



## THE PUBLIC POLICY RESEARCH CENTRE (CENTER)

### “The Arms Export and Violence against Women: Advocating for Gender Responsible and Transparent Implementation of Arms Trade Treaty (ATT) Provisions in Serbia”

Final Report September 12, 2018 – April 11, 2019

This final report is related to the implementation of the project “The Arms Export and Violence against Women: Advocating for Gender Responsible and Transparent Implementation of Arms Trade Treaty (ATT) Provisions in Serbia” for the period September 12, 2018 – April 11, 2018. The project is implemented by the Public Policy Research Centre (CENTER) from Belgrade, Serbia.

#### Summary

The research team of the Public Policy Research Centre (CENTER) offered the first ever independent CSO account on Serbia’s alignment with the ATT provisions in terms of GBV/VAW, with the aim to improve civilian expertise in one of security issues which was yet not tackled. Particularly, the research focused on mechanisms of compliance related to the ATT provision which stipulate that exporters should take into account the risk of the conventional arms to be used to commit or facilitate serious acts of gender-based violence (GBV) or serious acts of violence against women (VAW) and children.

Although Serbia has to comply with number of strict rules which are governing arms export under the EU accession process, the ATT is the only strategic document which directly connects gender and arms export.

While the research confirmed initial findings that Serbia strictly complies with the proscribed rules, it also **suggests that the complex armed conflicts which often involve GBV need tight monitoring and proper reaction of the authorities.** Furthermore, additional criteria need to be developed to better target GBV cases related to misuse of armament. The research shows that the existing legislative framework gives MPs enough power to

oversee the arms export, but that MPs don't have sufficient knowledge and motivation to do so, as they are overburdened with the number of other security related issues.

**One of the most important conclusions of the research part of the project is that Serbia as one of the major exporters of the small arms (SALW) which are often used in cases of GBV, has a strong motive to contribute to developing additional domestic mechanisms of compliance with ATT&GBV.** Having in mind that Serbia intends to significantly increase the volume of the arms export, it consequently needs to secure top notch alignment with the regulations governing transparent arms export including those arising from the ATT; by the same token, due to armed conflicts in former Yugoslavia and widespread proliferation of small arms Serbia itself suffers from high rates of GBV and considerable percentage of femicide inflicted by SALW and therefore has strong motivation to adhere to the BV/VAW related ATT provisions;

The advocacy part of the project (round table and the conference) shows that **there is a space for improvement of communication and cooperation between the major stakeholders in the field.** Among them are: MPs in the Defense and Internal Affairs Committee interested in challenges related to arms proliferation and GBV/VAW, members of the Ministry of Trade, Tourism and Telecommunications (Department for foreign trade with controlled goods - weapons, military equipment and dual-use goods) and the Ministry of Foreign Affairs, experts in the field and relevant CSOs with strong research expertise, advocacy and legislative experience when it comes to GBV/VAW and the implementation of the National Action Plan for the Implementation of UN Security Council Resolution 1325 – Women, Peace and Security in the Republic of Serbia.

As it was concluded, the Women Parliamentary Network may contribute to developing further criteria related to the GBV dimension of the arms export and to the overseeing process.

**The policy paper and the guide for MPs, produced by the CENTER's research team should assist authorities, MPs and CSOs in promoting mechanisms for gender mainstreaming in the security sector** and in this particular field. The research results should motivate CSOs to seek stronger overseeing role in the process.

The project contributes to the OSCE objectives: (1) to develop and strengthen the co-operation between state institutions and civil society in addressing security sector related issues at national level; (2) foster the development of civilian expertise in defense and security issues and providing independent assessments and views on security policies; (3) increase public awareness of issues aimed at enhancing democratic governance and promoting a transparent security sector; (4) promote public participation in the security sector reform; and (5) promote mechanisms for gender mainstreaming in the security sector.

The project relies on the long-standing CENTER's work in the field of impact of small arms and light weapons on human security, such as "Gender-Based Violence and Firearms

Misuse" (2017), "Firearms Possession and Human Security: Do we see firearms as provider of personal security or a security risk" (2016), "Targeting Weapons" (2014).

In general, the project implementation was carried out according to the plan.

### **Project background**

Serbia is widely considered as one of the most transparent arms exporters and according to the official reports complies with the ATT obligations related to GBV/VAW. However, before this report, the details on compliance were scarce. Furthermore, in the project's preparatory phase, the CENTER learned that the Serbian MPs want regular and detailed information related to Serbia's compliance with ATT obligations related to GBV/VAW, both from the state and independent sources. The aim of this project was to enhance the role of the Serbian parliament and civil society in overseeing Serbia's compliance with the obligation taken under the Arms Trade Treaty (ATT) as of 2014, which stipulates that exporters should take into account the risk of the conventional arms to be used to commit or facilitate serious acts of gender-based violence (GBV) or serious acts of violence against women (VAW) and children.

