

Commission on the Status of Women
Forty-eighth session
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PANEL I

**Women's equal participation in conflict prevention,
management and conflict resolution and in
post-conflict peace-building**

Written statement submitted by

Ariane Brunet

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Panel II

**Women's equal participation in conflict prevention, management and conflict resolution
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Women's rights and participation in conflict resolution and post-conflict peace-building

Written statement submitted by

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Security Council resolution 1325 is a significant achievement for women's human rights and, especially, their participation in peace-building. For activists, the fact that it was adopted by the Security Council, the main United Nations body dealing with matters of peace and security, gives the resolution added and important weight. That fact, taken together with the provisions of the resolution, has enabled activists to use it as a political tool, a monitoring tool and an advocacy tool in their efforts to ensure that women are active participants in peace talks. The resolution protects their right to meet, to develop their priorities and to require that both they and those priorities are included in negotiations aimed at post-conflict reconstruction efforts. As such, resolution 1325 is an empowering tool. Regional meetings such as the one in March 2002 in Kampala have enabled women to analyze key issues and to address some of the gaps in the resolution because, four years after its adoption, it is still a "work in progress". That is good news.

In the same year as the Security Council adopted resolution 1325, the Optional Protocol to CEDAW entered into force. This year we welcome the new Special Rapporteur on Violence against Women, its Causes and Consequences whose mandate was renewed at the fifty-ninth session of the United Nations Commission for Human Rights (UNCHR). Also, many more of the UNCHR special procedures are using the provisions of the Declaration on the Elimination of Violence against Women as a yardstick against which certain violations of women's human rights can be measured. We have also seen the emergence of commitments to pursue various avenues to ensure better coordination between the CSW and the UNCHR as well as between the Division for the Advancement of Women and the Office of the High Commissioner for Human Rights. And finally, we can welcome the adoption by the General Assembly, at its fifty-eighth session, of resolution 142 on women and political participation. In that resolution, the Assembly reaffirmed, among other things, "the important role of women in the prevention and resolution of conflicts and in peace-building" and stressed "the importance of their full and equal participation in all efforts to maintain and promote peace and security and the need to increase their role in decision-making with regard to conflict prevention, resolution and rebuilding of post-conflict society, *in accordance with Security Council resolution 1325 ... and the relevant resolutions of the General Assembly*" [emphasis added].

Clearly, we are not short of enabling texts and expressions of commitment by the United Nations and, more importantly, by States and Governments. We are short, however, of action on those commitments and implementation of the provisions of binding international treaties and the less strictly binding but “morally persuasive” international declarations and programmes of action. It is not only non-governmental organizations, women activists and others who are saying this.

We are all still keenly aware that our former High Commissioner for Human Rights was murdered, along with a number of others, while working for the cause of peace and the delivery of critical humanitarian assistance to people in need. In his report to the fifty-ninth session of the UNCHR (see E/CN.4/2003/14), the High Commissioner stated:

We cannot shield gross violations of human rights -- wherever they occur -- behind the veneer of sovereignty or the chicanery of diplomatic procedures. After all, what we are talking about is the lives, the welfare, and the rights of our fellow human beings. We should never forget this. (Paragraph 4)

The High Commissioner noted that it was in the concrete protection of human rights that there is widespread failure (paragraph 8 of the report) and also stated:

I believe with all the force at my command that we must act in a principled manner, with respect and attentiveness to confidence-building, but with conviction and perseverance, *to implement the minimum standards of human rights and humanitarian law*. We must mean what we say. *Implementation of the standards is the acid test*. [Emphasis added] (Paragraph 50)

And further:

The rights-based approach must be the starting point for all our endeavours, whatever our spheres of operation: trade, finance, development, security, in both the public and private sectors. In a sense, this is an approach that involves human rights strategies of governance, namely, that we take the basic human rights as the starting point for governmental programmes and the programmes of national, regional and international institutions. What is at issue is a question of conscience: people matter, and the way we demonstrate this is by upholding the international minimum standards of protection of their human rights. (Paragraph 53)

It is doubtful that we are making progress in upholding international minimum standards of protection when the Commission on the Status of Women is unable to reach consensus on the agreed conclusion on violence against women and when the General Assembly, at its fifty-eighth session, abandons the omnibus resolution on violence against women. The failure to uphold the minimum standards may also be seen in the continued disparities within the global market economy and militarization as well as the “security obsession” of all our societies. The “war on terrorism”, as necessary as it may be, is being waged, in part, by playing on the fears of many, by telling them they are potential or real targets and must, as a consequence, forfeit some of the full protection of theirs and others’ rights. The “war on terrorism” has accentuated cultural fragmentation and the use of women as bearer of traditional and cultural values, objectifying

them and using them in ideological warfare.

