Moving Beyond Rhetoric: Assessing the Impact of Resolution 1325

By Maureen Shaw May 2010 The effects of armed conflict on civilians are often devastating, leaving survivors to suffer both short- and long-term consequences. However, these consequences are not experienced uniformly; the gendered nature of conflict is well documented, with women accounting for the vast majority of those affected adversely primarily because of their sub-par status in societies. Regardless of locale, women are exploited and discriminated against to greater degrees than their male counterparts during times of conflict and are almost categorically excluded from the negotiation processes that influence post-conflict outcomes.

Given this global context, what is the international community doing to address the gendered adversity women face during and immediately post-conflict? Are these efforts adequate and effective, or are they insufficient to meet the challenges on the ground?

This paper explores efforts undertaken by the United Nations to recognize and tackle the gendered nature of conflict and women's roles in peace and security. Specifically, I will examine UN Security Council resolution 1325 (hereafter SCR 1325), which is the cornerstone of the international community's commitment to women, peace and security. I argue that although SCR 1325 is a watershed decision that takes into account women's undervalued contributions to building peace and sustainable security, it has yet to reach its full potential, as implementation remains problematic.

The first section of this paper provides a brief overview of the changing nature of war and women's distinct experiences in conflict, followed by a discussion of the aforementioned Security Council resolution and how it aims to address women's experiences during and post-conflict. The third, and final section, analyzes the impact of SCR 1325 and the various obstacles to its global implementation.

## The Changing Nature of War & Women in Conflict

While a thorough analysis of the changing nature of war is beyond the scope of this paper, a brief discussion is warranted. Evolutions in the way war is waged have a direct impact on women in conflict-affected areas and influence the international community's understanding of and response to war.

Today's conflicts tend to be internal and transnational by nature, and while often rooted in historical disputes, are triggered by economic factors and the proliferation of arms (Naraghi-Anderlini 11). War is no longer the exclusive domain of predominately male, state-sponsored and easily identifiable actors, but is undertaken by warlords, drug dealers, non-state actors, disenfranchised youth and political ideologues (Naraghi-Anderlini 12). Likewise, the lines between government and non-government forces are not always clear; mercenaries, rebels and militias are often used to supplement weak national forces.

<sup>&</sup>lt;sup>1</sup> See the Beijing Declaration and Platform for Action (1995), UN Security Council Resolution 1325 on Women, Peace and Security (2000), UN Security Council Resolution 1820 (June 2008), UN Security Council Resolution 1888 (September 2009).

Civilians also increasingly bear the brunt of armed conflict, versus organized fighting factions, accounting for nearly 90 percent of casualties today (Plumper and Neumayer 7).

As conflict adapts, so does the international community's response to it. Humanitarianism is now an accepted – albeit sometimes contested – motivation for international action. There has also been increasing recognition of the links between development and security, and growing awareness of the need to address human security issues in the context of international peace and security discourse, as illustrated by the focus on strategies for conflict prevention drawing on development and human security issues, and the UN Security Council's willingness to address issues such as humanitarian assistance, and women and children in situations of armed conflict under its mandate of peace and security (Naraghi-Anderlini 12).

In the midst of these changes, women have increasingly become strategic targets for both direct and indirect violence during and immediately post-conflict, including as refugees and displaced persons. Widespread and systematic violence, particularly sexual violence, against women in conflict is used as a weapon to achieve military objectives, including ethnic cleansing, breaking the resistance of communities, intimidation and to reward soldiers, among others. Women endure rape, torture, mutilation, forced pregnancy and prostitution, to name but a few examples of direct, gender-based violence exacerbated by conflict. Women also suffer indirect forms of violence. For example, when villages are raided, women are often driven from their homes and displaced, losing adequate access to essentials, such as medical care, education and even basic sustenance.

