GENDER TRAINING MANUAL
for the Ministry of Defence of the Republic of Serbia and the Serbian Armed Forces
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for the Ministry of Defence of the Republic of Serbia and the Serbian Armed Forces
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Gender Training Manual for the Ministry of Defence of the Republic of Serbia and the Serbian Armed Forces was developed within the "Strengthening of Regional Cooperation on Gender Mainstreaming in Security Sector Reform in the Western Balkans" Project (2012-2015). The Project is jointly implemented by the United Nations Development Programme / SEESAC (UNDP SEESAC) and four Ministries of Defence in the Western Balkans (Bosnia and Herzegovina, Montenegro, Serbia and the former Yugoslav Republic of Macedonia).

The Manual was designed at the initiative of the Gender Instructors of the Ministry of Defence of the Republic of Serbia (MoD) and the Serbian Armed Forces (SAF), whereas the proposal for its development was presented at the First Regional Meeting of Gender Trainers, held in Belgrade on 22 May 2014. The Instructors had recognised the need to prepare a manual that would help them develop and implement training programs for different target groups in the MoD and SAF in order to improve the knowledge of all MoD and SAF members on gender equality in the security sector.

With UNDP SEESAC technical assistance, in the period from July 2014 to February 2015, nine certified Instructors from the MoD and SAF produced a draft Gender Training Manual for MoD and SAF through three workshops and work in small groups.

The Instructors who were engaged in the preparation of the Manual had completed the first regional Gender Training of Trainers (G ToT) in the Ministries of Defence (MoDs) and the Armed Forces (AFs) of the countries participating in the Project. The training was organised by UNDP SEESAC, as part of the regional project, in cooperation with the Nordic Centre for Gender in Military Operations (NCGM) at the Peace Support Operations Training Centre - PSOTC in Sarajevo from 5 to 13 March 2014. Six representatives of the MoD and members of SAF completed this training.

The second regional G ToT in the MoDs and the AFs of the Western Balkan countries was organised at the Peacekeeping Operations Centre of the Serbian Armed Forces General Staff from 28 January to 6 February 2015. Six MoD and SAF Instructors completed this training. The second regional training was also organised by the UNDP SEESAC in cooperation with the Nordic Centre for Gender in Peacekeeping Operations and the MoD of the Republic of Serbia. The MoD and SAF Gender Instructors are a part of the regional network consisting of thirty-three trainers from the MoDs and AFs of the countries participating in the project.

Equal participation of women and men in security institutions, decision-making, as well as in the design and implementation of policies is an indisputable democratic value, and much more. Taking into account the different experiences, skills, interests and perspectives of men and women, offers a unique contribution to the development of the armed forces, which thus become more efficient in
responding to different security needs, and increasingly development-oriented and accountable to the whole community.

A gender perspective is not an element to be added, it must be incorporated into all the aspects and concepts relating to security. Taking gender perspective into account means planning missions and assignments, creating strategies and policies while considering both women’s and men’s needs, based on the analysis of situations in which these needs differ.

To achieve this objective, education and training are necessary. Education and training raise awareness of the importance of introducing gender in the defence system. Their ultimate goal is integration of the gender perspective into the defence system, and its consistent implementation. In order to accomplish this objective, education and training must include examples of practical application of gender perspective in the security sector and UN Security Council Resolution 1325 - Women, Peace and Security, customised to a particular target group. Otherwise there is a risk that defence system employees will fail to recognize the purpose of the gender perspective, unless they see potential for its implementation.

The Manual has been developed to support the delivery of gender training aimed at different target groups in the MoD and SAF. It consists of ten independent thematic units. One of the ways to conduct the training is to present all thematic units. However, the thematic units can also be presented individually or in various combinations, depending on the time available and the target group.

Thematic units in the Manual include the following: definition of sex, gender and gender equality; gender stereotypes and prejudice, definition of discrimination; anti-discrimination legal framework in the Republic of Serbia; statistical data on the position of women and men in the Republic of Serbia; gender and security sector reform, an explanation of UN Security Council Resolution (UN SC) 1325 - Women, Peace and Security, overview the National Action Plan to Implement UNSC Resolution 1325 - Women, Peace and Security in the Republic of Serbia, as well as the practical examples of how to integrate gender perspective into everyday work of the MoD and SAF.

Chapters are divided into thematic units and structured in a similar way:
- objectives;
- description;
- training instructions;
- suggestions for Instructors;
- overview of the training implementation plan;
- materials for exercises (worksheets);
- materials for Instructors;
- handouts.

Some chapters do not have all the elements of the proposed structure unless relevant for the given chapter (for example, the materials to perform the exercises - worksheets are not needed in each session, but only in
those which require exercise). Also, thematic units vary in length, as Gender Instructors believe that certain topics should be analysed in more detail in the Manual (for example, the chapter concerning discrimination is longer than the rest).

Methodology for the preparation and implementation of the training is based on the principles of adult learning, combining theoretical and practical part through: discussions, exercises that are carried out individually, through group work, case studies, presentations and lectures. The type of method to be used in the training depends on the Trainer’s experience and preferences, the objective to be achieved and the size of the group. It is recommended that, when selecting a method for a specific thematic unit, one should also take into account the selection that was made during the presentation of the thematic units that preceded it, to avoid insisting on using the same methods of training throughout the training. In the preparation of the Manual, we used a variety of domestic and international literature, publications, reports and research findings and experiences and examples from the instructors’ practical experience. Some texts from thematic units, with clearly marked sources, were cited while other texts were created exclusively for this Manual, which is the first guide of this kind compiled by the team of Gender Instructors of the Ministry of Defence of the Republic of Serbia and the Serbian Armed Forces.

In order to implement the training that will allow each participant to have the opportunity to actively participate, a group should not have more than 20 participants, while the optimal group size is 15 members. It is desirable that the training, based on the contents in the Manual, is carried out by certified Gender Instructors of the MoD and the SAF. However, it can be used by all those who find themselves in the role of Gender Instructors in the defence system.

Instructors may give the training in pairs with another instructor. It is recommended that a team of Instructors is selected and combined (military officer/civilian, a woman/man) depending on the target group. Based on the materials from the Manual, the entire training requires one workday. Each one-day training should be carefully planned: objectives defined in line with the needs of the group for which the training is organised, topics that will be taught identified, as well as the methods, exercises to be performed, and the exact time slot for each of these elements of training defined. To plan the training, a Training Plan form, provided in an Annex attached hereto should be used.

Anonymous training evaluation should be carried out at the end of each training. When distributing evaluation sheets to the training participants, it should be noted that evaluation is anonymous and explained that answers from evaluation sheets will contribute to identification of the training’s strong and weak points and serve to garner proposals for future trainings. The evaluation should enable participants to appraise the training and to provide feedback to the Instructors for future training courses and they can determine, based on this analysis, whether something needs to be corrected or improved. Proposed evaluation sheet is provided in an Annex attached hereto.
I. INTRODUCTORY THEMATIC UNIT

OBJECTIVES

- Introduce the participants to the objectives and program of the training
- Present the team of Instructors and establish communication with the group
- Enable participants to get to know each other and to create an initial group dynamics

DESCRIPTION

During the presentation of this thematic unit, it is necessary to create initial group dynamics and give all attendees a clear idea of the purpose of training and its objective, inform them that it is organised in accordance with the plan of the Ministry of Defence of the Republic of Serbia to carry out activities related to the introduction of the gender perspective in defence policy. Participants should understand that the training will be interactive, that they would have the opportunity to share their experiences, that they themselves will set the rules of operation and openly and actively approach the process of education.

TRAINING INSTRUCTIONS

STEP 1:

Welcome the participants, introduce yourself and explain how you have become a Trainer (tell them that you have been trained to deal with matters related to gender equality and human rights etc.). You can also present some other information about yourself (where you work, previous experience, etc.) bearing in mind that at this point you should emphasise any information about yourself that contribute to your credibility to work on this program. Therefore, tell them something about your engagements and your activities related to supporting the achievement of gender equality, as well as how you became a Gender Trainer at the MoD and SAF. Give your colleague the floor and let them introduce themselves. Give appreciation to all those who supported the organisation of the training (and mention the support of donors, if any).

STEP 2:

After you have introduced yourself, invite the participants to introduce themselves by asking them to tell their names, which organisational unit or department they are from, whether they had any previous experience with this type of education and what their motives were to engage in the topic of the training.

1 Adapted from: Janjić, B., Maletin, B., Petrović, B., (2014). Priručnik za trenere i trenerice organizacija civilnog društva o diskriminaciji Belgrade
STEP 3:

Read out the training objectives to the participants (before the training begins note them down on a flip-chart), then thoroughly present the work program, explaining what certain thematic units specifically relate to. Ask participants for suggestions and comments on the program’s objectives and particularly reflect upon the envisaged timetable; be willing to modify it in accordance with the participants’ needs.

STEP 4:

Explain to the participants that a prerequisite for good training is to jointly agree on the work, establishing minimum rules of conduct that the Trainer and participants will observe for the duration of the training. Point out that these policies contribute to the efficiency of work and create a good/pleasant atmosphere for all participants’ work. Post these rules on the wall so that they are visible to everyone.

SUGGESTIONS FOR INSTRUCTORS

In the course of the introduction, present those facts about yourself that are related to the topic of the training and that can give you credibility in the eyes of participants. If you have experience in giving trainings, make sure to emphasise this, and if you do not, refer to the fact that you have completed the training. Please note that participants will form an opinion about the “training” and “you” in the first moments of the training: be confident, show that you know what you’re talking about, and address participants with respect. If you suffer from stage fright, ask a colleague to be the first to address the training participants. If this is not possible, try to control the stage fright by preparing your opening sentence in advance and simply say it before the participants. Remember that participants will be more nervous than you are!

PARTICIPANTS’ INTRODUCTION:

Starting from the left or the right side of the semicircle, the Trainer will ask the first person to introduce themselves and continue with the next one and so on until all participants have introduced themselves. After the introduction of each participant, the Trainer thanks the person by addressing them by their first name. Standard number of participants in the training should be 20 persons, so each needs to say something about themselves for 1 minute maximum, in order to respect the expected time of implementation of the thematic unit.

Names of participants should be written and placed on the table in front of each participant. Instructors should also write their names and wear a name tag. This facilitates communication because it allows everyone to address everyone else by name and encourage mutual respect and direct communication.

After presenting the objectives and the training program, you can give some additional information, such as where the toilet is, where the coffee will be served, when travel expenses will be paid, if applicable, and so on.
WORK ARRANGEMENT

The Trainer asks the participants to work together as a group to formulate ways and rules of conduct that should be adhered to in the course of training in order to feel well and to work successfully. The Trainer writes down the proposed modalities/rules on a flip-chart with a heading written in advance “Work arrangement”. It should be noted that arrangement on work modalities should include rules relating to group communication, mutual respect, and participation in the work. It is recommended that the Trainer does not specify the rules, but only suggests them and respects the participants’ suggestions. Also, it is recommended that due to the overall work process, the Trainer should warn the participants to turn off/mute all mobile phones. Possible answers of the participants: listening to each other, participation of all persons, we are active, we respect different opinions, there are no wrong answers.

DURATION: 20 minutes

OVERVIEW OF THE TRAINING IMPLEMENTATION

<table>
<thead>
<tr>
<th>Time</th>
<th>Title</th>
<th>Objective</th>
<th>Technique</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 min</td>
<td>Introduction and welcome</td>
<td>Ensure that the Instructors introduce themselves and greet the participants</td>
<td>Trainer’s address</td>
</tr>
<tr>
<td>10 min</td>
<td>Participants’ introduction</td>
<td>Ensure that the participants introduce themselves and establish a good atmosphere</td>
<td>Participants’ individual introduction</td>
</tr>
<tr>
<td>5 min</td>
<td>Training objectives and program</td>
<td>Introduce the participants to the objectives and course of the training</td>
<td>Trainer’s address</td>
</tr>
<tr>
<td></td>
<td>Work arrangement</td>
<td>Establish the minimum rules on work arrangement during the training</td>
<td>Dialogue between the Instructors and the group</td>
</tr>
</tbody>
</table>
THEMATIC UNIT: SEX, GENDER AND GENDER EQUALITY

OBJECTIVES

- Ensure that the participants understand and discuss the basic concepts concerning gender equality: sex, gender, gender equality, gender roles and gender identities
- Ensure that the participants understand that the concept of gender equality is linked to public policies

DESCRIPTION

This is the first and very important thematic unit in training which aims to give the participants a common understanding of basic concepts relating to gender equality: sex, gender, gender equality, gender roles and gender identities. It is necessary to explain what gender equality means and to emphasise that it does not apply only to women, which is a widespread understanding, but also to men. Participants also need to gain an insight into how our gender roles are constructed, how this affects our everyday life, and why creation of public policies must take into account these differences, in order not to deepen the differences in the position of women and men.

TRAINING INSTRUCTIONS

STEP 1:
Choose one of the exercises that you will perform as an introduction to this thematic unit.

Exercise No. 1. WHICH SEX AM I?

- The aim of the exercise: to understand the concepts of sex and gender.

In front of the group of participants, put a flip chart with a written question (in capital letters): WHICH SEX AM I? This question is likely to cause laughter or some other type of reaction among the participants over the issue. The answer may be obvious, but you can expand the question with follow-up questions and write down answers on the flip chart:
  - How do you know that I am a woman/man?
  - What is it that suggests to you that I’m a woman/man?

After they describe you using typical female/male characteristics and attributes (depending on whether the Trainer is male or female), circle sex characteristics only and ask the participants why you circled only those traits. Next, explain the difference between gender and sex and interactively provide arguments for each item on the list bearing
in mind that this does not only concern biological characteristics, but that some of those characteristics are socially determined, i.e. they refer to GENDER.

Exercise No. 2. OCCUPATIONS

- The aim of the exercise: To explain to the participants, through practical examples, the meaning of the terms gender and sex.

At the beginning, tell the participants that in the Serbian language the term “rod” is used to refer to “gender” and “pol” to refer to “sex”. In the Republic of Serbia, in the military terminology, the term “rod”\(^2\) has a different meaning, and should therefore be clearly distinguished from the term we are talking about in this Manual.

Using whichever way is possible (board, flip chart, screen, etc.) present to the participants different professions:
- Carpenter
- Construction worker
- Car mechanic
- Medical technician/medical nurse
- Gunner on a tank
- Police officer
- Parachutist
- President of a country
- Chef/cook
- Midwife
- Kindergarten teacher
- Ballerina/ballet dancer …

With the participants, discuss each occupation individually and their understanding of it - attitude whether these are typically male or female occupations - jobs, or whether both women and men can do these jobs. If the group structure is inhomogeneous (gender wise) answers will vary, which is exactly the point of this discussion.

STEP 2:

After the discussion, the Trainer presents a pre-prepared presentation on sex, gender and gender roles. Interactively (with discussion and questions from participants) explain the basic concepts. Pose the following question to the participants:

Are the differences between men and women biologically determined or adopted and accepted? Give an example: Women are not biologically predetermined to cook, but this can be a part of their gender role that most women

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\(^2\) Army branches are the parts of the Serbian Armed Forces that have related basic armaments and equipment, specific organisation, training and use, and are holders of one operation in the context of combat operations. Ministry of Defence, Serbian Armed Forces, 2010, http://www.vba.mod.gov.rs/Doktrina-Vojске-Srbije-kraj.pdf> visited on 13 June 2012.
learn in a social community. After the participants give their comments, conclude by explaining that this case represents a form of gender-related learned behaviour.

It is important to explain the difference between men and women and what they can learn from their social communities as boys and girls in relation to certain standards of behaviour. The term “gender”, i.e. “rod” refers to such learned behaviour.

Gender refers to socially determined roles and relationships between men and women. Gender roles are learned, they are not specific biological characteristics and they are not static categories, but change over time and vary greatly in different cultures. Every society creates certain expectations in connection with what women and men can and what they should do, say or how they should behave.

Recent history has shown that what our parents - ancestors learned, i.e. adopted over time has changed. Men and women behave differently from their parents and ancestors.

What used to be unacceptable for men and boys, such as cooking and child care, has changed in many cultures, and today this work is done by both men and women.

In many societies women, in recent decades, have performed various tasks and are responsible for something that was previously not typical for them, such as operating heavy machinery and equipment, managing a large company or work in the armed forces. These activities were likely to be unacceptable at the time of their parents. During conflicts, in the absence of men who were recruited on the battlefield, women took over male tasks (e.g. During World War II, in the United States, women took on jobs in weapon-producing factories) and roles that were traditionally considered male (e.g. in the absence of their husbands or fathers, women assumed the role of head of the family).

The objective of this thematic unit is to explain how the gender roles have changed using, as examples, different professions, which were defined as “female” or “male” at different times and depending on the needs of a particular society. Conflict and post-conflict periods are precisely the periods when gender roles change very quickly.

**STEP 3:**

This thematic unit is completed when Knowledge Test on Sex and Gender Worksheet is distributed to all participants with the task that each should determine whether the claim presented relates to sex or gender. Discuss these claims together with the participants and thus practice the terms.

**SUGGESTIONS FOR INSTRUCTORS**

To conduct the training under this thematic unit, you should have a good understanding of the basic concepts in order to be able to transfer them. Do not use complicated definitions if you do not understand them, rather use short ex-
TEACHING AIDS

flip chart, paper, flip-chart markers, and handouts.

DURATION: 45 min. (Depending on which introductory exercise you chose)

OVERVIEW OF THE TRAINING IMPLEMENTATION:

<table>
<thead>
<tr>
<th>Time</th>
<th>Title</th>
<th>Objective</th>
<th>Technique</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 min</td>
<td>Exercise “Which sex am I?” or Exercise “Occupations“</td>
<td>Ensure that the participants recognize the difference between gender and sex</td>
<td>Interactive discussion</td>
</tr>
<tr>
<td>25 min</td>
<td>Sex and gender</td>
<td>Ensure that the participants become aware of the basic terms: sex, gender, gender equality</td>
<td>Power Point presentation and interactive presentation</td>
</tr>
<tr>
<td>10 min</td>
<td>„Sex - gender“ quiz</td>
<td>Ensure that the participants learn the terms</td>
<td>Individual work and discussion</td>
</tr>
</tbody>
</table>

...planations and everyday terms, if possible. Here it is up to you how much the participants will understand and accept the importance of these concepts.
GENDER
EQUALITY

Gender equality (equality between women and men): refers to equal rights, obligations and opportunities for women and men, girls and boys. Equality does not mean that women and men will become the same, but that the rights of women and men, responsibilities and opportunities will not depend on whether they were born male or female. Gender equality implies that the interests, needs and priorities of both women and men are taken into consideration, recognising the diversity of different groups of women and men. Gender equality is not a women’s issue, but should concern and fully involve both men and women. Equality between men and women is a human rights issue, a precondition and indicator of sustainable development, where the focus is on an individual.3

Why do we deal with gender equality, and why is it important for the security sector?

Despite numerous examples of formal recognition and progress in this field, gender equality is still not present in everyday life. In practice, women and men do not have the same rights. Social, political, economic and cultural inequalities persist - for example, differences in wages, unequal representation in political life, uneven division of labour and responsibilities in the private sphere etc. These inequalities are in fact the result of social relations built upon numerous stereotypes present in the family, education, culture, media, the business world, social organisations, and public administration. These inequalities can be changed through adoption of new approaches and structural changes in all spheres of public life, as well as by supporting the changes made by individual women and men, both in the private sphere and in their own working environment.

Gender equality is an important element in the process of security sector reform. In addition to being based on international law, mandates of international and regional policies and instruments, integration of gender perspective in the process of security sector reform improves the efficiency of service delivery, monitoring and accountability. Gender equality is important for the security sector because it should contribute to building gender-responsive institutions in this sector, which are to respond effectively to the security needs of men, women, boys, and girls. Gender-responsible security system is built through increasing the representation of women in security institutions and increasing their capacity to timely and adequately respond to gender-based violence.4

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Why do we talk about gender equality, rather than equality of sexes?

Unlike sex, gender is a social construction of men or women's biological sex. It shows how a society sees the roles of women and men and refers to a whole range of ideas and expectations concerning these roles. These expectations are related to how men and women should look, how they should behave in certain situations, i.e. they determine the typical female and typical male characteristics and abilities. These ideas and expectations are learned, or acquired in the family, school, under the influence of media, religious ideology, in cultural and other institutions.

Gender is a dynamic category that changes in different time periods and is different in different cultures, and different social groups, even within the framework of the same culture and within a single religion, region or city. Men and women in Belgrade live differently than men and women in the cities of Africa and Asia, different age generations of men and women behave in different manners (they dress differently, have different views on what befits women and what befits men, etc.)

When we talk about sex, we talk about people’s biological (physical) characteristics. People are generally born as females or males). Male and female bodies differ and have different roles in the reproductive process. This biological difference between men and women exists at all times and in all parts of the world, regardless of the living conditions, social status, ethnic or racial origin.

For a long time it was believed that these biological differences (primarily the different roles of men and women in the reproductive process, but also other physical differences) were crucial for further determination of male and female roles in life. Thus, for example, division of labour into male and female labour, or the difference in the status of women and men in a community, was considered natural, i.e. corresponding to the natural roles of men and women (women have babies, and it is natural that they care for them, man is physically stronger, and it is natural that he is the head of the family that earns more and makes key decisions in the community).

Gender roles are a set of community expectations regarding the behaviour of individuals in relation to their sex. These are implicit, unquestioned rules that we adopt while we are raised in the family, at all levels of education, through the media, cultural contents, within scientific research. According to these rules, individuals are referred to which professions are “appropriate” for men and which for women, which behaviours are permitted and desirable for men and which for women. The methods of referral to gender roles is most often justified by customs and tradition. This very effectively maintains the existing gender relations.5

Therefore, people are born as males or females, but they are taught to be girls and boys, women and men. Gender rules are adopted from parents, peers, school, media, customs, religions, markets, art and other social and cultural influences. This learned behaviour constitutes gender identity and determines gender roles.

While it is common to talk exclusively about female and male sex in female and male gender, in reality gender identities cannot be so easily explained and portrayed. A number of people are born without clearly distinctive

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sexual characteristics (intersex persons), whereas entire groups of people differently define their gender identity (transgender people).

That is why today we often talk about the third gender or use an umbrella term ‘transgender people’, thereby promoting the existence of alternative ways of expressing gender identities that are different from the traditional ones.

Why is it important to understand what gender roles are?

Different gender roles are the focus of our interest because in practice they cause inequality between women and men. This includes:

- Different distribution of political power in decision-making (e.g. representation at decision-making positions)
- Inequalities in the private sphere (e.g. in unpaid housework)
- Differences in legal status (e.g. inheritance and real estate ownership)
- Gender division of labour within the economy (e.g. women hold less paid jobs than men)
- Violence against women, as the most widespread form of human rights’ violation in the world
- Discriminatory attitudes and practices
- Different security perceptions and needs of men and women

What is the difference between gender equality and women’s rights?

All people have certain rights from birth because they are human beings. These rights are known as human rights. Human rights exist to protect the basic human liberties and inviolable human dignity. However, when we talk about these rights, we must bear in mind that people are different. People are children, youth and adults, men and women, employed and unemployed, both from cities and from villages, educated and uneducated, rich and poor, wheelchair users, people of different ethnic and religious affiliations, etc. We could list many differences and each of them affects the extent to which we can exercise our rights. Thus, in practice, the universal concept of human rights often does not cover specific needs and rights of women and girls. Hence the need to define women’s rights.

