

PREVENTING CONFLICT TRANSFORMING JUSTICE SECURING THE PEACE

A Global Study on the
Implementation of United Nations Security Council resolution 1325

The Global Study on 1325 is an effort to identify the gaps and challenges to implementation of resolution 1325 (2000) and the women, peace and security agenda over the last 15 years, as well as an opportunity to identify emerging trends and priorities for action.

The Global Study explores eight critical thematic areas, and looks at key actors in monitoring and accountability for women, peace and security. The Study provides comprehensive and actionable technical recommendations and guidelines, directed at Member States, the United Nations, civil society, media and others, towards full implementation of the wider women, peace and security agenda.

THE GLOBAL STUDY ON 1325 FACT SHEET: East and Southern Africa*

WOMEN'S PARTICIPATION

Actors involved in mediation and conflict resolution remain resistant to including women. This is despite evidence showing unequivocally that women's participation contributes to the conclusion of talks and the implementation and durability of peace agreements.

There has been a substantial increase in gender-responsive language in peace agreements and the number of women, women's groups and gender experts who serve as key actors since resolution 1325. Still, in many contexts, women's official participation may be temporary or symbolic rather than substantive, and their capacity to influence may be limited or directly resisted by local cultural norms.

One of the most important findings of the Global Study is the positive effect women's involvement in peace processes has in pushing for the commencement, resumption or finalization of negotiations, particularly when momentum has stalled or talks have faltered.

The international community neglects 'track 2' negotiations at the local or regional level, where many women are already brokering peace or shoring up community resilience, in favour of 'track 1' negotiations with political and military elites that are predominantly male.

Key findings:

- Women's participation increases the probability of a peace agreement lasting at least two years by 20 per cent, and the probability of a peace agreement lasting 15 years by 35 per cent.
- The most important effect of women's engagement in peace processes is not just greater attention to gender-related elements in the deliberations and the text of peace agreements, but a shift in dynamics, a broadening of the issues discussed, increasing the chances of community buy in and addressing root causes.
- Analysis of 40 peace processes since the end of the Cold War shows that in cases where women were

able to exercise a strong influence on the process, as in the processes in Democratic Republic of Congo, Kenya and South Africa, there was a much higher chance that an agreement would be reached and implemented. In contrast, in Rwanda, where women exercised weak or no influence an agreement was reached but not implemented. In nearly all of the case studies examined, when women exerted a strong influence on the process an agreement was reached and at least partially implemented.

- Globally, peace agreements are 64 per cent less likely to fail when civil society representatives participate, yet in 15 of the 16 national dialogues examined for the Global Study, decision-making was left to a small group of male leaders.

CASE STUDY IN PARTICIPATION

Somalia: During the Kenyan led Somali peace process (2001-2005), quotas ensured that women were represented on all six reconciliation committees tasked with identifying and presenting recommendations on key causes of conflict, a crucial element of the process. Despite this involvement, their actual impact was limited as all decisions arrived at by the committees required the authorization of a leadership committee dominated by male clan leaders. In this way, the decision-making dynamics effectively muted the role of the reconciliation committees and the women in them.

Burundi: Burundian women have historically played an important role as agents of peace, thanks to their ability to initiate mediation and reconciliation processes, to bring conflicting parties together and to restart peaceful dialogue between various actors. A nationwide network of women mediators has proven effective in preventing violence at the local level, dispelling false rumors, and mitigating the impact of the ongoing political crisis on populations. This network of women mediators intervened in more than 3,000 local conflicts between January and May 2014.

Key recommendations for Member States, the UN and civil society:

- Ensure that all actors, mediators, Groups of Friends and parties to the conflict guarantee that women's participation in talks is equal and meaningful, and barriers to participation are eliminated.
- Mediate between women's organizations and dominant national political leaders, including leaders of belligerent parties, to encourage the inclusion of women in their delegations. Member states should also offer negotiating parties various incentives to do

this, including training, logistical support or adding delegate seats.

- Develop and fund a strategy of long-term support to build the capacity of women's networks to engage in political dialogue, strengthen the gender awareness of mediators, facilitators and conflict parties, address practical issues that may limit women's engagement and protect women activists from potential backlash.
- Support women's engagement and participation in preventive diplomacy and the monitoring and implementation of agreements in addition to peace talks.

PROTECTING THE RIGHTS OF WOMEN AND GIRLS IN HUMANITARIAN SETTINGS

All actors must address the full range of violations of the rights of women and girls protected by international humanitarian, refugee and human rights law, including, but not limited to, their rights to education, health, land and productive assets, and the rights of public participation, decision-making and leadership in village or community matters, which are strongly linked to women's security.