However, it is over simplistic to assume that women are merely victims during conflict situations. Conflict distorts traditional gender roles, bringing harsh pressures to bear upon women's central role as the provider of physical and emotional sustenance for both children and the elderly (Summerfield 165). In the aftermath of conflict, more than 50 percent of households are headed by women, often a result of their husbands and sons being killed (Naraghi-Anderlini 12). As such, women spend a significant amount of time diversifying their livelihood strategies during conflict situations. For example, they wash diamonds, smuggle drugs, farm crops for insurgents, sell food to insurgents and government forces alike, and act as porters for rebels (Thompson 348). In other words, they are an integral part of the political economy and the financing of war.

There is an assumption that women's increased economic responsibilities during conflict can lead to their empowerment and with that, the possibility of exerting greater leverage in decision-making and political participation (El-Bushra 252). While this may happen in individual cases, gains tend to be temporary and carry with them the threat of backlash upon the cessation of conflict. Indeed, women are frequently sent "back" to the kitchen or fields, facing marginalization as they did prior to the onset of conflict. Even if women embrace their temporary improvements as brief moments of liberation from an "old" social order, the fact remains that changes in gender roles at the micro – or household level – have

not been accompanied by corresponding changes at the macro – or organizational – level. In many cases, the return to "peace" for women often means a "return to the status quo where women are systematically excluded from structures of power, or where abuses of women's rights, particularly gender-based violence, remain intricately woven into the fabric of everyday life" (Lynes and Torry viii).

While conflict may "create some space to make a redefinition of social relations possible, in so doing it seems to rearrange, adapt or reinforce patriarchal ideologies rather than fundamentally alter them" (El-Bushra 261). This is precisely where SCR 1325 attempts to make a difference – to not only ensure the protection of women in conflict, but to also modify existing power structures by increasing women's meaningful participation in decision-making and peace processes.

# Integrating Women in the UN's Peace and Security Agenda

In 2000, the UN Security Council adopted resolution 1325, a "landmark decision in raising awareness of the impact of armed conflict on women and girls and in acknowledging the vital role of women's agency in conflict resolution and peace-building" (Hudson 786). SCR 1325 was a victory for those who had lobbied hard for it, such as the NGO Working Group on Women, Peace and Security<sup>2</sup>, as it represented the first time the UN Security Council had formally decided on a gender issue, "setting a new threshold of action for the Security Council, the UN system and for governments" (Hudson 786).

This is not to say that SCR 1325 represents the sole UN effort to address gender, and in particular gender and conflict. Rather, its conceptual roots are grounded in the Beijing Declaration and Platform for Action. This document, adopted at the UN Fourth World Conference on Women in 1995, is heralded as one of the most influential instruments for women's rights – one that dealt with the impact of armed conflict as an emerging issue that required the international community's attention. Not only does it recognize that "grave violations of the human rights of women occur, particularly in times of armed conflict, and include murder, torture, systematic rape, forced pregnancy and forced abortion, in particular under policies of 'ethnic cleansing'," but it also calls for women's participation in power structures:

The equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the maintenance and promotion of peace and security. Although women have begun to play an important role in conflict resolution, peace-keeping

<sup>&</sup>lt;sup>2</sup> The NGO Working Group on Women, Peace and Security (NGOWG) is a consensus-driven coalition that advocates for the equal and full participation of women in all efforts to create and maintain international peace and security. Formed in 2000 to call for a Security Council resolution on Women, Peace and Security, the NGOWG now focuses on implementation of all Security Council resolutions that address this issue. For more information on the NGOWG, visit <a href="http://womenpeacesecurity.org">http://womenpeacesecurity.org</a>.

and defence and foreign affairs mechanisms, they are still underrepresented in decision- making positions. If women are to play an equal part in securing and maintaining peace, they must be empowered politically and economically and represented adequately at all levels of decision-making.<sup>3</sup>

From this point forward, the issue of women with regards to peace and security remained on the Security Council's agenda. However, coordination within the UN system proved lacking, which propelled various non-governmental organizations (NGOs) to convene and push for greater inclusion and participation of women. In 2000, Secretary-General Kofi Anan convened a high-level panel to conduct a thorough review – known as the Windhoek Declaration<sup>4</sup> – of UN peace and security activities. This review affirmed what NGOs had been asserting: that although there was plenty of rhetoric on women in the UN system, women had been denied their full role in peacekeeping efforts and the gender dimension in peace processes had not been adequately implemented (Hudson 789). The Namibia plan of action followed in June 2000, which made specific recommendations on "the mainstreaming of gender perspectives in peace operations and their mandates, negotiations, leadership, recruitment, structure, training, monitoring and evaluation" (Hudson 789). The synergy between NGOs, governments and the UN that resulted from these reviews culminated in the Security Council's two-day opening meeting in October 2000 that was dedicated to the issue of women, peace and security. What followed was the unanimous adoption of SCR 1325 on October 31.