In defining the concept of women’s human rights, the starting point is the fact that women have different social roles, i.e. they live different lives than men and that it is precisely this difference that creates an imbalance in human rights. Thus, there is a specific violation or non-exercise of the rights of women because they are women. Their position both in society and in the family is to a largest extent determined by the socially expected gender roles and stereotypes. Gender stereotypes often ignore the specific interests and needs of women. Therefore, women’s rights are not a completely new generation of rights (one often hears the argument “I am not for women’s rights but for
human rights in general”), but they are related to a series of measures and activities that the state should take in order to ensure an equal adherence to and exercise of human rights for women.

In practice, gender equality is often equated with women’s human rights, i.e. when talking about gender perspective what is solely viewed is the position of women and girls in a given area or community. This is understandable bearing in mind the fact that everywhere in the world position of women and girls is still not equal to the positions of men and boys, that there are women-specific problems (e.g. reproductive rights, violence against women etc.), and that historically, gender equality narrative truly focused on pointing out and changing the unequal position of women and girls in the community.

The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) from 1979, represents the most comprehensive and legally binding international document which refers to women’s human rights. The preamble to the Convention highlights the concern that “there is still widespread discrimination against women”, and therefore there is the need for adoption of a separate international treaty to eliminate discrimination against women and achieve equality between men and women. The provisions of the Convention establish the equality of men and women in the field of economic, cultural, social, civil, political rights, but also in the private sphere. The Convention defines the measures for monitoring the implementation of the provisions in these areas.

United Nations Security Council Resolution 1325 - Women, Peace and Security, which was unanimously adopted on 31 October 2000, is one of the most important UN resolutions in the field of peace and security policy. By adopting Resolution 1325, the Security Council confirmed that the conflicts that affect the civilian population, have particularly serious consequences on women and children, emphasising at the same time that women have an important role to play in peace processes and post-conflict recovery. The Resolution is legally binding for all UN member states without the need for additional ratification. In order to implement Resolution 1325, UN Security Council invited Member States, civil society and all relevant stakeholders to develop action plans for incorporation of gender perspective into peacekeeping operations and programs of recovery and reconstruction.

When we talk about gender equality, we, in fact, consider both women and men and their mutual relations, because we understand that the balance of power and inequality can only be changed if gender roles and stereotypes pertaining to both men and women are changed (gender stereotypes often limit men/boys, the same as women/girls).

It is important, finally, to emphasise that both concepts (gender equality and women’s human rights) contribute to a greater respect for human rights and establishing equitable relations in the community, whereas achieving gender equality in the security sector contributes to increased efficiency in this area.

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6 According to the Convention on the Elimination of All Forms of Discrimination against Women, a state’s fundamental task is to recognise women’s human rights in the national constitutions, laws and regulations and to protect them in all cases. States are also obliged to abolish criminal provisions and practices, and abandon any kind of practice that establishes and maintains discrimination against women. This Convention was adopted by the UN in 1979 and is one of the key mechanisms for the respect of human rights.

7 The Republic of Serbia, as the successor of the previous states, has been a member of the Convention since 12 March 2001 and, pursuant to Article 18 of the Convention, it has an obligation to submit to the Committee periodical reports on its implementation: http://www.ljudskaprava.gov.rs/index.php/ljudska-prava/konvencije/57-konvencija-o-eliminisanju-svih-oblika-diskriminacije-zena
WORK SHEET for the Thematic Unit: Sex, Gender and Gender Equality

**SEX AND GENDER KNOWLEDGE TEST**

**OBJECTIVE OF THE EXERCISE**

To establish the participants’ knowledge of definitions of gender and sex

Which of the following characteristics refer to SEX which the GENDER

*Please mark each characteristic by entering ☐ in the appropriate box depending on whether the characteristic is a feature of sex or a feature of gender.*

<table>
<thead>
<tr>
<th>SEX</th>
<th>GENDER</th>
<th>CHARACTERISTIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men are more aggressive than women.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women can give birth, men cannot.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women care about their looks more.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men have testicles, women do not.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men are naturally more interested in physics and mathematics.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women have ovaries, men do not.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Woman is a better, more caring parent.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men is the head of the family.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men have more muscle mass than women.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Blue colour appeals to boys and pink to girls.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women have XX chromosomes, men have XY.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8 Taken from the DCAF evaluation questionnaire used in the workshop “Advocating Gender Equality for Gender Trainers”, which was held on 20 and 21 May 2014 in Belgrade, organised by SEESAC.
AFFIRMATIVE ACTION or affirmative measures can be introduced in order to achieve full equality of individuals or a group of individuals in a substantially unequal position compared to other citizens. The following terms are used as synonyms: positive discrimination, benign discrimination, reverse discrimination, preferential treatment, quota systems and in many countries, such action is also known as favouritisms policy, reservations, compensatory or distributive justice, etc. Affirmative action actually means deviation from the basic principles of formal equality, but is not considered discrimination and has a special legal basis. The Constitution of the Republic of Serbia in Article 21 prohibits any form of discrimination and also introduces the possibility of specific measures “to achieve a full equality of individuals or group of individuals in a substantially unequal position compared to other citizens.” The European Court of Justice explained the positive measures as measures which contribute to reduction of discrimination in a society.

DISCRIMINATION is putting a social group or an individual in a position of less valuable persons, those whose rights are abolished or reduced or whose values are challenged. If a person’s sex is the basis for discrimination, then this is the case of sex/gender-based discrimination. Gender discrimination primarily refers to the most marginalised social group - women. Although there are organised social measures to abolish this type of discrimination, there is no community that could say that it has surmounted the presence of gender discrimination. One form of discrimination is most frequently combined with other forms. The more characteristics of marginalised groups (a woman, a Roma woman) an individual accumulates, the greater the chances of being discriminated against in the society. This means that social power, prestige, a chance to have a decent life and a job that guarantees a decent existence and realisation of personal potential are reduced.

FEMINISM. Today it is difficult to clearly define feminism. It is more simple and closer to the truth to talk about several feminisms. The term covers a wide range of theoretical approaches, through political activities and social movements to the personal commitment of a large number of women who decide to leave the patriarchy, authoritarianism and to take hold of a part of the social power that belongs to them as equal human beings. The word “feminism” was used for the first time in Le Rober’s dictionary from 1837 in France as a doctrine that advocates the expansion of the rights and role of women in society. This early definition of the meaning of the word “feminism” already contains all three elements: learning (theory), the expansion of women’s rights (action) and a personal preference (part of personal identity). The word “feminism” was actually used for the first time in 1830 by utopian socialist Charles Fourier. Fourier’s remark that emancipation of women is the measure of emancipation of a society as a whole is still true today. In England, the second cradle of feminism, “feminism” is mentioned in 1890 as a synonym for the protection of women’s rights and is directly linked with the suffragette movement and Marry Wollstonecraft’s work “Vindication of the Rights of Women.”
GENDER-BASED VIOLENCE. Different forms of violence or threats of violence, which are significantly marked by the notion of gender constitute gender-based violence. If violence occurs in 95% of women and if men are affected only sporadically, this violence is most definitely based on the gender component. Basically, gender-based violence includes forms of violence affecting almost exclusively women (rape, genital mutilation, prostitution, trafficking in women, forced marriage, forced pregnancy, forced abortion, forced sterilisation, male violence against women), but also various violent practices that customs and traditions hide and justify that are discriminatory against women (compulsory wearing of chador, face cover and scarves, denial of education, health care, professional work, disallowing women’s public action).

GENDER EQUALITY is one of the fundamental values of modern democratic societies. It is based on the idea of equality of human beings as members of the human community. The concept of gender equality assumes that all human beings have the right to develop their skills, improve and fulfil their personal capacity and that no one has the right to hinder them in that by pushing them into pre-determined gender roles. If men and women develop their abilities without the patriarchal restrictions, mankind will double its capacities. From a community’s point of view, it is completely irrational to impede the development of more than one half of the community, as women make up more than one half of humanity.

GENDER IDENTITY is a part of one’s personal identity, which refers to an individual’s social and personal perception of belonging or non-belonging to one’s own biological sex. Today, we can talk about the range of gender identities which are usually called by the LGBTTIQ formula - an umbrella term for lesbian, gay, bisexual, trans-gender, intersex and queer people. At the individual level, gender identity is independent of the sex registered upon an individual’s birth, although majority of people identify with their biological sex. Heterosexuals make majority part of the population, but LGBTTIQ people do not seek any special rights for themselves, only the same rights as heterosexual people. Socialisation is essential for construction of gender identity, at least to an equal extent to which its formation is affected by personal desires, aspirations and personal preferences. At the social level, gender identity is affected by economic, political, cultural, sub-cultural, racial, gender opportunities.

GENDER MAINSTREAMING is formed by applying attitudes about gender equality in planning, formulation and implementation of all measures, regulations and laws. This is a systematic adherence to the principles of gender equality. This is a holistic concept that simultaneously keeps the focus both on content and strategy, measures and the results analysis of these measures in terms of gender equality in order to integrate gender equality in everyday life of all citizens. In the last decade, gender-sensitive policies have become mainstream at the international level. In addition to solving problems related to the discrimination of the largest marginal social groups - women, this process has had a positive impact on elimination of discrimination against other marginalised groups in society. This significantly reduces social tension and results in respect of differences and otherness at all levels of society. Gender-sensitive policies’ first step is to legislate the policies that guarantee equality, equal rights and the right to diversity among women and men in society. In the second step, this policy requires analysis of implementation of measures set by laws and regulations and further creation of conditions to make defined attitudes become part of the practice.
**GENDER PERSPECTIVE** implies an awareness of gender differences and inclusion of these differences in formulating measures, concrete policies and actions. Although gender perspective involves the inclusion of specifics related to both men and women, it usually refers only to the inclusion of women's views on policies, measures and actions taken. Thus, gender perspective in linguistic practice became synonymous with a female point of view. This is due to the fact that a male point of view has been treated as a universal point of view throughout the centuries and due to the resistance to bring male and female perspective on things at the same level. Conscious decision to take into account gender perspective and take stock of all phenomena in their gender dimensions, excludes the possibility of a universal, supposedly neutral, outlook on things.

**GENDER ROLES** are a set of community’s expectations regarding an individual’s behaviour in relation to their gender. These are implicit, unquestioned rules that we adopt through family upbringing, at all levels of education, through the media, cultural contents, within scientific research. Under these rules, individuals are directed in their thinking which professions are “appropriate” for men and which for women, which behaviours are permitted and desirable for men and which for women. The methods of assigning gender roles are concealed by customs, tradition and etiquette, which effectively preserve the existing gender relations. They enable us to know our place.

**GENDER SENSITIVE STATISTICS.** Statistical data managed based on gender are called gender-sensitive statistics. Without gender structured data we cannot see what men and what women do, how many women and how many men commit crimes, how many girls are excellent students, and how many boys, how many women perform political functions, which professions are feminized, which are occupied mainly by men, who are the perpetrators and who are the victims of domestic violence and so on.

**GENDER STEREOTYPES** are widespread, uncritically accepted, self-implied ideas about the roles and positions that men and women should play in a society. Stereotypes are part of the identity of each of us. We share some stereotypes with other members of the community or social group to which we belong. Stereotypes are to some degree auxiliary tools to create opinions, as they allow an individual to overcome the discrepancy between the amount of information that he/she is bombarded with and his/her personal capacity to process such information. In this respect, stereotypes enable a more convenient organisation of adopting new knowledge. However, stereotypes clearly separate the desirable from undesirable behaviour, thereby enabling value-guided behaviour of an individual.

**SEX AND GENDER.** Sex is a biological category. It marks human beings as “woman,” “man” or “something between male and female.” Sex is defined primarily by human beings’ visible genitals and by their reproductive functions, although the latter determinant has been problematized in recent years, and is subject to various interpretations and conditioned by the cultural milieu within which it is defined. Unlike sex, gender is a social construct of “masculinity” and “femininity”. Distinguishing between sex and gender is vital because, unlike sex as our biological status, which is more or less given to us by birth, gender is a construct of a specific society in the specific time, therefore imposed, and thus very much subject to change. By accepting the difference between sex and gender we theoretically open the possibility of changes in gender roles, gender regimes and gender order.
SEXISM is a form of social discrimination against women. It is based on prejudice and ingrained stereotypes. It is founded in the tradition. It may refer to individuals or to women as a group. It permeates women's everyday lives. Sexist attitudes are transmitted through education, family upbringing, the media, scientific research, culture and religion. Views are sexist if they suggest that women are less valuable, that they are entitled to subordinate roles in society, that their subordination is self-explanatory, natural. If not detected and if suppressed, they become part of a legitimate behaviour. Given that they are present in all religions, sciences, philosophy, they are explained by traditions, customs, and habits.

WOMEN'S HUMAN RIGHTS are an integral and inalienable part of universal human rights to which women's reproductive rights are adjoined. However, the history of civilisation is the best illustration of the inequality of women and men in their exercise of human rights. Given that tradition, customs and hegemonic cultural patterns are full of discriminatory content for women, all international documents that guarantee women's human rights emphasise that these rights cannot be violated and/or infringed on the basis of cultural or religious norms. Women's human rights are guaranteed by a number of international documents: UN Universal Declaration of Human Rights (UDHR, 1948), UN International Covenant on Economic, Social and Cultural Rights (ICESCR, 1966), International Covenant on Civil and Political Rights (ICCPR, 1966), UN Convention on the Elimination of all Forms of Discrimination against Women (CEDAW, 1979), UN Declaration on the Elimination of Violence Against Women (1993), Beijing Declaration and Platform for Action (1995), Universal Declaration on Democracy (1997), UN Security Council Resolution 1325 (2000), UN Millennium Declaration (2000).
III THEMATIC UNIT:
GENDER STEREOTYPES
AND PREJUDICE

OBJECTIVES

- Explain the concepts of stereotype and prejudices to the participants
- Ensure that the participants understand the extent to which gender stereotypes affect our life and work and why it is important to recognise them
- Ensure that the participants understand that gender stereotypes are fostered by both men and women, and that gender stereotypes have negative consequences for both men and women

DESCRIPTION

In this session, it is important that the participants learn what constitutes stereotypes and prejudice in order to be able to them in their daily life and work. This topic is particularly important because gender stereotypes about women are most likely to be in contradiction to characteristics that are considered necessary for success in the military profession. Nonetheless, it is important that examples of gender stereotypes relating to both sexes are equally presented to the participants. At the end of the training on this topic, the participants need to understand that gender stereotypes and prejudice constitute grounds for discrimination. Practically, they will learn how gender stereotypes within the security sector can lead to negative effects on the process of: selection, classification, evaluation, remuneration, promotion and career guidance in the military profession.

TRAINING INSTRUCTIONS

STEP 1:
Select one of the following exercises for introduction to the training on this topic:

Exercise No. 1: Associations with terms “warrior” and “prison guard”.

Invite the participants to express out loud what they associate with the word warrior. Ask them: “What is the first thing you think of when someone utters the word warrior? What kind of person is in front of you? What are their characteristics, what does that person look like?” When the participants share a sufficient number of descriptions, which can be expected to be in line with the stereotypical image of a strong, fearless, armed man, show them a slide depicting an image of a woman warrior and explain what is in the picture.
You can use the example of woman warrior Milunka Savic who disguised herself as a man at the beginning of the Balkan wars, and became a soldier of the Drina Division posing as a volunteer by the name of Milun Savić. Alongside others, she fought in the battles in the Shkodra region and in Bregalnica Battle in 1913. It was only in the hospital, where she was being treated for her wounds, that the fact that she was a woman (Milunka), and not a man (Milun) came to light. She was wounded several times. At the beginning of the First World War, once again she voluntarily enlisted as a member of the “Iron Regiment”. She was awarded the rank of sergeant for demonstrated valour. She was also commended in writing by the Command of the Allied Powers at the Salonika Front. As the best known and most courageous woman warrior, she received a number of war decorations from both Serbia and Allied Powers. Together with her peers, she bravely and stoically endured all the hardships of war. Show the participants a photo of Milunka Savić which can be downloaded from the Internet, cite the source of the photo and download date.

Invite the participants to openly express their associations with the term prison guard. Ask them: “What is the first thing you think of when somebody says: “That person is a prison guard.” When the participants share a sufficient number of descriptions, show them a slide depicting a woman prison guard and explain what is in the picture.

As an example, you can use Megan, former US Army reserve forces member, who in years 2003 and 2004 worked as a guard at Abu Ghraib prison near Baghdad. She became known for torture and abuse that were committed against the inmates in the prison. Show to the participants the picture from the Internet: http://en.wikipedia.org/wiki/Megan_Ambuhl, citing the source of photo and date when the photo was downloaded.

As the third example for the exercise, you can initiate a discussion on widespread stereotypes and prejudice concerning how armed conflicts affect the lives and the roles of men and women. Ask the training participants to share their views on different impacts of armed conflict on men, women, girls and boys, and what changes occur in the lives of men and women in post-conflict time (this exercise is also recommended for the session Gender and Security Sector Reform, which aims to point out that armed conflicts differently affect lives and roles of men and women, p. 58).

The aim of these exercises is to show participants that gender stereotypes often limit us in understanding of reality; because of these widespread, uncritically accepted attitudes, we can have wrong perception and understanding of certain phenomena i.e. their selective action may cause us to miss a significant portion of information and continue to make wrong assumptions, draw incomplete conclusions and take erroneous actions.

**Exercise No. 2: Male / Female Officer**

*Note: This exercise can be performed as a preliminary exercise.*

On a flip-chart paper, stick a post-it note with words **Male Officer** written on it and on another flip-chart paper stick a second post-it note with words **Female Officer** written on it. Invite participants to list the characteristics typical of a male and a female officer and, as they go through the characteristics, either you or one of the participants write down the characteristics on the flip-chart sheets. When a sufficient number of characteristics is listed, swap the two
post-it notes so that the Male Officer note is placed on the paper listing characteristics of a female officer and the Female Officer note is placed above the characteristics listed for a men. Start the discussion: if someone were to join the participants at this time, would these characteristics seem strange to that person given who the characteristics refer to or they would not notice the change we made. The discussion may extend to the question whether the above characteristics are more related to sex or gender and which of the specified characteristics the participants believe are critical for a successful performance of military profession.

The aim of this exercise is to find out how the participants think, to assess the extent to which gender stereotypes are present and to remind the participants once again of the difference between the terms sex and gender. If this exercise is used as an introduction, it is necessary to devote more time to the differentiation of characteristics between sex and gender categories.

**STEP 2:**

After a brief discussion, following the exercise, explain the meaning of the terms stereotypes and prejudice, and then clarify what gender stereotypes.

It is necessary to present to the participants the definition of gender stereotypes, pointing out that they relate to both sexes, that they can be both positive and negative, and that they can lead to discrimination.

Having defined the term, explain why stereotypes are so strong and persistent despite the fact that it is known that they have the potential to be harmful.

It is desirable to emphasise that gender stereotypes are beliefs and thus link them with the concept of attitude or its cognitive component. Present to the participants the definition of attitude along with the definition of stereotypes and prejudice to give the participants an opportunity to make a distinction between these terms. Point out the possibility of excreting direct influence and changing gender stereotypes (as a cognitive component of an attitude), thus underlying the very significance of training and education on these topics.

It is important that all participants gain knowledge that stereotypes and prejudice can, by affecting one’s behaviours, lead to discrimination against individuals/groups and denial or violation of rights that discriminated persons/groups have. Especially draw attention to the harmful consequences that stereotyping and prejudice can have in the participants’ daily work, in the process of: selection, classification, assessment of potential success, evaluation, remuneration, promotion and career guidance in the military profession.

**STEP 3:**

You can finish the training on this topic with playing the video clips: “Gender roles - men and women”: http://youtu.be/YlwWS2atEmc or “Why do we have gender stereotypes?”: http://www.youtube.com/watch?v=ujGqi-ZlqAT. The aim of the video clips is to summarise all that has been previously presented in the session and to draw a conclusion that stereotypes are very widespread and held by all of us.
Note: Should you choose to show the first video of the two links provided above, you need to inform the participants in advance that the video is in English and Italian, but that language poses no barrier to understand its message. If you deem it necessary, you can give a short introduction for the first video to help better understanding, whereas you can have the material from the second video translated and used as such for your presentation.

**SUGGESTIONS FOR INSTRUCTORS**

In order to conduct the training on this topic, you should be familiar with the basic concepts to be able to convey them. Do not use complicated definitions if you do not understand them. At the end of the training on this topic, participants should bear in mind that, due to gender stereotypes, they can be denied the exercise of certain rights and opportunities for men and women, boys and girls as well as that gender stereotyping is widespread and not common in the military profession only. Make sure that a non-discriminatory language is used during the training, because in that way and by leading the example, we learn how to communicate in the public.

**TEACHING AIDS**

Flip-chart, flip-chart markers, student materials; ppt presentation.

**DURATION**: 35 min. The duration depends on the length of the introductory exercise you chose.

**OVERVIEW OF THE TRAINING IMPLEMENTATION**

<table>
<thead>
<tr>
<th>Time</th>
<th>Title</th>
<th>Objective</th>
<th>Technique</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 min</td>
<td>Exercise: Male or female warrior or officer</td>
<td>Ensure that the participants understand what stereotype means</td>
<td>Interactive discussion</td>
</tr>
<tr>
<td>20 min</td>
<td>Gender stereotypes and prejudice</td>
<td>Introduce participants to the basic concepts to be able to recognize them in their work environment</td>
<td>ppt</td>
</tr>
<tr>
<td></td>
<td>Video clips</td>
<td>Summary and conclusions</td>
<td>Observation</td>
</tr>
</tbody>
</table>
Attitudes have three components: (1) cognitive component, which consists of beliefs about individuals or a group of people, (2) affective component, which includes feelings toward an individual or a group, and (3) behavioural component, which consists of a set of behaviours or actions directed at the individual or the group based on two previous components.12

Stereotypes are based on cognitive and information factors. They may be unverified assumptions, generalisations, simplifications, positive and negative perceptions, uncritically accepted misinformation. Stereotype is a widespread and generalised opinion about any person or group of people. The advantage of stereotypes may be that we will recognise it and react quickly to it, because we were in a similar situation sometimes in the past. The downside is that it can lead to a situation where we fail to make a difference between individuals and that it simplifies social reality. By using and perpetuating stereotypes, we refer to the thinking that the whole group of people has the same features and capabilities and we thus cause social categorisation which leads to prejudice and division into groups - those that belong and those who do not belong. Stereotypes are mostly negative, but there are also positive stereotypes. Prejudice is associated with attitudes and emotions, but also contains an affective component i.e. emotional foundation that leads to an action against an individual or a group of persons.13

Prejudice is generally defined as an attitude and is proven by means of two fundamental facts underpinning its definition - firstly, prejudice is based on social categorisations (divisions into groups and social perception), that is to say, prejudice includes, though not equally developed, all three components of the attitude - cognitive (consisting mostly of incorrect or oversimplified beliefs about certain groups; most authors see stereotypes as part of this component of prejudice), connotative (which is most often reflected in discrimination towards members of other groups and/or dissociation from them (this action is usually related to the notion of social distance) and emotional component that is the decisive factor that marks a negative attitude as a prejudice (or positive, although we rarely talk about positive prejudice). In fact, what is most characteristic of prejudice is precisely a strong emotional relationship with the members of the groups and not others, therefore they are difficult to change or be influenced by strategies that are based on cognitive elements and information.

