



**Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI)
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**National Implementation of Security Council Resolution 1325 (2000) in Latin America:
Key Areas of Concern and Model Plan for Action**

Needs Assessment Report

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I. Introduction

Achieving the goal of gender equality set forth in the Charter of the United Nations and resolution 1325 (2000) is one of the primary and enduring responsibilities of all Member States.¹

1. Over the past decade, women's participation in conflict prevention, conflict resolution and post-conflict reconstruction has received much-deserved attention. The introduction of a gender perspective at the international and national level has led to better understanding and appreciation of women's participation in armed conflict and subsequent peace negotiations, as well as their central role in the reconstruction of post-conflict societies. Several international conferences and resulting documents have recognized women's role and their contributions to matters of peace and security. Yet "the role of women in peace processes generally continues to be viewed as a side issue rather than as fundamental to the development of viable democratic institutions and the establishment of sustainable peace."² It is this reality that needs to be addressed.

2. In 1975, Latin America became the site of the United Nation's First World Conference on Women. The meeting was held in Mexico and resulted in a "Declaration on the Equality of Women and their Contribution to Development and Peace." Thus, the region has led the way for a series of international meetings that focused on women's rights and their many contributions to peace and development. Mexico was followed by world conferences in Copenhagen (1980) and Nairobi (1985). When the Fourth World Conference on Women convened in Beijing in 1995, international awareness of the importance to address issues of gender and women's rights had become mainstream. This awareness was codified in the Beijing Platform of Action.

3. The Platform's central provisions direct the United Nations member states and the international community to take action and recognize the gendered impact of armed conflict. It advocates women's inclusion in peace negotiations and post-conflict decision-making processes. The platform specifically mandates the relevant actors, including governments, to "increase the participation of women in conflict resolution and decision-making levels and protect women living in situations of armed conflicts or under foreign occupation."³ Five years later, the Beijing commitments were codified when the United Nations key decision-making body focused the world's attention on women, gender and conflict by passing a historic resolution.

4. On October 31, 2000, the Security Council unanimously adopted Resolution 1325 on Women, Peace, and Security. The resolution – **legally binding for all member states** - adopted an inclusive concept of security by calling on member states to ensure the full and equal participation of women in all peace and security matters. Specifically, the resolution urges all member states to strengthen gender equality "at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of

¹ United Nations Security Council, "Report of the Secretary General on women, peace and security" 17.

² Ibid.

³ United Nations, "Beijing Declaration and Platform for Action," *Fourth World Conference on Women*, Beijing, 41-5 September 1995, 85.

conflict.”⁴ It calls on “all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including inter alia: a) The special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction; b) Measures that support local women’s peace initiatives and indigenous processes for conflict-resolution, and that involve women in all of the implementation mechanisms of the peace agreements; c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary.” Importantly, the Security Council asked “all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.”⁵

5. Finally, in addition to the specific mandates for member states, SCR 1325 focuses on United Nations peacekeeping. Building on the Windhoek Declaration and the Namibia Plan of Action, the resolution directs the UN Department of Peacekeeping Operations to incorporate a gender perspective into all peacekeeping operations.

6. Key efforts by the international community to protect and strengthen women’s rights and recognize their contributions to peace and security over the past three decades include:

Table 1. The International Community’s Commitments to Women’s Security

Year	Organization	Resolution / Agreement
1979	General Assembly of the United Nations	Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). Ratified by 185 nations.
1982	General Assembly of the United Nations	Resolution 37/63 on the Declaration on the participation of women in promoting international peace and security
1985	Third World Conference on Women, Nairobi	Explicit recognition on the role of women regarding peace and development.
1995	Fourth World Conference on Women, Beijing	Recognition of women’s rights as human rights.
Various	The Security Council of the United Nations	Resolutions on women in situations of conflict and peace: 918, 1076, 1193, 1208, 1214, 1231.
1999 and 2000	The Security Council of the United Nations	Resolutions 1265 and 1296 on the protection of civilians in armed conflicts. Includes gender perspective in humanitarian assistance.
2000	The Security Council of the United Nations	Resolution 1325, on the inclusion of women in peace processes.

⁴ United Nations, “UN Security Council Resolution 1325 on Women, Peace and Security (S/RES/1325)” (New York: UN, 31 October 2000), <http://www.un.org/docs/scres/2000/SC2000/htm>.

⁵ Ibid.

Source: Magallón Portolés, “Mujeres en los procesos de paz: La Resolución 1325 del Consejo de Seguridad,” 4.

7. In summary, Resolution 1325 has to be seen as part of an ongoing, established process. Resolution 1325, together with subsequent resolutions, in particular 1366 (2001) on the Role of the Security Council in the Prevention of Armed Conflict and 1460 (2003) on Children in Armed Conflict, entails a commitment by the Council to “the *prevention* of violent conflict, the *protection* of all civilians, and the *participation* of women in conflict prevention, resolution and peace-building.”⁶ Further, the United Nations has recently enlarged the thematic focus of SCR 1325 to include the area of *relief and recovery*. This thematic area highlights initiatives that promote women’s equal access to aid distribution in the recognition that the different needs of women and girls have to be taken into account for effective relief efforts in the wake of disasters.

8. The Swedish SCR 1325 action plan succinctly captures how the pursuit of these normative goals form the basis of sustainable democracy and development: “The implementation of Security Council Resolution 1325 is *both a goal in itself and a way of reaching the objectives for security, development, defense and gender equality policies*. The full and equal participation of women in conflict prevention, crisis management, conflict resolution, peace-building and management of humanitarian disasters will contribute to democracy, increased respect for human rights and development.”⁷

1. *Objectives and Scope*

9. It is the premise of this report that sustainable peace and development require the full implementation of Security Council Resolution 1325. The report calls attention to the importance of implementing SCR 1325 by highlighting key areas of concern with a primary focus on a small sample of Latin American countries, including Colombia, Guatemala, El Salvador, Haiti, and Nicaragua.

10. The report identifies the key gender dimensions of war and peace-making in the areas addressed by SCR 1325. It seeks to illustrate the need for and the benefits of implementing SCR 1325. The main audience of the report consists of the primary actors responsible for implementing the resolution. They include **government and oversight bodies** (parliament/legislature and its relevant legislative committees; government/the executive, including ministries of the interior and defense, foreign affairs, family/women’s ministries); **core security actors** (armed forces, police, gendarmeries, paramilitary forces); **justice and rule of law institutions** (justice ministries, courts and tribunals, other customary and traditional justice systems and truth and reconciliation commissions); and, **non-statutory security forces**: liberation and guerrilla armies.⁸

11. Following a background discussion of Resolution 1325, the report examines the key areas of war and peace-making that are relevant to the resolution. In accordance with the emerging

⁶ Remarks by Isha Dyfan cited in OSAGI, “Why is SCR 1325 (2000) Read Through the 3Ps Framework,” Internal document.

⁷ “The Swedish Government’s action plan to implement Security Council Resolution 1325 on Women, Peace and Security,” 2. http://www.osce.org/documents/odihr/2006/10/20979_en.pdf

⁸ Adapted from Valasek, “Security Sector Reform and Gender,” 1.

implementation paradigm, the thematic areas are grouped under three key dimensions – **prevention, participation, and protection**. Whereas a number of the areas discussed in the report share several dimensions and defy attempts of neat categorization, this analytical framework brings the issues that require attention into focus.

12. The substantive discussion begins with a look at **conflict prevention**. Ideally, governments and civil society play a positive role in conflict prevention. Once conflict has broken out, however, governments need to focus on peace negotiations and subsequent peace agreements. It is in this area where **women's participation** becomes a central concern. The report presents the context of several recent and current peace processes in the region. It emphasizes that peace negotiations constitute a crucial entry point for considerations of gender justice. Thus it is essential that the process be inclusive. Yet women's participation in formal peace processes continues to be limited and their contributions to informal peace processes are only starting to be recognized.

13. The report proceeds with an examination of the possibility to strengthen women's rights as part of constitution-writing processes that are a part of many post-war transitions. Peace accords and subsequent constitution-building present important opportunities for countries emerging from conflict to transform their political systems toward greater gender equality. Several Latin American countries have advanced in the political reconstruction of their respective societies by instituting constitutional and electoral reforms in the wake of conflict. The section on women's participation concludes with a discussion of gender and peacekeeping. As mandated by SCR 1325, gender considerations have to be taken into account in the appropriate training and the composition of any personnel a member state commits to peacekeeping operations.

14. The last section on the gender dimensions of war and peace-making focuses on **protection**. During and after conflict, the issue of protection is paramount. The discussion initiates with a look at disarmament and demobilization processes in the region and highlights the importance that gender considerations be taken into account. Similarly, the gendered needs of refugees and internally displaced populations require attention. Further, the central topic of gender-based violence is addressed in this section. In addition to dealing with violent acts committed during war, governments need to address the security environment that emerges in the wake of conflict. Post-war violence, whether committed in the public or private sphere, plagues many countries in the region.

15. The transformation of conflict into sustainable peace requires that consideration be given to the social sphere. In order to repair the torn social fabric of a country, attention has to focus on issues of justice and reconciliation. Governments create fact-finding bodies, such as truth commissions that establish a record of crimes committed during conflict. They also participate in the creation of special courts to prosecute offenders. This section emphasizes that the composition of these bodies needs to be representative and thus fully include women and that a gender perspective has to inform their proceedings. A public accounting of crimes committed during conflict, including those that are gender-based, is essential for social reconstruction to succeed.

16. The report addresses two key challenges in implementing SCR 1325: how to strengthen women's participation in decision-making and security sector reform. Governments can pass electoral laws that strengthen women's participation as voters, candidates, and office-holders and institutionalize quotas or other measures of positive discrimination favouring women. Further, women are particularly underrepresented in the security sector. Thus, bringing a gender perspective to military and police forces is essential for the attainment of inclusive security.

Finally, the report concludes by presenting a model action plan, which provides specific recommendations and suggestions on how member states can implement SCR 1325.

17. The concluding sections lays out suggestions for implementation and key concerns brought to the fore by the country representatives who participated in the 2007 high-level policy dialogue held in Chile.

2. *Current State of Implementation*

18. The United Nations, together with civil society groups, has been working on effective ways to implement SCR 1325. The NGO community argues that applying a three-dimensional framework consisting of the “**principles of conflict prevention, participation of women in peace and security, and protection of civilians with consideration to the specific needs of women, men, girls and boys** — as the structure of reading Security Council resolution 1325 on women, peace and security (2000)” facilitates the development of strategies for advancing the effective implementation.⁹

19. The United Nations itself has developed a system wide-action plan. This plan (2005-2007) constituted an initial attempt to develop a holistic and coherent UN strategy for the implementation of the resolution. Seeking to facilitate the development of action plans at the national level, the United Nations International Research and Training Institute for the Advancement of Women (INSTRAW) recently released “A Guide to Policy and Planning on Women, Peace and Security” that provides helpful information for the development of such plans. The INSTRAW guide seeks to facilitate the development of implementation plans in a response to the fact that seven years following its adoption “the implementation of SCR 1325 has been inconsistent, with varying results. Only recently have efforts been made to draft action plans for the effective implementation of the resolution.”¹⁰

20. As of March 2008, a small group of member states has acted on the commitments from 2000 and developed national action plans for the implementation of Security Council resolution 1325. As tends to be the case on issues concerning gender equality, the Nordic countries are leading the way, with Denmark, Norway and Sweden, all having fully developed plans. Austria, Canada, Spain, Switzerland and the United Kingdom, complete this select group of countries that have taken the mandate to the implementation stage. Several countries, including Holland, Iceland and Sierra Leone, are in the process of developing plans. Further, a number of U.N. agencies are supporting projects that share the goal of facilitating the implementation of the Resolution 1325. For example, in 2008, INSTRAW launched implementation projects in Burundi and Liberia.

