of Wartime Rape Finally Being Given Constructive Attention

Bosnia and Herzegovina (BH) is a state of coexistence of people from various ethnic backgrounds, in particular the most represented are Bosnian Muslims, Bosnian Serbs and Bosnian Croats. The state is divided into two entities: the Federation of Bosnia and Herzegovina (Federation of BH) and the Republika Srpska, which makes BH a loose federation. In 1992 BH was caught up in a violent, almost four year long war, which cost the lives of approximately 100.000 people, displaced half of the country's population, approximately 30.000 people were made victim of enforced disappearances and 20.000 to 50.000 people fell victim to rape and other forms of sexual violence. The most recently estimated number is the former one, published by the Parliamentary Assembly of the CoE in 2009. The complicated political system in conjunction with difficulty in achieving political consensus has resulted with the fact that BH did not have operating government at the state level since the elections in October 2010 until December 2011. Such a situation creates problems in taking state-wide decisions, which in consequence affects all victims of war, including victims of wartime rape and other forms of sexual violence.

Rape and other forms of sexual violence during the war in BH were widespread and used as a tool of ethnic cleansing. They were committed on a large scale by all parties to the conflict. However, based on available information the majority of victims were Bosnian Muslims. It is necessary to add that this crime affected also the male population of BH but regrettably no research has been done in this regard. The exact data about the number of persons affected directly by the crime is extremely difficult to establish. It is caused by the small number of women who reported the crimes committed against them due to a number of reasons. During and shortly after the war the relevant institutions were not functional and often involved in rape themselves (no lustration took place in BH) and reporting the crime could disclose the identity of victims and cause their stigmatization in local communities. At that time no psychological help was available to immediately lend support to this vulnerable group.

In the light of international law and jurisprudence wartime rape is qualified as war crime. If widespread and committed systematically against civilian population it can be qualified as crime against humanity. Whereas if committed with the intent to destroy, in whole or in part, a particular group, targeted as such, rape or other forms of sexual violence can amount to genocide. Unquestionably, in the light of international doctrine and jurisprudence rape also violates the right to personal integrity and can be considered form of torture.

It is the International Criminal Tribunal for the former Yugoslavia (ICTY) which has majorly contributed to the development of jurisprudence in this regard, interpreting rape and other forms of sexual violence against women as torture and crime against humanity. In 1995 the Office of the Prosecutor of ICTY created a position of Legal Advisor for Gender-related Crimes who was responsible for formulating the Prosecutor's approach to such crimes in ICTY and International Criminal Tribunal for Rwanda. Notwithstanding some "feminist criticism", as Karen Engle calls it, all of that has made ICTY an important step forward, which effectively influenced the Rome Statute of the International Criminal Court regarding such crimes and their criminalization in both international and non-international armed conflicts. Nowadays the catalogue of crimes against humanity related to sexual violence includes: "[r]ape, sexual slavery, enforced prostitution, forced pregnancy, enforced

sterilization, or any other form of sexual violence of comparable gravity". The UN march towards higher protection of women against sexual violence in armed conflicts has not finished in early 2000s. In 2000 the famous UN Security Council Resolution 1325 was also adopted. In 2008 the UN has created a Special Representative of the Secretary General on Sexual Violence in Conflict, with currently acting Margareta Wahlström, who visited BH in 2010. After her visit she published a report on her mission to BH, calling the process of pursuing justice "painfully slow" and the conviction rate for sexual violence being "roughly 10% lower than for other crimes".

Indeed some 31 cases regarding wartime rape have been prosecuted at international and domestic level, however the majority of perpetrators still enjoy impunity, often living in the same communities as their victims. Rape survivors suffer from various physical and psychological consequences, such as posttraumatic stress disorder (PTSD), sleeping disorders, severe anxiety, nightmares, loss of confidence, depression and suicidal impulses. In prevailing cases neither psychological support nor appropriate health services are available. The victims also allegedly suffer from unemployment, resulting from all the abovementioned, which creates a vicious circle of inability to afford medicines to properly function and be able to earn a decent living.

Such a state of affairs has brought attention of Amnesty International (AI) and TRIAL (Track Impunity Always), a Swiss association against impunity. This culminated with AI publishing a report "Bosnia & Herzegovina: 'Whose justice?': The women of Bosnia and Herzegovina are still waiting" in 2009, putting emphasis on reparations to this very group of victims, and subsequent monitoring by the organization.

