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WOMEN, PEACE AND SECURITY: IMPLEMENTING  
U.N. SECURITY COUNCIL RESOLUTION 1325 (2000)

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Ad Annarita, Sabrina, Silvia e Stefano

*“It is perhaps more dangerous to be a woman than a soldier in armed conflict”<sup>1</sup>*

Maj. Gen. Patrick Cammaert

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<sup>1</sup> United Nations Human Rights Office of the High Commissioner, *Rape: Weapon of War*.

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## ***Introduction***

Nineteen years ago, the international community, through the operative body of the United Nations, the Security Council, committed to eradicate deep gender inequalities in conflict-related contexts by adopting the first ever resolution on the topic “Women, Peace and Security” (WPS). That was the historical resolution 1325 (2000).

The resolution was the result of decades of fights for protection and recognition of rights specific to women’s needs in conflict settings as fundamental human rights. Nonetheless, it was not the first attempt of the international community to bring about such issues. As we will see in the following chapter, dedicated to the legal frameworks of the WPS agenda, already in 1974 States convened to adopt the *Declaration on the Protection of Women and Children in Emergency and Armed Conflict*, which set the first legal basis for the recognition of such issues as urgent for the international community. In the following years, other important steps were made towards the integration of gender-related issues in the security agenda of many international fora, including the United Nations, where the General Assembly passed the *Convention on the Elimination of All Forms of Violence against Women* in 1979. Nonetheless, despite the beautiful principles embedded in it, the declaration was not a binding document, while the convention did not address implementation measures for women and girls’ protection in conflict and participation in conflict-resolution. It was not sooner than 2000, with resolution 1325, that a binding document on the specific matter was adopted, finally recognizing the fundamental nature of women’s protection from conflict-related forms of violence, exploitation and abuse and their inclusion in peace processes and operations.

After that first resolution, the Security Council adopted seven additional ones on WPS, addressing issues already embedded in Resolution 1325, but in a more specific way. For instance, Resolution 1889 (2009) addresses women's inclusion in conflict prevention and response; Resolution 2272 (2016) specifically refers to women's protection from sexual violence in conflict. Indeed, the work of the Security Council on the WPS agenda requires continuous efforts to adapt to the changing dynamics of conflicts, which have changed deeply since the adoption of the first resolution in 2000. At the same time, the essence of root causes requiring an intervention for women's protection in conflict have changed, requiring an adaptation of the ways to address the consequences of war.

Until full protection and equal representation remain unattended, the Security Council will have to continue including WPS in its agenda. Moreover, since successful change is not a one-time event, even when these goals are achieved the UN will have to continue addressing the issue, always considering new needs and goals.

As of now, the questions embedded in the WPS agenda can be reduced to the two main spheres of protection and inclusion – albeit with different declinations in each resolution on the topic. However, from a more focused analysis it is clear how the matter is multifaceted and contaminates many other subjects in a transversal way.

For the development of this thesis I have occurred to collaborate with the gender advisor of the Italian Center of Excellence for Stability Police Units (CoESPU).<sup>2</sup> The advisor explained

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<sup>2</sup> We will better analyse the work of CoESPU in Chapter 4, on the “Role of the International Community: the development of national and regional action plans”. For now, I can anticipate that the Center plays a fundamental role in providing efficient training to peace operations personnel deployed worldwide.

how in the work of the CoESPU, and in every approach to defence and security, gender mainstreaming is a “cross-cutting subject”.<sup>3</sup>

In fact, integrating a gender perspective in peace operations is like introducing different lens to evaluate plans, strategies, policies and practice. For instance, gender-related issues can be found even in asymmetrical threats and their integration in defence plans has proven to be necessary in recent years, as terrorist groups have started taking advantage of the societies’ biases against the role of women to perform terrorist activities. One example is given by Boko Haram, which started using women as suicide attackers since they were less likely to be suspected or screened. In fact, women are usually perceived as less threatening and even if a woman was considered threatening it could be dangerous for a male peacekeeper to screen her as, in many cultures, it could appear disrespectful and initiate a fight with local men trying to protect her. In that sense, integrating a gender perspective means developing plans that are not biased by common perceptions of the different genders and performing defence-related duties with greater awareness. In the case of screenings, increasing the number of female peace operators would lower risks, as they could screen women more easily.

The discussion on gender perspective also spread to disarmament to include reference to the impact of conflict on people with different genders and ages. In post-conflict reconstruction, there has been an oversimplification of the way to address the needs of ex-combatants, as the vision was mostly associated to men’s needs, ignoring the specific implications on women ex-combatants. The same need to mainstream a gender perspective applies to the

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<sup>3</sup> CoESPU, *Gender Mainstreaming Awareness-rising*, 2019.

development of inclusive peace agreements, as we will see in the chapter dedicated to women's inclusion in peace processes.

Eventually, all this evidence suggests how mainstreaming a gender perspective within the work of actors dedicated to peace, defence and security should be a core priority for the international community in the path towards the construction of a peaceful international society. Implementing resolutions on WPS is the main way through which such goal can be achieved.

### ***Context and Rationale***

More than ever, the United Nations is committed to implement any resolution regarding women's empowerment and women's rights. In January 2017, soon after his appointment as Secretary General, Antonio Guterres established the Task Force on Gender Parity to develop a roadmap, with relative timeframes and specific goals, to achieve gender parity within the UN system. On 13 September 2017, Guterres and the Task Force launched a ground-breaking strategy on gender parity within the organization, particularly the leadership spheres by 2021 and by 2026-2028 at all other levels. Guterres perfectly explained a fundamental principle: "This goal is not just about numbers, but about transforming our institutional culture so that we can access and capitalize on our full potential. It is about creating a working environment that embraces equality, eradicates bias and is inclusive of all staff."<sup>4</sup> Indeed, inclusion is not just a matter of quantitative improvements, but qualitative ones. As we will see when

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<sup>4</sup> UN Permanent Missions, *Secretary-General launches UN system strategy on gender parity*, 2017.

analysing women's inclusion in peace negotiations, a greater number of women included in the peace talks does not guarantee the reaching of a gender-sensitive agreement. In the same sense, increasing the number of women in the UN leadership does not imply the incorporation of a wider gender perspective in the work of the organization. To ensure an effective positive outcome of the strategy, the Secretary General and the Task Force for Gender Parity have developed the strategy as a detailed guiding framework with fundamental targets and accountability measures for their achievement.

Including more women in peacebuilding leadership was already a priority for the former Secretary-General of the UN, Ban Ki-Moon. In 2015, during his mandate, a fundamental step was made in the advancement of the WPS agenda with the development of the Global Study on the implementation of resolution 1325 (2000). The Global Study has its roots in the resolution 2122 (2013) adopted by Security Council, commissioning the Secretary General a review on the progress made to implement resolution 1325 (2000), including implementation gaps and new frameworks for action. The Secretary General was invited to present a report based on the review in 2015, which marked the 15<sup>th</sup> anniversary of that first historical resolution on Women, Peace and Security.

The review was therefore commissioned to Radhika Coomaraswamy as leading author and the entity of which she was president, the UN Entity for Gender Equality and Empowerment of Women (UN-Women), was appointed as secretariat for the global study. Moreover, international High-Level Advisory Group was convened to assist Ms. Coomaraswamy in the redaction of the review, which was based on the recommendations of the Standing

Committee on Women, Peace and Security.<sup>5</sup> The Global Study also included the research papers submitted by more than 60 Member States, international and regional organizations, together with those of 47 civil society organizations and research institutes. The Global Study serves as a roadmap for advancement in the WPS agenda, providing good practices examples and useful recommendations to Member States and other actors to push the agenda forwards. Moreover, it proved the continuous importance given to the topic by the UN and the entire international community.

Still in 2015, a new input for advancement in the WPS agenda came from the adoption of the 2030 Agenda for Sustainable Development adopted by the UN General Assembly on 25 September to serve as an action plan for a more sustainable world. The 2030 Agenda for Sustainable Development was the follow-up of the United Nations Millennium Declaration adopted in 2000, which set 8 goals, called Millennium Development Goals (MDGs) for the implementation of fundamental UN-driven principles worldwide. The new 2030 Agenda for Sustainable Development updated the MDGs to include broader provisions and indicators for the achievement of greater sustainability worldwide. In fact, the Sustainable Development Goals (SDGs) contained in the Agenda are 17, encompassing a greater variety of subjects from peace-building to well-being. The adoption of the Agenda for Sustainable Development

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<sup>5</sup> The Standing Committee on Women, Peace and Security was born with a decision of the Inter-Agency Network on Women and Gender Equality (IANWGE) in 2001. Back then, the Standing Committee was established as an Inter-Agency Task Force to follow-up on the implementation of the first WPS resolution which was adopted one year earlier. Initially, the Task Force's duty was to support the Secretary General – who was then Kofi Annan – to develop the 2002 study on Women, Peace and Security which had to serve as a basis for the report to the Security Council. Nonetheless, with the increased need for development of implementation strategies for the WPS agenda, the mandate of the Task Force expanded and in 2011 the IANWGE transformed the Task Force into a Standing Committee.

is relevant to us because it contains strong provisions regarding gender equality. In fact, every goal presents a gender-sensitive perspective in the provisions for implementation, with 3 of them directly addressing the women's empowerment-related issues. SDG number 5 sets to goal of gender equality and, within this framework, calls upon a more equal treatment of women compared to men in the development of peaceful societies. SDG number 16, dedicated to Peace, Justice and Strong Institutions, among other provisions, addresses the inclusion of women in peace processes and their greater representation in national institutions at decision-making levels. Although the 2030 Agenda for Sustainable Development does not only apply directly and only to Women, Peace and Security, it is fundamental for the implementation of UN Security Council's resolutions on the matter as gender parity in leadership roles in peace processes and protection of women from targeted violence in conflict can only be achieved in a wider implementation strategy. For instance, one of the most effective ways to eradicate gender-related violence in conflict is guaranteeing accountability even in an unstable setting. Some of the SDGs' indicators, which are the means through which implementation is tracked, are dedicated to accountability for such cases of violence against women. As of 2017, several countries still lacked legislation on these crimes, with 49 countries lacking provisions for domestic violence, 45 countries having no legislation specific to sexual harassment, and 37 countries exempting the perpetrators of rape crimes if they are married to or subsequently marry the victim.<sup>6</sup> Other goals address women's empowerment in general, which represents a way to address the grassroots causes

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<sup>6</sup> UN-Women, *Turning Promises into Action: Gender Equality in the 2030 Agenda for Sustainable Development*, 2017, p. 3.

that lead to a weakening of women's position in conflict settings, making them more vulnerable – such as poverty and education.

Therefore, it is clear that for addressing Women, Peace and Security issues, advancement in many transversal fields is required, and we will have an idea of the contamination among the WPS agenda and other sectors in the following pages.

### ***Key definitions***

When considering a topic that focuses on gender-related issues it is normal to come across uncommon expressions that have a specific meaning in the framework of gender equality. In this paragraph, we should look at the definitions of these key terms and expressions. However, in many cases, different actors use different definitions to express the same concept and vice-versa – such as the UN and NATO's definitions of sexual violence in conflict. However, the following list should not be considered immutable. Throughout history, the UN system has often updated its definitions in order to include changes in the concepts it had at hand. In the dynamic world we live in, a continuous adaptation of definitions is required, together with that of strategies, plans, legislation and so on, to accommodate the changes in the relative frameworks.

Therefore, in this list you will find the definitions used by the UN, with some comparisons to those of NATO, which will be fundamental for the analysis of the Regional Action Plans (NAPs) for implementation of WPS resolutions in the 4<sup>th</sup> chapter.

