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Resolution 1325 and peace Agreements: an insight into the gender of peacemaking

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Introduction

For a very long time women and gender issues remained outside the formal peace forums. Women were absent from the negotiation tables and matters that affect them were marginalised in peace agreements. The adoption of Security Council Resolution 1325 in October 2000 was welcomed by most women activists, NGOs and international organisations as a watershed. The resolution came about as a result of transnational mass mobilisation and alliance building between women with various political and ideological allegiances and interests (Cockburn 2007; Anderlini 2007). The eighteen-point resolution was seen as a revolutionary document that will change the nature of peacemaking (Cohn 2004; Anderlini 2007). Resolution 1325 was perceived to provide women with the necessary political framework and that will allow for their participation in peacemaking and for gender consideration in armed conflicts, peace agreements as well as in

peacebuilding and post conflict reconstruction (Shepherd 2008; Anderlini 2007). While the implementation of 1325 has been criticised as patchy and limited, the resolution has effectively led to the debate on gender issues taking stage within the formal channels at the international and national level (Anderlini 2007; Shepherd 2008; Cohn, et al. 2004). More importantly 1325 has proved to be useful tool for global deployment of women around the globe (Cohn 2004). The resolution has been translated into 98 languages and become familiar to grassroots women as well as politicians (Peace women 2009).

Almost ten years after the passage of 1325, it is important to examine whether any gains have been achieved for women in peacemaking. This article provides a review of implementation of resolution 1325 within peace agreements signed since the year 2000 by focusing on three issues: the quantitative review of gender in peace agreements since the passage of the resolution, the representation of women in agreements and the patterns of provisions on women in peace agreements. The first part of this article provides background information on peace agreements and on the place of gender within this peacemaking framework. The second part of this article briefly explains the methodology adopted for the research investigation. The rest of the articles develop each of the research issues in separate sections.

The gender of Peace Agreements

The end of the twentieth century had seen a change in the way in which war and peace are conducted. The majority of conflicts within the last two decades were internal occurring within states' borders though often with spill over effects. This change in warfare was paralleled with a change in peacemaking reflected in the upsurge of the use of peace accords as a way to end conflicts. Timothy D Sisk has noted that 'cotemporary wars are much more likely to end at the peace table than on the battlefield [...] today some 50 per cent of wars end [with a negotiated settlement], a dramatic increase over the broad historical average of only about 15 per cent.' (Sisk 2003: 139). Peace agreements by the virtue of their position between politics and law are unique in nature. Darby and Mc Ginty have pointed out that a peace accord is both 'a technical document, often negotiated by lawyers and signed by elites [and] 'a political document with the capacity to have a real impact on people's lives' (Darby and Mac Ginty 2003: 137). The subject

matter of peace agreements and peace negotiations have been shifting over the years along with changes in the nature of conflicts and have become about establishing an agreed political and power sharing deal instead of merely ceasefires (Bell 2006). Because of these developments, the study of peace agreements and peace negotiations becomes imperative not only within the context of peacemaking but also for peacebuilding and post conflict reconstruction.

The term peace agreements can be used to refer to a variety of documents signed at different stages of the peace process. These include: ceasefire agreements, truce or cessation of hostilities agreements, preliminary agreements, pre-negotiation agreements, framework or substantive agreements, interim agreements, sub-agreements, comprehensive agreements and implementation agreements (UN Peacemaker 2008). While some peace processes follow a step by step strategy for negotiating and adopting peace accords, others seek to negotiate one main comprehensive agreement (Yawanarajah and Ouellet 2003). Studies of peace agreements have tried to categorize these latter into more or less homogenous groups based on their types or the stages within the peace process. The widely used Uppsala Conflict Data Program (UCDP) dataset only considers peace agreements those treaties that are signed by at least by two of the primary warring parties and that address the problem of incompatibility (Harbom, Hogbladh and Wallensteen 2006). The UCDP dataset distinguished between full, partial and peace process agreements. Lotta Harbom, Stina Hogbladh and Peter Wallensteen of UCDP defined a full agreement as a treaty where one or more dyads agree to settle the whole incompatibility¹. Partial agreements on the other hand only address parts of the problem and/ or deal with some of the primary actors² (Harbom, Hogbladh and Wallensteen 2006:

¹ Examples of full agreements according to the UCDP dataset are the Lusaka protocol of Angola (1994); The memorandum of Understanding of Angola 2002, the Arusha Peace and Reconciliation Agreement for Burundi (2000), the Global Cease fire agreement of Brurundi between Transitional Government and the Forces pour la defence de la democratie (CNDD-FDD) (2003) and the Final Act agreement of the Inter Congolese Political Negotiations (2003). For more examples see the UCDP data at http://www.pcr.uu.se/research/UCDP/data_and_publications/datasets.htm

² Examples of Partial agreements according to the UCDP dataset are Afghanistan agreements Islamabad accord (1993), Jalalabad agreement (1993) and Mahipar agreement (1996); other examples are the El Salvador agreements the Agreement on Human Rights (1990), Mexico Agreements (1991), New York Agreement (1991), The Compressed Negotiations (1991), New York Act (1991) and New York Act II (1992). For more examples see the UCDP data at http://www.pcr.uu.se/research/UCDP/data_and_publications/datasets.htm

622). Partial peace agreements are sometimes useful as interim steps to reaching full agreement (Yawanarajah and Ouellet 2003). The peace process agreement is one where one or more dyads agree to initiate a process aiming at settling the incompatibility and that typically has a detailed agenda for talks³ (Harbom, Hogbladh and Wallensteen 2006: 622). The distinction full, partial and peace processes agreements can be confusing and complicated especially when there is no clear indication within the signed documents on whether the intention is to achieve a full, partial or peace process agreements. As such establishing the type of peace agreements would necessitate a deeper knowledge of the conflicts and the warring parties' demands. The work of Christine Bell on peace agreements offer another widely used taxonomy of agreements. Bell considers all accords signed in a peace process as peace agreements (Bell 2008:55). Bell divided peace agreements into three categories: pre-negotiation, substantive and implementation agreements based on the stages within the peace process negotiation (Bell 2003, 2006, 2008). Pre-negotiation agreements form the initial stage of the formal negotiation and evolve around the general principles for negotiation, the choice of negotiators and their status⁴. The pre-negotiation stage ends with a total ceasefire agreement at which point the substantive framework agreements stage starts (Bell 2008: 60). Framework agreements vary to a great extent from an outline of a settlement to a 'detailed blueprint for governance'⁵ (Guelke 2003). This difference is arguably related to whether the approaches to peacemaking are constitutive or instrumental (Arnault 2001).