Whereas TRIAL has since 2010 been providing additional information to the UN Committee against Torture (CAT), among others, about wartime rape, on the basis of the fact that this crime also amounts to torture. This and other shadow reports resulted in a more comprehensive insight by the CAT to the situation in BH. In paragraph 4 of CAT concluding observations it was explicitly stated that "the State party consists of two entities, but recalls that Bosnia and Herzegovina is a single State under international law and has the obligation to implement the Convention in full at the domestic level". This note is very relevant, since as signalled the lack of political consensus on state level causes many problems in implementation of any measures meant to remedy problems of victims and by that to fulfil BH's international obligations. One does not need to search far to see that there is no state law regulating the status and rights of civilian victims of war, which causes their unequal treatment in the two entities, not to mention the huge discrepancies between the rights of combatants and civilian victims of war.

Generally the attention of the abovementioned organizations and international human rights protection bodies can be divided into several categories of problems. One of them is the controversial definition of wartime rape in Bosnian legislation, which effects with wrong legal qualification by entity courts and in consequence disproportionately low sentences or even impunity, opposing international standards related to such a war crime. The current definition includes a condition of "forced threat or immediate attack", whereas it may exclude some crimes committed on the basis of other "coercive circumstances". Additionally, entity courts use the SFRY Criminal Code, instead of 2003 BH Criminal Code, which provides more appropriate definitions of the crimes and can be used retroactively due to the fact that the crimes at time of commitment were "criminal according to national or interna-

tional law, including customary international law". What has also been missing is comprehensive statistical data on wartime rape and sexual violence and amount of unresolved cases effecting from that crime. This is one of the elementary steps to be taken to fight impunity.

Another problem encountered in various reports is the witness protection in cases of wartime rape. The current measures are noted to be insufficient to save victims from potential (but often very realistic and actually happening) threats or attempts of bribery, aiming at withdrawal of their testimonies. Only few courts in BH offer separate entrance for witnesses and accused which is meant to prevent intimidation and make confrontation impossible. Another aspect is psychological assistance, which is supposed to help avoid re-traumatization and further distress related to being a witness in court. This however for now concentrates more on ad hoc measures and is not based on any comprehensive program. The carelessness of authorities can be illustrated by cases of disclosure of victims' identity. Additionally victims who wish to testify and cannot afford legal help need to go without, since Law on Free Legal Help is only being worked on now, over 15 years after the conflict was terminated. This amounts to a paradox: accused have access to free legal help and their victims do not. This is closely connected to an overall problem of victims not enjoying many rights in criminal procedure, especially since the 2003 reform of the Code of Criminal Procedure, which prohibits victims from conducting subsidiary and private prosecutions.

Furthermore, reparations understood as guaranteeing restitution, rehabilitation, satisfaction, restoration of dignity and reputation, guarantee of non-repetition as well as prompt, fair and adequate compensation for the harm suffered, all with the aim to allow victims to lead a decent life, are discriminatory in BH. This is caused by no law on reparations to civilian victims of war on the state level. This issue is only regulated on the entity levels, causing unequal social benefits (and in some cases their lack) and other services to the same groups of victims in the Federation of BH and Republika Srpska.

All the issues tackled above are repeatedly mentioned in relevant documents (including the annual Progress Reports of the European Commission) as requiring immediate reactions by state, which if present at all, are not well coordinated. From positive developments there is a national program targeting victims of rape and other forms of sexual violence during the war being drafted by the UN Population Fund (UNFPA) and the state Ministry of Human Rights and Refugees (MHRR). Works on it were initiated in late 2010 and a draft of the program was meant to be produced by the end of 2011. Importantly, the works include consultations with civil society, namely the associations of victims. This gives hope that the so far neglected group of victims will finally receive attention from the state.

This contribution was meant to shortly sketch the current situation of the female victims of wartime rape in BH. The same group of victims which has been given a lot of media attention in the 1990s, little attention from its own state and recently given a lot of attention from international organizations and bodies, which will hopefully have visible practical effects. Such an optimistic scenario will only happen once a political consensus to pursue it is reached and corresponding resources are secured, what might not be that easy having in mind that the government at the state level is still fragile.

(source: Inclusive Democracy)

About the sin of silence and the risk of speech¹

I watched Angelina Jolie's 'In the land of blood and honey' in Belgrade on February, 23rd 2012. It could only be watched in two cinemas of Belgrade. A dozen people, or so, watched the film. Reporting on the film, journalists repeated: 'Serbs are not guilty because Brad Pitt's cock is short.'

