

Towards a fuller implementation of the Women, Peace and Security Agenda

By Lucía Mazzuca¹

October 2015 marked the fifteen year anniversary of the ground-breaking UN Security Council resolution 1325 (UNSCR 1325) on Women, Peace and Security. This milestone was set by the Security Council as the benchmark for a high-level review of UNSCR 1325 to assess progress in its implementation at global, regional and national levels.

In preparation for the high-level review, the UN Secretary General launched a global study on the implementation of UNSCR 1325 (the “Global Study”), with the aim of assessing the progress made and challenges encountered over the last fifteen years on furthering the objectives of the Women Peace and Security Agenda.

The Global Study was led by Radhika Coomaraswamy (former Special Representative of the Secretary-General on Children and Armed Conflict and former UN Human Rights Council Special Rapporteur on Violence against Women). Ms Coomaraswamy was supported by a high-level advisory group of eminent experts, and the process was managed by a Secretariat established under the auspices of UN Women.

The Global Study took place at a time of self-reflection for the United Nations, as it occurred at the same time as two other high-level reviews: the High-level Independent Panel on United Nations Peace operations and the Advisory Group of Experts for the 2015 Review of United Nations Peacebuilding Architecture.

Under the motto “preventing conflict, transforming justice and securing the peace”, the Global Study - bringing together over 400 pages of research, statistics, internal United Nations information, proposed structural reforms and dozens of recommendations - is ambitious. It also emphasised that the Women, Peace and Security agenda is grounded in human rights.

It is difficult at this stage to measure the success of the Global Study. Success will entirely depend on the adoption of its recommendations, and it is too early to evaluate what the scale of such adoption will be. However, at the very least, the Global Study provides a much-needed assessment of the progress of the Women Peace and Security Agenda at various levels. The conclusions of this assessment are clear: notwithstanding efforts made through the introduction of cutting-edge regulations, we have fallen short in preventing conflict, in preventing sexual violence in conflict and ensuring accountability for perpetrators, and in achieving an equal participation of women in society and governance. Drawing on these conclusions, the Global Study makes a number of recommendations.

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Those recommendations are shaped by the following guiding principles:

- Prevention of conflict must be a priority;
- Resolution 1325 is a human rights mandate to promote the rights of women in conflict situations, and any attempt to “securitize” issues and use women as instruments in military strategy should be discouraged;
- Women’s participation is key to sustainable peace;
- Perpetrators must be held accountable for their actions and justice must be transformative;
- Localisation of approaches and inclusive and participatory processes are crucial to the success of national and international peace efforts;
- Supporting women peace-builders and respecting their autonomy is one important way to counter extremism;
- All key actors (states, regional organisations, the media, civil society and youth) are vital to the successful implementation of the Women’s Peace and Security Agenda.
- A gender lens must be introduced into all aspects of the work of the Security Council;
- The persistent failure to adequately finance the Women Peace and Security Agenda must be addressed; and,
- A strong and supportive gender architecture at the United Nations is essential.

The Global Study was followed by an open debate and the unanimous approval of UN Security Council resolution 2242 (“UNSCR 2242”) by the Security Council.

While the passing of UNSCR 2242 is welcome, this and other resolutions and treaties are not sufficient of themselves to promote the role of women in preventing armed conflict and contributing to peace building and conflict resolution. As highlighted by the Global Study, the obstacles to progress are the absence of political will at national level and the dominance of men in the management of peace-building processes. By way of example, as the Global Study notes, despite the comprehensive normative framework in place to discourage sexual violence against women in conflict zones, there are very few prosecutions. Poor implementation and enforcement undermines all efforts to improve the reality of life for women in conflict-affected settings.