³ Examples of peace Process agreements according to the UCDP dataset are The Gbadolite Declaration on Angola (1989); Columbia agreements Common Agenda for the Path to a New Colombia (1999), Los Posos agreement (2001) and Los Pozos Accord (2002); the El Salvador agreements Geneva Agreement (1990) and General Agenda and Timetable for the Comprehensive Negotiating Process (1990) For more examples see the UCDP data at http://www.pcr.uu.se/research/UCDP/data_and_publications/datasets.htm

⁴ Examples of these agreements are South Africa Harare Declaration (1989); Morocco communiqué of the Personal Envoy of the Secretary General for Western Sahara in agreement with the Parties -Manhasset IV (2008), Sudan Chairman conclusions from the Arusha consultations (2007) and Sudan, Chad and central Africa Cannes Declaration (2007). For more examples see Bell, C. 2008. *On the Law of Peace Peace Agreements and the Lex Pacificatoria*. New York: Oxford University Press; UN Peacemaker. 2009. Available at <http://peacemaker.unlb.org/index1.php> (accessed 15 July 2009).

⁵ Examples of Framework agreements are accord de Paix Global entre le gouvernement de la république centrafricaine et les mouvements politico-militaire centrafricains désignés si après : APRD, FDPC, UFDR (2008) ; Cote D'ivoire accord politique de Ouagadougou (2007) ; Eastern Sudan Peace Agreement (2006) and the Darfur Peace Agreement (2006). For more examples see the UN Peacemaker web site to access the agreements or bell book for more details on the definition of this type of agreements.

Implementation agreements generally serve to develop the details of substantive accords⁶. However, we should not assume that implementation of a negotiated framework agreement would totally or even partially happen as the peace process might stumble or even collapse (Harbom, Hogbladh and Wallensteen 2006).

The majority of the literature on peacemaking by practitioners and peace researchers makes it clear that the ‘raison d’être’ of peace agreements is to end the hostilities and violence while everything else is secondary. Jean Arnault the Secretary General Former Special representative explained that a good agreement would result in durable peace. A bad agreement on the other hand would result in delays, setbacks, or the collapse of the peace process (Arnault 2001). The common denominator for the success of peace agreements is the durable termination of violence. In this sense, success is conceptualised in terms of ‘durability’ or the absence of renewed violence (Fortna 2003, 2004; Werner and Yuen 2005; Hampson 1996; Harbom, Hogbladh and Wallensteen 2006; Johansson, 2006). The ultimate test of durability is commonly used within the discipline even by scholars subscribing to concepts of positive peace that goes beyond absence of hostilities (Darby and Mac Ginty 2003). The implication of this is that, as long as the conflict does not erupt again, an inadequate peace agreement is still seen successful. Despite the fact that many peace researchers do acknowledge that this definition of peace can and indeed does sometimes coincide with social injustice, most of them consider durability of the peace agreement as the ultimate goal (Fortna 2004, 2003). While peace researchers have also recognised that there are variables that contribute to or lead to durability such as human rights, democracy and gender equality, these latter are considered as a means to an end and not an end in itself (Johansson 2006).

The issue of women’s rights inclusion in peace agreements do not come across as a central theme within the literature on peacemaking. In fact, it is quite the contrary since

⁶ Examples of implementation agreements are Cote D’Ivoire Pretoria I (2005), Cote d’Ivoire Accra III (2004, Burundi The Pretoria Protocol on Political Defence and Security Power sharing in Burundi (2003). For more examples see Bell, C. 2008. *On the Law of Peace Peace Agreements and the Lex Pacificatoria* . New York: Oxford University Press; UN Peacemaker. 2009. Available at <http://peacemaker.unlb.org/index1.php> (accessed 15 July 2009)

an agreement that does not lead to an outbreak of hostilities but that marginalises women could be still viewed as successful. Bearing in mind Jean Arnault's definition of bad agreements, it seems that efforts to include gender issues might be even considered as problematic by peacemakers. Christine Bell has observed that the move towards tackling issues related to human rights within the context of peacemaking was often challenged as partisan or idealistic approach that has its cost calculated in human lives and negotiators that insisted on raising such issues were often accused of hampering the peace process (Bell 2003).

Because gender is not seen by researchers and peacemakers as a conceptual part of the problem, the gender question of peace agreements remained on the periphery of this framework. Generally speaking, peace agreements have marginalised women and gender. In fact several authors note that peace agreements are typically framed in a gender neutral language that fails to address women's concerns (Chinkin 2003; Steinberg 2008). Anderlini argues that gender neutral peace agreements and the belief that mere references to broad human rights would encompass women have legitimised women's exclusion from the formal peace process (Anderlini 2007). Peace agreements according to Bell typically overlook gender issues and focus on cease fire and power arrangements; issues of discrimination, civil/ political and social/ economic rights are considered secondary (Bell 2004).

However, at the international level, there has been a gradual recognition that the concept of peace, is as much about human rights and justice as it is about the absence of war (Charlesworth and Chinkin 2006 ; Etchart and Baksh 2005). In fact, some peace researchers have acknowledged the link between human rights violations and state violence (Barash and Webel 2002; Darby and Mac Ginty 2003; Galtung 1996). Mary Caprioli argues that 'discrimination of ethnic minorities and gender inequality increase the likelihood of violent state behaviour' (Caprioli and Trumbore 2003:7-8). Legal scholars such as Christine Bell have also argued that human rights and peace are inter-related. This close relationship is documented in several human rights treaties and soft laws such as the UN charter and the Universal declaration of human rights (Bell 2003).

The awareness of the relevance of human rights to peace and the broadening of the concept of peace has been reflected within some of the recent UN Security Council resolutions such as resolutions 1261, 1327, 1170, and 1318. However, the official recognition of the relevance of gender issues in peace agreements only came with the adoption of Security Council 1325 on women, peace and security. Resolution 1325 in paragraph 8 calls on all actors involved in the negotiation and implementation of peace agreements to adopt a gender perspective. The resolution specifically calls on actors to take into consideration women and girls needs during repatriation and resettlement and in rehabilitation, reintegration and post-conflict reconstruction; to support women peace initiatives and involve them in the implementation mechanisms of peace agreements and to include within the agreements measures that respect and protect women's human rights particularly as they relate to the constitution, the electoral system, the police and the judiciary.

