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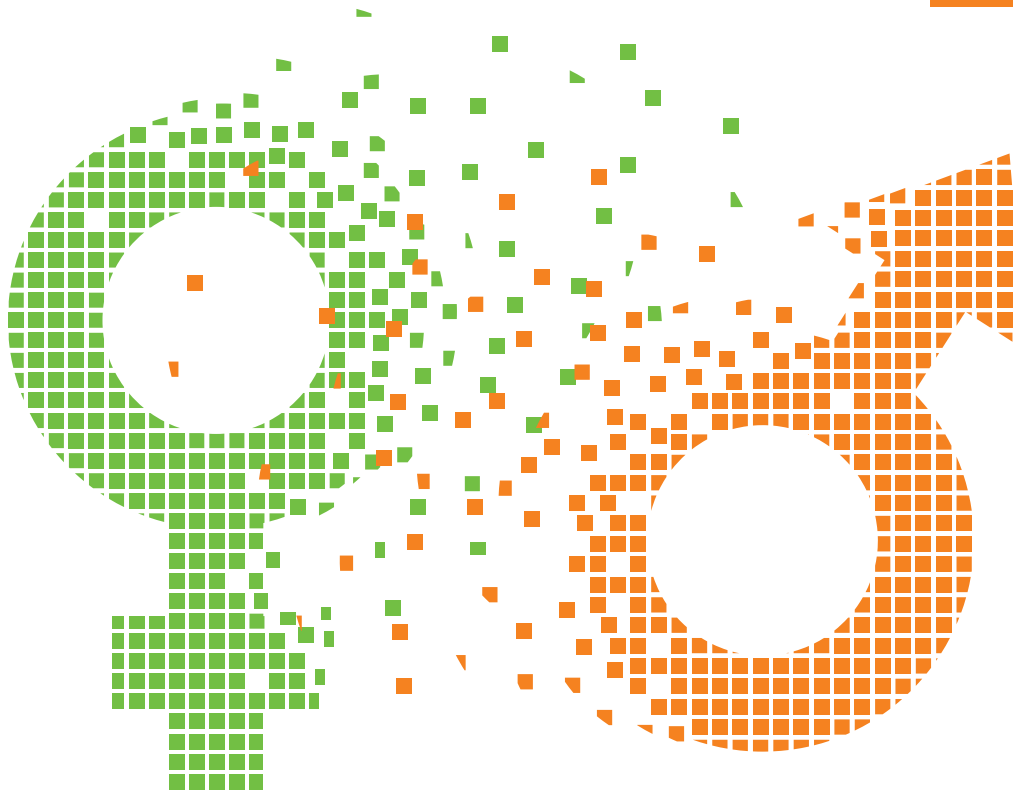


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# GENDER AND SALW

## IN SOUTH EAST EUROPE



SEESAC 





# **GENDER AND SALW IN SOUTH EAST EUROPE**

MAIN CONCERNS AND POLICY RESPONSE



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The South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) has a mandate from the United Nations Development Programme and the Regional Cooperation Council to support all international and national stakeholders by strengthening national and regional capacity to control and reduce the proliferation and misuse of small arms and light weapons, and thus contribute to enhanced stability, security and development in South Eastern and Eastern Europe. SEESAC is implementing the EU COUNCIL DECISION 2013/730/CFSP, in support of SEESAC Disarmament and Arms Control Activities in South East Europe. The production of this report was generously supported by the European Union through the aforementioned Council Decision.

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### **Acknowledgements**

We are grateful to the following individuals for their thoughtful reviews and comments on drafts of this report:  
Professor Erica Bowen, PhD, AFBPsS  
Chartered Psychologist and Registered Forensic Psychologist, Professor of Prevention of Violence and Abuse  
National Centre for the Study and Prevention of Violence and Abuse, University of Worcester

Vanja Macanović, Attorney at Law  
Autonomous Women's Center

Biljana Nastovska  
Gender Specialist - UNDP FYR Macedonia

The report also benefited from inputs and comments from the following members of the SEESAC team: Dr. Ivan Zveržhanovski; Bojana Balon; Danijela Đurović; Juliana Buzi; Slobodan Bošković; Alain E. Lapon; Violeta Gaši, Emilia Dungal, Luke Bacigalupo and Francesco Buscemi.  
The report was copy edited by Christine Prickett.

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## Abbreviations

AI - Amnesty International  
CGA - Coalition for Gun Control  
CHD - Centre for Humanitarian Dialogue  
DV - Domestic Violence  
EU - European Union  
GD - Geneva Declaration on Armed Violence and Development  
GBV - Gender Based violence  
IANSA - International Action Network on Small Arms  
IP - Intimate Partner  
IPV - Intimate Partner Violence  
IPU - Inter-Parliamentary Union  
ISACS - International Small Arms Control Standards  
Ministry of Interior - MoI  
SALW - Small Arms and Light Weapons  
SAS - Small Arms Survey  
SEE - South East Europe  
SEESAC - South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons  
OI - Oxfam International  
OSAGI - The Office of the Special Adviser to the Secretary-General on Gender Issues and Advancement of Women  
UN - United Nations  
UN CASA - United Nations Coordinated Action on Small Arms  
UNDP - United Nations Development Programme  
UNODA - United Nations Office of Disarmament Affairs  
UNODC - United Nations Office on Drugs and Crime  
UN Women - United Nations Entity for Gender Equality and the Empowerment of Women  
WHO - World Health Organization

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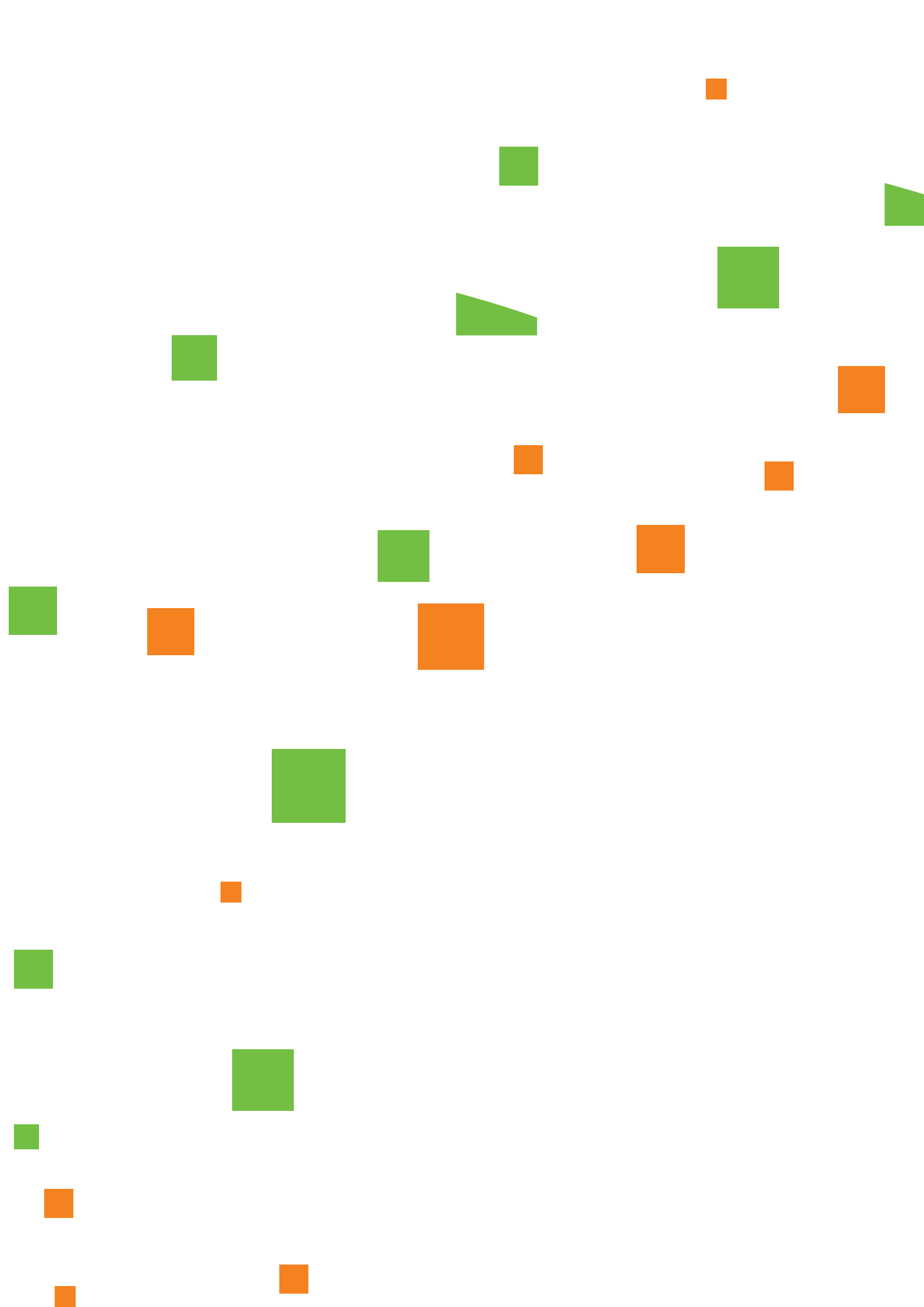
# CONTENTS

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<b>1 INTRODUCTION</b>	<b>9</b>
<b>1.1 About this Study</b>	<b>9</b>
1.1.1 Purpose	9
1.1.2 Objectives	9
1.1.3 Scope	10
1.1.4 Methodology	10
1.1.5 Challenges and Limits	10
1.1.6 Structure	11
<b>1.2 Definitions</b>	<b>11</b>
<b>2 GENDER AND SALW - MAIN POLICY CONCERNS</b>	<b>13</b>
<b>2.1 Recognizing the Linkages between Gender and SALW</b>	<b>13</b>
<b>2.2 Main Policy Concerns</b>	<b>14</b>
2.2.1 Gender and Effects of Small Arms	14
2.2.2 Differentiated Effects of SALW on Women and Men in SEE: Major Trends	15
2.2.3 Domestic Violence	22
2.2.4 Gender and Demands for Small Arms – Masculinity & Culture	30
2.2.5 Gender and Attitudes towards Small Arms and Regulation	35
2.2.6 Gender and Political Processes	36
<b>3 POLICY RESPONSE - DOCUMENT REVIEW</b>	<b>38</b>
<b>3.1 SALW Control Strategies and Main Gender Policy Concerns</b>	<b>38</b>
3.1.1 Commitment to Gender Equality	39
3.1.2 Gender Disaggregated Data and Gender Observations	40
3.1.3 Setting the Agenda – Gender in Goals and Objectives	40
3.1.4 Action Plans: Translating Commitments into Activities	41

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3.1.5	Which Gender Concerns Are Being Addressed?	42
3.1.6	Tracking the Changes – Monitoring and Evaluation	44
3.1.7	The Challenges of Gender Responsive Evidence Based Policy Making	45
<b>3.2</b>	<b>SALW Legislative Framework: The Relevance for Combating Domestic Violence</b>	<b>47</b>
3.2.1	Domestic Violence as a Factor in Restricting Authorization of Firearm License	47
3.2.2	Domestic Violence and Revocation of Firearms	48
3.2.3	Laws against Domestic Violence and SALW	49
3.2.4	Challenges to Policy Interventions	51
3.2.5	Good Practices: Australia and Canada	53
<b>3.3</b>	<b>Gender Equality Legislative and Strategic Framework in SEE and SALW Control</b>	<b>54</b>
<b>4</b>	<b>OVERVIEW OF KEY FINDINGS</b>	<b>56</b>
4.1.1	Main Gender Concerns Related to SALW in SEE	56
4.1.2	Legislative and Policy Response in SEE	56
<b>5</b>	<b>RECOMMENDATIONS</b>	<b>58</b>
5.1.1	Data Collection	58
5.1.2	Capacity Building and Fostering an Enabling Environment	59
5.1.3	Research and Knowledge Management	59
5.1.4	Policy Response to Main Concerns	60
<b>6</b>	<b>ANNEXES</b>	<b>61</b>
6.1	Annex 1: List of Reviewed Documents	61
6.2	Annex 2: List of Interviewees	62
6.3	Annex 3: References	63
6.4	Annex 4: Questionnaire	67
6.5	Annex 5: List of Figures, Tables and Boxes	70





# FOREWORD

The large scale and uncontrolled proliferation of small arms and light weapons (SALW) has been widely recognized as presenting a serious threat to citizen security, fuelling crime and instability and negatively affecting social and economic development. This has been particularly true in South East Europe (SEE).

Since 2002, through the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC), UNDP has been supporting efforts to counter this threat by developing legislative and policy frameworks and the establishment and capacitation of institutional mechanisms. Our policy support work in particular has become increasingly sophisticated in line with the needs of stakeholders in the region.

While significant progress has been achieved, the integration of the gender perspective is lagging behind and has still not become an integral part of strategies employed to address the causes and consequences of SALW proliferation. Despite numerous commitments at the global and national level, this challenge has only been marginally tackled in the ongoing SALW control efforts. Still, if our gender glasses are on, then it is hard to imagine an issue more gendered than the use and misuse of SALW.

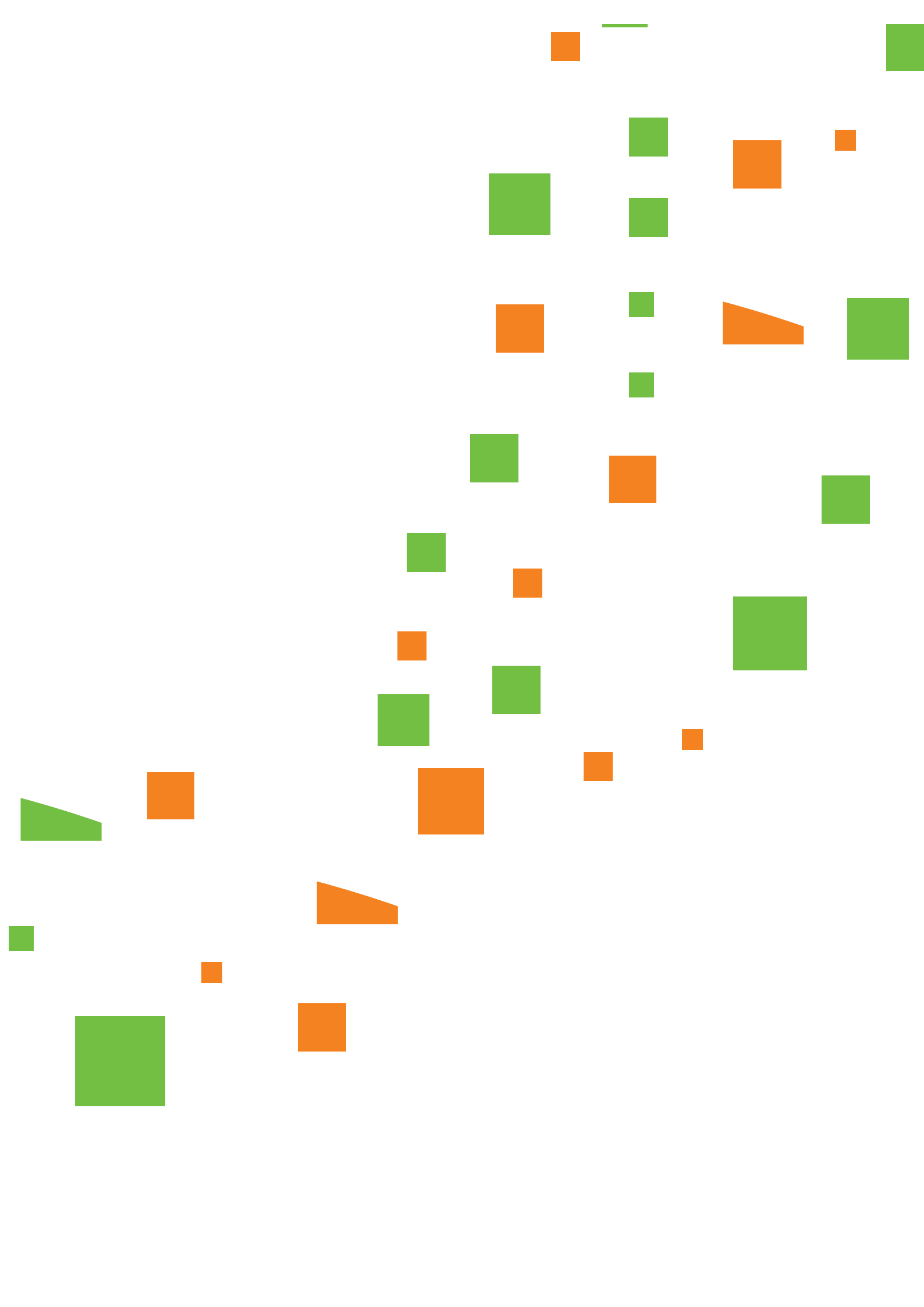
In SEE, as elsewhere, men are the overwhelming majority of those who possess firearms, who use and, often, misuse them. They account for the majority of both perpetrators and victims of firearm related incidents. When they are victims, they are most often murdered by other men. But SALW also has adverse effects on the security and wellbeing

of women. Women seldom own a gun, hardly ever use it and, unlike men, they are much more often victims than perpetrators. This is particularly staggering in the context of domestic violence. Most of the gun violence against women is committed by current or former partners and the presence of a firearm dramatically increases the likelihood of the lethal outcome. Consequently, women are more likely to see the presence of firearms as a threat to their own and their families' security.

It is striking how policies regulating SALW control are still silent about these linkages and fail to acknowledge that some security concerns affect women and men in different ways. The present report shows that the gender perspective is neither recognized nor adequately addressed by legislative and policy frameworks regulating SALW control in SEE, making these efforts less efficient in providing security for all citizens, whether women, men, girls or boys - hindering the achievement of Sustainable Development Goals 5 (on gender equality) and 16 (on peace, justice and strong institutions).

I sincerely hope that the findings presented in this report will initiate further discussion. If societies are to respond effectively to the complex security issues they are facing, policies in this field must not remain gender blind. Therefore, I hope this report and its accompanying toolkit will mark a change of approach and lead to the integration of gender in SALW control policies.

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# 1 INTRODUCTION

*As a part of its holistic and integrated approach to SALW control and security sector reform, SEESAC has initiated the development of this gender and SALW Study with the long-term aim to increase gender responsiveness of SALW Control policies in SEE. The Study and its accompanying tool have been developed within the framework on the EU Council Decision 2013/730/CFSP. They are the product of the realization that practical efforts which seek to deliver benefits to all citizens whether women, men, girls or boys equally are rendered ineffective without fully taking into account the gender equality perspective.*

*The Study shows that the gender perspective is not sufficiently identified and consequently not adequately dealt with in legislative and policy frameworks regulating SALW control in SEE. These policies are mostly gender blind and therefore most SALW Control measures do not take into consideration the different security needs and concerns of women, men, girls and boys. This hinders the success of measures undertaken to ensure the security of all citizens.*

*The Study sheds a light on the multilayered linkages between gender and SALW, outlining different ways in which gender shapes SALW related risks, behaviours and practices and underlining the necessity for the integration of the gender perspective into SALW legislative and policy frameworks. The accompanying tool attempts to translate the generated evidence based recommendations into practical and context specific gender responsive measures. These should significantly aid policy makers in ensuring that all SALW related interventions are gender mainstreamed.*

## 1.1 ABOUT THIS STUDY

### 1.1.1 PURPOSE

The purpose of this study is to contribute to increased gender responsiveness of policies regulating SALW control policies in South East Europe (SEE).

The study seeks to increase awareness about the linkages between gender and small arms in SEE. It is mainly intended for key stakeholders, as well as the wider expert public, and identifies the main trends and gaps in policy response. By building on these findings, the study proposes a practical tool intended to support informed and evidence-based gender sensitive policy development, and in doing so to contribute to the capacity development of SALW policy makers in the SEE region and the overall effectiveness of SALW policies.

Beyond that, the findings of this study should serve as basis for the initiation of a dialogue among policy makers on the role of dominant gendered social norms and practices and the specific risks women, men, boys and girls face with regard to SALW.

### 1.1.2 OBJECTIVES

The objectives of the study are:

1. To map gender concerns related to SALW in general, with particular focus on SEE (Chapter 2),
2. To assess if and to what degree the gender perspective is integrated into SALW policies in SEE (legislative and strategic frameworks), as well as to assess whether SALW issues are addressed in gender equality policies and policies against gender-based violence (Chapter 3),

3. To identify best practices in policy making which incorporate gender issues into SALW control, as well as to map enabling factors conducive to these initiatives (Chapters 3 and 4),
4. To provide evidence-based recommendations and a practical tool for integrating the gender perspective into the SALW legislative and strategic frameworks (Chapter 5).

Having said this, the study does not intend to analyse the actual implementation of legislative and policy SALW control frameworks in the SEE region or to evaluate impact or effects that can be attributed to these policy interventions in the region. When references to implementation are made, this is mostly done with the intention to map some conceptual challenges in policy solutions.

### 1.1.3 SCOPE

**Analytical scope** -The Study comprises two parts:

- a) Analysis of available statistical data on the various linkages between gender and SALW; and
- b) Reviews of laws on firearms, strategies and action plans on SALW control, laws, strategies, and action plans on gender equality, laws, strategies, and action plans for combating violence against women, as well as domestic and gender-based violence.

**Geographical scope** is determined by SEESAC's area of activities on SALW control in the 2013-2016 period and encompasses: Albania, Bosnia and Herzegovina, Kosovo\*, Moldova, Montenegro, the Republic of Serbia, and the former Yugoslav Republic of Macedonia. In the second chapter references are also made to countries outside the SEE region, but this is done primarily with the aim to detect wider trends and enable comparisons.

### 1.1.4 METHODOLOGY

A wide choice of methods was employed, with the most appropriate tools selected for different components of the study. Methods included:

- **Literature review:** A broad review of relevant and recent literature and international, regional, and context specific reports and research on issues related to gender and SALW (Annex 3).

- **Document review:** Laws on firearms and SALW control strategies and action plans in SEE were reviewed to determine whether and to what degree the gender perspective is integrated into SALW legislative and policy frameworks. Additionally, the review of gender equality legislation and strategies and policy documents addressing gender-based violence was undertaken to assess whether SALW issues have been addressed (Annex 2).

- **Semi-structured interviews** with members of SALW commissions, representatives of state institutions and representatives of women's organizations dealing with protection from domestic violence and gender based violence (Annex 1).
- **A questionnaire** developed in consultation with representatives of the SALW Commissions in order to detect and document gender patterns and trends related to SALW issues. The questionnaire has sought to obtain regionally comparable data on the most important gender aspects of SALW such as gender disaggregated data on perpetrators and victims of firearm-related incidents, firearm owners, victims of domestic violence committed with firearms, persons who handed in SALW during collection campaigns, representation of women and men among members of SALW commissions and restrictions in licensing procedures due to domestic violence. An attempt was also made to capture the age characteristics of victims and perpetrators of firearm-related incidents and gain insight into the way gender intersects with age (Annex 4).