That said, it was expected that, through UNSCR 2242, the Security Council would seize the opportunity to bring to life the recommendations set out in the Global Study. Those expectations were not met. UNSCR 2242 is filled with rhetoric rather than substance. UNSCR 2242 was an opportunity to pressure member states to scale up the funding of the Women Peace and Security Agenda, set specific targets to increase the participation of women in peace processes; promote the adoption and, most importantly, the implementation of the National Action Plans; set up a monitoring and accountability framework to assess UN performance on UNSCR 1325 and its follow-up resolutions;² and define responsibilities for progress. UNSCR 2242 fell short in its promotion of these recommendations and has taken a different, and less effective, approach to furthering the Agenda.

² Security Council resolution 1820 (2008), Security Council resolution 1888 (2009), Security Council resolution 1889 (2009), Security Council resolution 1960 (2010), Security Council resolution 2106 (2013) and Security Council resolution 2122 (2013).

One of the biggest disappointments of the UNSCR 2242 was the nature of the approval given by the Russian Federation, one of the five permanent members of the Security Council. The Russian Federation declared at the time of signing that it would not be bound by one of the measures adopted by the UNSCR 2242. The Russian Federation rejected the call to set up informal expert groups on issues relating to women, peace and security.³ The creation of these bodies was recommended by the Global Study and is also one of the key innovations of UNSCR 2242.

Striking differences exist between the recommendations in the Global Study and the content of UNSCR 2242 in their attitude to conflict prevention. The prevention of conflict is one of the central pillars of the Global Study. From its own title, the Global Study prioritises the prevention of conflict, identifying it as the main factor in the promotion of women's peace and security. The Global Study explains that the use of force must always be the last resort and emphasizes the importance of short term preventative measures, examining measures to address the root causes and structural drivers of conflict. By contrast, the UNSCR 2242 barely addresses conflict prevention measures, making only passing reference to them. This is disappointing. Prevention of conflict seemed to be the principal concern of the 112 UN Member States that lined up statements. It has been suggested that the permanent members of the Security Council, that prioritise having strongly militarised foreign policies, may be opposed to the promotion of conflict prevention measures. This would explain part of the shortcomings of UNSCR 2242. If correct, this would put the policies of the permanent members of the Security Council at odds with the recommendations of the Global Study.

Another notable difference of approach between the Global Study and UNSCR 2242 is the way in which the obligations are framed and the level of detail in which they are described. By way of example, regarding women's participation in decision making processes, the Global Study deploys stronger language than UNSCR 2242, such as requiring all actors to "guarantee that women's participation in talks is equal and meaningful". By contrast, UNSCR 2242 stops short of calling for equality and instead calls on actors only to "ensure increased representation", without establishing any quotas or liabilities. This has not been effective to promote female representation in governance. As an example, we need look no further than the United Nations, noting the backlash against the push for women to hold some of the top positions. Four years ago, the Secretary-General of the United Nations proudly informed the world that the United Nations' top humanitarian official, high commissioner for human rights, head of management, top lawyer, and "even our top cop", were all women. Today, they are all men. This year also saw six women under secretaries-general replaced by men, further undermining the goal of building female leadership within the United Nations. The first female under secretary-general of the year was appointed only in October. At the next level down – assistant secretaries-general – male appointments made up 77 per cent of the roster. Cumulatively, across the 59 under secretary-general and assistant secretaries-general appointments, 83 per cent were men. The Global Study specifically requires actors to "set specific targets for the improved recruitment, retention and promotion of women in armed forces". The Global Study incorporated a sub-study carried out by the Inclusive Peace and Transition Initiative (IPTI) at the Graduate Institute of International and Development Studies in Geneva. The sub-study found that the presence of women in peace processes

³ Ambassador Vitaly I. Churkin, Permanent Representative of the Russian Federation to the United Nations stated: "We do not agree with the view that there is a need to set up an informal expert group on issues relating to women and peace and security. We believe that the creation of new bodies is no guarantee of the effectiveness of the work of the Council. Overall we feel that it is a dubious approach that is aimed at establishing more and more auxiliary bodies covering various items on the agenda. It is also inappropriate to refer this issue to such a structure within the Security Council, owing to its informal character."