### *Conflict Related Sexual Violence*

The most comprehensive definition of conflict-related sexual violence was outlined in the 2017 Report of the Secretary-General on Conflict-Related Sexual Violence, where it is defined as “rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict. (...) The term also encompasses trafficking in persons when committed in situations of conflict for the purpose of sexual violence/exploitation.”<sup>7</sup>

According to the NATO definition, for whom such concept is named Conflict-related Sexual and Gender-based Violence, the nature of the crime is more related to physical harassment and aggression. The NATO Military Guidelines on the Prevention of, and Response to such violence provides the following definition: “Any sexual and/or gender0based violence against an individual or group of individuals, used or commissioned in relation to a crisis or an armed conflict.”<sup>8</sup> The definition of sexual violence in general is given by the Bi-SC Directive 40-1, which states that it occurs “(...) when the perpetrator commits an act of a sexual nature against one or more persons or cause such person or persons to engage in an act of sexual nature by force, or by threat of force or coercion, such as that caused by fear of violence, duress, detention, psychological oppression or abuse of power, against such person

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<sup>7</sup> UN, Security Council, *Report of the Secretary-General on Conflict-Related Sexual Violence (S/2017/249)*, 2017, p. 1.

<sup>8</sup> NATO, *Conflict-Related Sexual and Gender-Based Violence: Case Studies*.

or persons or another person, or by taking advantage of a coercive environment or such person's or persons' incapacity to give genuine consent.”<sup>9</sup>

### ***Gender mainstreaming***

Gender mainstreaming is the approach used by many UN and non-UN actors to develop their general policies, programmes and strategies, as it relates to the inclusion of a gender-perspective in every provision in order to reduce and eradicate inequalities in the long run. Mainstreaming a gender perspective is, in fact, not a lone-standing goal, but rather a strategy for the implementation of gender equality.

It occurs by considering the different practical implications that programs, plans, legislation and strategies have on women and men of different ages in order to tailor them specifically on those needs. By mainstreaming a gender perspective in their work, all actors, in all fields and levels, can contribute to achieving gender equality in practice.

### ***Peace process***

Usually, when addressing topics related to women’s inclusion as referred to in the WPS agenda, it is common to find reference to women’s participation in peacekeeping alone. However, such expression is not enough comprehensive. In fact, WPS resolutions refer to women’s inclusion in a broader sense, encompassing different stages of conflict and post-conflict resolution and reconstruction. The definition “peace processes” is indeed more

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<sup>9</sup> Ibidem.

comprehensive as it refers to: peacebuilding, peacekeeping, post-conflict reconstruction, and peace negotiations.

A further clarification should be given about the peacekeeping operations and the related UN department. In August 2018, the General Assembly adopted resolution A/RES/72/262 C to endorse the reform of the UN peace and security pillar. From 1 January 2019, the Department of Political Affairs (DPA) and the Peacebuilding Support Office (PBSO) have convened into a new Department of Political and Peacebuilding Affairs (DPPA), and the former Department of Peacekeeping Operations (DPKO) has become the Department of Peace operations (DPO). The DPO has kept the mandate of the DPKO, as it serves as the guiding centre for peace operations. The DPPA has combined the mandates of the departments it has englobed through the reform, the DPA and the PBSO. It has a global responsibility regarding political issues related to peacebuilding.

## ***1. Legal framework***

The one that now is the agenda on Women, Peace and Security (WPS) has its roots in an activism for women's peace that has been going on for more than a century. In 1915, for the first time in history, a group of pacifist women coming from all over the world gathered in the Hague to take part to the International Congress of Women. The Congress was just a first step on the path of Women, Peace and Security, but it gave some sort of recognition to the idea that peace is deeply linked with gender equality and women's inclusion. In the following years, before the Security Council started discussing the topic, the international community has often demonstrated interest in women's protection and inclusion in case of conflict, even if in the broader frameworks of gender equality and eradication of discrimination. These attempts to address the issue were taken in the form of declarations or conventions adopted by the UN.

In the following paragraphs we will analyse the legal framework that surrounds the WPS agenda, first in a more general way, second with a specific focus on the Security Council resolutions on the matter. However, the list of documents that will be presented and analysed is not exhaustive at all, since, as we said, the WPS agenda is the result of years of battles and the jurisprudence that finds the agenda impregnated with legal principles bases this assumption on several declarations and conventions on wider or apparently different topics.

## ***1.1 International legal framework***

The first milestone regarding the one that now is the WPS topic was set by the General Assembly (GA) of the United Nations in 1974, with the adoption of the *Declaration on the Protection of Women and Children in Emergency and Armed Conflict*. The Declaration starts by the principle that gives recognition to the vulnerable position of women in such situations, consisting in the bases for further regulation, albeit not binding, in this case, of states' conduct in war case. An example can be found in Article 4, stating that "All efforts shall be made by States involved in armed conflicts, military operations in foreign territories (...) to spare women and children from the ravages of war." Article 6 states that "women and children belonging to the civilian population and finding themselves in circumstances of emergency and armed conflict in the struggle for peace, self-determination, national liberation and independence, or who live in occupied territories, shall not be deprived of shelter, food, medical aid or other inalienable rights (...)."

In 1979, it was the General Assembly of the UN again to take a further step for the protection of women in conflict, with the adoption of the *Convention on the Elimination of All Forms of Violence against Women*. Being the first binding document on the matter, the Convention created legal obligations under international law for the protection of women's rights. Although the Convention was voted upon by the General Assembly, it was the result of the efforts of the Commission on the Status of women, that was established by the Economic and Social Council (ECOSOC) of the UN in 1946 as the main intergovernmental body aimed at promoting gender equality and women's empowerment.

The Convention consists of 16 articles, with the first one providing a definition of discrimination which is “any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women (...) of human rights and fundamental freedoms (...)” Furthermore, the Convention addresses discrimination against women, referring to the areas in which it occurs more frequently and providing guidelines on policy measures that should be considered by state parties. In particular, in accordance with the Convention, States must: abolish any kind of discriminatory norms; modify laws that are in contrasts with the Convention; enforce new laws and take action to promote equality.

The Convention prohibits derogation from the related obligations during when conflict or public emergencies occur. Moreover, in case of international or non-international armed conflict, the Convention is applied concurrently with international humanitarian law, as the obligations they enforce and the protection they provide are not mutually exclusive.

Although the CEDAW Convention has been ratified by 163 Member States of the UN, many of them did so with reservation, meaning that some parts of the convention are not binding for them.<sup>10</sup> Another important feature of the Convention is the establishment of the Committee on the Elimination of Discrimination Against Women (CEDAW) which is mandated to monitor the progress made by States parties to the CEDAW Convention on eradication discrimination. It is composed of 23 experts on gender-related issues, with a particular focus on women, who can make recommendations to clarify the scope of the

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<sup>10</sup> It is interesting to notice that States have made more reservations to CEDAW than to any other treaty concerning human rights.

Convention or directly to States parties on matters they should devote more attention to. The Convention does not directly deal with women in conflict, but it highlights the importance of women's inclusion in decision-making, which is at the basis of the WPS agenda.

Additionally, General Recommendation 30, adopted in 2013 by the CEDAW Committee to provide effective guidance for States on appropriate ways to comply with the obligations of CEDAW Convention regarding women's protection in conflict prevention, conflict, and post-conflict situations. It focuses specifically on 11 topics: conflict prevention; gender-based violence; trafficking; participation, access to education, employment and health, and rural women; displacement, refugees and asylum seekers; security sector reform (SSR) and Disarmament, Demobilization and Reintegration (DDR); constitutional and electoral reform; access to justice; nationality and statelessness; marriage and family relations.

Although we will analyse Security Council resolutions on WPS more in depth in the following paragraph, it is important to mention here that one of the main features of General Recommendation 30 is its correlation with the aforementioned resolutions. In fact, the Recommendation affirms that "States are to provide information on the implementation of Security Council resolutions on women, peace and security (...)", outlining how the implementation of the resolutions is constitutive of obligations under CEDAW. It appears clear when looking at operational paragraph 9 of the first resolution of the Security Council on WPS, 1325 (2000), which calls on all countries involved in armed conflict to respect the norms established by CEDAW Convention.

A further step in the advancement of the WPS agenda was taken by the international community in occasion of the Fourth World Conference on Women in 1995, which adopted

the *Beijing Declaration and Platform for Action* (BPfA). This document, that represents a real milestone, recalls the principle asserting that the rights of women are “inalienable, integral, and indivisible part of universal human rights.”<sup>11</sup> Among many issues relevant for the empowerment and the protection of women, the BPfA dedicates a paragraph to women in armed conflict.

## ***1.2 Security Council Resolution 1325 (2000) and following resolutions on WPS***

On 31 October 2000, the Security Council of the United Nations unanimously adopted resolution 1325 (2000), the first on Women, Peace and Security. The resolution focused on two fundamental aspects of the topic: the impact of conflict on women, and women’s participation in peace processes. We could also say that the Resolution embeds a group of principles regarding the protection of women’s rights through means of international law, human rights law, and international criminal law. This resolution, which is a normative milestone for the work of the Council and of the UN as a whole, is based on three pillars that were outlined by the Working Group on Women, Peace and Security, which is a coalition of 18 NGOs advocating for the advancement of the WPS agenda in the Security Council. The 3 pillars approach (3P), protection, participation, and prevention, fosters a better and more comprehensive implementation of the resolution, as the three pillars are closely linked, and experience has proven implementing them separately unsuccessful.

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<sup>11</sup> *Beijing Declaration and Platform for Action*, 1995.

The first operative clause of the resolution, states that the Council “*urges* Member States to ensure increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict”, giving a comprehensive presentation of the scope of the WPS agenda. Nonetheless, women’s protection from gender-based violence is only mentioned in clause 10, where the Council calls upon parties to conflict to “take special measures to protect women and girls” from such violence.<sup>12</sup> However, during the 21<sup>st</sup> century, the Security Council’s work on WPS has led to the adoption of seven additional resolutions on the topic, four of which specifically focus on States’ obligations to protect women in conflict, including from sexual violence. They are resolutions 1820 (2009), 1888 (2009), 1960 (2010), and 2106 (2013). Among others, the main achievements of these resolution were: the prevision of a training for peacekeepers on how to prevent and respond to gender-related sexual violence in conflict settings; the inclusion of criminals accused of committing sexual violence in UN sanctions regime; most importantly, the institution of the position of Special Representative of the Secretary-General on Sexual Violence in Conflict. From a juridical point of view, sexual violence in conflict has also been addressed in the Rome Statute for the International Criminal Court (ICC) which was adopted in 2002 to codify sexual crimes such as rape, sexual slavery, and forced pregnancy.<sup>13</sup>

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<sup>12</sup> The protection of women and girls from gender-based violence and the definition of it provided in the 2017 report of the Secretary-General of the UN on the topic, will be discussed more deeply in the next paragraph. For now, it is enough to mention that, in its resolutions on WPS, the Security Council only addresses the issue briefly, but not ineffectively.

<sup>13</sup> ICC, *Rome Statute of the International Criminal Court*, 2002.

Although the main focus of the resolutions adopted by the Security Council has been on protection from sexual violence, women's participation in peace processes has also been addressed in some of the eight resolutions on WPS. Women's inclusion in conflict prevention and response has been addressed in resolutions 1889 (200) and 2122 (2013), in which women's role as main actors in peace-making and peacebuilding is outlined. The former resolution has the scope of highlighting the lack of women in such contexts, and the lack of attention to their needs in post-conflict settings. Thanks to the provisions included in the resolution, the UN Secretary General started including gender advisors and women's protection advisors in UN missions on the field. The latter resolution further requests to improve women's access to the political life of their countries in post-conflict reconstruction settings.