### 1.1.5 CHALLENGES AND LIMITS

The main methodological challenge stems from the lack of gender-disaggregated data in the SEE region and the absence of a uniform approach to data collection. The practice of data collection is generally underdeveloped, but it also varies significantly across the region, as does the availability and quality of data. This consequently creates difficulties in detecting and documenting gender patterns and trends in the region. Insufficient data is provided for certain acute problems such as femicide and domestic violence, while often very basic data on gender structure perpetrators and victims of armed violence is missing. In certain cases, legislation on personal data protection defines gender as particularly sensitive information and due to legal restrictions certain information such as the number of women and men requesting the authorization of firearm licenses are not available.

\* References to Kosovo shall be understood to be in the context of Security Council Resolution 1244 (1999).

In order to partially overcome obstacles related to the scarce gender-differentiated statistics available, the questionnaire mentioned above was designed as an attempt to link data collection with the main policy concerns outlined in the section below. It also provides insight into limits and gaps in existing administrative practices on data collection and reveals difficulties faced if efforts to advance evidence-based policy making are to be undertaken. Despite good responses from beneficiary SALW commissions<sup>1</sup>, it should be taken into consideration that for many of them this was the first time that gender disaggregated data have been collected in such a manner, and numerous challenges have been encountered during this process: from gender insensitive databases hindering data collection to the necessity to manually extract data, which presented a significant workload.

Beside the questionnaire, a variety of other sources have been utilized, such as the reports and databases of SEESAC, UNODC, WHO, Small Arms Survey (SAS), Geneva Declaration on Armed Violence and Development (GD), Women Against Violence Network etc. For the analysis of SALW-related laws and firearms in SEE, the SEESAC Regional Arms Law Compendium was utilized. The Compendium serves as an easy-reference guide for SALW legislation in the region and is available in Albanian, BCMS<sup>2</sup>, English and Romanian.

However, due to the limited availability of data, this study does not attempt to provide a comprehensive overview for each country and territory in SEE, nor has that been its purpose. It rather attempts to initiate further discussion on the necessity to improve and advance current administrative data collection practices, both in terms of the scope and availability of data.

For a more thorough insight into context-specific situations, additional research and analyses need to be undertaken, particularly when it comes to the complex interplay of dominant gender regimes, recent historical events, the socio-economic and political situation, and current SALW practices. Therefore, the Study reiterates an urgency already flagged in both academic and policy research (Cukier, 2009; Schroeder, Farr and Schnabel, 2005; Alvazzi del Frate, 2011; Carapic, 2014) that more 'gender-related research is needed to inform effective policies to reduce gun violence' (Dönges and Karp, 2014, p. 4).

### 1.1.6 STRUCTURE

This Study is structured around four chapters. The first chapter provides basic information about the study: its

purpose, objectives, audience and the scope of its content. The key methodological tools applied are briefly presented and the challenges in data collection are flagged. The focus of the second chapter is the main policy concerns with regard to gender and SALW. This chapter reviews a broad array of existing research on the gender aspect of small arms and armed violence in SEE. The third chapter summarizes the main findings of the gender analysis of legislative and strategic SALW control frameworks in SEE. Good practices developed in other countries and territories are also considered. Finally, the last chapter presents recommendations based on the key findings of the Study.

## 1.2 DEFINITIONS

### Gender, Gender Regime, Gender Roles

In this Study, **gender** is understood as an overriding principle which fundamentally structures women's and men's lives. It includes the set of practices that form a dominant pattern sometimes referred to as **gender regime**, 'which positions women and men in certain relations so that their group characteristics, but individual lives as well, may be understood through this pattern' (Blagojević, 2013, p. 33). Gender regimes are relatively structured relations between women and men that take form in gender roles and gender identities and are socially, culturally and historically conditioned (Ibid., p. 33-37).

Gender refers to the social roles – **gender roles** – and behaviours which, in one society, are understood as appropriate for women, men, girls and boys, and the expectation that they will all conform to gender-related norms. Gender is therefore about social differences (not biological differences hereinafter referred to as sex) between women and men. Being socially conditioned, they are changeable over time. Gender does not refer only to women, but to both women and men, girls and boys, and the relationship between them. Gender determines what is expected from, allowed to and valued in women and men in a given context. It also determines activities undertaken between women and men, access to and control and power over resources, as well as decision-making opportunities (OSAGI, 2001). In the context of this Study, the focus is on the role gender plays in shaping SALW related behaviour and practices as well gender specific risks with regard to SALW.

<sup>1</sup> Note: At the time of the finalization of this Study, data had been submitted by the Ministry of Interior Albania and the SALW Commissions of Bosnia and Herzegovina, Kosovo, Montenegro and the former Yugoslav Republic of Macedonia. Respective data is hereinafter referred to as SEESAC Database. SEESAC is not responsible for the accuracy of information.

<sup>2</sup> Abbreviation BCMS refers to the Bosnian, Croatian, Montenegrin and Serbian languages.

Terms **gender mainstreaming** and **integration of gender perspective** are used interchangeably in this Study and are understood as 'the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally, and inequality is not perpetuated. The ultimate goal is to achieve gender equality' (ECOSOC, 1997, p. 2).

### Violence against Women and Domestic Violence

In this Study violence against women and domestic violence are understood in accordance with the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (hereinafter referred to as Istanbul Convention). **Violence against women** is understood as a 'violation of human rights and a form of discrimination against women and shall mean all acts of gender-based violence that result in, or are likely to result in, physical, sexual, psychological or economic harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life'. **Domestic violence** 'means all acts of physical, sexual, psychological or economic violence that occurs within the family or domestic unit or between former or current spouses or partners, whether or not the perpetrator shares or has shared the same residence with the victim' (2011, p. 3).

'**Femicide** is generally understood to involve intentional murder of women because they are women, but broader

definitions include any killings of women or girls (WHO)'. Within the context of this Study the focus is on **femicide** in the narrower meaning of **intimate partner femicide** as the murder of a woman by a current or a former partner. **Female homicide** is used to refer to all cases of homicides with female victims (For further discussion on the operationalization and usage of these terms see Alvazzi del Frate, 2011, p. 116; WHO, 2012; Racovita, 2015, p. 89).

**Small arms and light weapons (SALW)**<sup>3</sup> are hereafter understood in accordance with International Small Arms Control Standards (UN CASA, 2016, p. 13, 19). **Small arms** refer to 'any man-portable lethal weapons designed for individual use that expels or launches, is designed to expel or launch, or may be readily converted to expel or launch a shot, bullet or projectile by the action of an explosive' (Ibid., p. 13).

**For the purpose of this Study, the terms 'firearms' and 'small arms' are used interchangeably.**

**A light weapon**<sup>5</sup> is 'any man-portable lethal weapon designed for use by two or three persons serving as a crew (although some may be carried and used by a single person) that expels or launches, is designed to expel or launch, or may be readily converted to expel or launch a shot, bullet or projectile by the action of an explosive' (Ibid., p. 19).

**A SALW Commission** (depending on the region and process also called National Focal Points/National SALW Coordination Committees/Councils/Coordination Agencies) is 'a national inter-agency body that is responsible for policy development, coordination, implementation, and monitoring of efforts to address all SALW related issues within a national territory' (UNDP, 2008a, p. 2).

<sup>3</sup> NOTE 1 Includes, inter alia, revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles and light machine guns, as well as their parts, components and ammunition.

NOTE 2 Excludes antique small arms and their replicas.

<sup>4</sup> NOTE 1 includes, inter alia, 'heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tank guns', recoilless rifles, portable launchers of anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems, and mortars of a calibre of less than 100 millimetres, as well as their parts, components and ammunition.

NOTE 2 Excludes antique light weapons and their replicas.

# 2 GENDER AND SALW - MAIN POLICY CONCERNS

## 2.1 RECOGNIZING THE LINKAGES BETWEEN GENDER AND SALW

The growing body of literature and available gender-disaggregated data have significantly contributed to the increased recognition of linkages between gender and SALW. As noted, the sheer degree of discrepancy in statistics suggests ‘that gender differences in sociocultural environments are needed to explain sex differences in gun violence’ (Mankowski, 2013, p. 14). In terms of policy response, it has been argued that the differentiated impact of SALW on women and men calls for the consistent integration of gender concerns into SALW legislative and policy frameworks (SEESAC, 2007a), and that it is necessary to explore gender differences in order to develop adequate strategies to counter the misuse and proliferation of SALW (Cukier and Cairns, 2009, p. 19).

Whether with the aim of increasing understanding or informing the policy making process, continuous efforts have been taken by as diverse stakeholders as academia, researchers, gender practitioners, women’s NGOs and international organizations to shed light on the different ways in which gender and SALW practices intersect. In this regard, researchers explored the complex interplay between gender and small arms proliferation, regulation and misuse (Farr and Gebre-Wold, 2002; Cukier, Kooistra and Anto, 2002; Cukier and Cairns, 2009). Also, there are numerous attempts to explain the multi-layered effects of SALW proliferation with a strong focus on violence against women in conflict and non-conflict settings, and particularly links between SALW presence and domestic violence (AI, IANSA, OI, 2005; Alvazzi del Frate, 2011; Shaw, 2013; Dziewanski, LeBrun, and Racovita, 2014). Research has been initiated in order to capture factors which shape men’s SALW related behaviour and practices, with special attention given to young men due to their high representation both among perpetrators and victims of armed violence. In doing so, the specific risks and underlying societal, cultural and ideological conditioning of these issues have been investigated (Bevan and Florquin, 2006; Page, 2009; Mankowski 2013). Furthermore, efforts

have been undertaken to critically analyse the gender aspect of multilateral resolutions, treaties, and commitments on conventional weapons and women’s rights and participation (Farr, 2002; Bastick and Valasek, 2014; Acheson, 2015) or to explore the responsiveness of the SALW legislation to domestic violence within a particular geographic context (Krkeljčić, 2007; Dokmanović, 2007). In SEE, attempts have been initiated to at least partially overcome a lack of gender disaggregated data through the establishment of a database and a gender aware analysis of media reporting on firearm related violence (SEESAC, 2015; SEESAC, 2016; SEESAC, 2016a). In terms of policy outcomes, recent reports enable the tracking of emerging practices relating to results of specific programmes in reducing firearm-related violence among young men (Abt and Winship, 2016).

These acknowledgements have gained increased critical attention both in terms of the need for research to further facilitate the understanding of the subject and the need to articulate the demand for practical attempts to prevent or remedy the destructive consequences that gun-related violence has on society, women and men, boys and girls. However, despite emerging practices, as well as recent ground-breaking developments such as the adoption of the Arms Trade Treaty, which urges governments to take into account the risks of gender-based violence when exporting arms, all the generated knowledge has still not had sufficient impact on policies.

These developments have nevertheless given a new urgency to the issue and have provided numerous insights into different aspects of SALW control, which consequently urge for gender concerns to be carefully considered when solutions are designed. These diverse aspects can be grouped into five main concerns where gender aspects play an important role in shaping and understanding SALW practices (Cukier and Cairns, 2009):

1. Gender and effects of small arms,
2. Domestic violence (and regulation of civilian possession),
3. Gender and demands for small arms,
4. Gender and attitudes toward small arms and regulation,
5. Gender and political processes.

By building on this classification, in the next section these five aspects are briefly outlined and, relevant data, when available, is presented in order to establish a closer link and depict the context and policy challenges in SEE.

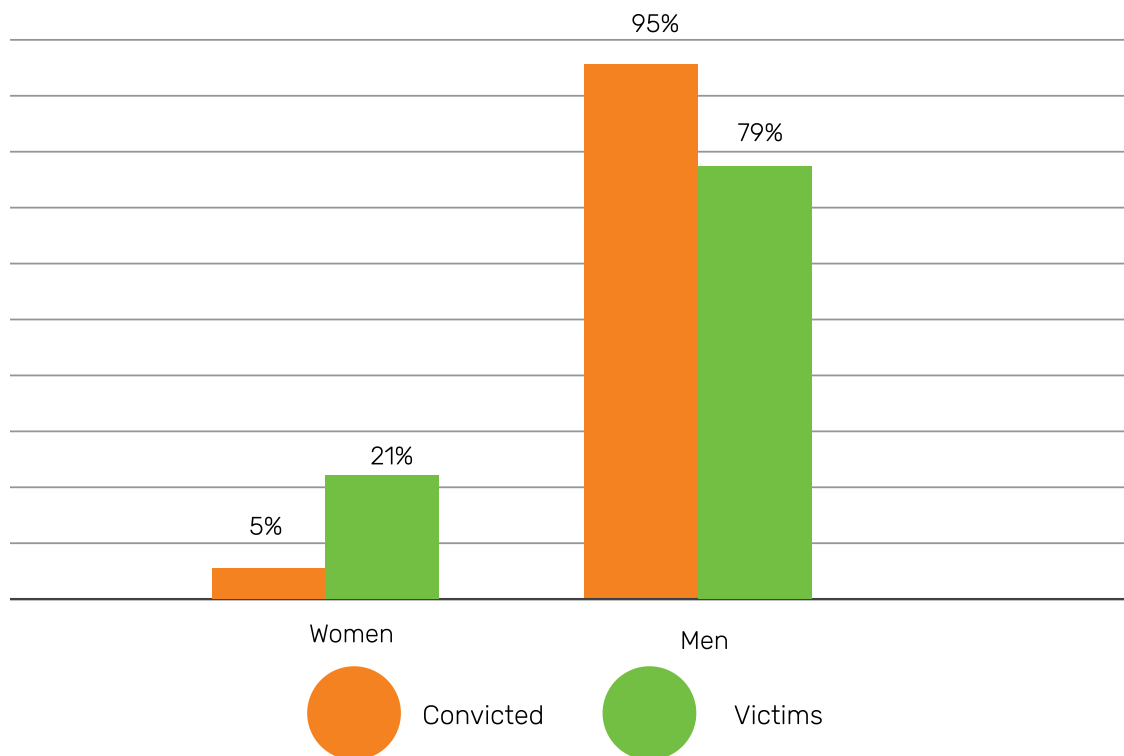
## 2.2 MAIN POLICY CONCERNS

### 2.2.1 GENDER AND EFFECTS OF SMALL ARMS

The available data on homicide worldwide indicates a sharp polarization in terms of the gender patterns of homicide and the differentiation of security concerns of

women and men (UNODC, 2013; Racovita, 2015). Men dominate among both perpetrators and victims, but they account for a higher percentage of persons convicted of all intentional homicide (95 per cent) than victims (79 per cent). The male homicide rate (9.7 per 100,000) is approximately 1.5 times that of the global average (6.2 per 100,000) and 3.6 times that of the female homicide rate (2.7 per 100,000) (Ibid., 2013, p. 13, 21).

**FIGURE 1:**  
**PERCENTAGE OF MALE AND FEMALE HOMICIDE VICTIMS AND OF MALES AND FEMALES CONVICTED OF INTENTIONAL HOMICIDE**





Women, on the contrary, are more likely to be victims of homicide (21 per cent) than convicted of homicide (5 per cent) (Ibid., 2013, p. 13). Data provided in the Global Burden of Armed Violence estimates that women accounted for 16 per cent (in total numbers approximately 60,000) of homicide victims in 2012 (Racovita, 2015, p. 90).

Although homicide rates vary drastically in different regions, the male to female ratio remains rather constant regardless of the country or territory. The rates in Europe are significantly lower than the global averages, but the share of women in Europe is higher both among convicted perpetrators and victims of homicides – 8 per cent and 28 per cent respectively (UNODC, 2013, p. 13).

With respect to firearms, estimates about share of firearms as a homicide mechanism range from 40 per cent (Ibid., 2013, p. 15) to 48 per cent (WHO, UNODC, UNDP, 2014) globally, which make them the most prevalent weapon when homicide is committed (UNODC, 2013, p. 15). The gender patterns of homicide committed by firearms closely follow patterns of homicide in general. Men account for the overwhelming majority of victims in accidents involving firearms with estimates going as high as 90 per cent at the global level (IPU, CHD, 2007, p. 81) and 76 per cent in Europe (Duquet and Van Alstein, 2015, p. 27). However, bearing in mind that women are far less represented among the buyers, owners, or users of such weapons, they are disproportionately affected by the consequences of

small arms' (Farr 2006, p. 17) and a stronger correlation between the availability of guns and female homicide rates than male homicide rates has been documented (Hemenway and Miller, 2000). From a policy perspective, as early as in the 1990s it was noted that this discrepancy makes a strong case for 'positioning this debate in the context of human rights and equity' (Cukier).

The misuse of SALW is not only restricted to fatal events, since it is frequently used as a tool to inflict psychological violence, emotional harm, intimidation, rape, sexual abuse, coercion and other forms of violence (IPU, CHD, 2007; Alvazzi del Frate, 2011; Shaw, 2013), which can have severe consequences on victims, but which are usually both under-reported and under-researched. Most often these forms of violence primarily happen in the private, i.e. domestic sphere (Shaw, 2013), and are tolerated or go unrecognized by competent institutions.

## 2.2.2 DIFFERENTIATED EFFECTS OF SALW ON WOMEN AND MEN IN SEE: MAJOR TRENDS

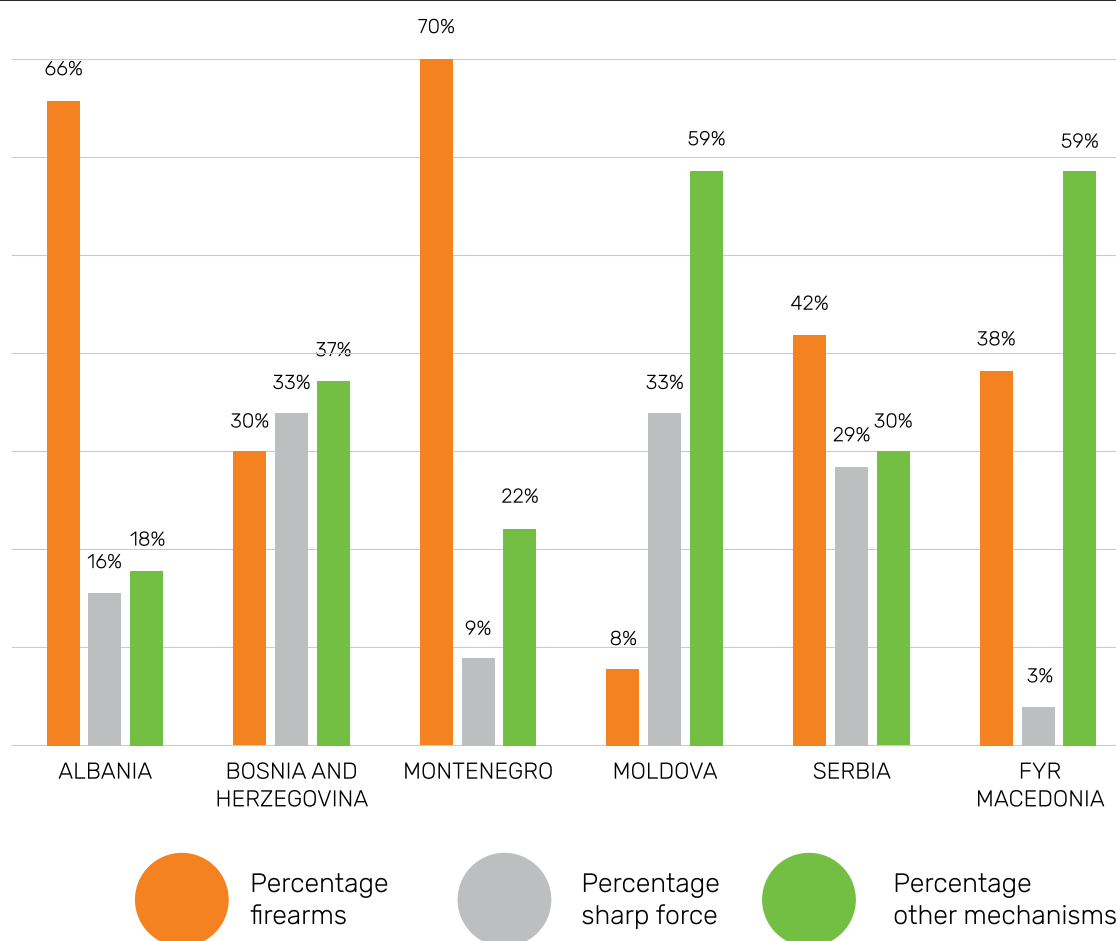
With regard to the methods used to commit homicide in the SEE<sup>5</sup>, the use of firearms varies greatly across the region. As shown in Figure 2, in Montenegro (70 per cent) and Albania (66 per cent), firearms far outnumber all other methods combined together, while in Serbia firearms are the weapon of choice (42 per

<sup>5</sup> Data for Kosovo were not available.

cent) more often than sharp forces (29 per cent) and other mechanisms (30 per cent). Although firearms are widely used in Bosnia and Herzegovina (30 per cent) and the former Yugoslav Republic of Macedonia (38 per

cent), discrepancies among the use of firearms and other mechanism are less stark than in Montenegro, Albania and Serbia. Only in Moldova, are firearms used very rarely (8 per cent) in comparison to other mechanisms.

**FIGURE 2:**  
**WHO ESTIMATED PROPORTION OF**  
**HOMICIDES BY MECHANISMS (2012)**

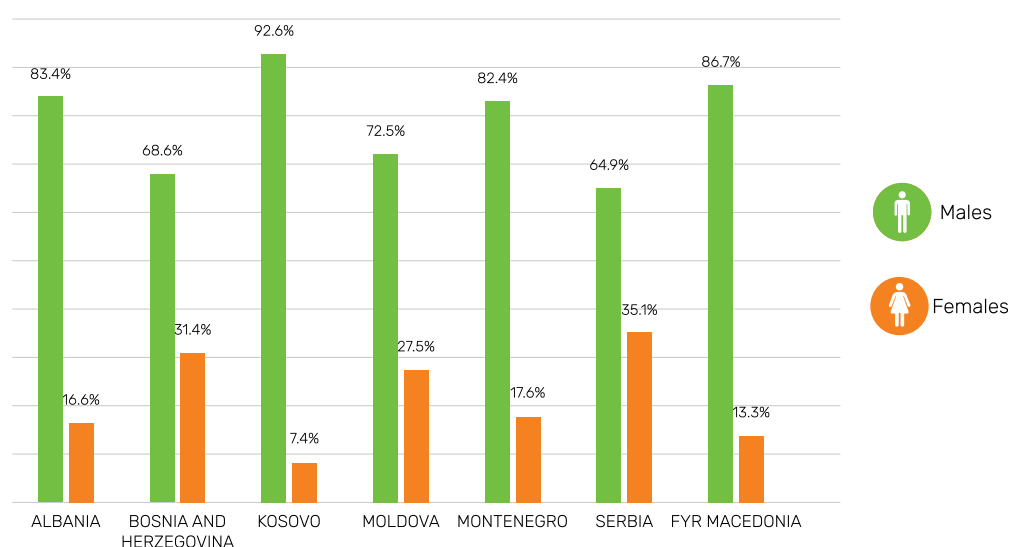


Source: WHO, UNODC, UNDP: Global Status Report on Violence Prevention, 2014

Gender patterns of intentional homicide victims in SEE replicate global patterns – men by far comprise the majority regardless of the country or territory. However, their share among the overall number of victims varies

significantly, ranging from approximately two thirds (Bosnia and Herzegovina, Serbia,) to around nine out of ten (Albania, Kosovo, the former Yugoslav Republic of Macedonia).

