
**A Study into the Ways to Better Incorporate Women
into Peacebuilding and Conflict Resolution Through
the Implementation of UNSCR 1325**

Democratic
Progress
Institute

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Foreword and Acknowledgments

DPI aims to foster an environment in which different parties share information, ideas, knowledge and concerns connected to the development of democratic solutions and outcomes. Our work supports the development of a pluralistic political arena capable of generating consensus and ownership over work on key issues surrounding democratic solutions at political and local levels.

We focus on providing expertise and practical frameworks to encourage stronger public debates and involvements in promoting peace and democracy building internationally. Within this context DPI aims to contribute to the establishment of a structured public dialogue on peace and democratic advancement, as well as to create new and widen existing platforms for discussions on peace and democracy building. In order to achieve this, we seek to encourage an environment of inclusive, frank, structured discussions whereby different parties are in the position to openly share knowledge, concerns and suggestions for democracy building and strengthening at multiple levels. DPI's objective throughout this process is to identify common priorities and develop innovative approaches to participate in and influence the process of finding democratic solutions. DPI also aims to support and strengthen collaboration between academics, civil society and policy-makers through its projects and output. Comparative studies of relevant situations are seen as an effective tool for ensuring that the mistakes of others are not repeated or perpetuated. Therefore, we see comparative analysis of models of peace and democracy building to be central to the achievement of our aims and objectives.

Women are crucial stakeholders in peacebuilding and democratic reform and yet they are too often sidelined because of entrenched gender biases that continues to uphold gendered socio-cultural inequalities. This is despite the United Nations Security Council Resolution 1325 which was passed unanimously in the year 2000. As a result, this working paper examines the role Resolution 1325 has had in peacebuilding as well as women's past exclusion from peacebuilding processes in various countries. It further posits some methods available to states to ensure women's effective and adequate participation within negotiations and

constitution drafting, as it is important to work towards women's increased topical representation within constitutions, parliamentary politics, and within all levels of state.

This working paper was prepared with the kind assistance of Molly Ackhurst.

A handwritten signature in black ink, appearing to read 'Kerim Yildiz', written in a cursive style.

Kerim Yildiz

Director

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Introduction

I remain concerned about the continued slow progress in women's participation and representation in peace talks, in the inclusion of provisions for promoting women's and girls' rights in peace agreements and in increasing women's representation in elected and appointed posts; the persistence of serious protection gaps, obstacles to women's and girl's access to justice and signs of the weakening of women's rights in some contexts; and the slow change in the share of budgets allocated to women's empowerment and gender equality in post-conflict contexts.

UN Secretary General, Ban-Ki Moon, 2012.¹

With the turn of the century came a long-awaited realisation: for societies to prosper and global socio-economic equality to be achieved not only were unified international policies necessary, but within these policies gender mainstreaming was essential. Nowhere was this notion more apparent than in regards to women, peacebuilding, and conflict resolution and it was, and continues to be, realised that one of the most successful ways to aid in the promotion of peace is through the engagement of women. This truly came to the fore with the establishment of the United Nations Security Council Resolution 1325 (1325) on the 31st October 2000.²

Resolution 1325 marked the first time the UN Security Council addressed the uneven involvement of women in the areas of peace and security. 1325 recognized that the role of females in the aforementioned areas is overlooked despite their involvement in conflict. Consequently, 1325 has stimulated the formation of gender oriented peacebuilding processes and aimed to increase the participation and representation of women at all levels of decision-making.

¹ UN Secretary Council (2012), 'Report of the Secretary-General on Women and Peace and Security', S/2012/732, at (last accessed 18/06/2014): http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/s_2012_732.pdf.

² UN Security Council, (2000) Security Council resolution 1325 on women and peace and security , 31 October 2000, S/RES/1325: <http://www.refworld.org/docid/3b00f4672e.html> (last accessed 21/11/2014)

With the coining of this Security Council Resolution it appeared as though the international community had, at long last, accepted that there is a distinct gendered nature to conflict.³ It looked as though state figureheads were finally embracing the idea that the only way to overcome these inherent societal discords was through: 'women's equal participation with men, and for their full involvement in all efforts for the maintenance and promotion of peace and security'.⁴ This notion extended to including women in high-level discussions, to actively engaging with female run civil society organisations (CSOs) during peacebuilding discussions, to simply involving women in society. More importantly, it seemed as though governments all over the world were realising that they were all accountable. In voting for Resolution 1325 these states appeared to support the fact that the entire world needed to change its attitude towards the incorporation of women for gender equality to be achieved. This was only further exemplified by the fact that Resolution 1325 was passed unanimously. Resultantly, in the last ten years the numbers one, three, two and five have become near ubiquitous in the mantra of how to go about resolving conflict.

Nonetheless, in spite of the attention that has been given to the need to involve women in peacebuilding, in actuality it appears as though very little has changed. In 2008, the World Economic Forum analysed how much progress countries had made on tackling various gender gaps, and found that generally the situation for women had worsened over the previous year in 41 out of 128 countries.⁵ The persistence of obstacles that women face in participating in the peaceful resolution of conflicts and in post-conflict public life remains, despite the adoption of Resolution 1325. It must thus be recognised that a new approach is needed. As the United Nations Secretary General stated in 2010, 'recognizing the ability of women to contribute to sustainable peace and the obstacles they face in attempting to do so requires an approach to peacebuilding that goes beyond restoring the status quo ante'.⁶

³ Notably this is an issue that stems from inherent gendered divisions within all societies, regardless of conflict.

⁴ Bell, Christine and O' Rourke, Catherine, (2010), 'Peace Agreements or "Pieces of Paper"? The Impact of UNSC Resolution 1325 on Peace Processes and their Agreements', *International and Comparative Law Quarterly*, 59 (4), p.942.

⁵ Banyard, Kat, (2010), *The Equality Illusion: The Truth about Women and Men Today*, London, Faber Ltd., p.5.

⁶ United Nations Security General (2010), 'Women's Participation in Peacebuilding.' A/65/354-S/2010/466, at (last accessed 18/07/2014): <http://www.securitycouncilreport.org/atf/cf/%7B65BF9B-6D27-4E9C-8CD3CF6E4FF96FF9%7D/WPS%20S%202010%20466.pdf>.

This paper will seek to address why it is that, as of yet, Resolution 1325 has not been truly successful in terms of its implementation. In doing so, it will first explore the fundamental meaning of the resolution, with a focus on an in-depth analysis on the resolution's three "pillars": (1) participation, (2) prevention, and (3) protection.⁷ This will provide a platform from which to understand why it is that the more conventional methods used to implement 1325, mainly quotas and legislative methods, have been ineffective. This paper will not argue against these methods, however, it will seek to propose an alternative and more holistic way to go about incorporating women into peacebuilding.

Utilising Case Studies

This paper will rely on multiple case studies to examine both successful and ineffective state practices for the effective participation of women at all levels of peacekeeping. It is essential to understand the importance of the focus on looking at "all-levels" of participation, which encompasses a key element of this paper. Previous DPI papers looking at ways to better promote women's involvement have focused on numerical participation and topical representation within decision-making processes.⁸ Notably this is not necessarily a negative; in fact numerical representation is a fundamental tenant of incorporating women. This paper will consequently include various case studies from previous DPI papers on the incorporation of women into peacebuilding to illustrate the positives that can come from quotas.

Nonetheless, the aim of this paper is to propose more complete and sustainable approaches to incorporating women into peacebuilding and conflict resolution. Its focus is not so much on how post-conflict states that are presented with opportunities for democratic reform can better incorporate women into the peacebuilding, but on how *all* states can do so. The reason for this is two-pronged. Firstly, while it is essential to understand how to enhance women's rights within newly reformed states, to assume that *all* states are in this position

⁷ United Nations Security Council Resolution 1325: S/Res/1325, (2000), at (last accessed 15/07/2014): <http://unscr.com/en/resolutions/1325>.

⁸ DPI Report, *Incorporating Women into Peacebuilding and Democratic Reform*, (DPI, London, October 2012).

overlooks a tremendous amount of the world. Secondly, and arguably more importantly, over the last few years it has become increasingly clear that top down approaches alone are not enough, for they simply do not get to the root of the problem. This is a matter further enforced by an abundance of scholarly research.⁹ For society to change, there needs to be real impetus from the ground up. It is only when civil society is truly engaged that women will actually be involved in peacebuilding.

This paper will thus predominantly focus on analysing both the successes and failures of methods in the Democratic Republic of Congo (DRC), South Africa, Colombia, Uganda and Rwanda. The reason for the focus on these countries is varied. Firstly when analysed together these countries encompass a wide variety of simultaneous top down and bottom-up methods, and thus through comparative analysis it is possible to understand what works and what does not. Moreover these countries have been focal areas for the research conducted by the international non-governmental organisation, Woman Count. There is a tremendous amount of data on these countries; a feature that, as this paper will go on to demonstrate, is very rare. In taking this approach this paper will seek to propose a twofold solution that encompasses a dyadic approach incorporating both top down and bottom-up methods simultaneously.