## ***2. Gender-based violence in conflict and protection strategies***

The dynamics of conflict have deeply changed throughout the decades, and now that the boundaries between “homefront” and “battlefront” are fading, women and men are exponentially affected by gender-based violence. Sexual violence is the most common form of gender-based violence in conflict situations.

In 2009, Ban Ki-moon reported to the Security Council that in Darfur, even though large-scale violence was becoming infrequent, “sexual violence continued to plague civilians”. In Haiti, several NGOs collected data on events of sexual violence and the results were alarming: 1.600 cases were reported in 2008 only. In Timor-Leste, during the political crisis of 1999, 27% of women reported cases of sexual violence perpetrated by members of the army or simply by militias. It should not surprise, then, that sexual violence in conflict is defined “the war within the war”. In Eastern Democratic Republic of the Congo, at least 40% of women have reported cases of conflict-related sexual violence. Nonetheless, only 18 peace agreements out of 300 have mentioned sexual or gender-based violence.

However, data regarding the trends of this kind of war tactics are not always reliable because of difficulties in collecting them due to the lack of reporting by victims, who feel stigmatized by their societies more than the perpetrators. In many cases, the main issue is the attack to the honour of the family of the victim, rather than the victim’s wellbeing. This leads to a nation-wide trend to erase sexual violence, rather than to provide support for the victims, in order to facilitate reconciliation. This behaviour, however, causes even more harm to the

society as a whole, as such violent crimes are normalized, and perpetrators are hard to identify and apprehend.

In this chapter, we will firstly analyse how sexual violence is used as means of war and terrorism in modern conflicts, and then we will move to study the protection strategies developed by the UN, with a focus on the tactics used in peacekeeping missions.

## ***2.1 Sexual violence as means of war and terrorism***

As we have seen, the most comprehensive definition of conflict-related sexual violence was given by Secretary-General as “rape, sexual slavery, forced prostitution, forced pregnancy, forced abortion, enforced sterilization, forced marriage, and any other form of sexual violence of comparable gravity perpetrated against women, men, girls or boys that is directly or indirectly linked to a conflict. (...) The term also encompasses trafficking in persons when committed in situations of conflict for the purpose of sexual violence/exploitation.”<sup>14</sup>

Indeed, as highlighted by the Secretary-General Special Representative on Sexual Violence in Conflict during Security Council 7704<sup>th</sup> meeting, held on 22 June 2016, sexual violence cannot be considered incidental, but rather as an integral tactic for the pursuit of the strategic objectives of extremist groups.<sup>15</sup> A clamorous example of this trend is the abduction

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<sup>14</sup> UN, Security Council, *Report of the Secretary-General on Conflict-Related Sexual Violence (S/2017/249)*, 2017, p. 1.

<sup>15</sup> UN, Department of Public Information, *Secretary-General, Other Speakers in Security Council Voice Concern over Evolution of Sexual Violence into “Tactic of Terrorism” (SC/12386)*, 2016; UN, Department of Public Information, *Shame, Stigma Integral to Logic of Sexual Violence as War Tactic, Special Adviser Tells Security Council, as Speakers Demand Recognition of Survivors*, 2017.

of 200 girls by the extremist group Boko Haram in Chibok, Nigeria, in 2014. The most atrocious stories of these acts of violence are dated back to the conflicts in Rwanda and in Bosnia Herzegovina. In the 1990s, in Rwanda, almost 250.000 women were raped in the context of a genocide that lasted for more than three months in 1994. In Bosnia up to 60.000 women experienced sexual related violence during the conflict between 1992 and 1995. Nonetheless, episodes of conflict-related sexual violence continue to be reported. The exact number of women affected by such episodes of violence cannot be estimated, but the 2018 report of the Secretary General on conflict related sexual violence outlined at least 19 countries where this is still a main concern for the international community.

During the 21<sup>st</sup> century, the UN has increased its focus on addressing sexual violence as a tactic of terrorism perpetrated by extremist groups in countries such as Yemen, Iraq, the Syrian Arab Republic, and Nigeria. Such groups usually use sexual violence and exploitation to incentivize recruitment, even promising a bride to potential new recruits, and to force displacement and conversion, in order to destabilize and weaken societies. Exploitation and abuse are also used by terrorist groups to generate revenue as part of their shadow economy, as women are *de facto* used as a currency or as rewards for combatants.<sup>16</sup>

A further problem connected to sexual violence generated from conflict is the stigma that surrounds the victim. In most cases, once released by the terrorist groups, women are held in custody by authorities as they are suspected of affiliation, with their rights as victims being completely neglected. Moreover, they are often marginalized by their community as they are

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<sup>16</sup> UN, Security Council, *Report of the Secretary-General on Conflict-Related Sexual Violence (S/2017/249)*, 2017, p. 4.

considered guilty by association. These stigmas impede victims to be treated properly, as they do not receive the medical and psychological support they would need, leading to unsafe abortions and suicides. When these situations remain unaddressed by the state, with lack of legal responses, they often result in so-called “honor crimes”, which tend to be even justified as legitimate reactions in conflict, just like women exploitation and abuses. The children born of rape in those contexts also suffer marginalization for their whole life, as they are perceived as children of the enemy and in most cases, they are given an uncertain legal status.

Security Council resolution on WPS 2331 (2016) was the first to clearly express the link between conflict related sexual violence, including sexual trafficking, and terrorist activities. The resolution paved the way for a more comprehensive and efficient monitoring and reporting system. Also, victims of sexual trafficking perpetrated by terrorist groups are now considered eligible for official reparation as terrorist victims thanks to the basis set by resolutions on WPS.

Many studies have been conducted to try to explain the reasons that make sexual violence so frequent in conflict settings. One explanation is that women tend to be more vulnerable in such contexts, but several cases of sexual violence experienced by men in conflict situations disproves this hypothesis. It could be explained by the presence of pre-existing gender inequality that worsens in a more unstable context such as war, where societal norms and safeguards break down. However, it has also been proven that most victims of conflict related sexual violence come from marginalized, destitute and displaced communities, and there is a link between economic autonomy and security. Economic difficulties easily pave the way

to certain forms of sexual violence such as forced prostitution, trafficking, and child marriage. These difficulties tend to worsen in case of conflict as women, but even persons in general, can more hardly perform the normal activities that provide them a revenue. The suppression of women's employment or education makes them more vulnerable in conflict settings, whereas economically empowered women have proven to be more resistant against recruitment and radicalization of their children and other family members, stopping the vicious circle of violence.

It should be mentioned here that, albeit in rare cases, sexual abuse and exploitation have often been perpetrated also by peacekeepers. In 2004, following the development of a complaint mechanism by the DPKO, the UN Organization Mission in the Democratic Republic of the Congo (MONUC) received 72 allegations of sexual abuse committed by the UN military personnel.<sup>17</sup> On December 2016, the spokesperson for the Secretary-General announced to the media that 25 peacekeepers from Burundi and 16 from Gabon had been identified as suspects of sexual crimes committed against the civil societies committed between 2014 and 2015.

## ***2.2 UN Protection Strategies***

The main focus of the Security Council, in its resolutions on WPS, is the implementation of appropriate measures to protect women from sexual violence in conflict settings. The main

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<sup>17</sup> UN, General Assembly, *A Comprehensive Strategy to Eliminate Future Sexual Exploitation and Abuse in United Nations Peacekeeping Operations (A/59/710)*, 2005.

focus has been put on Member States, which are required to develop legal frameworks to provide protection for civilians and to develop sanctioning mechanisms to prosecute the perpetrators of such crimes. In 2010, with Resolution 1960, the UN Secretary General was requested by the Security Council to include an annex to its annual report on conflict-related sexual violence with a list of suspected perpetrators of such crimes in conflict and post-conflict situations.

In Resolution 1820 (2008), which specifically addressed sexual violence in conflict and post-conflict situations, the Security Council declared that States parties to armed conflicts have the responsibility to take appropriate measures to protect civilians, with a clear reference to the principles outlined in the *Convention on the Elimination of All Forms of Violence against Women*, which prohibits derogation from the obligations in contexts of conflict. The measures outlined by the Security Council range from the enforcement of military disciplinary measures, to training of the uniformed personnel on rules of conducts, and their vetting to highlight records of sexual misconduct.<sup>18</sup> Furthermore, Resolution 1820 (2008), regarding the situation in the Democratic Republic of the Congo, expressed the Council's intention to impose sanctions on the perpetrators of sexual-related crimes.<sup>19</sup> Following the adoption of this resolution, the reference to sanctioning regimes increased both in the Council's resolutions and in the reports submitted to the Council by sanctions committees, the Security Council's subsidiary organs in charge of implementing the sanctions imposed by the Council.

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<sup>18</sup> UN Security Council, *Women and Peace and Security (S/RES/1820 (2008))*, 2008.

<sup>19</sup> UN-Women, *1325: A Global Study on the Implementation of United Nations Security Council Resolution 1325*, 2015, p. 326.

Through resolution 2206 (2015), regarding the situation in Sudan and South Sudan, the Security Council introduced a designation criteria in order to target individuals and entities directly responsible for certain crimes, including sexual violence.<sup>20</sup> In that specific case, the designation criteria allowed the South Sudan Sanction Committee to target individuals responsible for “the targeting of civilians, including women and children, through the commission of acts of violence (including killing, maiming, torture, or rape or other sexual violence), abduction, enforced disappearance, forced displacement,(...) or through conduct that would constitute a serious abuse or violation of human rights or a violation of international humanitarian law.” Through these criteria, for example, Security Council’s Al-Qaida Sanctions Committee included Boko Haram to the sanctioning list for several violations of human rights, including the abduction of 200 schoolgirls. Moreover, an expert on human rights and gender-based violence has been included in six of the twelve panels on monitoring groups and teams deployed in conflict zones. Currently, however, only five of the sixteen UN sanction regimes take into consideration sexual violence designation criteria, which shows that, as noted in the Compendium of the High Level Review on Sanctions (2014), there is still work to be done by the Security Council for an effective implementation of the WPS agenda.<sup>21</sup>

In its Resolution 1888 (2009) and 1889 (2009), the Security Council set the basis for the UN Entity for Gender Equality and Empowerment of Women (UN-Women) to establish the

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<sup>20</sup> UN Security Council, *Reports of the Secretary-General on the Sudan and South Sudan (S/RES/2206 (2015))*, 2015.

<sup>21</sup> UN Security Council Subsidiary Organs, *Consolidated United Nations Security Council Sanctions List*; High Level Review of United Nations Sanctions, *Compendium*, 2015.

figure of Human Rights Women's Protection Advisers, who are deployed on the field to facilitate the implementation of Security Council's provisions on sexual violence.<sup>22</sup> The mandate of Human Rights Women's Protection Advisers includes the coordination of the development of strategies to prevent and protect women from sexual violence, and advocacy for consideration of the topic in policies, operations, and programs of the UN missions. The deployment of such advisers is decided depending on specific cases.<sup>23</sup> So far, one Human Rights Women's Protection Adviser has been assigned to the UN Organizations Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) and nine have been included in the budget for the UN Mission in South Sudan, and seven of them have been deployed. The Security Council has also developed Monitoring, Analysis, and Reporting arrangements (MARA) on sexual violence, which are a fundamental tool for the work of the Security Council on WPS since they provide useful information necessary to develop adequate responses to conflict-related sexual violence and effective strategies to combat it. However, the Council has so far underscored the importance of MARA and the role that Human Rights Women's Protection Advisers can play in coordinating and convening them.<sup>24</sup> In 2014, the Security Council called for Advisors in five missions, but it only referenced the MARA for two missions.