21. In the region, **Guatemala’s** Ministry for Women’s Affairs has received technical assistance from UNFPA on how to develop a plan of action and government officials have been in discussion with INSTRAW on this matter. Further, several awareness-raising activities have taken place. In September 2002, WILPF **El Salvador** (LIMPAL) and collaborative partners held a training on Resolution 1325 to address the necessity for women's participation in all dimensions and in all levels of peace efforts, negotiations, reconstruction, reconciliation, re-population and

⁹ NGOWatch, *Security Council Focuses on Women, Peace and Security*.
(<http://www.un.org/Pubs/chronicle/2004/issue3/0304p69.asp>)

¹⁰ INSTRAW, *Securing Equality, Engendering Peace*, i.

war prevention and to brainstorm ways to implement 1325 in El Salvador. Participants included representatives from the judicial system, women's groups and feminist organizations, universities, programs of the European Union, media and human rights groups. According to LIMPAL, it was a very important meeting, for most of the participants knew little or nothing about Resolution 1325.¹¹ In **Colombia**, the Ministry of Foreign Affairs, the Governmental Machinery for the Advancement of Women, and UNIFEM, convened a debate panel during October 2004 in Bogotá, aimed at deepening the understanding and implementation of Resolution 1325 by the Colombian Government.¹² With the support of UNIFEM, the resolution itself has been widely distributed to public officials and women's organizations.¹³

22. Despite these encouraging activities, considerable challenges remain in implementing the resolution:

23. The absence of monitoring and reporting requirements attached to the resolution reinforces the lack of political will by many member states and in parts of the UN system to focus their attention on issues of women and security. Scarce resources are unlikely to be allocated under such circumstances. In addition to a lack of leadership and commitment, there is a capacity gap due to a lack of expertise. The main challenge to overcome in implementing SCR 1325 continues to be the pervasive lack of knowledge about the existence and content of the resolution.

24. The participants of the November 2007 regional meeting on SCR 1325 emphasized the prevailing ignorance concerning the resolution. Officials from **Argentina** noted that the concepts of defense and security are generally not thought of as being linked to each other. The head of **Barbados's** Bureau of Gender Affairs acknowledged that "no significant attention has been paid to the area of peace and security from a gender perspective" or that "Security Council Resolution 1325 is not seriously considered [by the country's high-level officials]."¹⁴ Similarly, an official from **Haiti** "deplored the general lack of knowledge concerning the resolution, particularly at the level of civil society."¹⁵ These sentiments are representative of a regional reality. The lack of awareness of SCR 1325 holds true for both the primary actors responsible for implementation and society at large.

3. *Methodology and Main Limitations of the Report*

25. This report constitutes the beginning of a region-wide needs assessment and is intended as an initial discussion document. The report is based on earlier field research by the author on peace processes in Central America and a desk review of UN documents, as well as other reports and studies related to SCR 1325.

¹¹ http://www.peacewomen.org/campaigns/El_Salvador/El_SalvadorInitiatives.html.

¹² <http://www.peacewomen.org/campaigns/Colombia/ColombiaInitiatives.html>.

¹³ Colombia-Ministerio de Relaciones Exteriores, "Transversalidad de género en el área de la paz y la seguridad. Perspectivas nacionales y prioridades: Prevención, participación y protección."

¹⁴ Hollingsworth, "Mainstreaming Gender into the Area of Peace and Security: National Perspectives and Priorities: Prevention, Participation and Protection," 3.

¹⁵ Merlet, "Pour une sécurité et une paix intégrant les droits des femmes y compris dans les opérations de paix: Priorités," 1.

26. It is important to assess the degree to which government officials are knowledgeable about SCR 1325 and whether the key mandates of the resolution are being translated into policies that can be effectively implemented. These crucial questions need to be explored in-depth and credible answers require extensive field studies that were beyond the scope of this report. It is expected that this evidence be collected in a second stage of the project. Thus, the logical next step would entail a region-wide assessment based on extensive field research and consultations with government entities and civil society groups. Only such a comprehensive study can provide an accurate picture of the state of implementation in the region.

27. This report has been prepared to complement a training course on SCR 1325 produced by the United Nations Institute for Training and Research – Programme of Correspondence Instruction (UNITAR-POCI) with the input of consultant Ximena Jiménez. The two consultants for the report and the training course coordinated their work at a meeting in New York, hosted by OSAGI during September 6-8, 2007. The report and the training course were presented at a high-level policy dialogue on the national implementation of Security Council resolution 1325, in Santiago, Chile, November 19-21, 2007. Rachel Mayanja, Assistant Secretary-General, Special Advisor on Gender Issues and Advancement of Women (OSAGI) chaired the meeting.

28. The list of participants included Natalia Zakharova, OSAGI, Sonia Montano, U.N. Economic Commission for Latin America, Michelle Minaskanian, Training Content Coordinator, UNITAR-POCI, two consultants, several observers from the U.N. system, and the following country representatives:

ARGENTINA – María Cristina Perceval, Senator, President of the National Defense Committee; Sabina Frederic, Coordinator, Observatory on Women’s Integration in the Armed Forces of Argentina; BARBADOS -- John Hollingsworth, Director, Bureau of Women’s Affairs; CHILE – Laura Albornoz, Minister and Director, Nacional Women’s Service (SERNAM); COLOMBIA – Luz Alba Vanegas Cubillos, Advisor, Human Rights Directorate; ECUADOR – Ximena Abarca, Executive Director, National Council of Women (CONAMU); Claudia Donoso, Undersecretary for Defense and Security Matters; EL SALVADOR – Zoila de Innocenti, Executive Director, Salvadoran Institute for Women’s Development (ISDEMU); Concepción Figueroa, Director of the Department of Psychology and Training of the Armed Forces; GUATEMALA – María Teresa Zapeta Mendoza, Ombudsperson for Indigenous Women; HAITI – Miriam Merlet, Head of Cabinet, Women’s Ministry (MCFDF); JAMAICA – Jennifer Williams, Bureau of Women’s Affairs; PERÚ – Zoila Zegarra, Vice-Minister, Ministry for Women and Social Development (MIMDES); Nuria del Rocío Esparch Fernández, Vice-Minister of Administrative and Financial Matters, Defense Ministry.

29. Subsequent to the Santiago meeting, the report was revised and finalized, taking into account the feedback received from the participants.

4. Acknowledgments

30. I greatly appreciate the contributions made by the participants of the Santiago dialogue, which have been helpful in writing this report. Further, several members of the workshop on “Gender and Security Sector Reform” organized by Center for the Democratic Control of Armed Forces (DCAF) with INSTRAW and the Organization for Security and Co-operation in Europe (OSCE) in Geneva, August 15-17, 2007 provided helpful suggestions. In particular Kirstin Valasek from DCAF and Nicola Popovich from INSTRAW deserve to be mentioned. Finally, I

would like to thank my research assistant, Martin Saavedra, for locating relevant sources on the Internet.

II. The Gender Dimensions of War and Peace-Making

Article 8 of SCR 1325 “Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:

(a) The special needs of women and girls during repatriation and resettlement and for rehabilitation, reintegration and post-conflict reconstruction;

(b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements.

(c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary.”

31. Security Council Resolution 1325 reinforces earlier commitments made by the international community and focuses on three broad themes:

- Involving women in conflict **prevention**
- The importance of women’s equal **participation** in conflict resolution and post-conflict peace-building
- **Protecting** women and girls in situations of armed conflict

The successful implementation of the three objectives of prevention, participation and protection requires the incorporation of a gender perspective into conflict prevention, conflict resolution and post-conflict peace building. Further, under Resolution 1325, special emphasis needs to be placed on the composition and training of forces for peacekeeping operations.

A. Prevention

*Article 1 of SCR 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.*

32. Women’s significant role in armed conflict has been recognized. The changed gender composition of armed movements across the world and the increased visibility of women’s role in peace processes has contributed to a reconceptualization of traditional views on gender relations, as well as of men’s and women’s roles during conflict. There is increased awareness that women and men have gender-specific needs that have to be considered during war and post-conflict peace building.

33. All countries share the common interest to prevent conflict. Yet effective conflict prevention is still little understood, as are its gender dimensions. Gender dimensions of pre-conflict situations may include increased commercial sex trade around military basis at times of

greater mobilization of soldiers, a rise in gender-based violence favoured by political instability or gender stereotypes propagated by the mass media as part of mobilization campaigns.¹⁶ Civil society organizations, in particular women's groups, can be effective allies in the detection and reporting of early warning signs. It is generally acknowledged that "there is very limited information on gender and conflict prevention."¹⁷ An important recent study that seeks to shed light on women's contributions to conflict prevention is Sanam Naraghi Anderlini's book, *Women Building Peace*.¹⁸ At this juncture we still lack systematic data, which is an impediment to successful prevention efforts.

B. Participation

1. Women's Participation in War and at the Peace Table

Article 2 of SCR 1325 "Encourages the Secretary-General to implement his strategic plan of action calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes."

34. The United Nations has led the call to strengthen gender equality and women's participation in formal peace negotiations.¹⁹ Historically, when warring parties – governments and armed opposition – engage in negotiations, women are more likely to be included in the negotiating group of the insurgents. This is related to the fact that women are playing a central role in armed insurgencies.

1.1 The Gendered Nature of Armed Movements

35. The gender composition of irregular military forces has changed remarkably over the last decades. In **Latin America** female participation during the first wave of revolutions (1956-70) was limited. At the leadership level, exclusively male structures were the norm and few women served as armed combatants.²⁰ A similar gender composition characterized liberation movements and other armed organizations on other continents. Starting in the 1980s, however, women's participation in guerrilla movements accelerated and reached levels of up to one-third of the fighting forces in several countries. El Salvador, Nicaragua and Guatemala, all have gained notoriety because of the high levels of female participation that were reported from the armed conflicts prevailing in their societies.²¹

¹⁶ INSTRAW, *Securing Equality, Engendering Peace*, Table 14.

¹⁷ Bouta, Frerks and Bannon, *Gender, Conflict, and Development*, 145.

¹⁸ Sanam Naraghi Anderlini, *Women Building Peace: What they do, why it matters*.

¹⁹ United Nations Division for the Advancement of Women, "Report of the Expert Group Meeting on Peace Agreements."

²⁰ Wickham-Crowley, *Guerrillas and Revolution in Latin America*, 21.

²¹ Whereas earlier reports on women's participation were generally based on estimates, we have now precise information for several countries because United Nations agencies overseeing disarmament processes, such as MINUGUA in Guatemala or ONUSAL in El Salvador, have collected gender-specific data.

Nicaragua

36. The success of the 1979 Sandinista revolution in Nicaragua highlighted the significant role women had played in the insurrection. While it is clear that women participated in great numbers in the revolutionary struggle, the Sandinista National Liberation Front (Frente Sandinista de Liberación Nacional, FSLN) never released official figures on the composition of its guerrilla force at the time of demobilization. For this reason, we are left with considerable variations in the reported estimates of female participation. It is commonly believed that at the high point of the Nicaraguan insurrection, women constituted between 25-30 percent of the combatants.²²

El Salvador

37. In the case of El Salvador we have excellent data due to the demobilization records compiled by ONUSAL, the United Nations Mission overseeing the disarmament process. Of the 8,552 combatants of the Farabundo Martí National Liberation Front (Frente Farabundo Martí para la Liberación Nacional, FMLN) that were registered by the United Nations, 2,485 or 29.1 percent were women. In terms of the total FMLN membership of 15,009 (including political personnel and wounded non-combatants), about one-third were women.²³

Guatemala

38. The Guatemalan data in regard to the gender composition of the Guatemalan National Revolutionary Union (Unidad Revolucionaria Nacional Guatemalteca, URNG) are not as complete as those from El Salvador. This situation reflected the continued climate of fear within the country at the time of demobilization and the extremely secretive nature of the URNG. Nevertheless, a European Union-sponsored study of the socio-economic background of the URNG membership gives a reasonably accurate picture of the URNG's gender composition. Women represented 410 (15 percent) of the 2,778 combatants surveyed and 356 (about 25 percent) of the 1,410 political cadres.²⁴ These data demonstrate that compared to their involvement in El Salvador and Nicaragua, women's participation in Guatemala's revolutionary struggle was more limited. Among combatants (where we have the most complete data), the percentage of women in the URNG was only half as great as the number of armed female fighters in the Salvadoran guerrilla movement. Nevertheless, the data for all three Central American countries show that women's participation in armed struggle has increased substantially since the Cuban revolution when an estimated five percent of the guerrilla forces were women.

Colombia

39. In 2005, the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC) claimed that "women constitute approximately 30 percent of guerrilla units."²⁵ Independent estimates also suggest that women represent about one third of

²² See Luciak, *After the Revolution*, chapter 1, for a discussion of the Central American revolutionary movements and their gender composition.

²³ ONUSAL, Proceso de desmovilización del personal del FMLN (San Salvador: Imprenta El Estudiante, no date).

²⁴ URNG, Personal Incorporado, 2-4

²⁵ FARC-EP, "Las FARC saludan a las mujeres." <<http://www.frso.org/espanol/docs/2005/farcmujer.htm>>

the FARC's 18,000 fighters.²⁶ As in most other revolutionary movements, however, the top leadership is all male.