### **Aims of the project**

The aims of the project were the following:

- (1) To offer the first ever independent CSO account on Serbia's alignment with the ATT provisions in terms of GBV/VAW and therefore improve civilian expertise in one security issue which was yet not tackled
- (2) To strengthen cooperation between the state institutions, specifically departments in the Ministry of Foreign Affairs (Arms control) and the Ministry of Trade, Tourism and Telecommunications (Department for foreign trade with controlled goods - weapons, military equipment and dual-use goods) with the interested MPs and civil society in terms of exchange of information related to the particular topic i.e. set of criteria used in deliberation whether the arms export is in line with the ATT provisions related to GBV/VAW and through the round table with selected interlocutors;
- (3) To offer overview of the loopholes related to the legislative framework regulating arms export and GBV/VAW i.e. the lack of the adequate and precise provision related to GBV/VAW in the existing law regulating arms export, lack of the regulatory solutions for tracking and prosecuting the law offenders (those exporters breaching the obligations stipulating respect for human rights (and therefore GBV/VAW)).
- (4) To foster public participation in the security sector reform by (1) discussing the topic with the relevant parliamentary groups and (2) testing the idea of further co-operation between MPs and CSOs interested in assist the state in developing additional criteria for Serbia's alignment with the ATT provisions in terms of GBV/VAW and in monitoring of the process;

- (5) To assist MPs and civil society sector in monitoring the process, by producing the guide for the monitoring of Serbia's compliance with ATT provisions related to GBV/VAW.;
- (6) To increase public awareness of the issue through the dissemination of the policy brief and organization of the conference devoted to the topic; through dissemination of the findings through the CENTER's website and social networks;

#### **Target Groups**

- Relevant members of the Ministries of Foreign Affairs and Trade, Tourism and Telecommunication;
- MPs from selected Committees and other MPs interested in the topic;
- CSOs focused on women rights and security issues/armament and arms export;
- Experts for gender issues and security issues;
- Media;

The key activities performed during the project were:

- Preparation of the research approach: Systematic review of foreign and domestic literature related to the topic, analysis of the existing reports of the Government/relevant ministries, submitted for MPs considerations, and preliminary consultations with preselected MPs which showed public interest in more detailed reports related to ATT and GBV/WAV;
- Interviews with the selected list of interlocutors dealing with the issue, using questioners based on the insights obtained through the preparatory phase. Transcripts and analysis of the interviews.
- Preparation of the policy brief and the guide for MPs and CSOs for monitoring fulfilment of the ATT provisions related to GBV/VAW.
- One to three round tables with selected members of the government (members of the MTTT, Mol, MoD and MfA), experts, MPs, The Commissioner for the Protection of Equality and CSOs discussing draft policy brief and exchanging views on the modalities of the MPs and CSOs involvement in the consultations with the government and in the monitoring process.
- Conference with selected interlocutors from the national level such as MPs from the Parliamentary Committees responsible for the security sector control and human rights, The Women's Parliamentary Network, relevant ministries, experts, CSOs, specifically members of the Network of civil society organizations UNSCR 1325 on Women, Peace and Security in Serbia, relevant academia and other experts interested in implementation of SDGs 5.2 and 16.1, UNDP-SEESAC (the United Nations Development Programme - Centre for Control of Small Arms and Light Weapons in South Eastern Europe), NATO representatives and other stakeholders relevant for the issue. The conference will be prepared in co-operation with the Democratization Department of the OSCE Mission at the end of the project.

- Awareness raising campaign through the PPRC website and social media.
- Evaluation and reporting.

## THE PROJECT EXECUTION

### Research process

The systematic review on the research papers, guide books and other research and advocacy products written by the women groups involved in the drafting of the criteria for the implementation of GBV/VAW criteria in the ATT, sources of multilateral organizations involved in the drafting and implementation of the ATT such as OSCE and UN, and think tanks such as SIPRI and others focused on security reform and gender mainstreaming, and other general literature relevant for the topic were conducted according the plan in month 1 and 2. Additional literature such as general reports about the Serbia's compliance with the legislative framework set for the export of weapons, Serbia's official reports to the UNODA and UNSCAR were reviewed and included in the final policy brief.