Methodology

This research examined all available peace agreements signed since the adoption of resolution 1325⁷. The research at this stage includes 112 agreements relevant to 28 conflicts. The research relied on Christine Bell's extensive definition of peace agreements as "all documents addressing militarily violent conflict with a view to ending it" (Bell 2008: 55). As such the research did not employ any systematic criteria based on signatories or addressing the incompatibility in its selection of peace agreements. In order to achieve a comprehensive database, this research has relied on various agreements databases including UN Peacemaker, UCDP, USIP and Accords to collect and analyse all peace agreements signed between October 2000 and December 2008. However, the major source used for retrieving the full text of peace agreements was the UN Peacemaker database. The research has also looked at alternative sources deemed reliable to trace some of the peace agreements that do not exist on the above databases. This was the case for instance with some the Iraqi agreements, where the research relied on the official government authority web site as a source for peace agreements signed

⁷ This is a work in progress

between the government and the United States or between the different political parties or ethnic groups.

The review of implementation of 1325 relied on content analysis. The use of content analysis is increasingly common in the study of with peace agreements. For instance, the University of Uppsala Conflict Database program used content analysis through sampling, extensive coding of provisions, and an elaborate statistical analysis of data. INCORE and the Transitional Justice Institute have also very recently made available a database of peace agreements that used thematic coding of provisions into 18 categories but with no statistical analysis of the data.

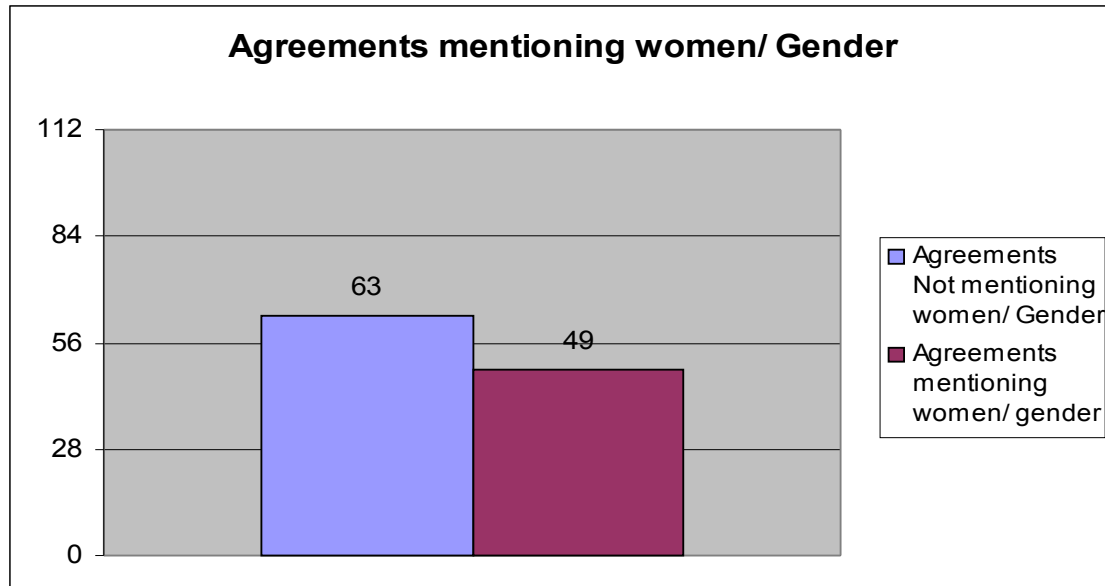
The agreements collected were examined and a coding scheme devised by the author was systematically applied to all the documents. The research did not focus on one particular research question or one particular variable but opted for more flexibility through the examination of a variety of variables. The advantage of using content analysis is that it allows you to consider different units of analysis or categories at the same time (Bryman 2008: 280). This is particularly important considering that resolution 1325 is broad, and that the review of implementation would necessarily involve considering a wide range of variables. The analysis in this article included 24 variables defined in appendix 1.

Review of gender issues in peace agreements after 1325:

49 out of the 112 agreements (43.8%) signed after the adoption of Security Council Resolution 1325 explicitly mention women or gender. Provisions on women in peace agreements covered a wide range of issues ranging from mere expression of concern about women's welfare to gender based violence, anti-discrimination clauses, quotas for women's participation in governments and specific measures to empower women and advance their rights. The number of references to women or gender within peace agreements varies to a great extent. The highest number of references to women within a single agreement is found in the Darfur Peace Agreement (68), followed by the Inter-

Congolese Negotiation Final Act (41) and the Uganda Agreement on Disarmament, Demobilization and Reintegration (20). However, almost half of the agreements coded as mentioning women or gender (23) only included one reference to these later.

Graph 1



The percentage 43.8 % is significant and might be interpreted as an indicator of awareness among peacemakers about the relevance of gender issues to the context of peace agreements or at least of the need to be seen as doing so. However, this is not necessarily the case because not all of the agreements that mentioned women addressed women’s rights or gender specific issues. In fact after examining the texts of agreements, one can argue that some of the references to women are random and purposeless and some of the specific provisions on women only pay lip services to women’s rights or to women’s issues. The Central African Republic’s three agreements⁸ are a good illustration of this trend when they stated the wishes of the president to promote reconciliation for all

⁸ Accord de cessez le feu et de paix Entre Le Gouvernement de la République Centrafricaine Et Le Mouvement politique et militaire Centrafricain : Armée Populaire pour la Restauration de la Démocratie (APRD) (French) signed 9 May 2008, Accord de Paix Entre Le Gouvernement de la République Centrafricaine Et les Mouvements Politico- Militaires ci-après désignés : - Front Démocratique du Peuple Centrafricain (FDPC) - Union des Forces Démocratiques pour le Rassemblement (UFDR) signed 2 February 2007 ; Accord de Paix Entre Le Gouvernement de la République Centrafricaine Et les Mouvements Politico-Militaires ci-après désignés : Armée populaire pour la restauration de la démocratie (APRD) - Front Démocratique du Peuple Centrafricain (FDPC) - Union des Forces Démocratiques pour le Rassemblement (UFDR) signed 21 juin 2008

women and men of the republic. This example shows how women as a category are sometimes added in along side men in an attempt to demonstrate political correctness rather than real commitments to women's rights. The striving for political correctness is an interesting phenomenon within the agreements. In fact, even agreements that failed to provide for any specific gender measures or to explicitly mention women tried to appear gender sensitive. For instance, the Comoros agreement⁹ did not include any provisions on women yet in article VI it used "himself/herself" and "chairperson" in an attempt for gender neutrality. While the absence of gender mainstreaming and gender balance in the agreement might convey a lack of awareness or belief of the need to include women and their concerns in peace agreements, the use of such language conveys an awareness of the need for political correctness when it comes to gender in peace agreements but at the same time conveys a misunderstanding of gender mainstreaming and a lack of awareness about gender equality. As such we should be very careful about translating the percentage 43.8% into agreements that implement 1325 per se.