**FIGURE 3:  
PERCENTAGE OF MALE AND FEMALE  
INTENTIONAL HOMICIDE VICTIMS**



Source: UNODC, *Global Study on Homicide*, 2013, Data for Kosovo: SEESAC Database, 2016.

Consequently, the share of women among the total number of homicide victims varies significantly in the region (from 7.3 in Kosovo to 34.1 per cent in Bosnia and

Herzegovina and 35.1 per cent in Serbia), highlighting the need for additional context-specific research of such distribution.

**TABLE 1:  
INTENTIONAL HOMICIDE VICTIMS, BY SEX**

	2015		2014		2013		2012		2011	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
<b>Albania</b>	14	54	13	104	20	104	26	131	18	124
<b>Kosovo</b>	1	14	1	23	1	28	4	28	2	20
<b>Montenegro</b>	11	40	7	27	12	33	14	24	8	29
<b>FYR Macedonia</b>	5	19	10	23	7	15	11	18	4	28

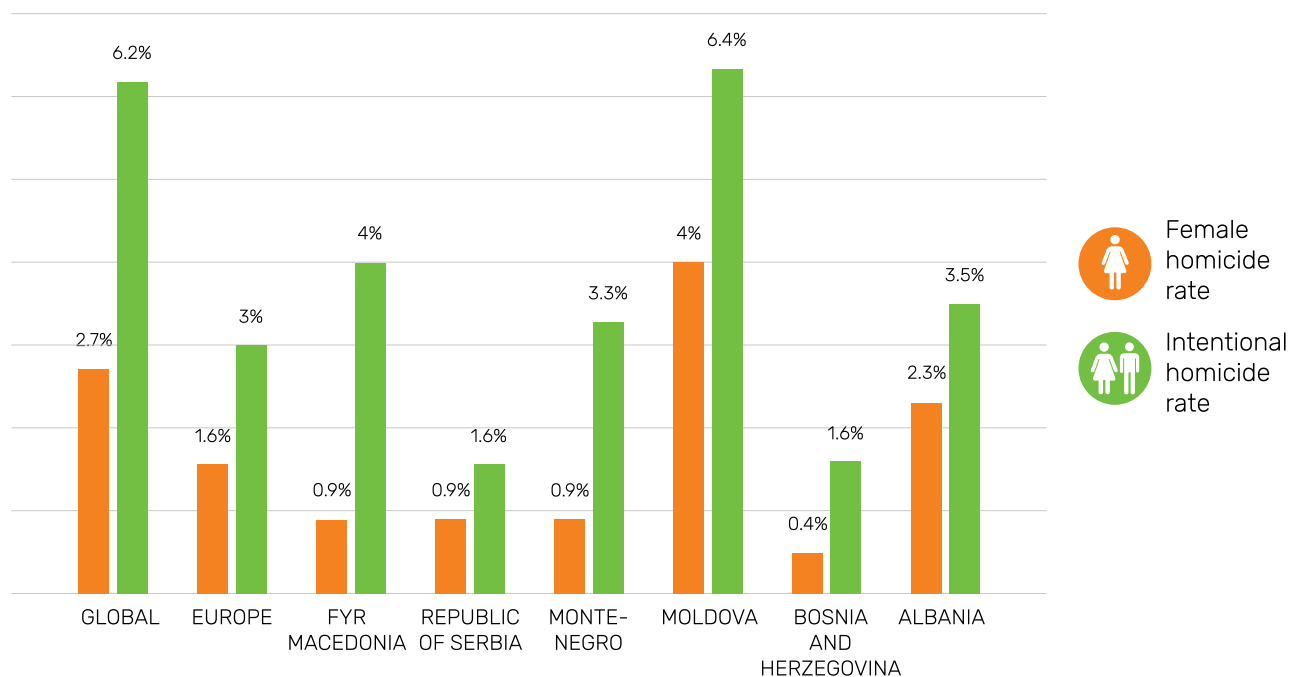
Source: SEESAC Database, 2016

As observed, the level of intentional homicide<sup>6</sup> in the SEE dropped significantly, starting in 1995 with the cessation of violent conflicts, and homicide rates are significantly lower than the global average, but still above Western Europe rates (Carapic, 2014, p. 1). The only exception is Moldova which has a homicide rate slightly above the global average, but very high in comparison to the rates in the region.

When female homicide rates (per 100,000 population) are considered, Figure 4 shows comparatively low rates for Bosnia and Herzegovina, Montenegro, and Serbia,

which rank at the bottom of the scale with a very low rate (<1) while Albania exhibits a low rate (1-3). Moldova stands out as being the only of those under review with a medium rate, which is approximately four times the European rate. However, from a policy perspective there is a marked tendency that in countries and territories with low levels of female homicides the majority of homicides are interpersonal homicides perpetrated by an intimate partner, which requires adequate institutional response and employment of specific strategies targeting this problem (Racovita, 2015, p. 88).

**FIGURE 4:**  
**HOMICIDE RATE: AVERAGE 2007-2012**



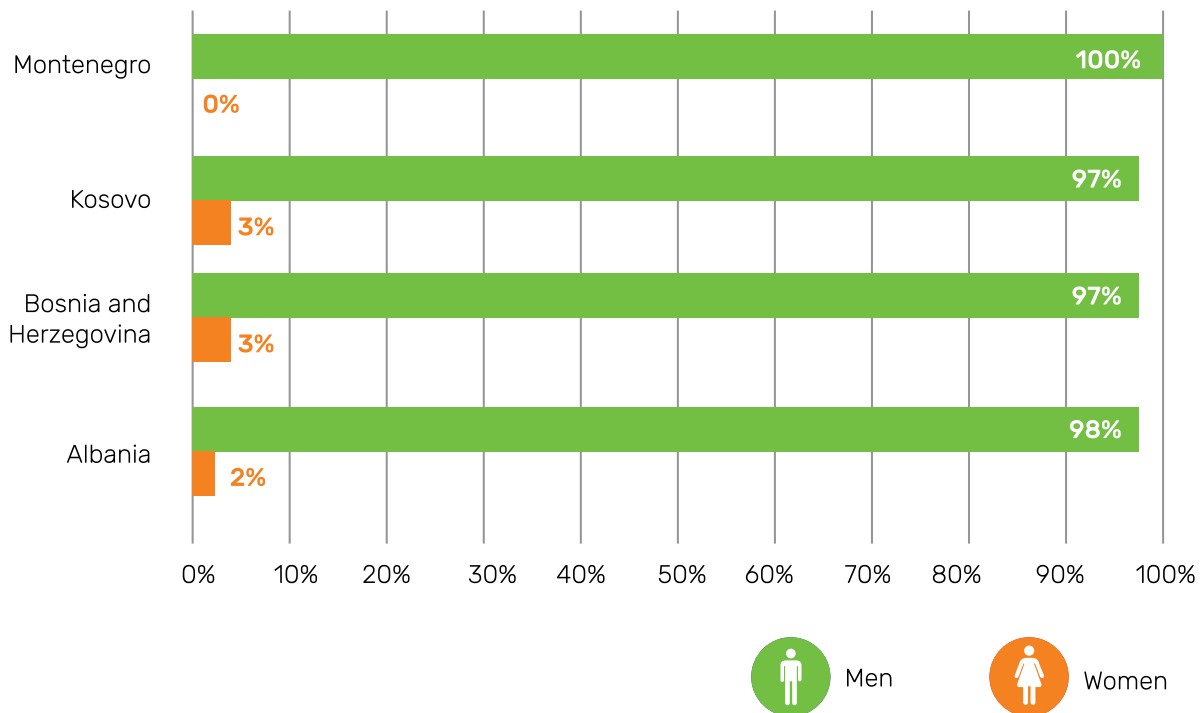
Source: The Global Burden of Armed Violence – Everybody Counts, 2015

<sup>6</sup> Intentional homicide is defined as unlawful death purposefully inflicted on a person by another person (UNODC). For further explanation, please see: <https://www.unodc.org/documents/data-and-analysis/IHS%20methodology.pdf>

Data collected by the SALW commissions and relevant institutions in SEE clearly evidence that the vast majority of firearm related incidents<sup>7</sup> are committed by men – 97 per cent in Bosnia and Herzegovina and Kosovo, 98 per cent in Albania, while in Montenegro all

recorded incidents were committed by men. In contrast, firearm related incidents are extremely rarely (2 per cent in Albania and Bosnia and Herzegovina, 3 per cent in Kosovo), if ever (no cases reported in Montenegro), committed by women (Figure 5).

**FIGURE 5:**  
**PERPETRATORS OF FIREARM-RELATED INCIDENTS, BY SEX**



Source: SEESAC Database, 2016. Note: Data for Bosnia and Herzegovina, Kosovo and Montenegro are provided for the period 2011-2015 and for Albania for 2015.

<sup>7</sup> Within the context of this study, firearm-related Incidents encompass: murder, aggravated murder, attempted murder, suicide, attempted suicide, causing general danger, gunfire in public, unauthorized ownership, control or possession of weapons, use of weapons or dangerous instruments, domestic violence.

These trends are very stable over time, irrespective of the country or territory, as shown in Table 1.

**TABLE 1A:**  
**PERPETRATORS OF FIREARM-RELATED INCIDENTS, BY SEX**

	2015		2014		2013		2012		2011	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
<b>Bosnia and Herzegovina</b>	18	817	7	716	19	730	66	956	11	875
<b>Kosovo</b>	21	749	21	1127	32	1263	28	1210	27	1078
<b>Montenegro</b>	0	387	0	473	0	406	0	342	0	404

Source: SEESAC Database, 2016

**TABLE 2:**  
**VICTIMS OF FIREARM-RELATED INCIDENTS, BY SEX**

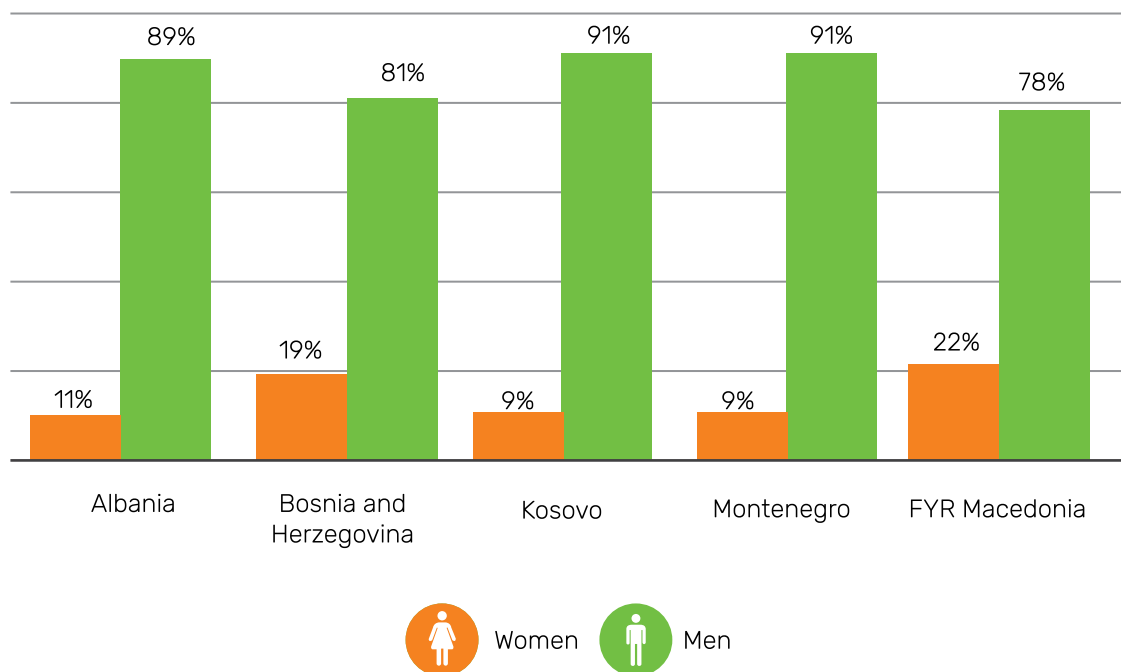
	2015		2014		2013		2012		2011	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
<b>Albania</b>	8	38	5	65	No data available					
<b>Bosnia and Herzegovina</b>	8	37	6	32	5	37	12	26	3	13
<b>Kosovo</b>	1	11	1	17	1	25	/	/	2	/
<b>Montenegro</b>	1	11	2	10	0	6	0	10	2	16
<b>FYR Macedonia</b>	2	15	8	13	3	10	4	12	2	19

Source: SEESAC Database, 2016

In terms of gender differentiation of victims, trends exhibit the same level of constancy (Table 2) but also similarity with prevailing trends elsewhere, as shown in Figure 6. However, differences within the region are evident. Although men account for the vast majority

of victims of firearm-related incidents, women are disproportionately represented among victims in comparison to their share among perpetrators with particularly high shares in the former Yugoslav Republic of Macedonia and Bosnia and Herzegovina.

**FIGURE 6:**  
**INTERNATIONAL HOMICIDE VICTIMS IN**  
**FIREARM-RELATED INCIDENTS, BY SEX**



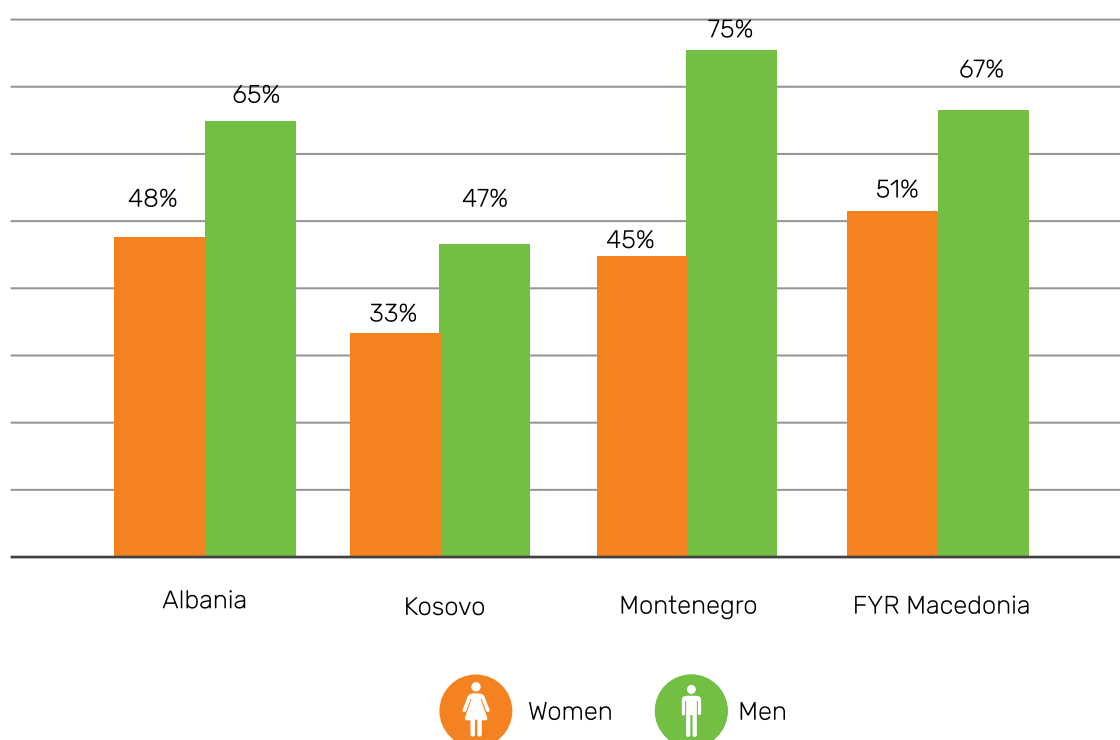
Source: SEESAC Database, 2016. Note: Data for Albania are given for 2014-2015, Kosovo 2013-2015, while for Bosnia and Herzegovina, Montenegro and the former Yugoslav Republic of Macedonia for 2011-2015.

Studies conducted in Serbia, Albania and Kosovo provide additional evidence of the differentiated effects of SALW on women and men. A media analysis carried out in Serbia showed that men committed as much as 97 per cent of incidents involving firearms and comprised 83 per cent of casualties. On the other hand, women accounted for only 3 per cent of perpetrators but made up 17 per cent of victims (SEESAC, 2015, p. 13, 17) which confirms that the same pattern applies across the region.

The analysis also sheds light on gender-related differences in the outcome of incidents in which the use of firearms is involved. These differences are particularly stark in the

case of Serbia where death was the most common outcome for women, accounting for 44 per cent of firearm incidents involving women, while in the case of men, injury is the most common with 54 per cent, which is followed by death as the outcome in 34 per cent of incidents involving men. In Albania, 'injury is the most common outcome for both women (38 per cent) and men (39.9 per cent) of all known incidents', while 'death is the second most common outcome, shown at 26.1 per cent for males and 29.6 per cent for females. Incidents in which the victims were threatened with a firearm are the third most prevalent, at 19.7 per cent of incidents for males and 25.9 per cent for females' (SEESAC, 2016, p. 24).

**FIGURE 7:**  
**SHARE OF FIREARM-RELATED HOMICIDES IN TOTAL HOMICIDES, BY SEX**



Source: SEESAC Database, 2016.

Firearm-related homicides are more frequent among men, but also account for around one half of female homicides as shown in Figure 7.

In contrast to low, or relatively moderate female homicide rates overall in SEE, there is a high average percentage of female homicides committed with firearms in some parts of the region. According to the Geneva Declaration Secretariat Database for 48 countries for which reliable data were available for the period 2007 - 2012, in SEE, the former Yugoslav Republic of Macedonia comes on top and is ranked twelfth among those in the Database, with more than 40 per cent of female homicides committed with firearms. The Republic of Serbia follows, taking the seventeenth position, while Moldova ranks at the bottom of the list at forty-

second. (Racovita, 2015, p. 104). More recent data collected by SEESAC confirm the stability of the trend presented in Figure 7. **The high share of women murdered by small arms reflects the high lethality of firearms and makes a strong case for their control, particularly in the context of domestic violence.**

### 2.2.3 DOMESTIC VIOLENCE

Extensive available data disclose highly gendered and differentiated patterns of the violence women and men are exposed to. Based on premeditation, the motivation context, instrumentality, and perpetrator – victim relationship, UNODC classifies all homicide cases into: 1. **Homicide**



**related to other criminal activities** (where the main aim is to generate illicit profit or other related reasons); **2. Interpersonal homicide** (perpetrated by intimate partner/family member, without any secondary goal but as a means of resolving a conflict and/or punishing the victim through violence); and **3. Socio-political homicide** (where homicide is committed in order to pursue certain social or political goals, related to social prejudice, political agendas, or other socio-political agendas) (UNODC, 2013, p. 39-49).

Given the available statistics, homicides related to criminal activities or those linked to socio-political agendas affect men to a far greater extent than women, while on the other hand, interpersonal homicide disproportionately affects women. Within this differentiated patterns, women are targets of specific types of gender-based violence such as domestic violence and sexual violence (Cukier, 2002, p. 28). It is estimated that of all women who were the victims of homicide globally in 2012, almost half (47 per cent) were killed by intimate partners or family members, compared to less than six per cent of men killed in the same year (UNODC, 2013, P.14). Consequently, this means that while the majority of men are more often at risk of firearms misuse by their non-intimate male acquaintances (or even persons they may not know), women are more at risk in a domestic context by their intimate partners (Ibid., p. 28-29). In this regard it is also important to note that 'the prevalence of gun violence strongly depends not only on the sex of the offender but also on the offender's relationship to the victim and the location of violence' (Sorenson, 2006).

A number of studies provide evidence that the presence of a gun increases the risk of a lethal outcome for women within the domestic context (SAS, 2013; Cukier, 2006; Alvazzi del Frate, 2011; Shaw, 2013). In the analysis conducted across 26 high income and 10 upper middle income nations, Hemenway and Miller document a clear correlation between firearm availability and homicide rates - 'where guns are more available, there are more homicides' (2000). In the USA, which has one of the highest rates of firearm ownership, 84 per cent of all murdered women were killed with firearms (AI, IANSA, OI, 2005, p. 11) which is over twice the global average. A study carried out in the USA showed that while 'having a gun in the home increased the overall risk of someone in the household being murdered by 41 per cent, for women in particular the risk was nearly tripled (an increase of 272 per cent)' (Ibid., p. 12). According to other estimates, the presence of SALW increases the likelihood of a lethal outcome for women by five to twelve times, in comparison to cases where firearms are not involved meaning that 'abused women are five times more likely to be killed by their abuser

if the abuser owns a firearm' while 'domestic violence assaults involving a gun are 12 times more likely to result in death than those involving other weapons or bodily force' (Law Centre to Prevent Gun Violence).

As a result, it has been argued that, within the wider social context of existing gender inequalities, SALW 'increases power imbalances and reinforces social hierarchies which give men dominance over women' (Farr, 2006, p. 111) - which consequently takes its most radical expression in the context of domestic and intimate partner violence, and its most fatal outcome - intimate partner femicide.

Several factors increase the likelihood of a fatal outcome in intimate partner violence when firearms are involved (AI, IANSA, OI, 2005, p. 13):

- severity of wounds caused by gunshot,
- women's reduced capacity for resistance,
- reduced chances for women to escape or for outsiders to intervene and assist them,
- increased chances that an abuser will actually use firearms in domestic violence cases (Campbell, 2003).

Firearms also play a role when sexual and other forms of gender-based violence are committed, both in conflict and non-conflict settings. Furthermore, as mentioned above, the presence of firearms can result in injuring and maiming and is associated with psychological violence against women by their partners, which can take different forms (threatening, intimidating, stalking etc.).

Violence against women in a domestic context is widespread in SEE. In Albania, the overall prevalence rate of domestic violence against women (during life span) is 59.4 per cent, psychological violence being the most frequent (58.2 per cent), and followed with physical violence (23.7) (INSTAT, 2013, p. 34). Almost every second woman in Bosnia and Herzegovina (47.2 per cent) experienced at least one form of violence from the age of 15, most often psychological (41.9 per cent) and physical (24.3) (Babović, Ginić, Vuković, Karadinovic, 2013, p. 13) Data provided by a survey conducted in Serbia in 2010 document the same trend - the overall prevalence of violence against women is 54.2 per cent, 48.7 per cent psychological and 21.6 physical.