If we depart from the most commonly studied types of prejudice, that is prejudice against ethnic or racial groups, it can be concluded that, as regards gender prejudice, we can distinguish two types of sexisms - hostile or open sexism, which includes the belief that women are less capable and that, with their demands for equality they, in fact, demand superiority over men etc. On the other hand, there is the disguised or benign sexism, equally problematic, that talks more about what was once considered “chivalrous” or gentlemanly conduct (belief that women, being the weaker sex, should be helped, and that a man should sacrifice even his health to ensure the financial security of the woman, etc.).14

12 Adapted from: Janjić, B., Maletin, B., Petrović, B. (2014). Priručnik za trenere i trenerice organizacija civilnog društva o diskriminaciji. Belgrade
13 Adapted from: Janjić, B., Maletin, B., Petrović, B. (2014). Priručnik za trenere i trenerice organizacija civilnog društva o diskriminaciji. Belgrade
The role of children’s toys, books, stories and poems, with which children “practice” their adult roles, is significant. By the second year of age, children realise that there are different ways of playing that are gender conditioned. The different interests of boys and girls are conditioned by the fact that we mainly offer opportunities/choices (such as certain toys) in line with our gender stereotypes. Toys are not the only medium used for conveying gender-specific information about a child. Language form of transmitting information also plays a significant role. Many children very early on become familiar with the stories and fairy tales in which men and women, or male and female beings perform completely different roles. In them, men or male animal characters have a more important and dominant role, they are independent and strong. Women are more passive, they cook, clean and wait for men as saviours and protectors. They are either mothers and wives or imaginary creatures such as fairies and witches. Men’s social roles are diverse, men are not only fathers and husbands, they are police officers, judges, researchers, astronauts, brave warriors, kings. Roles that men have in fairy tales and stories are often superior in status and associated with social prestige and power.15

Stereotypes are simplified and often inaccurate notions about other people or groups. They include attribution of a number of characteristics, physical or mental, which are believed to describe a particular person or group of people.

Prejudice is a set of attitudes that are made without prior reasoning. We can say that these are extreme stereotypes because they contain an affective component, or emotional foundation that leads to actions against individuals or groups of people. Prejudice and stereotypes are usually a reflection of the local, regional or national context. They convey condescending, hurtful, insulting, disparaging attitudes and reflect personal or collective values and views towards a specific group of people. Beliefs and attitudes expressed through prejudice and stereotypes are one of the key factors for occurrence of discrimination.

Gender stereotypes are beliefs that certain personality traits and abilities are more characteristic of one sex than of the other. Gender stereotypes are widespread, uncritically accepted, self-implied opinions about the characteristics of men and women, boys and girls, based on which attitudes are formed about the roles and positions that they should occupy in a given society.

We all live with certain assumptions and images of the world and people around us, formed through a process of socialisation. This means that as children, in the course of growing up, we learn what it means to be a man and what it means to be a woman, in the society in which we live, comparing ourselves against that gender scheme and adapting our own behaviour accordingly. After we accept certain gender roles, primarily through the process of family upbringing and through the educational system, we confirm or correct the developed patterns of behaviour in accordance with influences from the public sphere - media, arts, economics, politics, medicine, etc.¹⁶

Gender stereotypes can be positive or negative but they rarely communicate accurate information about others (e.g. women can multitask, flight classes only affect women and their reproductive abilities but not men’s, it is not in a woman’s nature to manage ...). The real danger lies not in the fact whether a stereotype is accurate or not but whether it has a strong effect not only on those who possess this stereotype, but also on those to whom the stereotype applies! If we consider that a person (man/woman) cannot perform some task or exercise, consciously or unconsciously, both at a verbal and non-verbal level, we will send messages to the person that he/she cannot perform them. Theory of behavioural expectations backs the idea that our position and the message that we do not believe in one’s abilities reduces the chances that that person convinces us otherwise. By failing to give opportunities and by undermining that person’s confidence, we affect their performance.

Gender stereotypes also affect the way we understand someone’s behaviour. For example, if a man is at the head of the table in a mixed group of meeting participants, the person who walks into the room will perceive that man as the leader of the group; If a woman is at the head of the table in a mixed group of participants, percentage of people who would see her as the leader of the group is significantly lower. Another example: a man’s achievements are usually attributed to his ability, whereas in the case of a woman they are attributed to her effort or luck.

¹⁶ Gender roles are the sum of characteristics, behaviour patterns, attitudes, activities, norms, obligations and expectations that a particular society or culture assigns and demands of its people with regard to their gender.
Harmful effects of gender stereotypes are manifold; they may limit the development of natural talents and abilities of boys and girls, and thus their opportunities in life, they may affect the objectivity in predicting a person’s performance, they may affect the way in which we interpret someone’s behaviour, etc. It is necessary to understand why people are prone to this type of generalisation, regardless of their awareness of the dangers that lurk from stereotypical ways of thinking. Such an outlook on people and the world around us means we choose a simpler way to deal with everyday situations. We know, or think we know, what we can expect from an individual or groups and it gives us a sense of security, even though the position was established contrary to obvious facts.

This tendency of attributing characteristics related to belonging to a particular sex, is present in a variety of professions. The military, as a traditionally male profession, is one of them. According to gender stereotypes, women and men differ in a number of psychological characteristics relevant to the success in the military profession. A typical man is believed to make decisions more easily, to be more confident and a better leader than a woman. A typical woman is believed to be gentler, kinder and more willing to give help than men. This discrepancy between the stereotypical characteristics of women and the required characteristics for the role of a soldier may cause adverse effects in the process of admission, assessment of potential success, evaluation, remuneration, promotion and career guidance in the military profession.

Gender stereotypes are one of the main means of enabling the survival of gender (sex)-based discrimination in contemporary society. Combating gender stereotypes is one of the fundamental aspects of the fight for a more just society. Authors of social learning theories believe in the possibility to change. Given the assumption that gender stereotypical behaviours are learned, they can also be changed in the direction of adopting behaviours that are not burdened with gender stereotypes. This assumption is confirmed by research on the effectiveness of the reinforcement of behaviours that stereotypically correspond to opposite gender. That is to say, after watching a film about a child who performs gender non-stereotypical activities and receives praise thereafter, indeed frequently involved in behaviours that are traditionally attributed to the opposite gender. Eradicating gender stereotypes cannot be fully achieved only by action plans at the level of state institutions, but also by changes at the level of social groups such as family, peer groups in kindergartens and schools as well as through a change of contents of programs and messages of various institutional mechanisms that perpetuate gender stereotypes; primarily we as individuals change them.

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17 Discrimination refers to the behaviour of a dominant social group with the intention to treat differently, violate or produce adverse effects for the members of other social groups that have less power. Discrimination results in inequality, subordination and/or denial of political, educational, social, economic and cultural rights.

IV THEMATIC UNIT: DISCRIMINATION

OBJECTIVES

- Ensure that the participants understand the concept of discrimination and how it occurs
- Ensure that they understand different types of discrimination, including gender-based discrimination
- Ensure that they understand what discrimination means in practice and how it negatively affects our lives and profession

DESCRIPTION

Most people have already heard about discrimination and have their own understanding of the term. Some feel that they have experienced some form of discrimination, and some wonder whether they themselves might have been discriminators. However, most people, in fact, still do not know what discrimination is and what it is not, how it occurs and how it is defined in the legislation. Without understanding the concept of discrimination, it is not possible to understand the concept of equality, as well as the real adherence to and exercise of the right to non-discrimination by the state, institutions and individuals. In this thematic unit, participants need to understand what discrimination is, understand its definition, elements and forms of its manifestation, and learn to recognise it in practice. Also, in this thematic unit participants should be presented with a legal framework for the protection against discrimination, key international documents and national legislation.

TRAINING INSTRUCTIONS

STEP 1:

Tell the participants that the training on this topic is dedicated to key concepts related to discrimination. Ask the participants to define discrimination using simple words. If the word discrimination should be translated into one (or not more than two) of our words, which words would those be. Here, the participants will usually mention terms such as injustice, rejection, intolerance, humiliation, deprivation of rights, unfair treatment and the like.

Emphasise that all these words were rightly used, and that they all relate to the concept of discrimination, but explain that the concept of discrimination comes from the Latin word *DISCIRMINARE* and that it actually means “making a distinction”. Point out also that this does not concern making just any difference, but that which is illegal, unjustified, unfair, which is an expression of intolerance etc. (it would be ideal to use words that participants have already used).

19 Adapted from: Janjić, B., Maletin, B., Petrović, B. (2014). *Priručnik za trenere i trenerice organizacija civilnog društva o diskriminaciji*. Belgrade
Point out to the participants that it is important to know that not every injustice and hardship constitutes discrimination, that it cannot explain “everything that is going wrong,” and that each individual case requires a thorough analysis to determine whether a particular treatment constitutes discrimination. To understand this, you can present to them, for example, the following situation:

A number of persons are waiting in front of a counter and they are all impatient. The teller returns from the lunch break, sees his friend standing in the line and tells him to jump the queue and come to the counter. In this way the teller gives his friend a privileged treatment compared to other people waiting in line, which, of course, is unfair, unjust, and can be qualified as a violation of the standards of the teller’s professional conduct and as a violation of duty. However, this action does not constitute discrimination. Why? Because it lacks one important element of discrimination, and that is a personal characteristic as a basis for discrimination. Being someone’s friend is not a personal characteristic. It would, however, be different if there was a Roma persons standing at the counter who, at the time when his/her turn comes, is told by the teller to wait so that the teller could serve other customers first with the comment, “You Roma have nothing else to do anyway.” In this case it would be discrimination since the teller treats Roma person unequally because of their personal characteristics – national origin.

Also explain that not every unequal treatment is discrimination, but that it may constitute a violation of some regulations in the field of labour, social security or health insurance, education and etc. For example, the workers whose work is organized so that one day they work for 12 hours, and then they are free for 24 hours have been denied by their employer the right to take a 30-minute rest break during working hours, while other employees who do not work shifts may freely use the right to a rest break. By withholding the rest break from the employees who work shifts, the employer violates work regulations, but not the regulations on the prohibition of discrimination, because this case is not about unequal treatment based on a personal characteristic.

Show the participants the definition of discrimination prepared in the presentation.

**Disrimination or discriminatory treatment is any unwarranted distinction or unequal treatment, or omission (exclusion, limitation or preferential treatment), in relation to individuals or groups, as well as their family members or persons close to them, be it overt or covert, on the grounds of race, skin colour, ancestry, citizenship, nationality or ethnic origin, language, religious or political beliefs, gender, gender identity, sexual orientation, financial status, birth, genetic characteristics, health, disability, marital and family status, previous convictions, age, physical appearance, membership in political, trade union and other organisations and other real or presumed personal characteristics.**

them, and whether now they can better understand why we first talked about stereotypes and prejudices. Emphasise again that people tend to “act the way they think,” and that it is, therefore, very important to understand and speak about stereotypes and prejudices about certain groups of people existing in the community.

Explain, too, that discrimination is “a prejudice in action”, but that we do not determine whether for example, someone discriminated against a Roma person because he/she has got prejudices against the Roma. People cannot be forbidden to be prejudiced, but they may be forbidden from discriminating against.

**STEP 2:**

Explain now which *elements* comprise discrimination.

As it can be seen from the definition, we are talking about discrimination if there is:

- an unwarranted differentiation; which occurs as a result of an act or omission (failure to act);
- which is reflected in the exclusion, limitation or preferential treatment;
- overtly or covertly;
- against persons, groups, family members or other close persons; and
- which is based on real or presumed personal characteristics.

Explain in detail each of these elements using examples (use the examples from the materials, you can include them in your presentation). When you discuss actual or supposed personal characteristics, indicate what can be a basis for discrimination according to the Law.

The next step is to explain the difference between *direct and indirect discrimination*. Use examples. Check with the participants whether this is sufficiently understandable. Encourage questions. At the end of this step explain, also by giving examples, what constitutes severe forms of discrimination.

**STEP 3:**

Explain to the participants that in the next step, i.e. exercise they will be able to practice recognising discrimination. Divide the participants into small groups (the ideal number of participants in the group is 4 to 5). You can divide them into groups by simply counting the participants and assigning each participant a number, as per principle 1, 2, 3, 4, and then assign another set of people with 1, 2, 3, 4 numbers, and so on. Give instructions to all persons with number 1 to form the first group, all persons with number 2 to form the second group and so on.

Distribute case studies to the participants. Examples given in the Manual were prepared by the MoD and SAF Instructors, whereas one example is from the practice of the Commissioner for Protection of Equality.
to the participants that their task is to recognise whether discrimination is present in these cases and, if so, which form of discrimination it is? If not, which missing element would, if present, make this a case of discrimination?

Tell the participants that they have 20 minutes of time available. Ask the group to choose a person who will present the group’s work i.e. briefly recount the discussion that the group had and present the conclusions of the group. After each group’s presentation, comment on whether the group came to the correct conclusion (try not to use the terms “you are not right” or “you are wrong” etc. Instead, say - “you’ve come to the conclusion that does not match the existing practice” etc.). If so, emphasise and praise this, and if not, explain the practical experience and point to the matters that the participants may have failed to identify/discuss and so on.

**SUGGESTIONS FOR INSTRUCTORS**

This is an important thematic unit aimed to provide the participants with an understanding of what discrimination is and what it is not. Participants will have many questions and dilemmas. It is important that you prepare for them as many examples as possible to make this distinction. It is therefore essential that you, as a Trainer, understand what discrimination is and what it is not, and to prepare well to give the training. You should not just tell them what is on the slides, you must offer personal stories and examples. Many examples of local practices can be found at the Commissioner for Protection of Equality’s website. If the Instructors opt for cases which are not mentioned in this document, they must take account of the anonymity of the persons portrayed in the examples. If you are yet not sure which answer to offer to the participants (e.g. when your participants recount some of their experiences, and they ask you whether it constitutes discrimination or not) openly say so. It is always better to say that you will check with your colleagues, then to give inaccurate answers.

**DURATION:** 50 min

**TEACHING AIDS**

Flip-chart, markers, materials for students; PPP

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21 Commissioner for Protection of Equality’s official website http://www.ravnopravnost.gov.rs/rs
## OVERVIEW OF THE TRAINING IMPLEMENTATION

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<td>Ensure that the participants understand the concept of discrimination</td>
<td>Plenary discussion and Instructors’ address</td>
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<td>20 min</td>
<td>Elements of discrimination, direct and indirect</td>
<td>Ensure that the participants understand the basic elements of discrimination, grounds for discrimination, as well as the key distinction between direct and indirect discrimination</td>
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<td>Participants practice identifying discrimination</td>
<td>Discussion upon group work in small groups</td>
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EXAMPLE 1

Human Resources Department of the Ministry of Defence of the Republic of Serbia has opened a competition to fill the vacancies for professional soldiers, for a limited duration of time. General conditions of internal competition require that the candidates, among other things, have completed armed military service, except for females. Selected women candidates, who did not serve military service, will be referred to the training units and training centres. Candidates who successfully complete the training will be admitted into the ranks of professional soldiers for a limited time period of six months, with the possibility of employment contract extension for a period of 3 years up to the age of 40.

Do general terms and conditions of this competition constitute discrimination?

ANSWER

Under the terms of the competition, completed armed military service is a general requirement that candidates must meet. The fulfilment of this requirement is not, however, necessary for females. This makes female candidates privileged (puts them in a more favourable position) in relation to male candidates. However, this privilege does not constitute discrimination.

Removing armed military service as a condition in relation to female candidate represents a special measure (affirmative action measure).

Special measures (affirmative action measures) are a means to accelerate and achieve substantive equality in a society. They are used to correct the effects of past and present discrimination, and are a key instrument of the policy of equal opportunities for women and men. Although special measures deviate from the principle of formal equality, they are introduced in order to achieve the essential (substantive equality). Special measures (affirmative action) do not constitute discrimination, which is expressly provided for in the Constitution of the Republic of Serbia (Article 21, paragraph 4) and the Law on the Prohibition of Discrimination (Article 14) and the Law on Gender Equality (Article 7).
Like all other special measures, special measures introduced in favour of women must be justified, bearing in mind the reasons why they are introduced and the goals they aim to achieve. Such measures last for a specific, limited time. In this specific case, women are privileged compared to men in that they are not required to have served armed military service, but they have a possibility, if selected, to complete appropriate training. Such favourable treatment of women is a special measure, which is justified because it has an acceptable goal which is to increase the number of women in the professional army. This measure is justified by the fact that there are far fewer women than men in the professional army, as well as in the entire security sector.

**EXAMPLE 2**

A unit has a fixed rule that every seven days, all professional soldiers of the unit take turns at performing the duties of the commander’s courier, regardless of the duties to which they are assigned, and regardless of gender. Courier duty includes making coffee. Male and female soldiers perform this duty regularly, without any objections. However, one female soldier refuses to perform this duty on the grounds that she is assigned to the duty of a teleprinter and that she will not make coffee, but that she wants to do her job has been trained for and which is why she sought employment in the Army. She felt that having to make coffee constitutes sex-based discrimination against her, since when she was assigned to that unit, she was greeted with the words: “We finally got someone to make us coffee.”

Is gender-based discrimination present in this case?

**ANSWER**

The fact that, upon the female soldier’s arrival, someone had said: “We finally got someone to make us coffee constitutes discrimination against the female soldier, which can be characterised as verbal humiliation and slur, based on stereotyped gender roles, according to which women are destined to cook because it is their “natural” job. This comment perpetuates prejudices, customs and social behaviour patterns which are based on the idea of subordination of women, and stereotyped roles of the sexes, which is expressly prohibited by Article 20, paragraph 2 of the Law on Gender Equality.

The fact that the female soldier makes coffee does not constitute discrimination, because making coffee is part of the regular duties of professional soldiers, both male and female in that unit.

**EXAMPLE 3**

The Ministry of Defence of the Republic of Serbia, Human Resources Sector, Personnel Department has opened an internal competition to fill formation positions in military missions abroad of the Department for International Military Cooperation, Defence Policy Sector of the Ministry of Defence. General requirements of the internal com-
petition stipulate that a candidate can be an officer serving in the Ministry of Defence and the Serbian Armed Forces who meets all the requirements for the appointment to the duty provided for under Art. 22 and 23 of the Regulation on the status in the service of professional military personnel and the advancement of officers and NCOs.

In addition to the general requirements, special requirements are also laid down which, among other things, require that a candidate be married and that they bring their spouse abroad.

Do special requirements of this competition constitute discrimination?

**ANSWER**

This example is based on the case that was the subject of proceedings before the Commissioner for Protection of Equality (No. 07-00-206/2014-02).

In this case, the candidates must meet two requirements: that they are married and that they are able to bring along a spouse abroad.

The Commissioner for the Protection of Equality noted in this case that: “prescribing special criteria requiring that the applicant is married and that he/she takes his/her spouse with them abroad constitutes discrimination based on marital status. Setting such requirements is prohibited by legal regulations governing the prohibition of discrimination in the field of labour and employment as these regulations prohibit imposing requirements of employment relating to the personal qualities of candidates, which are not a real and/or a decisive condition for performance of duties, given the nature and particularity of the job and the conditions in which it is performed. “

In this particular case, a candidate’s marital status is not of decisive importance for performance of duties in military missions abroad. The candidates who are not married or who are out of wedlock, as well as the candidates who are divorced can be equally responsible and competent to do the job of a defence envoy, if they meet the requirements relating to education, military rank, possession of certificates of professional exams and work experience. Therefore, requiring that the candidates must be married discriminates against all potential candidates who are not married.

Also, setting the requirements that a candidate should bring his/her spouse abroad does not apply to the professional qualifications required for a defence envoy’s job, so this cannot be regarded as a decisive criterion for the selection of candidates. This requirement discriminates against candidates who are married and whose spouse are unable to live with them abroad for some reason.

Accordingly, the requirements that the candidates are married and that they bring their spouse abroad, contained in the Decision on the Special Criteria for Admission to Work in Missions Abroad, automatically elimi-
nate potential candidates who are not married, and who do not meet the requirements in terms of education and experience, as well as those who are married but whose spouses are unable to live with them abroad for some reason.

The Commissioner for the Protection of Equality recommended that the Ministry of Defence should take adequate measures for the implementation of the principle of equality. The MoD has removed this special requirement for internal competitions for work in military missions abroad.

EXAMPLE 4

Lieutenant M.R. had been assigned the duty of company commander, which duty she successfully performed, as confirmed by a formal assessment “stands out”. After three years in office, she took her pregnancy and maternity leave, in accordance with the regulations. After returning from maternity leave, the Lieutenant was appointed to formation post of a clerk, which does not allow her promotion in the service. Her duty was assigned to a newly promoted lieutenant who had just been given the rank.

Is this a case of discrimination?

ANSWER

Yes, this is a typical example of discrimination against women. The decision to assign her to a different (lower) formation position is probably explained by the needs of the Department, or other reasons, so that at first glance this does not appear to be a discriminatory decision. However, regardless of the reasons that were used to corroborate the decision, the fact that, before she took pregnancy and maternity leave, the lieutenant had successfully performed the duty, she had received a high appraisal grade and that, after returning to work after the leave, she was assigned to a lower ranking formation post, constitute a sufficient basis to conclude that this is a case of discrimination at work. This type of sex-based discrimination is expressly prohibited by Article 16, paragraph 3 of the Law on Gender Equality, which stipulates that absence from work due to pregnancy and parenthood may not be an obstacle to professional advancement.
THE CONCEPT OF DISCRIMINATION

What is discrimination and discriminatory treatment?

“Discrimination” and “discriminatory treatment” mean any unwarranted distinction or unequal treatment, or omission (exclusion, limitation or preferential treatment), in relation to individuals or groups, as well as their family members or persons close to them, be it in an overt or a covert manner, on the grounds of race, skin colour, ancestry, citizenship, nationality or ethnic origin, language, religious or political beliefs, sex, gender identity, sexual orientation, financial status, birth, genetic characteristics, health, disability, marital and family status, previous convictions, age, appearance, membership in political, trade union and other organisations and other real or presumed personal characteristics.

What is a personal characteristic?

To be deemed to be discrimination, unequal treatment needs to be based on a personal characteristic. In other words, a person is subject to unequal treatment only because he/she is of a particular nationality, religion, gender or different sexual orientation, has some form of disability, etc. The personal characteristic discrimination is based on is called the “ground of discrimination”. Personal characteristic is an individual’s personal characteristic determining his/her physical, psychological, spiritual, economic, or social identity. However, personal characteristics, as a rule, do not apply only to one, but to a number of other persons. Sex, gender identity, race, skin colour, sexual orientation, for example, are personal characteristics of an individual, but that individual, as a rule, “shares” those personal characteristics with a larger or a smaller number of other persons. Persons who “share” the same personal characteristics are called groups. Discrimination exists only if a personal characteristic of an individual or a group leads to unwarranted distinction and unequal treatment, or omission (exclusion, limitation or preferential treatment) of such person or group of persons or members of their families. If unequal treatment is not based on a personal characteristic, it is not a case of discrimination. It is for this very reason that discrimination is easily distinguished from some other unlawful conduct. If, for example, a manager gives one employee a big workload

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The grounds of discrimination can be a real personal characteristic or an assumed personal characteristic. A real personal characteristic is a personal characteristic that truly exists, that is a part of identity of a specific person (e.g. person belonging to a nation, is of a particular gender, particular age, etc.). An assumed personal characteristic is a personal characteristic that a person does not have, but the discriminator thinks (believes) that the person has it. Often, for example, it happens that a person who has homosexual friends is also discriminated against because the discriminator assumes that that person is also homosexual. The law prohibits discrimination based on a personal characteristic, regardless of whether it truly exists or the discriminator only assumes that it exists.