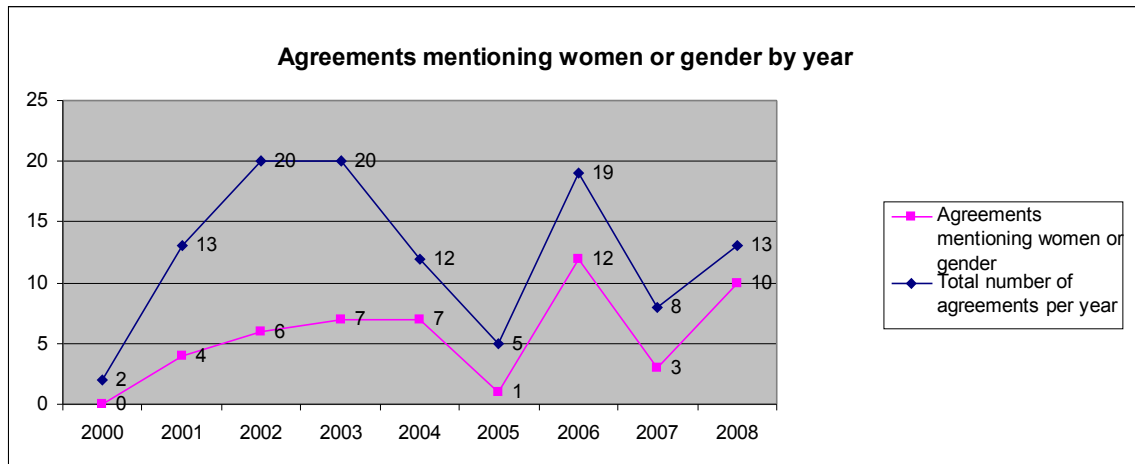
Moreover, references to women's rights within the agreements are not indicators of the parties to conflict awareness of Resolution 1325 or the willingness to implement the provisions, the level of local ownership and acceptance of the agreement as well as the impact of third party's involvement in the negotiation of the settlement are to be taken into consideration when looking at these provisions.

While this research did not look at figures on gender issues within peace agreements prior to the adoption of Security Council resolution 1325, the data obtained in this research investigation reveals a steady progression. Using the variable "mention women or gender" as a basic indicator of quantitative implementation, I have tried to read the results and establish whether there has been some kind of progression in terms of implementation year on year since October 2000. The results seem to suggest that though not always consistent some form of progression does in fact exist. The figure in graph 2 below shows that the number of agreements mentioning women has been steadily growing since the year 2000 to the year 2008. The figure shows that 10 out of 13 agreements in 2008 mentioned women or gender. This percentage as graph 3

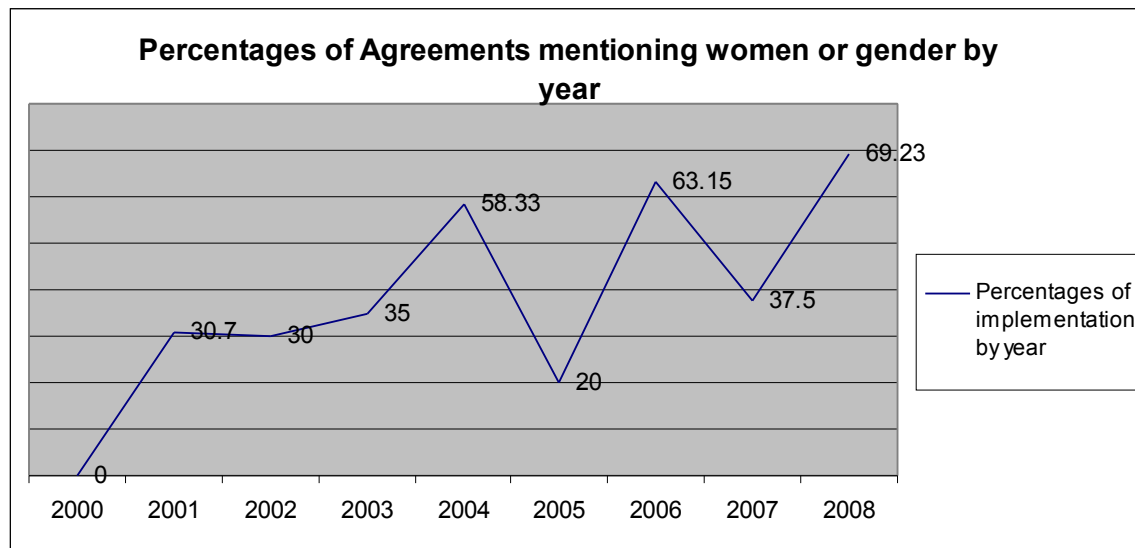
⁹ Agreement on The transitional Arrangement in the Comoros signed in 20 December 2003

demonstrates is equivalent to 69.23 %. Looking at the graphs one may notice that the years 2005 and 2007 signalled a drop in the number of implementation within peace agreements, yet this drop is not completely problematic as it is paralleled by a similar drop in the numbers of agreements within the database signed in 2005 and 2007.

Graph 2



Graph 3



Graph 3 also shows an overall increase in implementation. Despite the fact that this research did not look at agreements before the year 2000, data from other databases

support the idea of an increase in addressing women and gender related issues after the adoption of Resolution 1325. The UN Peacemaker database included 253 agreements signed since 1921 until the date of adoption of resolution 1325 on the 31st of October 2000; of these later only 28 agreements mentioned women or gender. Similarly, the Transitional Justice Institute and INCORE Peace Agreement database included 496 agreements signed between 1990 and the date of the adoption of the resolution, and of these only 31 addressed women or gender issues. The figures revealed by this research as well as those from UN Peacemaker and INCORE databases all seem to suggest that 1325 did have an impact on increasing the likelihood of mentioning women and addressing gender issues within peace agreements. However, despite the apparent increase it remains a fact that 63 of the 112 agreements did not include any reference to women or gender.