40. Left-wing insurgencies tend to have a higher participation of women in their forces compared to counterrevolutionary or paramilitary forces. It is commonly held that this is due to the more traditional view of gender relations held by such forces. For example, the demobilization process of the Autodefensas Unidas de Colombia (AUC) showed 29,036 male and 1,873 female combatants (6 percent).²⁷

Mexico

41. The Ejército Zapatista de Liberación Nacional (EZLN) also claims that 30 percent of its combatants are women.²⁸ However, these estimates cannot be independently verified. As in Colombia, only an official disarmament process will provide evidence as to their validity. Based on historic evidence, armed movements tend to overstate women's participation.

1.2 Women at the Peace Table

42. The strong participation of women in armed movements has led to increased attention on women's role in conflict and in the ensuing peace processes. **Peace negotiations** constitute a crucial entry point for considerations of gender justice. A more balanced gender composition of the negotiating teams can be an important initial signal that the gender dimensions of a conflict will be taken into account during the negotiation process and that a gender perspective will inform the ensuing peace agreements. Inclusive negotiating teams are definitely not the norm and overall, few women participate in formal peace processes.

43. When women are excluded there is a natural tendency to "focus on the male experiences of conflict and their expectation for conflict resolution"²⁹ instead of considering the needs of both male and female actors and their respective positions in the societal structure. Women's participation enriches the process, since women "are likely to make a different contribution to the peace process. When compared to men, women are more likely to put gender issues on the agenda, introduce other conflict experiences, and set different priorities for peace building and rehabilitation, and they may bridge political divides better."³⁰

44. **Peace agreements** represent special opportunities to redirect societies toward greater gender equality. When the substantive goal of "gender equality is omitted from the peace agreement a window of opportunity is lost. Silence in a peace agreement about the position of women perpetuates and institutionalizes the marginalization of women in the political processes after the conflict."³¹ The lack of appropriate attention to making a peace process inclusive can easily lead to a "gendered peace." Such a peace results from agreements where the opposing sides

²⁶ Rojas, *In the Midst of War: Women's Contributions to Peace in Colombia*, 8.

²⁷ Buriticá Céspedes, "El papel de las mujeres en el proceso de construcción de la paz en Colombia," 4.

²⁸ Kampwirth, *Women and Guerrilla Movements*, 90.

²⁹ United Nations Division for the Advancement of Women, "Report of the Expert Group Meeting on Peace Agreements," 8.

³⁰ Bouta, Frerks and Bannon, *Gender, Conflict, and Development*, 49.

³¹ *Ibid.*, 11.

in a conflict “establish new constitutions or peace processes which marginalize the needs of women” and restrict their rights.³² Thus, in the wake of conflict, the specific needs of both women and men need to be recognized and be awarded equal attention.

45. The impact of women’s full inclusion in peace processes has yet to be fully established. Naraghi Anderlini’s work lends support to the thesis that women’s participation in the peace process makes it more likely that gender issues are put on the agenda.³³ Yet there is justified concern that “even when women participate or are included in formal peace negotiations, their role can be limited to a formal presence without having the capacity, or mandate to contribute to setting or shaping the agenda of such negotiations.”³⁴ Even when the resulting accords contain model gender provisions, the question remains whether these provisions will be translated into practice.

46. In **Latin America**, women have been part of several high profile **peace negotiations**, most notably the ones in Guatemala and El Salvador. Yet despite women being at the peace table, women's issues received scant to no attention in the peace negotiations in **El Salvador**. Only during the implementation phase of the accords did gender concerns receive appropriate attention.

47. In **Guatemala**, on the other hand, a vocal women’s movement supported the efforts of a few high-ranking female officials in the Guatemalan National Revolutionary Unity (URNG) to put gender equality on the agenda of the peace negotiations. In general, the necessity to incorporate a gender perspective into the accords did not resonate with either government or guerrilla negotiators. This made it imperative for the advocates for women’s rights to be supported from sectors within society at large and to have their demands reinforced by the international community.

48. The Guatemalan experience affirms, however, that even a best case scenario - women’s inclusion in the formulation and design of peace agreements and the integration of a gender dimension into the accord itself - does not guarantee that the struggle toward greater gender equality is won. A gender-sensitive peace agreement still requires effective advocates that can exert pressure to ensure the implementation of the provisions that recognize gender-specific needs.³⁵ In the Guatemalan case, the main negotiating parties were either not interested in implementing the accords - the case of the government – or were too weak to ensure compliance – the case of the former guerrilla movement. The institutional weakness of the Guatemalan legislature was also a factor in the limited implementation of the 1996 peace agreement.

49. **Colombia** has a long history of peace negotiations and provides an example of the continued challenge to achieve a greater gender balance in peace negotiations. Recent processes include the negotiation process President Andrés Pastrana initiated in 1998 with the FARC. It broke down in 2001. On behalf of the government, only one woman, Liberal Party leader María

³² Pankhurst, “Women, Gender and Peacebuilding,” 6.

³³ Naraghi Anderlini, *Women Building Peace*.

³⁴ United Nations Division for the Advancement of Women, “Report of the Expert Group Meeting on Peace Agreements,” 7.

³⁵ Luciak, *The Sandinista Legacy*, chapter 2; Luciak, “Implementing Gender Equality Provisions,” 15.

Emma Mejía served on any of the four negotiating teams. Similarly, with one exception, the FARC teams were exclusively male.³⁶

50. During the peace dialogues with the FARC in Caguán, public encounters with civil society were held. The FARC elected Mariana Paéz, as the sole women to represent them on the Thematic Commission (Comisión Temática), which received the delegation coming from different parts of the country to participate in the “audiencias.” The Commission served a bridge between the official negotiations and civil society.³⁷ Thus, the FARC did not include a single woman on the negotiating team itself, thereby emphasizing the marginal role it allocated to women in this process.³⁸

51. Whereas individual women have been part of the Colombian peace process, women’s commitment to find solutions to the conflict has not “translated into substantial inclusion in formal peace negotiations. Women and women’s organizations have been excluded from every round of formal peace talks between the government and armed insurgent groups.”³⁹

2. *Informal Peace Processes*

Article 8 of SCR 1325 “Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:

(b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements.

52. Peace processes occur both at a formal and an informal level, which are closely interrelated. In general “more women than men become active in informal processes.”⁴⁰ Governments can play an active role in encouraging civil society’s contributions to advancing a peace agenda by providing a public forum for such efforts. Women’s inclusion in formal peace negotiations and attention to incorporating a gender perspective into an accord is often based on pressure that has been generated by civil society in an informal context. These activities, “invisible” from a formal point of view, prepare the terrain for subsequent formal negotiations. Further, participation in these activities presents important learning experiences and gives women the opportunity to enter the public and political arenas.⁴¹

53. For structural reasons, civil society organizations tend to have limited access to formal talks. For example, the **Salvadoran negotiations** during the early 1990s were conducted in secrecy with little to no input from civil society. Thus, the few women in the FMLN negotiating

³⁶ Rojas, *In the Midst of War: Women’s Contributions to Peace in Colombia*, 15-16.

³⁷ *Ibid.*, 16.

³⁸ Silvia Otero Bahmón, “Las mujeres en la guerra y en la paz: lo femenino de las FARC y de las AUC.” <<http://colombia.indymedia.org/news/2006/03/39663.php>>

³⁹ Women Waging Peace, “Preparing for Peace: The Critical Role of Women in Colombia,” 4.

⁴⁰ Bouta, Frerks and Bannon, *Gender, Conflict, and Development*, 65, 147. Emphasis in original.

⁴¹ Bouta and Frerks, “Women’s Role in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction,” 32.

team could not rely on input from strong women's organizations, assuming they would have been inclined to provide it. Similarly, the current talks between the **Colombian government** and the Army of National Liberation (Ejército de Liberación Nacional, ELN) in Cuba also preclude the involvement of civil society.

54. The **Guatemalan peace process** is a good example of the impact informal processes can have on official peace negotiations. The Assembly of Civil Society (ASC) played a central role in advocating the necessity to incorporate women's rights into the agenda of the formal peace process. A highly visible group within the ASC was the Women's Sector. URNG official Alba Estela Maldonado affirmed that "the Women's Sector, practically the only one with a permanent presence in the Assembly of Civil Society, influenced . . . the coordination and the content of some of the accords."⁴² Once the 1996 accords were signed, the Women's Sector fought to ensure the implementation of the accords, particularly in regard to those provisions concerning women's rights.⁴³ One of its key achievements was to promote the establishment of the *Foro Nacional de la Mujer* (National Women's Forum). The *Foro* organized Guatemalan women in defense of the accords.

55. In **Colombia**, women have organized for several years in an effort to play an active role in the peace process. Women's organizations, in particular, are "working at local, regional, and national levels towards a peaceful resolution."⁴⁴ Women's organizations are active in refugee camps and conflict-affected areas. In many instances, "women's social activism and mobilization for peace have occurred alongside – and often prior to – officially sanctioned calls for a negotiated peace."⁴⁵ For example, in June 2001, the main five women's organizations organized a major national peace march, which succeeded in bringing women's peace efforts to the public's attention. Further, on the occasion of the talks between the government and the FARC, the Colombian women's movement decided to organize a special women's encounter.⁴⁶ In 2002, the movement also formulated a "Women's Peace Agenda," containing 12 concrete proposals to achieve peace. Women's efforts to organize and advocate for peace continue today.

3. *Constitutional and Electoral Reform*

Article 8 of SCR 1325 "Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:

(c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary."

⁴² Interview with Alba Estela Maldonado, Guatemala City, November 20, 1997.

⁴³ This paragraph is from Luciak "Joining Forces for Democratic Governance: Women's Alliance Building for Post-war Reconstruction in Central America." In Donna Pankhurst, ed. *Gendered Peace: Women's Search for Post-war Justice and Reconciliation* (Routledge, 2007, forthcoming).

⁴⁴ Women Waging Peace, "Preparing for Peace: The Critical Role of Women in Colombia," 4.

⁴⁵ United Nations Division for the Advancement of Women, "Report of the Expert Group Meeting on Peace Agreements," 9-10.

⁴⁶ Buriticá Céspedes, "El papel de las mujeres en el proceso de construcción de la paz en Colombia," 8.

56 The cessation of armed conflict and subsequent peace agreements entail at times the opportunity for member states to rewrite constitutions and enshrine gender equality. Key issues, including women's and men's equal access to land, property, education, health care, work, and politics can be given constitutional rank.⁴⁷ African countries, including Eritrea, Ghana, Malawi, South Africa, and Uganda, have been on the forefront of strengthening women's constitutional rights as the result of reforms initiated over the past decade.⁴⁸

57. All parties seeking to strengthen gender equality as part of a constitution-writing process, can center their efforts on the adoption of powerful international instruments. The incorporation of international treaties and conventions that protect women's rights, foremost SCR 1325 and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), highlight the importance a new constitution gives to gender equality. Advocates and opponents of gender equality recognize this.

58. In **Latin America**, both **Ecuador** and **Bolivia** convened Constituent Assemblies with the mandate "to reform their constitutions to assure greater political equality and fair redistribution of wealth and resources."⁴⁹ In the case of Ecuador, 35 percent of the assembly's members were women.

59. **El Salvador** demonstrates the importance of anchoring women's political participation in the constitution. Although significant constitutional reforms were enacted in the wake of the Chapultepec peace accords, little progress was made in the area of electoral law.⁵⁰ For example, no constitutional quotas guaranteeing women's political representation were passed. The lack of constitutional protection has resulted in considerable fluctuations in women's role in political decision-making.

60. Constitutions, however, have the same inherent weakness as peace agreements. They can remain lofty documents with provisions that formulate an ideal vision of society instead of stating concrete principles that can be translated into new societal practices that improve people's lives. Thus, constitutional principles have to be implemented through specific laws. In the area of political decision-making, electoral laws are essential in translating constitutional gender equality provisions into practice.

61. On May 16, 1999, **Guatemala** held a referendum on the constitutional reforms necessary to fully implement the peace accords. The referendum failed to gain the necessary support and raised serious questions regarding the viability of the accords. Although the core of the reform measures entailed recognition of the rights of Guatemala's indigenous communities, the failed referendum was also a setback for women's rights.

⁴⁷ Bouta, Frerks and Bannon, *Gender, Conflict, and Development*, 77.

⁴⁸ Nyamu-Musembi, "For or Against Gender Equality? Evaluating the Post-Cold War 'Rule of Law' Reforms in Sub-Saharan Africa," 9.

⁴⁹ Laura Carlsen, "Latin America's Hope and Challenge," 1-2.

⁵⁰ Jessup, "El Salvador Case Study," 21.