What is a real and what is an assumed personal characteristic?

The grounds of discrimination can be a real personal characteristic or an assumed personal characteristic. A real personal characteristic is a personal characteristic that truly exists, that is a part of identity of a specific person (e.g. person belonging to a nation, is of a particular gender, particular age, etc.). An assumed personal characteristic is a personal characteristic that a person does not have, but the discriminator thinks (believes) that the person has it. Often, for example, it happens that a person who has homosexual friends is also discriminated against because the discriminator assumes that that person is also homosexual. The law prohibits discrimination based on a personal characteristic, regardless of whether it truly exists or the discriminator only assumes that it exists.

Is discrimination always a result of a personal characteristic of the person discriminated against?

A personal characteristic based on which a person is discriminated against most frequently concerns that particular person. Sometimes, however, a person is discriminated against on the basis of personal characteristics of that person’s family members or persons with whom they are in a close relationship. Thus, for example, mother of a child with a disability can be discriminated against in the employment process as a result of her child’s personal characteristics, since the employer assumes that, due to the mother’s obligations to the child with disabilities, she will not be fully committed to the job.

What are the personal characteristics listed in the Law on the Prohibition of Discrimination as grounds of discrimination?

The Law on the Prohibition of Discrimination explicitly lists the following personal characteristics: race, skin colour, ancestry, citizenship, nationality or ethnic origin, language, religion or political affiliation, sex, gender identity, sexual orientation, economic status, birth, genetic characteristics, health, disability, marital and family status, convictions, age, appearance, membership in political, trade union and other organisations. However, this list of personal characteristics is not final. The wording of the provision which defines the very concept of discrimination, stating “... and other real or presumed personal characteristics”, says that there are numerous other personal characteristics of an individual (or group of individuals), which, as such, can be the ground of discrimination.
How can discrimination be made?

Discrimination is usually made by a discriminator doing something - uttering certain words, taking an action, adopting a legal document etc. (for example, an employer publishes a job vacancy advertisement for a salesperson’s position stating that women under-35 would be preferred). Discrimination can be made by omission, i.e. when a discriminator fails to do what constitutes his/her legal duty (for example, the school does not provide access to pupils with disabilities who use wheelchairs).

Discrimination can be made in a way that a person, owing to some personal characteristic, is denied a right that is available to others (for example, a dentist refuses to provide dental care to a person infected with hepatitis C). It can be made in a manner that a person’s right is limited, while for others it is recognised to a full extent (for example, a company decides that severance pay for men is 100 euros per year of service, and 50 euros for women). Similarly, discrimination can be made in a manner that other persons are given a priority, i.e. by favouring other persons (for example, the employer only allows Orthodox employees to use the days off for religious holidays).

Does every distinction or unequal treatment, or omission on the grounds of personal characteristics constitute discrimination?

No. It has to be a case of unwarranted distinction. This means that there are cases when the distinction is justified. Sometimes it is obvious at first glance that it is justified to make a distinction (for example, it is justified that massage parlours have separate rooms for women and men). Sometimes, however, we need to make a careful analysis to determine whether the distinction is justified, especially in cases of indirect discrimination. Making a distinction is also justified in the cases of so-called special measures (affirmative action) that should facilitate inclusion of certain minorities and marginalised groups in social life, or improve equality in a particular area (for example, the quota for the underrepresented gender, to increase the number of women in the National Assembly, or, for example, introduction of special measures for employment of persons with disabilities).
What constitutes the basis of ban on discrimination?

The ban on discrimination is based on the idea of equality of people. Since human beings are equal in dignity and rights, all should be treated equally. The right to equality is a human right and its exercise allows everybody to enjoy all the rights that the legal order recognises. Therefore, if an individual or a group of individuals are treated worse (less favourably), due to some personal characteristics, they are being discriminated against. However, it should be borne in mind that the principle of equality goes far beyond formal equality. This is essential (substantive) equality. In order to achieve this type of equality, it is not sufficient to prohibit that people are treated unequally because of their personal characteristics, but it is necessary to prohibit people from being treated equally when such equal treatment, due to their personal characteristics, causes to them disproportionately more serious consequences compared to the effects caused to others. Therefore, it is usually said that discrimination is unequal treatment of equals and equal treatment of the unequals. The principle of equality is elaborated in the Law on the Prohibition of Discrimination (Article 4), which stipulates that all persons shall be equal and enjoy equal status and equal legal protection, regardless of personal characteristics, and that everyone shall be obliged to respect the principle of equality, that is to say, the prohibition of discrimination.

Who has the right to be protected against discrimination?

Every person has the right to be effectively protected against all forms of discrimination by competent courts and other public authorities of the Republic of Serbia. The terms “person” and “everyone” mean any person residing in the territory of the Republic of Serbia or in any territory under its jurisdiction, regardless of whether the person is a citizen of the Republic of Serbia, some other state or a stateless person, or a registered legal entity, or performing a business activity in the territory of the Republic of Serbia. Accordingly, the term “person” and the term “everyone” apply to all those who have a legal personality (natural persons and legal entities, both domestic and foreign). The prohibition of discrimination, therefore, applies not only to natural persons but also to legal entities. Legal entities may also demand protection against discrimination, as they may be discriminated against because of some charac-

23 Documents of importance that define the freedom and equality of human beings: Article 1 of the Universal Declaration of Human Rights of 1948: “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood”; Article 26 of the International Covenant on Civil and Political Rights of 1966: “All persons are equal before the law and entitled without any discrimination to equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, skin colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”; Article 1 of the Charter of Fundamental Rights of the European Union: “Human dignity is inviolable. It must be respected and protected.” Article 20 of the Charter of Fundamental Rights of the European Union: “All are equal before the law”. Art. 21 of the Constitution of the Republic of Serbia: “All are equal before the Constitution and the law. Everyone has the right to equal protection by the law without discrimination.”
teristic that concerns that legal entity (protection against discrimination will be provided to a company owned by an Albanian, for example, if a contract has not been concluded with that company in a public procurement procedure, although that company submitted the best offer).

It should be borne in mind that majority of personal characteristics are inherent to natural persons, such as, for example, sex, sexual orientation, political affiliation, religion and the like. However, legal persons may be discriminated against on the basis of personal characteristics of its members (for example, a political party as a legal entity, can be discriminated against on the basis of political beliefs of its members). For this reason, they are provided with protection discrimination, which protects the joint, collective interest of its members.

FORMS OF DISCRIMINATION

There are two basic forms of discrimination: direct and indirect. Banning direct discrimination ensures the achievement of formal equality, while the prohibition of indirect discrimination ensures the achievement of substantive equality between people. The Law on the Prohibition of Discrimination also regulates other forms of discrimination:

What is direct discrimination as a form of discrimination?

Direct discrimination, as a specific form of discrimination, is discrimination that occurs when a person (group) is treated unequally (less favourably) due to some of his/her (their) personal characteristics, as compared to another person (or group) that does not have that personal characteristic, whereby both persons (both groups) are in the same or similar situation. Therefore, the following elements are essential in direct discrimination: 1) a person (group) is placed in a less favourable position, 2) because of a personal characteristic, 3) in relation to other persons (group) who are in the same or similar situation, but who do not have that personal characteristic.

Direct discrimination is based on the idea that all people are equal and that this is why the people who are in the same or similar situations must be treated equally, regardless of their personal characteristics.

Direct discrimination, as a rule, is clearly identified because it is obvious at first glance that it constitutes a violation of the principle of equality and non-discrimination. When examining whether direct discrimination has occurred, it is necessary to determine whether there is a difference in treatment, and use a comparator in order to detect the difference. Comparator is a person who is in a similar situation as the victim of discrimination, but

differs from that person in that the comparator does not have the personal characteristic that the victim of discrimination does have. “Comparator” is, however, sometimes hard to find, in which case we use a “hypothetical comparator”. At times a “comparator” is not needed. So, for example, if an employer does not employ a pregnant woman, there is no “parallel” because a man cannot be pregnant.25.

**What is indirect discrimination as a form of discrimination?**

Indirect discrimination is a special form of discrimination that occurs when a seemingly neutral rule (criterion, practice) is applied, but by doing so, a group, i.e. individuals who belong to that group are put at a disadvantage compared to others who do not have that characteristic. Accordingly, in indirect discrimination we can differentiate the following elements: 1) a neutral rule (requirement, condition, criterion or practice) 2) puts (or has put) a person or a group at a disproportionate disadvantage 3) due to some personal characteristic 4) compared to other persons who are in the same or similar situation, but who do not have that personal characteristic.

Indirect discrimination is based on the idea that the persons who are in different situations should be treated differently in so far as it is necessary to enable them to have equal access to social goods and equal opportunities for the enjoyment of rights and freedoms. Accordingly, when prescribing certain rules, setting the criteria, conditions, demands etc. which apply to all, we need to consider the position that a certain group of persons is in because of some personal characteristics. If we ignore this, then this rule, criterion, condition, etc. requirement can produce an unfavourable effect to some groups.

Nonetheless, setting any terms, conditions or criteria that apply equally to all is not discrimination. There is no discrimination if there is an objective justification to set the rules, and it exists when a set rule, condition or criterion has a legitimate aim, and when the means used to achieve that aim are appropriate and necessary. If this is not the case, indirect discrimination is present.

In order to determine whether a neutral rule (criterion, practice) constitutes discrimination, it is necessary to apply a discrimination test. This test is conducted in three phases:

**The first phase:** in the first stage it should be determined whether a certain neutral rule (criterion, practice) causes less favourable (worse) consequences for the members of a certain group. If it is determined that this is not the case, there is no discrimination and the test ends here.

**The second phase:** if it is determined that the consequences are unfavourable, we proceed to the second phase of the test, which examines the legality of the objective sought to be achieved by setting a specific neutral rule, a criterion, condition, requirement etc. The legality of the objective is estimated taking into account

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the applicable regulations. If it is determined that the objective is illegal, we conclude that discrimination has occurred and the test ends.

**The third phase:** if it is determined that the objective is legitimate, we proceed to the third phase of the test, which examines whether there is a proportion between the objective and a means used to achieve this objective. If this proportion exists, it is necessary to examine whether the means is *appropriate* to achieve the objective and whether it is necessary. The answer to the question of whether the means is appropriate is given by the assessment of whether it is really suitable for achieving the objective. The answer to the question whether the means is necessary for achieving the objective is given based on the assessment of whether the specific objective could, or could to a largest degree, be achieved without the use of the means, i.e., whether some other means could be used to achieve the objective, which would cause less adverse effects compared to the effects caused by the means that were used. If the applied method is not appropriate, that is, not necessary, it can be concluded that discrimination has occurred.

Application of this test is illustrated in the following examples:

- When the management of a copper factory introduces a rule that employees who work in production may not wear any jewellery at the workplace, this rule puts in an unequal position those whose religion requires that they wear religious symbols. However, such rule cannot be qualified as discriminatory because its objective is legitimate, as it was introduced in order to ensure safety of employees at work i.e. the measure that is applied in order to achieve the objective is appropriate and necessary. If the same rule is imposed by management of a trading company, such rule would be discriminatory because it does not have a legitimate aim that justifies it.

- When the requirements of competition for the job of maintaining hygiene in a company stipulate that candidates must have excellent speaking, reading and writing Serbian language skills, this constitutes discrimination against all citizens who are not native Serbian language speakers, since fluency in Serbian language is not crucial for successful performance of this job, thus this requirement is not necessary. However, if this requirement was set for the post of Student Affairs Officer, this would not constitute discrimination, since this requirement is, given the type of work, of decisive importance for successful performance of the job.

Indirect discrimination is, as stated, covert discrimination. It can sometimes achieve substantially the same objective achieved through direct discrimination.

Finally, it should be borne in mind that indirect discrimination differs from direct discrimination because direct discrimination is reflected in the fact that a person or group are treated unequally due to their personal characteristics, while in case of indirect discrimination, the same treatment is given to everybody, yet it produces different (less favourable) effects for a specific person or group owing to their personal characteristic. However, common to both the first and the second form of discrimination is the end result - one person (group) is put at a disadvantage compared to other persons, and the source of this inequality is a personal characteristic.

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How does the Law define a violation of the principle of equal rights and obligations as a form of discrimination?

Violation of the principle of equal rights and obligations is a form of discrimination which occurs if a person or group of persons, on account of his/her or their personal characteristic, is unwarrantedly denied rights and freedoms or has obligations imposed that, in the same or a similar situation, are not denied or imposed upon another person or group of persons, if the objective or the result of the measures undertaken is unjustified, and if the measures undertaken are not proportionate with the objective achieved through them (Article 8 of the Law on the Prohibition of Discrimination). When determining whether the principle of equal rights and obligations is infringed, the following is examined: 1) whether the person or group of persons is deprived of certain rights (e.g. the right of a person who is infected with HIV to join a sports club) or some obligations are imposed upon them (e.g. that people with disabilities can attend a concert only with a companion) that are not imposed or denied to others in the same or a similar situation; 2) whether this denial of rights or imposition of an obligation is based on some personal characteristic of theirs; 3) whether the objective or effect of such measures is legitimate; and 4) whether the measures taken are proportionate with and the objective achieved through them.27

What constitutes calling to account as a form of discrimination?

Calling to account is a special form of discrimination that occurs when an individual or a group of persons is unwarrantedly treated worse than others are treated or would be treated, solely or mainly on the account of requesting or intending to request protection from discrimination, or due to having offered or intending to offer evidence of discriminatory treatment (Article 9 of the Law on the Prohibition of Discrimination). The term victimisation is often used to define this form of discrimination to describe everything that is done to someone in retaliation for his/her reaction to discrimination.28

What is association for the purpose of exercising discrimination as a form of discrimination?

Freedom of association is one of the basic human rights. However, most fundamental human rights are not absolute rights. Often the reason for this are other human rights and freedoms. In determining this form of discrimination, we start from the exceptions to freedom of association. In the case where an association is aimed at exercising discrimination, or when activities of organisations or groups are aimed at violating freedoms and rights guaranteed by the Constitution, rules of international law and the law, or at inciting nationally, racially, religiously or otherwise motivated hatred, divisions and enmity, the objective of freedom of association is inconsistent with the values of a democratic society. Hence the Law on the Prohibition of Discrimination defines association for the purpose of exercising discrimination as a special form of discrimination by making it clear that such association is prohibited.

27 Ibid
28 Ibid
What is hate speech as a form of discrimination?

A special form of discrimination stipulated in the Law on the Prohibition of Discrimination is hate speech (Article 11). As in the previous case, in the determination of this form of discrimination we start from an exception to one of the fundamental human rights - freedom of expression. It is forbidden to express ideas, information and opinions that incite discrimination, hatred or violence against a person or group of persons on the account of his/her or their personal characteristics, in the media and other publications, at gatherings and places accessible to the public, by writing and displaying messages or symbols or in any other way. In this particular form, violation of freedom of expression is present when the objective of freedom of expression is a violation of values of a democratic society, such as the prohibition of incitement to discrimination, hatred or violence against individuals because of their personal characteristics in public (which includes not only the media, but also gatherings and other places accessible to the public, by writing slogans and messages, or using other similar method).

What is harassment and humiliating treatment as a special form of discrimination?

The last special form of discrimination stipulated in the Law on the Prohibition of Discrimination is harassment and humiliating treatment. It is conduct whose purpose or effect is violating the dignity of a person or group of persons based on his/her or their personal characteristics, particularly if it induces fear or creates a hostile, humiliating or offensive environment. Acts of harassment and degrading treatment may vary. This form of discrimination can be made verbally, by saying or writing derogatory words - for example, when people with mental disabilities are called “moron” or “dumbbell”. It can be done using a gesture or an action (for example, when a Roma person gets on a bus, a passenger pinches his/her nose as if not to breathe).

What are the severe forms of discrimination?

In addition to the aforementioned, the Law on the Prohibition of Discrimination, also identifies severe forms of discrimination (Art. 13). This is a common term for those aspects and instances of discrimination which are particularly dangerous, bearing in mind who discriminates, where discrimination occurs and the consequences it causes.

The Law specifies the following severe forms of discrimination:

1. causing and inciting inequality, hatred and enmity on the grounds of national, racial or religious affiliation, language, political affiliation, sex, gender identity, sexual orientation or disability;
2. advocating or exercising discrimination on the part of public authorities and in the course of proceedings before public authorities;
3. advocating discrimination through public media;
4. slavery, human trafficking, apartheid, genocide, ethnic cleansing, as well as advocating any of the above;
5. discrimination against individuals on the basis of two or more personal characteristics (multiple or intersectional discrimination);
6. discrimination that is committed several times (repeated discrimination) or is committed over an extended period of time (extended discrimination) against one and the same person or a group of persons;
7. discrimination that leads to serious consequences for the individual discriminated against, other persons or property, especially if it involves an act punishable by law, predominantly or exclusively motivated by hatred or enmity towards the aggrieved party based on his/her personal characteristic.

One of the severe forms of discrimination is discrimination on the grounds of two or more personal characteristics (multiple or intersectional discrimination), listed in paragraph 4 of Article 13 of the Law on the Prohibition of Discrimination. This form of discrimination arises because a person's identity is determined by many personal characteristics, such as gender, nationality, religion, sexual orientation. Thus, a person can simultaneously be discriminated against on the grounds of more than one personal characteristic. So, for example, a Roma woman with a disability can be discriminated against at work on the basis of all of these personal characteristics that she has. In this case, it is not the various forms of discrimination that are intertwined, but this is a case of multiple discrimination, whose negative effects are qualitatively different - they act in synergy.

CASES OF DISCRIMINATION

It should be borne in mind that the Law on the Prohibition of Discrimination stipulates some special cases of discrimination, which make it possible to recognise discrimination more easily. These are the following cases:

1. Discrimination in the course of proceedings before public authorities
2. Discrimination in the field of labour
3. Discrimination in the provision of public services and the use of facilities and spaces
4. Religious discrimination
5. Discrimination in education and vocational training
6. Sex-based discrimination
7. Discrimination based on sexual orientation
8. Discrimination against children
9. Age discrimination
10. Discrimination against national minorities
11. Discrimination on the grounds of political party or trade union membership
12. Discrimination against persons with disabilities and health-related discrimination

These are not the only special cases of discrimination as there are those that are regulated by other laws, such as the Law on the Prevention of Discrimination against Persons with Disabilities, the laws on education, health and social care, etc.

We will consider in detail two specific cases of discrimination which may be misinterpreted and confused with other concepts.

**What is sex-based discrimination?**

Sex-based discrimination, as a special case of discrimination exists, in case of conduct contrary to the principle of gender equality, i.e. the principle of observing the equal rights and freedoms of women and men in political, economic, cultural and other aspects of public, professional, private and family life. Also, prohibition of sex-based discrimination includes denial of rights or granting of privileges, be it publicly or covertly in relation to sex or sex reassignment. Sex-based discrimination includes physical and other forms of violence, exploitation, expression of hatred, disparagement, blackmail and sexual harassment, as well as public advocacy, support and compliance with prejudices, customs and other social models of behaviour based on the idea of inferiority or superiority of one sex, or stereotypical roles of sexes (Article 20).

It should be noted that discrimination on the grounds of sex includes discrimination based on sex reassignment. People who undergo sex changes (adaptation) have a lasting sense of psychological belonging to the sex that is contrary to biological sex with which they were born. This conflict between the sexual and gender identity is a major cause of emotional and mental suffering of transgender people, so the only treatment is sex reassignment (change). However, in practice, sex change is sometimes the grounds of various forms of discrimination, which is manifested not only by individuals, but also by institutions.

**What is discrimination in labour?**

This is a special case of discrimination that relates to a field of labour (Article 16 of the Law on the Prohibition of Discrimination), and which includes all "employers" (national authorities, but also enterprises and entrepreneurs) who, with their actions, may violate the prohibition of discrimination. The Law in this particular case prohibits discrimination in the field of labour, that is, violations of equal opportunities for employment or equal enjoyment of labour rights, such as the right to employment, free choice of employment, promotion, professional training and professional rehabilitation, equal pay for work of equal value, fair and satisfactory
working conditions, paid leave, education, as well as the right to join a trade union, and right to protection against unemployment. The right to protection against discrimination shall be enjoyed by all employed persons, as well as persons who perform temporary and occasional jobs, or hold service contract, or any other contract, persons with outside employment, persons who perform a public function, army members, persons seeking employment, students or pupils on internship, persons undergoing vocational training and advanced training without concluding an employment contract, volunteers and any other person involved in the work on any grounds. We have already pointed out that unwarranted discrimination, unequal treatment or omission constitute discrimination. Therefore, pursuant to this Law (Article 16, para. 3), different treatment, exclusion or giving priority on the grounds of a specific feature of a certain job, where a person's personal characteristic is a real and decisive precondition for performing the said job, shall not be considered to constitute discrimination, if the objective to be achieved is justified. Measures taken to protect particular categories of persons (women, pregnant women, women who have recently given birth, parents, minors, persons with disabilities and others) shall not be considered to constitute discrimination.

Discrimination at work should be distinguished from mobbing, which is regulated by the Law on Prevention of Mobbing at Work. Pursuant to Article 6 of this Law, mobbing at work is any active or passive behaviour towards an employee or group of employees that is repeated, and that has a purpose or represents violation of dignity, reputation, personal and professional integrity, health, and status of an employee and induces fear or creates a hostile, humiliating or offensive environment, deteriorates working conditions or leads to the isolation of the employee or termination of employment contract at the employee's initiative.

When we compare the definition of mobbing at workplace with the definition of discrimination, it becomes obvious that these two phenomena differ. In case of mobbing at work, it is important that the mobbing is repeated, while discrimination may be perpetrated by a single action. On the other hand, mobbing is usually exercised in order to discredit an employee, intimidate him/her or make him/her resign “voluntarily”, which is not usually the aim of discrimination. However, mobbing at work can qualify as discrimination when it is based on a personal characteristic of an employee or group of employees. It should be borne in mind that legal remedies for protection from mobbing at work differ from remedies that are used for protection against discrimination.

TYPES OF DISCRIMINATION

Discrimination can have elements of individual, institutional and structural discrimination, depending on how it is manifested and what its causes and consequences are.

**Individual discrimination** refers to the behaviour of individual members of a racial/ethnic/gender group with the intention to produce a differential and/or harmful effects on the members of other racial/ethnic/gender groups.

Individual discrimination, which is also called the *single and situational discrimination*, is made in a particular situation by a specific treatment of an individual toward the members of a group. These are individual cases of discrimination, which are regularly the result of stereotypes and prejudices that individuals have towards members of certain groups, which discriminators themselves are not aware of. Sometimes, however, such discrimination results from a deliberate intention to discriminate against certain groups. As already stated, the intent and motives of discriminators are of no legal significance thus, the absence of intent does not exempt the discriminator from liability.

