

## **Women, Peace, and Security Act of 2017: Codifying Commitments from the U.S. National Action Plan**

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Though women around the world are profoundly and disproportionately affected by violent conflict, both during and in the often-amorphous post-conflict period, there is a global recognition that all must work to ensure meaningful inclusion and participation of women in the prevention, mitigation, and resolution of violent conflict. Such a recognition has yielded over the years numerous national and international conferences, commitments, resolutions, and initiatives, such as the Women, Peace, and Security National Focus Points Network, the United States Global Peace Operations Initiative (GPOI), and United Nations Security Council Resolution 1325 (and subsequent resolutions). In May 2017, U.S. Senator Jeanne Shaheen (D-NH) introduced the “Women, Peace, and Security Act of 2017” (S. 1141). Republican Senators Marco Rubio (FL) and Shelley Moore Capito (WV), and Democratic Senators Chris Coons (DE) and Ben Cardin (MD) also co-sponsor the bill. This bill would require that the goals and objectives of the United States Action Plan on Women, Peace, and Security are integrated into future U.S. foreign policy decisions.

One of the key foundations of the global women, peace, and security movement is national action plans. President Obama released the United States National Action Plan on Women, Peace, and Security in 2011, updating it again in 2016 before he left office. According to the 2016 National Action Plan, the United States has advanced the participation of more than 60,000 women in peacebuilding processes; however, women continue to represent minimal percentages of mediators, witnesses, signatories, and negotiators in peace processes. Supporters of the “Women, Peace, and Security Act” want the United States to take the lead in promoting women’s participation. Much like the National Action Plan, S. 1141 is intended to “ensure that the United States promotes the meaningful participation of women in mediation and negotiation processes seeking to prevent, mitigate, or resolve violent conflict.” This bill recognizes that women in post-conflict regions have achieved successes in stabilizing societies and moderating violent extremism, for example. Importantly, this bill also recognizes an emphasis on reporting, collaboration, information sharing, and data, so as to gather institutional knowledge and understand how programs are working or not working.

The purpose of the “Women, Peace, and Security Act” itself is interesting and merits further consideration, especially because the legislation purports to ensure that the U.S. President provides support to address the barriers to women’s participation and to conduct assessments focused on women’s perspectives on any new initiatives enacted in support of peace negotiations. Are Senators concerned that past efforts or current projects like the GPOI have not and ultimately will not sufficient reportable data, resulting in the Bill requiring reporting to Congress on certain training described in the Bill? Specifically, the 2016 National Action Plan includes an entire separate section on reporting. Do the Senators view a legislative solution as simply another tool, but rather a supplementary

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tool, to support the inclusion of women in processes surrounding violent conflict? A Fall 2015 Foreign Policy article argued that UNSCR 1325 is not working as intended, as not a single representative in the July 2015 talks between the Afghan government and the Taliban was a woman. Further, that same article noted that National Action Plans may simply gather bureaucratic dust, without efforts focused on the ground. At this juncture, does the reintroduction of S. 1141 over the last several years, without actually passing it into law, mean that the legislation and its goals are simply a symbolic gesture?

What happens if S. 1141 becomes law and the U.S. President decides against submitting a report (the bill uses the term “the President shall submit”) summarizing and evaluating how the strategy outlined in Section 5 of the Bill is working? Does the failure to comply with S. 1141, if it becomes law, equate to a failure to comply with the United States’ legal obligations under U.N. Security Council Resolution 1325, since the members of the United Nations agree to carry out the decisions of the Security Council under Article 25?

Further efforts by the United States, in the form of codifying international commitments into U.S. law, are encouraging with respect to ensuring the meaningful participation and protection of women during and after violent conflict. It remains to be seen whether the Bill will become law and whether President Trump will pursue his own form of women, peace, and security initiatives, whether via a National Action Plan or otherwise. At least one commentator already views his Presidential Memorandum reinstating the global gag rule as a direct violation of the legal obligations the United States has under the Women, Peace and Security Agency, based on the National Action Plan’s focus on women’s health.