Increased attention has been paid to violence against women and girls, particularly sexual violence in conflict, resulting in greater visibility, high-level advocacy, and the development of technical tools. However, too little funding is allocated to programming and services for survivors.

Key findings:

- ALL forms of violence against women and girls increase during conflict. Women are at risk of human trafficking by organized crime; harassment, exploitation and discrimination by landlords and employers; and arbitrary arrest, detention and expulsion by authorities. In conflict contexts, particularly in refugee and IDP camps, women and girls suffer from inadequate sanitary conditions and supplies, and deficient reproductive and maternal health services.
- Over half of the world's maternal deaths occur in conflict-affected and fragile states, and the ten worst performing countries on maternal mortality are all conflict or post-conflict countries. For example, one in 16 women in Somalia is likely to die from a maternal cause.
- In conflict-affected areas, girls' net enrolment rate in primary education is 17 points below the global rate. For instance, in South Sudan, a girl is three times

likelier to die in pregnancy or childbirth than to complete primary education.

- Girls are often the last fed and first to go hungry in situations of food insecurity. Prioritizing women in food distribution is strongly correlated with greater dietary diversity and, in some cases, a 37 per cent lower prevalence of hunger. Yet, a recent assessment in North Kivu, DRC showed that only 23 per cent of IDP women and 8 per cent of returnee women were registered for ration cards.
- Women in conflict contexts are often at risk of violence on the way to and from points to collect food, water and firewood. During 2014, both in Chad and in Uganda's Nakivale refugee camp, more than 40 per cent of households reported incidents of violence during firewood collection in the previous six months, from beatings to rape and attempted rape.
- In conflict settings, discriminatory nationality laws contribute to statelessness. Currently 27 countries across the world have laws that discriminate against women in their ability to confer nationality to their children, including Burundi, Somalia and Swaziland.
- Significantly, the Global Study found that the overwhelming majority of women and girls chose not to report violence because of the shame or stigma attached, and even more so because of the lack of easily accessible services, means of safe reporting and avenues to receive help. Additionally, women and girls cite failures in being treated with dignity throughout reporting, treatment and aid processes as a further deterrent to reporting.
- Gender equality programming contributes to the operational effectiveness of humanitarian services. However, between 2011 and 2014 less than two per cent of all humanitarian programmes tracked by OCHA had the explicit goal of advancing gender equality or taking targeted action for women and girls. Many humanitarian interventions remain gender-blind and data is collected without disaggregating by sex and age.
- The Study points out that the existence of independent women's groups is the single most important factor in addressing violence against women and girls. Yet, women's organizations continue to be marginalized in the planning and implementation of humanitarian response programming.
- The Global Study documented that women in conflict-affected settings favour interventions that focus less on perpetrators and deterrence of potential perpetrators, and instead focus more on empowering

women and girls, putting them at the frontline of service delivery.

CASE STUDY IN PROTECTION

Kenya: In Turkana, Kenya, gender equality programming increased the literacy rates of boys, health outcomes among girls and women and access to water for women, men, girls, and boys, as well as leading to a greater variety of food. In addition, the inclusion of women in water and infrastructure committees resulted in women being able to influence the location, maintenance and design of water points, making women and girls 44 per cent less likely to walk more than 60 minutes each way to access drinking water.

Chad and DRC: World Food Programme case studies indicate that providing take-home rations for girls in their last two years of primary school contributed to a decrease in the frequency of early marriage.

Uganda: A 2012 randomized control trial concluded that economic strengthening programmes, when delivered in combination with social interventions, reduced Ugandan adolescent girls' reporting of 'having sex unwillingly' to almost zero.

Rwanda: Rwanda embarked on an ambitious land tenure reform programme aimed at eliminating all major forms of discrimination. In every land commission and committee responsible for parcel demarcation, adjudication, disputes and objections and issuing leases, women had to represent at least 30 per cent of the commissioners and committee members. As a result, women now have the right to deal in and inherit land, and both women and men are required to be represented during the registration of owners.

Key recommendations for Member States, the UN and civil society:

- Remove discriminatory laws and regulations that impede full equality in accessing basic rights and services during and after conflict.
- Expressly mandate that all programmes adopt and apply the Gender Marker and relevant IASC guidance on gender and gender-based violence interventions in humanitarian settings throughout the entire project cycle and require it in all funding applications.
- Increase current levels of targeted funding for women's and girls' programming to a minimum of 15 per cent.

- Ensure that women affected by humanitarian crises, including refugees, IDPs and stateless women, are supported to participate meaningfully and equally in community decision-making, leadership roles and the design, implementation, monitoring and evaluation of humanitarian interventions, while also addressing obstacles to participation.