**EXAMPLES:**

- An employer refuses to hire a woman who has the necessary qualifications to work as a car mechanic on the grounds that it is not “women’s work”.
- A female worker in a dry cleaner’s shop refuses to accept the clothes to be dry-cleaned brought by a Roma person.
- A boss prohibits a Muslim employee from performing noon prayers during working hours.
- A fishermen’s association, founded by a prominent member of one political party, admits into its membership only the members of that party.

**Institutional discrimination** is the policy of the institution of the dominant racial/ethnic/gender group, as well as the behaviour of individuals who control these institutions and enforce their policy, which are intended to have a differential and/or disproportionately unfavourable consequences for the members of other racial/ethnic/gender groups.

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30 Working material for gender training of Gender Trainers of RS MoD, 8 May 2014.
Institutional discrimination is perpetrated by applying established practices, i.e. common forms of treatment to members of certain groups.

Both individual discrimination and institutional discrimination can be direct or indirect.

Direct institutional discrimination occurs when representatives of an institution, in their activities and in the course of the policy implementation, give unequal treatment to the members of certain social groups.

**EXAMPLES:**

- Blood Transfusion Service does not allow LGBT people to donate blood.
- Health facility allows only mothers of hospitalised children to stay in the hospital during the treatment of their children.
- In preparation for the implementation of the census, census registration staff were given oral instructions not to enter data on religious affiliation, if citizens declare that they belong to non-traditional/minority churches and religious communities.

Indirect institutional discrimination occurs in the course of implementation of a seemingly neutral policy by institutions, which leads to extremely unfavourable consequences for the members of certain groups.

**EXAMPLES:**

- University students accommodation and dining facility prepares food that is not acceptable for Jewish and Muslim students, although it has learned that among the students there are members of these two religions, which deprives them of the possibility to use the services of the institution.
- Rules stipulate that an application for permanent residence must include a document evidencing the ownership of an apartment/house or lease agreement, which denied the possibility for the Roma from informal settlements to obtain identity cards, as they are unable to furnish this document.
- One case of institutional discrimination was addressed by the Commissioner for Protection of Equality, acting on the complaint of I. K. from N. S. against the Military High School in Belgrade, due to the competition for the enrolment of civilian candidates to the Military High School in the school year 2013/2014, which contains a discriminatory requirement. The competition for the admission of civilian candidates to the Military High School in the school year 2013/2014, includes a condition that the candidates must be male. Based on the analysis of the competition in terms of anti-discrimination legislation, the Commissioner noted that stipulating this condition poses a direct sex-based discrimination in education: "It is unclear what criteria was used to estimate that there is no need to enrol girls in the Military High School, especially if one takes into account the fact that conditions have been created for women to enrol into military-educational institutions of higher education. Attitudes according to which women are not recognised as needed by the system are based on stereotypes and prejudices that need to be overcome. Although this
concerns a specific type of education that can be conditioned by specific requirements a job in the Serbian Armed Forces imposes, including the possibility of setting specific requirements in terms of psychological and physical abilities of male and female candidates, it is necessary to clearly indicate that belonging to a particular sex, in itself, may not be an eliminatory condition. This means, for example, that belonging to a particular sex does not necessarily mean a greater or a poorer psychological and physical readiness and stamina. If necessary, all the candidates need to take physical fitness tests, in addition to other tests prescribed for admission, and the results achieved must be evaluated individually instead of in relation to the candidate’s sex. It is evident that there is no objective reason for imposing conditions relating to a candidate’s sex, that is, imposition of such conditions constitutes direct discrimination against half of all potential candidates on the grounds of sex.”

In year 2014, the Military High School started to enrol girls.

**Structural discrimination** refers to the policy of the institutions of the dominant racial/ethnic/gender or other groups and behaviour of individuals who apply policies and control the institutions that are racial/ethnic/gender-neutral, but result in differential and/or harmful treatment of minority racial/ethnic/other gender groups.

Structural discrimination refers to the norms, social rules, established patterns, attitudes and behaviour by institutions and other societal structures that represent obstacles for certain groups or individuals who belong to these groups in the exercise of rights and the use of social resources that are available to others. In other words, as a result of this form of discrimination, members of certain groups, although formally entitled to the same rights, are essentially not equal in the enjoyment of these rights because they do not have equal opportunities to realise them in practice.

Structural discrimination is a condition that occurs when certain groups do not have equal status compared to other groups, as a result of unequal relations in their roles, functions, rights and opportunities. It is recognized by the fact that certain groups are socially excluded and prevented from participating fully in the economic, social and political life. Due to the fact that it is created and maintained by the stakeholders in the social structure, this form of discrimination is referred to as structural discrimination. Structural discrimination occurs most frequently when members of certain minority and marginalised groups are treated equally even though they are in an unequal position compared to others because of their social status and position, which is not taken into account. On the other hand, it is the product of common conduct/behaviour that is acceptable and reasonable for the majority, whereby most people attribute the blame for the unfavourable position of certain groups to the group members. When it comes to structural gender discrimination, due to widespread gender stereotypes and prejudices, it is usually perceived as “normal” and “natural” state of affairs.

Statistical data points to the existence of structural discrimination. So, for example, data on the number of Roma students/activists, number of Roma employed in state institutions, the number of Roma who receive financial assis-

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33 We can talk about structural discrimination whenever institutions have a so-called neutral or equal policy to all, without taking into account the differences that characterise members of certain minority groups.
Tance points to a structural discrimination of Roma. As regards structural discrimination against women, statistical data points to a small number of women in management positions and decision-making positions, an extremely small number of women among entrepreneurs, distinctly larger number of women employed in low-wage sectors of business etc.

To combat structural discrimination it is not enough to use the instruments of legal protection against discrimination because they are adapted to individual and institutional discrimination, and not to structural discrimination. The state has a key role in the elimination of structural discrimination, and it should identify structural discrimination and create a framework and social environment for the achievement of substantive equality and full social inclusion of all social groups. This means integrating the principles of non-discrimination and equal opportunities in all policies at all levels of decision-making. An important instrument for combating structural discrimination are special measures in relation to certain minority, marginalised and vulnerable social groups, which are in an unequal position compared to other citizens, since these measures can speed up the process of achieving substantive equality. This is also true when it comes to structural gender discrimination, which can be rectified only by implementing a comprehensive and inclusive state policy in order to eliminate gender inequality, which, among other things, means taking special measures in favour of women, such as quotas for underrepresented gender etc. In order to comprehend and monitor the occurrence of structural gender discrimination, it is necessary to have a regular and comprehensive presentation of gender-sensitive data, which makes it possible to determine whether there is inequality between the sexes; it is also an important instrument for creation, planning and implementation of policies that are aimed at eliminating existing gender inequalities.

**EXAMPLE:**

In Serbia, all faculties are equally available to both women and men, so that in the field of higher education there is no direct sex-based discrimination in access to education. However, although the legislation on the enrolment requirements are sexually neutral, in practice horizontal gender segregation in education is evident, which is a striking example of structural discrimination. There are many more women than men in universities which equip them to perform “typically female-dominated” occupations, while there are many more men than women at the faculties that equip them to perform “typically male-dominated” occupations. Statistics confirm the following: among the graduates in 2012, there were many more women in the following areas: education (87%), health and social protection (73%), arts and humanities (71%) and social sciences, business and law (61%); Men constituted the majority of all graduates in the following areas of higher education: engineering, manufacturing and construction (65%), natural sciences, mathematics and computing (54%), agriculture and veterinary medicine (54%) and service provision (51%). On the labour market, “female” occupations are treated as less valuable than “male” occupations, and thus are paid less. The end result of this state of affairs is that women with university degree in Serbia earn less than men. In 2012, on average, women with university degree earned RSD 88.199 per month, whereas men with university degree earned RSD 115.040 per month on average, which is RSD 26.841 more on a monthly basis in favour of men.³⁴

To eliminate horizontal gender segregation in education, it is necessary to take appropriate long-term measures in many areas. For example, in some countries, schools introduce specific faculty enrolment quotas for women and men. Thus, for example, a state law school announced a competition for enrolment of the total of 220 students to study law, half of which were for men and half for women. The total of 661 men and 1263 women applied, of which 110 men and 113 women were admitted. The last man on the list of the accepted male candidates achieved the minimum 23.64 points, and the last woman on the list of accepted female candidates achieved the minimum 26.26 points. This decision was challenged before the court as discriminatory, on the grounds that enrolment quotas inhibited competition of members of both sexes, and that in this case, enrolment quotas were an obstacle in admitting female students. The Court found that introduction of enrolment quotas does not constitute discrimination of females because it concerns a measure that has a legitimate aim, which is reflected in the balanced participation of the sexes in legal education, given that, according to the statistics, women outnumber men in the legal profession. According to the assessment of the court, the difference in the number of points between men and women is explained by the fact that many more women than men applied for enrolment.

**WHY IS IT IMPORTANT TO DEAL WITH DISCRIMINATION**

- **Because we all lose as a result of it**
- **We can all be a target of discrimination**
- **Contrary to popular belief, discrimination affects a large number of people**
- **The characteristic that provokes discrimination cannot be changed**
- **By not responding to it, we reinforce discrimination**

*Discrimination is equal treatment of unequals and unequal treatment of equals. In order to achieve equality between persons or groups of persons who are in an unequal position compared to other citizens, affirmative measures/actions are sometimes introduced. Affirmative actions actually mean deviation from the basic principles of formal equality and are introduced in the form of temporary measures, which should lead to equality and are not considered to be discrimination. The Constitution of the Republic of Serbia in Article 21 prohibits any form of discrimination and also introduces the possibility of specific measures “to achieve full equality of individuals or group of individuals in a substantially unequal position compared to other citizens.”*

**Examples of affirmative action that the Instructors have recognised in the work of MoD and SAF:**

- **Introduction of quotas for the admission of women to the Military Academy.** When in 2007 the Military Academy decided to enrol girls, it used admission quotas. In recent years, girls are enrolled in the Military Academy without quotas. There has been a growing interest among girls in enrolment to the Military Academy.
- **If both a female and a male candidate equally meet the requirements for promotion to a higher rank, in the period of affirmative action, a woman can be given preference with the aim of increasing the number of women in the higher ranks to set an example to other women that they can advance in their career and contribute to the system with their knowledge and work.”**
OBJECTIVES

- Ensure that the participants receive information on the legislation in this area
- Ensure that the participants understand that dealing with the prevention and reduction of discrimination and promoting equality among citizens is part of the constitutional commitment of the state and the country’s institutional framework.

DESCRIPTION

Most citizens know that the Republic of Serbia has laws relating to equality. However, most do not know what these exact laws are and why they are important. It is essential that training participants become aware of the existence of legal regulations and standards that protect citizens against discrimination in a wide range of social areas, and that they are binding, both at the level of society in general, and at the individual level.

TRAINING INSTRUCTIONS

STEP 1:

Explain to the participants that, in the training on this thematic unit, you will present the key laws in the Republic of Serbia which regulate this area. Emphasise that you know that it is important that participants have the basic information about the existing legal framework and how it is applied.

STEP 2:

Invite the participants to list the laws that regulate discrimination and to express their opinion on their implementation and enforcement. Also, ask them if they themselves feel protected against discrimination. After discussion, present the handouts through interactive presentation.

TEACHING AIDS

Materials about the institutional mechanisms and anti-discrimination legal framework.
**OVERVIEW OF THE TRAINING IMPLEMENTATION**

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<tr>
<th>Time</th>
<th>Title</th>
<th>Objective</th>
<th>Technique</th>
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<tr>
<td>5 min</td>
<td>What do I know about the institutional mechanisms and laws in</td>
<td>Ensure that the participants recognize how informed they are and what</td>
<td>Discussion or a brief test to</td>
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<td>the Republic of Serbia</td>
<td>else they need to learn</td>
<td>test the participants’ knowledge</td>
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<tr>
<td>15 min</td>
<td>National legal framework and legal protection mechanisms</td>
<td>Familiarise the participants with the laws and institutional mechanisms</td>
<td>ppt Interactive presentation</td>
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**MATERIALS FOR INSTRUCTORS AND PARTICIPANTS**

**LEGAL FRAMEWORK**


*Article 21 - All are equal before the Constitution and the law.*
Everyone shall have the right to equal legal protection, without discrimination.
All direct or indirect discrimination based on any grounds, particularly on the grounds of race, sex, national origin, social origin, birth, religion, political or other opinion, property status, culture, language, age, mental or physical disability shall be prohibited.

Special measures which the Republic of Serbia may introduce to achieve full equality of individuals or group of individuals in a substantially unequal position compared to other citizens shall not be deemed discrimination.

This provision prohibits any form of discrimination, direct or indirect, on account of any personal characteristics. The Constitution explicitly mentions several personal characteristics, but this list is not final, since the Constitution prohibits discrimination on the grounds of any personal characteristic.
Many other provisions of the Constitution of the Republic of Serbia also prohibit discrimination. Thus, Article 15 stipulates that the state shall guarantee the equality of women and men and develop equal opportunities policy, whereas Article 76, which refers to the prohibition of discrimination against national minorities, stipulates that “persons belonging to national minorities shall be guaranteed equality before the law and equal legal protection” and that any discrimination on the grounds of affiliation to a national minority shall be prohibited, explicitly stating that regulations and provisional measures which the Republic of Serbia may introduce to achieve full equality between members of a national minority and citizens who belong to the majority shall not to be considered discrimination.

The Law on the Prohibition of Discrimination ("Off. Gazette of RS", No. 22/2009), which was adopted in 2009, is a general and fundamental law that defines many forms of discrimination and procedures to protect against discrimination. This Law defines discrimination in the following manner:

Art. 2 - terms “discrimination” and “discriminatory treatment” shall mean any unwarranted discrimination or unequal treatment, or omission (exclusion, limitation or preferential treatment), in relation to individuals or groups, as well as their family members or persons close to them, be it overt or covert, on the grounds of race, skin colour, ancestry, citizenship, nationality or ethnic origin, language, religious or political beliefs, sex, gender identity, sexual orientation, financial status, birth, genetic characteristics, health status, disability, marital and family status, previous convictions, age, appearance, membership in political, trade union and other organisations and other real or presumed personal characteristics (hereinafter: personal characteristics)

This Law also defines the forms of discrimination and specific cases of discrimination. In addition, it establishes a Commissioner for Protection of Equality, an independent state body elected by the National Assembly for a period of 5 years.

The Law on Gender Equality ("Off. Gazette of RS", No. 104/2009), which defines the concept of the sex-based discrimination and which obliges public authorities to develop an active policy of equal opportunities and equal participation of the sexes in “...all phases of planning, rendering and implementing decisions that have an impact on the position of women and men.” (Art. 3). Any person whose rights have been violated may initiate court proceedings and may seek legal protection.


The Law on Prevention of Discrimination against Persons with Disabilities (Off. Gazette of RS, No. 33/2006) is the law which prohibits direct and indirect discrimination against persons with disabilities, defines
severe forms of discrimination and provides for specific forms of discrimination against these persons due to disability (e.g. discrimination in terms of access to services, access to public facilities, discrimination in education, provision of health services, etc.). The Law provides for the obligation of the authorities to take specific measures to improve the situation of persons with disabilities and civil legal protection against discrimination on this basis.

The Law on Vocational Rehabilitation and Employment of Persons with Disabilities (Off. Gazette of RS, No. 36/2009) stipulates special measures to encourage the employment of persons with disabilities and to create conditions for their inclusion in the labour market and many other measures concerning exercising the right to work and professional rehabilitation.

Anti-discrimination regulations are also laid down in other laws:


The rules concerning the Serbian Armed Forces also contain provisions concerning the prohibition of discrimination:

The Law on the Serbian Armed Forces35, Article 11, specifies that the provisions of this Law on the composition of the Serbian Armed Forces shall apply equally to women and men. Article 13 prohibits favouring or depriving a member of the Serbian Armed Forces of his/her rights and duties, especially due to race, religion, sex or nationality, descent, or on the grounds of any other personal characteristic.

The Law on Defence36 stipulates that the Ministry of Defence shall conduct inspection supervision in connection with the implementation of laws in the field of defence and of importance for the defence and the Serbian Armed Forces, regulations based on those laws, plans and measures of state bodies, organisations and the Serbian Armed Forces, and other activities determined by this Law, which, among other things, concern the prohibition of discrimination and to gender equality (Art. 16 para. 1, item. 8).

Code of Honour of the Serbian Armed Forces members as one of the most important norms, states that a member of the Army respects personality and diversity.

The Code of Professional Ethics at the University of Defence in Belgrade, as the basic principles and code of ethics, which are the starting point of each operation and functioning of the University, among others, stipulates equality of all citizens before the law, prohibition of discrimination and fostering a spirit of tolerance.

The Statute of the University of Defence\textsuperscript{37}, the Statute of the Faculty of Medicine of the Military Medical Academy\textsuperscript{38} and the Military Academy Statute\textsuperscript{39} provide that the right to equal quality of studies shall apply to all cadets, and students.

The Rulebook of the Serbian Armed Forces stipulate:

1. The officers, non-commissioned officers and civilians serving in the Serbian Armed Forces shall address each other with formal “You” and “Sir (madam)” citing the rank, title or surname.
2. The terms designating masculine gender also refer to the feminine gender, in accordance with the regulations of the Republic of Serbia on the prohibition of discrimination and on gender equality.

3. Male military personnel must always be neat, clean-shaven with haircut so that sideburns reach half of the ear at maximum and hair does not fall over the ears and collar. It is allowed to wear moustache, which can extend maximum one centimetre beyond the width of the upper lip on each side and must not go over the line connecting upper and lower lip; it is not allowed to wear earrings. Female military personnel, when in uniform, must wear a neat hairstyle, so that the hair does not interfere with performance of functional duties. They are to wear hair neatly tied back to allow them to wear a cap or a helmet without difficulty. Discreet makeup is allowed. It is not allowed to wear visible ornaments (except for rings, earrings up to one centimetre long and discreet hairpins). Nails must be neatly trimmed.

4. Men and women are placed in separate dormitories. For students and cadets of military training institutions who are studying for military duties dormitories are separately equipped and furnished. Separate sanitary facilities or parts of sanitary facilities are designated and clearly marked for men and women.

5. If both parents are employed and have a child under three years of age, assigning a parent to a 24-hour duty roster within the Department, shall be made in accordance with the law.

\textsuperscript{37} Off. Army Gazette of RS, No. 24/11, Art. 134.  
\textsuperscript{38} Off. Army Gazette of RS, No. 17/12, Art. 127.  
\textsuperscript{39} Off. Army Gazette of RS, No. 17/12, Art. 135.
Military personnel and civilians serving in the Serbian Armed Forces who have a child under the age of seven, or a seriously ill immediate family member in need of care and assistance, but do not have a spouse or an adult household member, shall not be assigned to a 24-hour duty roster, except with their written consent.

Protection in the Serbian Armed Forces

6. The scope and responsibilities of all levels of command, the rights, obligations and responsibilities of the Serbian Armed Forces members, the process of risk assessment and management, measures, which serve to ensure the application and implementation of protection, special rights, obligations and protection measures in relation to occupational safety and health and training (education), protection of young people (students and cadets of military education institutions studying for military duty) and women who work at workplaces with increased risk that could endanger their maternity, are enforced in accordance with the regulations of the Ministry of Defence governing this area.

LEGAL PROTECTION MECHANISMS

With the adoption of the Constitution and the ratification of international documents, Serbia has committed itself to provide every person on its territory with legal protection in case of discrimination so as to make the right to equality practical and effective. By fulfilling this duty, the state has established a comprehensive and coherent system of legal protection against discrimination. This system consists of various forms of civil and legal, criminal-legal, misdemeanour-legal and constitutional legal protection, while the right to non-discrimination is also protected by the Commissioner for Protection of Equality.

Civil-legal protection against discrimination is a form of immediate protection of the right to non-discrimination. Provision of this protection is governed by the substantive rules that prescribe forms of civil-legal protection ensured, including damages for discrimination, while the procedural rules regulate the procedure in lawsuits for protection against discrimination.

Misdemeanour legal protection from discrimination is regulated by the Law on the Prohibition of Discrimination and other anti-discrimination legislation, which incriminates various acts of discrimination as misdemeanours.

Criminal legal protection against discrimination is regulated by the Criminal Code from 2005, which provides for three criminal offences relating to the prohibition of discrimination: violation of equality (Art. 128), violation of the rights to use a language and alphabet (Art. 129), and racial and other discrimination (Article 387), as well as a whole range of criminal offences against human rights and freedoms, which contain elements of discrimination.
Protection against discrimination before the Commissioner for Protection of Equality is exercised by the Commissioner conducting proceedings on complaints citing discrimination examining whether discrimination occurred and imposing legal measures. The Commissioner is authorised to file a lawsuit in court for strategically important cases of discrimination, and he/she is authorised to file misdemeanour and criminal charges, as well as to initiate proceedings to review the constitutionality and legality before the Constitutional Court concerning the laws and regulations which are estimated to contain discriminatory provisions.

Protection against discrimination before the Constitutional Court of Serbia is exercised through control of constitutionality and legality of laws and other general acts from the aspect of non-discrimination and rendering decisions on constitutional appeals.

Each of these legal mechanisms has its own objective and purpose. Some are used to protect the discriminated person, in order to prevent the repetition of discrimination and to eliminate its consequences, and some are used to sanction discriminator for what he/she did. In some cases of discrimination, using a single mechanism is sufficient, but it is sometimes necessary to use several mechanisms, as that is the only way to prevent further manifestations of discrimination.
THEMATIC UNIT:  
WOMEN AND MEN IN THE  
REPUBLIC OF SERBIA

OBJECTIVES

- Ensure that the training participants familiarise themselves with statistical data on the position of women and men in Serbia, with special emphasis on the Serbian Armed Forces
- Ensure that the participants to understand the broader context in which the position of women in the Serbian Armed Forces is examined

DESCRIPTION

The purpose of the training on this topic is to show the position of women in the Republic of Serbia, with special reference to the position of women in the Ministry of Defence and the Serbian Armed Forces, using official statistics. It is necessary to point out not only to the numerical representation of women in the defence system, but also to the role and functions that women occupy in the system. Make a comparison with countries in the region.

TRAINING INSTRUCTIONS

In the presentation of statistical data, use reliable sources, i.e. research and analysis of official institutions (e.g. the Statistical Office of the Republic of Serbia) or those of organisations that specialise in research and analytical work. When you want to present statistical data on the number and position of women in the Serbian Armed Forces, a reliable source of data are reports of the Ministry of Defence of the Republic of Serbia. In the presentation of data, it is necessary to accurately cite the data source, and when showing the data, context should be explained, as well as the year of publication, and what the data shows.

Given that the first objective of the training on this topic is to ensure that the training participants familiarise themselves with the statistical data on the position of women and men in the Republic of Serbia focusing on the position of women in the Serbian Armed Forces along with an exercise, for example, gender equality indicators. Another possibility is not to present it as a separate thematic unit, but to include it as part of a different unit, with key data presented on one slide in order to show the position of women and men, with a focus on the Serbian Armed Forces.

This publication contains the sex-disaggregated data in the following areas: population, health, education, social protection, justice, employment, wages and pensions, use of time and decision-making.