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<sup>22</sup> The UN Entity for Gender Equality and Empowerment of Women is the main UN entity dedicated to mainstream gender-perspectives within the organization and advocating worldwide for gender equality. It was instituted in 2010 by the UN General Assembly.

<sup>23</sup> UN Office of the Special Representative of the Secretary-General on Sexual Violence in Conflict, *Implementing 1960*, 2017.

<sup>24</sup> UN-Women, *1325: A Global Study on the Implementation of United Nations Security Council Resolution 132*, 2015, p. 335.

In 2009, the Security Council adopted Resolution 1888, instituting the office of Special Representative of the Secretary-General on Sexual Violence in Conflict. The Special Representative serves as the main UN figure advocating on conflict-related sexual violence. The Office has three main priorities, encompassing both prevention and response to the above-mentioned crimes, and are: boosting prevention and deterrence, especially through the implementation of accountability measures; addressing the root causes of sexual violence by working to strengthen gender equality; fostering effective response for survivors.

### ***2.3 Protection from sexual violence and peacekeeping***

The main responsibility to protect civilians in case of conflict belongs to states. However, uniformed peacekeeping personnel has a great potential to have a positive impact on the protection of women and girls in conflict settings for many reasons. The general role of peacekeepers is to ensure security by protecting civilian populations, which encompasses a wider range of implications, such as ensuring physical and psychological security, and establishing a more general protective environment by finding lasting political solutions. In many cases, national armies are not prepared to address gender-based violence, especially in stressful conflict settings where, for many, protecting women from sexual violence is not always the priority. In the case of peacekeepers, the situation is different, although not in every mandate the protection of women from sexual violence has been explicitly articulated. However, as a result of Security Council resolution 1325 (2000), more missions are specifically being mandated to address sexual violence. As of now, six of the current peacekeeping missions include addressing sexual violence in their mandate. One example is

the UN Mission in the Democratic Republic of the Congo (MONUC), which was mandated to “strengthen its efforts to prevent and respond to sexual violence including through training for the Congolese security forces (...)” and to “regularly report (...) on actions taken in this regard, including data on instances of sexual violence and trend analyses of the problem”.<sup>25</sup>

An objection that has been made against the inclusion of protection of women from conflict-related sexual violence in the mandate of peacekeeping mission is that it will implicate the mission in the domestic affairs of the state where the mission is deployed. However, gender issues are a basic part of every conflict and even though the actual crime is committed in private spaces rather than on the “battlefield” it does not mean it is unconnected to the conflict. Moreover, according to an Oxfam/Harvard Humanitarian Initiative report, most of the cases of conflict-related sexual violence are perpetrated by combatants or by people who are affiliated with the armed groups, making the connection with the scope of the peacekeeping mission more evident. The UN Department of Peacekeeping Operations has in fact developed training programs for military, police, and civilian peacekeeping personnel to guarantee an effective protection of civilians from sexual violence through operational guidelines. However, in the cases where protection has failed, further actions to support the victims must be taken to ensure that the repercussions are limited. The victims should, in fact, be able to ask for support. Being the military and peacekeeping personnel the first point of contact of survivors, they should be able to provide a first response, providing information

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<sup>25</sup> UN Security Council, *Extension of the mandate of the UN Organization Mission in the Democratic Republic of the Congo (MONUC) (S/RES/1856(2008))*, 2008;

regarding the medical support which is available, and documenting the case respecting the rights of the victim.

As we have seen in the first chapter on the legal framework surrounding the issue, in some cases, victims of sexual violence in conflict have the same status of victims of terrorism. In general, victims of terrorism are in the position to receive further assistance by their states following the attack. This includes health assistance – physical and psychological – and economic assistance. In many cases of conflict-related sexual violence, however, the survivor is often abandoned by the state for many reasons, sometimes for lack of financial means, sometimes because of the will of the country to “hide the problem”.

Protecting civilians during conflict is as important as building an environment where they will be safe after the withdrawal of military and peacekeeping forces. Sexual violence is, in fact, resistant to disarmament in most cases, in absence of a psychological debrief. It often happens that perpetrators of sexual violence are integrated into national armed forces without an efficient vetting process, putting other people at risk as their position and impunity make them believe committing such crimes is acceptable, which becomes very likely in presence of drug and alcohol abuse.

In the case of the UN Mission in Liberia, data indicates that most of the perpetrators of sexual violence were principally combatants, who have been integrated in communities without any legal repercussion for their actions during the past conflict. In Liberia, it was defined a “cultural phenomenon” rather than a war tactic.

## ***2.4 Preventing sexual exploitation and abuse***

The year 2017 represented a strong turning point in the United Nations' methods to address sexual exploitation and abuse both internal and external to the UN system. On March 10, the General Assembly adopted an historical resolution on the so-called Zero-Tolerance Policy and sexual exploitation and abuse throughout the UN system.<sup>26</sup> The main scope of the Zero-tolerance policy is to encourage Member States to hold perpetrators of such crimes accountable through appropriate judicial processes. It also referred to those states where a non-UN mission mandated by the Security Council is deployed. Still, many states, including the European Union block, expressed some concerns over the fact that the negotiation process within the GA was not enough collaborative. Representatives of Australia, Canada and New Zealand agreed that the final outcome was weaker than what the GA could have effectively achieved. Nonetheless, the success of this resolution is undeniable, especially for the strong message it delivers.

Still in 2017, the UN Secretary General released the report on "Special measures for protection from sexual exploitation and abuse: a new approach".<sup>27</sup> The need for the report arose from the continuous allegations of sexual violence perpetrated by peacekeepers or by forces acting in conflict settings under the mandate of the Security Council. The response of the UN, particularly that of the Secretary General, has been uncompromising. Hence, the

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<sup>26</sup> UN General Assembly, *United Nations action on sexual exploitation and abuse (A/RES/71/L.59)*, 2017; UN Meeting coverage, 71<sup>st</sup> session, *General Assembly Adopts Resolution Committing to Zero-Tolerance Policy on Sexual Exploitation throughout United Nations System*, 2017.

<sup>27</sup> UN General Assembly, *Report of the Secretary General on Special measures for protection from sexual exploitation and abuse: a new approach (A/71/817)*, 2017.

Secretary General also developed the Zero-tolerance Policy for UN peacekeepers that we will analyze later on.

The above-mentioned report presented a strategy based on four main areas: “putting victims first; ending impunity; engaging civil society and external partners; and improving strategic communications for education and transparency.”<sup>28</sup>

In order to face the first aspect of the strategy, the Secretary General asked the heads of missions on the field to personally supervise the conduct of their personnel and conduct risk assessments regarding sexual exploitation and abuse with consequent analyses on how to reduce that risk. To do so, it is necessary to develop communication plans based on external advisory and expertise. Often, the deployment of Women Protection Advisers (WPAs) has helped carrying out this task, at least in peacekeeping missions. In the section of the report dedicated to “putting the rights and dignity of the victim first”<sup>29</sup>, the Secretary General also reiterated the need to have more female uniformed personnel, given the strong connection between their presence and the lower number of cases of abuse. Therefore, the section continues with two paragraphs dedicated to the new policies regarding the inclusion of women in peacekeeping as part of the broader strategy to achieve gender parity within the organization. The Department of Peacekeeping Operations (DPKO), the Department of Field Support (DFS) and the Department of Political Affairs (DPA) reiterated their commitment in achieving the goal of gender balance, promising to develop new policies to this end.<sup>30</sup> At the

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<sup>28</sup> Ibidem.

<sup>29</sup> Ibidem.

<sup>30</sup> In the next chapter we will analyse the Gender Forwards Looking Strategy developed by the DPKO and the DFS in 2014, so three years before the launch of the 2017 report of the Secretary General on sexual exploitation and abuse. Although the 2014 Gender Strategy also referenced to

same time, the Secretary General committed to push towards parity by requiring more women to be selected from the roster of candidates to peacekeeping missions.

Another major development in the protection of the victim's rights deriving from the 2017 report was the appointment of the victim's rights advocate (VRA), at the level of Assistant Secretary General. The main task of the VRA is to give voice to the victims through several means: she reports periodically to the Secretary General, guarantees advisory to the victims on how to access appropriate judicial processes, ensures that victims get proper assistance. The VRA, who is supported by a small staff, often visits missions to gain better knowledge on how sexual exploitation and abuse occur, are addressed by the mission's personnel, and to meet the victims in person, collecting their stories. Currently, the VRA is Jane Connors.

#### ***2.4.1 Rules of conduct in UN peace missions***

Unfortunately, sexual abuse and exploitation have often been perpetrated by peacekeepers. In 2004, the UN Organizations Mission in the Democratic Republic of the Congo (MONUC) received 72 allegations of sexual abuse committed by the UN military personnel.<sup>31</sup> In December 2016, the spokesperson for the Secretary-General announced to the media that 25 peacekeepers from Burundi and 16 from Gabon had been identified as suspects of sexual crimes committed against the civil societies between 2014 and 2015.<sup>32</sup> These are only some

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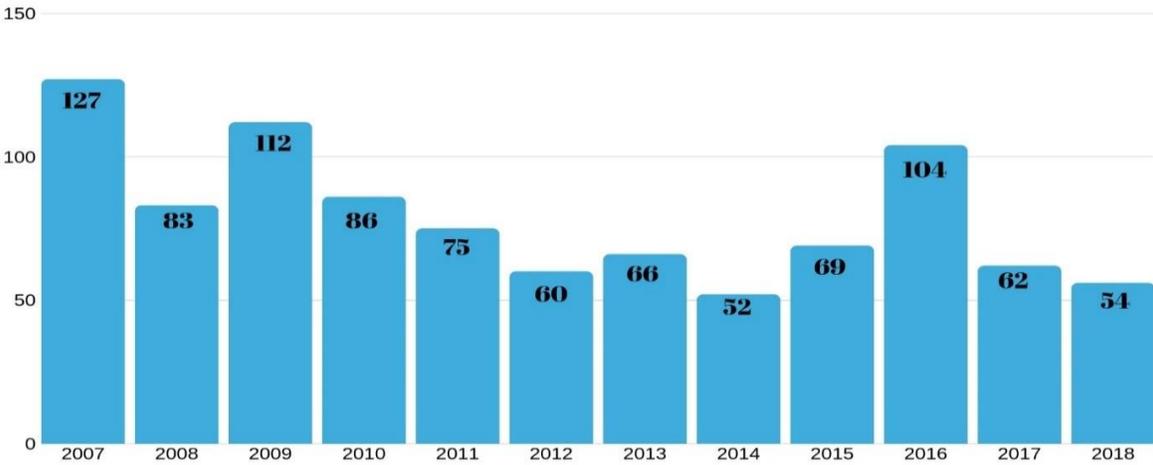
increasing women's participation in peacekeeping, it was more focused on incorporating a gender perspective in the missions, especially in the relations with local populations.

<sup>31</sup> UN, General Assembly, *A Comprehensive Strategy to Eliminate Future Sexual Exploitation and Abuse in United Nations Peacekeeping Operations (A/59/710)*, 2005.

<sup>32</sup> Security Council Report, *January 2017 Monthly Forecast*, 2017.

of the cases that have been reported so far, as over the years the UN was forced to confront allegations of sexual abuse and exploitation without having proper means to face it.

In the chart in the following page you can have a clear idea of the trends in the last decade, with reference to sexual exploitation and abuse allegations.