SCR 1325 is a multi-faceted document that covers several aspects of women's rights with regards to peace and security. It specifically addresses the impact of war on women<sup>5</sup> and affirms women's contributions to conflict resolution and sustainable peace.<sup>6</sup> It also formally acknowledges women's rights

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<sup>&</sup>lt;sup>3</sup> See paragraph 134. The Beijing Declaration and Platform for Action is available for download at <a href="http://www.un.org/womenwatch/daw/beijing/platform/">http://www.un.org/womenwatch/daw/beijing/platform/</a>.

<sup>&</sup>lt;sup>4</sup> The full text of the Windhoek Declaration is available for download at <a href="http://www.un.org/womenwatch/osagi/wps/windhoek\_declaration.pdf">http://www.un.org/womenwatch/osagi/wps/windhoek\_declaration.pdf</a>

<sup>&</sup>lt;sup>5</sup> See preamble: *Expressing* concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict, including as refugees and internally displaced persons, and increasingly are targeted by combatants and armed elements, and recognizing the consequent impact this has on durable peace and reconciliation

<sup>&</sup>lt;sup>6</sup> See preamble: *Reaffirming* the important role of women in the prevention and resolution of conflicts and in peace-building, and *stressing* the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution

to participate in all aspects of conflict prevention and resolution, and peace-building; women's right to protection from violence; <sup>7</sup> and the need to end impunity for conflict-related violence against women. <sup>8</sup> The resolution also calls upon all actors involved in negotiating and implementing peace agreements to take into account the special needs of women and girls during resettlement, rehabilitation, reintegration and post-conflict reconstruction. <sup>9</sup> This is particularly important, as women's distinct needs – particularly those of female ex-combatants, refugees and survivors of sexual violence – are too often de-prioritized during these efforts, or are even viewed as detrimental to securing a peace agreement. The Secretary-General is also assigned specific responsibilities, including appointing more women as special representatives and envoys, <sup>10</sup> expanding the role of women in UN field-based operations, <sup>11</sup> and providing Member States with training on the protection, rights and needs of women. <sup>12</sup> Finally, the resolution calls for reports on gender mainstreaming in peacekeeping missions, although no reporting timeline is delineated, as in other resolutions.

Gender mainstreaming is one of two key policies endorsed in SCR 1325; the other is gender balance. What do these terms mean, and why are they significant? Gender balance refers to ensuring that women are included "throughout all processes for decision making, policy making and operationalizing measures for post-conflict peace-building" (Chinkin and Charlesworth 939). Although in the same vein as gender balance, gender mainstreaming goes a step further by assessing the implications of public policy on women and ensuring that a gender perspective is integrated into every policy consideration, whether it is the "design of a public information campaign, the creation of an advisory body, a draft law, or devising reporting guidelines and priorities" (Chinkin and Charlesworth 940). Particularly noteworthy is the context of gender mainstreaming in SCR 1325; although gender mainstreaming has officially been on the

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<sup>&</sup>lt;sup>7</sup> See OP10: *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

<sup>&</sup>lt;sup>8</sup> See OP11: *Emphasizes* the responsibility of all States to put an end to impunity and to prosecute those responsible for genocide, crimes against humanity, and war crimes including those relating to sexual and other violence against women and girls, and in this regard stresses the need to exclude these crimes, where feasible from amnesty provisions

<sup>&</sup>lt;sup>9</sup> See OP8, 8a: *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

<sup>&</sup>lt;sup>10</sup> See OP3: *Urges* the Secretary-General to appoint more women as special representatives and envoys to pursue good offices on his behalf, and in this regard calls on Member States to provide candidates to the Secretary-General, for inclusion in a regularly updated centralized roster

<sup>&</sup>lt;sup>11</sup> See OP4: *Further urges* the Secretary-General to seek to expand the role and contribution of women in United Nations field-based operations, and especially among military observers, civilian police, human rights and humanitarian personnel

<sup>&</sup>lt;sup>12</sup> See OP6: *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...