Structure and Objectives

Chapters 1 and 2 will focus on the necessity of Resolution 1325 in the face of its failings. In essence this will revolve around a discussion about whether the aforementioned resolution is merely a piece of paper, as its critics have dubbed it, or whether “paper” can make a difference. The focus of Chapter 1 will be to outline the fundamental importance of legal top down changes despite potential faults and limitations. It will, therefore, look to the ways in which women have historically been excluded from attending negotiations for a variety of structural and cultural reasons, and will examine the ways that gender mainstreaming and legislative changes help to alter deeply engrained stereotypes. This chapter will thus look to the importance of imparting top down change and legislative amendments, and chapter 2 will focus on the successes that this resolution has made in accelerating global legislative

⁹ Anderlini, Sanam Naraghi and Tirman, John, ‘What the Women Say: Participation and UNSCR 1325: A Case Study Assessment’, *The International Civil Society Action Network and the MIT Centre for International Studies*, (10/2012), at (last accessed 13/08/2014): web.mit.edu/cis/pdf/WomenReport_10_2010.pdf.

changes and governmental attitudes.

To do this the resolution will be examined in depth, with its three pillars analysed in relation to the three stages of conflict: (1) ceasefire and pre-negotiation agreements; (2) framework agreements; (3) implementation agreements in the context of post-conflict societies. Using South Africa and Rwanda as case studies it will be demonstrated that when states implement gender mainstreamed policies in all the aforementioned stages, real change can occur. These policies stem from quotas, to constitutional changes, to budgetary allowances, to logistical assistance allowing women to partake in politics and so on. To further impress this line of reasoning there will be a brief look to South Sudan and the impact that the failure to implement successful gender policies during the DDR and peacebuilding process can have. Based on these particular case studies it will also be suggested that all those involved in peacekeeping missions and conflict resolution programmes actively partake in their own quota systems. A key finding has been a lack of consistency between the policies which peacekeepers advocate and the policies which they themselves keep. It is arguably the failing to do so that has resulted in issues in implementing the “paper” aspect of 1325. These proposals will all be supported by up-to-date research and data.

In spite of this, it is essential to note that an increased number of women at the table and various successfully implemented gender policies do not necessarily correlate to ‘true’ women’s involvement and participation. It is undeniable that both of these are essential in negotiations and the three stages of conflict, yet as the Civil Society Advisory Group to the UN on Women, Peace and Security has stated ‘1325 was meant to alleviate the gap between women’s activism for peace at the community level and the more formal processes’.¹⁰ Of course female leadership is one of the pathways towards achieving this, but it largely only aids the latter and ignores the former. As a peacebuilding approach this method could also be argued to be too rooted in long-term utopian variables and thus does not truly take into account the deep-seated, societal causes of conflict. Chapter 3 will, therefore, focus on highlighting why it is essential to address these socio-cultural issues and also how to best do

¹⁰ Civil Society Advisory Group to the UN on Women, Peace, and Security, 'Working Paper on Civil Society Participation in Peacemaking and Peacebuilding', (2011), at (last accessed 4/08/2014): http://www.peacewomen.org/portal_resources_resource.php?id=1162.

this. It will first briefly outline the global causes of conflict to demonstrate the essentiality of dealing with societal tensions and assess underlying grassroots obstacles to peace. It will then look to the ways in which both quotas and National Action Plans (NAPs) have not been effective enough through an examination of Rwanda, Uganda and the DRC whilst also taking into account recent research conducted by the Quota Project. In the process it will be recommended that all groups and institutions involved in peacebuilding implement gender audits before, and at regular intervals during, gender mainstreaming to create universal indicators for monitoring gender mainstreaming programmes and initiatives. It is the failure to do so thus far that has resulted in a data vacuum that has up to this point prevented true understanding of the successes and failures of 1325 implementation in peacebuilding missions. The overarching conclusion that will be drawn is that states and peacebuilding organisations must not see statistical inclusion as a fulfillment of 1325 and must do more to understand the problem.

Chapter 4 aims to bring together the work of the previous two chapters to highlight the need for a holistic approach towards conflict resolution, and also the successes of it. The majority of this chapter will therefore comprise of case studies primarily from Colombia, the DRC but also Uganda, Rwanda and briefly Sudan. When the various approaches of these countries are viewed comparatively it becomes evident that while National Action Plans and quotas are important and must not be discounted, what is far more significant is both an international and domestic support of female run (CSOs) and non-governmental organisations (NGOs). Moreover these institutional and legislative changes only make a real difference when combined with CSO and NGO participation and active grassroots engagement.

The importance of CSOs and NGOs will firstly be exhibited through an examination of Colombia, which, despite having neither NAP nor any quota system in place, is making steps towards furthering female rights due to a strong and powerful female grassroots activism movement. The chapter will then demonstrate the importance of institutional - CSO engagement by highlighting that combining the two can create both sustainable and varied results. As such, this chapter will look to the ways in which CSOs and NGOs in the DRC have worked with the Sonke Gender Justice Network, MenEngage and UNFPA to undertake

interesting and groundbreaking work on gender based violence (GBV) prevention, which is a key aspect of Resolution 1325 and all later resolutions regarding women.

The importance of male involvement for the successful implementation of Resolution 1325 can be seen when examining the relationship between institutional peacebuilding bodies and grassroots organisation. This is hugely significant, as it overturns the assumption that the best way to further Resolution 1325 is through female engagement. While female engagement is necessary to realise the Resolution's first pillar of participation, to truly achieve the latter two pillars of protection and prevention, male engagement is essential. For key societal discords between men and women to be overcome it is vital that NGOs, CSOs and all peacebuilding bodies do not simply focus on women but also take into account that men must be incorporated into this process.

This chapter will make a series of recommendations. The first of these is that states and organisations must reduce competition and improve collaboration between internationally-run organisations and local female-run CSOs. It will be suggested that organisations must focus on the capacity building and funding of already established CSOs on the ground rather than internationally established groups. It will also be proposed that when few CSOs exist, organisations create sustainable means of capacity building that require little international ground assistance. Furthermore, both programmers and policy makers must not only increase the visibility of 1325 but also create an environment within their own institutions that facilitates women's involvement. In this process, it is essential to take into account documentation analysing women's contribution at all levels and in the process, to promote strategic partnerships between CSOs and women in both political parties and governments. Lastly, it will demonstrate that it is essential for organisations to take a far more open view of the implementation of 1325. For changes to occur everyone involved must be far more resourceful and visionary in their approach.

Peacebuilding and Conflict Resolution

This paper will be dealing with a host of states and nations in different stages of peace formation and nation development. In spite of this it is essential to note the fundamental

difference between different types of peace and also different types of peace formation. It is arguably, the lack of awareness or understanding about these divergences that has limited the ways in which policy makers have gone about incorporating women into conflict resolution and the global peace process.

In contrast to peacekeeping, which is rooted in Cold War principles and the main function of which is to 'to act as a halfway house between peace and war' largely through the use of military intervention,¹¹ peacebuilding aims to prevent future conflict. Created by the UN in 1992 and originally labelled 'post-conflict peacebuilding',¹² it was originally assumed that there were two types of peacebuilding. The first was to 'reinforce preventative diplomacy' by addressing the root causes of conflict, and the second was to aid diplomatic peacemaking.¹³ All of these different branches of peace establishment are key elements of long-term conflict resolution and prevention.

From this standpoint, it has long been assumed that during conflict resolution, peacebuilding was part of a process, following on from peacekeeping and going hand in hand with diplomatic peacemaking after war. Yet this mind-set arguably prevents long-term peacebuilding from being achieved on a global scale, and also limits the ways in which women can be involved in peacebuilding and both long-term conflict resolution and prevention. The reason for this is that it assumes that all peacebuilding is tied to *negative* peace, whereas in actuality it is far more effective when it is part of a *positive* peace process. Moreover, the notion that peacebuilding must always occur as part of a chain rather than autonomously restricts the possible arenas in which woman can become involved in conflict resolution and the peace process. For example it suggests that once the 'boxes are ticked', once top down changes are implemented, there is little need for peacebuilding to continue. Although it is true that positive peace does lack some conceptual clarity, peace formation is

11 James, Alan, (1990), *Peacekeeping in International Politics*, New York: St Martin's, pp. 1-7.

12 Boutros-Ghali, Boutros, 'Introductory Note: An Agenda for Peace', in Roberts, Adam and Kingsbury, Benedict (eds), *United Nations, Divided World: The UN's Roles in International Relations*, 2nd ed. Oxford: Clarendon Press, 1996, p.469.

13 Davis, Charles-Philippe, (1999), 'Does Peacebuilding Build Peace? Liberal (Mis)steps in the Peace Process', *Security Dialogue*, 30, p. 26.

highly complex and multifaceted.¹⁴ Consequently it is essential to not only view peacebuilding as something that can occur in post-conflict societies as part of a process. Instead it must be viewed as a standalone means of creating long lasting, durable peace. Conflict resolution, conflict prevention and peacebuilding must not be seen as processes that can only occur in post conflict societies where states are largely in transitional periods and are thus given the opportunity for whole scale state restructuring. The question that this paper aims to answer is how states can resolve conflicts through sustainable peacebuilding that occurs *separately* from peacekeeping and peacemaking, and fosters *positive* rather than *negative* peace.