Initial chapters of the policy brief associated to involvement of the women groups in SALW related policies and the drafting of the Arms Trade Treaty (ATT), as well as the initial overview of the Serbian legislation framework related to the ATT were produced ahead of schedule in month 2.

Based on the literature review, separate semi structured questionnaires for each interlocutor were developed and submitted with the interim report.

### **The following interviews were conducted:**

1. Biljana Stepanov, Program Coordinator in the Centre for Support of Women, Kikinda, and member of the Network of civil society organizations UNSCR 1325 on Women, Peace and Security in Serbia 18.10.2018.
2. Katarina Đokić, Researcher, Belgrade Centre for Security Policy (BCSP) 19.10.2018.
3. Dragan Božanić, UNDP SEESAC, Gender and Research Project Officer at UNDP SEESAC 2.11.2018.
4. Balša Božović, MP member of the Defence and Internal Affairs Committee 22.11.2018.
5. Jasmina Roskić, the Head of the Sector for Foreign Trade in Controlled Goods in the Ministry of Trade, Tourism and Telecommunications 29.11.2018.
6. Ambassador Branimir Filipović, Assistant Minister, Head of Sector for Security Policy, Ministry of Foreign Affairs of the Republic of Serbia, 24.12.2018.
7. Dragan Milojević, Minister Counsellor at Ministry of Foreign Affairs of the Republic of Serbia, Sector for Security Policy and Arms control, 24.12.2018.
8. Gordana Čomić, MP and deputy member and of the Defence and Internal Affairs Committee, 27.2.2019.
9. Marko Đurišić, MP and the vice-chair of the parliamentary defence and internal affairs committee and the member of the Parliamentary forum for SALW, 28.2.2019.

**Interviews with the following interlocutors were not executed:**

- Representative of Security Information Agency, (request sent on 03.12.2018. - Interview denied on 05.12.2018). In its reply the Agency quoted its policy not to exercise interviews with researchers.
- Representative of the NATO Military Liaison Office in Belgrade, (request sent on 30.10.2018. followed by the phone conversation on 22.11.2018. and 19.12. 2018.). The interview was denied due to the lack of an adequate interlocutor specialised in ATT & GBV.
- Aleksandar Radić, Journalist, (request sent on 19.10.2018. followed by the phone conversation on 21.11.2018. and 11.12.2018.) The interview was moved to January due to the overcrowded schedule of the interlocutor. At the end it was not realized due to the lack of response.
- Dubravka Filipovski, MP, member of the Defence and Internal Affairs Committee member and deputy Chairperson of the Foreign Affairs Committee, (request sent on 14.11.2018., no response)
- Vladimir Marinković, MP, member of the Committee on the Economy, Regional Development, Trade, Tourism and Energy, (request sent on 3.12.2018. and 19.2.2019, no response).
- Jelena Ćosić, BIRN journalist (request sent on 24.12.2018. and 31.1.2019., no response).
- Aleksandar Đorđević, BIRN journalist (request sent on 24.12.2018., no response).

**Main findings:**

**Legislative branch:**

- MPs have enough mechanisms at their disposal to supervise arms export.
- Most MPs are not sufficiently motivated or unaware of the mechanisms at their disposal;
- Failure to recognize the possibility of human rights violations;
- MPs have not attended until now any training, workshop or lecture on the topic of NGO exports;
- Parliamentary question, are very rarely used, as a mechanism for the supervision and control of the government;
- MPs recognize the importance of the guide.

**Executive branch:**

- Arms export is seen as a profitable branch of the industry;
- Representatives of the government don't recognise the relation between arms export and violation of human rights and GBV;
- Insufficient capacities of MTTT and MFA's sector of arms control and security policy;
- Compliance with ATT and other international conventions;
- Transparency is very important (All information available to everyone);
- Regular reporting to international and national actors;
- Openness to Cooperation - Challenges in Communicating with MPs;
- Good cooperation with Ministry of Interior, Ministry of Foreign Affairs, Ministry of Defence and Security Information Agency;
- Additional possibility of informing the MPs;

**Civil society:**

- Clearly recognise profit vs human rights;
- A clear link between exports and GBV;
- Insufficient capacity of MPs;
- Necessity to empower MPs;
- Tradition;
- The media report on the export of SALW in case of incidents, there is no systematic coverage. Reports are publicized in specialized media.

**Recommendations:****Government of Republic of Serbia**

- Strengthen the capacities of ministries and agencies participating in the arms control process, i.e. issuing export and import licenses, in particular the MTTT Department of Foreign Trade of Controlled Goods, the CSFP Department, Security Challenges and Arms Control, with a view to more promptly submitting reports on exports and import of SALW.