UN's agenda since 1997<sup>13</sup>, this resolution represents the first time it is incorporated on the armed conflict and security side of the UN (Cohn 2). Ideally, these two policies work together to promote gender equality internationally at all levels – in research, legislation, policy development and in activities on the ground – and to ensure that women, as well as men, can influence, participate in and benefit from development efforts.

Realistically, however, peace building operations have not lived up to these expectations set forth in SCR 1325. According to Chinkin and Charlesworth, gender mainstreaming is "rarely explicitly included among the designated functions of transnational authorities or international agencies, other than a general provision to the effect that account be taken of the needs of women as victims of conflict" (940). This is problematic, in that it frames women as victims, not as agents who can contribute to peace building efforts. Furthermore, this type of commitment draws attention to women's needs without specifying how to actively address them or offering guidance on who is responsible for doing so. Nevertheless, the recognition of the need for gender mainstreaming has lead to gender issues being taken into account throughout today's peace and security discourse (Hudson 790).

Returning to the question of why gender mainstreaming and gender balance matter, both policies ensure that women's distinct experiences during armed conflict situations are heard and that their proposed solutions – which are typically more constructive, inclusive and sustainable (Hudson 792) – are brought to the negotiating table. Both men and women bring positive and negative influences to peace talks, and the process of reconstructing a conflict affected society requires both perspectives.

Incorporating perspectives from both genders into peace processes will ideally make them more reflective of the societies with which they are working, hopefully leading to a better chance of sustainable peace.

According to Donna Marshall of the United States Institute of Peace, "the resulting benefit of women's empowerment is the potential reduction of violent conflict and the willingness to explore other, more peaceful means of conflict prevention, management and resolution" (quoted in Hudson 793).

Gender mainstreaming and gender balance are powerful concepts on paper, but how does their implementation measure up? Are more women filling seats at negotiating tables and in peacekeeping operations since the passage of SCR 1325, or has the resolution fallen on deaf ears?

## Assessing the Impact of SCR 1325

As with any international policy, assessing the impact of SCR 1325 begs several questions and requires an examination of both its successes and challenges. One set of questions is aimed at the UN itself. For example, have there been organizational changes – both at headquarters and in the field – as

<sup>&</sup>lt;sup>13</sup> The 1997 ECOSOC Agreed Conclusions emphasize the need to incorporate gender perspectives into the mainstream of all areas of the United Nations' work (Cohn 2).

called for in the resolution? Are more women included in peace negotiations? Are there mechanisms in place to monitor and facilitate change? Another set of questions deals with parties outside of the UN system: has the resolution made a substantial difference to women on the ground? Can it be used by local women's groups to organize, lobby and take political action? And finally, do the challenges to implementation outnumber actual successes?

With regards to SCR 1325's impact on the UN, let us first compare the resolution's call for increased participation of women in the UN to actual, documented progress. As previously mentioned, the resolution calls upon the Secretary-General to increase the number of women in decision-making positions within the UN system. It is important to note, however, that no actual quotas or timelines were given, which is concerning; with no concrete benchmarks, comprehensive analyses of progress are difficult to assess. Nonetheless, a 2008 report<sup>14</sup> by the Secretary-General sheds some light on the representation of women throughout different levels in the UN:

The representation of women in the Professional and higher categories in the entities of the United Nations system increased by 1.5 per cent, from 36.9 to 38.4 per cent, during the three-year reporting period [December 2004 – December 2007]. Better results were achieved at the D-1 level and above, with the representation of women at these levels increasing by nearly 1 per cent per year during the same three-year period. Women constituted 27 per cent of staff as at 31 December 2007 compared to 23.7 per cent as at 31 December 2004 at the D-1 level and above. A small increase of 1.1 per cent was registered in the P-1 to P-5 levels categories, with women constituting 39.6 per cent of staff in December 2007 as compared to 38.5 per cent in December 2004. The largest increase of 3.1 per cent occurred at the P-5 level, where women constituted 30.9 per cent of staff in 2007. Even though the percentage of women at the P-1 and P-2 levels decreased, gender balance was maintained as representation had exceeded 50/50 at those levels. (OP 5)