TOWARD AN ERA OF TRANSFORMATIVE JUSTICE:

Justice must be transformative in nature, addressing not only the singular violations experienced by women, but also the underlying inequalities which render women and girls vulnerable during times of conflict and which inform the consequences of the human rights violations they experience.

The focus on impunity and perpetrators – demonstrated in positive steps taken by the ICC, national war crimes courts, and the increasing use of commissions of inquiry – must be matched by an equal focus on reparations, services and redress for victims.

While investment in informal justice systems has increased, ensuring that they deliver equal protection of rights for women and girls, this remains an under-resourced and underserved site of engagement.

Key findings:

- Charges for gender based crimes have been brought in six of the nine situations under investigation by the ICC, and in 14 out of 19 cases. However, in the three verdicts issued by the Court so far, there have been no convictions for gender-based crimes.
- Of the 122 State Parties to the Rome Statute in 2014, 95 had introduced subsequent domestic legislation that addressed violence against women.
- Surveys in conflict-affected areas reveal that women tend to be less informed and report lower levels of access to both formal and traditional justice mechanisms than men.
- Approximately 80 per cent of claims or disputes are resolved by parallel justice systems, indicating that most women in developing countries access justice in a plural legal environment.
- Evidence suggests that increasing the number of women judges and other front line justice sector officials can create more conducive environments for women in court processes and make a difference to outcomes in sexual violence cases.

- Transitional justice mechanisms are often narrow in scope and fail to adequately address structural inequalities and vulnerabilities that disproportionately affect women. For instance, transitional justice mechanisms often ignore women's experiences as secondary or indirect victims of human rights violations, and violations of economic, social and cultural rights predominantly experienced by women.
- Reparations can be an effective transitional justice mechanism, yet, they remain the least implemented and funded. Too few reparations programmes target or address the full range of violations women experience during conflicts.

CASE STUDIES IN TRANSFORMATIVE JUSTICE

Rwanda: The International Criminal Tribunal for Rwanda's Akayesu case was the first time that a defendant was convicted of rape as an instrument of genocide and as a crime against humanity. Akayesu initially went to trial without admitted evidence or charges related to sexual violence crimes, and a prosecutor that claimed it was impossible to document rape because women would not speak about it. It was only as a result of the advocacy of domestic and international women's civil society, and in particular the efforts of the sole female judge on the bench, that the charge sheet was amended to include these crimes after evidence emerged in testimony.

Somalia: Somalia is an example of a context where multiple, overlapping and sometimes contradictory legal systems, together with cultural norms, undermine women's rights. Under customary law, rape is seen as an issue to be resolved between two clans in an effort to keep the peace, protect the honour of the victim, eliminate social ostracism and ensure full dowry payments by the attacker's clan. Women may be forced to marry their attacker under customary law. In contrast, the formal law carries a punishment of imprisonment, and Islamic law imposes the death penalty for rape if the perpetrator is married, and 90 lashes if unmarried.

Key recommendations for Member States, the UN and civil society:

- Adopt a transformative justice approach to programming for women's access to justice. This includes developing interventions to challenge underlying socio-cultural norms and contexts of inequality that perpetuate discrimination against women, and enable and normalize conflict-related violations.

- Ensure that accountability mechanisms mandated to prevent and respond to extremist violence have the necessary gender expertise to do so, in light of the escalating rate of deliberate attacks by violent extremist groups on women's rights, including SGBV.
- Invest in strengthening national justice systems to investigate and prosecute international crimes, including SGBV.
- Institute specific measures to ensure the active participation of women and civil society organizations in the design, implementation, monitoring and evaluation of transitional justice mechanisms.
- Collaborate on the design and implementation of legal empowerment initiatives that build women's confidence and access to legal systems, and enable women to be active participants in navigating them.

KEEPING THE PEACE IN AN INCREASINGLY MILITARIZED WORLD:

A key message and conclusion from the Global Study is the need for a larger focus on demilitarization, and the development of effective strategies for conflict prevention and the non-violent protection of civilians.

The Global Study highlights that women's presence in the security sector has been found to significantly lower rates of complaints of misconduct, rates of improper use of weapons, as well as raise the credibility of forces, increase access to communities and vital information, and lead to a greater reporting of sexual and gender based crimes.

Implementation of the normative and institutional framework for women, peace and security are ad-hoc and remain limited in scope and scale, constrained by the systematic under-resourcing of gender-related requirements and expertise within peacekeeping budgets, and the uphill climb to tackle entrenched gender inequality in mission contexts.