**MTTT**

- Include reasons for non-issuance of licenses for export and import of conventional arms into annual reports of MTTT.
- Export reports of conventional arms are more up-to-date;
- In co-operation with the civil sector, organize trainings, trainings and workshops with MPs in order to increase the capacity of specific knowledge on the ways of monitoring and controlling exports of conventional arms;

**National MPs**

- Use all available independent reports, analyses, surveys and publications that address issues of human rights, corruption, democracy, violence against women and armed violence;

#### **Non-state actors (CSOs, academia, media)**

- Foster regular media reporting and monitoring on the arms trade issues
- Encourage members of academia and professionals to conduct research on arms export challenges
- Strengthen and advocate for a public debate on the effects and scope of arms exports
- Establish a working group composed of state and non-state actors (CSOs, MTTTs, MPs, the Women Parliamentary Network ) to monitor the application of ATT;
- Conduct regular annual export monitoring of arms export;
- Advocate for the introduction of the control of the application of ATT and GBV in NAP 1325;

The research findings were summed in the presentation for the conference (please find attached the detailed presentation in ppt and pdf the Annex 1) as well as in the policy brief available in Serbian and English as the topic is interesting for both Serbian and international readers. The policy brief is attached with the report in the Annex 2. The Guide for MPs was produced in Serbian in the Annex 3.

During the report period, the Expert Consultant on security issues supported the team members in the research process (i.e. research design, methodology, preliminary results of the literature review, and development of the questionnaires as well as in drafting the policy brief and the Guide for MPs). The legal expert prepared the overview of the legal framework.

#### **Advocacy**

**Round table.** The research team has decided to organise just one round table on March 5<sup>th</sup> 2019, in 88 Rooms hotel, and to discuss the preliminary results of the research. The round table gathered young researchers focused on SALW as well as seasoned CSO experts in arms sector and GBV such as the representatives of the BCBP and the Autonomous Women's Centre (AŽC), in total 7 experts. Please find the list of attendees in the Annex 4 and the photos in the Annex 5.

**Conference.** The conference organised on April 11, 2019, in hotel Metropol, gathered the top class interlocutors in the field, including members of the Ministry of Trade, Tourism and Telecommunications and Ministry of Foreign Affairs of the Republic of Serbia, two MPs knowledgeable in the topic, Gordana Čomić, MP member of the Defence and Internal Affairs Committee and Marko Đurišić, the vice-chair of the parliamentary defence and internal affairs committee and the member of the Parliamentary forum for SALW, representatives of



SEESAC, consultant for gender and security in the Coordination Body for Gender Equality of the Republic of Serbia, independent researchers, members of the Network of civil society organizations UNSCR 1325 on Women, Peace and Security in Serbia, and several members of the OSCE, including Vladimir Bilandžić an expert in the field. Please find the Agenda of the event in the Annex 6 photos of the event in the Annex 7.

**Policy brief and a Guide for MPs dissemination.** Policy brief was published in Serbian and English and disseminated to various experts in Serbia and abroad. The Guide for MPs was distributed to MPs in the Defence and Internal Affairs Committee, as well as to experts and interested CSOs.

**Media.** The new webpage for the project topic related news was created at the CENTERs website. The conference was closed to media and therefore the results of the research were not disseminated in media. After the project completion the findings will be promoted at the webpage and the CENTER's social networks.

### **Challenges faced during the project implementation**

During the reporting period, the implementation of the project faced minor challenges. Due to an overcrowded schedule of the interlocutors, several interviews had to be rescheduled and some interlocutors, as explained, failed to respond. There were substituted by other relevant interlocutors. Therefore, the initial time line of the project was slightly changed. In the originally proposed timeline, interviews were planned to be executed in the months 2 and 3, but were later extended to month 4.

Instead of promoting the policy brief of the conference, the research team has decided to first discuss the findings at the conference in order to include the discussion in the final version of the policy brief.

### **Budget and Financial Report**

The overall budget for the action is 1,162.900,00 RSD. The first tranche in the amount (50%) of 593,955 was transferred to CENTER's account on 24.09.2018. The second tranche in the amount (40%) of 179.208,82 was transferred to CENTER's account on 21.01.2019. During the project implementation the CENTER ensured sound budget execution through regular budget monitoring. In December 2018, based on the CENTER's request, OSCE granted a small alliteration in the budget under which the payment for the lead security researcher was changed from the full time contract into a consultant type of contract for the remaining part of the project. The change was budget neutral. In February 2019, the CENTER asked for a one month non cost extension of the project due to a longer that envisaged project research process. The change was budget neutral. The final financial report is attached as a separate document.

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