62. **The 1991 Colombian constitution** was also a result of a peace process.⁵¹ Between February and July 1991, the government of César Gaviria, brought together demobilized guerrilla leaders and civil society groups to draft a new constitution. The process “catalyzed more extensive engagement by women on issues pertaining to peace and security.”⁵² For example, the National Network of Women (Red Nacional de Mujeres, RNM) which emerged around this constitutional process is credited with achieving “a positive normative reality concerning women’s rights” (una normatividad favorable con los derechos de las mujeres).⁵³

4. *Gender Perspectives and Training in Peacekeeping*

Article 6 of SCR 1325 “Requests the Secretary-General to provide to Member States training guidelines and materials on the protection, rights and the particular needs of women, as well as on the importance of involving women in all peacekeeping and peace-building measures, invites Member States to incorporate these elements as well as HIV/AIDS awareness training into their national training programmes for military and civilian police personnel in preparation for deployment and further requests the Secretary-General to ensure that civilian personnel of peacekeeping operations receive similar training.”

Article 14 of SCR 1325 “Reaffirms its readiness, whenever measures are adopted under Article 41 of the Charter of the United Nations, to give consideration to their potential impact on the civilian population, bearing in mind the special needs of women and girls, in order to consider appropriate humanitarian exemptions.”

63. Key provisions of SCR 1325 focus on peacekeeping and mandate the taking into account of gender in all peace and security operations. The mandate applies both to the United Nations itself and to its member states. Nevertheless, very few countries have taken even the most basic steps such as incorporating a gender perspective into training modules for military personnel or actively encouraging women to serve in peace missions.

64. The challenge to make peacekeeping more gender balanced is formidable. As of July 2007, only 90 out of 2,584 U.N. military observers were women. Further, out of 1,072 staff officers, 29 were women and among 70,525 deployed troops, a mere 1,292 were women. Thus, in current United Nations peacekeeping operations, less than 2 percent of military peacekeepers deployed are female.⁵⁴ Similarly, women represent about 5 percent of the police forces engaged in peace keeping.⁵⁵

⁵¹ Buriticá Céspedes, “El papel de las mujeres en el proceso de construcción de la paz en Colombia,” 4.

⁵² Rojas, *In the Midst of War: Women’s Contributions to Peace in Colombia*, 10.

⁵³ Buriticá Céspedes, “El papel de las mujeres en el proceso de construcción de la paz en Colombia,” 6.

⁵⁴ UN - DPKO, Gender Statistics – 31 July 2007, www.un.org/Depts/dpko/dpko/contributors/index.htm.

⁵⁵ Guéhenno, “Statement to the Security Council Open Debate on the Implementation of Resolution 1325 (2000)”;

Paul Higate and Marsha Henry, “Engendering (In)security in Peace Support Operations, *Security Dialogue* 35.4 (2004): See footnote 2.

65. In 2007, the first all-female UN peacekeeping force was deployed when the Indian government sent 103 women police officers to Liberia. According to early assessments, their presence helped to get Liberian women to register complaints and more women came to see the police as a potential source for employment.⁵⁶ Similarly, evidence from Bosnia Herzegovina suggests that gender-balanced peacekeeping leads to better results on the ground.⁵⁷

66. The Swedish action plan to implement SCR 1325, initiated in 2006, has peacekeeping operations as a central focus. The plan directs the armed forces to develop “conscious efforts to increase the number of women conscripts and officers who can participate in peacekeeping operations” and creates projects such as *GenderForce* in order to develop measures to “incorporate a gender perspective into international operations.” Similarly, the National Police Board “implemented special efforts to increase the proportion of women in the Swedish contingencies in peace support operations.”⁵⁸ Further, all members of peacekeeping operations are supposed to receive gender training.

67. Several **Latin American** countries contribute troops to UN peace missions all over the world. The data indicate that the overall regional gender composition of peacekeeping forces - 137 women in a total force of 6,151 - mirrors the one of UN forces in general. **Bolivia** and **Guatemala** stand out with a somewhat greater number of women participating in their country’s mission. Significantly, half of the 12 countries in the region that contribute to peace missions do not have a single woman included in the force.

Table 2. Women as a Percentage of Troops in Peacekeeping Operations, December 2005

Contributing country	Women	Total	Percent
Argentina	10	870	1.15
Bolivia	15	237	6.33
Brazil	0	1,256	0.00
Chile	3	549	0.55
Dominican Republic	0	4	0.00
Ecuador	0	93	0.00
El Salvador	0	16	0.00
Guatemala	13	219	5.94
Honduras	0	12	0.00
Paraguay	0	52	0.00
Peru	2	248	0.81
Uruguay	94	2,595	3.62
Total	137	6,151	1.53

⁵⁶ UNIFEM, “Gender Sensitive Police Reform on Post Conflict Societies,” 1.

⁵⁷ Agneta Soderberg Jacobson, *Rethink! A Handbook for Sustainable Peace* (Kvinna till Kvinna Foundation: Stockholm, 2004) 23.

⁵⁸ “The Swedish Government’s action plan to implement Security Council Resolution 1325 on Women, Peace and Security,” 3-4. http://www.osce.org/documents/odihr/2006/10/20979_en.pdf

Source: United Nations, Security Council. "Reference to Gender and Peacekeeping, Security Council Open Debate, 28 October 2004." Working Group on Women, Peace and Security, www.peacewomen.org/resources/Peacekeeping/SCOpenDebate04PkFull.pdf.

68. More recent data indicate improvements in the gender composition of peace missions from Latin America. According to **Chilean** officials, at the end of 2007, twenty-seven women participated in the country's peace missions, a significant increase from 2005. For the same time period, **Peru** reported an increase in women's participation in the country's peace missions from less than one percent to seven percent. Since 2000, Peruvian forces have been part of peace missions in Haiti, Sudan, Liberia, Ivory Coast, Ethiopia and the Democratic Republic of the Congo. In a recent statement, the Peruvian armed forces emphasized that "the positive experience leads us to take measures to increase the participation of female military personnel in peace operations."⁵⁹

69. For comparative purposes it is interesting to note that contributing countries that have a SCR 1325 action plan tend to include more women in their forces. Canada leads with almost 22 percent of its peacekeeping forces being comprised of women; Denmark has 10 percent female participation; and Norway has close to seven percent.

70. Effective gender training of military and police forces deployed to UN missions is essential to comply with the mandates of SCR 1325. Such training lays the foundation for peacekeepers to effectively deal with gender-related issues. For example, peacekeepers need to be informed about gender-based violence, be trained in HIV/AIDS awareness, and know how to recognize and respond to issues of trafficking.

71. For **Latin America**, the UN Stabilization Mission in Haiti (MINUSTAH) is one of the most important experiences to date. Argentina, Brazil, Chile, Colombia, Ecuador, El Salvador, Grenada, Guatemala, Paraguay, Peru and Uruguay all contribute personnel to either the 7,200 military troops and/or the 1,951 police officers integrating the UN Mission. MINUSTAH has not been without controversy. A number of complaints have been made concerning sexual abuse committed by individuals from the mission. For example, in a 2007 statement, a high-ranking government official from Haiti requested that "the UN mission needs to move to greater transparency concerning sexual abuse" by its forces.⁶⁰ These incidents highlight the importance of mainstreaming gender into the training of peacekeeping forces.

C. Protection

1. The Gendered Needs of Refugees

Article 12 of SCR 1325 "Calls upon all parties to armed conflict to respect the civilian and humanitarian character of refugee camps and settlements, and to take into account the particular needs of women and girls, including in their design."

⁵⁹ Perú-Ministerio de Defensa, "Género, Seguridad y Operaciones de Paz," 6.

⁶⁰ Merlet, "Pour une sécurité et une paix intégrant les droits des femmes y compris dans les opérations de paix: Priorités," 3.

72. The protection of refugee populations and the reintegration into society of ex-combatants and displaced persons, whether they are internally displaced persons or refugees, is a key challenge for many governments. Women are estimated to represent 80 percent of internally displaced persons and refugees and face particular gender-based challenges.⁶¹ Having frequently assumed counter-traditional gender roles during the war, their presence is a perceived threat to prevailing traditional gender relations. Further, victims of sexual violence are often stigmatized. This is particularly the case when there is evidence of abuse, such as women bearing children that are the result of rape. Thus, many refugees are reluctant to return to their community of origin for fear of being ostracized.

73. Indeed, communities can be quite hostile to returning refugees and ex-combatants. Potential animosities between returnees and local communities often have their roots in having supported opposing sides during the war, concerns over future strains on limited existing resources, or fear of the spread of infectious diseases, including HIV/AIDS, that refugees might be carrying.

74. The difficult reintegration process also provides opportunities for societal change. Caroline Moser and Fiona Clark have noticed that women more easily adjust to the new environments that displaced people have to confront and are more innovative in the development of survival strategies than men. This reality “leads to a change in [gender] roles and relations, which can be both empowering and challenging. It is important to provide accompaniment to returning and resettling populations to support the continuation of positive social change.”⁶²

75. The Central American wars created a flood of refugees. **El Salvador’s** civil war created 1.5 million refugees and as a result of the conflict in **Guatemala**, an estimated 1.5 million people were internally displaced or sought refuge in Mexico.⁶³ The Guatemalan peace accords were exemplary in considering the gendered needs of the returning refugees and the population in general.

76. Women’s rights were specifically addressed in four of the seven substantive agreements that were reached between July 1991 and September 1996. In the accord establishing procedures for the resettlement of populations uprooted during the war, the parties agreed “to emphasize in particular the protection of families headed by women, as well as the widows and orphans who have been most affected.”⁶⁴ Further, the Guatemalan government “committed itself to eliminating all forms of discrimination, factual or legal, against women, and to make it easier [to have] access to land, housing, [and] credit and to participate in development projects. A gender perspective will be incorporated in the policies, programs and activities of the global development strategy.”⁶⁵ In the important agreement on the rights of Guatemala’s indigenous peoples, indigenous women were given special protection. For example, sexual harassment of an

⁶¹ Bouta and Frerks, “Women’s Role in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction,” 35.

⁶² Moser and Clark, “Gender, Conflict and Building Sustainable Peace,” 32.

⁶³ Historical Clarification Commission, *Guatemala: Memory of Silence*; See also, Spence et al. “Promise and Reality: Implementation of the Guatemalan Peace Accords,” p.4.

⁶⁴ United Nations, “Acuerdo para el reasentamiento de las poblaciones desarraigadas por el enfrentamiento armado,” 1994, chapter II, article 2.

⁶⁵ *Ibid.*, chapter III, Article 8.

indigenous woman was to be sanctioned particularly severely under Guatemalan law.⁶⁶ Women's political rights were also addressed. The accord concerning the strengthening of civil society advocated the introduction of measures of positive discrimination to increase female participation. The agreement required the signatory parties "to take the corresponding measures in order to ensure that organizations of political and social character adopt specific policies tending to encourage and favor women's participation as part of the process of strengthening civilian power."⁶⁷

77. The Guatemalan accords were remarkable in terms of addressing the role of women in society and advocating change toward greater gender equality. The accords reflected a rethinking of women's role in society. At least at a formal level, women were acknowledged as key protagonists in Guatemala's future development.⁶⁸ From a substantive point of view, however, the Guatemalan accords can best be compared to the constitutions of many countries that guarantee extensive rights to the citizens that in the end are rarely granted. The accords remain documents that establish normative goals for the future of Guatemalan society, but not an enforceable code of law. With a government unwilling to follow through on commitments made in the accords, and a demobilized guerrilla movement lacking the political clout necessary to hold the government accountable, the "model provisions" concerning women have mostly not been translated into reality.

78. Recent estimates for **Colombia** report that up to 3 million people have been displaced due to the violent conflict.⁶⁹ Women represent more than 50 percent of this population of internally displaced persons.⁷⁰ It is being argued that "among the millions of Colombian IDPs one group is particularly invisible – women and girls associated with illegal armed groups. The current demobilisation process does not adequately address the consequences of the sexual violence they have suffered before, during and after conflict... Many ex-combatant women and girls have suffered sexual violence during time spent within illegal armed groups. Rape, forced contraception, forced abortion, forced sterilisation, sexual slavery and forced prostitution have been commonplace. Colombian law designating fourteen as the age of consent was regularly violated. There have been reported cases of gang rape as a form of punishment meted out to those who disobeyed commanders. Some women preferred to submit to abuse by a commander in order to reduce the risk of attack from other male combatants."⁷¹

⁶⁶ United Nations, "Acuerdo sobre identidad y derechos de los pueblos indígenas." 1995, chapter II, article 1.

⁶⁷ United Nations, "Acuerdo sobre fortalecimiento del poder civil y función del ejército en una sociedad democrática." 1996, article 59.

⁶⁸ Gobierno de Guatemala, "Política nacional de promoción y desarrollo de las mujeres guatemaltecas: Plan de equidad de oportunidades 1997-2001.