14 Berghof Foundation, 'Peace, Peacebuilding, Peacemaking', *Berghof Glossary on Conflict Transformation*, (2012), at (last accessed 25/08/14): http://www.berghof-foundation.org/images/uploads/berghof_glossary_2012_10_peace_peacebuilding_peacemaking.pdf

Chapter 1: The Theoretical Importance of Top Down Change

The aim of this chapter is to explore the various constraints on women's involvement in both peacebuilding and conflict resolution and, in the process, examine how top down methods such as quota systems are often seen as the most effective way to involve women.

Women's Historical Exclusion in Society and Peacebuilding and Conflict Resolution

The reasons for the lack of female participation in both peacebuilding and conflict resolution is multifaceted, yet largely based around general structural and cultural biases against women acting in the public sphere. This is exemplified by the fact that in most societies women have suffered long-term exclusion from education, financial independence and politics. Consequently, women often lack the experience in diplomacy to be considered an appropriate representative for their communities. The five deterrents most often chosen by women, in descending order, are:

- (1) domestic responsibilities
- (2) prevailing cultural attitudes regarding the roles of women in society
- (3) lack of support from family
- (4) lack of confidence
- (5) lack of finances
- (6) lack of support from political parties.

As a result, women have been consistently underrepresented in formal peace processes.¹⁵ This is particularly important because in post-conflict societies the peace processes and peace agreements that stem from them set the precedent for how societies will function; 'peace agreements have a distinctive quasi constitutional quality...they operate as "power maps"'.¹⁶ In Bosnia, for instance, not a single woman was invited to attend the negotiations in Dayton in 1995. Only one woman was involved in the Kosovo Rambouillet negotiations in 1999, which made up a mere 3 per cent of the negotiating team, and no women acted as signatories, lead mediators or witnesses.¹⁷ A look to the 2011 negotiations in Oslo regarding the Philippines further demonstrates the general lack of women at the table. Notably this

¹⁵ Statement by the President of the Security Council S/PRST/2005/52 (2005), at (last accessed 19/4/12): <http://www.un.org/womenwatch/ods/S-PRST-2005-52-E.pdf>.

¹⁶ Bell and O' Rourke, 'Peace Agreements or "Pieces of Paper?"', p.947.

¹⁷ Porter, Elisabeth J. (2007), *Peacebuilding: Women in International Perspective* .p. 37.

particular round of negotiations, where the 33 per cent of signatories and 35 per cent of delegations where female, represents a 'stand-out high point' for the involvement of women in the last 20 years.¹⁸ Moreover a study undertaken in 2008, which scanned 33 peace negotiations, found that only 4 per cent of participants - 11 out of 280 - were women, and that the average participation of women on government negotiating delegations was, at 7 per cent, higher than on the delegations of non-State armed groups.¹⁹

As a result of women being absent from negotiations, women's concerns are rarely voiced and are often left out entirely from many peace agreements. This is particularly significant, for as research conducted by the NoVo Foundation, United Nations Foundation and the Coalition for Adolescent Girls has demonstrated, that girls and women are more effective at lifting themselves and their families out of poverty.²⁰ This is an argument enforced by Anerlini, whose writings have shaped the women and peace policy discourse: 'they [women] tend to be the sole voices speaking out for women's rights and concerns, often forging coalitions based on women's shared interests that transcend political, ethnic, and religious differences, and bringing a better understanding of social justice and gender inequality to peace negotiations'.²¹ As Ban-Ki Moon stated in 2013, 'women must be involved at every stage of efforts to reassert the rule of law and rebuild societies through transitional justice'.²²

From this regard it is clear, steps to involve women in politics are essential. The most seemingly straightforward way in which to overcome this long-term exclusion is through the implementation of systems that do not provide a choice about whether to include or exclude women. Consequently these are the types of methods that are most often adopted.

18 UN Women, 'Women's Participation in Peace Negotiations: Connections Between Presence and Influence',

19 FISAS, Vicenc, (2008), *Anuario 2008 de Procesos de Paz, Escola de Cultura de Pau*, Barcelona, pp. 20-22

20 The Girl Effect, at (last accessed 09/08/2014): <http://www.girleffect.org/why-girls/#&panel1-1>

21 Anderlini, Sanam Naraghi (2007), 'Women Building Peace: What They Do, Why it Matters', Lynne Rienner, London

22 'Women's Participation, Leadership Crucial to Peace Processes - UN Security Council', *UN News Centre*, (18/10/13), at (last accessed 01/09/14): <http://www.un.org/apps/news/story.asp?NewsID=46283#.VAiMgoCwIQ4>

The Various Top Down Systems and Changes

There are several different systems in operation that push for the introduction of women into politics through top down pieces of legislation. It is important to note the different modalities for women's participations in negotiations where women have been utilised during peace talks and negotiations.

- (1) Mediators
- (2) Delegates of Negotiating Parties
- (3) All-Female Negotiating Parties Representing a Woman's Agenda
- (4) Witnesses
- (5) Observer Roles
- (6) Signatories
- (7) Gender Advisors
- (8) In a Parallel Forum

To achieve female representation the following methods have been employed to varying degrees of success.

- (1) Legal quotas, parliamentary, political and institutional
- (2) The provision of logistical assistance
- (3) Implementation of a consultation process
- (4) Implementation of a parallel civil society caucus
- (5) Implementing legislation that protects Women's rights
- (6) Offering political training for women
- (7) Providing incentives to vote and stay in education
- (8) Using gender audits

Case Study: South Africa

A look to South Africa demonstrates how significant these top down changes can be, and also illustrates the diverse range of top down methods that exist. The South African example is particularly useful given its use of a host of different top down implementation methods.

During the first round of formal negotiations in December 1991, otherwise known as the Convention for a Democratic South Africa (CODESA), very few women were included or

involved. This was largely due to the aforementioned logistical and cultural obstacles that women face. In these first sessions only 23 out of 400 delegates invited to negotiations were women.²³

By 1993 South Africa had adopted a quota system for its multi-party negotiations, following the Women's National Coalition's (WNC's) denouncement of their exclusion during previous sessions. Under this system each delegation had to have 50 per cent women. If these seats were not filled by women representatives they could not be replaced by a male and would thus be forfeited. It is arguably this second caveat that ensured the success of the South African quota system, for no party would be willing to forfeit any delegate seats.

There were of course issues with the initial sole use of a quota system. For example there were concerns that women delegates would be accountable to their political constituency rather than their gender constituency. As a result, many were unable to push for more controversial women's rights issues. The WNC who argued in favour of greater facilitation between women's civil society groups managed this issue.

During the Malibongwe Conference the WNC drafted a Women's Charter that could be included in the negotiating and constitution-writing process. This took nearly two years, included over three million interviews and resulted in one of the seven sub-councils during the negotiations being dedicated exclusively to gender issues.²⁴ As Anderlini states, 'its mandate was to monitor the policies emerging from the other councils to ensure that all matters being addressed (e.g. national security issues, elections, etc.) were gender-sensitive'.²⁵

It is a result of this consultation process, and the hard work of the government to drive forward quotas, that South Africa has one of the most gender friendly constitutions in the world. There are anti-discrimination rules such as Paragraph 9 (1) that states that 'everyone

23 Goetz, Anne Marie (1998), 'Women in Politics & Gender Equity in Policy: South Africa & Uganda.' Review of African Political Economy. Volume 25.

24 African National Congress (1990), 'Malibongwe Conference: Programme of Action', retrieved on 2/4/12 at: <http://www.anc.org.za/show.php?id=4673>

25 Anderlini, Sanam Naraghi (2009), 'Peace Negotiations and Agreements', retrieved on 25/1/12 at: http://www.huntalternatives.org/download/37_peace_negotiations.pdf p.

is equal before the law',²⁶ and then there are those surrounding the equal rights of women upon entry into marriage. Furthermore, the later passing of the 'Recognition of Customary Marriages Act' (RCMA) in 1998 gave women in all types of unions the right to maintenance and property if the said union should be dissolved.²⁷ There are also laws in place to cement reproductive rights in Article 12.2, and the 1998 Domestic Violence Act (DVA) ensures that women and children who are victims of domestic violence can obtain protection under the law. While these are laws that require implementation and they do not, therefore, solve the problem alone, the fact that they exist in the first place is vital. They provide a platform through which to argue for a better life, and this can arguably only be truly facilitated when change stems from the top down. For example the DVA led to the creation of a Sexual Offences and Community Affairs Unit in 1999 to coordinate all of its legal and state responses to incidences of gender-based violence. From this regard it is clear, top down reforms are essential and one of the building blocks towards living in an equal society.

²⁶ South Africa (1996), Constitution of the Republic of South Africa, Chapter Two: Bill of Rights. Adopted: 4 December 1996, retrieved on 15/2/12 at: <http://www.info.gov.za/documents/constitution/1996/96cons2.htm#10>

²⁷ Center for Reproductive Rights (2006), 'Marriage Rights' in Gaining Ground: A Tool for Advancing Reproductive Rights Law Reform, retrieved on 20/2/12 at: http://fidakenya.org/wp-content/uploads/2011/03/GG_Part-VII_Marriage-Rights.pdf

Conclusion

As this chapter has highlighted, women can face several logistical and cultural obstacles when participating in peacebuilding, namely peace talks and peace agreements. With this in mind, it is important that the state assists women in overcoming these obstacles. This chapter suggests that implementing quota restrictions as well as offering logistical assistance to women can help ensure that an increased number of women are invited to and are present at negotiations and peace talks. This is hugely beneficial for not only would it bolster equality, but it has been demonstrated that inclusion of women often results in a more stable state and longer lasting peace. The next chapter will look to the ways in which 1325 has provided states with a platform from which to bring quota systems and other top down changes forward.