Although this data indicates that some progress, albeit marginal, has been made regarding women's participation in the UN, perhaps more telling is the admission that gender balance – one of two main gender policies put forth in SCR 1325 – remains lacking: "Of the 31 United Nations entities that provided data, only 2 achieved overall gender balance among Professional staff in 2007, while 7 entities had less than 30 per cent women on their staff in 2007" (OP 6). Further, the report notes that "gender imbalance remained most striking in senior positions. Recruitment and selection processes frequently disadvantage women, and the more senior the position, the greater the disadvantage" (OP 40).

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 $<sup>^{14}</sup>$  See Improvement of the status of women in the United Nations system, available at  $\underline{\text{http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N08/510/93/PDF/N0851093.pdf?OpenElement}}$ 

With regards to increased participation of women in the field, a comparison of gender statistics<sup>15</sup> from the UN Department of Peacekeeping Operations (DPKO) reveals a larger increase in women's participation in the field, compared to that at UN headquarters. For example, the peacekeepers<sup>16</sup> currently deployed worldwide include 86,816 males and 2,069 females. Comparatively, in August 2006, the UN's peacekeeping missions globally included 65,555 males and 1,235 females. This indicates a nearly 60 percent increase in the number of women participating in the field in less than four years. While certainly an improvement, women are still severely underrepresented in the field; women currently only constitute 2.3 percent of total peacekeeping operations.

Similarly, a brief analysis of women's participation in peace processes is dismal. Based on data from UNIFEM<sup>17</sup>, the number of women who served as signatories (2.13 percent), mediators (3.17 percent), witnesses (4.59 percent) and negotiators (7.14 percent) during Post-Conflict Needs Assessments (PCNA)<sup>18</sup> from 1992 to 2008 is further indication that SCR 1325's implementation in the field is lacking. Particularly startling is the fact that until 2008, *zero* percent of mediators were women.

These statistics – from UN headquarters, peacekeeping missions and PCNAs– comprehensively point to the fact that women's participation continues to face serious impediments by the very system that advocates for it. Arguably, these obstacles are enabled by the lack of mechanisms in place to monitor and facilitate SCR 1325's implementation. Currently, there is no entity responsible for tracking women's participation in peace negotiations. However, the United Nations Task Force on Women Peace and Security has constituted the Technical Working Group on Global Indicators for SCR 1325 (TWGGI) to systematically review all existing indicators being used to track the resolution's enforcement and propose a short list of indicators to monitor its global implementation. On 12 March 2010, the NGO Working Group on Women, Peace and Security, UNIFEM and the Office of the Special Advisor on Gender Issues (OSAGI) convened an NGO consultation on indicators to report on and discuss TWGGI's preliminary work. Conceptually, the proposed short list of indicators focus on four pillars – Protection, Participation, Prevention, and Relief and Recovery – and will be tracked by both UN entities (as yet to be determined) and Member States. After collecting more than 150 comments and suggestions from NGOs around the world, TWGGI submitted a draft report for consideration by the Secretary-General in March. On 27 April

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<sup>&</sup>lt;sup>15</sup> DPKO's website lists gender statistics for currently peacekeeping missions dating from August 2006 to March 2010. As such, my comparison is admittedly limited – ideally I could compare stats from October 2000, when SCR 1325 was passed, to today. <a href="http://www.un.org/en/peacekeeping/contributors/gender.shtml">http://www.un.org/en/peacekeeping/contributors/gender.shtml</a>

<sup>&</sup>lt;sup>16</sup> This includes both military experts and troops.

<sup>&</sup>lt;sup>17</sup> This data was presented by Anne Marie Goetz, Chief Adviser of Governance, Peace and Security for UNIFEM on 12 March 2010 at a meeting discussing the development of indicators to track SCR 1325.