Data from UN, Conduct in UN Field Missions, 2019

The lack of efficient resources to address the issue became clear in 2005, when the so-called Zeid Report on “a comprehensive strategy to eliminate further sexual exploitation and abuse in the United Nations peacekeeping operations” (A/59/710) was issued by the Secretary General’s Special Advisor, Prince Zeid Al-Hussein. The Zeid Report presented a comprehensive roadmap full of recommendations for the elimination of sexual exploitation and abuse committed by peacekeeping personnel. However, it also highlighted the lack of capacity of the UN to fully address the issue due to a lack of awareness of the rules of conduct by the peacekeepers, unclear procedures to file complaints, unavailable comprehensive data, and impossibility of the UN missions to conduct investigations directly. The first step

towards a resolution of the problem was the establishment of Conduct and Discipline Teams deployed on the field with the missions.

In 2006, the UN, through the work of the DFS, developed a tracking and monitoring method for allegations of misconducts perpetrated by the peacekeeping personnel. The Misconduct Tracking System (MTS), managed by the Conduct and Discipline Unit (CDU) of the DFS, consists in a database through which everyone can have online access to data regarding misconduct allegations, related to the categories of sexual exploitation and abuse or other kinds of misconduct. Obviously, the MTS keeps information regarding the victim and the perpetrator confidential, showing only important information for data tracking necessary both for statistics purposes and for deterrence purposes. The MTS, in fact, gives access to a roster through which information on the following categories can be found: mission of reference; date of incident; personnel (whether civilian or uniformed); nationality; victim (whether adult or minor); allegation; paternity claim (when applicable) and paternity establishment; state of the investigation; interim action; financial action; referral for criminal accountability.<sup>33</sup>

In 2014, the Secretary-General's report to the General Assembly on "Special measures for protection from sexual exploitation and sexual abuse" (A/69/779) set several new measures to build the UN's capacity to address allegations and especially to prevent the occurrence of crimes. The most effective provision was the establishment of vetting processes in the evaluation of peacekeeping personnel to highlight previous records of misconduct. Additionally, it included some provisions on the support of the victims, which updated the

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<sup>33</sup> UN, *Conduct in UN Field Missions*, 2019.

provisions already included in the 2007 “Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel” adopted by the General Assembly.<sup>34</sup> One important provision of the strategy, which was reinforced by the Secretary General’s 2014 report, was the improvement of support given to children born as a result of sexual exploitation and abuse. The enforcement of such provisions is enacted in cooperation with other entities of the UN system.

The most recent and most effective step towards elimination of such crimes occurred in 2016, when Resolution 2272 on “sexual exploitation and abuse by UN peacekeepers” was adopted by the Security Council.<sup>35</sup> The resolution endorsed the decision of the Secretary General to repatriate military or police units where there is evidence of misconduct related to sexual exploitation and abuse. Additionally, it requests the Secretary General to replace any unit that has not taken any steps in the investigation of crimes committed by its personnel. The same rationale is included in the provision regarding Member States; in case they do not conduct any investigation, or ineffective investigations, on the misconduct of their deployed personnel, they might be replaced and omitted from participating in future peace operations. Another interesting feature of the resolution is the direct reference to a UN mission, specifically the UN Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA), that already in 2015 was spreading great concern within the UN

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<sup>34</sup> UN General Assembly, *Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel (A/RES/62/214)*, 2007.

<sup>35</sup> UN Security Council, *Sexual Exploitation and Abuse by UN peacekeepers (S/RES/2272 (2016))*, 2016.

system and in the international community for the incredibly high number of allegations against the uniformed and civilian personnel.

Since the development of the MTS and especially since the adoption of resolution 2272 (2016), allegations of sexual abuse and exploitation against peacekeeping personnel have significantly decreased. The greatest merit of such reduction should be given to the many different efforts undertaken by the UN to address the issue, which has remained a great priority for the UN system throughout the years.

When evaluating this data, it could be easy to reach the erroneous assumption that the deployment of UN personnel is harming countries more than helping them. Nonetheless, we should not forget that the peacekeepers guilty of such crimes represent only a small percentage of the total personnel and that the UN, although responsible, is bounded by Member States' decisions about the components of the troops, police and civilian personnel deployed.

The UN's work in addressing the issue is focused on three main objectives: prevention, response, and remedial action. The main focus is obviously on prevention, that occurs through the above-mentioned vetting processes to examine personnel's possible criminal records and through *ad hoc* training both in pre-deployment and in deployment phases. Moreover, every mission is now complemented with a standing task force on exploitation and abuse and focal points are established on the field to provide guidance on the rules of conduct and to monitor the mission's adherence to them.

## ***2.5 Tasks and tactics in peacekeeping missions***

When addressing conflict-related sexual violence, the focus must be put on two main areas: prevention and response. Preventing such violence includes proactive strategies that deter the commitment of sexual crimes in conflict. Efficient response means improving access to assistance for victims, through medical, psychological, and legal support.<sup>36</sup>

From several studies, it emerged that women are more likely to be assaulted while they are performing housekeeping tasks such as collecting firewood, water, going to the market, especially during night hours. To counter such risks, armed patrols and escorts can accompany women and girls while there are performing such tasks.

For this purpose, in many missions the so-called firewood patrols have been enforced, proving to be very effective in the UN-African Union Hybrid Operation in Darfur (UNAMID), where twice per week, UN Armored Personnel Carriers escorted women from refugee camps to the surrounding woods to collect firewood and grass to feed their animals. In the case of the mission in Darfur, the ground patrols were accompanied with aerial patrols as women tended to disperse to cover a wider area. This tactic results more effective when trust is built between patrols and the community. Therefore, it is useful to organize the so-called “firewood patrol committees”, where women meet peacekeepers or national forces to discuss about time schedules and route selection, also explaining how the patrol will be

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<sup>36</sup> Holmes & Bhuvanendra, Humanitarian Practice Network, *Preventing and Responding to Gender-Based Violence in Humanitarian Crises*, 2014

carried

out.<sup>37</sup>

The same occurs in case of water-collecting, which is a task mainly performed by women and girls. In Ethiopia, following the request of humanitarian actors, proactive assistance was provided to women and to communities, constructing water bladders in order to ease the burden on women.

In the case of markets, the community as whole can benefit from patrols, as women surrounded by uniformed personnel feel safer, contributing to economic development. Moreover, they feel safe enough to bring their children with them, avoiding leaving them unattended.

Patrols can also be deployed at borders to protect women and children belonging to uprooted populations and to monitor suspect movements such as those of human trafficking in women and girls. Moreover, they have been successfully deployed in refugee camps in Darfur, where unarmed patrols have efficiently prevented sexual gender-based violence.

Another effective tool used by peacekeepers and national armies are joint protection teams (JPTs), whose scope is to facilitate access for humanitarian and assistance actors, strengthening community protection, and improving monitoring and information-sharing between all the actors involved on the specific field. In 2008, MONUC deployed joint protection teams to support civilian population involved in the mission in cooperating with local authorities and communities. This allowed them to establish joint patrols and curfews

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<sup>37</sup> It is important to acknowledge that patrols do not perform mere transportation, when women are simply carried to the firewood collection sites and left vulnerable while performing their tasks and on the way back to their houses or camps. While women are carrying wood, water, or other provisions, they are even more vulnerable as they move more slowly, risking being easily assaulted.

in high-risk areas.

In some other cases, UN mission have set up the so-called quick impact projects (QIPs) to directly reduce the risk of women performing their common tasks. Which means, for instance, that in order to protect women from the risks deriving from fuel collecting, a locally-adapted technology has been promoted and assistance in developing alternative fuel sources has been provided in order to reduce those risks. Another example of QIPs is the constructions of Women's Shelters where survivors of sexual violence can find psychological support and counselling. However, to address sexual violence effectively it is also necessary to raise awareness on the issue, as in many cases, such crimes are committed because of cultural biases on the position of women as subordinate to men. In a study conducted in the Monrovia hospital in Liberia, 658 cases of sexual violence were analyzed, and the results showed that most of the perpetrators were known to the victims.<sup>38</sup> Changing the mindset is the most effective way to deter sexual violence, even in conflict settings. For that scope, peacekeepers have often cooperated with national actors to develop anti-rape campaigns. In the DRC, radio programs have been used to share sensibilization messages, and to follow related trials as a deterrent. Peacekeepers also collaborate with national authorities to guarantee justice to sexual violence survivors. Together with the Rule of Law section of the UN Police (UNPOL), peacekeepers have served in the apprehension and hand-over of people suspected for sexual crimes.<sup>39</sup>

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<sup>38</sup> Holmes & Bhuvanendra, Humanitarian Practice Network, *Preventing and Responding to Gender-Based Violence in Humanitarian Crises*, 2014

<sup>39</sup> Here we are discussing peacekeeper's tasks and tactics for combating sexual violence, so it would not be correct to introduce state's lacks in implementing rule of law in conflict and post-conflict

### *3. Women's participation in peace processes*

It is commonly known that women are often under-represented in political processes, both at national and international levels. In the case of peace processes, records show that only a small percentage of women have set at the negotiation tables, although they have often been present at an informal level.

However, women's role has proven to be extremely powerful in many cases throughout history. For instance, in Liberia, women have surrounded the building where leaders had gathered to impede them to leave the room and negotiate; in Northern Ireland, women have created a coalition and were elected to take part in the negotiation process that led to the adoption of a peace agreement in 1998; the so-called Women in Black, born in Israel after the first intifada, has soon become an international anti-war movement.

The Beijing Platform for Action was the first to approach women's right to play an active role in politics. The principles were then expanded by the Security Council to include peace-building and peacekeeping contexts. In fact, resolution 1325 (2000) stressed the need for a greater formal involvement of women at all decision-making levels of regional, national and international institutions related to conflict management and resolution.

After the adoption of resolution 1325 (2000), there has been an increase in the rates of women having a meaningful role in peace processes, and even in references made to them and to women-related issues in the agreements themselves. Prior to 2000, only 11 % of peace

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situations. However, mentioning it is useful to show how UN missions' success depends on national capacity and vice-versa.

agreements referred to women and mostly in a generic gender-related manner. After the adoption of the first WPS resolution, that percentage raised to 27%, and women were referred to in a qualitatively better way, as the focus was put on security directives for women's protection, and on concrete commitments to boost women's appointment to decision-making positions.

As well as resolution 1325 (2000), three more Security Council resolutions on Women, Peace and Security have specifically addressed the issue of women's inclusion in peace processes. In resolution 1820 (2008), the Security Council called upon the Secretary General to include women in conflict-resolution, peace-building, and peace-keeping discussions; resolution 1889 (2009) addressed women's inclusion in peace processes focusing on the promotion of women's leadership, on the support for women's organizations, and, more in general, on gender equality; resolution 2122 (2013), the most recent one specifically addressing this sub-issue of the WPS agenda, instituted a reporting mechanism instructing the Secretary General and his Special Representatives to UN missions to include progress made on the issue in their regular briefings to the Security Council. Furthermore, resolution 2122 expresses the Council's intention to develop new provisions to increase women's presence in political processes mandated in the UN missions – specifically, in “election preparation and political processes, disarmament, demobilization and reintegration programs, security sector and judicial reforms, and wider post-conflict reconstruction processes.”<sup>40</sup>

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<sup>40</sup> UN Security Council, *Women and Peace and Security (S/RES/2122 (2013))*, 2013.

### ***3.1 Benefits of women's participation in Peace Processes***

Women have proven to be more likely to apply a gender-perspective in peace negotiations. Therefore, their inclusion in all stages of a peace process is crucial for the settlement of societies.<sup>41</sup> In fact, communities where women have been more active and involved have proven to be less likely to resort to the use of force: in Kenya, women's organizations have worked to prevent the spread of radicalization in marginalized areas; in Mali, women have worked to ensure the reintegration of combatants; in Burundi, women groups have served as mediators in local conflicts, preventing further escalations of tensions.