⁶⁹ See Amnesty International, "2002 in Focus: Spiraling Political Violence in Colombia," cited in Women Waging Peace, "Preparing for Peace: The Critical Role of Women in Colombia," 4; Buriticá Céspedes, "El papel de las mujeres en el proceso de construcción de la paz en Colombia," 2; Rojas, *In the Midst of War: Women's Contributions to Peace in Colombia*, 9.

⁷⁰ Women Waging Peace, "Preparing for Peace: The Critical Role of Women in Colombia," 3.

⁷¹ Gunhild Schwitalla and Luisa Maria Dietrich, "Demobilisation of female ex-combatants in Colombia," <http://www.reliefweb.int/rw/RWB.NSF/db900SID/YAOI-6XT9AA?OpenDocument>.

79. Recognizing the need to bring a gender perspective into government programs dealing with displaced populations, the Colombian government proposed to include at least one female representative in the departmental, municipal and district committee that attend to the needs of this population.⁷² Government officials also developed action plans for “preventing and attending to gender-based sexual violence in the context of forced displacements.”⁷³

80. **Ecuador** and **Venezuela**, which share borders with Colombia have also been greatly impacted by the refugees seeking to escape the violent conflict. For example, a 2007 study on **Ecuador’s** northern frontier reports that according to official data, between 2000 and 2006, more than 44,000 Colombian refugees have sought shelter by crossing the border.⁷⁴ The surge of refugees has resulted in increased demand for basic services that were already under severe strain in this impoverished area.

81. Whereas the Colombian reality emphasizes the importance of considering the gendered needs of refugees and internally displaced people in situations of conflict, Guatemala highlights the significance of focusing on the implementation of policies and laws as opposed to their formal content.

2. *Disarmament, Demobilization and Reintegration of Combatants*

Article 1325 of SCR 1325 “Encourages all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants.”

82. The resolution of violent conflict entails the disarming and demobilization of combatant forces. Disarmament, Demobilization, and Reintegration Processes (DDR) across the world have demonstrated the high price of neglecting to institutionalize a gender perspective during the process of reintegrating former combatants into society.

83. An effective DDR process that attends to the needs of both male and female combatants recognizes that women and men are differently affected by war. This reality has its roots in the complexity of the roles men and women play during conflict. Within armed movements, the majority of the men serve as combatants, whereas women play three distinct roles; they serve as combatants, supporters, and are dependents. The concept of “combatant” is a broad one, and ranges from armed fighters to men and women in logistical support positions. Thus, it is important to analyze the gender-specific problems of female and male combatants, and to understand the needs of civilian supporters that get caught in the conflict because they are suspected sympathizers of insurgent movements or simply live in war zones.

84. Traditional disarmament policies have focused on arms-carrying members of insurgent forces. Frequently, benefits associated with demobilization programs are only given to those

⁷² Colombia-Ministerio de Relaciones Exteriores, “Transversalidad de género en el área de la paz y la seguridad. Perspectivas nacionales y prioridades: Prevención, participación y protección.”

⁷³ Ibid.

⁷⁴ Carmen de la Cruz, *Género y Frontera Norte: Programa de Desarrollo y Paz en la Frontera Norte de Ecuador*, 34.

turning in a weapon. Whereas this emphasis makes sense from a security perspective, it discriminates against women and men in support roles. The majority of any armed force, whether regular national army or insurgent movement, consists of people serving in logistical support roles. In guerrilla movements, men and women serve as cooks, carriers, messengers, spies, or medical personnel. Since traditional gender norms tend to relegate the majority of women in fighting forces to support roles, they are particularly disadvantaged and tend to have the least visibility during the disarmament phase.

85. Even those women that would be considered “bona fide combatants” in a disarming process frequently remain invisible. Women who have fought with insurgent forces are for a number of reasons reluctant to be officially registered during the disarmament phase. Those that have been abducted and were forced to marry male commanders or serve as sex slaves, feel stigmatized and do not want to draw public attention to their past plight. They frequently take advantage of the first possibility to get away from their former oppressors, instead of spending weeks or months with them in a demobilization camp. Thus, gender sensitivity is essential in order to fully include all women that were part of fighting forces as beneficiaries of demobilization programs. Further, the changing age composition of fighting forces around the world is of increasing concern. It is estimated that 300,000 child soldiers have been part of recent conflicts.⁷⁵ These boys and girls have specific needs that need to be taken into account.

86. In **El Salvador**, the lack of a gender perspective evident in the design of the reintegration programs translated into discrimination when female combatants initially did not receive equal treatment in the allocation of crucial resources such as land.⁷⁶ The reasons were many, ranging from *machismo* to lack of support from the male-dominated leadership of the guerrilla movement. Nidia Díaz, the FMLN guerrilla official originally in charge of the land program, affirmed that whereas the exclusion of female combatants was not officially sanctioned or designed, the socio-cultural context often made it a reality.⁷⁷ Lorena Peña, another FMLN commander concurred: “I believe that the principal problem that we have experienced is that the reintegration of the female combatant into civilian life has taken place under the classical sexist concepts that have predominated in all political forces of the country, including the FMLN.”⁷⁸ This was particularly evident in the case of the Land Transfer program established to provide land to ex-combatants.

87. Male and female FMLN members alike faced enormous challenges in their efforts to reintegrate themselves into society. Yet FMLN women were confronted with additional hurdles “due to their gender, since society in general restricts the opportunities for development of women as such and because of this there is greater discrimination toward FMLN women who did and do not conform totally with the stereotypical roles assigned to women.”⁷⁹ In general, the programs failed to consider the special needs of women.

88. In **Nicaragua** too, women’s needs were not given priority. Donna Pankhurst and Jenny Pearce maintain that peace negotiations led by male negotiators have resulted in women being disadvantaged in agreements reached concerning land reform. For example, the authors argue that

⁷⁵ Bouta, Frerks and Bannon, *Gender, Conflict, and Development*, 149.

⁷⁶ Romero, “La reinserción de la mujer ex-combatiente,” pp. 370-371.

⁷⁷ Interview with Nidia Díaz, San Salvador, March 9, 1994.

⁷⁸ Interview with Lorena Peña, San Salvador, July 29, 1993.

⁷⁹ Fundación 16 de Enero, “Diagnóstico de la situación actual de la mujer ex combatiente,” p.11.

“in Nicaragua, deals between Sandinistas and the Contras often specifically excluded women from owning land, even though the war left many widows and single mothers.”⁸⁰

89. **Colombia** has experienced several demobilizations processes. An early attempt concerned the Union Patriótica, which demobilized in the 1980s. The reintegration part of this process was fraught with serious problems. A lack of security for the ex-combatants who chose to reintegrate into society led to the assassination of more than 1,500 militants.⁸¹ This included the murder of Jaime Pardo Leal, the UP’s presidential candidate in 1986 and four member of Congress belonging to the same party. Similarly, following the demobilization of the April 19 Movement (M-19) in 1989, its principal leader Carlos Pizarro, by then a presidential candidate, was assassinated in 1990 while scores of other militants suffering the same fate.

90. Recently, the government of Álvaro Uribe Vélez initiated a demobilization process in 2002 with the paramilitary forces of the Self-defense Units of Colombia (Autodefensas Unidas de Colombia, AUC). As of October 2006, 29,036 male and 1,873 female combatants had been demobilized.⁸² This process has also been criticized “due to a lack of policies for the reincorporation of the ex-combatants into civilian life.”⁸³

91. “Colombia's disarmament, demobilization and reintegration (DDR) process has involved both 'collective' demobilization – the result of official negotiations with paramilitary groups – and 'individual' demobilization whereby men, women and children voluntarily return to civilian life. It is estimated that nearly 41,000 men, women and children have been demobilized – some 31,000 'collectively' (6% of whom are female). A further ten thousand are thought to have done so under the individual demobilization scheme (of whom 14% are women). Girls comprise about a quarter of demobilized children... Official data indicate that demobilized women were born in all but one of Colombia's 32 departments but 85% of those who individually chose to leave armed groups are now reported to live in Bogotá and Medellín, anonymous urban environments which offer them some small degree of security.”⁸⁴

92. In recognition of the gendered needs of demobilized fighters and their families, the **Colombian** government is designing “an intervention model for the prevention of violence against women in the families of demobilized fighters.”⁸⁵ Further, under the 2006 presidential decree governing the reintegration of persons that have taken up arms, “humanitarian assistance was provided for more than 2,600 women that were companions of ex-combatants.”⁸⁶

3. *Gender-based Violence in War and Peace*

⁸⁰ Pankhurst and Pearce, “Engendering the Analysis of Conflict,” 161.

⁸¹ Buriticá Céspedes, “El papel de las mujeres en el proceso de construcción de la paz en Colombia,” 3.

⁸² Buriticá Céspedes, “El papel de las mujeres en el proceso de construcción de la paz en Colombia,” 4.

⁸³ Ibid.

⁸⁴ Gunhild Schwitalla and Luisa Maria Dietrich, “Demobilisation of female ex-combatants in Colombia,” <http://www.reliefweb.int/rw/RWB.NSF/db900SID/YAOI-6XT9AA?OpenDocument>.

⁸⁵ Colombia-Ministerio de Relaciones Exteriores, “Transversalidad de género en el area de la paz y la seguridad. Perspectivas nacionales y prioridades: Prevención, participación y protección.”

⁸⁶ Ibid.

Article 10 of SCR 1325 “Calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.”

93. Gender-based violence (GBV) prevails throughout the world.⁸⁷ Gender-based violence is considered a key threat to human security and an estimated one-third of women experience GBV in their lifetime.⁸⁸ Although gender-based violence is present in everyday life, its intensity increases during conflict.⁸⁹ Security Council Resolution 1325 specifically urges “parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse.”⁹⁰ Women’s physical security is “an essential prerequisite to their effective participation in peace-building.”⁹¹

94. Caroline Moser has emphasized that “women and men as social actors each experience violence and conflict differently, both as victims and as perpetrators.”⁹² Violent conflicts frequently reveal a “kind of ‘gendered vulnerability.’ Women and men are exposed to different forms of insecurity, threat and danger – which, in turn, are highly dependent on women’s and men’s different roles in wartime.”⁹³ For example, men are more likely to be killed or wounded and women are more likely to be victims of sexual violence.

95. In recognizing this gendered reality it is important to avoid the trap of stereotyping. For example, whereas men do commit the majority of crimes during war, women have participated in atrocities in a number of conflicts from Rwanda to the Balkans.

96. Moser and Fiona Clark explicitly criticize gender stereotypes of men and women in conflict situations: “To portray women solely as victims denies them their agency, and fails to identify the opportunities that conflict may create up for them.”⁹⁴ War, in all of its complexity, can be “a positive catalyst vis-à-vis women and gender relations, as women’s groups are often among the new civil organizations that arise to challenge conflict and promote peace and rights.”⁹⁵ At the same time, it is important to acknowledge the fact that “men are not always the perpetrators of violence, but are also victims of violence and conflict.”⁹⁶

⁸⁷ “Gender-based violence is violence that is directed against a person on the basis of gender or sex. It includes acts of physical, sexual and psychological violence such as rape, sexual abuse, sexual harassment and intimidation at work, trafficking in women and forced prostitution, or other acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty. While women, men, girls and boys can be victims of gender-based violence, women and children are usually the primary victims.” *Gender Resource Package*, 219, <http://www.un.org/Depts/dpko/lessons/>.

⁸⁸ Valasek, “Security Sector Reform and Gender,” 12.

⁸⁹ Bouta, Frerks and Bannon, *Gender, Conflict, and Development*, 33.

⁹⁰ Security Council Resolution 1325, cited in United Nations, *Women, Peace and Security*, 167.

⁹¹ UNIFEM, “Gender Sensitive Police Reform on Post Conflict Societies,” 1.

⁹² Moser, “The Gendered Continuum of Violence and Conflict,” 30.

⁹³ Reimann, “All You Need Is Love...and What About Gender?” 10.

⁹⁴ Moser and Clark, “Gender, Conflict and Building Sustainable Peace,” 31.

⁹⁵ Prendergast and Plumb, “Building Local Capacity: From Implementation to Peacebuilding,” 333.

⁹⁶ Moser and Clark, “Gender, Conflict and Building Sustainable Peace,” 31.

97. Women and girls are the primary targets of sexual violence during conflict. Rape of female civilians is widespread and has been recognized as a war crime. Women are systematically violated “as symbolic bearers of caste, ethnic or national identity.”⁹⁷ Sexual violence was particularly rampant during the wars in the Balkans, as well as in the conflicts on the African continent.