Images of Women in Peace Agreements

The images of women in peace agreements within the database and the roles that they play are various. The women of the agreements were victims, mothers, wives and widows of combatants, but also as equal partners, and peace-builders.

The victimisation of women in peace agreements was mainly attributed to the conflict, gender based violence and to the discrimination inherent in some cultural practices. An example of conflict-caused victimisation of women is The Inter-Congolese Final Act agreement which stated that “the armed conflict has increased discrimination against women, [...] rendering women more vulnerable.”¹⁰ The Dar El-Salem Declaration drew attention to the victimisation of women by gender based violence and expressed deep concerns over the sexual violence and exploitation of girls and women and their use as sexual slaves.¹¹ The Darfur peace agreements recognised in paragraph 28 (c) that women were effectively victimised by certain customary practices and committed to eradicate them.¹² The images of women as victims and vulnerable is accentuated in peace

¹⁰ The Inter-Congolese Negotiation the Final Act agreement annex 1 Resolution 21 No: DIC/CHSC/02 Relating to the Emergency Programme in different social sectors signed 2 April 2003

¹¹ Dar –Es –Salaam Declaration on Peace, Security, Democracy, and Development in the Great lakes Region signed 20 November 2003;

¹² The Darfur peace agreement signed 5 May 2006

agreements by their association with all sorts of marginalised or helpless groups. In fact one can argue that there is a practice within peace agreements to list women along side other vulnerable categories such as the youth, the elderly, the handicapped, the sick, the refugees and displaced persons and mainly children¹³.

As stated earlier the women of peace agreements were also wives and widows of former combatants. Many agreements have tried to accommodate the needs of this presumably vulnerable category of women¹⁴. For instance, the Darfur peace agreement paid attention to the reintegration needs of the widows of ex-combatants¹⁵ and the Inter-Congolese Final Act drew on the need to protect and provide for the widows of ex-combatants who became heads of households¹⁶. Motherhood was another characteristic of women highlighted within the peace agreements. For instance both the Iraqi Constitution and the transitional Charter of the Somali Republic emphasised the importance of motherhood¹⁷. The Inter- Congolese Final Act agreement underlined the “noble” nature of the roles of women as mothers and wives and paid specific attention to the rights of child mothers.¹⁸ The Uganda agreement on disarmament and demobilisation paid attention to the need to

¹³ Uganda Annexure to the Agreement on Accountability and Reconciliation signed 18 February 2008; Pact on Security, Stability and Development in the Great Lakes Region signed 15 December 2006; The Darfur peace agreement signed 5 May 2006; Dar –Es –Salaam Declaration on Peace, Security, Democracy, and Development in the Great lakes Region, signed 20 November 2004; Comprehensive Peace Accord Signed between Nepal Government And the Communist Party of Nepal (Maoist) signed 22 November 2006; Angola The Luena Agreement 4 April 2002; The Inter-Congolese Negotiation the Final Act agreement signed 2 April 2003; The Iraqi constitution signed 15 October 2005; Uganda Agreement on Disarmament, Demobilization and Reintegration signed 29 February 2008; Comprehensive Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties signed 18 August 2003

¹⁴ The Transitional Federal Charter of the Somali Republic signed 29 January 2004; The Inter-Congolese Negotiation the Final Act agreement annex 1 Resolution 21 No: DIC/CHSC/01 Relating to the Emergency Programme in different social sectors signed 2 April 2003; The Inter-Congolese Negotiation the Final Act agreement annex 1 Resolution 22 No: DIC/CHSC/02 Relating to the Emergency Humanitarian Programme For the DRC signed 2 April 2003; The Luena Agreement of Angola, signed 4 April 2002; Burundi The Forces Technical Agreement signed 02 November 2003

¹⁵ The Darfur Peace Agreement signed 5 May 2006;

¹⁶ The Inter-Congolese Negotiation the Final Act agreement annex 1 Resolution 22 No: DIC/CHSC/01 Relating to the Emergency Humanitarian Programme For the DRC signed 2 April 2003;

¹⁷ The Transitional Federal Charter of the Somali Republic signed 29 January 2004; and the Iraqi constitution signed 15 October 2005.

¹⁸ The Inter-Congolese Negotiation the Final Act agreement annex 1 Resolution 21 No: DIC/CHSC/02 Relating to the Emergency Programme in different social sectors signed 2 April 2003

protect pregnant women, young and lactating mothers¹⁹. Women because of their roles as wives and mothers were even portrayed as the custodians of social values²⁰.

However, the images of women in peace agreements are not only of the victim and vulnerable and their roles are not only limited to mothers, wives and widows. Women in some peace agreements were also depicted as combatants, equal partners in governance and valuable peacebuilders.

The role of women as combatants started to be recognised in some peace agreements especially in relation to disarmament, demobilisation, reinsertion and reintegration programmes. For instance, the Dar El- Salem Declaration²¹, the Darfur Peace Agreement²², Uganda agreement on Disarmament, Demobilisation, and Reintegration²³ and the Comprehensive Ceasefire Agreement of Burundi²⁴ all drew attention to the existence of female combatants and called for addressing their needs to DDR and for gender sensitivity within the process.

Within peace agreements the representation of women as equal partners in governance was evidenced through the use of general clauses on non-discrimination on the basis of gender and on women's rights to participate in the economic social and political life as provided by Nepal Comprehensive agreement²⁵ and the Somali Federal Charter²⁶. Women's status as equal partners in governance within peace agreements is also demonstrated through the adoption of provisions on women's right to stand for elections and to access different decision making positions within governments as provided by

¹⁹ The Uganda Agreement on Disarmament, Demobilization and Reintegration signed 29 February 2008

²⁰ The Inter-Congolese Negotiation the Final Act agreement annex 1 Resolution 21 No: DIC/CHSC/01 Relating to the Emergency Programme in different social sectors signed 2 April 2003;

²¹ Dar –Es –Salaam Declaration on Peace, Security, Democracy, and Development in the Great lakes Region signed 20 November 2003;

²² the Darfur peace agreement signed 5 May 2006

²³ The Uganda Agreement on Disarmament, Demobilization and Reintegration signed 29 February 2008;

²⁴ Burundi Comprehensive Ceasefire Agreement Between the Government of The republic of Burundi and the PALIPEHUTU – FNL signed 07 September 2006

²⁵ Comprehensive Peace Accord Signed between Nepal Government And the Communist Party of Nepal (Maoist) commit signed 22 November 2006;

²⁶ The Transitional Federal Charter of the Somali Republic signed 29 January 2004; and the Iraqi constitution signed 15 October 2005

many agreements²⁷. The portrayal of women's as equal and valuable partner can also be seen through provisions for the inclusion of women in the implementation of agreements. For instance the Uganda Agreement on Accountability and Reconciliation called for encouraging and facilitating women's participation in its implementation²⁸. Similarly, the Comprehensive Peace Agreement of Liberia underlined the need for gender balance in the implementation of the programme for national rehabilitation, reconstruction and development²⁹ and The Annexure to the agreement on accountability and reconciliation for Uganda called for women participation within transitional justice mechanisms³⁰.