From 2011 to 2015, the Graduate Institute in Geneva analyzed 40 cases of peace processes. Evidence from the study showed that when women had a leadership role in the process or in at least they had a meaningful, influential role, there was a higher chance for the agreement to be reached compared to those where women had a weaker role. The most frequently present effect of women's inclusion was the proceeding of or resumption of negotiations in case of a stall. Moreover, the research resulted in the existence of a correlation between women's influential presence at negotiation tables and the actual implementation of the agreements reached. Despite evidence, the study of the Graduate Institute was criticized for the possibility of overburdening women's inclusion. However, a more recent statistical

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<sup>41</sup> UN, General Assembly, *Women's Participation in Peacebuilding: Report of the Secretary General (A/65/354-S/2010/466)*, 2010, p. 4.

analysis focused on 181 peace agreements reached between 1989 and 2011 showed that peace processes including women were more likely to last at least 2 years by 20%.<sup>42</sup>

### ***3.2 Obstacles to Women's Meaningful Participation***

Although the achievement of women's full participation in peace processes has been widely acknowledged as a requisite for advancing in peace and security agenda in general, they remain highly underrepresented. Identifying clearly the main obstacles that impede women's participation in peace processes – and their access to decision-making roles in general – is extremely hard in the contemporary global context, as most of the causes are rooted in issues that present a transversal nature, encompassing sociology, political, and historical matters. However, a good analysis has been outlined in a report resulting from an expert group meeting that was convened by UN-Women in occasion of the preparatory work of the 2018 report on WPS by the UN Secretary General, Antonio Guterres. The Expert Group's Meeting (EGM) on Women's Meaningful Participation in Negotiating Peace and the Implementation of Peace Agreements was convened in New York for two days with the scope of informing the section of the section of the 2018 report named "in-focus", which gives an in-depth analysis of the issue of women's underrepresentation in such processes. Participants focused on ceasefires, local peacebuilding processes, implementation mechanisms, transitional

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<sup>42</sup> L. Stone, *Quantitative Analysis of Women's Participation in Peace Processes*, Annex II in *Reimagining Peacemaking; Women's Roles in Peace Processes*, 2015, p. 34.

agreements, disarmament and demobilization agreements, humanitarian access agreements and more.

In their analysis, the experts identified some of the major challenges impeding progress in the WPS Agenda. The main trends that were identified were the following:

1. “Patriarchal systems and persistent gender inequalities”<sup>43</sup>
2. “Nature of contemporary conflict”<sup>44</sup>
3. “Shrinking political space and threats against women’s human rights defenders”<sup>45</sup>
4. “Funding challenges and insufficient investment in gender expertise”<sup>46</sup>
5. “Limited recognition of women’s expertise and lived experience”<sup>47</sup>
6. “Tension between transformative and technocratic approaches”<sup>48</sup>
7. “Knowledge gaps”<sup>49</sup>

In order to better explore the issue of the paragraph at hand, we shall analyze the seven issues separately, although briefly. Nonetheless, it is important to clarify that the EGM did not identify specific solutions to every issue. Because of the multifaceted aspects of the obstacles to women’s inclusion, it will appear clear that more than one actor and one solution are required to bring progress in that sphere of the WPS agenda.

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<sup>43</sup> UN-Women, *Women’s Meaningful Participation in Negotiating Peace and the Implementation of Peace Agreements*, 2018.

<sup>44</sup> Ibid.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid.

<sup>49</sup> Ibid.

### *Patriarchal systems and persistent gender inequalities*

The most basic threat to women's inclusion in peace-building and peace-keeping roles derives from institutionalized patriarchal approaches that contribute to gender inequalities in those political and international elites that select the leaders and significant participants in peace processes. Women's lack of representation in the peace-making fora begins with the inability to appoint women as mediators for hostility or negligence reasons. Moreover, in case of the appointment of local representatives in conflict situations, women's conditions and positions makes their inclusion even more difficult due to pervasive sexual and gender-based violence, poverty, lack of equality before the law, unpaid work and more. Throughout history, even the United Nations Organization itself presented many flaws in its approach to gender equality, that for many years has been more a matter of principle than a matter of fact. In 2017, Secretary General Antonio Guterres launched the UN system strategy on gender parity, providing a roadmap to achieve full gender parity among the leadership positions within the Organization by 2021. According to Guterres, the goal was not "just about numbers, but about transforming our institutional culture so that we can access and capitalize on our full potential. It is about creating a working environment that embraces equality, eradicates bias and is inclusive of all staff." In 2018 already, for the first time in UN history, gender parity was reached among UN resident coordinators (the chiefs of UN missions in a country).

### *Nature of contemporary conflict*

More than the nature of conflict itself, the approach of international and national actors to conflict resolution makes women's inclusion more difficult; States continue to respond to conflict in terms of violent extremism-prevention and counter-terrorism rather than following a humanitarian approach. In that manner, the recognition, and even more the strengthening of civilians' rights are bypassed, including women's right to participate in the political fora in charge of managing and resolving the conflicts. Furthermore, wrong post-conflict management can worsen women's situation. As outlined in the previous chapter, we know that conflict easily and always paves the way to sexual violence that mostly targets women. After the conflict, once the first peace agreement has been reached, it is common for States to ignore the consequences of such violence as it seems easier than addressing them once the situation is more stable.<sup>50</sup> Moreover, violence against women usually doesn't stop once the agreement is reached, and sometimes it increases after periods of peace following a conflict.<sup>51</sup>

### *Shrinking political space and threats against women's human rights defenders*

In his 2017 report on Women Peace and Security, Secretary General Guterres called upon Member States to “develop and institutionalize protection mechanisms for defenders of women's human rights, publicly condemn violence and discrimination against them and

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<sup>50</sup> As a matter of clarification, it is important to remember that WPS issues also include post-conflict scenarios. In the case of conflict-related sexual violence, it relates to women's recovery and accountability of the perpetrators before the law; in that of women's inclusion in peace processes, it is connected to women's participation in peace-building and post-conflict reconstruction – once again, a conflict is not over once the peace agreement is signed.

<sup>51</sup> Swaine & Aisling, *Conflict-Related Violence Against Women: Transforming Transition*, Cambridge University Press, 2018.

acknowledge their critical contribution to peace and security.”<sup>52</sup> Human rights activists, and defenders in general, including those advocating for women’s rights, continue to be threatened at alarming rates, making their inclusion in decision-making processes harder. For the protection and inclusion of human rights defenders and civil society in general much more should be done by international and national actors. In 2016, less than 20% of the resolution adopted by the Security Council contained reference the matter. Regarding women’s inclusion in political for a, some progress has been made by the Security Council, which has increased connections with women civil society leaders and NGOs regarding women’s rights and inclusion through periodical briefings. An example is the NGO Working Group on Women Peace and Security that represents a coalition of 18 NGOs active in advocating for the implementation of WPS agenda worldwide. The Working Group works through advocacy, analysis and monitoring methods which allow them to track the accountability of UN Member States under their obligations deriving from UNSC resolutions on WPS. It is also regularly invited to brief the Security Council on the perspective of civil society, and they can advocate quite efficiently as the headquarter is in New York – although their members work in over 50 countries. Nonetheless, for many women the costs of travelling to the UN Headquarter or for the obtainment of the required visa are unbearable, as they can only rely on some funding from UN-Women.

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<sup>52</sup> UN Security Council, *Report of the Secretary General on Women, Peace and Security (S/2017/861)*, 2017.

### ***Funding challenges and insufficient investment in gender expertise***

The participants to the EGM outlined three trends in financing the WPS agenda: “(1) disproportional investment in military spending; (2) lack of investment in women’s organizations overall; (3) distribution of large sums with short implementation windows that expose many women’s organizations to a debilitating cycle of short-term projects and secondary contracting to name a few.”<sup>53</sup> Even the UN itself, specifically the Fifth Committee, frequently cuts gender-advisors posts from missions budgets. As of now, there are only two innovative funds related to the WPS agenda, being the Women’s Peace and Humanitarian Fund and the United Nations Peacebuilding Fund’s Gender and Youth Promotion Initiatives. However, what is necessary is a long-term investment solution that includes even national authorities.

### ***Limited recognition of women’s expertise and lived experience***

Throughout history there has been evidence of women mediating successfully local, national and international conflicts, serving as community representatives, parliamentarians, or religious figures. It would be erroneous to think that women’s inclusion only brings gender perspectives, as it also carries valuable expertise which is, unfortunately, still underrated. Moreover, women’s experience of conflict, their experiential knowledge of insecurity, violence and conflict resolution, is usually ignored as women are presumed to be lacking in capacity.

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<sup>53</sup> UN-Women, *Women’s Meaningful Participation in Negotiating Peace and the Implementation of Peace Agreements*, 2018, p. 5.

### ***Tension between transformative and technocratic approaches***

The first WPS resolution and the WPS agenda in general derived from the first efforts of women to end wars and build inclusive societies, with roots in the Women's International Peace Congress held in The Hague in 1915. Those first efforts paved the way to important documents such as the CEDAW and the Beijing Declaration and Platform for Action.

However, enough time has passed since then to require a revitalization of the approach to women's empowerment in peace and security-related fora, although the trajectory of the WPS agenda remains valid.

The inclusion of gender advisors is one of the most effective ways to revitalize practice in WPS, as they are a valuable link between women's movements and institutions. The institutionalization of women's roles is in fact vital to recognize and reaffirm women's important roles in advancing peace and security, eradicating the bias surrounding their abilities.

### ***Knowledge gaps***

Lack of information and data regarding women's experience of and in conflict remains one of the main obstacles to the advancement in WPS agenda. The EGM outlined 14 knowledge gaps requiring further research and analysis. They are: "women's participation in pre-negotiation phases, gender-responsive ceasefires, women's participation and gender perspectives in humanitarian access agreements and processes, mechanisms and modalities to unlock stalled processes, implementation modalities for peace agreements particularly gender-specific provisions, women's participation in monitoring and verification

mechanisms, indicators of meaningful participation, dimensions and steps towards substantive representation and meaningful participation, gender advisors in peace processes, masculinities and parties to conflict, effective strategies for building and sustaining women's coalitions and movements and their impact, linkages between women's participation in peace processes & participation in democratic processes and governance, mediation networks and support mechanisms, gender perspectives and women's participation in transitional justice processes."<sup>54</sup>

### ***3.2 Women at the negotiation table***

Between 1992 and 2011, 31 major peace processes were conducted in the world. Out of all the participants in the peace talks, it resulted that only 4% of the signatories, 2% of the chief mediators, 3% of witnesses and 9% of negotiators were women. Between 2008 and 2012, only two peace agreements were signed by women, out of 61 that have been undertaken in that period.

We have tried to understand what are the reasons leading to women's exclusion from peace processes in general in the previous paragraph; now, we want to outline the general trend resulted from the analysis of the negotiation processes conducted after the adoption of the Security Council resolution 1325.

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<sup>54</sup> UN-Women, *Women's Meaningful Participation in Negotiating Peace and the Implementation of Peace Agreements*, 2018, pp. 8-9.

There is clearly a structural exclusion of women from peace talks, which is mainly related to a preclusion for women to access the typical dominating roles in peace processes – such as consulting lawyers, diplomats, politicians. However, we can look at women’s participation in negotiation processes from two perspectives: women in official roles and women’s civil society groups with consultative access to the process. The two aspects pose different structural problems. The scarcity of women with official roles in peace talks mostly derives from social gender biases (some of which we have seen in the previous paragraph) and leads to a series of inefficiencies in the outcome of the peace agreement. For example, when women don’t take place in the negotiation of a peace agreement, it is unlikely to address the sexual violence perpetrated during the conflict and gender-related issues. From several analysis, it resulted that the negotiating parties did not consider sexual violence as a relevant priority for the peace talks. In 2009, UN-Women organized a High-Level -Colloquium on “Conflict-related sexual violence in peace negotiations”, where many negotiators to previous peace processes convened to discuss their approach to conflict-related sexual violence during the peace talks.<sup>55</sup> The results of the Colloquium showed that all the negotiators present had never addressed the issue during negotiations, admitting that the lack of specific guidance and training on the matter was to blame. With this regard, in March 2012, the UN Department of Political Affairs issued the Guidance for Mediators on Addressing Conflict Related Sexual Violence in Ceasefire and Peace Agreements, stating that the absence of women at the negotiation table is one of the major reasons why the issue is not addressed.