Women activists and many others have deep concerns about the erosion of international legal norms prohibiting the use of force in international relations and the lack of any peace process in a number of places. In a situation where there is no peace process, there is no framework for the explicit guarantee of women's equality and participation in the post-conflict period. It also needs to be noted that, in a number of instances, women's human rights are cited as at least one justification for the use of force when force serves a foreign policy objective ("the veneer of sovereignty or the chicanery of diplomatic procedures"). Paradoxically, we are in a situation where, on the one hand women's human rights are discounted and, on the other, promoted and used to further foreign policy objectives with little connection to women or their rights.

If women are to be saved from the use and abuse of their situation by states seeking to attain mostly unrelated objectives, the Beijing Declaration and Platform for Action (BDPA) must be implemented by every state and relevant multilateral or other institution. The BDPA addresses a comprehensive range of individual freedoms and collective endeavours. The framework it established includes an acknowledgment that women not only have a stake in conflict avoidance/prevention and resolution and peace initiatives but also a vital role to play in those areas. While welcome, this recognition of the right of women to be included in issues that have historically been male-determined has not, in itself, changed the traditional view of women and their place and importance in times of war and internal armed conflict. Despite the assertions and commitments in the BDPA, as well as numerous other texts putatively guaranteeing the equal right of women to political and other forms of participation, the images of peace processes projected by media remain unfailingly those of men – a belligerents, participants, negotiators, commentators, enforcers and implementers. The visible absence of women in these processes is particularly striking given that they often make up a disproportionate number of internally displaced persons and refugees created by conflict, for example, but are also targeted for deliberate and comprehensive policies of the systematic use of rape as a weapon of war. It is not acceptable that women are seen too often to "participate" in conflict, its avoidance or prevention, and its resolution as "victims" or as one of the main excuses, used by both states and non-state actors, for going to war to begin with.

Radhika Coomaraswamy, the first Special Rapporteur on Violence against Women, its Causes and Consequences wrote two reports on violence against women in armed conflict (in 1998 and 2001). Both reports describe the many forms that violence against women takes in armed conflict. Also, in the 2001 report, the Special Rapporteur dealt with the economic and social consequences on women of armed conflict whether experienced as direct victims, as refugees, or as widows. Although acknowledging greater awareness of women's rights in conflict situations, the Special Rapporteur signaled that violence continued "unabated". In 2004 we have to acknowledge that although we have positive jurisprudential and structural developments, the legal standards as developed by the Rome Statute of the International criminal Court (ICC), in-depth studies and analysis, violence against women remains a deliberate strategy of war and such practices as forced "marriage", humiliating strip-searches, sexual slavery, rape and trafficking still go unpunished. While it is true that transnational justice systems, ad hoc tribunals, have ruled in one or two cases that have set precedents, there has not been a comprehensive approach to the inclusion of sexual violence despite the longstanding and overwhelming proof of sexual

violence in armed conflict.

Women's human rights defenders and human rights groups have developed a methodology for gender sensitive investigation of violations, or not, of women's rights in armed conflicts. Many grass-roots organizations have been trained in documenting violence against women in the Great Lakes Region, the Horn of Africa, in South East Asia, in Latin America. Documentation has been developed by the United Nations human rights treaty bodies, the special procedures of the UNCHR and by regional and national machinery. The standards have been set for effective implementation. What is still needed is the political will and means and the vision to accomplish it.

Consistently when meeting with women's rights activists we are confronted with practical constraints to women's participation in conflict resolution and post-conflict peace-building. The constraints include, *inter alia*: lack of information; failure to translate and disseminate resolution 1325 in local languages; failure of the mediating states ("Friends of") to adhere to the stipulations of resolution 1325 and to ensure the participation of women, both as mediators and representatives of the parties seeking to resolve their conflict; lack of information about the timing and location of formal and informal negotiations, in particular closed door negotiations that exclude women. On the last point, it is vital to challenge openly the culture of this type of exclusive deal-making and demand that these processes be transparent and accountable. Negotiating governments and mediating agencies must provide women activists clear, accurate and timely information about the proposed mechanisms for peace negotiations. In order to do so, all relevant players must not only ensure women's right to access to all relevant information but take steps to operationalize that right by all means necessary to implement the right of women to participate in conflict resolution.

Other serious constraints that must be overcome in order to ensure women's participation in conflict prevention, resolution and post-conflict reconstruction include: facilitation of access to visas to attend peace negotiations and relevant meetings and conferences; measures to ensure that the right of women to freedom of movement, and thus participation in relevant processes, is not circumscribed by national laws or traditions under which male relatives determine where and when a woman may go; measures to provide access to communication technologies and networks so women can communicate among and between themselves and have access to negotiation processes. It is noticeable that at the early stages of peacemaking women are seen to be very active on the ground. As the process becomes more formalized and official, women are not only seen to be but are in practice less and less present. It is also vital to ensure that in instances where women are included in peace and reconstruction processes they maintain substantive roles. Women cannot be reduced to mere window dressing, enabling the organizers and participants to claim that women are participating and fairly represented.