98. Among child soldiers, boys are more likely than girls to have been forced to participate in atrocities during the war. Young fighters are frequently “forced to kill members of their own communities or families” as a way to establish their loyalty to an armed band.⁹⁸ This abuse gives rise to the need for special counseling and rehabilitation.

99. Bouta, Frerks and Bannon have emphasized that “GBV polices need to target both men and women” in order to “reach all actors involved (survivors, survivors’ families, witnesses, and perpetrators).”⁹⁹ Although it is recognized that men are affected by GBV during conflict, existing policies fail to take the needs of male victims into account.¹⁰⁰ Thus, governments seeking to strengthen the administration of post-war justice need to direct attention to both female and male survivors of sexual violence.

100. Whereas gender-based crimes committed during war have been recognized as war crimes, “little attention has been given to the way in which conflict-related circumstances influence the continuation of violence within the home” following the cessation of hostilities.¹⁰¹ The application of a gender lens helps decision-makers to appreciate the importance of addressing domestic violence in the wake of conflict. A gender lens is important to recognize the impact of post-war stress experienced by male ex-combatants and internally displaced people. Women need to be protected from domestic violence, while the needs for treatment and therapy for men and boys who have been forced to commit atrocities have to be recognized.

101. United Nations studies have found a dramatic increase in domestic violence in war zones. Displaced people are particularly vulnerable. A recent report by Elisabeth Rehn and Ellen Johnson Sirleaf found that “17 percent of displaced households surveyed in Sierra Leone had experienced sexual assaults, including rape, torture and sexual slavery.”¹⁰²

102. Gender-based violence tends to be greatly underreported, particularly in conflict situations. In **Colombia**, the National Police registered in 2003 “only four cases of sexual violence of persons protected by international humanitarian law [those living in recognized zones of conflict], two cases of sexual violence and two of slavery of forced prostitution.”¹⁰³ At the same time that female victims face hurdles in denouncing sexually-based crimes, justice officials often lack a full understanding of gender-based violence.

⁹⁷ Bouta and Frerks, “Women’s Role in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction,” 31.

⁹⁸ Large, “Disintegration conflicts and the restructuring of masculinity,” 28.

⁹⁹ Bouta, Frerks and Bannon, *Gender, Conflict, and Development*, 34.

¹⁰⁰ *Ibid.*, 47.

¹⁰¹ Strickland and Duvvury, *Gender Equity and Peacebuilding*, 7-8.

¹⁰² Rehn and Sirleaf, *Women, War, Peace*, 11.

¹⁰³ Buriticá Céspedes, “El papel de las mujeres en el proceso de construcción de la paz en Colombia,” 2.

103. Training programs for judges on a “jurisprudence of equality” have had success in the region on making the judicial establishment more aware of GBV. A 3-year training program, launched by the International Association of Women Judges, provided training on the application of human rights conventions to cases involving discrimination or violence against women to more than 600 judges in 5 South American and to 200 judges in Central America.¹⁰⁴

104. Whereas gender-based violence tends to increase during war, it persists in post-conflict situations. **Central America**, in particular, is suffering from the transformation of war-related violence into a crime wave that affects both the public and private spheres. Whereas political violence subsided in the wake of the peace accords, criminal violence rose. Increasingly, women have become victims. Of particular concern is the significant number of women that are being assassinated. **Guatemala** registered the murder of 383 women in 2003, an increase of 135 percent compared with 2002. In 2004, 527 women were assassinated. During the first eight months of 2005 the death toll amounted to 427, evidence that the rate of assassination continued to go up.¹⁰⁵ The violence directed against women is part of a general crime wave affecting the country. However, the rate at which women are being assassinated is outpacing the one for men. Between 2002 and 2004, the percentage of murdered women increased from less than nine percent of the total number of assassinations to over eleven percent.¹⁰⁶

105. The situation is similar in **El Salvador**, where 194 women were assassinated in 2003. The violence continued in 2005. During the first eight months of that year, 140 women were reported killed.¹⁰⁷ Due to the high level of violence affecting women in the region, the United Nations sent special envoy Yakin Ertürk to report on the situation. Her report highlighted that these crimes were committed with impunity and were directed against the most marginal female sectors of society.

106. Although women suffer greatly under conditions of post-war violence, it is important to recognize that violence prevailing in war-torn societies affects men in disproportionate numbers. In **Colombia**, for example, one-quarter of all male deaths are attributed to violence, as are 60 percent of deaths for males aged 15-44 years.¹⁰⁸ Men are four times more likely to die a violent death than women.¹⁰⁹ In general, men are the vast majority of gun and gang violence victims, while also being the main perpetrators of violence.

107. Parliamentarians in Central America and other regions of the world are increasingly concerned with the proliferation of small arms, which are used in a majority of these murders. Recently, members of the Guatemalan Congress commissioned and directed a study on the scourge of “femicide” in Guatemala. The study has been presented in a number of public fora highlighting the problem of male gun violence and its victims.

¹⁰⁴ International Association of Women Judges, “Jurisprudence of Equality Program,” <http://www.iawj.org/what/jep.asp>, cited in, “Valasek, “Security Sector Reform and Gender,” 27.

¹⁰⁵ Congreso de la República, Bancada de la Unidad Revolucionaria Nacional Guatemalteca, *Feminicidio en Guatemala: Crímenes contra la humanidad* (Guatemala City: URNG, 2005) 54-56.

¹⁰⁶ *Ibid.*, 56.

¹⁰⁷ Deysi Cheyne, personal interview, 6 October 2005.

¹⁰⁸ Bouta, Frerks and Bannon 149.

¹⁰⁹ M. Correira, “Gender,” *Colombia: The Economic Foundation of Peace* eds. M. Guigale, O. Lafourcade, and C. Luff (Washington, DC: World Bank 2003) cited in Bouta, Frerks and Bannon 146.

108. **Haiti** is also experiencing high levels of violence, much of it gang-related. The UN Stabilization Mission in Haiti (MINUSTAH) is working with the Haitian National Police to restore basic security. In a recent crackdown more than 750 gang members were arrested.¹¹⁰ According to a 2007 OXFAM report, an estimated 90 percent of the victims of violence are women.¹¹¹

109. **Jamaica** is one of several countries in the region that has recognized the need to change societal culture by helping people to recognize and understand gender-based violence. Jamaica's Bureau of Women's Affairs heads an effort of government agencies, non-governmental organizations and community-based groups to conduct "gender-based violence workshops in a number of organizations, schools, communities and churches across the island."¹¹²

4. *Truth and Reconciliation Commissions*

Article 11 of SCR 1325 "Emphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes including those relating to sexual violence against women and girls, and in this regard, stresses the need to exclude these crimes, where feasible from amnesty provisions."

110. The administration of justice suffers when a country is embroiled in conflict. Judicial impartiality is a likely victim, courts are under-funded and laws are frequently not enforced. A public accounting of crimes committed during conflict, including those that are gender-based is essential for social reconstruction to succeed. The transition from war to peace frequently requires the creation of temporary judicial bodies and processes that establish a record of human rights abuses and hold perpetrators accountable.¹¹³ Governments are confronted with the difficult task of creating transitional justice mechanisms that establish the right balance between ending impunity and facilitating reconciliation.

111. Over the past 30 years more than two dozen truth and fact-finding commissions have been established at the international and national level to investigate human rights abuses that occurred during conflict.¹¹⁴ Women have chaired two of the commissions, the United Nations

¹¹⁰ International Crisis Group, *Consolidating Stability in Haiti ~Latin America/Caribbean Report No.21~18* July 2007. Brussels: 2007

<<http://www.crisisgroup.org/home/index.cfm?id=4944&l=1>><http://www.crisisgroup.org/home/index.cfm?id=4944&l=1>. 3. Cited in Conaway, Camille Pampell. *Toward a Critical Mass: A Mapping and Rapid Review of Training for Women Political Leaders in Haiti*. Unpublished document for the United Nations Development Fund for Women, 2007.

¹¹¹ Oxfam, *Denouncing Violence and Promoting Change*. London: Oxfam, 2007. Cited in Conaway, Camille Pampell. *Toward a Critical Mass: A Mapping and Rapid Review of Training for Women Political Leaders in Haiti*. Unpublished document for the United Nations Development Fund for Women, 2007.

¹¹² Williams, "Mainstreaming gender into area of peace and security: National perspectives and priorities: Prevention, participation and protection," 2.

¹¹³ Anderlini, Conaway and Kays, "Transitional Justice and Reconciliation," 1, http://www.womenwagingpeace.net/content/toolkit/chapters/Transitional_Justice.pdf.

¹¹⁴ Inter-Parliamentary Union/IDEA, *Making Reconciliation Work: The Role of Parliaments*, 11.

International Commission of Inquiry, which investigated breaches of international humanitarian law in East Timor and the Sri Lankan Commission on the Western and Southern Provinces.¹¹⁵

112. Beth Goldblatt and Sheila Meintjes maintain that without the incorporation of gender into the policy framework of truth and reconciliation commissions “gender issues, and women’s voices in particular, will not be heard and accurately recorded.”¹¹⁶ Equal access to proceedings before truth and reconciliation commissions is essential. Compared with male victims, women that have been victims are less likely to have access because they are economically disadvantaged and have greater family and household duties, which restrict their mobility.¹¹⁷

113. **Latin America** had several truth commissions over the past twenty years. Their gender compositions varied greatly. In **Argentina**, the Comisión Nacional para la Investigación sobre la Desaparición de Personas (CONADEP), established by Executive decree in December 1983 in order to investigate the disappearance of people during the military dictatorship, consisted of 13 members, only one being female.¹¹⁸ In **Chile**, the Comisión Nacional de Verdad y Reconciliación, also created by executive decree in April 1990 dedicated to investigate the violations of human rights during Augusto Pinochet’s administration, had 8 members, two of them being women.¹¹⁹ **El Salvador**’s Comisión de la Verdad, created by the peace agreement of April 1991, and **Guatemala**’s Comisión de Esclarecimiento Histórico, created by the Oslo agreement in June 1994 had, respectively, three members each, all of them were men.¹²⁰

114. In **Colombia**, the Comisión Nacional de Reparación y Reconciliación (CNRR) was created in October 2005. It consists of 13 members, including four government representatives, five members of civil society organizations, two members representing victims and two members of state institutions (organismos de control del estado).¹²¹ The commission has two women, Ana Teresa Bernal and Patricia Barítica among its members.¹²² The mandate of the commission includes: guaranteeing the victims their rights to the truth, justice and compensation; the elaboration of reports on the reasons for the emergence of the armed groups; tracking of the DDR process; drafting of compensation policies and tracking of the compensations resulting from

115 Anderlini, Conaway and Kays, “Transitional Justice and Reconciliation,” 9, http://www.womenwagingpeace.net/content/toolkit/chapters/Transitional_Justice.pdf.

116 Goldblatt and Meintjes, “South African Women Demand the Truth,” 29.

117 Bastick, “Ensuring Women’s Involvement in the Full Reconciliation Process,” 5.

118 The Commission was supposed to have 16 members in total but the Senate never appointed the three senators that were supposed to be in the commission.

119 The president of the commission and the two representatives from the former government of Augusto Pinochet were all male.

120 (CONADEP), National Commission on the Disappearance of Persons. “Nunca Más.” http://www.nuncamas.org/english/library/neveragain/neveragain_000.htm; Cuya, Esteban. “Las Comisiones De La Verdad En América Latina, Ko’aga Roñe’eta Se.Iii.” <http://www.derechos.org/koaga/iii/1/cuya.html>; Guillerot, Julie. “Cuadro Sinóptico Sobre Algunas Experiencias De Comisión De La Verdad.” Asociación Pro Derechos Humanos, Aprodeh-FIDH, http://www.aprodeh.org.pe/sem_verdad/documentos/verdad.pdf; Simon, Jan-Michael. “La Comisión para el Esclarecimiento Histórico, Verdad y Justicia en Guatemala.” *Boletín Mexicano de Derecho Comparado*, no. 106 (2003), http://www.ejournal.unam.mx/boletin_mderecho/bolmex106/BMD10606.pdf.