Chapter 2: The Role of 1325 in Peacebuilding

1325 and Peacebuilding from the Top Down: Common Misunderstandings

It was decided after numerous campaigns, conventions and conferences and the surface level successes of examples such as South Africa, that there was a need for a uniform policy regarding the inclusion of women in peacebuilding. This was only furthered by an awareness of the failures of sporadic change, and consequently 1325 was created.

To many, 1325 has, therefore, become *the* women's resolution, a symbolic beacon of hope for female rights around the globe. This arguably stems from the fact that it was the first formal and legal document that required parties in conflict to pay any attention to women's rights. Yet it is arguably this belief that 1325 is the ultimate women's decree that has muddied the waters regarding what the resolution is actually meant to stand for. Simplistically speaking, 1325 was initially only meant to focus on parties during and after conflict, pushing them to respect women's rights and support their participation in peace negotiations. In short, this was about increasing the role of women to improve peace and security rather than about fostering universal women's rights. As a case study entitled *What the Women Say* conducted by the International Civil Society Action Network and the MIT

Centre for International Studies highlights, it is this lack of understanding that has created problems for the resolution:

‘While often dubbed as the women's resolution, UNSCR 1325 is first and foremost about peace and security. The resolution is not about the inclusion of women for the sake of political correctness. It is rooted in the premise that women's inclusion - their presence and participation in the process, their perspective and contributions to the substance of talks will improve the chances of attaining viable and sustainable peace. Similarly, the resolution's attention to the protection of women's physical well being, as well as their legal and political rights, is not simple an end in itself. Rather it is recognition of the fact that if had the population faces discrimination and violence, peace is not viable.’²⁸

As has already been briefly outlined, Resolution 1325 largely rests on the three pillars of 1) participation, (2) prevention, and (3) protection. These three main areas have also been expanded by later resolutions, for example UNSCR 1820 which focuses specifically on sexual violence, yet they remain the same: (1) the participation of women in decision-making at all levels in conflict resolution and peace process; (2) representation of women in national, regional and international institutions and mechanisms for prevention management, and resolution of conflict; (3) protection of, and respect for the human rights of women and girls.²⁹ However, because of the aforementioned misinterpretation of 1325, each ‘P’ has been interpreted in a variety of ways. The reason for which this is particularly important is because this reinterpretation affects the way in which 1325 has been implemented. This in turn impacts its ability to aid in the instigation of change at the differing stages of conflict and in non-conflict societies and thus limits the future sustainability of peacebuilding.

²⁸ Anderlini, Sanam and Tirman, John, ‘What the Women Say: Participation and UNSCR 1325: A Case Study Assessment’, *The International Civil Society Action Network and the MIT Centre for International Studies*, (10/2012), at (last accessed 13/08/2014): web.mit.edu/cis/pdf/WomenReport_10_2010.pdf, p.10.
²⁹ DPI, (2012), *Incorporating Women into Peacebuilding*, p.10

1325: Participation

The first pillar, participation, is primarily about the inclusion of all women. The Resolution 1325 makes numerous references to the need for more female Special Representatives in order to expand the role of women in peacekeeping. It also talks of the need to expand gender-sensitive training to aid in all future long-term participation, as well as increase funding for women's groups. More importantly, 1325 'urges member states to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict' and recognises that women's 'full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security'.³⁰

In spite of these seemingly wide boundaries for participation that are clearly focused on long-term peacebuilding, *What Women Say* has brought to light that '[participation] is often reduced to the simple addition of women or women with no ties or credentials in either peacekeeping or women's rights movements. It becomes a matter of ticking the box, rather than consideration of the qualitative issues', and quota systems became an easy option rather than the start of a process.³¹ The main problem of doing this is that it can actually limit wide scale participation. Women are included, but only up to a certain point and a certain stage of conflict resolution. Consequently, the positive impact that occurs from involving women, impacts that numerous General Secretary's have talked about, is not felt.

Instances of this were touched on at the Global Summit to End Sexual Violence in Conflict in June 2014, especially during the '1325 on Trial' debate. During this discussion Katherin Ronderos, president of The Women's International League for Peace and Freedom (WILPF) in Colombia, stated that it was not until November 2013 that women were encouraged to join negotiating teams, and even then it was more about box ticking. Representation at other levels also remains limited. When talking about some of the training given to men in

³⁰ United Nations Security Council Resolution 1325: S/Res/1325, (2000), at (last accessed 15/07/2014): <http://unscr.com/en/resolutions/1325>.

³¹ Anderlini, Sanam Naraghi and Tirman, John, 'What the Women Say: Participation and UNSCR 1325: A Case Study Assessment', *The International Civil Society Action Network and the MIT Centre for International Studies*, (10/2012), at (last accessed 13/08/2014): web.mit.edu/cis/pdf/WomenReport_10_2010.pdf, p.10.

the military about the need to include women, Ronderos stated; ‘there is no political will and we are going back to patriarchy...the instrument [1325] is good but it brings the shadow of stigma towards women’; it perpetuates divisions.³²

This is not a dismissal of the significance of quota systems and other top down methods, yet, as has now been illustrated, 1325 was and is about broad participation to further peace. This cannot simply be achieved with the view that participation only refers to political involvement and the implementation of quota systems and other similar methods.

1325: Prevention and Protection

Bound up in this misunderstanding of the term ‘participation’ has been a similar misconstruing of the other two pillars; protection and prevention. Again both terms are taken from short-term perspectives, with a huge percentage of protection and prevention documents and actions revolving around the need to protect women from sexual violence and also prevent gender based violence (GBV). This is all very much tied to the idea that 1325 is about the specific protection of women from specific circumstances of conflict, rather than the more long-term goal of the promotion of peace through the inclusion of women. For example, what “prevention” actually refers to in the 1325 document is the prevention of war and future conflict through involving women, or in other words ‘reaffirming the role of women in the prevention and resolution of conflicts and in peace-building’.³³ Similarly while the term “protection” does refer to specific needs and rights that are in need of protecting, protection alone is not portrayed as the end goal. In fact protection is largely portrayed as one of the factors that is necessary for participation, much like prevention is, and from this respect it is more of a means to an end; the end being women’s ‘protection and full participation in the peace process’ so that women can ‘contribute to the maintenance and promotion of international peace and security’.³⁴

³² Ronderos, Katherine, ‘1325 on Trial’, (12/06/2014), at the Global Summit to End Sexual Violence in Conflict. London

³³ United Nations Security Council Resolution 1325: S/Res/1325, (2000), at (last accessed 15/07/2014): <http://unscr.com/en/resolutions/1325>.

³⁴ United Nations Security Council Resolution 1325: S/Res/1325, (2000), at (last accessed 15/07/2014): <http://unscr.com/en/resolutions/1325>.

In short, what all these three pillars stand for are largely the same, peace and security through actively involving women, but the overtly literal reading of them has morphed them into short term and largely ineffective means of peacebuilding. Involvement of women has shifted to top down measures rather than taking into consideration the long-term meanings of participation, protection and prevention.

Current Day Criticism of 1325

In recent years, 1325 has come under intense criticism for its lack of quantifiable successes, something that arguably stems from policymakers' focus on negative peace over positive peace. This was made abundantly clear in 2010, the tenth anniversary of the resolution, where a host of papers cast doubts on its practical implication. While the majority of those who analysed the Resolution agreed that it provided an instrument for change, it was argued that due to a lack of implementation mechanisms, such as monitoring bodies and time limited targets, there was little impetus for change to occur.

It was during this period that 1325 started to be described as merely a 'piece of paper'. It was argued that top down change was futile. As has already been demonstrated, the problems with 1325 and its version of 'top down' are more to do with a lack of understanding of the different pillars, how they stand for peace and security through the involvement of women, rather than just involving women for the sake of involvement.

This paper is not disputing that this is an inherent problem with the Resolution 1325 itself; yet the failure to achieve better equality cannot be solely blamed on the lack of implementation options or monitoring bodies written into it. 1325 was only ever intended to be a thematic resolution, a *starting* point for others to follow on from. It was only seen to possess legal authority because of its unanimous passing and the momentum it had gained.³⁵ While the UN Security Council is in a position to enforce their Resolutions, because of the nature of 1325 as well as the period in which it was written, it would have been almost impossible to include implementation warnings and targets. Consequently, it is necessary to look at the deep seated societal gender problems and the aforementioned misinterpretations of the Resolutions pillars, as Chapter 3 will go on to do. These can only be

³⁵ Bell and O' Rourke, 'Peace Agreements or "Pieces of Paper?"', p.943.

addressed through better implementation of 1325 and active engagement with CSOs; as this paper will go on to argue.