Absent the implementation of the commitment to include women in the substance of peace processes, their participation in and contribution to conflict resolution and post-conflict peace-building is done through networking, coalition-building, social mobilization, bridge building, street demonstrations, petitions, media campaign, sit-ins, silent vigils, passive resistance, leafleting, local and international letter-writing campaign, solidarity visits, SOS phone lines and video training. These are the popular tools of women working to build peace and who see peace

as a process and who are rarely invited to sit at the negotiating table. When, unexpectedly, they are asked to join in the process, as was the case in Accra, in June 2003, they produced a clear plan of action for the post negotiations and pre-election period, thereby increasing the overall chance of the peace that was negotiated taking root and enduring.

At this stage, and until women are provided with the necessary resources to organize without being controlled by the international community or used as widow-dressing, private funders must continue to provide the resources needed by grass-roots organizations in order to stay connected to the needs and creative peace-building alternatives on the ground. Women need these resources because, quite simply, building sustainable peace based on mutual respect, cultural diversity and gender equality is a long-term process that does not begin or end with negotiations. Resolution 1325 may not have sufficiently linked the need to support both efforts, formal negotiations and grass-roots initiatives, at all times.

If the culture of the international community is not yet sufficiently developed to integrate the various aspects of women's activism in peace negotiations, there is still the opportunity to demonstrate that the international community is listening to women's voices and that it can react positively to the concerns voices by women working in local groups and demonstrating in public.

In order for this to happen, there must be concerted *action*, not statements of commitment upon which no further action is taken, in order to overcome the basic constraints faced by most women in peace-building efforts. The measures that can and should be taken include:

- introduction of a quota system for decision-making bodies so that the opportunities for women to become politically active are increased;
- the allocation of funding to ensure and strengthen regional links between activists engaged in peace negotiations;
- provision of access to and support for a safe, neutral space for women activists from a region affected by conflict to consult together on the regional aspects of peace-building and conflict resolution;
- measures to reverse the tendency of security experts to dismiss women's views because women activists don't have the right "language" to engage them;
- provision of equal and consistent access to security and foreign policy education and training, with an emphasis on shifting the polarization of conflict mediation from women engaged in the "soft" negotiations at the community level and men involved in the "hard" negotiations behind the scenes and in formal peace talks;
- measures to ensure that the those traditionally engaged in peace negotiations at the political level meet their responsibility to respect the opinions and advice of women activists' and to work to understand rights-based and gender-based perspectives; such measures should include training on gender bias as a part of the curriculum of any peace negotiating team;

- provision of resources to allow women the security they need to move within their communities and measures to ensure that women are provided with information on security issues;
- implementation of code of conducts within peace missions, related to gender equality and violence against women;
- measures to ensure communication between local and international organizations, and between international NGOs and agencies to ensure coordination and to avoid duplication of work.

To ensure that gender concerns are met regarding women's rights to security, it is essential that women are included in the security reform sector. In this respect, the example of Afghanistan is a good one because security is vitally important not only for Afghans but for what security in the post-conflict situation might mean in the future. Provincial Reconstruction Teams (PRTs) have been set up with the goal of doing reconstruction work mixed with military offensive objectives. Experience has shown that Afghan women are not able to count on security forces to keep them safe within public space, neither has there been effective disarmament which would also keep them safe within their neighborhood and private life. The establishment of these PRTs does not begin to respond to the consistent demand of the Afghan people for extending ISAF outside Kabul.

The use of PRTs has led to the militarization of reconstruction work and the militarization and politicization of humanitarian aid. The question is: Where in the activities of PRTs are women's right to a safe and secure environment taken into account and acted upon? What are women's chances being part of decision-making process in the field of humanitarian work? While the main objective is to stimulate development of security sector reform and to aid reconstruction in provinces, evidenced suggests that the PRTs in Afghanistan are not facilitating the most important task at this stage of post conflict peace-building, namely the organization of free and fair elections. To achieve this goal, disarmament and demobilization are essential. Forty or 50 soldiers assigned to PRTs cannot achieve this kind of massive undertaking, ensure the security of women and be seen as impartial participants in the delivery of humanitarian assistance. In a time when the Security Council has adopted a resolution supporting women, peace and security, the concept of and the use of PRTs must be seriously questioned.

The BDPA declared that governments participating in the Conference acknowledged "the voices of women everywhere" (Annex I, paragraph 4). Those same governments (states) committed themselves to "removing all the obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making" (Chapter I, paragraph 1). Specifically governments, and the states they represent, agreed that "Women's empowerment and their full participation on the basis of equality in all sphere of soceity, *including participation in the decision-making process and access to power*, are fundamental for the achievement of equality, development and peace" [emphasis added] (Chapter I, paragraph 13).

Resolution 1325 is a good start and may be even more than that. If it is to mean anything, however, a monitoring mechanism must be in place to track the extent to which that resolution is, in real life on a day-to-day basis, actually implemented by governments, states, relevant regional institutions and the United Nations itself.