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40 It can be presented as a separate thematic unit, with a detailed presentation of data on the position of women and men in the Republic of Serbia focusing on the position of women in the Serbian Armed Forces along with an exercise, for example, gender equality indicators. Another possibility is not to present it as a separate thematic unit, but to include it as part of a different unit, with key data presented on one slide in order to show the position of women and men, with a focus on the Serbian Armed Forces.

The second objective of the training on this topic focuses on the position of women in the Ministry of Defence and the Serbian Armed Forces, and as one of the data sources recommended, a study titled *The Position of Women in the Armed Forces in the Western Balkans*, which provides information about the Republic of Serbia, as well as the data from four Ministries of Defence and Armed Forces of Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Montenegro and the Republic of Serbia.42

When talking about the position of women in the MoD and SAF, it is important to present data not only about the number of women in the Serbian Armed Forces, but also the data about the representation of women in the Serbian Armed Forces by rank; in management/command posts; in multinational operations (and in which positions); the percentage of women who have completed additional training and education, which are essential for career advancement; percentage of disciplinary measures applied for women and men; percentage of women and men who left the SAF and the reasons for leaving, as well as other information you consider relevant.

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THEMATI C UNIT: GENDER AND SECURITY SECTOR REFORM

OBJECTIVES

• Ensure that the participants advance their understanding of the security sector reform and the fact that the process of inclusion of the gender perspective is an integral part of the reform
• Ensure that they understand how to include the gender perspective in security sector reform, what the challenges are and how the integration of the gender perspective contributes to increasing the security sector efficiency.

DESCRIPTION

This is the main thematic unit because it explains the essence of the security sector reform process, why gender equality is one of the key elements of the security sector reform, and how to mainstream gender perspective in this process. It should be explained to the training participants that security sector reform is a concept which emerged in the 1990s, as a response to the changes in the global security challenges. There are different definitions of security sector reform, which offer wider or narrower understanding of the process. However, what is common to all definitions is that security sector reform represents a transformation of all stakeholders in the security system to function in accordance with democratic norms and principles of the rule of law.

It is important to note that the first objective of security sector reform is to ensure democratic civilian control of the sector, and secondly, to develop an efficient and sustainable security system. Security sector reform also means that this process should be conducted transparently, while ensuring respect for human rights. It should also be emphasised that there is no universal approach to the implementation of security sector reform, but that the process should be implemented in accordance with national/local needs.

Security sector reform implies that the security sector consists of state and non-state institutions which have a role to ensure the security of the state and its citizens. In addition, the process of security sector reform is organised in such a manner to be able to respond to different problems such as corruption, human rights violations, establish-

ment of transparent control of the work of institutions, and social phenomena that can undermine security, such as crime and armed violence.

Mainstreaming the gender perspective in the defence system is a part of the institutional reform process which is conducted in accordance with democratic norms and principles of the rule of law, gender equality being a part of it. Mainstreaming the gender perspective in the defence system is important because, in this manner, experience, knowledge and needs of both men and women are incorporated in the design, implementation and evaluation of national security policies. Defence system reform must respond to the needs of all citizens in a community, while the safety of individuals depends on many factors, such as sex, ethnicity, age, sexual orientation, civil status and religious affiliation.

TRAINING INSTRUCTIONS

STEP 1:

Explain to the participants that, within this thematic unit, you will try to present the concept of security sector reform and that gender equality is an integral part of the security sector reform that contributes to organisational and operational efficiency.

STEP 2:

Perform the exercise 44 to explain in an interactive manner that armed conflicts affect differently the lives and roles of men and women. Write on a flip chart "Women/Girls" and "Men/Boys." Seek the participants’ opinion on different impacts of armed conflict on the lives and roles of men, women, boys and girls. Start with a directed discussion posing the following questions, making sure that stereotypes are not reproduced:

1. What are the roles of men and women in war?
2. What leaves serious consequences on women/girls in an armed conflict?
3. What leaves serious consequences on men/boys in an armed conflict?
4. What can happen to women/girls and men/boys and how their roles can change during an armed conflict?
5. What changes might occur following the armed conflicts that affect the role of women and men?

Write the answers provided under the appropriate column “Women/Girls” and “Men/Boys.” If necessary, seek additional explanations.

Possible answers you can use to guide the discussion:

44 This exercise is adapted from a case study in "Core Pre-deployment Training Materials (CPTMs), UN Department of Peacekeeping Operations (DPKO)
In an armed conflict:

- In an armed conflict, the number of households ‘run by’ women increases. In times of conflict, it is difficult to purchase food, energy and water needed for the daily life of a family or a community. In addition, women and girls are more exposed to sexual violence and may be raped and/or used as sex slaves. However, we should not forget that women are not only victims, but are also active participants in armed conflicts.
- Men and boys can also be victims of sexual abuse during the war. Boys may be forcibly recruited, i.e. sent to the armed conflict. A large percentage of the total number of men recruited is killed in an armed conflict.

After an armed conflict

- Men can be disabled in a war, lose their jobs and support of their families. Men may become disappointed, frustrated and prone to violence, because they do not fulfil the role that is expected of them.
- Women are more likely than men to die after wars and conflicts: a higher percentage of women are victims of domestic and sexual violence, human trafficking: women have a poorer access to legal protection.
- Women and girls who were victims of sexual violence during the conflict are often rejected by their families and/or partners. It may happen that women, in order to survive and keep the family together, become sex workers.
- The programs for disarmament, demobilisation and reintegration may involve only men and boys who are presumed to have been soldiers, ignoring women and girls and their experiences during the conflict.

The aforementioned items on the different impact of armed conflicts will facilitate an understanding of why it is important to incorporate different experiences of men and women, that is, gender perspective into security sector reform to be discussed in the next step.

STEP 3:

Explain how the new approach to security is different from the traditional one, which is focused primarily on national security. The concept of security sector reform was created in the late nineties in response to new security challenges and it offers different understanding of what national security means. As a result, the security institutions have expressed the need for various knowledge and skills in order to provide efficient services. The focus of the new approach is on human security which includes a variety of aspects: economic, social, political, and security aspect relating to the protection of the natural environment or nutrition. The new concept is also reflected in the fact that security is understood as the key condition for a sustainable development and protection of human rights.  

46 “Human security can no longer be understand in purely military terms … Rather, it must encompass economic development, social justice, environmental protection, democratisation, disarmament, and respect for human rights and rule of law,”, 2001 (Kofi Annan, “Towards a Culture of Peace” http://www.unesco.org/opi2/lettres/TextAnglais/AnnanE.html 08/22/01)
Participants/stakeholders in the implementation of security are not only the formal security institutions that have the mandate to use force (army and police, for example) because the focus of security has shifted from national security to the individual security. It is necessary that the security sector is under democratic civilian control, and that its institutions are functioning in accordance with democratic principles and the rule of law. There is no single definition of what security is, and it is important to explain to the participants that security sector reform should be conducted in accordance with national priorities and needs, that it must be efficient and in line with international standards and norms in the field of human rights. The number and the role of stakeholders is expanded to include non-traditional stakeholders such as the judicial system and civil society.

It should be noted that the security sector reform, among other things, takes into consideration the role and needs of women, which has been neglected in conflict, post-conflict and crisis situations, as confirmed by the provisions of UNSCR 1325. Also, it should be noted that security sector reform means increasing the participation of women in peace-building processes.

Armed conflict has a different impact on women/girls and men/boys. Wars and conflicts often carry rapid social and cultural change in relation to what men and women, boys and girls can do and how they can behave. Many contemporary armed conflicts are caused by human rights violations. This is exactly why it is extremely important to promote and protect human rights, including the rights of women and children as vulnerable categories who experience greatest sufferings during the conflicts. Post-conflict society building processes also have their negative impacts on the security of women and therefore it is important to include women and organizations that represent women at the local level in the process of peace-building and post-conflict development.

Another reason for the protection of women's human rights is that this accelerates the establishment and stabilization of peace-building process. A society that has been exposed to a destructive impact of conflict and human rights violations can overcome the crisis only if all members of society participate in the reconstruction of society and make sure that justice is accessible to all on equal terms. Often violation of women's human rights is not taken into account. Ignoring and not taking into account women's rights can slow down the recovery process and adversely affect the establishment of lasting and stable peace after an armed conflict.

STEP 4:

When explaining inclusion of the gender perspective in the national context of security sector reform, you should take into consideration the mission and tasks of the Serbian Armed Forces. Examples should be practical and show how gender perspective should be incorporated into the security sector and that it has a purpose in daily work. Use different sources as examples, newspaper articles, news from the website of the Ministry of Defence of the Republic of Serbia, or practical examples that Instructors have encountered in their organisational units.

47 Mission of the Serbian Armed Forces: 1) defence of the Republic of Serbia from external armed threats; 2) participation in building and maintaining peace in the region and the world; and 3) support to civil authorities in countering security threats. Taken from the Defence Strategy of the Republic of Serbia (http://www.gs.gov.rs/doc/strategije/Strategija%20odbrane.docx accessed 22 Sept 2015.)
SUGGESTIONS FOR INSTRUCTORS

To conduct training on this topic, you should have a good understanding of the concept you are explaining and you should inform yourself and read the relevant literature in this field. Also, it is important that all instructors on the MoD and SAF team have the same level of knowledge about the security sector reform, because this is the key thematic area that needs to argue that gender equality is included in the defence policy and the daily activities.

DURATION: 60 min

TEACHING AIDS

Flip chart, markers, handouts; ppt

OVERVIEW OF THE TRAINING IMPLEMENTATION

<table>
<thead>
<tr>
<th>Time</th>
<th>Session part title</th>
<th>Objective</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>20 min</td>
<td>Security and gender</td>
<td>Ensure that the participants to understand how gender equality is related to the security sector reform</td>
<td>Plenary discussion and Instructors’ address</td>
</tr>
<tr>
<td>30 min</td>
<td>Exercises</td>
<td>Ensure that the participants recognise the different needs of women and men in conflict situations</td>
<td>Work in small groups or individual work if there is a work sheet</td>
</tr>
<tr>
<td>10 min</td>
<td>Session summary</td>
<td>Presentation of key points</td>
<td>Instructors’ address</td>
</tr>
</tbody>
</table>

DEFENCE SYSTEM REFORM AND GENDER

Security sector reform should meet the different security needs of men, women, young men, young women, boys and girls. Gender mainstreaming is the key assumption of efficiency and accountability within the security sector, as well as in establishing the legitimacy of the security sector reform process.

Integrating gender into defence system involves introduction of experience, knowledge and interests of women and men in policy and structure for national defence, implementation of those policies and evaluation of the results achieved. Integrating gender into defence reform processes is a means to achieve the following objectives which were divided into three subgroups that respond to the following questions:

WHY?

1. Ensure agreement on the security sector’s needs:

- The physiognomy of wars, as well as the resources for their conduct, have altered significantly. Accordingly, it is essential that modern armed forces have adequate operational capacity. Defence forces are engaged primarily in country defence, then in complex peacekeeping missions to build and maintain peace, which in modern times require non-traditional skills and knowledge such as communication skills, knowledge of foreign languages, information technology etc. Consequently, the security system as an employer must attract as diverse professions and qualified candidates as possible from the entire population. Diversity in the force composition and gender mainstreaming in operations enables the defence system to better carry out the new tasks required of it. For example:

- Experience has shown that women in peacekeeping missions enhance the effectiveness in specific cases: female military personnel is needed to carry out the search of women during road blockades, at airports, etc.; local population considers women peacekeepers as more accessible than men; for women in peacekeeping forces it can be much easier to gather information from the local female population, thus providing valuable intelligence; it is much more likely for men and women who are victims of sexual abuse to confide it to women in peacekeeping forces; women in peacekeeping forces are a positive role model for the local female population to join armed and security forces. However, these are not to be understood as the only cases in which women contribute to the efficiency of the system;
2. Create representative armed forces and security institutions:

- Women are under-represented in the army, defence ministries and bodies overseeing defence system. Even when there are no formal obstacles, there are often precisely defined levels to which women can thrive professionally.
- Full integration of women in the armed forces maximises the military capabilities to fulfil its role in protecting democratic societies, including the defence of core values such as the right to a nationality and gender.

3. Strengthen the democratic and civilian oversight over the armed forces:

- One of the important aspects of defence system reform is to establish a democratic civilian oversight. Inclusion of women and gender experts on in the bodies supervising the defence system can ensure that defence policies and programs are gender sensitive and responsible, that is, that they respond to the specific security needs of men, women, young women, young men, girls and boys. In addition, consultations with the organisations dealing with the protection of women’s rights can contribute to a holistic understanding of security in the process of civilian oversight.

WHO?

- Respond to the different security needs of the society:
  
- Defence reform must effectively respond to the needs of all in a society. Certain people’s security needs vary depending on factors such as sex, ethnicity, age, physical ability, sexual orientation, economic status, nationality, religion and others.
  
- Gender-based violence continues to pose a significant threat to the safety of people around the world. Men are also victims of gender-based violence, as there are massacres that target only the members of one sex, as well as rapes and violence by street gangs. Ensuring the protection of women, men, young men, young women, boys and girls during and after conflict should be a priority in any defence reform. Members of armed forces can be perpetrators of gender-based violence against civilians and other members of armed forces. Access to the promotion of human rights which takes into account gender perspective, for example, by increasing gender sensitisation and respect of the code of conduct, can contribute to preventive action.
HOW?

In what way can gender be integrated into security sector reform (SSR)?

Two complementary strategies can be used to include gender perspective in the SSR policy and programming, including:

- Gender integration, which includes consideration of the impact of SSR policies and programs on women, men, boys and girls at every stage of policy and program cycle, including assessment, planning, implementation, monitoring and evaluation.
- Promoting equal participation of men and women because men are generally represented in the process of SSR and in security institutions. It is therefore, necessary to take action to increase the employment of women, their retention in service and the professional advancement and participation of civil society organisations (CSOs), especially in women’s organisations.

ADVICE TO ACHIEVE A GENDER RESPONSIBLE SSR POLICY

Gender mainstreaming involves the following:

- Strengthening institutional mechanisms for gender equality in the security system: deepening knowledge and capacities of these mechanisms in order to strengthen their role in the system;
- Continuous work on the sensitisation of employees in security institutions about gender equality;
- Strengthening the capacity of organisational units for human resources to develop and implement evidence-based policies and gender-responsive policies;
- Building awareness of gender perspective and the capacity of teams responsible for creating, implementing and evaluating SSR policy (e.g. through gender training or briefings);
- Identifying and initiating “gender champions”, i.e. decision-makers in top positions who support gender mainstreaming;
- Conducting gender impact assessment of the proposed SSR policy, and monitoring and evaluating its impact on men, women, young men, young women, boys and boys;
- Ensure that SSR is based on a consultative process in which all participate equally, including representatives of women’s organisations;
- Ensuring that women and men are represented in the teams responsible for assessment, design, implementation, monitoring and evaluation of SSR policies.
VIII. THEMATIC UNIT:
UNITED NATIONS SECURITY COUNCIL RESOLUTION 1325 – WOMEN, PEACE AND SECURITY

OBJECTIVES

• Explain the content of United Nations Security Council Resolution 1325 - Women, Peace and Security. The focus of the training is that training participants familiarise themselves with the “3Ps” approach (Participation, Protection, Prevention)\textsuperscript{49}
• Explain why the “supporting” Resolutions 1820, 1888 and 1889, 1960, 2106 and 2122 are important

DESCRIPTION

Training on this subject should explain the importance of the UN Security Council Resolution 1325 - Women, Peace and Security, what makes it innovative and how it is relevant at the national level. Also, in addition to Resolution 1325, you should briefly explain the “supporting” Resolutions and why they are adopted. The training should comprise the lecture and an interactive part in which the participants will elaborate a given topic and discuss about it.

TRAINING INSTRUCTIONS

STEP 1:

Explain to the participants that this is a theoretical part of the training, but that it deals with the key international document which links the experience of women in conflict with maintenance of international peace and security. The Security Council Resolution 1325 emphasises the consequences and the impact of conflicts and armed conflict on women and girls and the importance of the role of women in peace-building and post-conflict recovery of a country. The Resolution is based on the UN Charter and adopted under Chapter VII, which means that it is binding upon all UN Member States without ratification by their parliaments. It was unanimously adopted in 2000 and it brings new provisions in the field of security and peace-building. It is important to emphasise that the Resolution

\textsuperscript{49} It is important to adjust the delivery of training to the target group, if they are professional soldiers they do not need 3Ps. However, they should understand why it is important that the Resolution is binding upon all UN Member States.
is significant because its provisions establish the right of women to an equal and full representation in all peace processes. For the implementation of UN SC Resolution 1325, in 2002, the Security Council called upon all Member States, civil society organisations and other relevant actors to develop strategies and action plans with objectives and deadlines for gender mainstreaming in peacekeeping operations and recovery and reconstruction programs.

Introduce the participants to the most important provisions of the UN SC Resolution 1325 - in more detail and in less detail to supporting resolutions 1820, 1888 and 1889, 1960, 2106 and 2122.

**STEP 2:**

Tell the participants that you would introduce them to the Resolutions and that their task would be to find in the wording of the Resolutions the parts that relate to the “3Ps” approach (protection, participation and prevention). Divide them into four groups. Give each group one of the Resolution: 1325, 1820, 1888, 1889, 1960, 2106 or 2122 in which they need to find “3Ps”.

**STEP 3:**

Once you have completed the work in groups, invite each group representative to briefly expose where in the content of the Resolution they found the parts concerning participation, protection, and prevention.

**STEP 4:**

Finally, discuss with the participants where and how they can implement the provisions of the Resolution in their daily work.

**SUGGESTIONS FOR INSTRUCTORS**

Gender Instructors should read the UN SC Resolution 1325 and the supporting resolutions and they need to know why they are significant. It is important to understand that the Resolution 1325 is a part of a long process of efforts to recognise women as protagonists and active participants in the conflict and post-conflict processes and to know to explain why these supporting resolutions are important.

**DURATION:** There is very little time for training on the Resolution 1325 within one-day training. However, given the significance of this topic, it is important to present it with at least one slide. This thematic unit should be given more time if the group that is being trained has completed the basic gender training or it is a target group for which it is important to address this in more detail. Recommended duration of the training, in this case, is 60 min.

**TEACHING AIDS**

Ppt, copies of the Resolution, flip chart.
## OVERVIEW OF THE TRAINING IMPLEMENTATION

<table>
<thead>
<tr>
<th>Time</th>
<th>Session part title</th>
<th>Objective</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 min</td>
<td>UN SC Resolutions</td>
<td>Familiarize the participants with the reasons for adoption of the resolutions and 3Ps approach</td>
<td>Instructors’ address (with a ppt presentation)</td>
</tr>
<tr>
<td></td>
<td>1325, 1820, 1888,</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1889, 1960, 2106 and 2122</td>
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<tr>
<td>35 min</td>
<td>UN SC Resolutions</td>
<td>Familiarize the participants with the resolutions in more detail</td>
<td>Work in groups</td>
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<tr>
<td></td>
<td>1325, 1820, 1888,</td>
<td></td>
<td>Presentation of group work</td>
</tr>
<tr>
<td></td>
<td>1889, 1960, 2106 and 2122</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 min</td>
<td>UN SC Resolutions</td>
<td>Ensure that the participants exchange views about where in their work they can implement certain provisions of the resolutions</td>
<td>Discussion</td>
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<tr>
<td></td>
<td>1325, 1820, 1888,</td>
<td></td>
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<tr>
<td></td>
<td>1889, 1960, 2106 and 2122</td>
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</table>
The United Nations Security Council Resolution 1325 - Women, Peace and Security was adopted unanimously on 31 October 2000, highlighting the consequenting impact of conflicts on women and girls and the importance of the role of women in peace-building and post-conflict recovery of a country. This is one of the most important UN resolutions in the field of peace and security policy and it is in accordance with previously adopted conventions related to women, peace and security. The Resolution is legally binding on all UN member states without the need for additional ratification.

Enabling women to play an active role in the security sector is essential for ensuring equal rights for women and men. The fact that men and women are both engaged in security sector institutions makes these institutions more efficient and allows them to promptly react to different security needs of women and men.

Reaffirming the importance of the role of women in prevention and resolution of conflicts and in peace-building, it emphasises the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, as well as the need to increase their role in decision-making concerning the prevention and resolution of conflicts.

Resolution 1325 is based on the “3Ps” approach - “Ps” are taken from the first letters of English words: Protection, Prevention, Participation. UNSC Resolution 1325 Women, Peace and Security provides recommendations on three topics: protection of women and girls, prevention of discrimination against women and girls, as well as participation of women and girls in decision making. It does not specify the content of the reforms, the manner in which they will be implemented or procedures needed to protect women and their right to participate. Countries are encouraged to precisely define these parts in their action plans.

The idea of using 3Ps approach to analyse the SCR 1325 stems from the following observations:

- In all above mentioned resolutions, the Security Council is obliged to prevent violent conflict, protect civilians and facilitate the participation of women in conflict prevention, conflict resolution and peace-building;
- The topics of these resolutions are interdependent and closely related;
- All resolutions put emphasis on conflict prevention, the participation of women and protection of civilians.

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CERTAIN PROVISIONS OF UN RESOLUTION SB 1325:51

THE SECURITY COUNCIL:

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. (In Article 1 of the Resolution, the Security Council says that governments need to increase the number of women involved in decision making at all levels of prevention, management and resolution of conflicts).

5. Expresses its willingness to incorporate gender perspective into peacekeeping operations and urges the Secretary-General to ensure that, where appropriate, field operations include a gender component (All aspects and all levels of peacekeeping operations should take into account the gender perspective, including political analysis, military operations, civilian police activities, helping the electorate, support to human rights, humanitarian assistance, including refugees and displaced persons, development and reconstruction activities and public information).

7. Urges Member States to increase their financial, technical and logistical support for gender-sensitive training efforts.

8. Calls on all actors involved, when negotiating and implementing peace agreements, to apply gender perspective, including, inter alia:
   (a) the special needs of women and girls during repatriation and resettlement and in rehabilitation, reintegration and post-conflict reconstruction;
   (b) Measures that support local women’s peace initiatives and indigenous processes for conflict resolution, and that involve women in all implementation mechanisms of the peace agreements;
   (c) measures to ensure the protection and respect of human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary.

9. Calls upon all countries participating in armed conflicts to fully respect international law applicable to the rights and protection of women and girls, especially as civilians. This article of the Resolution invokes a set of international documents such as the 1949 Geneva Convention, the 1951 Convention relating to the Status of Refugees, the 1979 Convention on the Elimination of All Forms of Discrimination against Women, the 1989 Convention for the Protection of the Rights of the Child and the provisions of the Rome Statute and the International Criminal Court.

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10. Calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual violence and all other forms of violence in situations of armed conflict.

11. Emphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes, including those relating to sexual violence against women and girls, and, in this regard, stresses the need to exclude these crimes, where feasible from amnesty provisions.

13. Encourages all those involved in the planning of disarmament, demobilisation and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants.

SUPPORTING RESOLUTIONS.\(^{52}\)

Resolution 1820 (2008)

became the first resolution to recognise sexual violence as a tactic of war, either when used systematically to achieve military or political ends, or when opportunistic and arising from the culture of impunity. The Resolution identifies sexual violence as a matter of international peace and security that necessitates a security response. It recognises that such acts can exacerbate situations of armed conflict and impede restauration of peace and security. The Resolution further notes that rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or genocide-related act.