With regard to policy responses to the problem, only recently have authorities in the region started to address it systematically through the development of legislative and

strategic frameworks to combat violence against women and more recently the signing and ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. Despite signs of growing awareness of domestic violence, different aspects of the problem are still under-researched, while underdeveloped recording practices present a serious

obstacle in the full understanding of the characteristics, its scope and prevalence, as well as institutional response, which altogether hampers the further development of policy solutions. Due to the recent efforts of SALW commissions in SEE, some basic data on firearm and domestic violence are being collected, revealing major trends and outlining gender specific risks.

**TABLE 3:**  
**NUMBER OF PERSONS KILLED BY THEIR INTIMATE PARTNER, BY SEX**

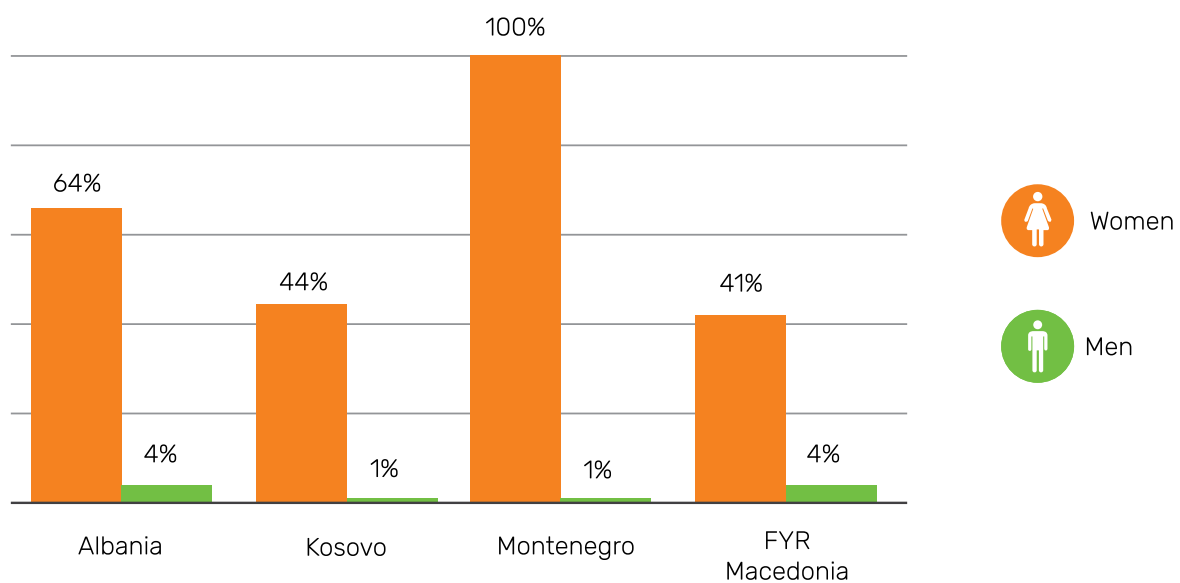
	2015		2014		2013		2012		2011	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
<b>Albania</b>	9	2			No data available					
<b>Kosovo</b>	1	0	0	0	1	1	0	0	2	0
<b>Montenegro</b>	3	0	4	0	1	1	2	0	1	0
<b>FYR Macedonia</b>	2	0	4	2	2	0	5	0	2	2

Source: SEESAC Database, 2016

As evident from the Figure 8, which show the share of intimate partner homicide in total homicide for women and men for Albania, Kosovo, Montenegro and the former Yugoslav Republic of Macedonia, domestic

violence with a lethal outcome disproportionately affects women and very seldom occurs among men, comprising only a minor share in the total number of male homicides.

**FIGURE 8:**  
**PROPORTION OF INTIMATE PARTNER HOMICIDE IN TOTAL HOMICIDE, BY SEX**

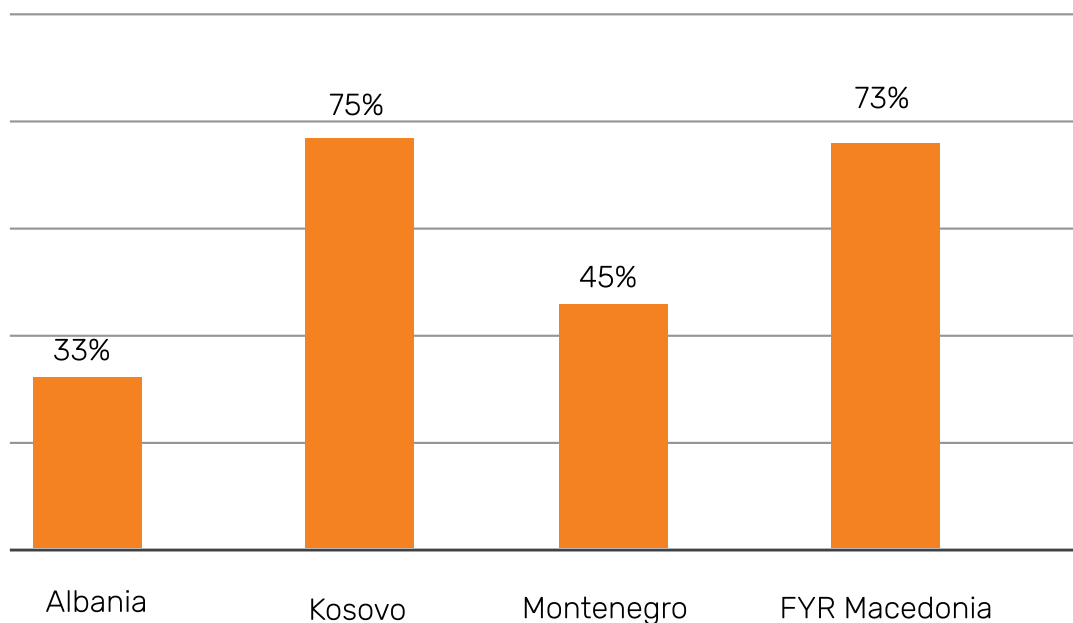


Source: SEESAC Database, 2016

As already observed, in instances of relatively low rates of both intentional homicide and female homicide, which is a common trait for most of the SEE region, the majority of female homicides in SEE are related to domestic, i.e. intimate-partner, violence. Within the five-year period (2011-2015), the share of women murdered by their intimate partner in the total share of murdered women was

41 percent in the former Yugoslav Republic of Macedonia, 44 per cent in Kosovo, while in Montenegro all murdered women were murdered within the domestic context, **which confirms that murder by intimate partner is the most common form of homicide of women.** Data for Albania were available only for 2015, making it impossible to track trends, but it accounted for 64 per cent.

**FIGURE 9:  
PROPORTION OF INTIMATE PARTNER FEMICIDE COMMITTED BY FIREARMS IN  
TOTAL NUMBER OF INTIMATE PARTNER FEMICIDE**



Source: SEESAC Database, 2016

In terms of the misuse of firearms, of all women murdered in the domestic context, the share of women murdered by their intimate partner with firearms is 33 per cent in Albania, 45 per cent in Montenegro, 73 per cent in the former Yugoslav Republic of Macedonia and 75 per cent in Kosovo, which confirms the high lethality of firearms in the context of domestic violence.

Reports by women's organizations, which are often the only source of information on intimate partner femicide, also provide information that indicates clear linkages between

the fatal outcome of domestic violence and the presence of firearms. Data collected by the Women against Violence Network in Serbia since 2010 cast light on these linkages. In 2015, this figure reached a peak – 45.7 per cent out of the total number of women murdered in the context of domestic/intimate-partner violence, were killed by firearms. Since in most cases it was not reported whether the used firearms were legal or illegal possessions, no informed conclusion could be drawn about these linkages. However, due to the widespread availability of illegal firearms, further research should be initiated to map this issue.

TABLE 4:  
INTIMATE PARTNER FEMICIDE IN SERBIA

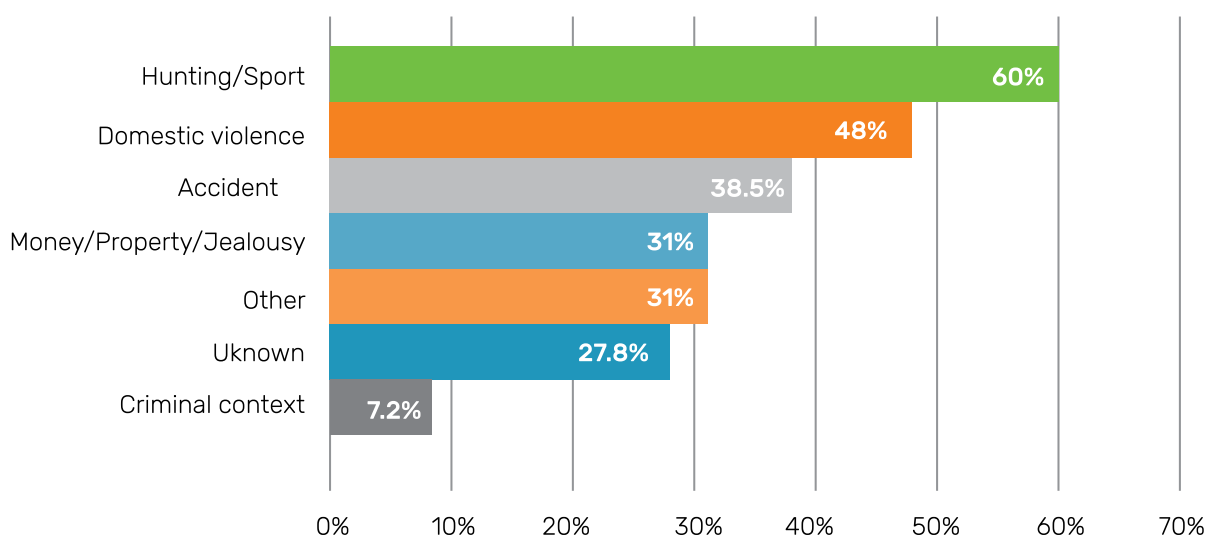
	Number of women murdered in IP and DV contexts	Number of women murdered with firearms	Share of women murdered with firearms
2010	26	10	38.6
2011	29	12	41.4
2012	32	11	34.4
2013	43	13	30.2
2014	27	8	29.6
2015	35	16	45.7

Source: Women against Violence Network

Another study conducted in Serbia shows that the absolute number of deaths in the context of domestic violence (12) was higher than the absolute number of deaths in a criminal context (11) and was higher than any other type of firearm-related incident (SEESAC, 2015, p.22). Furthermore, the probability that the outcome would be fatal if a firearm was involved was second

highest in the context of domestic violence, only after hunting, and it was seven times higher than in the case of incidents committed in a criminal context, which are the most often reported in media (ibid., p. 23). This data supports the findings mentioned above, that the presence of firearms disproportionately increases the risks for women.

**FIGURE 10:**  
**FREQUENCY OF FATAL OUTCOME ACCORDING TO THE TYPE OF INCIDENT - SERBIA**



Source: SEESAC, 2015

Also, women were more often victims of firearm-related violence in private than in public settings (e.g. street, park, road, forest, field, out of town), or in bars and restaurants, whereas men were considerably more likely to be victims (Ibid., p. 24). For instance, in Kosovo, 'armed violence against women most often took place

in the home or yard (63 per cent of all known micro-locations), while this is relatively rare in the case of men (23.6 per cent). On the contrary, men were most frequently exposed to firearm-related violence in public spaces - streets or sidewalks (45.9 per cent, compared to 14.8 per cent for women)' (SEESAC, 2016a).

As already mentioned, the misuse of SALW is not only limited to female homicide and intimate partner femicide; it is also frequently utilized to incite psychological, physical, sexual, economic and other forms of violence and to exert overall control over women which have adverse effects on women's safety. Available data confirm the widespread misuse of SALW in this regard. According to data for Kosovo, by the NGO Medica, providing psychological support for women survivors of male violence, in 23 per cent of these incidents, firearms were used (SEESAC, 2006, p. 27). Every fifth female respondent in the research on domestic violence in Montenegro said that the perpetrator of the violence against them owned a firearm, while in 36.6 per cent of incidents they were threatened with a firearm. In 28.4 per cent of cases the abuser actually used a firearm in the attack (UNDP, 2012, p. 67), which supports the findings that 'displaying firearms is a predictor of actual use' (Alvazzi del Frate, 2011, p. 131).

Findings from a study conducted in Serbia for the Autonomous Province of Vojvodina indicate the relatively low correlation between threats made with firearms and actual assaults/attacks, leading to the conclusion that firearms are often used as a tool for threatening others (Nikolić-Ristanović, 2010). In 34.9 per cent of incidents firearms were used as a threatening tool, while in 6.3 per cent of cases, the threat ended in an assault. It should also be mentioned that the study showed a correlation between the readiness to use firearms and perpetrators' participation in war/military conflicts in terms that 22.2 per cent of perpetrators who participated in war/military conflicts used firearms in domestic violence incidents, in comparison with 8.8 per cent of those who did not take part in military conflicts (Ibid., 2010, p. 76). Although this aspect is still under-researched, there is anecdotal evidence from the Centre for War Trauma that

suggests there is a link between participation in war, the trauma caused by that and increased chances that violence will occur (Beara and Miljanović, 2007).

### **BOX 1 MASS SHOOTINGS, DOMESTIC VIOLENCE AND COMMUNITY SAFETY IN SERBIA**

*Based on media reporting, five out of six deadliest mass shootings that have occurred in Serbia from the year 2000 onwards are the direct result of the misuse of firearms in domestic violence or involved the killing of a family member or former/current partner. In each of these five shootings, the perpetrator was a man and a total of forty people were murdered and twenty-eight wounded. Women account for the majority (55 per cent) of the victims of these mass shooting, which is significantly greater than the representation of women among firearm-related victims in general. In at least three cases there was evidence that prior to the shooting, the perpetrator had a history of committing domestic violence.*

*(Taskovic, 2016)*

## BOX 2 LAW ENFORCEMENT AND MILITARY OFFICIALS AND DOMESTIC VIOLENCE

*Men predominate in professions with easy access to firearms – the police and military, which can have important implications on the incidence of firearm-related activities, particularly in the context of domestic violence. Although this issue in SEE is still under-researched and there is no consistent evidence that law enforcement officers are more involved in domestic violence than men in general population (Djan, 2014), there are several concerns that increase the vulnerability of women and the risk of the fatal outcomes, which makes a strong case why this question is raised. As mentioned, police officers and others have direct access to weapons, they are trained to use them, they work in a highly masculine institutionalized culture and have access to information, familiarity with procedures etc (Ibid.).*

### 2.2.4 GENDER AND DEMANDS FOR SMALL ARMS – MASCULINITY & CULTURE

Attempts to understand and practically address men's preponderance among both perpetrators and victims of firearm-related incidents usually have specific forms of masculinity in society as their point of departure. Further efforts have been undertaken to capture the mechanisms of how socially and culturally prevailing conceptualizations of manhood and dominant gender regimes, including the concept of *hegemonic masculinity* (Connell) influence and shape SALW use and misuse (Bevan and Florquin, 2006; CHD, IPU 2007; Page, 2009; Blagojevic, 2013; Mankowski, 2013).

The concept of hegemonic masculinity has been widely used to explain gender practices relating to men, gender and social

hierarchy' (Connell and Messerschmitt, 2005, p. 829) and it encompasses a set of characteristics which 'embodies the currently most honoured way of being a man, it requires all other men to position themselves in relation to it and aspire to it, and it ideologically legitimates the global subordination of women to men' (Ibid., p. 829) and some men to other men (Page, 2009, p. 2). In that sense it is both normative and the most socially endorsed although these characteristics are not, in fact, the most prevalent in society (Ibid., 2009, p. 2). Still, the ideal plays a most prominent role in conditioning the concept of masculinity and ascribing certain roles to men such as protector, defender, warrior which could bear relevance for SALW practices. This form of masculinity is historical and subject to change, and therefore less oppressive forms of masculinity could come to prominence and take over the prevailing pattern of masculinity (Connell and Messerschmitt, 2005, p. 833). Consequently, this provides a space for the translation of these concepts into policy intervention, a reduction of violence and eventually the transformation of unequal gender relations.

However, when linking the idea of masculinity with SALW use and misuse, it is essential not to 'slide into the inference that all men are violent' (Connell, 2000, p. 22) and to explore why men make up the majority of both firearm owners and perpetrators of firearm-related incidents, as well as why the majority of men never get involved in armed violence (Mankowski, 2014, p. 14).

As mentioned above, the dominant masculinity is in practice effectively constructed through a set of characteristics which include 'aggressive and risk taking behaviour, emotional restrictiveness, competitiveness, heterosexuality' (Ibid. p. 15) but also 'physical and emotional courage, the ability to endure hardship, to not break down emotionally in the face of horror' (Page, 2009, p. 2). The centrality of the category of power in this regard also has to be taken into account. As observed, violence can be triggered by the significance attached to power in men's social relations, actions and experience (Hearn) and the attempt to exercise this power. This is particularly relevant in situations when there is a tension between perceived entitlement to power, disempowerment and the state of being 'socially conditioned to seek power' (Bevan and Florquin, 2006). Some of these features are directly related to the numerous factors connected with gun violence (Mankowski, 2014, p. 15) since in the absence of these features one's manhood is contested (Ibid., 14). In terms of policy response to armed violence, there is a need to explore the interplay between this form of masculinity and SALW and examine 'both the notions of masculinity and the role of guns in male culture and to develop practical strategies to decouple them' (Cukier, 2009, p. 29).



With regard to the demand for firearms, the diverse factors which influence men's decisions to possess and use guns range from the 'feeling of social and economic disempowerment and necessity to reassert power through gun use, urge to comply with the prevailing understanding of masculinity, tool to gain power, respect or material status or a means to retain a dominant position in changing circumstances' (Page, 2009, p. 3).

Given the statistical evidence, particular attention, both in terms of research and policy options to reduce firearm-related violence, should be given to young men, because 'men's violence is age-related' (Hearn and Pringle, 2006, p. 149) and gender and age are strong predictors of violent behaviour. With regards to SALW, young men generally represent a disproportionately high share of both victims and perpetrators of firearm-related violence (Bevan and Florquin, 2006, p. 296; IPU, CHD, 2007, p. 82). Young men often 'perceive violence – particularly small arms violence – as a means to reach a position of social and economic status that they feel entitled to' and in this process small arms can bear particular attractiveness to them since they offer 'empowerment in the face of exclusion from socially defined masculine roles and can be a strong symbol of power for marginalized young men' (Bevan and Florquin, 2006, p. 295, 296). However, it is important to notice that a 'young man's gender is not the sole determinant of his association with or willingness to use armed violence; in fact, his understanding and use of social and cultural ideologies of masculinity will largely determine whether he turns to armed violence' (Ibid., p. 301). Having said that, it is equally important not to downplay the role of the wider social context and the complex set of other factors which determine whether young men would resort to violence. Among these factors, researchers underline coercive violent parental control, limited parental control, socializing with delinquent peers, having been brutalized, having witnessed or experienced violence in the home or community, etc. (Ibid., p. 300). Therefore, **gender is a strong predictive factor but it is activated only if a number of other social factors are present.** Taking this 'situational approach' helps to explain the fact that although young men dominate in the perpetration of armed violence, the majority of young men do not get involved in firearm violence (Ibid., p. 300). Despite young men committing the majority of firearm related violence, it is actually only a 'small proportion of young men responsible for most armed violence' (Ibid., p. 298), this is an important takeaway for policy response because it makes a strong case for focused policy intervention.

The final outcome underlined by this study is the necessity to tackle the prevailing gender system as an integral part of SALW control policies by reiterating that 'countering the socially

constructed association between guns, violence, power and masculinity is a key component of any effective, long-term prevention strategy' (Ibid., p. 296). The role of the media and education in supporting the formation of hegemonic identities should also be taken into account in this regard, as well as other factors that help reproduce predominant gender regimes.

In SEE, guns are also associated with manhood and masculinity and, as noted, 'the extent to which guns define the gender construct of masculinity will affect SALW control work' (SEESAC, 2006a, p. 23-24). There are also efforts to understand men's violence within the concept of hegemonic masculinity and critical studies of masculinity but within the specific SEE, i.e. Balkans, socio-political context (Blagojević, 2015).

### BOX 3 SUICIDE AND FIREARMS

*According to the European Detailed Mortality Database for 33 European countries (WHO), Montenegro was ranked first and the Republic of Serbia third in terms of the gun suicide rate per 100,000 persons. Suicide is a heavily gendered phenomenon, and 'the overwhelming majority of gun suicide involve men (96 per cent)'. In terms of the types of firearms used for gun suicides in Serbia, handgun discharge dominates at 60 per cent, followed by rifle, shotgun/larger firearm discharge at 14 per cent (Duquet and Van Alstein, 2015, p. 22).*

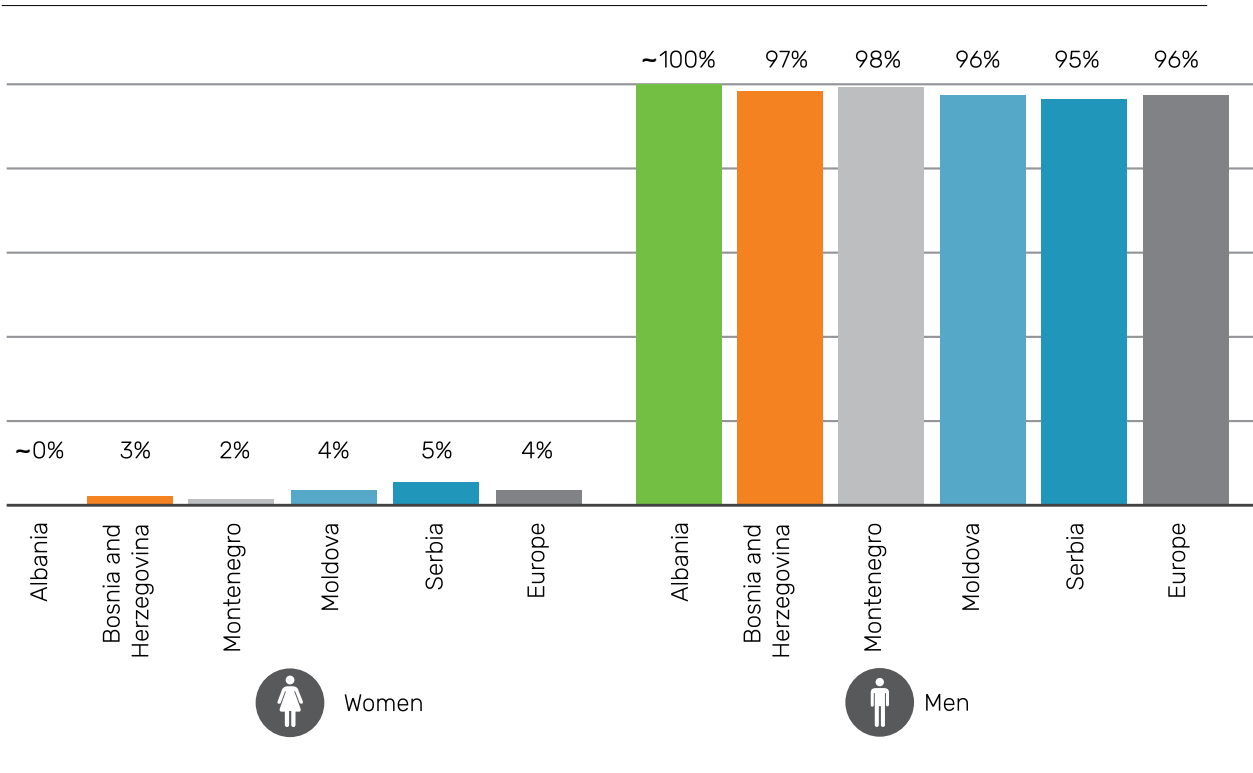
*In close connection with the suicide rate among men is the murder-suicide pattern in which 'the perpetrator kills one or more people and subsequently commits suicide within a short period of time' (Shaw, 2013, p.26). Evidence shows that this most often happens within the context of an intimate partner or domestic violence, men being the perpetrators, while women are the victims, and a firearm is most often the weapon of choice (Ibid, p. 26-27).*

A study on cultural conditioning of SALW issues in SEE underlines that in order to 'understand the gun's role in defining gender roles, it is necessary to understand the way guns define male- female relationships and define a man's role in the family and in society more generally' including as protector and, hunter, but also 'somebody who is able to exert power in society and control over women' (SEESAC, 2006a).