This chapter will now illustrate that while there are limits on what the Resolution has achieved as of yet, the very fact that 1325 and these aforementioned instruments for change exist has made a difference to the state of conflict resolution. While top down, or “paper”, changes are not the all-encompassing solution to incorporating women in peacebuilding they must not be discounted as unimportant or unnecessary. 1325 has acted as a means of corroboration for countries, and groups within these countries, all over the world to push for change. The following section will look to the key successes of 1325 in top down change, namely the ways in which the Resolution 1325 has succeeded in pushing various countries into implementing gender inclusive systems. As much as 1325 was meant to be an all-encompassing Resolution, its top down successes cannot be denied.

Successes of 1325

Since 2000 46 countries have incorporated 1325 into their national legal framework by adopting NAPs, many of which include references to ways by which to directly engage women in politics, and seven have published dedicated budgets.³⁶ While these figures may appear somewhat insignificant, the fact remains that this is an increase from the zero countries that had NAPs before 1325.

The successes of 1325 become even more evident when looking at peace agreements. In an ongoing study, Christine Bell and Catherine O’Rourke looked at 585 peace agreements from January 1990 to January 2010 and found that while only 16 per cent of all peace agreements during this period even mentioned women, pre-1325 the figure was 11 per cent and post 1325 the figure increased to 27 per cent. Furthermore agreements with the UN as a third party increased from 4 per cent to 12 per cent and agreements that did not have the UN as a

³⁶ United Nations Secretary Council (2013), ‘Paper of the Secretary-General on Women and Peace and Security’, S/2013/252, at (last accessed 25/07/14): <http://www.unwomen.org/~media/Headquarters/Attachments/Sections/News/In%20Focus/Open%20Debate%20on%20WPS%202013/2013%20SG%20report%20on%20WPS%20pdf.pdf>.

third party went from 7 per cent to 14 percent.³⁷ Interestingly, other research shows an even greater increase. For example the *Women, Peace and Security Handbook*, states that Security Council Resolutions including direct references to 1325 and women have risen from 12 per cent in 2002 to 65 per cent in 2010.³⁸ The research conducted by Bell and O'Rourke as well as the *Women, Peace and Security Handbook* highlights that 2008 marked a peak for the mentioning of women in this context.³⁹

There are of course potential areas of criticism regarding the ways in which women are referred to in these various agreements and Security Council Resolutions, something which will be discussed in the following chapter. It must also be noted that references to women in Security Council Resolutions often have far less of an impact on the involvement of women than internal peace agreements do. Nevertheless, the very inclusion of *local* women rather than those from outside the conflict has been found to have a positive impact on societal reconstruction. As Bell and O'Rourke state, 'although gender references may do little to further women's equality, without gender being mentioned the struggle for inclusion is even more difficult'.⁴⁰ For example states which include references to women in peace agreements are often far more likely to implement methods such as quota systems and specific women focused policies. Moreover a recent study conducted by Laurel Stone for the Interdependent found that 'implementing gender quotas for national legislatures could increase the probability of violence ending within five years by 27 per cent'.⁴¹ These long-term policies empowering women to move past victimisation and into leadership positions can provide the keys to establishing a more peaceful society over time.

³⁷ Bell and O'Rourke, 'Peace Agreements or "Pieces of Paper?"', p.954. See also <http://www.peaceagreements.ulster.ac.uk/about.html>

³⁸ PeaceWomen, 'Women, Peace and Security Handbook', at (last accessed 15/09/2014): http://www.peacewomen.org/assets/file/peacewomen_schandbook_2010.pdf

³⁹ PeaceWomen, 'Women, Peace and Security Handbook', at (last accessed 15/09/2014): http://www.peacewomen.org/assets/file/peacewomen_schandbook_2010.pdf , see also Bell and O'Rourke, 'Peace Agreements or Pieces of Paper', p.956.

⁴⁰ Bell and O'Rourke, p.947.

⁴¹ Stone, Laurel, (11/08/2014), 'Can Women Make the World More Peaceful?', *The Guardian*, at (accessed 25/08/14), <http://www.theguardian.com/global-development-professionals-network/2014/aug/11/women-conflict-peace-society>

Case Study: Rwanda

Rwanda is one of the strongest examples of the success of 1325 and the need for top down change. Following the Rwandan Genocide in 1994 where around 800,000 were killed, most of whom were male and members of the Tutsi minority, the Rwanda Patriotic Front took control. The genocide saw many women raped, in addition to many being widowed. These women had to contend with a host of negative traditional customs, from disapproval of their rapes to having little or no means to earn an income. Women were in many ways forced to step in and engage in the post-genocide negotiations because of this. Women progressed by offering help during the critical rebuilding period, women's councils and small institutions were introduced and all of these aided in the shift in attitude towards gender roles. Nonetheless, changes were slow, and it was not until the late 1990s that women were given the legal right to own land permits and businesses.

Following the implementation of 1325, where equal opportunity-based governments were legitimised on a world stage, there was a real push for the legislation of women's rights. With the establishment of the post-genocide constitution in 2003 it was declared in Article 9(4) that 'the State of Rwanda commits itself that women are granted at least 30 per cent of posts in decision making organisations'.⁴² This was in many ways the turning point for the country's attitude towards gender equality.

The surface level figures alone demonstrate the huge successes of the implementation of the quota system. Rwanda now has one of the most gender friendly political systems in the world with an incredibly high percentage of women across the various different systems. In the Chamber of Deputies, women have 64 per cent of the seats, they hold 38 per cent of the Senate, and in the 2008 Rwandan elections women gained 56 per cent of seats in the lower house; this is far greater than the 30 per cent minimum outlined in the Constitution. This high percentage of women spreads to the judiciary where 42 per cent sit in the Supreme Court and a staggering 70 per cent occupy seats in the high court.⁴³ Notably the achievement of the quotas is more far reaching than merely increasing the numbers of women in politics

⁴² The Constitution of the Republic of Rwanda, at (accessed 27/09/14): <http://www.rwandahope.com/constitution.pdf>

⁴³ Women Count: Global Civil Society Monitoring Report, (2010), at (last accessed 05/09/14): http://www.gnwp.org/sites/default/files/resource-field_media/Global%20Report.pdf, p.8.

or the legal system. Women are, and have been, actively involved in all legislative reviews in Rwanda. There consequently exists an array of gender-sensitive policies and legislation, 'all of which are facilitated by the gender architecture of the government, with all national institutions and departments having focal points at central and decentralised levels tasked with ensuring gender mainstreaming occurs'.⁴⁴ As of 2009, Rwanda created its own NAP specifically focusing on 1325, and also fostered other NAPs on gender, gender sensitive constitution, quotas, land laws, SGBV laws, family and labour laws.

The fruits of the NAPs can be found in the recent and ongoing changes to Rwanda's attitudes towards sexual violence. There is now special training in the army, pre and post-deployment, and also in the police force for how to work with victims of sexual abuse and more importantly how to prevent this in the future. Centres such as the Isange One Stop Centre have been set up all around the country to provide survivors of sexual violence with medical treatment, counseling services and legal help and to form a network of clinics. Furthermore, conversations with key individuals such as Rwanda's top police commander, Inspector General Emmanuel Gasana, are filled with phrases such as 'prevention mechanisms' and 'gender budgeting'.⁴⁵

It is not just men who are aiding female victims, for since 2009 there has been a significant rise in the number of women in the police force, from 0.8 per cent to 19 per cent; something which can be attributed to the establishment of gender desks and a directorate for gender mainstreaming within the Rwandan National Police.⁴⁶

Further evidence of Rwanda's gradually increasing equality can be found with a look to the indicators posed by Women Count to monitor countries' compliance with 1325. From a fairly top down vantage point, Women Count outline eleven indicators; 1) women's participation in Governance; 2) percentage of women in peace negotiating teams and with a detailed

⁴⁴ Women Count: Global Civil Society Monitoring Report, (2012), at (last accessed 30/08/14): http://www.gnwp.org/sites/default/files/resource-field_media/Global%20Report_1.pdf, p.20.

⁴⁵ Heaton, Laura and Swanee Hunt, (04/04/2014), 'Women in Post-genocide Rwanda Have Helped Heal Their Country', *The National Geographic*, at (last accessed 10/08/14): <http://news.nationalgeographic.com/news/2014/04/140404-rwanda-genocide-parliament-kigali-rwandan-patriotic-front-world-women-education/>

⁴⁶ Women Count: Global Civil Society Monitoring Report, (2012), at (last accessed 30/08/14): http://www.gnwp.org/sites/default/files/resource-field_media/Global%20Report_1.pdf, p.18.

breakdown of gender issues; 3) women's participation in the justice system; 4) the number and percentage of women participating in each type of constitutional or legislative review; 5) number and percentage of civil society organisations in task forces/committees on 1325 and 1820; 6) number and percentage of gender based and sexual violence case reported, investigate, prosecuted and penalized; 7) number and quality of gender-responsive laws and policies; 8) number and nature of provisions/recommendations in the truth and reconciliation commission and other transnational justice papers on women's rights; 9) percentage of women versus men who receive economic packages in conflict resolution processes; 10) number and percentage of pre and post deployment training programs for police and military incorporating 1325 and 1820, international human rights and international humanitarian law; 11) allocated and dispersed funding marked for women, peace and security programs to CSOs and government.⁴⁷ Out of all the countries Women Count surveyed in 2012, Rwanda was one of the few to be making either moderate or significant progress with all of the indicators. In fact, out of all the surveyed countries Rwanda was the only one to have received 'no progress or deterioration' in just one indicator, every other country had this in at least two indicators.