Incidences of sexual exploitation and abuse perpetrated by peacekeepers continue to be reported, with resulting international attention and pressure, and it is crucial that the UN take more decisive action to address this issue once and for all.

Key findings:

- On average, only three per cent of the military in UN missions are women and the majority of women remain employed as support staff. In 2015, the percentage of female military personnel in armed forces from the top troop contributing countries to UN

field missions include: Ethiopia, 7 per cent; Rwanda, 2 per cent; and South Africa, 34 per cent.

- There are almost 7,000 international civilian staff in field missions, and less than 30 per cent are women (women are only 20 per cent of senior management positions). Women make up only 17 per cent among national staff, which contribute an even larger share of the workforce in missions.
- Out of a total of 33 benchmarks adopted by five peacekeeping missions, including UNMISS in South Sudan, none specifically referred to gender-specific issues or gender equality. Out of 105 indicators attached to these benchmarks, only five refer to gender issues, and of these, most relate to sexual violence.

CASE STUDY IN PEACEKEEPING

Rwanda: The number of women in the Rwanda Defense Forces almost tripled in ten years, and will increase even more to meet Rwanda's target that at least 30 per cent of their peacekeepers are women.

Key recommendations for Member States, the UN and civil society:

- Set specific targets for the improved recruitment, retention and promotion of women in armed forces and in the leadership of security institutions.
- Ensure that every soldier deployed is thoroughly vetted, trained and held accountable for their actions, including when they abuse or exploit women and girls.
- Commit to doctrines and planning that takes into account the impact on women and girls of every military deployment and operation, and that considers the use of unarmed military protection as a preferable or complementary protection method.

BUILDING INCLUSIVE AND PEACEFUL SOCIETIES IN THE AFTERMATH OF CONFLICT:

Women in conflict-affected and recovering countries lack economic opportunities necessary for survival, remain confronted by daily violence in their homes and communities, struggle to cope with heavy burdens of care and dependency, and continue to endure the emotional and physical scars of conflict, without support or recognition. In the aftermath of conflict, violence against women often increases, underlining the importance of rebuilding rule of law institutions.

Experience and evidence show that women are more likely to spend their incomes on family needs, including health care and education, thus making a proportionately larger contribution to post-conflict social recovery. Women's participation in peacebuilding efforts are instrumental to building a stronger and more durable peace and lowering the risk of conflict relapse

More investment is needed to achieve gender parity in local governance structures, as well as in the design, monitoring and evaluation of public service programs.

Peacebuilding initiatives must include long-term development strategies that benefit women and girls from the grassroots level, building their capacity for individual and collective action. In addition, initiatives must address the physical and emotional trauma, insecurity and violence that women and girls continue to experience after a peace agreement is reached, as these ongoing experiences remain obstacles to their participation in peacebuilding efforts.

15 per cent in countries without quotas. Interestingly, several of the countries with the highest representation of women globally are those emerging from conflict, including: Angola, Burundi, Mozambique, Rwanda and South Sudan.

- The percentage of women entering DDR programmes has increased significantly, but there is no available data on the proportion of benefits received by women or on the differences in quality and coverage of benefits.

Key recommendations for Member States, the UN and civil society:

- Ensure that all local level peacebuilding efforts are preceded by mapping exercises to ascertain which programmes are relevant for communities affected by war, and which will most effectively empower women. There should not be a one size fits all policy.
- Design, implement and monitor economic recovery programmes and macroeconomic policies in a gender-responsive manner, and evaluate them for their impact on women's economic security.
- Adopt legislative and policy measures to eliminate discrimination against women in political and public life and to ensure that women have equal opportunities to participate in post-conflict structures of governance.
- Provide women and girls with identity documents as a matter of priority during and after conflict, in order to register to vote, access land and claim social services and benefits.
- Adopt service delivery measures that specifically target women and take into account the often disproportionate burden that women face in caregiving responsibilities.
- Provide leadership capacity-building opportunities for national and local women leaders.

Key findings:

- Conflict-affected communities that experienced the most rapid economic recovery and poverty reduction are those that had more women reporting higher levels of empowerment. For example, in Rwanda, initiatives to increase women farmers' leadership in farmers' collectives, and their access to extension services, led to an increase in production yield, thus making a greater contribution to national food security, and increasing the women's status within the community.
- Data from 40 countries shows a positive correlation between the proportion of female police and reporting rates of sexual assault.
- By July 2015, in conflict and post-conflict countries with legislated electoral quotas, women represented almost 23 per cent of parliamentarians, compared to

PREVENTING CONFLICT:

States that have lower levels of gender inequality are less likely to resort to the use of force. Stronger recognition is required of the influence of gender norms, gender relations, and gender inequalities on the potential for the eruption of conflict.