The relations between cultural norms and SALW malpractices are twofold, and therefore more research should be initiated in order to shed light on how the widespread availability of small arms shape the demand for it. In this regard, it should be underlined that in countries and territories with lower gun ownership there

is a higher percentage of men who state that they do not like guns (Bulgaria and Moldova), and there was no significant discrepancy between male and female attitudes toward gun ownership. The study furthermore concludes that gun ownership is 'largely a male phenomenon in territories and countries with high levels of gun ownership' (such as Montenegro and Serbia) (SEESAC, 2006, p. 25). Additionally, there is evidence that dominant firearm related behaviour can be more influenced by state policies or social-political circumstances than exclusively by factors related to tradition and culture, which are often considered to be self-explanatory or hard to steer (Shwandner-Sievers and Cattaneo, 2005, p. 213-214). In terms of demand, gun ownership in SEE is extremely male dominated, as elsewhere.

**FIGURE 11:**  
**GUN OWNERSHIP, BY SEX**



Source: For Moldova, Montenegro and Serbia Dönges and Karp, 2014, for Bosnia and Herzegovina, and Albania SEESAC Database, 2016. For Kosovo gender-disaggregated data are not available.

In Serbia, men comprise 95 per cent of gun owners compared to only 5 per cent of women, while in Montenegro, Bosnia and Herzegovina and Moldova this gender disparity is even slightly higher with men accounting for 98 per cent, 97 per cent and 96 per cent and women only 2 per cent, 3 per cent and 4 per cent of gun owners, respectively. In Albania gun ownership is almost exclusively dominated by men. The average ratio for eight European countries based on available data is 96 per cent of men and 4 per cent of women (Dönges and Karp, 2014, p. 1).

It seems that these ranges are not only stable, but are also reproduced over time. As evident from the table below in the example of Bosnia and Herzegovina, the dominance of men in acquiring firearms is persistent and relations have not changed significantly over the five-year period. Similar trends are present in Albania and Montenegro with an even smaller share of women.

The scarce available data also indicates that in certain contexts firearms might play a role in rites of passage. For example, research conducted in Belgrade by the NGO Balkan Youth Union showed that there is noteworthy gender disparity in boys and girls experience with firearms: 29 per cent of boys and 48 per cent of girls claimed they had never held a firearm (SACISCG, 2005). This data indicates that young men are somewhat more exposed to SALW, which should be taken into account when policy response is being designed. In certain geographical locations, such as Northern Albania and Montenegro, firearms have also been part of rites of passage, but data are scarce. The study on gun culture in SEE, mentioned above, also brings anecdotal evidence about the role of small arms for young offenders, particularly in terms of power, who see a gun as a tool to 'keep up their status as people to be feared and not challenged' (Ibid., p. 23).

**TABLE 5:**  
**BOSNIA AND HERZEGOVINA: NUMBER OF LICENCES TO ACQUIRE FIREARMS ISSUED**

	2015		2014		2013		2012		2011	
<b>Women</b>	3%	2%	2%	2%	1%	104	26	131	18	124
<b>Men</b>	97%	98%	98%	98%	98%	28	4	28	2	20

Source: SEESAC Database, 2016

**FIGURE 12:  
MALE PERPETRATORS AND VICTIMS OF FIREARM-RELATED INCIDENTS BY AGE IN  
ALBANIA, KOSOVO, BOSNIA AND HERZEGOVINA AND THE FYR MACEDONIA, 2015**



Source: SEESAC Database, 2016

Data collected by SEESAC and SALW Commissions or relevant institutions in Albania, Bosnia and Herzegovina, Kosovo and the former Yugoslav Republic of Macedonia confirm the persistent tendency for young men to be disproportionately represented both among perpetrators and victims. In each country and territory, apart from Bosnia and Herzegovina, the majority of firearm-related incidents were committed by those between the ages of 15 to 29, from 36 per cent in Kosovo to 56 per cent in Albania. As for victims, men aged 30 to 44 dominate in this group. Given this statistical evidence, it is evident that young men and their exposure to risk taking behaviours call for policy urgency. However, to tackle this issue effectively, further research is needed to fully grasp in a nuanced manner how cultural norms and dominant social roles attributed to men impact SALW behaviour and how they intersect with social and economic status, employment prospects, previous criminal history and institutional response.

In addition, it should be noted that most firearm-related activities, such as hunting, are male-oriented and that men heavily dominate professions with easy access to firearms – the police and military, which can have important implications on the incidence of firearm-related activities, particularly in the context of domestic violence.

However, ambiguous relations and available data call for further research on the complex interaction between masculinity and gun misuse, both to increase understanding of the linkages and to facilitate development of policy responses. As evidence has shown, reports on policies targeting young men in the USA provide evidence that specific and proactive programmes, coupled with behavioural intervention programmes have been effective in reducing gun violence among young men (Abt and Winship, 2016).

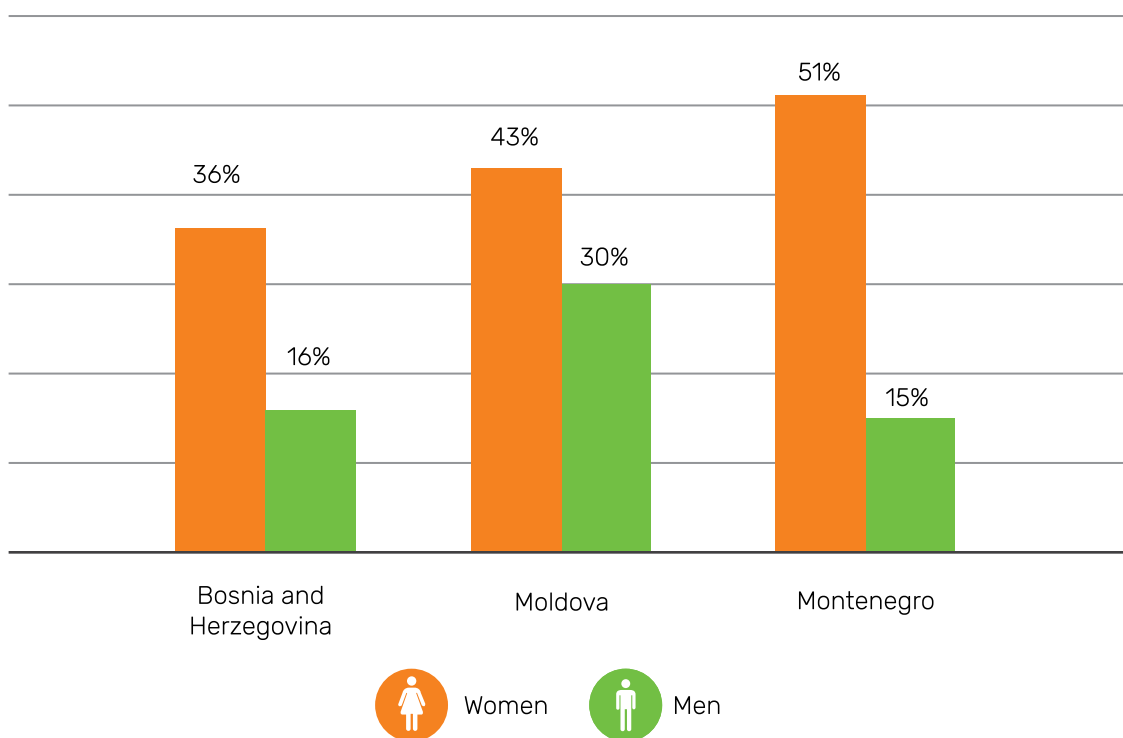
Finally, as mentioned in the beginning, masculinity is not homogenous and unchangeable. Parallel with these trends, there are alternative and less oppressive forms of masculinities which also have been actively working to change the norms associated with dominant masculinities that fuel risk taking behaviours. For example, the various men's groups or initiatives in close partnership with women's NGO initiatives should be noted, such as White Ribbon, MenEngage, HeForShe, the UN Secretary-General's Network of Men Leaders or the locally active Centre E8.

## 2.2.5 GENDER AND ATTITUDES TOWARDS SMALL ARMS AND REGULATION

Gendered differences between women and men can also be tracked in terms of their attitudes towards small arms. Discrepancy in attitudes between women and men in this regard is closely connected with 'different experiences of men and women with small arms, as well as the pervasive gendering of guns in society and even in the debates over controls' (Cukier and Cairns, 2009, p. 36). Opinion polls carried out in the region show that differences in attitudes toward SALW remain quite stable irrespective of the location. Women generally tend to more often have a negative opinion about SALW than men and are generally more prone to opt for stricter regulations (Ibid, p. 36-38). However, beside gender, other grounds of differentiation between attitudes such as cultural, class, geographic, ethnic and racial factors depending on the context should not be overlooked.

Women can also play a different role and support the use of firearms, as has been documented in certain communities, but that poses hardly any challenge to prevailing gender patterns (Farr, 2002; AI, IANSA, OI, 2005, p. 6). In the SEE region, women responded more frequently than men that they would not own firearms because they do not like guns. For example, 36 per cent of women and 16 per cent of men in Bosnia and Herzegovina said they do not like guns, while in Montenegro, the disparity between the genders is even more apparent with 51 per cent of women and 15 per cent of men (SEESAC, 2006, p. 24). In Bosnia and Herzegovina, women more often than men said that the possession of a firearm is a threat to family safety rather than a means of protection. A study in Montenegro showed that while both women and men believed there were too many firearms in society, women were more likely than men to see firearms as a risk or threat than a means to protect the family – 32.8 per cent of men and 43 per cent of women considered guns a danger to their families, while 32.8 per cent of men and only 14.8 per cent of women thought that having a gun at home increases the safety of the family. Also, considerably fewer women (20.2 per cent) than men (54.3 per cent) said they would acquire a gun legally if there was an opportunity.

**FIGURE 13:**  
**WHAT IS THE MAIN REASON YOUR HOUSEHOLD WOULD NOT CHOOSE TO OWN A FIREARM? – ‘I DON’T LIKE GUNS IN GENERAL’**



Source: SEESAC, 2007

Differences in attitudes have a strong potential to influence policy making and these should be duly addressed when SALW policies are designed and implemented. Evidence shows the importance of women’s contribution in weapons collection programmes in different settings as well as participation, including providing specific needs in disarmament, demobilization and reintegration (Schroeder, Farr and Schnabel, 2005). Data collected by SEESAC confirms that women in SEE have played an important role in these processes. Among those who handed in weapons during the firearm collection campaigns in Bosnia and Herzegovina in the 2011-2015 period, nine per cent were women, while in Montenegro in 2015 the share of women was 12 per

cent, which in both cases is significantly higher than the representation of women among firearms owners.

## 2.2.6 GENDER AND POLITICAL PROCESSES

Closely connected with the discussion above is the link between participation, representation and SALW policies outcomes. Bringing gender concerns to the core of SALW control policy making poses a challenge to the usual way policies are designed when gender aspects are largely unnoticed, or if mentioned, usually have little, if any implications for policy development. It therefore challenges common understandings of firearm-related behaviour,

which most often does not question underlying gender patterns of SALW use and misuse. Consequently, it calls for a change in the usually male dominated structure of stakeholders involved in policy making, establishing a balanced representation of women and men, and the participation of women's organizations and/or gender practitioners in SALW control agenda- setting.

As already highlighted, women and women's organizations play a vital role in advocating for stricter options with respect to SALW regulations, and also in disarmament processes. There is ample evidence in various countries and territories and diverse settings, both conflict and non-conflict, that women have mobilized themselves to curb the problem or advocate for solutions (Farr, 2002; Cukier, 2009; AI, IANSA, OI, 2005). Examples that led to stricter SALW control in Canada, Australia, South Africa and Brazil, demonstrate the importance of having women at the table when SALW problems are considered. The flagship case is the lobbying of IANSA Women's Network, Women's International League for Peace and Freedom and Amnesty International for the inclusion of gender-based violence within the Arms Trade Treaty, which is the first international arms treaty to obligate governments to assess the risk of gender-based violence when exporting arms.

Similarly, women's organizations in the SEE region advocate persistently for stringent SALW control in the context of post-conflict reconstruction and demilitarization or lobbying for policy solutions which link the proliferation of SALW and domestic violence concerns. This has been done through numerous initiatives such as increasing the visibility of the relationship between femicide and the role of firearms (*Women against Violence Network in Serbia*), advocating for the establishment of a coordinated institutional response to domestic violence and participating in the strategic policy development outlining firearms control within the domestic context (*The Autonomous Women's Centre*), lobbying for provisions in law against domestic violence regulating seizure of firearms when domestic violence is committed (Macedonian women's NGOs) or membership in international coalitions against armed violence (*Women in Black* is a member of IANSA). Other efforts include participation in international campaigns for curbing negative effects of firearms through legislative reforms (NGOs *Victimology Society of Serbia* and the *Journalists for Children and Women Rights and Protection of Environment in Macedonia* joined the IANSA campaign to demand stricter firearm control) and other awareness raising activities (*NGO United Women of Banja Luka*).

Although the role of women in SALW control and disarmament processes was recognized in UNSCR 1325 (2000) and reiterated in several General Assembly resolutions, including UNSCR 2020 (2015), there is still a tendency for women's organizations and women in general to be insufficiently included in decision making and policy development. This is often related to the traditional and persistent male dominance in the institutions regulating and implementing policies relevant for SALW control. As observed, inclusion of women, women's organization and articulation of gender perspectives can also be hindered with the predominantly technical definition of SALW-related expertise, which is more focused on the technical aspects of SALW where men still predominate, rather than on knowledge of violence where women have long-standing expertise, which consequently 'shapes the way in which an issue is addressed' (Cukier, 2009, p. 42).

In terms of representation of women and men in SALW commissions, underrepresentation of women is evident. Women comprise from 14 to 29 per cent of SALW commission members, and men chair each of the five commissions in SEE.

Furthermore, women, particularly in the case of international agreements are usually seen as a vulnerable group (most often together with elderly people and children) and 'the automatic framing and emphasis of women as primarily vulnerable victims and innocent civilians exposes men to further violence and strips women of their agency' (Acheson, 2015, p. 9). The challenges to meaningful participation are also related to the general characteristics of the policy process that they are involved in and which is usually characterized by a masculinized institutional culture (Connell). Although women and men do not necessarily have different opinions, women's 'positions or ideas are often forced to conform to the dominant perspective—underpinned by notions of violent masculinity—in order to be taken seriously' (Ibid., p. 10).

In order to ensure that the preconditions for gender mainstreaming are met, it is important to track and explore further how masculinity is institutionalized and how it governs both policy making and implementation of SALW control policy and not to disregard that it can have 'invisible' effects on the ways in which policy debates and research are constructed. (Cukier, 2009). One way to ensure gender is not absent from the debate is to ensure the participation of women's organizations, gender equality institutions and gender experts and practitioners.

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# 3 POLICY RESPONSE - DOCUMENT REVIEW

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*A broad sample of legislative and strategic documents regulating SALW was reviewed in order to assess if and to what degree the gender perspective is integrated into SALW policies in SEE. The approach taken was to review:*

- *Laws on firearms,*
- *SALW strategies and actions plans.*

*In addition, the following types of documents were analysed in order to assess whether SALW issues were addressed:*

- *Laws on gender equality,*
- *Laws on domestic violence,*
- *Gender equality strategies and action plans,*
- *Strategies to combat domestic violence and violence against women and accompanying action plans.*

*A detailed list of documents reviewed is enclosed in Annex 1.*

*For ease of reference, this chapter is structured as follows:*

- *Analysis of strategies regulating SALW control issues with the intention to identify if and to what extent the main policy concerns are addressed in a strategic response.*
- *Analyses of the legislative framework with the main focus on the laws on firearms, civilian regulation of firearm possession and domestic violence. Although they are not in the focus of the analysis, when necessary, references have been made to other relevant laws and procedures.*
- *Entry points in gender equality legislation and strategies which could play a role in SALW control efforts are briefly outlined.*

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## 3.1 SALW CONTROL STRATEGIES AND MAIN GENDER POLICY CONCERNS

In order to address different SALW-related challenges and meet their international obligations, most governments in SEE

have recently developed and adopted SALW control strategies and accompanying action plans. Along with this, institutional mechanisms for the coordination and implementation of planned measures, such as SALW commissions, councils or boards, have been established and focal points appointed. At the time of publication, SALW control strategies and action plans are in place in Bosnia and Herzegovina (revised in 2016 to cover the period 2016-2020), Montenegro (2013-2018), Kosovo (2013-2016) and the former Yugoslav Republic of



Macedonia (adopted in 2005). The strategy in the Republic of Serbia was effective for the period 2010 -2015 and it is currently being evaluated, while in Albania and Moldova a strategic and institutional framework is lacking. Due to similar challenges at hand, SALW strategies and accompanying action plans in the SEE region exhibit some common features, but also show notable specificities in terms of the scope and activities developed in the action plans.

With regard to gender equality, despite evidence of initial efforts being undertaken to tackle linkages between gender and SALW, prevailing tendencies in the integration of the gender perspective reveal a common manner in which gender is being approached (Bastick and Valasek, 2014, p. 54).

The methodological approach in the analysis of SALW control strategies and action plans was taken to:

- Map the presence of formal commitment to gender equality and gender mainstreaming,
- Map the use of gender disaggregated data and the presence of gender observations or the application of gender analysis in situation analysis,
- Review goals and particularly objectives against their responsiveness to the five main policy concerns discussed. The goal and objective are considered to be gender responsive if they explicitly address at least one of the main policy concerns,
- Review action plans to map whether mapped commitments have been translated into measures and activities and budgetary allocations to address identified gender-related concerns,
- Review the monitoring and evaluation approaches in order to determine whether they provide opportunity for tracking the effects of the strategic framework on women and men.

Depending on the extent SALW policy frameworks in the region respond to these concerns, the following classification is proposed:

- **Gender responsive policy framework:** contains a formal commitment to gender equality and gender mainstreaming. Gender disaggregated data are used in policy formulation and gender observations are present in the situational analysis in respect to at least three major concerns. At least one third of objectives and activities identify the gender perspective of the problem and gender disaggregated indicators are developed in the monitoring and evaluations matrix. In gender responsive policy frameworks, gender permeates

the whole policy cycle from design and planning to evaluation.

- **Piecemeal gender mainstreaming:** contains some of the elements outlined above but without a coherent and holistic approach to gender mainstreaming and less than one third of objectives and activities address gender concerns.
- **Gender mainstreaming work has not been initiated:** None of the elements is present and there is no systemic effort to integrate gender in SALW control. The relevance of gender for SALW control is not recognized and consequently neither are objectives set nor activities foreseen in the action plan.

All references to main policy concerns discussed in Chapter 2 are presented in Table 6 in order to measure how planned activities match the scale of the problem. For ease of reference, remarks in this section are organized to follow, as closely as possible, the methodological approach outlined above.

### 3.1.1 COMMITMENT TO GENDER EQUALITY

In terms of the commitment, references to women and men and gender equality are formally articulated in the *Strategy for SALW Control in Bosnia and Herzegovina 2013-2016* and *Strategy for SALW Control in Bosnia and Herzegovina 2016-2020* (hereinafter referred to as the BiH SALW Strategy) and the *Kosovo SALW and Collection Strategy and Action Plan 2013-2016* (hereinafter referred to as the Kosovo SALW Strategy).

The BiH SALW Strategy in the section 'Principles used in Strategy Development' states that 'this strategic document points to the importance of an even-handed approach to males and females in the process of implementing relevant control mechanisms' along with prioritizing support to SALW victims and environment protection (p. 9).

In the Kosovo SALW Strategy two relevant references are made under the section 'General Principles' where it is stated that the objectives formulated in the strategy will be guided by the set of principles', inter alia, the constitutional Principle of Human Rights Protection which 'guarantees the rights of all Kosovo citizens and in particular of women and children, regardless of ethnic background, gender, age and religion' (p. 10). The second reference is made under the section 'Vision and Mission', in the promotion of the 'participation of civil society groups (with special focus on inclusion of women and vulnerable groups) in development and implementation of SALW control policies, violence prevention and disarmament strategies' (p. 8).

In other documents under review, the SALW strategies in Montenegro, the Republic of Serbia and the former Yugoslav Republic of Macedonia, no references or explicit commitments are being made to gender equality or integration of gender equality in SALW control activities. At the same time, there are no other indications of alternatively framed commitments that gender will be consistently integrated in response to SALW challenges.

### 3.1.2 GENDER DISAGGREGATED DATA AND GENDER OBSERVATIONS

Situation analyses presented in SALW control strategies effective in SEE provide no evidence of the use of gender disaggregated data when SALW-related challenges are being considered. Analyses of SALW strategies show that they usually operate with a comparably small amount of data, primarily on the availability of firearms in civilian and state possession, estimates of illegally owned SALW and the number of firearms seized or destroyed. The number of firearm-related incidents is mentioned less often.

In the documents under review no data or statistics are provided to outline the effects of proliferation of firearms and armed violence on individuals. In that regard, none of the SALW strategies provide data on the victims of armed violence, the perpetrators of firearm-related incidents nor the types, outcomes and characteristics of firearm-related incidents. Partially, this could be understood within the limitation of the current prevailing manner in which SALW strategies are developed where situation analysis serves as an introduction in the document, containing a brief overview of the problems of SALW proliferation within the given context, rather than actual evidence based analysis. In this regard, it is unclear to what extent more comprehensive analysis preceded policy development.