Resolution 1888 (2009)

strengthens Resolution 1820 by recognising the role of leadership, civilian and military, in the prevention of sexual violence, through the appointment of the High Representative of the UN Secretary-General on Sexual Violence in Conflict. The Resolution demands the development of expert knowledge, deploying expertise and importance of improving coordination among stakeholders involved in resolving conflicts related to sexual violence. In addition, the Resolution seeks the appointment of advisors for the protection of women in multinational operations.

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Resolution 1889 (2009)

stresses the need to strengthen the implementation and monitoring of Resolution 1325. It calls for the establishment of global indicators, reiterates the mandate for increasing women’s participation and reinforces calls for mainstreaming gender perspectives in all decision-making processes, especially in early stages of post-conflict peace-building.

Resolution 1960 (2010)

provides an accountability system for addressing and stopping sexual violence in conflict. The Resolution requires lists of perpetrators to be kept as well as annual reports on parties suspected of committing or being responsible for sexual violence. The Resolution stipulates strategic, coordinated and timely collection of information for the purposes of briefings to the Security Council on conflict-related sexual violence, and calls on all states to establish specific time-bound commitments to address the issue.

Resolution 2106 (2013)

adds greater operational details to previous resolutions on this subject, and reiterates that all stakeholders, including not only the Security Council and the parties to armed conflict, but all UN member states, must do more to implement previous mandates and combat impunity for these crimes.

Resolution 2122 (2013)

sets in place stronger measures to enable women to participate in post-conflict recovery, and puts the onus on the Security Council, the United Nations, regional organizations and Member States to dismantle the barriers, create the space and provide seats for women at the negotiating table. The Resolution positions gender equality and women’s empowerment as critical to international peace and security, underlining that women’s economic empowerment greatly contributes to the stabilising societies emerging from conflict. It also sets out the need for humanitarian aid to ensure access to the full range of sexual and reproductive health services including for pregnancies resulting from rape.
THEMATIC UNIT: NATIONAL ACTION PLAN TO IMPLEMENT THE UN SECURITY COUNCIL RESOLUTION 1325 – WOMEN, PEACE AND SECURITY IN REPUBLIC OF SERBIA

OBJECTIVE

- Familiarise the participants with the National Action Plan to Implement the United Nations Security Council Resolution 1325 - Women, Peace and Security in the Republic of Serbia (2010 - 2015) which contains operational guidelines for the implementation of the UN SC Resolution 1325 at the national level.

DESCRIPTION

Explain why the National Action Plan (NAP) to implement the United Nations Security Council Resolution 1325 - Women, Peace and Security in the Republic of Serbia (2010 - 2015) is relevant for the MoD and SAF. It is necessary to explain the process of drafting the NAP, the objectives of the NAP, which areas it covers, the institutions responsible for the implementation and how the implementation of the NAP is monitored. As an example, Instructors can specify the activities implemented through the MoD and SAF regional project which contribute to the implementation of the NAP (e.g. Training of instructors who deliver gender training in the MoD, thus raising employees’ awareness on gender equality).

TRAINING INSTRUCTIONS

STEP 1:

Explain to the participants that this is a theoretical part of the training and that it deals with the key national document for the implementation of UN SC Resolution 1325. Familiarise the participants with the objectives of the NAP development process and the institutions that are responsible for the implementation and monitoring of the realisation of the NAP. In case of one-day training, then the presentation of the NAP should not be extended further. In case the training intended for a group that needs to have a deeper understanding of the NAP, the training should continue as described in the following steps.
STEP 2:
Tell the participants that now they will have an opportunity to learn more about the NAP and that they will be asked to find the parts of it that relate to, for example, education, protection of women, information etc. Choose a topic that is relevant to the training target group. Divide the participants into smaller groups and give each one a topic from the NAP.

STEP 3:
Once you have completed the work in groups, ask each group’s representative to briefly expose the topic of the NAP that the group analysed.

STEP 4:
At the end of this unit, discuss with the participants where they could implement, in their daily work, the elements of the NAP that they read and listened about during the training.

SUGGESTIONS FOR INSTRUCTORS

Gender Instructors should be thoroughly familiarised with the National Action Plan in order to explain to the training participants how they can contribute to the implementation of the NAP.

TEACHING AIDS

National Action Plan (NAP), flip chart, ppt.

DURATION: There is very little time for the NAP training within a day-long training, and considering that it is important to present the NAP, this can be done by presenting the basic facts about the NAP in a single slide. This thematic unit should be given more time if a group that is being trained has completed the basic gender training or it is a target group for which it is important to address this unit in more detail (officers in command posts). Recommended duration of the training, in this case, is 60 min.
## OVERVIEW OF THE TRAINING IMPLEMENTATION (FOR ADVANCED GROUPS)

<table>
<thead>
<tr>
<th>Time</th>
<th>Session part title</th>
<th>Objective</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>15 min</td>
<td>National Action Plan for implementation of UN SCR 1325</td>
<td>Familiarise the participants with the NAP content</td>
<td>Instructors’ address (with a presentation)</td>
</tr>
<tr>
<td>35 min</td>
<td>National Action Plan for implementation of UN SCR 1325</td>
<td>Familiarise the participants with the NAP content in more detail</td>
<td>Work in groups</td>
</tr>
<tr>
<td>(15+20)</td>
<td></td>
<td></td>
<td>Presentation of group work</td>
</tr>
<tr>
<td>10 min</td>
<td>National Action Plan for implementation of UN SCR 1325</td>
<td>Ensure that the participants exchange views about where in their work they can apply the NAP and/or how they can contribute to the realisation of certain activities defined in the NAP</td>
<td>Discussion</td>
</tr>
</tbody>
</table>
Taking the initiative to integrate gender perspective into security sector reform is not just a question of compliance with the international obligations concerning security and gender-related matters, but also the matter of operational efficiency.

National Action Plans are documents of UN Member States’ governments, which include operational guidelines for the implementation of UN SC Resolution 1325 at the national level. The basic principles, objectives and commitments contained in the National Action Plan on UN SCR 1325 start from human security, gender equality, respect and promotion of human rights of women which are laid down in the adopted national and international documents.

The adoption of the Law on Gender Equality and Law on the Prevention of Discrimination in the National Assembly of the Republic of Serbia in 2009 completed the legal and institutional framework for equal participation of women in all sectors of society, which are constitutionally guaranteed rights. The Constitution of the Republic of Serbia guarantees the equality of women and men, prohibits any form of direct or indirect discrimination based on sex and establishes the possibility of introducing special measures whose purpose is to build the preconditions for achieving full equality of individuals or group of individuals who are in a substantially unequal position as compared to other citizens (Article 15 and Article 21, paragraph 4 of the Constitution).

The Decision of the Government of the Republic of Serbia dated 24 June 2010 established a multi-sectoral Working Group for drafting the National Action Plan of the Republic of Serbia to implement the UN SC Resolution 1325 (1325 NAP). This Decision stipulates that the Ministry of Defence provides professional, administrative and technical support to the Working Group of the Government. The document was drafted in the framework of the Department of Strategic Planning of the Ministry of Defence. Working Team to draft 1325 NAP, in extended composition, in addition to the Defence Ministry members, also includes representatives of other relevant ministries, civil society organisations, academia and international organisations. The National Action Plan to Implement the UN SCR 1325 in the Republic of Serbia was adopted on 23 December 2010.

The NAP defines the role of women in the security sector and reinforces their position as equal participants in the sector. The ultimate goal to be achieved by this document is to raise the visibility of women in the security sector, increasing their involvement in the peace process, process of reform of this segment of society, as well as to increase their contribution to the implementation of gender equality.

The NAP comprises seven areas that define the general objectives, specific objectives, activities, stakeholders and timeframe.

**Institutions** - the establishment and functioning of institutional mechanisms for the implementation of the National Action Plan; **representation** - to increase women’s representation in the security sector and
their impact on issues relating to the status of women, peace and security; decision-making - to increase women's participation and influence on decision-making in the defence and security sector; inclusion - increased participation of women in conflict resolution, post-conflict situations, as well as in multinational operations; protection - the use of instruments of legal protection of women; education - education and training of the security sector members and media - providing media support for the objectives of the National Action Plan.  

The following section, which gives a more detailed view of the NAP, also lists some activities carried out in the context of the specific objectives of the NAP from 2010 to and including July 2015 (since at this time the work on the draft Manual was completed).

I. INSTITUTIONS – FORMING AND FUNCTIONING OF INSTITUTIONAL MECHANISMS FOR THE IMPLEMENTATION OF THE NATIONAL ACTION PLAN

INSTITUTIONAL BODIES

The Political Council for the implementation of the National Action Plan is a political body made up of state secretaries, chairmen of parliamentary committees and heads of gender equality mechanisms. This body functions to ensure that political conditions are in place for realisation of the goals and activities of the National Action Plan on the basis of the UN SC Resolution 1325 in the Republic of Serbia, report once a year to the Government of the Republic of Serbia and the National Assembly of the Republic of Serbia on the results of the implementation of the National Action Plan and, when required, participate in conferences of international importance in connection with UN SC Resolution 1325.

The Political Council was established on the basis of Conclusion of the Government of the Republic of Serbia dated 13 October 2011. The Conclusion of the Government appointed 12 representatives of ministries/administrations/Government agencies responsible for the implementation of the NAP as members of the Political Council while the Ministry of Defence was appointed to provide professional, administrative and technical support to the said body.
The Multisectoral Coordination Body for Implementation of the National Action Plan is the operational body of the Government of the Republic of Serbia that ensures the realisation of the National Action Plan objectives and tasks. It comprises representatives of the ministries responsible for specific activities envisaged under the National Action Plan, which are directly in charge of the implementation of UN SC Resolution 1325 in their ministries. The Multisectoral Coordination Body was formed under the Government Conclusion dated 13 October 2011 and it consists of 15 members.

The Commission Monitoring the Execution of the National Action Plan is an oversight mechanism for the implementation of the National Action Plan, which was established by the National Assembly of the Republic of Serbia on 12 February 2013. The Commission consists of six members who are representatives of the competent committees of the National Assembly of the Republic of Serbia and gender equality mechanisms.

The Analytical Groups or Research Teams in the relevant ministries/directorates/agencies in the security sector are responsible for monitoring, annual planning and initiating the practical enforcement of the National Action Plan, determining statistical and other indicators on the implementation of the National Action Plan on the basis of the established indicators, contained in the annex to the National Action Plan. The Analytical Group is the first institutional body for the implementation of the National Action Plan which was formed on 31 May 2011 in the Republic of Serbia. The Analytical group of MoD and SAF is composed of 22 members from 17 organisational units of the Ministry of Defence and the Serbian Armed Forces. Biannual reports on the implementation of tasks within the jurisdiction of the Analytical Group are available at the Ministry of Defence website (http://www.mod.gov.rs/sadrzaj.php?id_sadrzaja=4352) and are recommended for Instructors as a good way to gain insight into the current situation concerning the implementation of the MoD and SAF activities for the execution of the NAP.

GENDER EQUALITY MECHANISMS

Gender Advisor to the Minister/Director is a mechanism for the integration of the gender perspective into the policies and programs of the Ministry of Defence, Ministry of Interior, Ministry of Finance - Customs Administration and the Security Information Agency. In the Ministry of Defence, the post of Gender Advisor was established by the Minister of Defence in 2012.54 The appointed Gender Advisor to the Minister of Defence carries out the tasks defined in the National Action Plan and initiatives towards an active gender equality culture.
mainstreaming in the defence system. In accordance with paragraphs 3 and 9 of the Instructions on the Selection and Function of the “Trustworthy Persons”, the Advisor receives regular biannual reports from “Persons of Trust”, which contribute to gaining a broader picture of the situation concerning gender equality in the defence system.

“Trustworthy Person” is a person who provides primary peer assistance in the form of counselling, mediation and undertaking measures to address specific gender equality matters. “Trustworthy Person”, shall be elected by secret ballot for every 60 employees, i.e. one person is elected for one organisational unit (e.g. at the level of administration, department, brigade, etc.) of a ministry/directorate/agency. The system of “Trustworthy Person” was established in the MoD and SAF in 2013 when 210 representatives of the MoD and SAF members were selected for this duty. Instruction on the Selection and Function of the “Trustworthy Person”, which was published in the “Official Military Gazette” number 25/13, lays down the intended tasks of a “Trustworthy Person”. In addressing the specific controversial issues in the field of gender equality and discrimination, “Trustworthy Person” will conduct direct interviews, offer advice, mediation and take concrete measures, at the request of the person who approaches him/her for help or on their own initiative when he/she observes a specific aspect in relation to gender equality.

REPRESENTATION - INCREASING THE REPRESENTATION OF WOMEN AND THEIR IMPACT ON ISSUES RELATED TO PEACE AND SECURITY

In September 2010, for the needs of the NAP an analysis of representation of women in the MoD and SAF was conducted in the Strategic Planning Department, Defence Policy Sector of the Ministry of Defence, and it constitutes the starting point for a comparative gender analysis which is conducted as a planned activity regularly twice a year as of 2011.

The results of gender analysis carried out in April 2015 show that the representation of women in the MoD and SAF was 19.42% compared to the total number of employees in the MoD and SAF. In the period from 1 October 2014 to 1 April 2015, there was an increase in representation of women in the MoD and SAF in the category of professional army staff (hereinafter referred to as PAS) and a reduction in the representation of women in the category of civilian staff (hereinafter CS). Representation of women in the MoD and SAF in the category of PAS, according to data from April 1, 2015, amounts to 0.649% of officers, 0.164% NCOs and 3.035% professional soldiers. This increase is primarily due to the admission of female professional soldiers in the units of the Serbian Armed Forces.\textsuperscript{55}

In relation to the total number of employees in the MoD and SAF (according to the MoD analysis from April 2015), the representation of women in managerial/command positions totals in 1.98%, most of whom hold mid-management positions, while very few occupy high and very high posts. According to the Human Resources Department (J-1) of the Serbian Armed Forces General Staff, a low representation of women in managerial/command positions is a direct consequence of the structure of the Serbian Armed Forces in which almost all managerial/command positions are filled by officers and non-commissioned officers, as well as an insufficient number of women with senior ranks with the necessary qualifications or years of service in the Serbian Armed Forces for the appointment to higher military positions. The structure of ranks that women in the Serbian Armed Forces hold, indicates that this number will increase over time, in line with female candidates meeting the requirements for the appointment to senior management/command positions, since the majority of women officers now hold second lieutenant’s rank (0.397% of the total number of persons in this category), sergeant’s rank in the NCOs category (0.073% of the total number of persons of this category), and lance corporal’s rank in the category of professional soldiers (1.946% of the total number of persons in this category).

In the period from 2011 to 2013, in its work on the implementation of the National Action Plan, the Ministry of Defence established effective partnerships between institutional bodies and gender equality mechanisms with civil society organisations, the media, and the academic community. It also developed significant inter-
national cooperation with the OSCE Mission in Serbia, UN Women, UNDP SEESAC, NATO (PfP), the Nordic Centre for Gender in Military Operations in Sweden, the Gender Equality Observatory in the Kingdom of Spain, the Ohio Army National Guard in the United States, the RACVIAC - Centre for Security Cooperation, the Peace Support Operations Training Centre in Sarajevo etc. As a result of the said cooperation, projects, conferences, seminars, training courses, study visits have been implemented thus enabling the defence system members to become actively involved in the implementation of the gender perspective in the defence system.

Since the adoption of the NAP, the share of women in the MoD and SAF in multinational operations has increased, thanks to the participation of six women in the military duties in the UNIFIL in the Republic of Lebanon, as well as ten women in the UN multinational operations in the Republic of Cyprus. In October 2013, a woman officer from the Republic of Serbia was deployed for the first time in multinational operations, as part of AMET under the auspices of the UN in the Democratic Republic of Congo. Formally, there are no obstacles for women to apply in the competitions for participation in multinational operations, nor for entering and completing vocational training. Currently, there are no persons engaged on gender equality matters in multinational operations involving military and civilian personnel of the Serbian Armed Forces. Also, due to still a rather small number of members of the Serbian Armed Forces in multinational operations, there is no mechanism of gender advisor/counsellor to the national contingent commander in peacekeeping operations.

PROTECTION - THE USE OF INSTRUMENTS FOR THE LEGAL PROTECTION OF WOMEN

Given the fact that the MoD did not have a coordinated and planned record-keeping and statistics related to gender-based discrimination, violence and protection of women, upon the proposal of the MoD and SAF Analytical Group, starting from 2012, the Department for Tradition, Standards and Morale within the Human Resources Sector of the Ministry of Defence has stated keeping and updating gender-responsive records on registered cases of gender discrimination and mobbing at work in the MoD and SAF.

In 2012, first trade union organisations were formed, and the MoD and SAF Analytical Group initiated greater representation of women in them and forming of a forum or women’s groups in the existing trade union organisations. Professional associations currently do not operate in the MoD and SAF and therefore there are no women’s associations as per vocational background.
Military education of the members of the Ministry of Defence and the Serbian Armed Forces at all levels is formally open to women, including the Military High School, Military Academy, Faculty of Medicine, Military Medical Academy, Command and Staff Course and General Staff Course.

Gender training of all employees of the MoD and SAF is carried out as planned, starting from 2012, as per Instructions for the Training of Members of the Ministry of Defence and the Serbian Armed Forces for the current year.

Within the regional project Strengthening of Regional Cooperation on Gender Mainstreaming in Security Sector Reform in the Western Balkans, the MoD representatives and SAF members completed two regional training courses of gender equality instructors. As a result of the first regional training organised in March 2014, a regional network of certified Gender Instructors trained by the Nordic Centre for Gender in Military Operations (NATO accredited centre for training in the field of gender equality NCGM - SWEDINT) was formed. After the second regional training in 2015, a regional network was expanded to include thirty-three NCGM-certified Instructors. The MoD and SAF have fifteen certified Gender Instructors in the regional network, most of whom were trained in the two regional training courses organised within the project. Gender Instructors create and provide training for different target groups in the defence system and advocate and implement gender perspective in their daily work.

From March 2014 to July 2015, Gender Instructors in the Ministry of Defence and the Serbian Armed Forces trained 749 officers, NCOs, soldiers and civilians.

At the Military Academy in 2014 and 2015, with the support of UNDP SEESAC, basic and advanced training for cadets and a seminar for teaching staff of the Military Academy on the subject of gender equality were carried out. In early 2015, in the National Defence School, UNDP SEESAC, in cooperation with NCGM, organised a gender equality seminar for 35 officers attending the General Staff Course.

As of 2011, the Ministry of Defence has organised gender training in cooperation with international organisations. The Joint Operations Command Peacekeeping Operations Centre of the Serbian Armed Forces, has, for four consecutive years, provided the training course “Gender in Multinational Operations” (with the support of UN Women in 2012 and 2013, independently in 2014, and in 2015 with the support of UNDP SEESAC).
Public Relations Department regularly enhances the campaigns to encourage the admission of cadets in the Military Academy, Medical Faculty of the Military Medical Academy and in the professional army service and promote activities related to gender equality. Publications and research results have been promoted in the media, as well as international visits and meetings of institutional bodies for the execution of the NAP to implement the UN SC Resolution 1325, along with national and international conferences dedicated to gender equality matters.

The Ministry of Defence, in cooperation with UNDP SEESAC has held in Belgrade a two-day training on gender responsive reporting for journalists and editors of the magazine “Odbrana” (Defence), public relations officers, as well as persons in the MoD and SAF, who, in line with their primary duties, perform such tasks in this field. The training courses were organised for 40 MoD representatives and SAF members in 2014 and 2015.
THEMATIC UNIT: “WHAT WE CAN DO TO ADVANCE GENDER EQUALITY IN THE MINISTRY OF DEFENCE AND THE SERBIAN ARMED FORCES”

OBJECTIVES

- Ensure that the participants understand that representatives of the MoD and SAF should contribute to the achievement and advancement of gender equality
- Ensure that the participants learn how to recognise and prevent gender equality violations and various forms of gender-based discrimination in their daily work in the unit (in the country, in international exercises and in a multi-national operations)
- Ensure that the participants understand the importance of gender equality and its impact on improving operational and functional abilities of the MoD and SAF.

DESCRIPTION

Training on this topic should include practical examples that will contribute to the understanding of how gender equality is achieved in daily work and how gender equality affects the work of employees in the MoD and SAF. The emphasis is on the practical aspect of gender equality in the system, and it is important that the examples given show that gender equality is important both in terms of respect for democratic principles, and in terms of contribution to more efficient functioning of the defence system. Also, it should be noted that each representative of the Ministry of Defence and officer of the Serbian Armed Forces should contribute to the achievement of gender equality and that this is not just the task of gender equality mechanisms; instead, we all need to contribute to the implementation of state policies, strategy and legislation concerning gender equality. Training should be interactive, i.e. based on group work and discussion. Instructors should prepare examples tailored to the target group needs. Examples listed in the Manual should serve as a model of examples that Instructors should present in the training.
TRAINING INSTRUCTIONS

STEP 1:

Tell the participants that during the training on this topic they will learn how to recognise and prevent various types of gender equality violation and various forms of discrimination that occur or may occur in the MoD and SAF. Using a ppt presentation, show examples of gender equality violations. Examples should be based on practical examples from the SAF but in such a manner that they do not reveal the identity of a person or cite cases from the practice of the Commissioner for the Protection of Equality.

STEP 2:

Divide the participants into smaller working groups (4 to 5 persons per group), give each group an example of gender equality violation suited to one of the missions of the Serbian Armed Forces from everyday work in the unit and inform them that they have 20 minutes to discuss and resolve the problem within their group. At the end of the exercise, a representative of each group will elaborate on the example discussed by his/her working groups and present any solutions the group has arrived at in the discussion.

STEP 3:

For this exercise, again divide the participants into smaller groups according to the organisational units of the MoD or SAF they belong to. Each group should be given an exercise to define the activities that will contribute to gender equality and which they can implement in their organisational unit in accordance with the recommendations of the study on the Position of Women in the Armed Forces in the Western Balkans. The recommendations are listed in the worksheet accompanying this thematic unit. The recommendations aim to increase the representation of women in the armed forces of the Western Balkans, and in particular in decision-making, creating and implementing policies. The aim of the exercise is that each group defines concrete activities for the implementation of some of the recommendations, which training participants will be able to implement in their institution/organisational unit or in their daily work. The results of this exercise should be enforced in practice, which should be stressed to the training participants.

56 The missions of the Serbian Armed Forces: 1) Defence of the Republic of Serbia from external armed threats; 2) participation in building and maintaining peace in the region and the world; and 3) support to civil authorities in countering security threats. Taken from the Defence Strategy of the Republic of Serbia.
RECOMMENDATIONS

Recommendations have been developed by the Ministries of Defence of Bosnia and Herzegovina, Montenegro, Republic of Serbia and former Yugoslav Republic of Macedonia in the Study on the Position of Women in the Armed Forces in the Western Balkans.

MAIN OBJECTIVE

To continuously work on increasing the representation of women in the armed forces in the Western Balkans and in particular in decision-making, creating and implementing policies.