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<sup>55</sup> UN-Women, *Women’s Participation in Peace Negotiations: Connections Between Presence and Influence*, 2012, p. 7.

Nonetheless, women who hold an official role in negotiating parties have sometimes less autonomy than those who are influencing the peace talks from the outside. In fact, negotiators usually have to represent the interest of their parties rather than that of their gender, although there is one exemplar case showing that the two interests, those of women in general and those of a political party, converged. In 1997, at the peace talks in Northern Ireland, some women secured a place at the negotiating table by gaining votes in the election for the representatives to the peace process. The Northern Ireland's Women Coalition's campaign was officially focused on the fact that it was women-led and refused to take any official stand on whether Northern Ireland should remain in the United Kingdom of Great Britain or become part of a United Ireland. Once the agreement was reached, the Coalition gained more than 13,000 votes in the Assembly election.

On the other hand, women's civil society groups with consultative access to the process have the power to bring gender-related issues to the negotiating table, albeit indirectly. However, to be effective, their strategy must be well prepared: the group must be broad and have a good, proportional representation, and the mechanism bringing the group's views to the negotiation table must be outlined in advance, otherwise they would risk spending most of the time of the peace talks trying to find a way through. On the other side, the UN, when involved, and national entities must ensure there are effective mechanisms to include these groups' views in the peace agreement through systematic, institutionalized consultation.

### ***3.2.1 Participation modalities***

The greatest diplomatic success of this decade is not to be found in the resolution of a conflict, but rather in its prevention. In 2015, after years of clashes between the Republic of Iran and the P5 members of the Security Council, together with Germany, these countries managed to reach an agreement to restrain Iran's nuclear programs. The agreement was reached under the leadership of three women: Federica Mogherini, the High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the European Commission, Helga Schmid, Secretary General of the EU diplomatic service, and Wendy Sherman, leading the US negotiation team.

In this paragraph we will outline the different modalities in which women have participated and can participate in peace processes. The first figure is that of a woman acting as mediator or as part of a mediation team. Although the UN has never appointed a female chief mediator, women serving as Special Representatives of the Secretary General have often played an active role in conflict mediation. For instance, in the early 1990s, the then-Special Representative of the Secretary General in the Republic of Angola, Dame Margaret Anstee served as lead mediator in the peace process conducted by the UN in the country. Some years later, she also took part to the peace talks in the Republic of Cyprus as Special Advisor of the Secretary General. Moreover, in 2011, the UN was the broker of fourteen peace processes, with four resulting in peace agreements. Out of the fourteen mediation teams, twelve included women.

It is worth recalling that in many cases the mediation is not conducted officially, as local people act as mediators between the conflicting parties thanks to personal connections to

them. Even though they act without an official recognition as mediators, they facilitate discussion among the parties, paving the road to an agreement. In 2004, the Ugandan Betty Bigombe, on her own initiative, mediated the conflict between the government and the Lord's Resistance Army (LRA), setting the basis for future official peace talks.

Another interesting position to analyze is that of women participating as delegates of the negotiating parties. The negotiating parties are usually the most powerful figures in a peace process as they can set the agenda and even decide where the meetings for negotiating the agreements should be held. The data available does not allow to have a clear vision of how many women have taken part in the teams of the negotiating parties as their composition is quite variable. However, from some general information gathered through the review of the peace processes conducted after 1992, we know that women's participation in negotiating delegations varies from zero to 35%.

From recent data we know that there has been some great success in recent years, in particular in the peace process between Government of Philippines and the Moro Islamic Liberation Front (MILF) that led to the adoption of the 2014 peace agreement, paving the way for the creation of a new entity, the Bangsamoro, in the Southern region of the state.<sup>56</sup> Women's significant participation in the peace process led to the adoption of an agreement full of

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<sup>56</sup> The conflict in the Philippine island of Mindanao has its roots in ethnic and religious discrepancies that trace back to when some of the indigenous people living on the island were Islamized. These religious group was called "Moro" by the Spanish colonizers, who named it after the Moors that had invaded Spain in the past. Following colonization, the island of Mindanao ended up being inhabited by a Christian majority, that forced the displacement of the Moro ethnic group. The Moro claimed the loss of their lands as an "historical injustice" and asked for the formation of a new region, the Bangsamoro, literally "the Moro Homeland". The case of the conflict in Mindanao is very interesting, but for a matter of space and relevance to the topic we will not analyse the conflict itself, rather than women's participation in the subsequent peace process.

reference to women's rights enactment and protection. In fact, eight out of the sixteen articles of the agreement make specific reference to women's engagement in politics, to their fundamental role in the region's development, and to their protection from violence. Such gender-sensitive agreement was the result of a consistent and meaningful inclusion of women in the peace process, which, again, traces back to a strong history of women in leadership positions at local and national levels.<sup>57</sup> As a result of such good historical practice, one third of the people sitting at the negotiation table in 2014 were women. Nevertheless, the inclusion of women in peace processes is not itself a guarantee of gender-sensitive agreements, as their participation must be meaningful and well-oriented. For instance, in the case of the peace talks held in Aceh in 2005 between the government and the rebel faction, one woman was included in the latter. However, she recognized that she knew nothing about resolution 1325 and that, at the time, she did not realize what the inclusion of women meant for the outcome of a peace process.

Women can also participate in all-women negotiating panels "representing a women's agenda".<sup>58</sup> However, historically, we have evidence of just one of such cases, the above-mentioned Northern Ireland peace process, where the Women's Coalition gained two seats at the negotiating table.

Groups of women can also participate as observers representing women in civil society, which is the most common inclusion method, although it has often given uneven results

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<sup>57</sup> An important shift occurred when, in 2011, two women were appointed in the government negotiating panel – on a total of five people. Since then, every governmental negotiating party has always included at least one woman.

<sup>58</sup> UN-Women, *Women's Participation in Peace Negotiations: Connections Between Presence and Influence*, 2012, p. 8.

throughout history. In Ghana, at the peace talks in Accra, the Liberian Women in Peacebuilding Program (WIPNET), gained the status of observer for the process. However, the real impact of the group on it resulted from its agitations for advocacy practices that led to a restless mobilization, sit-ins and demonstrations that impeded the delegates from abandoning the site of the negotiation without reaching an agreement. At the Juba peace process between 2006 and 2008, in Uganda, two women's coalitions were included as observers only at the end of the negotiations and with a role which involved a mere observative role rather than even consultative. However, their efforts in the backstage of the process had a much greater influence on it through the coalitions' regular contact with UNIFEM (which is now part of UN-Women) advisers to the UN Special Envoy to the negotiation table. In 2000, in Burundi, a group of seven women was granted observer status after a strenuous lobbying activity. After meeting with the chief mediator, Mwalimu Julius Nyerere, they managed to hold an extraordinary session with the 19 heads of the negotiation parties. Nyerere's successor was Nelson Mandela, whose efforts to include and consult women's groups remained exemplar. Eventually, all the women that had been included in the peace talks as observers or as delegates held an all-party Burundi Women's Peace Conference in July of the same year to draft a declaration with recommendations to be submitted to Mandela for the final agreement, successfully. Perhaps, the most famous phrase to find the declaration of the women's peace conference is "We, the women of Burundi,

participants and observers to this conference (...) deplore the fact that women of Burundi were not included in the negotiations until this very late stage.”<sup>59</sup>

Finally, let’s focus on the case of women included as gender advisers to mediators or delegates, which is one of the most efficient ways to guarantee the inclusion of gender-related provisions in the peace agreement. However, including officially recognized gender advisers in mediation teams is not a common practice yet, but in several occasions, women have played a *de facto* gender advisers’ role in peace processes. In the above-mentioned peace process initiated to solve the Burundi civil war that saw an end in 2005, UNIFEM (now part of UN-Women), deployed an expert team on gender to be invited in the peace talks in Tanzania in 2001. The team was composed of one man and three women who were former members of liberation movements respectively in Uganda, South Africa, Eritrea and Guatemala. Although it wasn’t part of any negotiation party, at least officially, the team was granted permission to have a seat at the negotiation table and ended up bring valuable and vital expertise to the process. Their role was never underestimated by the other negotiating parties, as their background granted them high credibility. This, together with the supporting influence of Nelson Mandela (who, as we have already seen, was the chief mediator), enabled the gender-advisory team to convince the negotiators to convene the All-Party Women’s Conference.<sup>60</sup>

Further evidence of the benefits of the inclusion of gender advisers in peace processes come

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<sup>59</sup> UN-Women, *Women’s Participation in Peace Negotiations: Connections Between Presence and Influence*, 2012, p. 14.

<sup>60</sup> Cordula Reimann, *Promoting Women’s Participation in Peace Negotiation and Peace Processes*, 2013, p. 34.

from the peace process for Somalia. In the peace talks and consequent agreements held and signed in the period from 2008 and 2011 there was no representation of women at all in the peace process. The situation changed when the gender advisor from the UN Mediation Support's Unit (UN MSU) Standby Team of Mediation was included in the 2011 peace negotiations. The adviser granted participation to a women quota in the following peace talks and played a crucial role for the recognition of the demands of all Somali women. In fact, her role in the UN MSU allowed to move freely among women in the local communities, collecting information and recommendation that she promptly reported to the negotiation table. One of her main achievement was the inclusion of a quota for women in political spheres in the provisions for the final agreement.<sup>61</sup>

### ***3.2.2 Biases in women's inclusion in negotiations and best practice for reaching gender-sensitive agreements***

Although we have been widely talking about how women's inclusion in peace processes, with a special focus on their inclusion in negotiations, we shall now lead our analysis towards the biases deriving from this participation. What I mean to explain is that not in all cases women's inclusion in negotiations eventually guarantees gender-sensitive final agreements. Moreover, here we want to highlight some of the best practice resulting from the analysis of peace agreements where women were consulted or where a gender advisor was included.

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<sup>61</sup> Cordula Reimann, *Promoting Women's Participation in Peace Negotiation and Peace Processes*, 2013, p. 35.

Analyzing the main bias – the connection between women’s inclusion and gender-sensitive peace agreements – historical evidence shows us that having a relatively large number of women in the negotiation process does not affect the final formulation of the agreement accordingly. In the peace process in El Salvador, Guatemala, 12% of the signatories of the 1992 agreement were women, representing 13% of the negotiation team, accounting to a total of 25% of women participating in the process.<sup>62</sup> Nonetheless, the subsequent peace agreement did not include any reference to women-related or gender-related issues. In 1996, the new peace accords contained several references to gender-related issues, but those were the result of the advocacy and participation of one woman, Luz Mendez, combined with the influence of civil society’s representatives convened in women’s organizations advocating through the Civil Society Assembly, and the legacy of the Fourth World Conference on Women held in 1995.