At the same time, no space is provided for more detailed definition of problems, which tend to be loosely articulated, in particular with regards to links between SALW proliferation and citizens' security. Consequently, this approach is not favourable for the articulation of the gender aspects of SALW proliferation. In no document is gender disaggregated data provided, either in terms of victims, perpetrators or firearm owners, or in data on the discrepancy in attitudes to SALW between women and men or in data on domestic violence.

Due to underutilization of gender disaggregated data there are limited, if any, opportunities to integrate gender analysis within situation analysis and identify how certain issues specifically affect women and men and link it to problem definitions.

The only documented observations in situation analysis are references to domestic violence in the strategies of Bosnia and Herzegovina and Kosovo. In the SALW control Strategy of Bosnia and Herzegovina 2016 -2020, the General Part highlights that the 'presence of illegal weapons contributes to domestic violence' (p.2), while the Kosovo Strategy observes that 'a gun in the home is much more likely to be used to intimidate or physically injury family members than be used against an outside intruder' (p. 6). Apart from these observations, no other linkages between gender and the demand for small arms, the gun culture and masculinity have been outlined.

In the strategic frameworks of Montenegro, the Republic of Serbia and the former Yugoslav Republic of Macedonia, the relevance of gender concerns is unremarked.

### 3.1.3 SETTING THE AGENDA - GENDER IN GOALS AND OBJECTIVES

The strategic documents under review cover a wide range of different interconnected activities and tackle complex challenges related to SALW proliferation. They primarily refer to the establishment of effective SALW control through the improvement of legislative and technical conditions preventing SALW misuse, the reduction of illegal SALW and awareness raising efforts that are expected to contribute to the increased general security of citizens and society. For instance, in the Serbian SALW Strategy the overall goal is 'to establish a unique national system of effective control of SALW ensuring the reduction of weapons in illegal possession and number of abuses of legal weapons and the increase of the general security of citizens and society as a whole'. In the former Yugoslav Republic of Macedonia, the Strategy seeks 'to secure a safer environment and control small arms and light weapons within society in order to promote the conditions for improvement of the general security'. In Kosovo's Strategy the 'vision is that Kosovo will be a safe environment where small arms and light weapons are under control'. In the BiH Strategy there are specific objectives and no overall goal is articulated, while in Montenegro, the general goal 'is the overall development of the efficient system of control of small arms and light weapons and ammunition in all its segments'.

As they are presented, the goals defined in the SALW strategic framework in the SEE region prioritize the complex tasks regarding the establishment of the legislative, policy and technical preconditions for the effective system for SALW control and increased security of citizens. In this regard, they bear relevance to the security needs of both women and men, although without explicit commitment that differences will

be taken into consideration. The same relates to objectives. Although many of the objectives are directly relevant to the main policy concerns, gender aspects are not explicitly mentioned and in none of strategies is there an objective referring straightforwardly to gender.

However, even in strategies that make efforts to integrate gender, the prevailing approach is often incoherent, so that, for instance, a certain objective is not defined in a gender responsive manner, but in the action plan gender relevant activities do occur, or vice versa (gender appears among the objectives, but not within the action plan). In order to capture the full occurrence of gender concerns addressed in the strategic document, additional mapping has been undertaken as presented in Table 6. The mapping shows, for instance, that some gender concerns, although not contained in the very formulation of an objective, have been articulated under their explanation, or information is provided on the response to gender issues in the description of activities.

As evident from Table 6, linkages between gender and SALW are articulated only in SALW strategies in Bosnia

and Herzegovina. In Bosnia and Herzegovina, both gender relevant references, i.e. domestic violence, and the different influences of weapons on women and men are in the strategic document defined under Objective 4: International and regional cooperation and cooperation with NGOs. In the case of the SALW Strategy in Kosovo, a general commitment to gender equality has not been translated into goals and objectives, and neither have concrete activities been designed.

Under the objectives of the other SALW strategies reviewed (Montenegro, Serbia and the former Yugoslav Republic of Macedonia) no gender relevant observations are present and main gendered policy concerns are not addressed.

### 3.1.4 ACTION PLANS: TRANSLATING COMMITMENTS INTO ACTIVITIES

As a part of the review process, efforts have been undertaken to map activities in the action plans that contain explicit reference to gender and are related to main policy concerns. The table below provides information on the position of activities with respect to objectives.

**TABLE 6:**  
**GENDER CONCERNS IN OBJECTIVES IN SALW STRATEGIES AND ACTION PLANS**

<b>Bosnia and Herzegovina (2013-2016)</b>	<b>Objective:</b> Management of SALW that are in possession of BiH competent agencies and institutions.
	<b>Activity:</b> Produce a study of the burden that SALW represents for Bosnia and Herzegovina and its influence on the civilian population and development.
	<b>Gender aspect:</b> The assessment process will take into account the different impact that weapons have on men and women.
	<b>Activity:</b> Training programme and certification of personnel for the management of ammunition and explosive ordnance.
	<b>Gender aspect:</b> The training will attempt to include as many female personnel from the Ministry of Defence of BiH as possible in order to contribute to the balanced inclusion of female and male personnel in the training process.
	<b>Objective:</b> International and regional cooperation and cooperation with NGOs.
	Within this objective it is stated that <i>Special emphasis shall be given to the use of weapons in cases of domestic violence, and to different influences that weapons have on men and women.</i>
	<b>Activity:</b> Mapping and identification of SALW victims in selected municipalities.
	<b>Gender aspect:</b> While developing the methodology different needs of female and male victims will be taken into account and an equal approach to and treatment of females and males will be ensured.
<b>Bosnia and Herzegovina 2016-2020</b>	<b>Objective:</b> Reduction of illegal SALW.
	<b>Activity:</b> Establish coordinated data collection on <b>domestic violence</b> cases with firearm use or threat (in all relevant institutions/judicial bodies and security institutions).

Measures foreseen to translate general commitments to gender equality into concrete activities are present only in the action plans in Bosnia and Herzegovina. However, these gender responsive activities account for only a minor portion of the action plans – in the BiH Strategy 2013-2016, the share of gender responsive activities in the Action Plan is 9 per cent, while in the revised Strategy only one such activity is foreseen. If implemented, this small share could be understood within the context of piloting a new approach with limited previous experience and the lack of examples of good practice elsewhere.

In other action plans no specific gender-related activities are defined, nor is there a commitment that gender concerns will be taken into account during the realization of activities.

Therefore, without further research into implementation, it cannot be said whether they will manage to address any of the main concerns, and if so to what extent.

### 3.1.5 WHICH GENDER CONCERNS ARE BEING ADDRESSED?

Table 7 attempts to map policy responses to main policy concerns: gender differentiated effects, domestic violence, gender and demand for firearms, discrepancy in attitudes and balanced participation. It is evident that, despite the significance of these concerns, there is a very limited response to challenges in the field, and these initiatives tackle only a limited number of policy concerns, leaving most of them unaddressed and thereby not managing to meet the scale of the problem.

**TABLE 7:**  
**POLICY RESPONSES IN SALW STRATEGIES TO MAIN POLICY CONCERNS**

	Main Policy Concerns				
	Gender differentiated effects	Domestic violence	Gender and demand, masculinity	Discrepancy in attitudes	Balanced participation
<b>Bosnia and Herzegovina 2013-2016</b>	<p><b>ACTIVITY:</b> Mapping and identification of SALW victims in selected municipalities</p> <p>While developing the methodology, the different needs of female and male victims will be taken into account and an equal approach to and treatment of females and males will be ensured.</p>	<p>Special emphasis shall be given to the use of weapons in cases of domestic violence.</p>			<p><b>ACTIVITY:</b> Training programme and certification of personnel for the management of ammunition and explosive ordnance will attempt to include as many female personnel from the Ministry of Defence of BiH as possible in order to contribute to the balanced inclusion of female and male personnel in the training process.</p>

	<b>Main Policy Concerns</b>				
	<b>Gender differentiated effects</b>	<b>Domestic violence</b>	<b>Gender and demand, masculinity</b>	<b>Discrepancy in attitudes</b>	<b>Balanced participation</b>
<b>Bosnia and Herzegovina 2016-2020</b>		The presence of illegal firearms contributes to domestic violence.			
<b>Kosovo (2013-2016)</b>					
<b>Montenegro (2013-2018)</b>					
<b>Serbia (2010 -2015)</b>					
<b>the former Yugoslav Republic of Macedonia (2005)</b>					

### 3.1.6 TRACKING THE CHANGES – MONITORING AND EVALUATION

Since gender is not articulated in the activities, it is also absent in monitoring and evaluation. In all action plans, indicators are set only to the level of activities and are defined as output indicators. In that regard, apart from providing information about whether an activity was implemented, no effect on women's and men's security

needs could be tracked. None of the reviewed action plan contained gender responsive indicators designed to capture the impact of SALW control policies on women and men, the relations between them in this particular field, the benefits that implementation of SALW strategy brings to women and men, or indicators included to follow up on changes in the status of women and men (Moser, 2007). Only in the SALW strategy for Kosovo is there a list of monitoring and evaluation indicators designed for the evaluation of Strategy achievements, but none of them are gender disaggregated.

## BOX 4 EMERGING INITIATIVES

*Despite the prevailing trend in SALW control strategies the gender goes mostly unremarked upon, it seems that awareness about the necessity to incorporate gender perspective in strategic response to SALW challenges is growing steadily. Sporadic but pioneering efforts to incorporate the gender perspective into measures and activities have already been undertaken, mostly in Bosnia and Herzegovina, and to a lesser extent in Kosovo. Although presented in the discussions above, here they are briefly summarized.*

*The Strategy for SALW Control in Bosnia and Herzegovina 2013-2016 provides evidence of efforts to mainstream gender, although limited and partial. In terms of commitment 'the strategic document points to the issue of support and assistance to victims of SALW, the importance of an even-handed approach to males and females in the process of implementing relevant control mechanisms'. Also, the objective concerning cooperation with NGOs and international and regional cooperation states that 'special emphasis should be given to the use of weapons in cases of domestic violence, and on the different influence that weapons have on men and women' (p. 16). Several gender responsive activities are planned:*

- 1. Development of a study on the burden that SALW represents for Bosnia and Herzegovina, which will take into account the different impact that weapons have on men and women.*
- 2. The research methodology for mapping and identification of SALW victims will take into account the different needs of female and male victims and ensure an equal approach to and treatment of females and males.*
- 3. During training for the management of ammunition and explosive ordnance, balanced inclusion of female and male personnel will be prioritized. The Strategy revised in 2016, under the objective relating to the reduction of illegal SALW, and*

*the sub-objective referring to the monitoring of statistical data on SALW and ammunition, presents plans to establish cross-sectoral coordinated collection and registering of data on domestic violence cases committed with firearms. The Kosovo SALW Control and Collection Strategy, in the definition of its Mission, states that one of the Strategy's objectives is to promote the participation of women (civil society and other groups) in the development and implementation of SALW control policies, violence prevention and disarmament strategies. However, this general provision has little implication on the concrete activities and measures planned by the document.*

## MAPPING THE ENABLING FACTORS

*In Bosnia and Herzegovina, the rules of procedure for public policy development requests consultations with other competent state authorities. Consequently, the Gender Equality Agency was included in the preparatory workshops for the development of the SALW strategy and in the later revision stages of the strategy. During this process, the Agency suggested several entry points and provided input for the integration of the gender perspective into the draft document which were later adopted<sup>4</sup>. Along with this, awareness of the president of the Coordination Board for SALW control about the obligation for gender mainstreaming set by the Gender Equality Action Plan and the obligation of state authorities to contribute to the advancement of gender equality facilitated the inclusion of gender sensitive proposals. The proactive approach of the Gender Equality Agency also played a role in the facilitation process. Last but not least, the Strategy document itself states that 'the importance of an even-handed approach to males and females in the process of implementing relevant control mechanisms' is one of the principles used in the development of the Strategy.*

### 3.1.7 THE CHALLENGES OF GENDER RESPONSIVE EVIDENCE BASED POLICY MAKING

Despite initial steps undertaken to integrate a gender perspective into SALW control frameworks, prevailing trends reveal overall under-prioritization of gender concerns in SALW policy making. The classification developed in the beginning of this chapter indicates that important but piecemeal gender mainstreaming is taking place only in Bosnia and Herzegovina, and has been additionally limited in the revised document. This is less valid for Kosovo where certain gender relevant provisions are evident, although their implications are not clearly reflected in the activities that have been undertaken. In the SALW policy frameworks in Montenegro, the Republic of Serbia and the former Yugoslav Republic of Macedonia no gender relevant work has been initiated.

The under-prioritization of gender takes several forms:

1. Explicit **commitments to gender mainstreaming** as a comprehensive strategy for advancing gender equality are rarely given. Even when gender concerns are mentioned as in the cases of Bosnia and Herzegovina and Kosovo, gender mainstreaming is not understood as a systemic process of making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes' (ECOSOC, 1997). Gender is not positioned as an overarching principle that affects women's and men's exposure to SALW-related risks and shapes SALW behaviour and practices, but also policy response. Although formal commitment to gender mainstreaming is not the only precondition for the gender responsiveness of SALW policies, it is evident that when the commitment was present, it has, however partially, shaped objectives and activities.
2. **Gender disaggregated data is not provided** in any of the strategic documents. The absence of gender disaggregated data has further implications on the possibility to integrate gender in policy response. It renders the highly differentiated effect of SALW invisible, and the gender concerns discussed in the previous section go mostly and in some cases entirely unnoticed.
3. There is **no record of the utilization of gender analysis** of SALW-related challenges. Due to this, the role gender plays in shaping SALW behaviours and practices, as well as specific gender-based risks are not seen as relevant for SALW-related challenges, which consequently hinders their policy prioritization. Since gender patterns are not being discussed or challenged in policy response, the final outcome of the lack of gender disaggregated data and gender analysis could lead to further 'normalization' and reproduction of existing trends. Furthermore, the low awareness about the interplay between gender and SALW is being reproduced, while the necessity to address gender concerns is not seen as a way to increase the overall effectiveness of SALW control efforts.
4. Since gender is absent or side-lined in situation analyses, it has had little if any influence on the way in which **goals and objectives are being defined**. Because of this, the **gender concerns discussed in the previous section go entirely unnoticed** and therefore are not addressed in strategic responses to SALW proliferation in SEE region. Such an approach fosters the understanding that all citizens have the same security needs and fails to recognize differences among them. Underlying this is the assumption that all security needs can be addressed and fulfilled with the same set of measures, in a uniform gender neutral manner which consequently justifies the absence of gender concerns in goals and objectives. The practical ways in which gender shapes demand for firearms differentiate the effect on women and men and expose them to specific forms of armed violence, which require specific interventions, are rarely the subject of the policy. Instead of a systemic approach to gender-related challenges, there is only anecdotal evidence to track emerging attempts. Consequently, attempts to practically tackle gender concerns related to SALW in action plans are sporadic and lack gender disaggregated indicators and adequate monitoring and evaluation tools. In that regard, 'experience has shown that, when gender commitments...are not made measurable through the use of indicators, are not monitored, and are not anyone's specific responsibility, they are rarely implemented. In the context of a small arms NAP, moreover, it may be of particular concern that few of the officials responsible for its monitoring and implementation are likely to be gender experts or adept at using indicators in a gender-responsive manner' (Bastick and Valasek, 2014, p. 54).
5. Considering that **budgets** for the implementation of the action plans are not defined in the available documents, without further enquiry it is not possible to make any informed conclusion whether these initial gender-related efforts have been

accompanied with adequate funding for their implementation. Also, there is no evidence of any other form of gender responsive budgeting taking place.

6. Finally, there is a tendency for **gender quality work to be framed as belonging only within the areas of cooperation or participation of civil society organizations**. While this is an important acknowledgement of the catalytic work of civil society, particularly women's NGOs, the gender aspect of SALW control should not be constrained to certain domains, but permeate the whole policy and particularly stakeholders. In the same manner, good practices in cooperation with civil society

organizations and gender equality institutions should be scaled-up.

7. Emerging practices provide, however important, only a piecemeal approach mainly limited to a passing mention of women and gender, far from the articulated and holistic approach needed to tackle the manifold nature of the relationship between gender and SALW. Due to all the challenges encountered in efforts to position gender into the SALW control agenda, as well as to the scale of the problem, it is even more important to upgrade and scale-up emerging good practices and give new urgency to the integration of gender equality into SALW control frameworks.

## BOX 5 GENDER DISAGGREGATED DATA

*The non-utilization of gender disaggregated data in situation analysis is a multifaceted issue. Current administrative data collection practices and procedures do not always provide such data. When data exist, they are not being regularly processed or released in the manner which renders the gender aspect visible. On the other hand, these consistent challenges in obtaining gender disaggregated data reflect the low prioritization or awareness attached to gender as a factor in policy making. Although it goes beyond the scope of this Study, these challenges may also be related to a broader challenge of advancing the evidence based approach in SALW control frameworks. A common feature of SALW strategies is that human security related aspects and challenges with respect to firearms proliferation tend to be generally outlined rather than thoroughly*

*articulated, which creates an impression that strategic efforts to curb the problem of arms proliferation, particularly in terms of armed violence, are not sufficiently informed by data, which is a recurrent and broader tendency (WHO, UNODC, 2014, p. 25). With reference to gender, more research is needed to explore whether the underutilization of gender disaggregated data is somehow connected or whether it reflects the character of policy process, including the composition of the working group and insufficient participation of gender practitioners (Cukier, 2009).*

*Still, it is evident that SALW commissions are also struggling with the lack of data as recognized in their action plans (for instance several strategies envisage certain activities in terms of research or data collection to be undertaken). There is therefore an emerging need to tackle the problem of data scarcity.*



## 3.2 SALW LEGISLATIVE FRAMEWORK: THE RELEVANCE FOR COMBATING DOMESTIC VIOLENCE

With respect to gender-related policy concerns outlined in Chapter 2, SALW control legislative frameworks in SEE are primarily considered in terms of their response to the impact of firearms on domestic violence and violence against women. In current laws on firearms, apart from domestic violence, recognition has only exceptionally been given to other underlying gendered factors that play a role in shaping both SALW-related risks and behaviour, such as the intersection of gender and age, which will be discussed later.

In terms of domestic violence, legislative efforts have been put in place to address and regulate risks related to the presence of SALW in the context of domestic and intimate partner violence primarily through the **regulation of civilian possession**. Although displaying a range of practical responses, as documented by previous research (Cukier, 2002; Dokmanović, 2007; Shaw, 2013; CGA, 2015) the dominant approach in legislative interventions in this regard are:

1. Restriction to the access to firearms to persons involved in domestic violence through legal requirements and competency criteria necessary to obtain a firearm license,
2. Removal of firearms and revocation of firearm licenses when firearms are already in possession and domestic violence occurs.

### 3.2.1 DOMESTIC VIOLENCE AS A FACTOR IN RESTRICTING AUTHORIZATION OF FIREARM LICENSE

In terms of regulation of firearms possession, laws on firearms in SEE determine a set of obligatory competency criteria for the authorization of licenses for firearms purchasing, holding and/or carrying. Licensing requirements usually include citizenship, age limit, no previous criminal records, health certificate, genuine need/justified reasons and theoretical and practical knowledge of the use of firearms.

Despite increased recognition of linkages between small arms and domestic violence, legislative provisions in

laws on weapons in SEE show significant variations in terms of how they refer to domestic violence and the legal qualification of a domestic violence incident that is defined as a precondition for restriction of access to firearms. This reflects both the understanding of specific lethal risk and policy prioritization given to the issue, and also has a direct impact on the level of protection provided.

In this regard, interventions aiming to restrict access to firearms, i.e. the authorization of a license to purchase and own, differ mainly in the way they refer to domestic violence and may be classified into two groups:

- Reasons for restrictions to access to firearms are explicitly connected with the occurrence or criminal history of domestic violence, or reference is made to the domestic context (and/or 'disturbed family relations'),
- Restrictions are based on the criminal history of the applicant as such and only indirectly encompass domestic violence, since it represents a criminal act prosecuted ex officio and it is therefore a ground for refusal of license authorization.

Due to recent legislative reforms, most of the countries and territories in this region fall into the first group having legislation in force which takes into account domestic violence.

- In Albania, the Law on Weapons (2014) requires that a person in order to be 'provided with any of the authorizations types shall not be identified as committing the criminal offence of domestic violence' (Article 34).
- In Bosnia and Herzegovina, despite a decentralized system of regulation, legislative responses show significant similarity and it is generally required that when authorization is considered there are no circumstances indicating that a weapon could be misused due to severely disturbed family relations.
- Kosovo's Law on Weapons (2015) stipulates that the 'consent to purchase a firearm may not be issued to a person if he/she represents danger to himself, public order and public safety' (Article 7) while circumstances indicating that firearms may be misused for domestic violence are considered as a danger to public order and safety (Article 10).
- In Montenegro, the Law on Arms (2015) requires that, in order to obtain a firearm, a person has not been sentenced by an enforceable court decision for criminal offences against marriage and family

and has not been sentenced by final decisions for misdemeanour offences with elements of domestic violence. Furthermore, it is requested that there are no circumstances such as disturbed family relations which indicate that firearms could be misused (Article 13).

- The Law on Weapons and Ammunition (2015) in Serbia stipulates that to obtain a weapon no enforceable sentence of imprisonment for crimes against marriage and family or proceedings have been initiated against (a person) for such criminal acts, and (the person) has not, in the last four years, been convicted of a minor offence, i.e. that no proceedings have been initiated related to the violation of public peace and order, for which the sentence of imprisonment is imposed, or for offences regulated by this Law (Article 11). It is further required that a person's behaviour does not indicate that he/she would pose a threat to him/herself or to other people and the public peace and order, which is to be verified by security vetting of their place of residence or workplace (Article 11).
- The Law on Weapons (2010) effective in the former Yugoslav Republic of Macedonia does not directly refer to domestic violence, but obtaining a weapon does require that there are no circumstances indicating that the weapon could be misused 'especially when the person is registered in the registry of the competent authority) for severely disturbed relationships in the family' (Article 12).

Only the Moldovan Law on the Regime of Firearms and Ammunition for Civilian Use (2012), does not contain explicit references to domestic violence.

Differences between legislative responses to domestic violence can also be tracked based on the phase in the proceedings relevant for refusing authorization of weapons ownership, which can consequently have significant safety implications particularly due to the complex nature of domestic violence. In that regard, the laws of Albania, Bosnia and Herzegovina, Kosovo and Montenegro already indicate that the fact that firearms may be misused for **domestic violence** is considered to be a reason for not giving consent for authorization. In Moldova, Serbia and the former Yugoslav Republic of Macedonia the fact that a person has received an enforceable sentence or that proceedings have been initiated is provided as a reason to withhold consent for authorization. Withholding consent is also requested in cases when that person would pose a threat to himself or to other people or to public order.