121 Buriticá Céspedes, “El papel de las mujeres en el proceso de construcción de la paz en Colombia,” 5.

122 Colombia-Ministerio de Relaciones Exteriores, “Transversalidad de género en el area de la paz y la seguridad. Perspectivas nacionales y prioridades:: Prevención, participación y protección.”

judicial proceedings; and, the execution of action of national reconciliation.”¹²³ Importantly, the body has been created in the midst of conflict whereas such commissions are normally established post-conflict.¹²⁴ The commission elaborated recommendations that would facilitate “integral reparations” with the premise of using a gender perspective to develop special measures to help women and girls that have been victims of violence.¹²⁵

115. A great challenge confronting the CNRR is facilitating women’s access to its proceedings. Female victims – who are the majority – are often poor women from outlying areas, are part of the displaced population or live in zones of conflict ignorant of their rights and afraid to denounce their aggressors.¹²⁶ There is general concern that a system of impunity continues to prevail “whereby violent crimes and human rights abuses by left-wing guerrillas, right-wing paramilitaries, and even the Colombian armed forces remain largely unprosecuted.”¹²⁷

116. In conclusion, SCR 1325 seeks to protect women in times of peace and conflict. The gendered impact of conflict includes economic crises. The lack of information on the gendered impact of economic crises continues to be a problem. **Argentina** confronted this issue recently, when the United Nations Committee on the Elimination of Discrimination against Women discussed the country’s CEDAW report in August 2002 and “noted the lack of information provided on the impact of the [2001] economic crisis on the female population.”¹²⁸ Argentina was urged to investigate and complied in an exemplary fashion. As a result of a governing crisis that started in 1999 the country had experienced a significant increase in poverty. By 2002, more than half of the population was living under conditions of poverty or extreme poverty. The information supplied by the Argentine government showed that households headed by women had been disproportionately affected.¹²⁹ For example, the gender-disaggregated data revealed that “in non-poor households, unemployment among women with children was higher than among men,” whereas in the case of poor heads of households, unemployment rates were higher among men.¹³⁰ The Argentine experience demonstrates that a gender lens can help governments to recognize the differential impact economic crises have on women and men and assist them in designing effective poverty-relief policies.

II. Challenges in Implementing SCR 1325

1. Strengthening Women’s Participation in Decision-making

Article 1 of SCR 1325 “Urges Member States to ensure increased representation

¹²³ Buriticá Céspedes, “El papel de las mujeres en el proceso de construcción de la paz en Colombia,” 5.

¹²⁴ *Ibid.*

¹²⁵ Colombia-Ministerio de Relaciones Exteriores, “Transversalidad de género en el area de la paz y la seguridad. Perspectivas nacionales y prioridades: Prevención, participación y protección.”

¹²⁶ Buriticá Céspedes, “El papel de las mujeres en el proceso de construcción de la paz en Colombia,” 6.

¹²⁷ Women Waging Peace, “Preparing for Peace: The Critical Role of Women in Colombia,” 11.

¹²⁸ United Nations Committee on the Elimination of Discrimination against Women, “Argentina: Follow-up to the fourth and fifth periodic reports of States parties,” 4.

¹²⁹ *Ibid.*, 7.

¹³⁰ *Ibid.*, 8.

of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict.

117. Before Resolution 1325, the Beijing Platform had already exhorted governments to ensure a minimum level of representation for women. Although the goal of gender balance has been firmly established by the international community and national constituencies, formal gender parity in political decision-making is still in the distant future. Nevertheless, the percentage of parliaments with less than 10 percent female representation has dropped from 63 percent in 1995 to about 30 percent in 2007.¹³¹

118. In 2007, less than twenty percent of the world's parliamentarians were women:

Gender Composition of the World's Governments, 2007 (Single or Lower House)		
Region	Percentage of female MPs	Percentage of male MPs
Nordic Countries	41.6	58.4
Europe OSCE (Nordic countries included)	20.4	79.6
Americas	20.0	80.0
Europe OSCE (Nordic countries not included)	18.4	81.6
Sub-Saharan Africa	17.2	82.8
Asia	16.6	83.4
Pacific	13.1	86.9
Arab States	9.6	90.4
World Average	19.6	80.4

Source: Inter-Parliamentarian Union

119. The Nordic countries stand out with more than twice the world average. Across the world there are considerable regional variations, with the Arab countries reporting close to 10 percent and the Americas recording 20 percent. In the region, women's representation in parliament varies considerably, from **Argentina's** 36 percent to **Guatemala's** 8 percent.

Women in Decision-making in Latin America

Country	% Women in the Lower House (or unicameral parliament)*	% Women in the Senate	No. of Women Ministers	% of Women Ministers
Argentina	36.2	33	2 of 11	18.2

¹³¹ Inter-Parliamentary Union, "The Participation of Women and Men in Decision-Making: The Parliamentary Dimension," Background paper, *The Expert Group Meeting on "Equal participation of women and men in decision-making processes, with particular emphasis on political participation and leadership"* Addis Ababa, Ethiopia, 24-27 October 2005, 2; IPU website data.

Bolivia	16.9	15	5 of 16	32.3
Brazil	8.6	12	3 of 24	12.5
Chile	15.0	4	9 of 22	40.9
Colombia	12.1	9	3 of 13	23.1
Costa Rica	35.1	--	5 of 17	29.4
Cuba	36.0	--	5 of 37	13.5
Dominican Republic	17.3	6	1 of 17	5.9
Ecuador	16.0	--	7 of 23	30.4
El Salvador	10.7	--	2 of 13	15.4
Guatemala	8.2	--	3 of 12	25.0
Honduras	23.4	--	2 of 14	14.3
Mexico	24.2	16	4 of 19	21.1
Nicaragua	20.7	--	5 of 14	35.7
Panama	16.7	--	3 of 12	25.0
Paraguay	10.0	9	1 of 15	6.7
Peru	18.3	--	2 of 15	13.3
Uruguay	11.1	10	4 of 13	30.8
Venezuela	10.0	--	3 of 21	14.3
AVERAGE	17.7	13		21.5

Sources: Htun, "Women, Political Parties and Electoral Systems in Latin America," 112; Inter-Parliamentary Union, "Women in Politics: 60 Years in Retrospective," http://www.ipu.org/PDF/publications/wmninfokit06_en.pdf

* The data for the lower house show the picture as of 2006, for the Senate it is 2005. The rest of the data is for 2007.

120. Although the region's parliamentary gender balance is close to the world average, and the number of women holding portfolios in the region's governments is substantial, gender equity in decision-making remains a distant goal. This realization has led many governments to adopt measures of positive discrimination.

121. Electoral quotas are playing an important role in changing the gender composition of the world's parliaments. Worldwide about forty countries have constitutional or electoral gender quotas for parliamentary elections.¹³² At this point, political parties in more than fifty countries have adopted quotas that require "a minimum proportion of women on their party's candidate list."¹³³ Drude Dahlerup has described quotas as being the "fast track" to greater gender equity in political representation as opposed to the slow evolutionary change observed in the Scandinavian countries. Thus, government officials seeking to implement the mandate of SCR 1325 to increase the role of women in decision-making can point to successful mechanisms,

¹³² Dahlerup and Freidenvall, "Quotas as a 'fast track' to equal representation for women," 26.

¹³³ Ibid.

which facilitate this change toward greater gender equality.

122. Since 1991, eleven countries in **Latin America** have adopted quotas for parliamentary elections.¹³⁴ Of the three countries in Latin America that have above 30 percent female representation, **Costa Rica** and **Argentina** use quotas. Whereas **Cuba** has no official gender quotas, measures of positive discrimination operate behind the scene to increase women's participation in the National Assembly. Cuba's National Candidacy Commission, which determines the list of candidates for parliaments, selects candidates in a process that permits control over the gender composition of the lists. Since there is only one candidate for each parliamentary seat, voters do not choose between competing candidates and thus cannot discriminate against women.¹³⁵

123. In addition to the introduction of electoral quotas, an important consideration for governments seeking to strengthen women's role in decision-making, concerns the type of election system being used. It is well established that under a system of proportional representation female candidates are more likely to get elected than in single member district systems.

124. Finally, while increasing women's participation is a normative goal in itself, we need to distinguish between formal and substantive participation. For example, at the formal level, women play a prominent role in the current Nicaraguan government. At the same time, however, women's rights are being eroded.

2. *Security Sector Reform*

Article 8 of SCR 1325 "Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:

(c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary."

125. Security sector reform that brings a gender perspective to military and police forces is essential. It is central that those responsible for the provision of security do not themselves constitute a threat to the security of individuals or communities.¹³⁶ The concern has to extend beyond the national level and, as discussed earlier, involve considerations of the appropriate training and the composition of personnel a member state commits to peacekeeping operations.

126. In general, women hold only a small number of ministerial positions throughout the world, an imbalance that is particularly prominent in the areas of defense and justice. In 2005, of the 183 countries assessed, only 12 women headed defense and veteran affairs ministries and there were only 29 female justice ministers. Earlier data showed similar imbalances for parliamentary defense committees. Of 97 parliaments reporting data on the gender composition of their parliamentary committees in 1997, only 3 percent had a woman chairing the defense committee. Thus the challenge is to include a greater number of female parliamentarians on

¹³⁴ Htun, "Women, Political Parties and Electoral Systems in Latin America," 112.

¹³⁵ Luciak, *Gender and Democracy in Cuba*, chapter 4.

¹³⁶ Valasek, *Security Sector Reform and Gender*, 5.

security committees, have women appointed to the key security portfolios of defense, police and justice and ensure that women's role as members and officers in the security forces is increased.¹³⁷

127. Women are greatly underrepresented in the security forces even in countries that have high rates of gender equality. For example, in Norway, only 6.4 percent of the police and 21 percent of the armed forces are women.¹³⁸ On average, low-income countries have 8.5 percent women in their police forces, middle income 15 percent and high income 17.3 percent.¹³⁹

128. The situation is not much different in Latin America. Looking at **Argentina, Brazil and Chile**, three of the main countries of the region, we find exclusively male defense committees in both houses of the Chilean parliament. In Brazil, the Defense Committees of both houses have only one female member each. Argentina, on the other hand, can point to its Senate Defense Committee with almost 27 percent women, with the House Defense Commission showing three women (10 percent) among its thirty-one members. **Peru** had made even more progress. In 2007, a woman presided over the Defense Committee of the country's Congress and the committee itself had almost achieved a perfect gender balance.¹⁴⁰

129. Significantly, out of the twelve South American nations, three (25 percent) have currently a female Minister of Defense. **Argentina, Uruguay, and Ecuador** all have female leaders in this key position. In the case of **Chile**, Michelle Bachelet, the current President, has previously held the portfolio of Minister of Defense. Until October 2003, **Colombia** also had a woman heading the defense portfolio.

130. Women defense ministers are likely to effect change toward greater gender equality in the armed forces. For example, when Nilda Garré assumed the portfolio of the **Argentine** Minister of Defense in 2005, she "decided to introduce a gender perspective into her management."¹⁴¹ The creation of the Observatory on Women's Integration in the Armed Forces is a concrete example of this commitment. This office examines the gender implications of the increasing feminization of the military that has now reached 15 percent.¹⁴² Also, the Ministry's Council on Gender Policies has identified a number of rules and traditions that discriminate against women and has called for their derogation. A specific policy scheduled for its derogation advised army personnel "to take into account that cases of concubinage, birth of children out of wedlock or a pregnancy with the mother being single are causes to consider the case in question particularly from a disciplinary point of view."¹⁴³

131. Similarly, Michelle Bachelet, holding the position of Minister of Defense during 2002-2004, implemented a policy of actively integrating Chilean women into the armed forces.¹⁴⁴

¹³⁷ Inter-Parliamentarian Union.

¹³⁸ Valasek, "Security Sector Reform and Gender," 6.

¹³⁹ UNIFEM, "Gender Sensitive Police Reform in Post Conflict Societies," 5.

¹⁴⁰ Perú-Ministerio de Defensa, "Género, Seguridad y Operaciones de Paz," 1

¹⁴¹ Frederic, "La experiencia argentina sobre políticas de género en el area de la Defensa, 2006-2007," 1.

¹⁴² Ibid.

¹⁴³ Ibid., 6.

¹⁴⁴ Chile-SERNAM, "Presentacion Nacional de la República de Chile."