From this regard, while the process of including women and true equality is far from realised, the significance of quota systems in improving the lives of Rwandan women cannot be denied.

The Necessity for Better Implementation of Top Down Change

From this regard it is clear that there are positives of top down change, and more importantly that 1325 has played a role in fostering the establishment of them in various countries. Regardless of the critique that there is a focus on quantity over quality and that female representation is a requirement to check off the long list of peace agreement measures, an examination of South Sudan shows how essential laws to enshrine this quantity are. There is of course a need for greater inclusion of top down change and

⁴⁷ Women Count; Global Civil Society Monitoring Paper(2013), at (last accessed 30/09/14), http://issuu.com/suba_gnwp/docs/women_count_civil_society_monitorin, p.7.

engagement with all the aforementioned methods that 1325 promotes, both in relation to states but also non-state actors.

Case Study: South Sudan

South Sudan is one of a long list of countries where neither quota systems nor NAPs have been implemented, and where no steps have been made to implement them. Local women desperately want to become involved in the peace process but are largely side lined by the warring parties.

The women of South Sudan played an instrumental role in the country's liberation struggle and following the January 2011 referendum, where 98.83 per cent of the population voted for independence, it appeared as though some form of equality would be achieved. Nonetheless no NAPs or quota systems were implemented and the South Kordofan conflict broke out in June 2011 between the SPLA (Sudanese Peoples Liberation Army) and the Army of Sudan. One conflict has followed on from another, and since 2013 the country has been at civil war between President Kiir (an ethnic Dinka) and his ex-deputy Riek Machar (an ethnic Nuer) regarding a rumoured coup d'état. Women have unfortunately been sidelined in this series of conflicts, atrocities such as the raping of women by SPLA soldiers have been brushed under the carpet, and as a recent paper published by AVAAZ has highlighted there have been a series of execution style killings of women and children.⁴⁸

While around 50 per cent of all external Security Council resolutions on the Sudan conflict contain language consistent with the spirit of 1325, there is a considerable difference between having UN resolutions that mention women and incorporating women into the peace process.⁴⁹ In fact as Bell and O'Rourke argue, 'as lone references in complex political processes the underlying picture of women they present is one which ultimately may also limit effective participation in public life'.⁵⁰ Very few, if any, of the ongoing discussions involve women and there are no systems in place to ensure that women are included at any

⁴⁸ AVAAZ, (May 2014), 'A Genocide We Can Stop', at (last accessed 15/08/2014), https://secure.avaaz.org/en/ceasefire_in_south_sudan_uk/?copy

⁴⁹ Wang, Leo, (2010), '10 Years Later – UN Security Council Resolution 1325 on Women, Peace and Security', Legal Frontiers, at (last accessed 24/09/14): <http://www.legalfrontiers.ca/2010/11/10-years-later-%E2%80%94-un-security-council-resolution-1325-on-women-peace-and-security/>,

⁵⁰ Bell and O'Rourke, 'Piece Agreements or Pieces of Paper', p.969

of the three stages of conflict resolution. With hindsight it is evident that had internal laws been implemented during the peace agreement, rather than external Resolutions, the situation would be very different for women in South Sudan.

Conclusion

While it is clear there is a lot more to do to improve the implementation 1325 from both a top down and also bottom-up perspective, critique of 1325 for merely being a piece of paper is unfounded. As much as the misunderstanding of the Resolution's pillars has in many respects limited 1325 to being solely focused on top down methods, this is not to say that huge steps forward have been made. This chapter has suggested that 1325 has bolstered the implementation of methods such as quota systems and also the involvement of women across the peace process. There are still steps to be made, for example external organisations and states must actively pursue their own quotas and greater effort must be made to fulfil 1325 statements such as an increase in the number of women special representatives and envoys. Nevertheless, 1325 is far from an ineffective resolution.

Chapter 3: The Problems of Democratic and Legislative Conflict Resolution

While there are clear benefits of top down change, the fact remains that translating policy exhortations into practice has floundered against entrenched gendered systems of bias and exclusion. Moreover it must not be forgotten that 1325 was never intended to be a resolution that was solely focused on top down methods like quota systems and NAPs. This chapter will look at why it is that as of yet the current interpretation of 1325 has not been wholly successful in incorporating women into peacebuilding.

The Reasons for the Exclusion of Women

In chapter one the historical exclusion of women was discussed, demonstrating that the most coherent step towards inclusion was through legislation. Yet upon closer examination of the reasons why women are often deterred from participating, it becomes evident that a vast majority of these deterrents stem from deeply entrenched societal values and beliefs, in addition to legislative restrictions.

The five most common deterrents are: (1) domestic responsibilities; (2) prevailing cultural attitudes regarding the roles of women in society; (3) lack of support from family; (4) lack of confidence; (5) lack of finances; and (6) lack of support from political parties. Although implementation of quotas does go some of the way to overcome these, by solely focusing on top down matters, deeply rooted social issues are not overcome or even addressed. Consequently, it is evident that states which only focus on top down changes rather than engaging with civil society to alter deep-rooted prejudices are less likely to fulfil the requirements of 1325.

The Limits of Legislation: South Africa

The limited effectiveness of legislative changes in impacting gender divisions can be understood by looking at the case of South Africa. As has been demonstrated, South Africa is a strong example of successfully implemented policies aiming at establishing an equal society. In fact the South African constitution is often considered *the* most gender friendly constitution. Nonetheless, while South Africa has provided opportunities for women to become involved in politics and participate in the peacebuilding process in South Africa,

these opportunities only exist in *law*; in practice the possibilities available to women in society are very limited.

An in-depth examination of violence against women best illustrates this line of argument. Although there are many women in positions of authority and there exist both laws to protect women as well as a 'gender friendly' constitution, very few efforts have been made towards women's involvement in terms of engaging with the community.

Women are neither protected under the law and not viewing themselves as victims, or they do not find it socially acceptable to come forward, or they do not know how to (or cannot) access the court system. A consequence of this is that despite having some of the most gender-mainstreamed laws regarding sexual violence, especially since the 2007 amendment to Act 32 the laws pertaining to sex-offences,⁵¹ South African women continue to suffer both sexual and domestic abuse. Only one in six reported rape cases in South Africa reach court and of those only six per cent end in a conviction.⁵² Moreover a 2010 CEDAW paper on the limitations of South Africa's comprehensive domestic violence programme states that there is an 'absence of social interventions that address the causes or influencing factors in any domestic violence situation'. South Africa still retains one of the highest rates of gender-based violence and according to a study by Interpol a women in South Africa is raped every 17 seconds and one in four South African women suffers domestic violence.⁵³

The aim of top down change is to overcome the basic problem of women's historical exclusion from politics, and in this matter it can be successful. Yet as the South Africa case study exhibits, it is not enough to advocate top down change alone.

Top Down Change: Rwanda versus Uganda

As has already been demonstrated, the quota system in Rwanda has been incredibly successful. This perpetuates the idea that political change is enough to increase protection,

51 This particular amendment expanded the scope to include gender-neutral definitions, for the crimes of rape, spousal rape, and anal rape.

52 United Nations Women, 'Progress of the World's Women: Factsheet', at (last accessed 10/09/14): 17/4/12 at <http://progress.unwomen.org/wp-content/uploads/2011/06/EN-Factsheet-SSA-Progress-of-the-Worlds-Women.pdf>

53 Odhiambo, Agnes (2011) 'Healthcare is Failing Women', at (last accessed 20/0714): <http://www.hrw.org/news/2011/12/20/healthcare-failing-women>

participation and prevention. Nonetheless it is essential to see Rwanda as the *exception* and not the rule. A comparison between Rwanda and Uganda, a State that has also implemented quota systems and NAPs, illustrates this point.

While women in Rwanda are ‘prospering’ as a result of the quota system the same cannot be said for those in Uganda: ‘in Uganda the 33 per cent quota for women’s representation in local councils has seen women occupy one third of all council member positions, however there are very few women in the senior leadership positions’.⁵⁴ As much as the involvement of women in Ugandan politics can be seen as a monumental step, for 20 years ago “women in parliament” was an unheard of term, there exists a legacy of women having a distinct lack of influence.⁵⁵ Consequently, unlike Rwanda, which continually progresses in *Women Count* indicators⁵⁶, Uganda has stagnated over the last few years.

The reason for this stagnation arguably stems from the cultural differences between the ways in which quota systems and legislative changes were pursued. In contrast to Rwanda, where the implementation of quotas was in many ways a fairly organic process stemming from women’s political participation in the wake of the 1994 genocide, in Uganda there was far less involvement with civil society. Grassroots communities continue to have a strong prevalence in Rwanda, so much so that in its 2012 paper *Women Count* stated ‘this paper finds deep resonance with grassroots communities, but also the community members continually insist that effective means and the necessary support must be found to accomplish them’.⁵⁷ Moreover, although Rwanda has implemented and incorporated 1325 into its constitution and NAPs, ‘even as [1325] was being adopted by the UN Security Council, Rwanda was already on the path of recognising the rights of women emerging from conflict’.⁵⁸

⁵⁴ Women Count: Global Civil Society Monitoring Report, (2010), at (last accessed 05/09/14): http://www.gnwp.org/sites/default/files/resource-field_media/Global%20Report.pdf, pp.9-10.