### 3.2.2 DOMESTIC VIOLENCE AND REVOCATION OF FIREARMS

While the measures described above ban access to firearms to persons with criminal records, another direction of the legislative response aimed at reduction of the risks of misuse of firearms within the domestic context is related to the suspension of the license or the confiscation of firearms if domestic violence occurs.

In most laws on weapons, the reasons for the removal of firearms or a license removal or suspension are generally defined as a violation or breach of the requirements for license granting, which makes a person ineligible to possess them. In that regard, committing domestic violence presents firm grounds for removal of firearms, although most often it is not explicitly referred to, but is considered a part of criminal offences in general.

Only the Law on Arms in Montenegro explicitly refers to domestic violence. It states that if circumstances indicate 'that arms could be abused... especially due to... disturbed family relations, the arms, ammunition and documents on arms shall be taken immediately even before the criminal, misdemeanour or administrative proceedings are finalized, and shall be taken until proceedings are finalized, in order to undertake measures for the **protection against family violence** or the protection of public order which need to be implemented without delay, while the facts based on which the decree to take away the arms are determined or at least made probable' (Article 50).

With regards to domestic violence, the relevant response to risks related to the presence of SALW are also regulated by other legal acts. Laws on policing generally authorize police to perform security checks or search for objects, i.e. weapons, and temporarily seize them when that is necessary for the protection of public safety or if circumstances suggest that the object could be used to commit a criminal act or misdemeanour. For instance, the Law on Police in Kosovo authorizes police officers to perform preventive searches 'in order to remove weapons or other items that may represent an inevitable risk for life or property OR to prevent activities that may represent an inevitable risk for life or property (Article 22)'. Provisions with similar police powers are present in all laws in the region.

Beyond this, criminal procedure codes authorize the public prosecutor or police officers to undertake a search of the premises or persons in order to eliminate a direct and serious threat to persons or property. For instance, the

Code on Criminal Procedure of Montenegro stipulates that 'authorized police employees may carry out a search of persons when enforcing a warrant on compulsory apprehension or when depriving them of liberty, if the suspicion exists that the person owns weapons or dangerous tools, or if the suspicion exists that the person would discard, hide or destroy objects that need to be taken from him/her as evidence in a criminal procedure' (Article 83).

### 3.2.3 LAWS AGAINST DOMESTIC VIOLENCE AND SALW

In legislation against domestic violence adopted relatively recently throughout the region, there are also visible efforts to address the interconnectedness between domestic violence and firearms and provide measures to avoid or mitigate risks related to the presence of firearms in the context of domestic violence. **The dominant trend is to give urgency to the removal of weapons through framing it as a protection measure.** Still, these efforts are neither consistent nor present throughout the regions and adoption of laws on domestic violence is not universal (e.g. the Republic of Serbia).

- For example, in Albania's Law on Measures against Violence in Family Relations, in the chapter referring to protection measures, it is stated that protection against domestic violence shall be ensured by, among other measures, 'ordering the law enforcement officers to seize any weapons belonging to the perpetrator, found during police checks, or ordering the perpetrator to surrender any weapons belonging to them'. It is further stipulated that if the weapons have been seized, they will be returned only after the termination of the protection order and receipt of a court order. Also, if weapons have been seized and the person has a weapons authorization card, the court shall notify the appropriate administrative authority or shall suspend the card until termination of the protection order (Article 10).
- In the Law on Preventing and Combating Family Violence passed in Moldova, effective from 2008, firearms are mentioned in the article referring to the protection measures, where it is prescribed that the court shall, within 24 hours of receipt of the claim, issue a protective order, to assist the victim, by prohibiting the aggressor from keeping or handling firearms.
- In the Law on Protection against Domestic Violence in Kosovo, removal of firearms and other weapons is defined as a separate Protection Measure of Confiscation of Item. In that regard, confiscation of items 'by means of which the act of violence was committed, or items by means of which the act of violence is suspected to be repeated, is imposed with the aim of protection of the person against whom domestic violence has been committed' (Article 10).
- The Law on Domestic Violence Protection in Montenegro does not explicitly refer to small arms, but under Emergency Intervention (Article 10) it reiterates that 'upon receipt of a report on the incidence of violence, police will immediately take action and measures to protect the victim, in accordance with this act and other legislation governing police, misdemeanour procedure, criminal procedure and witness protection'.
- In the former Yugoslav Republic of Macedonia, the Law on Prevention and Protection from domestic violence regulate the revocation of firearms as an attempt to minimize the risk in DV cases and protect a victim. In Article 29 it is stipulated that police officers 'temporarily confiscate weapons from the offender and initiate procedures in accordance with the law for revocation of the weapons, collector weapons or permit to carry weapons'.
- In Bosnia and Herzegovina, neither in the Law effective in Federation of Bosnia and Herzegovina nor in the Law effective in Republika Srpska is reference to firearms made.

In addition, instruments such as protocols in the cases of domestic violence directly recognize the necessity to tackle the risks regarding the presence of firearms. For instance, the Special Protocol on Conduct of Police Officers in Cases of Domestic and Intimate Partner Violence against Women in Serbia recognize that cases of domestic violence relating to high security risks, both for victims and police officers. In that regard, police officers are obliged to make an 'assessment of potential risks to their own safety as well as that of the victim, and take all necessary measures and activities of precaution and the protection of safety'. The presence of weapons is listed first among the most common risks in domestic violence cases (Protocol 2011, p. 11). Protocol also provides detailed instructions for police officers as to how to act upon the arrival at the scene. Police officers are obliged to check whether any of the family members possess weapons or can possibly acquire them. If found, any weapon shall be temporarily confiscated and

the motion for permanent confiscation shall subsequently be given. In case of knowledge of the illegal possession of a weapon, necessary measures shall be undertaken to discover it and confiscate it, pursuant to the Criminal Procedure Code.

The Protocol on Actions, Prevention of and Protection Against Family Violence in Montenegro obliges police officers to determine whether weapons are present, and

if so, to take all legal actions to seize it, whether it is legal or illegal. In the former Yugoslav Republic of Macedonia, under the Procedures for the Implementation of Protection Measures for Victims of Domestic Violence and Members of their Family, the ban of possession of firearms and their confiscation in accordance to the Law on Firearms is defined as a protection measure. Procedures of Risk Assessment obliges police officers to provide information about whether a weapon was or could be used by an abuser.

## BOX 6 STRATEGIES FOR PROTECTION FROM DOMESTIC VIOLENCE AND SALW

*Strategies for combating domestic violence and violence against women, adopted in most of the region, rarely address SALW practices, either in terms of effects on women and men, nor gender disparity with regards to the ownership and misuse of firearms. While most gender equality and domestic violence strategies envisage a certain set of measures aimed at changing prevailing gender patterns, no direct link between gender roles and SALW practices and armed violence, have been sufficiently recognized, and the differentiated effects of firearms on women and men, mechanisms in which gender roles shape dominant SALW practices in SEE, are not duly addressed.*

*However, the 2015 to 2020 Programme on the Protection of Women against Domestic and Intimate Partner Violence and Other Forms of Gender-Based Violence in the Autonomous Province of Vojvodina in Serbia, as well as the Strategy for the Protection against Domestic and Other forms of Gender-Based Violence 2008 (which preceded the Programme) contain recommendations for the improvement of the legal framework regulating SALW with respect to domestic violence. A wide range of recommendations have been envisaged, such as: to increase the requirements to be met*

*for granting a permit to purchase, possess and carry firearms; include all criminal offences as well as misdemeanours with elements of violence as a restriction to obtain a permit irrespectively of type and degree of sentence; protections measures against an applicant or postponement of criminal sentence/suspended sentence to be included in the Law on Firearms and Ammunition as grounds which prevent granting a permit, to regulate seizure of firearms for a member of the security forces when there are protections measures against them in place or the postponement of a criminal sentence/suspended sentence has been applied, introduce spousal notification and notification of other family members about submitted applications for acquisition of firearms, and establish a registry of members of shooting and hunting clubs.*

*Several important factors were detected<sup>ii</sup>. A broad participatory process of policy development enabled a dialogue among different actors. The author of the SEESAC-supported comparative study on the linkages between firearm possession and domestic violence participated in the working group and contributed the expertise generated through this study. Women's organizations facilitated the policy solutions with their knowledge of domestic violence and hands-on experience with the misuse of firearms within the context of domestic violence, while law enforcement officers put forward their suggestions for amendments to the legislation on firearms.*

## BOX 7 FRAMING THE VIOLENCE

*In spite of visible attempts to tackle domestic violence, there is a tendency in legislative frameworks on SALW in the SEE region, for the ways in which domestic violence is framed to vary greatly. Laws in Albania and Montenegro refer explicitly to domestic violence (Albania, Law on Weapons, Article 34, 2014); Montenegro, Law on Arms, Article 13, 2015), while in Kosovo domestic violence is referred to within the framework of danger to public order and public safety (Law on Weapons, Articles 7 and 10, 2015). The Serbian Law on Weapons refers to domestic violence within the group of crimes against marriage and family (Law on Weapons, Article 11, 2015), while the former Yugoslav Republic of Macedonia refers to severely disturbed relationships, which is also the case in most of laws in force in Bosnia and Herzegovina. Bearing in mind that this form of violence disproportionately affects women, it should be examined whether different framing could have different implications in institutional response. Certain terminology might diminish the seriousness of real risks and also ignore gender imbalance or gender asymmetry of power and responsibility between victim and perpetrator, and consequently ignore safety concerns for the victim (Ignjatović, 2011, p.31-32).*

### 3.2.4 CHALLENGES TO POLICY INTERVENTIONS

Despite recognizing risks associated with the presence of firearms in the domestic context, legislative interventions are still restricted in their scope and do not manage to

adequately address the complexity of domestic violence. There are several aspects of domestic violence that limit the effectiveness of laws regulating firearms and call for more specific responses.

The prevalent practice of obligatory background checks can effectively prevent the purchasing or carrying of firearms if an enforceable sentence was imposed for domestic violence, either as a criminal offence or a misdemeanour, if there are other records of violent behaviour or particular attention is paid to domestic violence when security vetting is performed. This, however, does not capture the full occurrence of domestic violence. For instance, 'the withdrawal of gun rights following IPV incidents and the use of risk assessment for intimate partner homicide may help prevent subsequent violence, but only if cases are reported, which only the minority are' (Shaw, 2013, p.17).

As observed previously, domestic violence in the majority of cases goes unreported, which hinders the effectiveness of policy interventions and limits the application of legal provisions. For instance, two studies conducted in Serbia showed that domestic violence was reported to the police in less than 25 per cent of cases (Nikolic – Ristanovic et al., 2009; Babović, Ginić, Vuković, 2010). This is below the reporting rate of other criminal offences, which confirms that competent institutions most often do not have information on violence and consequently cannot act upon this information, rendering the effectiveness of legal measures to restrict access to abusers ineffective.

Furthermore, even when violence is reported, the soft penal policy often leads to the rejection of most charges. For example, a study on the response of the criminal-justice system to domestic violence (Jovanović, Simeunović Pantić, Macanović, 2012) showed that criminal charges were rejected by prosecutors in 66.7 per cent of cases, mostly due to insufficient evidence, while the majority of such rejected cases are those involving partner violence. As observed among court decisions, suspended sentences dominate (74.3 per cent), above all through probation, while only every fifth offender was sentenced. Extenuating circumstances were found in 90.1 per cent of cases, among which the prevailing ones are no prior sentences (23.7 per cent) and parenthood (21.4 per cent) (Ibid., p. 10) which indicates a lack of understanding of domestic violence and power relations within this context.

An analysis of the court decisions in the former Yugoslav Republic of Macedonia regarding the imposed sanctions for criminal offences committed in the context of domestic

violence, concluded 'that the use of alternative measures is more frequent for persons convicted for family violence, which indicates that the goal of punishment for this category of convicted persons is more frequently expected to be achieved through warning with the threat of punishment. This indicates that systematic punishment of perpetrators of this particular crime is biased and not consistent' (Mirceva, Caceva, Kenig, 2014, p. 47).

It should be also determined if legislative responses to domestic violence such as deferring criminal prosecution affects the access to firearms and the increase of the risks of lethal outcome. The same should be addressed in terms of certain general tendencies of judicial proceedings of domestic violence such as the frequent withdrawal of women from court processes, or the issuing of simple warnings by police in domestic violence incidents, which is in some cases the dominant response of the police. According to data from the Provincial Ombudsman in Vojvodina, in 2015 out of 8,133 requests for police interventions for protection from domestic violence, warnings were the most frequent measure taken by police officers – a total of 77 per cent of incidents were resolved this way.

Data collected by SEESAC in cooperation with SALW commissions in SEE regions indicate that domestic violence is rarely invoked as a grounds for restriction to a firearm license. For instance, in Bosnia and Herzegovina in the period from 2011-2015, in only in 3.3 per cent of the total number of cases of license rejection were the reasons related to domestic violence. In Montenegro in the same period, there were no cases in which the authorization of a license was denied due to domestic violence. While scarce data prevents better understanding of prevailing practices, the fact that domestic violence constitutes only a small minority of reasons for firearm licence denial may be indicative and definitely calls for further research and eventually revision of existing legislation and practices. At the same time, more thorough insight into the overall structure of the most frequent reasons for the ban of firearms licenses is urgent.

In this regard, gaps in implementation appear to be persistent. For instance, a recent investigation of intimate partner femicide initiated by the Serbian Ombudsman

shows that despite legal provisions, serious omissions in institutional response were reported in 12 out of 14 cases. It was revealed that in reviewed cases of violence police officers did not always check whether a person suspected of domestic violence possessed firearms and/or did not always take firearms away from a suspected person. Furthermore, in certain instances, a firearm was not removed because the person suspected was not registered as 'committing the criminal offence or misdemeanour' while in the aftermath of one such incident a woman was killed with such a firearm. The Ombudsman therefore recommended to the Ministry of Interior that it 'should analyse the reasons why such omissions in practice occurred and why checks on firearms were not conducted and preventive measures applied' (Zaštitnik građana, 2016 p.4).

A comparative analysis on the implementation of the Istanbul Convention in the region and obligations of institutions to carry out assessment of the lethality risk, including possession or access to firearms (Article 51<sup>8</sup>) points out that systemic risk assessment with the aim of risk management has still not been fully developed. It either does not reach standards set by the Convention (Serbia) or legislative provisions are not adequately implemented (Bosnia and Herzegovina, Montenegro and the former Yugoslav Republic of Macedonia) (Database Analysis of Compliance of National Standards, Legislation and Public Policies with the Istanbul Convention, 2016).

Recently reformed legislation can also provide only limited responses to problems related to firearms in illegal possession. In that regard, a set of innovative measures needs to be developed in order to tackle the wide availability and easy access to firearms and also to translate illegally possessed firearms into legal possession. Registration of firearms would be a key tool in 'allowing police to remove firearms in situations of domestic violence and enforce prohibition orders' (Cukier and Cairns, 2009, p. 40).

In addition, in order to tackle domestic violence more effectively, beyond the general measures to restrict access to firearms discussed above, a set of specific, tailor-made measures, both preventive and reactive, is needed, which would better target the phenomenon of domestic violence and the fact that it happens in the domestic sphere. This is necessary since general measures do not necessarily benefit

<sup>8</sup> Article 51 – Risk assessment and risk management

1 Parties shall take the necessary legislative or other measures to ensure that an assessment of the lethality risk, the seriousness of the situation and the risk of repeated violence is carried out by all relevant authorities in order to manage the risk and if necessary to provide co-ordinated safety and support.

2 Parties shall take the necessary legislative or other measures to ensure that the assessment referred to in paragraph 1 duly takes into account, at all stages of the investigation and application of protective measures, the fact that perpetrators of acts of violence covered by the scope of this Convention possess or have access to firearms.

both women and men. The findings of a study in South Africa that showed that legislative reforms (Gun Control Legislation) introduced in the late 1990s led to the sharp decrease in gun-related homicides and the 'reduction in female homicide which is consistent with a decline in overall homicides in South Africa, but the decline was less among (cases of) intimate femicide' (Abrahams, Mathews, Jewkes, Martin and Lombard, 2012, p. 4). This highlights the necessity that any general strengthening of firearms legislation has to be accompanied with clearly articulated gender specific measures if it is to be effective in tackling domestic violence.

Despite recent progress in adopting a set of legal provisions regulating civilian possession and broadly linking it to domestic violence, the high share of women killed by firearms within the domestic context in SEE is persistent. It is therefore necessary to scrutinize the actual implementation of the legislative framework regulating civilian possession and map the gaps which lead to the high share of women murdered. In doing so, 'specific analysis is required to identify potential blockages or obstacles to the effective enforcement of existing laws, as well as forecasting issues related to enforcement capacity' (UNDP, 2008, p. 9). In that regard, it is necessary to 'determine whether a law is actually doing what it was designed to do' and, in this process, to use a 'wide range of criteria' which would better capture the complexity of domestic violence.

Laws on firearms have an important role in this process because they regulate firearm licenses. However, in order to provide more effective measures to combat domestic violence, **it is necessary to establish a coordinated and coherent institutional response and build stronger links between firearms and domestic violence legislation.** At the moment, such legislation is not always coherent.

Along with this, it should be also taken into account how the wider context of gender inequality and the socio- cultural conditioning of dominant gender regimes affect the efficacy of SALW control frameworks, as well as legislative efforts to curb domestic violence. A recent study on the effectiveness of systemic mechanisms to prevent violence against women and domestic violence underlines that 'problems in the application of the laws can be created by conflicting definitions of what constitutes domestic violence', which is further aggravated by social and cultural factors and factors associated with tradition (Ignjatović, Pavlovic, Babic, Lukic, 2015, p. 198). These factors altogether present a 'main interpretative framework' in which domestic violence is understood as 'natural, expected and hardly changeable' and which also influence how a system interprets the problem. It

is therefore necessary to have consistent and clear reference to violence' (Ibid. p.198).

### 3.2.5 GOOD PRACTICES: AUSTRALIA AND CANADA

Examples from a number of countries show the potential positive impact of targeted policy interventions. For instance, legislative reforms with respect to ownership and licensing undertaken in Canada and Australia correlate with a decrease in the overall homicide rate (15 per cent in Canada and 45 per cent in Australia) and particularly the female homicide rate (45 per cent in Canada and 57 percent in Australia) (IPU, CHD, 2007, p. 86), which indicates that there is a strong link between introducing tougher weapon control measures and a decrease in the lethality of the outcome in cases of intimate partner violence (AI, IANSA, OI, p. 14).

One of the most recognized measures in this regard is spouse notification, which was first developed in Canada and has been widely promoted. Spouse notification was included application process for obtaining a license to possess a firearm (Possession and Acquisition License - PAL). Namely, if an individual wishes to obtain a firearm license, her/his current and former spouses (last 2 years) are to be notified. Despite the fact that the spouse's consent is not required, in the event that a spouse has any suspicions, a second revision of the application will be initiated. Furthermore, a PAL application will be reviewed in the case of any report of crimes, including domestic violence (CGA, p. 2).

This built upon previously adopted measures as a response to the lethality of firearms in the domestic context and the restriction of access to firearms to perpetrators of domestic violence such as: the strengthening and improvement of the screening process and the fact that 'extensive background checks are conducted on every person who applies for a license and continuous monitoring of firearm licensees is intended to ensure that license eligibility is immediately reviewed when there is a domestic violence incident' (Ibid., 2).

Legislative reforms in Australia aimed, among other issues, to address the use of firearms in the context of domestic violence and numerous provisions were introduced. The Firearms Act (1996) introduces mandatory suspension of an adult firearm license 'if the registrar believes on reasonable grounds that the licensee has been charged with, committed or threatened to commit a domestic violence offence. A license is automatically suspended under the Domestic Violence and Protection Orders Act 2008, if the Magistrates Court

makes an interim protection order unless the court orders otherwise. Under that section, the Magistrates Court may also order seizure of the license, and seizure and detention of firearms and ammunition, for the period of the interim order. A license is also automatically suspended under the Domestic Violence and Protection Orders Act 2008, (s 80 - Firearms and emergency orders) if a judicial officer makes an emergency order. The officer may also order seizure of the license, and seizure and detention of firearms and ammunition, for the period of the emergency order. If the registrar suspends a license under this section, the registrar must give written notice of the decision to the licensee (see s 260)'.

### BOX 8 OTHER LEGISLATIVE CONCERNS – AGE LIMIT FOR LICENSE AUTHORIZATION

*Young men across the region are disproportionately represented both among perpetrators and victims of firearm-related incidents. Gender and age therefore present strong predictors of armed violence. Given this, legislative provisions can also play a role in reducing these specific gender-related risks by focusing on young men.*

*In terms of the age limit set as a competency criterion, the situation varies across the region. Most legislation sets the age range at which one may possess a firearm usually between 18 to 21. Only in Albania is the age limit set at the age of 25, in order to restrict the access of young men to firearms and eventually reduce the risk they generate, but are also exposed to.*

*In this regard, policy makers in the rest of the SEE region should take into consideration how increasing this competency criteria, accompanied with other policy measures, could play a role in tackling this societal problem.*

## 3.3 GENDER EQUALITY LEGISLATIVE AND STRATEGIC FRAMEWORK IN SEE AND SALW CONTROL

Legislative and policy frameworks on gender equality do not refer directly to small arms and light weapons, but there are numerous policy intersections which play a role in the creation of enabling social context for effective, sustainable and long term SALW control solutions. Both the laws and strategies on gender equality provide important entry points, thus offering possibilities to tackle certain crucial gender-related aspects of SALW control that are not being addressed in the SALW framework but significantly impact the effectiveness of policies in this field. These include: the differentiated impact of SALW on women and men, the role of masculinity and the gun culture in shaping demand for small arms and generating specific risk-taking behaviours, as well as addressing women's and men's attitudes to SALW. Synchronizing these two broad frameworks could also help overcome recurrent challenges in mainstreaming gender in SALW control related to: the lack of gender disaggregated data, non-utilization of gender analysis and gender mainstreaming and the balanced participation of women and men in policy making, as well as the inclusion of women's organizations and gender equality mechanisms in this process.

In this regard, the following legal provisions or measures that are common in gender equality policies in SEE are of particular importance and need to be closely integrated into the SALW policy framework:

- The general obligation of all institutions to ensure practical implementation and advancement of gender equality through development and enforcement of normative acts, plans, programmes and policies with the aim of promoting gender equality in their sphere of competence,
- Requirements to include gender analysis in every cycle of policy making and the development of practical tools for that purpose,
- Establishment of gender equality infrastructure across government departments, most often with gender focal points,
- Setting standards for balanced representation of women and men in all government bodies and policy making,
- Improving the practice of gender disaggregated data



- 
- collection through provisions that all statistical data and records collected, recorded and processed by institutions must be gender disaggregated,
- Prioritizing combating violence against women and domestic violence,
  - Integration of the gender perspective across policy fields, some of which, beside the security sector, are of particular interest for SALW: restriction of stereotyping, the representation of women and men in education or similar initiatives in media.