as witnesses, signatories, mediators and/or negotiators makes it 20 percent more likely that a peace agreement will last at least two years and 35 percent more likely it will last 15 years. With this evidence, the Security Council had enough grounds to establish targets and quotas to increase the participation of women in peace-building operations. That opportunity was missed. The wording of the UNSCR 2242 merely welcomes “efforts to incentivize greater number of women in the military”. Again, the failings of the UNSCR 2242 to bring about change can be witnessed without going beyond the United Nations. A few years ago, it was announced that there were more women than ever before leading United Nations peacekeeping missions – “five and counting”. Several years later, the total remains at five: Women head five out of 16 United Nations peacekeeping missions. Furthermore, the proportion of female uniformed personnel in those peacekeeping operations sits below 4%, and rises to just 20% or so for civilian staff.⁴

In addition to the adoption of weaker language, UNSCR 2242 fails to consider some of the recommendations in the Global Study altogether. In respect of the promotion and protection of women and girls in humanitarian settings, among others, the Global Study specifically addresses the elimination of discriminatory laws and regulations, the promotion of monitoring mechanisms and safeguarding reproductive health. UNSCR 2242 is silent on these matters. By way of further example, several provisions in the Global Study relating to peacebuilding in the aftermath of a conflict (for example, the design of programmes for economic recovery that target women’s empowerment and initiatives aiming to capitalise on the transformative role women can play in an economy for the future) have not been reflected in UNSCR 2242. In failing to do so, the Security Council has missed another opportunity to fully and faithfully implement the Women, Peace and Security Agenda.

Moreover, the Global Study calls for the formation of an international tribunal with jurisdiction to try United Nations staff and all categories of peacekeepers that have allegedly committed serious crimes, including sexual abuse. UNSCR 2242 expressed concern regarding these issues, encouraging a “zero tolerance” policy and urging the relevant organisations “to conduct swift and thorough investigations of their uniformed personnel and, if appropriate, to prosecute, and to inform the United Nations in a timely manner of the status and outcome of investigations”. However, UNSCR 2242 failed to echo the call for the formation of an international tribunal.

Another big difference between the Global Study and UNSCR 2242 is the approach taken to the issue of women and countering violent extremism. By recognising the ambivalent position that women face in situations of violent extremism, the Global Study explains that any attempts to securitize issues and to use women as instruments in military strategy must be discouraged. This reminder is linked with one of the Global Study’s recommendations to “detach programming on women’s rights from counter-terrorism and extremism, and all military planning and military process”. This recommendation was based on the understanding that “when women’s advocacy becomes too closely associated with a government’s counter-terrorism agenda, the risk of backlash against women’s rights defenders and women’s rights issues, in often already volatile environments, increases” and that “securitization [of women’s rights] can increase alienation, heighten women’s insecurity, and create a concern of women being ‘used’ by the government, rather than being empowered to participate fully in society and overcome the barriers they face”. In contradiction to this recommendation, UNSCR 2242 called for greater integration of the women, peace and security and counter-terror agendas.

⁴ Report of the Secretary General, *The future of United Nations peace operations: implementation of the recommendations of the High-level Independent Panel on Peace Operations*, 2 September 2015, § 114.

In spite of these differences, UNSCR 2242 leaves the door open to fuller implementation of the recommendations set out in the Global Study in the future, inviting the Secretary-General in his next annual report to submit information on the progress made. Such report should follow up on the high-level review, including as to the extent of implementation of the recommendations.

Notwithstanding its shortcomings, the commitments made in UNSCR 2242 are to be welcomed. It is a measure of the success of the Agenda that such resolutions are being passed, and its contents do at least indicate the real global importance attributed to the Women Peace and Security Agenda, and how that has increased over the past fifteen years. There is still much work to be done in order to fully implement the recommendations of the Global Study, but there is a good base on which to found further progress. Such progress will ultimately depend on countries putting into practice what has been committed to in writing.