1. Develop, adopt and implement a long-term strategic approach in order to increase the number of qualified female candidates for the armed forces.

2. Appoint, train and continuously support persons in charge of gender-related matters and precisely define their role and scope of activities at various levels in the armed forces.

3. In order to improve capacity for gender-sensitive management of personnel:
   a) improve the capacity to keep gender-sensitive statistics;
   b) improve human resources’ databases;
   c) provide quantitative and qualitative gender-sensitive monitoring of career development and staff turnover, as well as adequate regulation of the collection, dissemination and analysis of these data.

4. Increase the representation of women in professional training and education by encouraging decision-makers to identify and refer qualified women, as well as by encouraging women to apply.

5. Adapt the infrastructure, equipment, uniforms to the working conditions so as to suite the women’s needs.

57 The Position of Women in the Armed Forces in the Western Balkans, United Nations Development Programme (UNDP), Belgrade, 2014
6. Improve measures for creating a work-life balance.

7. Encourage victims to report gender discrimination and sexual harassment, and strengthen response mechanisms and protection.

8. Systematically integrate gender equality throughout the training and education system.

9. Introduce gender-sensitive language and promote its use.

10. Encourage and train women to participate in multinational operations.

11. Continue and strengthen regional cooperation of gender equality mechanisms of the MoDs in the Western Balkans.
SUGGESTIONS FOR INSTRUCTORS

It is very important that Instructors gather examples from the MoD and SAF and present them during the training. Participants will expect very concrete practical examples, which can serve as the basis to realistically analyse the problems and find solutions. Also, examples need to be adjusted to the target group. If none of the participants are deployed in multinational operations, there is no reason to give more than one example in this area.

TEACHING AIDS

Materials with examples, flip chart.

DURATION: 60 minutes.

OVERVIEW OF THE TRAINING IMPLEMENTATION

<table>
<thead>
<tr>
<th>Time</th>
<th>Session part title</th>
<th>Objective</th>
<th>Method</th>
</tr>
</thead>
<tbody>
<tr>
<td>10 min</td>
<td>Gender equality in SAF units (examples from SAF)</td>
<td>Ensure that the participants learn how to recognise and prevent violation of gender equality</td>
<td>Instructors’ address</td>
</tr>
<tr>
<td>20 min</td>
<td>Violation of gender equality and examples of discrimination that may occur in everyday work</td>
<td>Ensure that participants learn through examples where gender equality is violated in everyday work.</td>
<td>Work in small groups</td>
</tr>
<tr>
<td>30 min</td>
<td></td>
<td></td>
<td>Presentation of work in small groups and joint discussion</td>
</tr>
</tbody>
</table>
EXAMPLES FOR DISCUSSION:

I. Examples from the Serbian Armed Forces’ everyday work:

EXAMPLE 1

A female member of the Serbian Armed Forces, a professional soldier, has been deployed to the Unit of 152 mm NORA howitzer as a crew member. Her commander reassigns her from this post to the post in the HQ that involves writing daily routine orders and cleaning offices, with an explanation that the job of a crew member is too hard for her and that she should not exhaust herself. Do you think that discrimination occurred in this case?

ANSWER

This is a case of sex-based discrimination, on the grounds of gender prejudice that women are a “weaker sex” and that they should perform tasks “appropriate to women”, including cleaning, which is a women’s “natural” duty. At the same time, this is an example of structural discrimination because the commander acted in accordance with generally accepted social norms.

EXAMPLE 2

During the field training of the Military Academy cadets, one of the squads was made up of five male and three female cadets. They were tasked to carry out a 20 km march, in order to execute the raid on the enemy, whereby when determining the length of the march/route it was taken into account that the route should be adapted to the physical abilities of male and female cadets. After 12 km, the commander of the squad ordered the cadets to help female cadets with equipment (to take a combat backpack and weaponry), because some female cadets had begun to complain that they could no longer keep the pace and that they would not be able to finish the march. Do you think that the commander acted incorrectly when he asked the male cadets to help female cadets?

ANSWER

The commander did not act incorrectly when he made the decision that assistance should be given to the female cadets. There are situations when female and/or male cadets will need help from another team member to complete
an assignment. Therefore, should a situation arise wherein a female or a male member needs help, it is acceptable for another team member to extend that help as they all jointly work toward completion of a common goal.

**EXAMPLE 3**

A female member of the Serbian Armed Forces is exempted from morning exercise her unit does outdoors in a rainy weather. The unit commander believes that she should not do the exercises because she could get sick if she gets wet. Do you think that this is a case of unequal treatment in relation to other members of the unit?

**ANSWER**

In this case, a member of the Serbian Armed Forces is unjustifiably privileged as compared to other unit members. Morning exercises in the rain pose a health hazard for both women and men. Therefore, the view that a female member of the Serbian Armed Forces should not do morning exercises outdoors when the weather is rainy, even if she does not ask to be exempted, constitutes discrimination on the grounds of the prejudice that women are “weaker/gentler sex” and that they should be protected, which is men’s role. In this case, this role was taken over by the unit commander.

**EXAMPLE 4**

A commander comments on the appearance of a female soldier from his squad by frequently praising her appearance. When the female soldier brings to her commander’s attention the fact that she does not like his comments, he responds that he had no bad intentions and that she should be happy to be beautiful and to receive compliments. Do you think that this behaviour of the commander is discriminatory?

**ANSWER**

This is an example of verbal sexual harassment. Sexual harassment includes any unwelcome verbal, non-verbal or physical act of a sexual nature, committed with the intention or effect of injury upon personal dignity, creating an intimidating, hostile, degrading or offensive environment based on sex (Art. 10 paragraphs 7 of the Law on Gender Equality). Accordingly, sexual harassment includes a wide range of actions, such as personal remarks, scolding, rude comments about an employee’s sex, body parts, clothes, telling jokes with sexual content, sexual advice and solicitation, etc.

What leads us to the conclusion that this is a case of sexual harassment is the fact that the comments on the female soldier’s appearance were frequent and that the female soldier expressed her disapproval, which indicates that they had resulted in a violation of her personal dignity. On the other hand, it is neces-
necessary to bear in mind that with this form of discrimination, as well as with all other forms, motives of the discriminator legally make no difference, as well as whether he intended to discriminate against; discrimination can be occur even when a discriminator acts in good faith.

**EXAMPLE 5**

In an Operational level Unit, eight men and two women are employed in a Department/Section. Their building is 1 kilometre away from the Main building. In its composition they have no post of a courier who would be in charge of the office correspondence, so they have to do the receipt and delivery of mail to the main building themselves. The Head of Section orders one of the female members to, in addition to her regular duties, be also in charge of bringing and taking office correspondence, which takes place four times a day. She refuses to do so because she believes that this constitutes mobbing. Do you think that this is a case of mobbing?

**ANSWER**

This is not a case of mobbing.

Pursuant to the Law on the Prevention of Harassment at Workplace (Article 6, paragraph 1), mobbing at work is “any active or passive behaviour at work against an employee or group of employees, which is repeated, and aimed at or constitutes violation of dignity, reputation, personal and professional integrity, health, the status of the employee and which induces fear or creates a hostile, humiliating or offensive environment, deteriorates working conditions or results in the isolation of the employee or leads the employee to terminate contract of employment or another type of contract upon initiative.“

Unlike discrimination, mobbing is “a non-specific form of harassment” because it is executed by behaviour which is repeated, wherein actions by which it is manifested can be very varied; mobbing is usually not based on a personal characteristic, and its aim is to discredit a person, intimidate and/or to entice a person to terminate their employment contract.

In this case, the Head’s order cannot be qualified as mobbing, because this is not behaviour that is repeated nor is the order aimed to, i.e. it does not objectively cause consequences that are described in Art. 6, paragraph 1 of the Law on the Prevention of Harassment at Workplace.
II. Examples in connection with the provision of support in emergency situations caused by natural disasters

EXAMPLE 1
During the floods in the Republic of Serbia in 2014, in addition to members of the Ministry of Defence, the Serbian Armed Forces and the Ministry of Interior, it was necessary to also engage working age population to defend a vulnerable city in the Republic of Serbia. Emergency Situations Headquarters called on all able-bodied men to urgently respond and help in the defence against floods. Women also responded to this request, but representatives of security institutions did not allow them to enter the city and take part in the defence against floods, which caused a lot of resentment among them. This example confirms that gender equality affects a rational use of human resources (women, not just men, are also able to contribute to city defence) which affects efficiency of the support provided in an emergency.

EXAMPLE 2
There are other positive examples. During the floods in autumn 2014, both male and female members of the Serbian Armed Forces were deployed to assist the population of the Eastern part of Serbia (villages Tekija, Kazanski potok, Boljetin and Milutinovac), whose households were devastated by floods. Media published many stories about the involvement of female members of the Army in eliminating the consequences of floods, which received a positive publicity in public. These examples show that integration of gender perspectives in the MoD and Serbian Armed Forces contributes to the system efficiency. In order for this to become part of everyday practice, it is necessary to introduce gender perspective into military training and officer training and education, as well as in the processes of planning and implementation, and appoint an Gender Adviser and Coordinator in the Serbian Armed Forces.

III. Examples from multinational operations

EXAMPLE 1
Gender analysis of patrols carried out by male and female members of the peacekeeping mission in Afghanistan revealed that for months, the patrolling had been conducted only on the main roads, where in certain areas the movement of women was prohibited. After patrol plans were changed to include smaller roads...

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58 Examples included in the Manual were suggested by Gender Trainers of the MoD and SAF who participated in its drafting.
and side roads into the patrols, as well as small local markets frequented by women, the patrol came across women who were willing to talk to them. The conversation revealed that in the next days 14 weddings would be organised with over 600 people who would be moving along the main road which is used to supply the military component of the peacekeeping operation.

The change of plan led to the information on a subject that is usually not present in men talks, because this is traditionally the subject of conversation among women. Timely obtaining of such information made it possible to make a different plan of routine activities to supply military contingents, by finding alternative supply routes.

Based on the above case, you should indicate to the participants the following essential aspects in planning the implementation of peacekeeping operations patrol:

- Use mixed teams to talk with men and women during the collection of information because in some cultures it is not allowed for men to address women. At the same time, it is important to use female interpreters in conversations with the local women.
- Match the patrol routes and times to the needs of local women and men.
- Observe movement habits of the local population (including women and girls) to make sure that patrol plans ensure maximum protection of civilians.
- Plan and implement foot patrols along smaller and side roads used by women and girls.
- Prepare gender sensitive reports that need to analyse differences in security risks faced by women and men. The reports should include data on the number of sexual violence cases and their resolution.
- Increase the number of mixed patrols in the areas with a large number of cases of violence.
- If we want a piece of information to reach quickly all the structures of the local population, giving such information to local women is most likely to meet our expectations.
- When we want to have a meeting, we must take into account the way of life of the local population. For example, a meeting in the morning may be inappropriate because local people work in the field in the morning. Meetings late in the evening may be inappropriate due to the unsafe movement of the participants to the meeting point etc.

EXAMPLE 2

In the process of planning the construction of a bridge in Afghanistan, the Chief of Staff discussed with the members of the multinational command headquarters the importance of building a bridge and, above all, how important it is for the local people, for their supplies and transport. Gender Adviser raised the following issues that all attendees of the meeting thought were redundant at first, but after discussions realised that the questions gave answers to some issues that they had not reflected upon:
• “Who is the bridge intended for”? The attendees’ answer was obvious - for the local population.
• “Men or women”? The attendees responded - naturally, for everyone.
• “Who traditionally drives motor vehicles”? The answer soon came - that would be men.
• “Are you planning to also build sidewalks or just a driveway on the bridge?” Until that moment no one had thought of constructing sidewalks.

Due to the failure to consider the needs of the local population from the gender point of view, the original project would take into account primarily the needs of men, whereas in terms of women, it would compromise their security, bearing in mind that they would have to use a driveway to cross the bridge. In both cases it is obvious how important it is to include gender perspective in the planning and implementation of daily activities which, in addition to savings and the rational use of the resources available, directly affect safety and security issues.

EXAMPLE 3

During peacekeeping operations in Afghanistan, it was important that all participants in the operations drink large amounts of water daily to prevent dehydration which often occurs in Afghanistan’s climate. It happened that several female members of the peacekeeping contingent ignored the rule, which resulted in a tragic outcome - they died due to dehydration.

The investigation revealed that this group of women stopped drinking water in the afternoon, in order not to have to use the toilet facilities at night. The toilets were outside the dormitory, in the unlit part of the camp. Several female members of peacekeeping operations who had used the toilet during the night were raped but had not reported the rape. They thought that the solution would be to refrain from drinking water in the afternoon so as not to have to go to the toilet after they go to sleep. This example shows how important it is to have, within a military organisation, mechanisms of protection from sexual violence, that sexual violence is reported, and most severely sanctioned.
GENERAL SUGGESTIONS
FOR INSTRUCTORS

A successful and sustainable gender training requires support and approval of the commanding staff. An example of good practice is for the members of commanding staff to open or close gender training by delivering an opening address, etc. In this manner, participants get a clear message that the commanding staff sees gender training as important. It is therefore essential to provide gender training for commanding staff.

Gender Instructors often have to overcome the resistance of the trainees and their colleagues to a specific topic. The point is to show to the participants how understanding of the gender perspective will make them better in their daily work. Setting clear objectives when it comes to gender training is an important factor in the successful fight against sceptical thinking and in achieving the expected results. Training objectives must not be set too generally, but it is necessary to introduce new practical skills that participants will acquire during the gender training. Concurrently, a useful practical example should also draw attention to what it would actually cost us to ignore gender, in terms of the organizational productivity, creating a work environment free of any form of discrimination, consideration of the different needs from different angles and aspects and so on.

It is essential to emphasise to the participants that gender training does not concern only women, but focuses on gender - which also includes men and the concept of masculinity. Training is thus aimed at both men and women. In practice, gender training is mainly organised for future members of multinational operations (MNOP) because gender approach is considered to be essential in peacekeeping operations in countries in post-conflict period. We would like to once again highlight that it is important to organise gender training for representatives of the Ministry of Defence and the members of the Serbian Armed Forces who are in permanent army composition, in order to raise their gender sensitivity.

Gender training can be based on different methods and curricula, and range from several-day long workshops to an hour-long training. Gender perspective can also be integrated into standard training modules, instead of being implemented as a separate lectures. This is the main role of the Instructors at the Ministry of Defence and the Serbian Armed Forces, who should develop and deliver the training that best suits a particular target group in the system. It is necessary to carry out an analysis of each target group prior to training and tailor the training to the participants’ needs. After the training, it is necessary to analyse the evaluation questionnaires, because in this way we receive feedback from participants, which should serve as a recommendation what should be improved in the training. Also, it is desirable that the Instructors jointly analyse the training, share experiences, discuss the most frequently asked questions about the challenges they face in order to define the answers and solutions to successfully overcome obstacles.
SUGGESTIONS FOR INSTRUCTORS IN CONNECTION WITH RESISTANCE MANAGEMENT:

When preparing and implementing gender training, different types of resistance among the training participants can occur. The following suggestions may help you in the work environment when you meet with the resistance when talking about gender equality.

Resistance can be based on:

- lack of information,
- lack of understanding,
- lack of a clear idea of why it is necessary to talk about gender equality,
- tendency to maintain the status quo,
- feelings of insecurity or
- presence of stereotypes and prejudices.

Considering that it is important to build a good relationship and understanding with those whom we are addressing, it is important to know what kind of resistance we can encounter, as well as possible ways to respond to it.

At this point, resistance will be discussed as a technique of domination, defined by the Norwegian professor Berit Ås where the dominant group or an individual is considered to be the person(s) who use(s) social manipulation in order to maintain a status quo. 

As Instructors, you can encounter the following types of resistance:

1. Making invisible

The objective of this technique is to send a message that you are not a person worthy of attention or that your position and efforts are not given much importance. This technique can be expressed in many different ways, through speech or non-verbal communication and the use of different social manipulation strategies with which the dominant group maintains its position in a particular hierarchy. They may be aimed at obtaining and maintaining negative power over others, or as a way to impose oneself by oppressing others. Individuals can use them knowingly and intentionally, or may be unaware of the fact that they are using them. These patterns of behaviour are categorised as “making invisible,” “ridiculing,” “withholding information,” “double bind” (or “whichever way you are going, you are going wrong”), “heaping blame or putting to shame.”

59 In 1978, Berit Ås carried out the categorisation of domination techniques that are defined as social manipulation strategies with which the dominant group maintains its position in a particular hierarchy. They may be aimed at obtaining and maintaining negative power over others, or as a way to impose oneself by oppressing others. Individuals can use them knowingly and intentionally, or may be unaware of the fact that they are using them. These patterns of behaviour are categorised as “making invisible,” “ridiculing,” “withholding information,” “double bind” (or “whichever way you are going, you are going wrong”), “heaping blame or putting to shame.”

patterns. Indirectly, this technique can be expressed in such manner that, while you are talking, person(s) move their chairs, rustle papers or cough. Another way is failing to focus on what you’re talking about; nobody takes notes or asks questions that would indicate any interest in what you’re talking about. The aim of the person(s) who uses this type of technique is to make you insignificant and insecure.

2 **Ridiculing**

This technique initiates inequality, as the one who is in the position to ridicule definitely dominates the situation you are in. Ridiculing and belittling places a person in the position of an object of ridicule. Jokes at the expense of a particular sex are common. Similar phenomenon is infantilisation, which involves treating a person like a child: “O my dear, darling how are you planning to do that?”. The risk is that at first, this behaviour is interpreted as a sign of support, but it actually carries the message of disrespect.

In your daily work, you can encounter the following types of resistance:

3 **Witholding information**

A person who does not transfer information or does not fully transfer it, restricts other people in their action. Lack of specific information can prevent you from gaining a full insight into the situation and achieving a certain goal. The inability to obtain the latest information that is of importance to you, lack of access to the minutes of the meeting, lack of an insight into different types of written agreement or non-participation in gatherings at which decisions are prepared.

4 **Double bind (“whichever way you are going, you are going wrong”)**

Double bind is a technique which will give you the feeling that you are wrong regardless of how you behave. If you direct your efforts towards the work you are doing, it is not good because you neglect family responsibilities; if you do the other way around, it is not good because by caring about children/parents you neglect your job.

5 **Heaping blame and putting to shame**

When this technique is applied, it creates a sense of shame and guilt about a specific action, certain developments or a situation, even though you yourself are not the cause of this state of affairs. It is connected with the technique of “double bind” although it may be a combination of all of the foregoing. If certain information is not available to you, you get the feeling of being invisible, and if you are ridiculed or punished, no matter what you do, in the end it is likely that you will develop a sense of guilt and shame.
COUNTER TECHNIQUES.
WHAT YOU CAN DO.

Avoid assuming position of a victim and do not let yourself feel insignificant. Probably the most significant moment in these situations is not to show anger or frustration; calmly and confidently insist on your right to be heard and respected. It is imperative to react immediately, but gently, without an open confrontation. You must clearly show that you do not accept this kind of behaviour that aims to discredit or belittle you, which you can do in a number of ways, depending on the situation you are in. In the discussion, when you speak, and others do not listen, you can stop speaking at the moment when you notice that you they are not paying attention to you. By clearly expressing that you want to be heard i.e. this explicit request will make it impossible for them to continue with this behaviour without it being labelled as a rude behaviour. Get yourself the space you need. Alert that a particular behaviour is unpleasant, using questions rather than accusations.

Make it clear if the comments on what you want to present or say to the training participants or colleagues in your workplace are discriminatory. It is good that everyone is free to express their views without compromising the views of others. Your good preparation and proven expertise will significantly reduce the chances of discriminatory comments or ridicules aimed at you or the subject of your training.

Apply the behaviour that will create the atmosphere in training or in the workplace in which domination techniques will not be acceptable - a climate of mutual respect, which implies responsible and professional approach to each individual, support and unambiguous interest in their opinions. By carefully listening to others, giving them feedback and constructive criticism, you are sending the message that you respect them. With such behaviour, both your knowledge and effort will be properly valued.
ANNEX 1

Training Plan

**TITLE OF THE TRAINING:**

**DATE:**

**PLACE:**

**TRAINING OBJECTIVES**

- 
- 

**INSTRUCTORS’ TEAM**

<table>
<thead>
<tr>
<th>Time/training duration</th>
<th>Thematic unit title</th>
<th>Objective</th>
<th>Methods</th>
<th>Audio visual resources</th>
<th>Other required resources</th>
<th>Trainer</th>
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ANNEX 2

Gender Training

Name of institution

Place

Date

EVALUATION QUESTIONNAIRE

1. From 1 to 5 (as in school, 5 is the highest grade) evaluate the extent to which the training has met your expectations

   1  2  3  4  5

   Please provide comment for your grade:

2. Has the training, in your opinion, contributed to the increase of your previous knowledge/understanding of the importance of gender equality? If yes, please explain in detail how and in what manner?

3. Which of the topics discussed in this training will you use most in your future work? (Please cite the name of the thematic units in the training)

   •
   •
   •

   Please comment on your grades.

4. In your opinion, were there other topics that may have been discussed in the training, and if so - which?
5. From 1 to 5 please evaluate the Instructors’ work

<table>
<thead>
<tr>
<th>Trainer’s name</th>
<th>1</th>
<th>2</th>
<th>3</th>
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<tr>
<td>Trainer’s name</td>
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Your comment:

6. General impression about the training/what did you like the most?

7. What did you like the least in the training?

8. From 1 to 5, please rate the organisation of the training.

   1  2  3  4  5

9. Your ideas and recommendations for future work:

   1) What have you learned?
   2) What would you still like to learn/what additional training do you need?
   3) Do you have any unresolved questions?
   4) How will you apply in practice the knowledge you have gained?
<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>AMET</td>
<td>Air Medical Evacuation Team in the multinational UN operation in the Democratic Republic of Congo</td>
</tr>
<tr>
<td>CEDAW</td>
<td>The Convention on the Elimination of All Forms of Discrimination against Women</td>
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<tr>
<td>CSO</td>
<td>Civil Society Organisations</td>
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<tr>
<td>DCAF</td>
<td>Geneva Centre for the Democratic Control of Armed Forces</td>
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<tr>
<td>DDR</td>
<td>Disarmament, demobilisation and reintegration</td>
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<tr>
<td>MNOP</td>
<td>Multinational Operations</td>
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<td>MoD</td>
<td>Ministry of Defence</td>
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<td>NAP</td>
<td>National Action Plan</td>
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<td>NATO</td>
<td>North Atlantic Treaty Organisation</td>
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<td>NCGM</td>
<td>Nordic Centre for Gender in Military Operations</td>
</tr>
<tr>
<td>OSCE</td>
<td>Organisation for Security and Cooperation in Europe</td>
</tr>
<tr>
<td>PfP</td>
<td>Partnership for Peace</td>
</tr>
<tr>
<td>PSOTC</td>
<td>Peace Support Operations Training Centre</td>
</tr>
<tr>
<td>RACVIAC</td>
<td>Regional Arms Control Verification and Implementation Assistance Centre</td>
</tr>
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<td>Serbian Armed Forces</td>
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<td>SSR</td>
<td>Security Sector Reform</td>
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<td>SWEDINT</td>
<td>Swedish Armed Forces International Centre</td>
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<td>UN</td>
<td>United Nations</td>
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LITERATURE


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