⁵⁵ Women Count; Global Civil Society Monitoring Paper(2013), at (last accessed 30/09/14), http://issuu.com/suba_gnwp/docs/women_count_civil_society_monitorin, p.139.

⁵⁶ See Women Count (2012), Rwanda Report, at (last accessed 25/09/14): http://www.rwandawomennetwork.org/IMG/pdf/rwn_gnwp_rwanda_report_2012.pdf

⁵⁷ Women Count (2012), Rwanda Report, at (last accessed 25/09/14): http://www.rwandawomennetwork.org/IMG/pdf/rwn_gnwp_rwanda_report_2012.pdf, p.11.

⁵⁸ Women Count (2012), Rwanda Report, at (last accessed 25/09/14): http://www.rwandawomennetwork.org/IMG/pdf/rwn_gnwp_rwanda_report_2012.pdf, p.5.

In contrast, while Uganda does have a series of protocols in place to protect and promote women's involvement in the maintenance of peace and security, their involvement was far from organic. Uganda implemented policies regarding women largely as a result of CEDAW, which Uganda ratified in 1985, the Beijing Declaration of 1995 and of course 1325. Consequently, although Uganda's constitution does provide a similar level of rights to women and also guarantees a similar level of women's representation at a sub-national level there is less of a drive to realise equality. Furthermore, the constitution provides far less obvious support for women at a parliamentary level. Instead of stating a specified percentage of representation, Article 78 (1) of the constitution states that the parliament 'shall consist of one woman per district'.⁵⁹ Considering the fact that there are 112 districts and 375 seats, this works out at roughly 30 per cent female representation, yet the phrasing of one woman per district is far from inclusionary. Additionally it is important to note that although Uganda does have a strong women's CSO culture, there is a lesser degree of osmosis between government and grassroots organisations, with much of the policy coming from the state rather than from CSO requests. For example, while numerous task forces exist with the aim of implementing 1325, these are (a) very new developments and (b) driven with a governmental agenda in mind. A look to the Peace Recovery and Development Plan (PRDP) exemplifies this. Initially drawn up in 2007, it came under criticism from several women's organisations for its limited gender responsiveness. Although gender concerns were integrated by the government, there was very little consultation with the organisations who had voiced the concern initially, and more importantly, government funding for this remains limited; much like all Ugandan funding for Women, Peace and Security. Unlike in Rwanda where it was made evident to policy makers that women needed to be incorporated, in Uganda there is still very little awareness of this.

It must briefly be noted that Rwanda, like most states, is far from perfect. There remains an inadequate awareness, or a lack of appreciation of the concept of gender equality at levels below national governance institutions. Nevertheless, the key difference is the way in which the Rwandan government appears to prioritise women's rights. This was noted throughout

⁵⁹ Uganda in Brief (2014), The Quota Project, at (accessed 12/09/14): <http://www.quotaproject.org/uid/countryview.cfm?country=229>

the 2012 *Women Count* where numerous references were made to work being conducted through a collaboration of CSOs and government; 'it is notable that a lot of effort seems to have been concentrated on (...) raising public awareness'.⁶⁰ It is consequently evident that while quotas are essential, so too is thorough and genuine engagement with civil society.

The Democratic Republic of Congo

It is useful to briefly look at the DRC to further expand on the reasons for which implementing sparse and occasional top down change achieves very little.

While it is true that the conflict in the DRC is in many ways far more complex than the situations in both Uganda and Rwanda consisting of highly complicated internal and external dimensions,⁶¹ this is not to say that there has not been a drive to change policy regarding women. In fact the DRC was the only State in 2013 to have been deemed as making significant progress in the number and quality of gender-responsive laws and policies.⁶² As a result of legislative reforms at the national level, such as the adoption of an NAP in 2010, there exists a host of laws and good practices. In spite of these laws, 'culturally the security sector is viewed as an exclusively male domain, thus women are poorly represented'.⁶³

The women of the DRC have been disproportionately affected by the consequences of war, yet they continue to be sidelined. In fact representation in peace negotiating teams has actually worsened. Whereas in 1999 during the Lusaka ceasefire, 15 per cent involved were women, at the 2013 framework agreement women comprised only 6.2 per cent.⁶⁴ In the 2009 Goma Agreement, no women were present and in the 2008 Act of Engagement Agreement only one woman was present out of 88, making a percentage of 1.1 per cent. As much as there is a long list of promises that have been made by the government, in actuality

⁶⁰ See Women Count (2012), Rwanda Report, at (last accessed 25/09/14): http://www.rwandawomennetwork.org/IMG/pdf/rwn_gnwp_rwanda_report_2012.pdf, p.11.

⁶¹ The internal dimension is linked to bad governance engendering impunity, corruption and the gross violation of human rights. The external dimension is related to the illegal exploitation of the DRCs natural resources by multinationals who supply military forces with small arms and light weapons [SALW].

⁶² Women Count; Global Civil Society Monitoring Report (2013), at (last accessed 30/09/14), http://issuu.com/suba_gnwp/docs/women_count_civil_society_monitorin, p.7.

⁶³ Women Count; Global Civil Society Monitoring Report(2013), at (last accessed 30/09/14), http://issuu.com/suba_gnwp/docs/women_count_civil_society_monitorin, p.71.

⁶⁴ Women Count; Global Civil Society Monitoring Report (2013), at (last accessed 30/09/14), http://issuu.com/suba_gnwp/docs/women_count_civil_society_monitorin, p. 65

it could be argued that very little is changing. This is exemplified by a look to the last three years of Global Monitoring Papers that consistently refer to the need to accelerate laws such as the proposed Parity Act and Family Code.⁶⁵ Furthermore, Articles 14 and 15 of the Constitution, that promote gender equality in all institutions and sectors of national life, have yet to be fulfilled.⁶⁶ The recommendations made in the recent *Women Count* have largely revolved around the need to engage with civil society, and it can be argued that there is a lack of political will to implement existing laws.

Conclusion

It is evident that the law can only go so far in matters of equality. For top down changes to flourish there needs to be political will, and for political will to exist there need to be active incentives from below. It is clear that simply creating legislation to fulfil 1325 criteria has very little impact. The next chapter will demonstrate that in fact what needs to occur is for states to start engaging with CSOs on the ground, rather than only looking to the international community for assistance in fostering the promotion of equality.

Chapter 4: An Alternative Solution – Grassroots and Bottom Up Engagement

The aim of this paper was to bring together the research on 1325 to demonstrate clear failings in its ability to actively challenge social gender norms in its current interpretation, norms that often promote inequality and thus in turn have a negative impact on both peace and security. This chapter will seek to demonstrate that there are ways in which to engage society, and that governments *can* and *should* further these methods.

Grassroots without Legislation and Support

It is widely assumed that there is little that can be done to change the role of women within society without state involvement. As has been demonstrated, it is evident that top down methods are effective, but only up to a point. Consequently it is necessary to look to areas of the world where there is little to no legislation to understand what it is that incentivises

⁶⁵ Women Count; Global Civil Society Monitoring Report(2013), at (last accessed 30/09/14), http://issuu.com/suba_gnwp/docs/women_count_civil_society_monitorin, p.75

⁶⁶ Women Count; Global Civil Society Monitoring Report (2013), at (last accessed 30/09/14), http://issuu.com/suba_gnwp/docs/women_count_civil_society_monitorin, 62

society to involve women, or rather how societies whose governments are failing to implement 1325 go about doing so.

Case Study: Colombia

Colombia is the strongest example of a state that makes very few provisions and yet continues to make steps towards the attainment of the pillars of 1325, largely through the active work of civil society. Colombian civil society is vibrant and can mobilise a large number of people for political campaigns. Despite the violence that is often experienced by civil society actors, they remain key players in politics. A strong women's movement provides the backbone for the country's growing peace movement. In fact, the slogan of the peace campaign has become 'women don't carry or have sons and daughters for the war'.⁶⁷

In relation to *Women Count* indicators Colombia ranks as one of the worst assessed countries for its implementation of 1325. It has only made slight progress in regards to the first indicator, this being women's participation in governance, the seventh indicator, this being the number and quality of gender-responsive laws and policies, and the eighth - number and nature of provisions/recommendations in the truth and reconciliation commission and other transnational justice papers on women's rights. No change has been made on the following indicators:

- the percentage of women in peace negotiating teams and with a detailed breakdown of gender issues;
- women's participation in the justice system;
- the number and percentage of women participating in each type of constitutional or legislative review;
- the number and percentage of civil society organisations in task forces/committees on 1325 and 1820;
- the number and percentage of pre and post deployment training programs for police and military incorporating 1325 and 1820, international human rights and international humanitarian law;

⁶⁷ 'Justice for Colombia: For Peace and Social Justice in Colombia', (2010), at (last accessed 08/08/2014): <http://www.justiceforcolombia.org/about-colombia/#human-rights>

- the allocated and dispersed funding marked for women, peace and security programs to CSOs and government.⁶⁸

Moreover the situation has worsened in regards to the sixth indicator - number and percentage of gender based and sexual violence cases reported, investigated, prosecuted and penalised.