<sup>&</sup>lt;sup>18</sup> The PCNAs included in the analysis are El Salvador (1992), Croatia (1995), Bosnia (1995), Guatemala (1996), Northern Ireland (1998), Indonesia (1999), Burundi (2000), Papua New Guinea (2001), Macedonia (2001), Afghanistan (2001), Somalia (2002), Cote d'Ivoire (2003), DRC (2003), Liberia (2003), Sudan (2005), Darfur (2006), Nepal (2006), The Philippines (2007), DRC – North Kivu (2008), DRC – South Kivu (2008), Uganda (2008), Kenya (2008) and Central African Republic (2008).

2010, Secretary-General Ban Ki-Moon released his report, which includes 26 proposed indicators. A Presidential Statement delivered by Japan<sup>19</sup> iterated the Security Council's support of the indicators, stating that "The Security Council expresses its intention to take action on a comprehensive set of indicators on the occasion of the 10th anniversary of its resolution 1325 (2000) in October 2010, for use at the global level to track implementation of resolution 1325 (2000)."<sup>20</sup> It is hoped that the Security Council will, following broad consultations with Member States and civil society organizations, adopt the proposed indicators – ideally by the tenth anniversary of SCR 1325 in October – and promptly begin piloting them.

The shortlist of indicators offer hope that the impact of SCR 1325 will be better monitored and implemented both at the UN level and on the ground. Until more statistics are available through a monitoring mechanism, however, one must rely on more anecdotal communications to gauge how the resolution has affected women regionally. Consider the following successes<sup>21</sup>:

- After women from the Democratic Republic of the Congo (DRC) learned of SCR 1325 from UNIFEM, they wrote a memorandum to their government, informing officials that as signatories to the resolution, they must move beyond rhetoric and implement it. For two years, they lobbied extensively for SCR 1325's implementation in the DRC, both nationally and internationally. When the UN peacekeeping mission (MONUC) arrived in the DRC in 2000 without a gender component, women lobbied the director of the mission for a gender office and perspective in the mission. Since a Gender Advisor became a part of the mission in March 2002, the women have been working closely with her on projects, such as translating SCR 1325 into the four official languages in DRC and strategies for inserting a gender perspective into all levels of the government.
- Women in Kosovo have translated SCR 1325 into local languages and have also translated it out of "UN language" into more accessible terms. Among their many initiatives, they negotiated with a women's group in Italy to receive some financial support from the UN to sponsor nearly two dozen television shows explaining the resolution. They also organized several roundtables, not only in Kosovo but also in Macedonia and Albania, and built a network around the resolution.
- Women from Melanesia have formulated a plan of action to implement SCR 1325 at local, regional and national levels. They have established women's community media as a way to

<sup>&</sup>lt;sup>19</sup> Japan held the presidency of the Security Council for April 2010.

<sup>&</sup>lt;sup>20</sup> See S/PRST/2010/8 available online at <a href="http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/331/57/PDF/N1033157.pdf">http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/331/57/PDF/N1033157.pdf</a>?OpenElement

These, and additional stories of success, can be found in Carol Cohen's paper for the Boston Consortium,

<sup>&</sup>quot;Mainstreaming Gender in UN Security Policy: A Path to Political Transformation?"

spread information, and to make SCR 1325 a reality at the community level. They have also established a quarterly regional magazine, *FemTalk 1325*, to highlight women and peace initiatives in the Pacific region as well as increase awareness of the implementation of resolution.

Despite the fact that SCR 1325 was not intended to be an organizing tool for women's movements – rather, it "was shaped as an intervention in the functioning of a global governance institution" and primarily addresses actions to be taken by different actors within the UN system, as well as by Member States (Cohn 6) – it nonetheless has proven valuable for grassroots organizing and advocacy.