Women in some agreements were also recognised as important partners in peacebuilding. In fact, many agreements depicted women as valuable peacebuilders whose participation in the peace process is a necessary condition for achieving sustainable peace. For instance, the Inter-Congolese agreement in resolution 21 stated that "the cause for peace requires maximal participation of women on an equal footing with men in all fields"³¹. Similarly, women in the Darfur Peace agreement and in the Eastern Sudan Peace agreement were portrayed as important actors for the negotiation of the peace agreement and for the peace process as a whole.³²

The depiction of women as equal partners and actors within agreements can also be witnessed through the recognition of women as an independent group and category in their own rights separate from the children, disabled, elderly and the sick and as a category alongside men. Agreements in many instances mentioned women without associating them with other vulnerable categories or mentioned women alongside men as

²⁷ An example of these agreements: Eastern Sudan Peace agreement signed 14 October 2006; The Darfur peace Agreement signed 5 May 2006; Afghanistan Bonn agreement signed 5 December 2001, The Pact on Security, Stability and Development in the Great Lakes Region, signed 15 December 2006; Dar –Es – Salaam Declaration on Peace, Security, Democracy, and Development in the Great lakes Region signed 20 November 2003; Accord du Partage de Pouvoir au Burundi (French) signed 6 August 2004

²⁸ Uganda Agreement on Accountability And Reconciliation Between The Government of the Republic of Uganda and The Lord's Resistance Army/Movement signed 29 June 2007

²⁹ the Comprehensive Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties signed 18 August 2003

³⁰ Uganda Annexure to the Agreement on Accountability and Reconciliation signed 18 February 2008

³¹ The Inter-Congolese Negotiation the Final Act agreement annex 1 Resolution 21 No: DIC/CHSC/01 Relating to the Emergency Programme in different social sectors signed 2 April 2003;

³² the Darfur peace agreement signed 5 May 2006; The Eastern Sudan Peace Agreement signed 14 October 2006

“women and men”³³ though mainly as “men and women”³⁴. However, although the association with men in many agreements could be understood as recognition and an expression of equality, in some cases this practice of mentioning women alongside men can reveal an “add women and stir” approach to implementation of 1325 within peace agreements as it will be revealed with further investigation of these provisions.

To sum up, there are multiple images of women in peace agreements and while some of these images fit into the traditional patriarchal and essentialist conceptions of women others are quite innovative and are based on equality principles. These two distinct images of women as victims, vulnerable and therefore passive and unable to act or protect themselves and the image of women as agents of governance and development as provided by at least one of the agreements³⁵ are contradictory and at odd with each other (Anderson 2007).

Types of Provisions in Peace agreements

This study sought to establish what types of provisions on women are predominant within the 112 peace agreements. This is important since the resolution as I pointed out earlier is

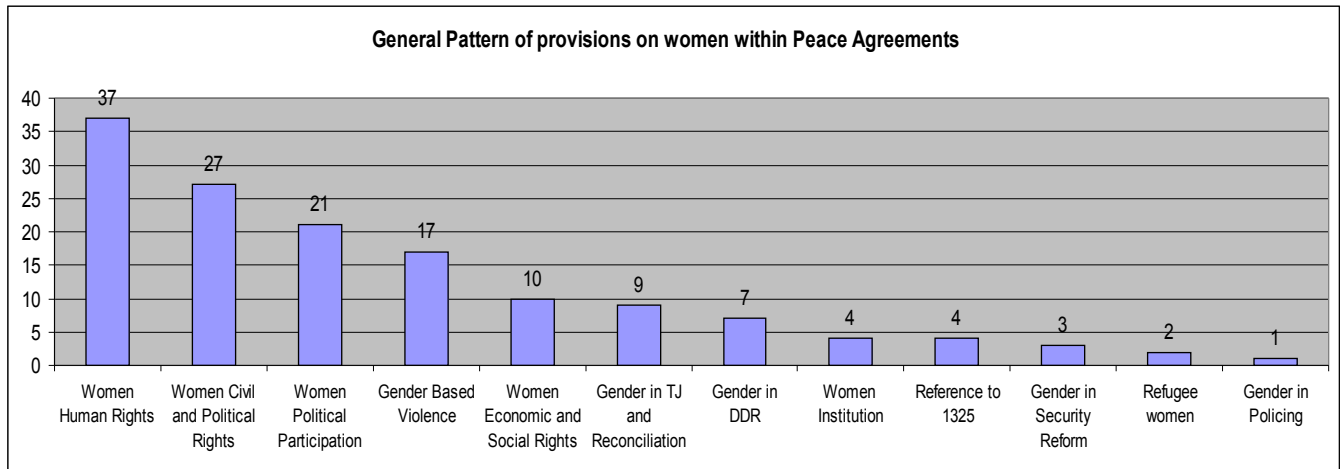
³³ Five times in the Accord de cessez le feu et de paix Entre Le Gouvernement de la République Centrafricaine Et Le Mouvement politique et militaire Centrafricain : Armée Populaire pour la Restauration de la Démocratie (APRD) (French) signed 9 May 2008, Accord de Paix Entre Le Gouvernement de la République Centrafricaine Et les Mouvements Politico- Militaires ci-après désignés : - Front Démocratique du Peuple Centrafricain (FDPC) - Union des Forces Démocratiques pour le Rassemblement (UFDR) signed 2 February 2007 ; Accord de Paix Entre Le Gouvernement de la République Centrafricaine Et les Mouvements Politico-Militaires ci-après désignés : Armée populaire pour la restauration de la démocratie (APRD) - Front Démocratique du Peuple Centrafricain (FDPC) - Union des Forces Démocratiques pour le Rassemblement (UFDR) signed 21 June 2008 ; and in the Darfur Peace agreement signed 5 May 2006