The women, peace and security agenda is about ending and preventing conflict, not about making conflict safer for women. However, in the push to implement 1325, some of the key demands of women's movements have been left out, including: reducing military spending, controlling arms, promoting non-violent conflict resolution and fostering a culture of peace.

Prevention requires both a short-term approach that includes women's participation and the incorporation of gender based violations within early warning mechanisms, as well as longer-term structural approaches to address the root causes of conflict, including inequality, and new sources of conflict, such as the impacts of climate change.

Key findings:

- In 2014, violence had a global cost of 13.4 per cent of world GDP—USD 14.3 trillion, and the world's global military spending was estimated at USD 1.8 trillion, some 2.4 per cent of the global GDP.
- The value of the global trade in small arms and light weapons almost doubled between 2001 and 2011, from USD 2.38 billion to USD 4.63 billion.
- While global spending on public education amounts to 4.6 per cent of global GDP, massive funding gaps remain on broad human security needs and measures, particularly women's and girls' empowerment, reproductive health and rights, health and education.
- Recent large-scale research projects show that the security of women is one of the most reliable indicators of the peacefulness of a state.
- A gender-sensitive analysis of conflict can reveal otherwise unseen conflict drivers and triggers. Women's participation in conflict analysis and early warning processes is key to strengthening the effectiveness, comprehensiveness and accuracy of these analyses. Women can help identify changing dynamics in grassroots, familial and community level relations that may contribute to national level tensions.

Key recommendations for Member States, the UN and civil society:

- Meet all Sustainable Development Goals, including goal 5 on gender equality, goal 10 on reducing inequalities within and among countries and goal 16 on peaceful inclusive societies.
- Adopt gender-responsive budgeting practices, including through consultation with civil society, as a strategy to address, highlight and mitigate militarized state budgets and their destabilizing impact on international peace and security and women's rights.
- Provide financial, technical and political support to encourage educational and leadership training for men, women, boys and girls, that reinforces and supports non-violent, non-militarized expressions of masculinity.
- Include women's participation, gender-responsive indicators and sexual and gender-based violence related indicators in all early-warning processes, conflict prevention and early-response efforts, with links to official channels for response at the local, national, regional and international level.

COUNTERING VIOLENT EXTREMISM:

Across regions, a common thread shared by extremist groups is that in every instance their advance has been coupled with attacks on the rights of women and girls—rights to education, participation in public life and autonomous decision-making over their own bodies.

Counter-terrorism and CVE overlook the spectrum of roles that women play in both preventing and participating in violent extremism. The women, peace and security agenda provides a framework for a demilitarized and preventive response to terrorism and violent extremism, and several recent international mandates acknowledge this correlation.

Women are impacted by counter-terrorism tactics: securitization can increase women's insecurity. For example, stricter banking procedures and donor policies can negatively and disproportionately impact women's organizations. As such, women are 'squeezed' between terrorism and counter-terrorist responses.

Key findings:

- Women are not only victims but have long been involved with groups engaged in violent extremism, Such involvement includes the perpetration of

violence, gathering intelligence, serving in women's wings or female brigades of armed organizations or as sympathizers, mobilizers and support systems providing healthcare, food and safe houses to violent extremists. It is necessary to recognize women's agency in their participation in violent extremist groups or causes when developing or implementing programming or policies to counter violent extremism.

- Recent studies have documented that many women are drawn to extremist groups for the same reasons as men, including adventure, inequality, alienation and the pull of the cause.
- Women have an essential role to play in countering violent extremism. Mothers organizing to de-radicalize children, women police officers engaging with local communities to prevent violent extremism and female imams preaching religious tolerance are but a few examples.

Key recommendations:

- Protect women's and girls' rights at all times and ensure that efforts to counter violent extremism strategies do not stereotype, instrumentalize or securitize women and girls.
- Build the capacity of women and girls, including mothers, female community and religious leaders and women's civil society groups, to engage in efforts to counter violent extremism in a manner tailored to local contexts.
- Ensure gender-sensitive monitoring and evaluation of all counter-terrorism and countering violent extremism interventions through the use of gender-related indicators and the collection of sex-disaggregated data. Evaluations should specifically explore the impact counter-terrorism and CVE interventions have on women and girls.

***East and Southern Africa Region includes:** Angola, Burundi, Democratic Republic of the Congo, Ethiopia, Kenya, Lesotho, Malawi, Mozambique, Namibia, Rwanda, Somalia, South Africa, South Sudan, Swaziland, Tanzania, Uganda, Zambia and Zimbabwe.