# 4 OVERVIEW OF KEY FINDINGS

*This section sums up the conclusions from each chapter and pulls out overarching findings, organizing them in line with the objectives of the study, outlining the linkages between dominant gender patterns in SEE and SALW-related behaviour, and summarizing the main findings of the review of the legislative and policy SALW frameworks. Finally, it identifies the emerging gender responsive trends, practices and enabling factors.*

## 4.1.1 MAIN GENDER CONCERNS RELATED TO SALW IN SEE

The analysis of the available gender disaggregated data and the review of existing literature has confirmed that prevailing gender patterns and unequal power relations between women and men play an important role in shaping and influencing prevailing SALW practices and the effects of SALW use and misuse.

In terms of differentiated effects of SALW on women and men, it is evident that, across SEE (but with significant differences within the region), men account for an absolute majority of both perpetrators (over 97 per cent) and victims of firearm-related incidents (over 80 per cent). Women are very rarely perpetrators of these incidents (1-3 per cent of cases), but are significantly more represented among victims (from 9 to 22 percent).

With respect to domestic violence, the presence of firearms in domestic violence incidents, affects women much more often than men. Intimate partner femicide, one of the leading causes of female homicide, is rarely represented among men, which clearly indicates the gender-based nature of domestic violence. The misuse of firearms within the domestic context is widespread and increases the risks of a lethal outcome. Only Moldova stands out as an exception, which has the highest femicide rate in the region, but with a comparatively low use of firearms.

Although still under-researched, these dominant patterns are often associated with a specific form of masculinity in a society and prevailing norms of manliness could fuel risk-taking behaviour. In terms of ownership, male dominance reaches over 95 per cent and this gendered pattern of demand for firearms seems to be rather stable over time.

In all societies in SEE, young men are disproportionately represented both among perpetrators and victims.

The discrepancy in attitudes toward SALW between women and men is evident and it builds on their different experiences with respect to firearms. It also indicates differences in perceptions of personal and family safety and it has a potential to influence policy. Across the SEE region, women tend to have a more negative attitude toward SALW and many women's organizations have persistently advocated for stricter SALW control. However, women are still underrepresented in the policy making process and institutions in charge of SALW control.

## 4.1.2 LEGISLATIVE AND POLICY RESPONSE IN SEE

- Despite the highly gendered dimensions of SALW, policies regulating SALW in SEE do not address gender issues in a way to match the scale of the problem.
- If attempts are made in order to address existing gender concerns in legislation, they are being tackled only sporadically and in a fragmented and/or a gender-blind manner, primarily in the field of domestic violence through the regulation of civilian possession.
- In laws on firearms in SEE, significant progress has been made in terms of adopting a set of legal provisions regulating civilian possession and linking it to domestic violence. These provisions to restrict access to firearms or remove weapons if domestic violence occurs are in place in almost all laws on firearms in the region. A set of other laws, such as laws against domestic violence, laws on criminal code procedures and laws on policing also regulate this issue although they are not always necessarily coherent. In spite of the recent legislative changes, the high share of women killed by firearms

- within the domestic context in SEE is persistent. These figures call for the **thorough evaluation of the actual implementation of the legislative framework regulating civilian possession and mapping of the gaps in the framework to serve as a starting point for future legislative reforms.**
- Recent studies on the effectiveness of the institutional response to domestic violence note the **strength of gender norms and resulting inequalities which foster stereotypes and influence the implementation of the law in practice.**
  - Concerning the legislative response to the misuse of firearms in illegal possession within domestic context, in addition to existing measures (such as legalization of illegal firearms) new and innovative solutions should be designed to tackle this issue more effectively.
  - In terms of **policy frameworks** (SALW control strategies and accompanying action plans) the prevailing tendency in response is that the main gender concerns are not being recognized as important policy issues that need to be adequately addressed. **Gender is therefore being significantly under-prioritized in SALW policy agendas.**
  - Only exceptionally is there a formal commitment to gender equality and gender mainstreaming, but even then it is not being articulated with a systemic approach.
  - The lack of gender disaggregated data or comprehensive research on linkages between gender and SALW is persistent in representing a hindering factor for the development of gender responsive SALW policies and contributes to the insufficient recognition of the problem.
  - The absence of gender analysis in the policy making process further makes gender concerns related to SALW invisible and consequently not a matter of, or only sporadically a matter of, policy intervention.
  - **The low recognition of gender differences with respect to ownership, use and misuse of firearms, the differentiated effects of firearms on women and men or mechanisms as a policy issue in SALW control strategies in SEE is in sharp contrast with the highly gendered effects of SALW.**
  - The final outcome of this approach is that **SALW legislative and strategic frameworks most often overlook the gender differentiated security needs and concerns of women and men and therefore reduce the complexity of the policy problem.** In doing so, they presuppose that security needs are common for all citizens and that they can be addressed in the same manner irrespectively of gender, age, etc. It therefore reflects the presumption that the implementation of planned measures and interventions will lead to the increased security of all citizens.
  - At the same time, there are some **emerging trends** in policy making which try to approach the problem differently and recognize entry points for meaningful integration of the gender perspective. Although these emerging practices represent piecemeal interventions, they could provide important learning opportunities and could serve as impetus for further development of gender responsive SALW policies that would approach the problem in a more comprehensive and holistic manner, which would therefore more adequately match the full scale of the problem. In that regard, it is essential that funding of gender sensitive activities is transparent and political commitments to gender equality are accompanied with budgetary commitments in term of sufficient financial allocations.
  - Formal commitment, participation of gender equality institutions in policy development, and awareness among SALW decision makers have been recognized as factors that facilitate the integration of the gender perspective in the SALW framework.
  - Finally, although gender equality legislative and policy frameworks do not refer directly to SALW, they provide important entry points for gender responsive SALW control policy making through tackling the socio-cultural conditioning of SALW behaviour and could therefore advance the effectiveness of SALW control activities. In order to achieve this, the establishment of closer links between the SALW policy framework and the gender equality policy framework needs to be encouraged.

# 5 RECOMMENDATIONS

*The findings in this Study have resulted in a number of recommendations for concrete steps that should be taken to enhance and support the integration of the gender perspective within SALW control policies. Since it was recognized that methodological guidelines would significantly facilitate this process, a practical tool for gender responsive evidence-based policy making has also been developed to accompany this Study.*

*For ease of reference, the recommendations are grouped according to the main challenges identified in the Study:*

1. *Data collection*
2. *Capacity building and fostering an enabling environment*
3. *Research and knowledge production*
4. *Policy response to the main concerns*

## 5.1.1 DATA COLLECTION

The persistent lack of gender disaggregated data significantly affects the visibility of the problem and consequently hinders the development of gender responsive policies. In order to overcome this, it is recommended to:

- Conduct an extensive review of the current administrative data collection practices in order to: map the available gender disaggregated data, map missing data, identify gaps in data collection in terms of legislative, policy, human resources and budgetary allocations and provide recommendations for the advancement of current practices;
- Map good practices in administrative data collection and enabling factors including legislative and policy provisions and preconditions related to human resources;
- Fully integrate the collection of gender disaggregated data into regular administrative data collection practices;
- Ensure that all SALW-related statistics on individuals is collected, collated and presented so that it is disaggregated by gender and other characteristics such as age when relevant. This should include but not be limited to gender disaggregated data on: victims and perpetrators of firearm-related incidents, victims and perpetrators of domestic violence committed with firearms, victim-perpetrator relationship, victims and perpetrators of other types of violence committed with firearms (criminal, sexual, physical, psychological violence, stalking, organized crime, schools, youth gangs), owners and persons who handed in SALW during campaigns;
- Encourage the exchange of experiences in data collection among members of SALW commissions in SEE and their counterparts from other countries and territories;
- In this way, a wider dialogue between data producers and diverse data users (SALW commissions and other state institutions, gender equality institutions, statistical departments in MoI, civil society organizations, university and research institutions, international organizations etc.) can be encouraged;
- Provide gender disaggregated data which would inform indicators for SALW control strategies and action plans in order to advance gender responsive evidence based policy making. Based on that, a Gender and SALW baseline study should be developed;
- Support and scale-up existing data collection practices to ensure diversity in approaches, methodologies and sources (such as the online

platform “Targeting Weapons” that collects data on firearms incidents in Serbia and is used to analyse trends in the use of firearms, or femicide tracking by the Violence against Women Network);

- Data collection on violence against women, intimate partner, domestic and other forms of gender based violence, femicide committed by firearms, including institutional response to domestic and gender based violence should be improved;
- When data is collected, ensure that it fully captures the use and misuse of both legal and illegal SALW.

### 5.1.2 CAPACITY BUILDING AND FOSTERING AN ENABLING ENVIRONMENT

The findings of this Study clearly indicate that policy makers are facing challenges in mainstreaming gender and that insufficient recognition of linkages between gender and SALW leads to its under-prioritization in policy making. In order to overcome this, the following is recommended:

- Needs assessment of SALW commissions for gender responsive evidence based policy making should be undertaken and, based on that, a combination of tailor made capacity building activities should be planned;
- Training for policy makers in gender equality, gender analysis and gender mainstreaming, with special emphasis on linkages between gender and SALW, institutional responses to violence against women, intimate partner and domestic violence, and legislative and policy standards in this field should be organized;
- Whenever capacity building activities are organized, a balanced participation of women and men should be ensured;
- Tailor-made trainings on evidence based policy making in the field of SALW control should be organized for the representatives of SALW commissions with special emphasis on the human security dimension and gender equality aspects;
- Ensure transfer of knowledge on linkages between gender and SALW; learning opportunities should include exchange of information and experience between SALW commissions and gender equality mechanisms, women NGOs, gender experts and practitioners;

- Trainings on gender disaggregated statistics for members of SALW commissions and employees in statistical departments should be organized;
- Expert assistance should be provided to SALW commissions in developing/revising SALW controls strategies and action plans in order to facilitate the integration of the gender perspective into the SALW policy framework and for those that have already started to scale-up their activities;
- Gender coaching for members of SALW commissions, particularly high ranked members, should be organized over a longer period of time;
- Trainings on the gender aspect of SALW should be organized for other stakeholders: gender equality institutions, civil society organizations, particularly women’s organizations, as well as regulatory bodies which oversee institutional response;
- Trainings on gender responsive budgeting and performance based budgeting for members of SALW Commissions as a tool to facilitate implementation of gender commitments and SALW control strategies in general should be designed and delivered;
- Information sessions on gender and SALW should be organized for members of parliaments, particularly the committee on security and the committee on gender equality, but also other relevant decision makers in MoI, including gender focal points in all relevant ministries.

### 5.1.3 RESEARCH AND KNOWLEDGE MANAGEMENT

- The gender perspective should be consistently integrated and visible in all research and resulting SALW knowledge products, particularly studies of the impact of SALW proliferation on societies, that are envisaged in many SALW strategies;
- A hands-on methodological guidance for that purpose should be developed and used;
- When SALW-related research and surveys are planned, designed and implemented, stakeholders with gender expertise should be involved from the initial stage;
- When SALW-related opinion polls are commissioned, they should be designed to capture gender aspects of the issue surveyed and all data should be gender disaggregated and presented accordingly;
- The generated research should be widely available and used to inform policy making.

### 5.1.4 POLICY RESPONSE TO MAIN CONCERNS

The findings in this Study indicate that policy responses to key gender-related concerns have been very weak in the SEE region. Since a tailor-made approach and context-aware approach is needed to tackle these patterns effectively and sustainably, this section does not intend to provide specific recommendations, but rather to outline general priorities. Some general remarks, primarily those that relate to data collection and balanced participation of women and men in policy making are cross-cutting here. In addition, the research generated under the recommendations of the previous sections should be constantly used in devising policies.

#### Differentiated Effects of SALW on Women and Men

- Additional research should be initiated to capture more comprehensively and in a more nuanced manner how gender serves as grounds for differentiation of SALW risks and effects on women and men, girls and boys. Research should not only address fatal events, but also the misuse of firearms in other forms of violence (psychological, sexual, physical, economic, stalking, etc.);
- Apart from being mainstreamed into the SALW policy framework, these findings should be used to inform other policies: strategies for national security, community-oriented policing strategies, strategies for the advancement of gender equality, strategies to combat domestic violence, youth strategies and adequate measures should be proposed.

#### Domestic Violence

- With respect to the SALW legislative response to domestic violence in terms of the regulation of civilian possession, an extensive evaluation should be undertaken to review the effectiveness of the legal and institutional response to restrict access to firearms in the context of domestic violence and intimate partner violence. In this regard, storage and safekeeping practices should also be reviewed in the context of domestic violence;
- Based on that, an informed proposal for legislative reform should be tabled and new measures adopted, targeting the gender specific nature of domestic violence as stipulated in the standards of the Istanbul Convention;

- According to the findings of the evaluation, recommendations should be developed about how to increase the coherence in the legislative and policy response to the risks induced by the presence of firearms in the domestic context with particular focus on prevention practices;
- Stronger links between the SALW legislative framework and laws regulating response to domestic and intimate partner violence should be established;
- Practices already being used in the region, such as the domestic violence fatality review, should be scaled-up in order to better map gaps in legislative and institutional response and propose amendments;
- When policies in this field are being developed, a collaborative approach should be encouraged with women's organizations that deal with domestic violence.

#### Gender and Demand for Small Arms – Masculinity

- Extensive mapping of programmes aimed at reducing firearm-related violence among young men should be undertaken;
- Based on that, specific and contextualized programmes addressing young men should be developed and piloted;
- Additional research should be initiated in order to bring insight into the social and cultural conditioning of masculinity and risk-taking behaviours in regard to firearms as well as social and cultural channels for this conditioning;
- Particular research and policy concerns should be devoted to young men's exposure to firearm violence and the factors which fuel risk-taking behaviour.

#### Gender Attitudes and the Political Process

- Mapping and addressing social, cultural and institutional factors which hinder women's participation in policy making should be included in the SALW policy framework;
- Ensure that women, and women's organizations in particular, as well as gender equality institutions are involved in the development of SALW legislative and policy frameworks.

# 6 ANNEXES

## 6.1 ANNEX 1: LIST OF REVIEWED DOCUMENTS

No	Document	
1.	Law on Weapons	
2.	Law on Gender Equality in Albania	Albania
3.	Law on Measures against Violence in Family Relations	
4.	National Strategy on Gender Equality and Reduction of Domestic Violence	
5.	Law on Weapons and Ammunition in Herzegovina-Neretva Canton	
6.	Law on Acquiring, Holding and Carrying Weapons in Sarajevo Canton	Bosnia and Herzegovina
7.	Law on Acquiring, Holding and Carrying weapons in Bosnian-Podrinje Canton Gorazde	
8.	Law on Acquiring, Holding and Carrying Weapons in Posavina Canton	
9.	Law on Weapons and Ammunition in Tuzla Canton	
10.	Law on Weapons and Ammunition in Una-Sana Canton	
11.	Law on Acquiring, Holding and Carrying Weapons in Zenica Doboje Canton	
12.	Strategy for SALW Control in Bosnia and Herzegovina with Action Plan 2013-2016	
13.	Strategy for SALW Control in Bosnia and Herzegovina with Action Plan 2016-2020	
14.	Law on Gender Equality	
15.	Gender Action Plan 2013-2017	
16.	Strategy for Prevention and Combat against Domestic Violence 2013-2017 2011	
17.	Law on Weapons	Kosovo
18.	National SALW Control and Collection Strategy and Action Plan 2013-2016	
19.	Law on Gender Equality	
20.	Programme for Gender Equality	
21.	Programme against Domestic Violence and Action Plan 2011-2014	Moldova
22.	Law on Police	
23.	Law on the Regime of Firearms and Ammunition for Civilian Use	
24.	National Strategy on Gender Equality	Montenegro
25.	Law on Preventing and Combating Family Violence	
26.	Law on Arms	Montenegro
27.	Strategy for the Control and Reduction of SALW and Ammunition and Action Plan 2013-2018	
28.	Law on Gender Equality	
29.	Law on Domestic Violence Protection	
30.	Protocol on Actions, Prevention of and Protection Against Family Violence	
31.	Action Plan for Achieving Gender Equality 2013-2017	

No	Document	
32.	Law on Weapons and Ammunition	
33.	Strategy on SALW Control 2010 – 2015	
34.	Law on Gender Equality	
35.	National Strategy for Preventing and Combating Violence against Women in Family and in Intimate Partner Relationships 20120-2015	The Republic of Serbia
36.	National Strategy for Gender Equality with Action Plan 2016-2020	
37.	Special Protocol on Conduct of Police Officers in Cases of Domestic and Intimate Partner Violence against Women in Serbia	
38.	Program on the Protection of Women from Domestic and Intimate Partner Violence and Other Forms of Gender Based Violence in AP Vojvodina from 2015 to 2020	
39.	Law on Weapons	
40.	The National Strategy on SALW Control	the former Yugoslav Republic of Macedonia
41.	Law on Equal Opportunities of Women and Men	
42.	Strategy on Gender Equality for 2013-2020	

## 6.2 ANNEX 2: LIST OF INTERVIEWEES

### IN ALPHABETICAL ORDER

1.	Andrijana Čović, <i>Human Rights Associate, Protector of Citizens – Ombudsman of the Autonomous Province of Vojvodina</i>
2.	Besnik Sallahu, <i>Chief of Sector for Interpol – ILECU- Pristina, Directorate for International Cooperation in the Rule of Law</i>
3.	Bobana Macanović, <i>Executive Director, Autonomous Women’s Centre</i>
4.	Duško Ivanov, <i>Chairman of the SALW Commission of the former Yugoslav Republic of Macedonia</i>
5.	Ermin Pešto, <i>Chairman of the SALW Coordination Body</i>
6.	Lenjani, Z. Basri, Dr. sc, <i>Director of Emergency Clinic Pristina, Spec. of Emergency Medicine</i>
7.	Marina Ileš, <i>Senior Officer for Gender Equality, Provincial Secretariat for Social Policy, Demography and Gender Equality</i>
8.	Mensur Hoti, <i>Head of the National SALW Commission of Kosovo, Director of the Department of Public Safety</i>
9.	Mladen Marković, <i>President of the SALW Commission of Montenegro, Ministry of Interior / Directorate of Police, Chief Police Inspector</i>
10.	Miljko Simović, <i>Chairman of the SALW Council of the Republic of Serbia, Assistant of Head of Administration Department, Police Directorate</i>
11.	Tanja Ignjatović, <i>Programme Coordinator, Autonomous Women’s Centre</i>



## 6.3 ANNEX 3: REFERENCES

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	2015		2014		2013		2012		2011	
	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
<b>Number of Licences to Carry Firearms Issued</b>										
<b>Number of Persons Killed by Their Intimate Partner<sup>2</sup></b>										
<b>Number of Persons Killed by Their Intimate Partner by Firearms</b>										
<b>Number of Persons who Handed in SALW during Collection Campaigns</b>										

<sup>1</sup> Intentional homicide is defined as unlawful death purposefully inflicted on a person by another person (UNODC). For further explanation, please see <https://www.unodc.org/documents/data-and-analysis/IHS%20methodology.pdf>

<sup>2</sup> Intimate Partner can refer to: husband/wife, former husband/former wife, partner/former partner, boyfriend/girlfriend, former boyfriend/former girlfriend.

	Women	Men
<b>Members of SALW Commissions</b>		

	2015	2014	2013	2012	2011
<b>Number of Applications to Acquire Firearm Rejected</b>					
<b>Number of Applications to Acquire Firearm Rejected due to Domestic Violence Related Reasons</b>					

### 3. GENDER AND AGE

2015

**Male Perpetrators of Firearm-Related Incidents by Age**

15-29

30-44

45-60

60+

2015

**Male Victims of Firearm-Related Incidents by Age**

15-29

30-44

45-60

60+

2015

**Female Perpetrators of Firearm-Related Incident by Age**

15-29

30-44

45-60

60+

2015

**Female Victims of Firearm-Related Incidents by Age**

15-29

30-44

45-60

60+

## 6.5 ANNEX 5: LIST OF FIGURES, TABLES AND BOXES

### FIGURES

- Figure 1: Percentage of male and female homicide victims and of males and females convicted of intentional homicide
- Figure 2: WHO estimated proportion of homicides by mechanisms (2012)
- Figure 3: Percentage of male and female intentional homicide victims
- Figure 4: Homicide rate: Average 2007-2012
- Figure 5: Perpetrators of firearm-related incidents, by sex, 2015
- Figure 6: Intentional homicide victims in firearm-related incidents, by sex
- Figure 7: Share of firearm-related homicide in total homicides, by sex
- Figure 8: Proportion of intimate partner homicide in total homicide, by sex
- Figure 9: Proportion of intimate partner femicide committed by firearms
- Figure 10: Frequency of fatal outcome according to the type of incident – Serbia
- Figure 11: Gun ownership by gender, by sex
- Figure 12: Male perpetrators and victims of firearms-related incident by age in Albania, Kosovo, Bosnia and Herzegovina and the former Yugoslav Republic of Macedonia
- Figure 13: What is the main reason your household would NOT choose to own a firearm? – ‘I don’t like guns in general’

### TABLES

- Table 1: Intentional homicide victims, by sex
- Table 1a: Perpetrators of firearm-related incidents, by sex
- Table 2: Victims of firearm-related incidents, by sex
- Table 3: Number of persons killed by their intimate partner by gender, by sex
- Table 4: Intimate partner femicide in Serbia
- Table 5: Bosnia and Herzegovina: Number of licenses to acquire firearms issued
- Table 6: Gender concerns in objectives in SALW strategies and action plans
- Table 7: Policy responses in SALW strategies to main policy concerns

### BOXES

- Box 1 Mass shootings, domestic violence and community safety in Serbia
- Box 2 Law enforcement and military officials and domestic violence
- Box 3 Suicide and firearms
- Box 4 Emerging initiatives
- Box 5 Gender disaggregated data
- Box 6 Strategies for protection from domestic violence and SALW
- Box 7 Framing the violence
- Box 8 Other legislative concerns - Age limit for license authorization

i Author telephone interview with Ermin Pesto, Assistant Minister, Ministry of Security of Bosnia and Herzegovina, October 5, 2016.

ii Author telephone interview with Marina Iles, Senior Officer for Gender Equality, Provincial Secretariat for Social Policy, Demography and Gender Equality, September 22, 2016.







CIP - Каталогизација у публикацији  
Библиотека Матице српске, Нови Сад

623.44:34:[305-055.2(4-12)]

BOŽANIĆ, Dragan

Gender and SALW in South East Europe / [Dragan Božanić]. - Belgrade : United Nations  
Development Programme, 2016 (Belgrade : Grafolik). - 69 str. : graf. prikazi ; 30 cm

Tiraž 100. - Bibliografija.

ISBN 978-86-7728-242-4

а) Ватрено оружје - Законодавство - Родна перспектива - Југоисточна Европа  
COBISS.SR-ID 310164231