132. In general, the composition of Latin America's armed forces reflects a worldwide reality of women representing a small minority in the service. According to 2006 data from the UN Department of Peacekeeping Operations, the composition of women and men in armed forces and police in **Brazil** is a total of 279,822 men and 10,267 women (3.54 percent). **Peru**, on the other hand, has 103,506 men and 5,053 (4.65 percent) women in its armed forces. Concerning the police, **El Salvador** reports 15,409 men in its police forces and 1,152 women (6.96 percent), whereas **Peru** has 94,775 men and 14,557 women (13.31 percent) in its police force.¹⁴⁵

133. Throughout the region there have been efforts to increase women's participation in the police force and to conduct gender-training programs. **Haiti** presents evidence for the challenges ahead in changing current realities. The Haitian police force comprises 411 women out of a total of 8,032 officers (about 5 percent of the total force). In August 2007, based on an initiative led by the national police service and backed by the United Nations to encourage the recruitment of more female officers, thousands of Haitian women registered to join their country's police academy. Despite this massive interest only five women were among the 400 candidates retained for the coming class. Nevertheless, the UN Stabilization Mission in Haiti (MINUSTAH) considered the drive an important effort to change gender stereotypes about policing.¹⁴⁶

134. The modernization of the National Police Force of **Nicaragua** is an excellent regional example for the effective implementation of SCR 1325. With donor support, "specific initiatives were taken to establish equal opportunities for women in the police force and to improve the security of women, ranging from training modules on gender-based violence in police academies to transparent promotion requirements and women's police stations."¹⁴⁷ In 2007, 26 percent of the Nicaraguan police officers were women. This represents the highest proportion of female police officers of any police force in the world. The reforms have "helped the police gain legitimacy and credibility in the eyes of the general public. In a recent 'image ranking' of Nicaraguan institutions, the police came in second, far ahead of the Catholic Church."¹⁴⁸

135. **Honduras** has also made progress in training its police forces. In 1998, the country passed a law against domestic violence. With the assistance of the United Nations Population Fund (UNFPA), police officers have been trained on gender issues and on assisting victims of domestic violence. "The training focusing on processing cases of domestic violence first by taking them seriously, informing them of their rights and sometimes providing protection. Domestic violence represents 65% of the calls received by the police... The training programme is implemented in cooperation with the National Women's Institute, the Ministry of Security and the General Directorate for Police Education."¹⁴⁹ By mid-2007, almost 4,000 police officers have been trained, with the expectation that in the next 10 years, the entire police force (about 10,000) will

¹⁴⁵ DPKO, "Policy Dialogue to Review Strategies for Enhancing Gender Balance Among Uniformed Personnel in Peacekeeping Missions," Page 29, Table 2.

¹⁴⁶ From: <http://www.un.org/apps/news/story.asp?NewsID=23470>

¹⁴⁷ Anette Funk, James L. Lang and Juliane Osterhaus. Ending Violence Against Women and Girls – Protecting Human Rights: Good Practices for Development Cooperation. Eschborn: GTZ, 2005, 47-48 cited in Valasek, "Security Sector Reform and Gender," 26.

¹⁴⁸ Ibid.

¹⁴⁹ Denham and Marks, "Police Reform and Gender," 19, citing UNFPA, "Through the Eyes of the Victim: Police Training and Domestic Violence in Honduras," <http://www.unfpa.org/news/news>.

have undergone training.¹⁵⁰ Significantly, women represent only six percent of police officers with only two percent holding top-ranked positions.¹⁵¹

136. Several police forces in the region are seeking to replicate the Nicaraguan and Honduran success story. At the present time, however, most countries in the region “provide training primarily on domestic and sexual violence” but lack fully developed gender training.¹⁵²

137. Further, in an effort to strengthen women’s security, women’s police stations have been established in **Argentina, Brazil, Colombia, Costa Rica, Ecuador, Nicaragua, Peru and Uruguay**.¹⁵³ These stations are staffed mostly by women officers and have been essential in providing an environment that permits women in the region to bring their concerns to the attention of law enforcement.

III. Conclusion: Voices from the Region

138. The challenges in implementing Security Council Resolution 1325 in Latin Americas are significant. The country representatives who were present at the 2007 meeting on SCR 1325 contributed a number of specific suggestions on how to facilitate implementation:

A. National Level

- Create an organization in the Office of the Presidency that would be responsible for the implementation of SCR 1325 at the national level
- Create an inter-ministerial task force with an advisory council in which parliament and civil society participate
- Create parliamentary committees in charge of SCR 1325 follow-up
- Use existing platforms, networks and institutions to disseminate SCR 1325
- Create an ombudsperson for gender in the military and police forces
- Put gender advisors into the military and police forces
- Allocate a budget for implementation

B. Coordination and Regional Co-operation

- Create national and regional websites on SCR 1325
- Utilize existing regional networks to disseminate SCR 1325
- Coordinate with International Regional Bodies such as the Human Rights Commission
- Create mechanisms to confront new security threats such as human and arms trafficking
- Coordinate national and regional strategies

C. Action Areas

¹⁵⁰ Ibid.

¹⁵¹ Ibid.,” 29.

¹⁵² Ibid.,” 18.

¹⁵³ Ibid.,” 20.

- Develop national action plans based on the needs and capacity of individual countries
- Mainstream gender into disaster management
- Launch a SCR 1325 information campaign
- Prepare field studies to assess the reality of individual countries concerning human security and conflict prevention
- Create a system of early warning indicators
- Create mechanisms for the discussion of security doctrines
- Incorporate gender into the training program for peacekeeping forces

139. In conclusion, the participants emphasized that the 2007 Santiago meeting was the first time that SCR 1325 was discussed at a regional level and concurred on the importance of follow-up meetings at the national and regional level. The participants urged continued technical cooperation from the United Nations.

V. Key Principles of a Model Action Plan

1. Conflict Prevention

Article 1 of SCR 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.”

140. The significant role women play in the prevention of conflict suggest the government take the following actions:

- Support will be given to the work of non-governmental organizations, including women’s organizations that are active in conflict prevention.
- The security forces will be directed to look for and act on early warning signs of conflict, for example, a rise in gender-based violence.

2. Peace Negotiations and Peace Agreements

Article 2 of SCR 1325 “Encourages the Secretary-General to implement his strategic plan of action calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes.”

Article 8 of SCR 1325 “Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia: (b) Measures that support local women's peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements.”

141. In order to ensure women’s equal participation in formal peace negotiations - in the drafting and implementation of an accord - and to recognize their contributions to informal peace processes:

- The government will fully include women in any negotiating team to formal peace negotiations.
- The government will insist that all parties at the peace table include women in their negotiating delegations.
- Parliament and other venues will be used to highlight the importance of bringing a gender perspective into the peace process.
- Informal peace initiatives emanating from civil society will be given public attention.
- Support will be given to indigenous efforts to conflict resolution.
- The implementation of peace agreements will be monitored to ensure that gender

provisions are fully implemented. For example, parliament will hold debates on the accords and discuss them in the appropriate committees.

3. *Constitutional and Electoral Reform*

Article 8 of SCR 1325 “Calls on all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia: (c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the constitution, the electoral system, the police and the judiciary.”

142. Post-conflict peace processes often provide opportunities for constitutional and electoral reform:

- Women will be fully included in any constitution-writing process.
- In a constitution-drafting process, the incorporation of international treaties and conventions that protect women’s rights, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), will be considered.
- The potential benefit of electoral gender quotas to strengthen the equal participation of women and men will receive attention during constitution-writing processes and quotas will be considered when electoral laws are reformed.

4. *Disarmament, Demobilization and Reintegration of Combatants*

Article 1325 of SCR 1325 “Encourages all those involved in the planning for disarmament, demobilization and reintegration to consider the different needs of female and male ex-combatants and to take into account the needs of their dependants.”

143. Disarmament, demobilization, and reintegration processes need to consider the gendered needs of the combatant forces:

- During a demobilization process, women and girls who are part of the irregular forces will receive special attention. For example, female fighters will be eligible to be demobilized as regular combatants. The needs of all women that are associated with combatant forces, regardless of their “official status,” will be recognized.
- Government agencies responsible for the implementation of reintegration programs will focus on the gendered needs of the ex-combatants and ensure that women are not being discriminated against. For example, female ex-combatants qualify to receive the same benefits as their male counterparts.

5. *Humanitarian response – Protecting Refugees and Internally Displaced Persons*

Article 12 of SCR 1325 “Calls upon all parties to armed conflict to respect the

civilian and humanitarian character of refugee camps and settlements, and to take into account the particular needs of women and girls, including in their design.”

- Government agencies involved in relief efforts will be directed to mainstream gender into their assistance efforts.
- Government agencies will be directed to involve refugee and displaced women in the planning and implementation of assistance programs.
- Security forces will pay special attention to the protection and assistance needs of women and girls.

6. *Preventing and Responding to Gender-based Violence*

Article 10 of SCR 1325 “Calls on all parties to armed conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, and all other forms of violence in situations of armed conflict.”

144. Security institutions and personnel play a central role in combating gender-based violence. They need to be trained appropriately and be held accountable:

- The implementation of international, regional and national commitments concerning the elimination of gender-based violence will receive priority.
- Clear legislation and codes of conduct on the responsibility of security sector personnel for human rights violations will be established.
- Security officials will closely monitor complaints, investigate and seek punishment for human rights violations by security sector personnel, with a view to ending impunity for gender-based violence.
- Training will be offered for officials in the police forces and the judicial system to better recognize the implications of gender-based violence and to more effectively combat it.

7. *Post-conflict Rehabilitation – Truth and Reconciliation Commissions*

Article 11 of SCR 1325 “Emphasizes the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, war crimes including those relating to sexual violence against women and girls, and in this regard, stresses the need to exclude these crimes, where feasible from amnesty provisions.”

145. Successful post-conflict reconstruction and rehabilitation require a full accounting of all crimes committed during conflict:

- The government will ensure that the composition of truth commissions and special courts

is gender-balanced and will monitor their operations. For example, parliament can pass enabling legislations for the creation of such bodies and can demand a gender-sensitive process.

- A gender perspective will inform all proceedings.

8. *Peacekeeping Operations*

Article 6 of SCR 1325 “Requests the Secretary-General to provide to Member States training guidelines and materials on the protection, rights and the particular needs of women, as well as on the importance of involving women in all peacekeeping and peace-building measures, invites Member States to incorporate these elements as well as HIV/AIDS awareness training into their national training programmes for military and civilian police personnel in preparation for deployment and further requests the Secretary-General to ensure that civilian personnel of peacekeeping operations receive similar training.”

146. Peacekeeping missions are more effective when their members have received gender training and the force itself includes women in the command structure as well as in the actual force:

- The armed forces will be directed to provide women equal access to service in peace missions.
- All personnel will receive training on the rights and protection of women, including on issues related to HIV/AIDS, before going on mission.

9. *Security Sector Reform*

147. The full implementation of Resolution 1325 requires a reform of the security sector. A gender perspective has to inform the work of the security services, including police, armed forces and the intelligence services. A gender lens is essential in helping the various forces and services to develop inclusive, needs-based policies that take into account the different security needs of women and men, boys and girls.

- Oversight over the human resource and recruitment, policies, training and management of security sector institutions will be strengthened in order to ensure that security sector institutions promote the full and equal participation of women and men, operate effectively, are non-discriminatory and address gender-based insecurities.
- Mechanisms for civil society oversight of the security sector, such as public hearings will be encouraged to give voice to women and other groups that tend to be excluded from security discussions.
- All security sector personnel will have access to training on gender issues.
- Gender training for security policy makers will be emphasized, including for parliamentarians and their staff who serve on defense and security committees.

- A gender audit of proposed and existing security policies will be conducted with the help of gender experts.
- The benefits of an Ombudsperson, with special powers to oversee the integration of gender issues within defense and other security sector institutions will be considered.

10. Gender Balance – Involving Women in Decision-making

Article 1 of SCR 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.”

148. A necessary but not sufficient condition for successful implementation is the achievement of a more equal representation of women and men in decision-making:

- Increased emphasis will be given to the implementation of international, regional and national commitments in regard to the full and equal participation of women.
- An evaluation of the gender implications of the electoral system will be conducted.
- The benefits of the adoption of voluntary gender quotas by political parties will be considered.
- Measures (including quotas) will be considered to make committees dealing with security issues more gender-balanced.

149. In conclusion, the success of any National Action Plan on Security Council Resolution 1325 depends on the support it has among the primary actors responsible for implementation and the grassroots support it receives.¹⁵⁴ The media, academia, as well as non-governmental organizations play a central supportive advocacy role. Thus the elaboration of any plan has to be based on an inclusive consultation process. A plan that is not derived from broad consensus will likely fail to be implemented. Therefore, the guiding principles outlined here only serve as a discussion basis for decision-makers and civil society groups. They are offered in order to facilitate the formulation of a potential plan not to substitute for it. Further, the many practical issues that need to be given consideration in the formulation of any plan, including the crucial areas of resource mobilization and monitoring and evaluation, are highlighted in INSTRAW’s *“Securing Equality: Engendering Peace. A guide to policy and planning on women, peace and security.”*

¹⁵⁴ Some elements of this plan build on the following sources: the 2006 “Report of the Secretary General on women, peace and security;” the NGO Working Group on Women, Peace and Security, “Women’s Participation and Gender Perspectives in Security Council Resolutions;” Luciak, “Conflict and a Gendered Parliamentary Response;” and Luciak, “Parliamentary Oversight and Gender.”