However, local successes with implementing SCR 1325 have not yet translated into widespread international implementation; several obstacles stand in the way of its successful enforcement, both organizational and cultural in nature. Ironically, one of the biggest obstacles lies in the resolution's very structure. By being anchored in the UN system, SCR 1325 does not accommodate stakeholders that fall outside the Member States (Global Justice Center 1). This is particularly problematic given SCR 1325's reliance on Member States for implementation. For example, states like Burma – one of the worst violators of international law – do not comply with the UN in general and are therefore excluded from UN enforcement mechanisms. Women, then, remain excluded from decision-making roles and women's movements must operate from exile, leaving them outside the reach of SCR 1325 compliance networks (Global Justice Center 2).

Another instance in which Member States may prevent the resolution's full implementation centers on claims of cultural relativity. The 2005 Iraq Constitution is a good example of this tension, as it pits women's rights against the country's religious culture. Although the constitution includes references to women's rights, it also proclaims Islam as the country's official religion and basic source of law, invalidating any other laws deemed inconsistent with Islam. This ultimately means that, as Chinkin and Charlesworth point out, "the interpretation of women's right will rest with religious judges and their protection will thus remain precarious" (945). Indeed, during a Security Council meeting marking the fifth anniversary of SCR 1325, Iraqi women said, "We ... record our reservation to the constitution because the bulk of the document is aimed at weakening state power and laws and will instead benefit religious, sectarian, tribal and regional establishments. Hence it will consolidate stereotypical images of women and will subordinate universal human and women's rights" (quoted in Chinkin and Charlesworth 945).

The prevalence of gender-based violence in post-conflict transformation poses another obstacle in the way of SCR 1325's successful implementation; violence against women continues to be a problem for women in peace-building. As Chinkin and Charlesworth explain, gender-based violence "can be the product of post-traumatic stress, or of the need for men to reassert control in their households, which had

been headed by women during the war, or of the sense of men facing dislocation and unemployment on return" (946). Furthermore, the disbandment or destruction of communities during conflict situations may eradicate any social structures that might have offered a buffer against this type of violence. To be sure, violence against women in post-conflict situations is not limited to the household. The very security forces meant to protect women can pose physical security threats to women on the ground. International workers can – and do, as in the case of UN peacekeepers in the Democratic Republic of the Congo<sup>22</sup> – create the potential for violence against women, including sexual exploitation, trafficking and prostitution. Unfortunately, gender-based violence is rarely understood to be a threat to peace-building and as such, is rarely given due consideration in peace negotiations or agreements.

### Conclusion & Recommendations

Given the bevy of challenges facing both U.N. actors and women on the ground, it is clear that SCR 1325, although a milestone in the international community's recognition of women's unique experiences in conflict and substantive peace building capacity, has not reached its full potential. It will remain a document without teeth, so long as women are prohibited from assuming decision-making roles – at the international, national and regional levels – and Member States are not held accountable for thwarting their responsibilities to protect women's rights.

That said, there are several practical steps that the UN can take to encourage the full implementation of SCR 1325. These include:

- Adopt a strong, comprehensive set of indicators by the 10<sup>th</sup> anniversary of SCR 1325 and begin pilot programs
- Impose sanctions on Member States that repeatedly violate SCR 1325 and/or make country funding conditional on compliance
- Require all country reports to include progress on implementing SCR 1325
- Remove any possibility of amnesty for crimes of sexual or gender-based violence during peace negotiations
- Employ a quota for women involved in peacekeeping missions and peace negotiations
- Continue to regularly report on the status of women within the UN system

The upcoming 10<sup>th</sup> anniversary of SCR 1325's adoption provides ample opportunity for the Security Council, as well as Member States, to make meaningful progress towards implementing the resolution on

<sup>&</sup>lt;sup>22</sup> In 2004, media reports began to circulate regarding sexual exploitation of Congolese women and children by UN personnel. See Letter dated 9 February 2005 from the Secretary-General addressed to the President of the Security Council, available at <a href="http://www.un.org/ga/search/view\_doc.asp?symbol=S/2005/79">http://www.un.org/ga/search/view\_doc.asp?symbol=S/2005/79</a>.

a wide scale. It is of the utmost importance that the next decade be one of accountability to ensure that the international community moves beyond rhetoric and makes SCR 1325 a reality for women everywhere.

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