³⁴ The Pact on Security, Stability and Development in the Great Lakes Region, signed 15 December 2006; the Iraqi constitution signed 15 October 2005; Liberia Comprehensive Peace Agreement between the Government of Liberia, the Liberians United for Reconciliation and Democracy, the Movement for Democracy in Liberia and the political parties signed 18 August 2003; Protocol Between the government of Sudan and the Sudan People’s Liberation movement (SPLM) On Power Sharing Signed: 26 May 2004; the Darfur peace agreement signed 5 May 2006; The Inter-Congolese Negotiation the Final Act agreement signed 2 April 2003;

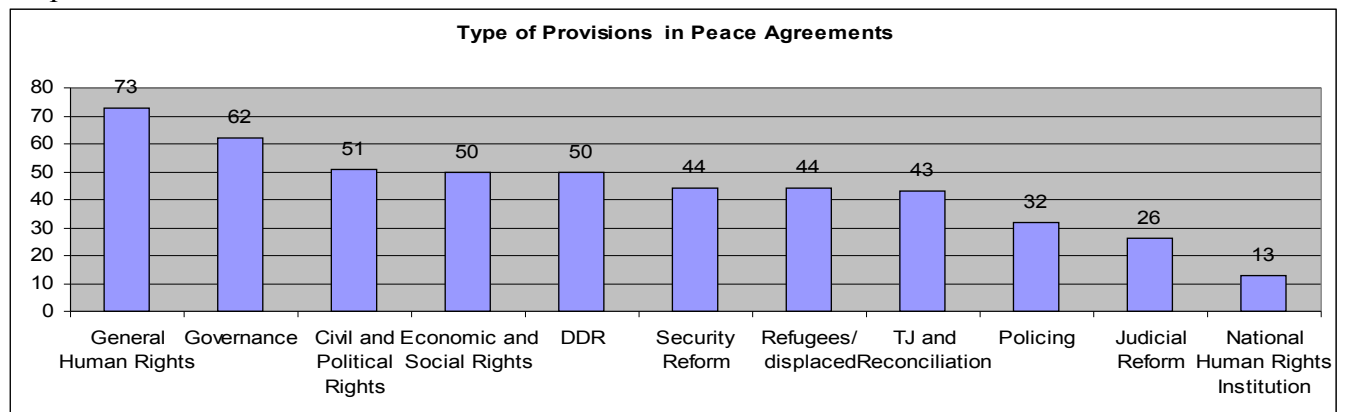
³⁵ The Inter-Congolese Negotiation the Final Act agreement annex 1 Resolution 21 No: DIC/CHSC/01 Relating to the Emergency Programme in different social sectors signed 2 April 2003;

very broad. Figures in Graph 4 reveal that implementation of 1325 in peace agreements has been abysmal. In fact, no area of implementation exceeded 33% (37 out of 112). Graph 4 below gives a comprehensive summary of implementation within the 49 agreements. The Axis (y) represents the number of agreements. The figure 40 instead of 49 or 112 was set as a maximum for this axis for clarity purpose. This is because the results obtained showed that there is no single category within this research that has been addressed by more than 37 agreements. Graph 5 below represents the general type of provisions within the agreement and serves to establish the missed opportunities for women in peace agreements.

Graph 4



Graph 5



For instance, the data shows that general human rights were addressed in 73 agreements, but women’s human rights were only addressed in 37 agreements. 62 agreements

addressed issues in relation to governance which include political participation, government composition, and the power structure within the government but only 21 agreements addressed women's political participation. Civil and political rights were addressed in 51 agreements but women civil and political rights were only mentioned in 27 agreements. The issue of gender based violence was only addressed in 17 agreements which though it remains a very small figure is one of the highest types of provisions found in peace agreements after political participation. Economic and social rights in the agreements were addressed in 50 agreements but specific references to women's economic and social rights were only found in 10 agreements. Demobilisation, disarmament and reintegration were also addressed in 50 agreements yet attention to the specific situation of women in DDR was only found in 7 agreements out of the 112. Transitional justice and reconciliation issues are mentioned in 43 agreements within the database but only 9 of these agreements made reference to women or gender issues in relation to Transitional justice or reconciliation. 13 agreements have provided for a human rights institution yet only 4 of these included references to a women human rights institution or a ministry for women. 44 agreements addressed refugees and internally displaced issues yet specific references to women in these vulnerable situations were only included in 2 agreements. 44 agreements addressed reform of the security sector but only 3 paid attentions to gender issues in these measures. Policing related issues such as provision on policing composition, recruitment of new members and training were addressed in 32 agreements yet of these agreements only 1 referred to women's recruitment and gender considerations in policing activities. Judicial reforms were dealt with in 26 agreements yet no agreement paid any attention to women's appointment to the judiciary.

Conclusion

The implementation of 1325 in peace agreements despite the limited progress remains very poor. The issue of why women and matters that are important to them continue to be marginalised in peace agreements deserves further investigations by scholars within the area. As a starting point accountability mechanisms as well as clear guidelines for those negotiating peace agreements should be issued by the UN to guard against the continuous

silence on gender issues in peace agreements. Furthermore, gender expertise should be provided for mediators and all other parties involved in the negotiation of agreements to guard against bad and lip service provisions on women's rights as we cannot assume that these actors automatically understand women's rights or the nature of the obligations arising from resolution 1325 as well as other women's rights treaties.

Moreover, this research attempted to study the impact of resolution 1325 on addressing gender issues in peace agreements. However, a comprehensive idea about the impact of 1325 and the progress achieved in terms of types of provisions and images of women in peace agreements can only be achieved through analysing and comparing agreements signed before the adoption of resolution 1325 with those signed after the resolution. This particular issue requires further investigation by scholars in the area.

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Appendix 1. Definitions:

Women or Gender: This category uses word counts to establish how many times each agreement mentioned the terms women or gender and their lexical equivalent such as wives and females. Note that references to rape and sexual violence were considered as references to women or gender. This is the case of Sudan Nuba Mountains Cease Fire Agreement (2002) and the Cessation of Hostilities Framework Agreement between Government of the Republic of Indonesia And the Free Aceh Movement (2002) that made references to sexual violence but no references to women or gender. This variable is useful to give us a quantitative image of implementation and an idea about the thematical dominance of women and gender issues within the agreements. For statistical purposes, this variable was recoded to distinguish the agreements that mentioned women or gender from those that did not. The recoding coded all 0 results into 0 and all 1> into 1.