In spite of this, a host of reports have noted the significance of civil society. Colombia, in many respects, presents an entirely different situation to that of Uganda, and yet it could also be argued that there is a greater chance for 1325 to be realised due to the high degree of belief in the need to involve women throughout society. As much as women's participation in Colombia continues to be very low and both the 30 per cent quota law, adopted more than a decade ago, and Law 1475 of 2011⁶⁹ are yet to be implemented, CSOs continue to push to make active reform. One example is the recent drafting of guidelines for a National Public Policy on Gender Equality, where women from civil society organisations participated in its formulation.

Colombia is slowly adopting a number of laws and policies on women, peace and security. As much as there is a degree of failure in regards to the implementation of these policies, something that stems from a lack of political will much like the case of Uganda, it is important to note that CSOs are very dedicated to their promotion. As *Women Count* noted, it is 'as a result of the participation of organisations from different regions of the country that topics from the provisions of 1325 have been integrated'.⁷⁰

It is, therefore, clear that in many respects, having an active and educated civil society is arguably far more important with regards to achieving the implementation of 1325 and in turn incorporating women into peacebuilding. From this point of view it can be suggested that states with weaker civil societies go about strengthening them through education

⁶⁸ Women Count; Global Civil Society Monitoring Paper(2013), at (last accessed 30/09/14), http://issuu.com/suba_gnwp/docs/women_count_civil_society_monitorin, p.7.

⁶⁹ Law 1475 is aimed at political parties in order to guarantee the inclusion of women in electoral lists and increase the number of women in political, decision-making positions.

⁷⁰ Women Count; Global Civil Society Monitoring Paper(2013), at (last accessed 30/09/14), http://issuu.com/suba_gnwp/docs/women_count_civil_society_monitorin, p.340.

policies before (or in parallel to) focusing on methods such as quota systems. It is vital that external organisations and supporters of 1325 go about providing financial and logistical capacity building support. One of the key problems facing Colombian CSOs is the lack of international cooperation resources directed to on-the-ground and active projects on women and/or with a gender focus.

Grassroots with Legislation and External Support

There are incredible non-state driven grassroots organisations in place in many states where there is also legislation in place to promote 1325. Yet what is interesting is the way in which these organisations are often overlooked in favour of the preferred state chosen (or sponsored) organisation, requiring them to seek external support. For peacebuilding to be truly effective, all gender and women based CSOs need to have greater access to the peacebuilding process and must be given greater internal and external support.

Case Study: Democratic Republic of Congo

As has been demonstrated, the legislation in the DRC is struggling to truly facilitate the implementation of 1325. This is not to say that there is not a strong and active civil society. In fact the DRC has some of the best-funded gender focused CSOs in the world. The problem however is how to go about merging externally funded CSOs, which are often highly specific and without the same mobilisation as organic CSOs such as those in Colombia, with state policy. Nonetheless, this does not mean it should not be attempted.

A look to the recent project conducted by Promundo⁷¹ in tandem with United Nations Population Fund (UNFPA)⁷² and SONKE Gender Justice Network⁷³ highlights how important it is for states to take full appraisals of CSOs and not limit themselves to what they support. The project in question was focused around the engagement of men to improve Gender Based Violence (GBV) prevention and response and resulted in an International Men and

⁷¹ Promundo is an organisation engaging men and boys to promote gender equality and end violence against women, <http://www.promundo.org.br/en/about-us/introduction/>

⁷² UNFPA is involved in the promotion of the right of every woman, man and child to enjoy a life of health and equal opportunity, www.unfpa.org/

⁷³ Sonke Gender Justice is a South African-based NGO that works to support men and boys in taking action to promote gender equality, prevent domestic and sexual violence, and reduce the spread and impact of HIV and AIDS, <http://www.genderjustice.org.za/about-us/vision-a-mission.html#sthash.R0fBHNVK.dpuf>

Gender Equality Survey⁷⁴ and also a Good Practice Brief on Male Involvement in GBV Prevention⁷⁵.

The project's approach was highly male specific and thus not strictly in keeping with the aims of 1325. Nonetheless in spite of the focus being on men and boys, the aim was to create sustainable living 'peace groups' through capacity building, to bring together men in a bid to discuss and learn alternative ways to behave towards women. The papernotes that 'it is important to carry out culturally sensitive work with men and boys at the community level to help ensure that issues such as GBV and the effects of conflict on both women's and men's welfare are addressed in appropriate ways'.⁷⁶ The reason for which this is so essential is that while women are the more obviously affected sex by GBV, this is not to say that men do not suffer nor that men cannot help prevent further abuses from occurring. While half of all women having experienced sexual violence from a husband or male partner, and 22 per cent of women were forced to have sex or were raped as part of the conflict, 10 per cent of men were also forced to have sex or were raped. The research found that there are strong associations between experiencing violence in conflict and intimate partner violence (IPV).⁷⁷ IPV and abuse within the home is one of the key constraints on female engagement in society and also politics in many regions of Sub-Saharan Africa. Thus the fact that 40 per cent of boys under 18 in the DRC had observed their father abusing their mother, and that boys under 18 were/are more likely to come into contact with/experience sexual violence than girls is of tremendous importance.⁷⁸ By providing support for men, so as to better understand their relationships with women, Promundo and its affiliated civil society organisations are in many ways achieving far more than the DRC NAP has up to this point.

In the series of recommendations, a key focus is on the need to 'develop key partnerships, a shared policy agenda and linking GBV prevention efforts to local culture' as well as 'focusing

⁷⁴ To access survey, see <http://www.icrw.org/publications/international-men-and-gender-equality-survey-images>

⁷⁵ See <http://www.genderjustice.org.za/101742-male-involvement-in-gbv-prevention-and-response-in-conflict-post-conflict-and-humanitarian-crisis-1/file.html>

⁷⁶ Sonke Gender Justice Network, (2014), 'Good Practice Brief on Male Involvement in GBV Prevention and Response in Conflict, Post-Conflict and Humanitarian Crisis Settings in Sub-Saharan Africa', p.13.

⁷⁷ Promundo (2014), at (last accessed 15/09/2014): www.promundo.org.br/en/news/images-drc/

⁷⁸ Sleigh, Henny, 'Promundo: Engaging Men and Boys in Ending Sexual Violence in Conflict', 12/06/2014), at the Global Summit to End Sexual Violence in Conflict.

on building capacity of government agencies, organisations, local communities and individuals'.⁷⁹ These initiatives are apt in relation to the holistic approach that this paper is seeking to encourage.

Recommending Conclusion

This chapter has aimed to illustrate how significant CSOs can be and often are. It has demonstrated the need for states to actively engage with civil society in a way that as of yet has often been overlooked. It has also sought to suggest that external organisations often take a greater interest in engaging with and supporting civil society rather than the states themselves for, as the Colombian case demonstrates, sometimes CSOs are making far greater steps towards progress than the state in question.

Conclusion

With the establishment of the United Nations Security Council Resolution 1325 in 2000, it was hoped that gendered socio-economic inequality and the gendered nature of conflict could finally be tackled in a sustainable way. It offered a template to create gender orientated peacebuilding processes as well as ways to include and make women participate at all levels of the decision-making process. However, it has become clear that despite implementing legislative changes suggested by the resolution, very little has changed for women on the ground. Significant barriers to women's inclusion and representation in peacebuilding processes and post-conflict States still remain, including economic deprivation, gender biases, lower education attainments and the 'constraints time imposes by the unequal division of domestic responsibilities'.⁸⁰

The legislative changes suggested by resolution 1325 include the implementation of a wide range of policies including negotiation and electoral quotas, political training, gender audits and the implementation of gender mainstreaming at the executive, parliamentary and district levels. These changes were seen as the most effective way of overcoming the continuous obstacles to female participation in the peacebuilding process. As a result, 1325

⁷⁹ Sonke Gender Justice Network, (2014), 'Good Practice Brief on Male Involvement in GBV Prevention and Response in Conflict, Post-Conflict and Humanitarian Crisis Settings in Sub-Saharan Africa', p.23.

⁸⁰ United Nations Security General, 'Women's Participation in Peacebuilding.' A/65/354-S/2010/466 (2010), at (last accessed 01/09/14): <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/WPS%20S%202010%20466.pdf>

has been seen as a guide on how to only implement top down measures. However, as the case studies in this paper has sought to illustrate, the effects of this approach have been limiting. Thus, 1325 has garnered a lot of criticism for being 'just a piece of paper'. Instead many have argued for a wider inclusion and use of civil society organisations which will create a bottom up approach. As no progress will occur if there is no political incentive to change on the ground.

Despite the critiques of being too top-down and reliant on the international community for assistance, this paper has tried to show that the security council resolution 1325 has also fostered positive change. The implementations of legislations outlined above has helped many governments in becoming more inclusive and a lot of positive change has already occurred. However, both the security council resolution 1325 and states are far from reaching an all-encompassing solution that will foster real and lasting change. In this regard, this paper has sought to illustrate the importance of active and constant involvement with civil society and its organisations from the earliest stages of conflict to post-conflict public administration. This is the only way in which to ensure that women not only partake but also *actively* engage and participate, to foster equality and more inclusive form of peace. The significance of this is becoming ever more important, and as the time nears to reassess the Millennium Development Goals in 2015, it is all the more important to drive this line of reasoning further still.

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