A police car and policemen guarded the cinema. Is the truth so dangerous that the police should guard it? People in Serbia do not like the truth about the war, in which 'Serbia was not involved.' The corpses of innocent victims accuse: 'Serbia was involved in war.' They accuse Angelina Jolie for showing Serbs as war crime perpetrators and

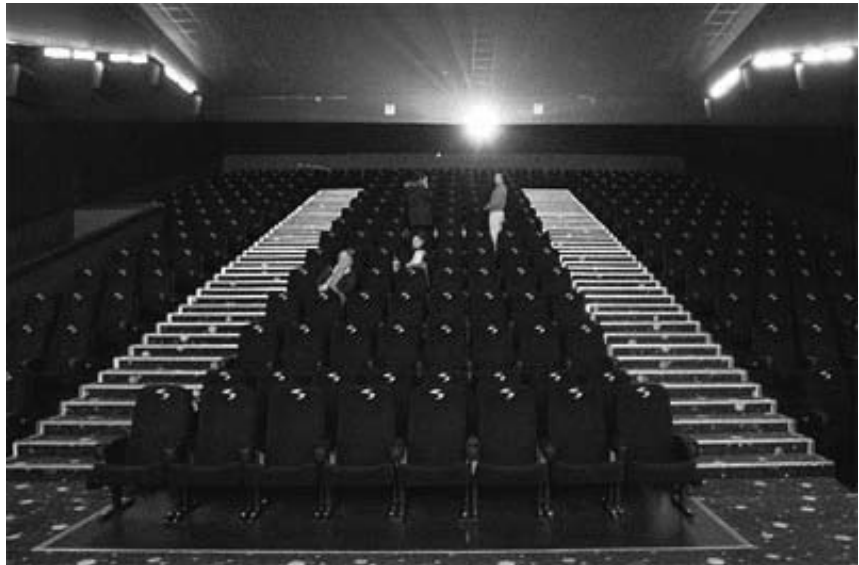


Photo from the Belgrade premiere of "In the Land of Blood and Honey".

to contrive the numbers of raped women. And she did not. She said the truth once more: Serbs have committed crimes, raped Bosnian women, they have kept huge number of Bosnian civilians in the concentration camps, Serbs used mass and systematic rapes as a tactic of ethnic cleansing to change the ethnic picture of the country during the war. In the times of so-called peace, we live the official politics denial and within the state-organised lies, in the heritage of silence, in Serbia we live in every day's violence, and we know that it is the consequence of not confronting state-organised crimes from the past. With this film, Jolie breaks the patriarchal tyranny of silence surrounding violence against women. As a director, she does not present the war as a civil one. She says: 'It was not a fifty-fifty war,' it was aggression by Serbia. The director places in the centre of the action the systematic, mass rape of women in the war in Bosnia and Herzegovina. She speaks of male violence over women. She says that there were up to 50,000 raped women in the war, sending the message that we will never know how many of them were raped for real. We should remember the significance of feminist activists in their fight against sexual violence of men over women. The American feminist Susan Brownmiller in her 'Against our will: men, women, rape' -put forward three theses about rape: the rape in war is public, done in a group and in most cases finishes with the execution of the woman. The war rape crime in Bosnia and Herzegovina has its grand entrance into the history. The Vienna Tribunal, organized by UN, in 1993, thanks to women organizations, activists proclaimed rape as a war crime. The ICTY in Hague has established 'beyond reasonable doubt' that rape was an act of ethnic cleansing. For the rape crime in Bosnia and Herzegovina, this court has sentenced Dusko Tadic, Dragoljub Kunarac, Radomir Kovac, Zoran Vukovic and Dragan Zelenovic. Courts in Bosnia and Herzegovina, for the crimes of rape in war have sentenced Radovan Stankovic, Nedjo

1 These are the words of a woman from Nevesinje

Samardzic, Gojko Jankovic, Boban Simsic. Feminist Ronda Kopelon says: 'War intensifies men's feeling that they enjoy the rights, superiority, cupidity and social license to rape.' Cathryn MacKinnon says: 'It is rape to death, as a part of the massacre, rape to kill and to force the victim to wish to be dead. Rape is to see and to hear about it, rape as spectacle. The goal of rape is to divide the community, to disintegrate society, destroy people. This is a genocidal rape. Rape in war combines xenophobia and misogyny: where hatred is sexualized and where bigotry becomes an orgasm. It was personally / politically very important to me to see this movie. As Corinne Kumar says, it's a story in which 'the silence begins to speak, the hearing is to listen to it, and listening means that you are feeling.' Feeling means to testify about the bloody crimes of the Serbian regime.

Milos Urosevic

(author is a Women in Black activist).

Impresum

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