General human rights: any provision that refers to economic and social rights, civil and political rights and general references to human rights and not only limited to human rights commitments. It also includes covers commitments to international human rights treaties. Where a provision within agreements is on grounds that include gender then the provision is also coded under Women human rights category.

Economic and social rights: This refers specifically to rights, commitments or measures of economic and social nature. The type of rights contained in this category follows the rights definitions under the International Covenant on Social, Economic and Cultural rights including but not limited to: the right to social security (Article 9), the right to work and other rights associated with it under Article 7 of the Covenant, the right to be member of trade unions and to strike (Article 8), the right to equal rights in the enjoyment of all economic, Social and Cultural rights, the right to education, the right to the highest attainable standards of physical and mental health, the right to food and water, the right to

adequate housing and adequate standards of living, the protection of family as provided by article 10. Note that where provisions on non-discrimination in relation to economic and social rights are on grounds that include gender then they are coded as well under women economic rights category.

Women Economic, social rights: Specific measures and provisions of economic and social nature similar to the above category but directly targeting women such as but not limited to equal access to employment, equal remuneration and benefits, entitlements to social security and maternal leave with pay, the right to education including measures to promote women's access to higher education and to encourage women's sports, the right to family benefits, to access financial support including bank loans, financial credit, the right to health including maternal and reproductive health, the right to economic and social benefits and non-discrimination in relation to economic and social rights.

Civil and political rights: This refers specifically to rights, commitments or measures of Civil and political nature as included under the International Covenants of civil and political rights including but not limited to: the right of people to self determination, the right to enjoyment of civil and political rights without discrimination, the right to life, the right not to be subject to torture, cruel, inhuman or degrading treatment, the right not to be subjected to forced labour, the right to conscientious objection, freedom from arbitrary arrest or detention and the right to liberty and security as provided by article 9 of the ICCPR, the right to fair trial, freedom of movements and choice of residence, the right to legal personality, the right to privacy, the right to freedom of opinion, religion or belief, the right to peaceful assembly, the right to form and join trade unions as prescribed by article 22 of the Covenant, the right to marry and found a family, the right to the protection of the family and equality of rights within the marriage and at its dissolution according to article 23 of the ICCPR, the right to political participation directly or through public representatives, the right to vote and stand for office and to access public services (article 25 of ICCPR), equality before the law, the right of ethnic minorities to enjoy their culture.

Women Civil and political rights: Specific measures and provisions of civil and political nature directly targeting women as provided by the ICCPR and the CDEAW convention as guiding principles such as women right to nationality and citizenship, equality before the law, the right to liberty and security, the right not to be subjected to torture, inhumane and degrading treatment, freedom of movement, the right to enter into marriage and the right to vote and measures for political participation. Note that provisions on gender based violence though technically speaking form part of this category as rape, sexual crimes and gender based violence have been recognised in international law as torture, inhumane and degrading treatment in this research they are not included under this category. This choice was in deed motivated by the need to get a statistical idea about whether agreements see women as political actors or as victims. Note also that when provisions on non discrimination in relation to civil and political rights are on other grounds in addition to gender then they are coded as well under the civil and political rights category. Also, the category women political participation is statistically included within this category.

Women Human rights: these are provisions related to the two variables women's economic and social rights and women's civil and political rights above or to more general references to women's human rights. This variable also includes provisions on gender based violence. This variable is useful as a cumulative category for statistical purposes in relation to women human rights. Note that general provisions on non-discrimination on the basis of gender these are coded under this category. If the non-discrimination on the basis on gender is in relation to civil and political rights or to social and economic rights then it is coded under the respective category instead. Where a non-discrimination provision within agreements is on other grounds than gender then the provision is also coded under general human rights category.

Judicial Reform: Provisions on the reform of the judiciary including the composition, training and functioning of the judicial system. This is to verify against the variable gender balance and gender mainstreaming in the Judiciary in the judiciary and establish whether the agreement addressed judicial reforms and failed to include measures for gender balance of gender mainstreaming.

Gender in the judiciary: provisions on the appointment of women to the judiciary and provisions related to rules of procedures in the treatment of women as victims. This is measured against the background of whether the agreement addressed judicial reforms.

Policing reforms: Provisions on the reform of policing including the composition, training and functioning of the police

Gender in policing: Provisions providing for the inclusion of women in the composition of policing and for gender training for the police forces.

Refugees/ displaced: provisions and measures related to refugees and internally displaced people.

Refugee Women: this is about addressing the specific awareness of the situation of women refugees and IDP and of their special needs. Variable to be measured against the refugees or displaced variable to establish whether the issues of refugees has been addressed in the agreements without addressing the situation of the women refugees.

DDR: Provisions on Disarmament, Demobilisation and Reintegration targeting ex-combatants.

Gender in DDR: These are provisions on DDR that provides for the specific needs of women combatants, auxiliaries and relatives or wives of combatants. This is also about provisions that take into consideration the security impact of DDR on women and provisions on involving women in DDR related activities.

Security reform: Provisions related to the reforms and the restructuring of the security forces.

Gender in Security reform: Provisions on the inclusion of women in the security forces and on gender awareness such as gender related training.

Governance: Provisions that address the government composition including through elections and new appointments as well as the power structure within the government.

Women political participation: This category is statistically included within the category women civil and political rights above and is related to provisions on women's

inclusion in the decision making and provisions for non-discrimination on the basis of gender in political appointments. It also includes provisions on quotas for women, or affirmative actions to increase women political representation.

Transitional justice and reconciliation measures: provisions about measures for dealing with the past. These include measures adopted to foster reconciliation within the communities as well as other measures meant for addressing past crimes whether in the shape of criminal prosecution or through Truth and reconciliation commissions and the composition and procedures of these organs. This category also covers provisions related to reparations, restitution or restoration of property.

Gender in transitional justice and reconciliation: provisions about the inclusion of women as participants in the all the mechanisms for dealing with the past and all the forums for reconciliation. The category also includes provisions addressing past crimes against women, the needs of women victims and procedures that take into consideration the special situation of women victims and their needs of protection and reparation.

Gender based violence: measures and commitments to protect women and girls from gender based violence; provisions prohibiting gender based violence and provisions and for the prosecution of gender based violence

National human rights institution: provisions for a specific human rights organisation. This is to measure it against the variable of women institution to establish whether there is awareness about the specific needs for a women institution.

Women Institution: provisions for a specific women rights organisation or a women ministry.

Reference to 1325: direct reference to UN Security Council resolution 1325.