Luz Mendez was the only female member of a delegation signing the peace accords for Guatemala in 1996, after 36 years of civil war. Mendez participated in the peace talks as part of the delegation of the Guatemalan National Revolutionary Unity, the leftist guerrilla movement leading the leftist opposition forces in the peace negotiation. She took part in the negotiation from 1991 to 1996 and, during those years, she fought fiercely to advocate for the recognition of women’s rights in the final agreement. In particular, she worked for the

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<sup>62</sup> Although 12% of women signatories may appear like a low percentage, it is still one of the highest in history. We should not forget that the steps taken in women’s inclusion and protection – and in general in the development of the WPS agenda – have been moved only in recent years, as the real first acknowledgement of the issue only occurred in 2000 with UNSC resolution 1325. Therefore, even though we are aspiring at full gender parity, these achievements should still be recognized.

inclusion of some provisions regarding the issue of sexual violence perpetrated during the conflict, especially against indigenous women. However, this provision was not included in the final accord, which inspired her to become an activist for women's rights. She has often served as an advisor during following international peace processes, always advocating for the inclusion of women's perspective.<sup>63</sup>

Another even more rampant example of such bias can be found in the Philippines, which, as we have seen, is the peace process that has included the highest number of women in history. Despite such great achievement, the three peace agreements signed between 2008 and 2009 made no reference to gender-related issues.

Eventually, including women is not a guarantee for gender-sensitive agreements, but still it has proven to be at least a requisite for it. Nonetheless, there are some guidelines for best practice that have proven to be successful mechanisms for the inclusion of gender-related provisions in final agreements. The first fact we can highlight is that the incorporation of gender-sensitive provision in an agreement depend on the timing of women's inclusion in the peace negotiation and the time when gender-related issues are raised during it; the sooner is the issue addressed, the higher are the chances to have a gender-sensitive agreement. This is more likely to happen when gender advisors are included in the negotiations. The presence of gender advisors brings other benefits to the process, and eventually to the final agreement, which has more chances to include a gender-sensitive language and provisions. Ideally, gender advisors should cooperate, and in some sense train, local women's advocates and

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<sup>63</sup> Nobel Women's Initiative, *Meet Luz Mendez, Guatemala*, 2019.

activists in order to guarantee a certain continuity with their work once the peace negotiation is over.

However, what successful agreements have shown is that women's inclusion must have a transversal nature, encompassing a quite wide variety of actors and themes. As outlined by Cordula Reimann in his paper on "*Promoting Women's Participation in Peace Negotiation and Peace Processes*" (2013) there are three dimensions through which women influence a peace process: "First, women's effectiveness in formal peace negotiations is increased by the degree of connectedness with unofficial and informal grassroots initiatives. Second, women engaged in grassroots and informal peacebuilding have greater chances of being heard at the peace table if they have strong links and communicate well with official and formal processes and actors. Third, the strategy adopted by Luz Mendez and the women involved in the Philippine peace negotiations highlights the importance of having both links: formal links to official negotiation teams and informal links to different stakeholders and parties, as well as the wider community."<sup>64</sup>

### ***3.3 Women in peace operations***

As we have seen, one of the pillars of UNSC resolution 1325 is the involvement of women in peace and security operations, especially in peacekeeping missions. The military and

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<sup>64</sup> Cordula Reimann, *Promoting Women's Participation in Peace Negotiation and Peace Processes*, 2013, p. 39.

police personnel deployed in UN peacekeeping missions as of March 2018 amounted to a total of 91.058 people, of which only 4.335 are women, while 3.623 are the female civilians serving in peacekeeping missions.<sup>65</sup> Nonetheless, the latter represent 22% of the 16.507 total of civilians serving as personnel. The chart in the following page shows the gender division of military and police personnel in some of the most important UN missions deployed as of 2018.



Based on data from United Nations Peacekeeping website

Despite their small representation, women have proven to be able to fully perform the same tasks as men, under the same conditions and with the same standards. They are indeed fundamental for the success of the operation, as they have a positive impact on several aspects of the missions. For instance, they can efficiently and effectively address the needs of women

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<sup>65</sup> United Nations, Department of Peacekeeping Operations, *Summary of Troop Contributions to UN Peacekeeping Operations by Mission, Post and Gender*, 2018.

in conflict and crisis settings, especially those who are ex-combatants or survivors of sexual gender-based violence. Their presence can improve intelligence measures that have so far left a vacuum in the security strategies, as they can access populations and venues that are more frequently restricted to men and they can screen women for searches without lacking respect.<sup>66</sup> Also, women can more easily resolve disputes that would normally escalate if handled by men as female officers have proven to be more capable of de-escalating the dispute where male counterparts have used excessive force. Finally, women are less likely to break rules of conduct, showing a much stronger integrity for the entire force. We have seen that there have been cases where peacekeeping personnel has been accused of sexual violence. Including 5% of women in the missions would structurally reduce such risk by half.<sup>67</sup> Moreover, a visible presence of women on the field empowers local women and girls and has proven to encourage women's participation in local security forces. Then, why are there so few women among the uniformed personnel of peacekeeping missions? We should first remember that the deployment of personnel depends directly on Member States, which have often lamented the lack of enough-qualified women among the national ranks. However, deeper analyses have shown that the women deployed in some Member States' national forces, which are therefore enough qualified, are disproportionately more than those they appoint for UN peacekeeping-related positions. That said, we should look at the discrepancy between military and police personnel. In fact, while 4% of the female uniformed personnel accounts to the military division, 10% of the police personnel are

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<sup>66</sup> Ibidem.

<sup>67</sup> Ibidem.

women. It is possible that the discrepancy is given by recruitment methods, as the military personnel is not hired *ad hoc* for the mission as the troops are already formed. Instead, police officers are recruited directly through spontaneous application. Finally, it is undeniable that there are some major grassroot reasons, laying their basis on a sort of patriarchal discrimination, leading to women's exclusion from roles that throughout history have always been portrayed as "men's jobs".

Nonetheless, the gender advisor Sahana Dharmapuri, in a paper for the International Peace Institute presents three reasons impeding a greater inclusion of women in peacekeeping missions: Member States (which, as we have seen, are the entities entitled to select and deploy the peacekeeping personnel) do not have a thoughtful knowledge of the WPS agenda and on consequent UN policies on gender equality in peacekeeping; a vacuum in the data available and on the analysis on the matter; the persistence of gender bias and inequalities within the military and police sectors.<sup>68</sup>

### ***3.5 Incorporating a gender perspective in peacekeeping missions***

Having more women among the uniformed personnel of peacekeeping missions, whether in the troops or in the police forces, albeit depending primarily on Member States, is also a responsibility of the Department of Peacekeeping Operations (DPKO) of the United Nations. Nonetheless, implementing the WPS agenda does not only regard an increase in female

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<sup>68</sup> A. Ivanovic, United Nations University, *Why the United Nations need More Female Peacekeepers*, 2014.

peacekeepers, but encompasses a wider range of implications related to gender issues. In 2009, the Gender Unit of the DPKO, together with the Office of Military Affairs (OMA), initiated the work that led to the adoption, one year later, of the guidelines for Integrating a Gender Perspective in the Work of the United Nations Military in Peacekeeping Operations. The guidelines were first drafted after the consultation with some of the main UN missions deployed at the time (UNDOF in Syria, UNAMID in Sudan, MINUSTAH in Haiti and UNIFIL in Lebanon), which had the vital role of helping to identify concrete areas that needed improvement and, eventually, guidelines. The final draft was then passed on to representatives of regional actors, the North Atlantic Treaty Organization, the European Union, and the African Union and to some troop-contributing countries and non-governmental organizations for final advisory and approval. The dynamics of peacekeeping operations were deeply changing at the time, as missions were becoming more multidimensional with the provision of broader mandates and the requirement of a deeper engagement with local populations. With the continuous adoption of new resolutions on WPS from the Security Council, especially after the adoption of resolution 1820 (2008) regarding the critical role of military forces on the field in preventing and addressing sexual violence in conflict, the DPKO, together with the Department of Field Support (DFS) felt the urge to make peacekeeping missions more gender-sensitive. As General Chikadibia Isaac Obiakor wrote in the opening statement of the guidelines, “identifying and responding to any differential impact of the work of military peacekeepers on different groups in the local population is, therefore, a necessary strategy for ensuring that the security concerns of women, men, girls and boys are adequately addressed throughout all

phases of a peacekeeping mission.”<sup>69</sup>

Incorporating a gender perspective in peacekeeping missions is not the only priority of the DPKO and the DFS. In 2014, the two departments launched the Gender Forward Looking Strategy to be implemented in four years. The rationale of the Gender Strategy was the implementation of the WPS agenda for the construction of a more inclusive department based on the idea that peace and security can only be reached in sustainable and equal societies, where people can access decision-making roles, have access to basic resources and enjoy full protection independently from their gender. Moreover, it has followed some UN decisions surrounding the WPS agenda: at the time, the Secretary General convened a High Level Panel to analyse developments in the implementation of UNSC resolution 1325 to be held in 2015; only four years earlier, UN-Women was created as the main entity dedicated to gender equality and the empowerment of women and girls not only worldwide but even in the UN system itself;<sup>70</sup> the creation of the figure of the Special Representative of the Secretary General for Sexual Violence in Conflict, leading the related Office established in 2010 by the first Special Representative, the Swedish Margot Wallström; the first deployment of Women’s Protection Advisers (WPAs) in peacekeeping missions to address sexual violence

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<sup>69</sup> UN DPKO & DFS, *DPKO/DFS Guidelines for Integrating a Gender Perspective in the Work of the United Nations Military in Peacekeeping Operations*, 2010.

<sup>70</sup> UN-Women was born in 2010 from a resolution adopted by the General Assembly in order to make former UN entities dedicated to gender-issues converge in one bigger organization with a wider and more comprehensive scope. These entities were four: the Division for Advancement of Women (DAW), the International research and Training Institute for the Advancement of Women (INSTRAW), the Office of the Special Adviser on Gender Issues and Advancement of Women (OSAGI) and the United Nations Development Fund for Women (UNIFEM). The main tasks of UN-Women involve giving support to inter-governmental bodies dedicated to gender equality (such as the Commission on the Status of Women, CSW), providing Member States with technical and even financial support to meet the standards required by the WPS agenda and supervise the advancement in gender mainstreaming within the UN system.

in conflict settings.

Therefore, the need to address gender mainstreaming within UN peacekeeping seemed urgent and necessary. The Gender Strategy had some multidimensional scopes and means; in fact, the starting point was the analysis of previous achievements or failures in order to build new results based on previous evidence of best practice. Maybe the most interesting and innovative measure resulting from the Strategy was the shift in responsibility to mainstream gender-related provisions and practice from Member States directly to the missions. Therefore, the DPKO and the DFS committed to integrate gender perspectives in their own policies, programmes and planning, providing all personnel with *ad hoc* training. Most of the practices of peacekeeping missions in protecting women from conflict-related sexual violence that we have seen in the previous chapter are a direct result of the incorporation of new lenses on gender resulting from the strategies and measures analysed in this paragraph.

### ***3.6 Gender mainstreaming roles and their comparative advantages in peacekeeping***

Some of the figures present in peacekeeping missions have the specific aim of incorporating a gender perspective in the missions themselves, and we have seen some of them in the previous paragraphs. At this point, we shall focus on them more accurately and analyse the relative advantages that their deployment brings to the missions, both to the personnel and to local populations.

The first role is that of the Gender Advisers in peacekeeping missions.<sup>71</sup> The Gender Advisers' main task is to advise all the components of a missions (officers, troops, police forces and civil personnel) on how to incorporate a gender perspective in their work and, more in general, on gender issues. To do so, they provide technical support to the personnel, directly and indirectly, planning instruments and their implementation, and preparing and supervising the training provided to the personnel. Moreover, it helps national and local leaderships to build capacity in order to make them self-reliant once the mission has been dismantled.

Women's Protection Advisers (WPAs) have a similar role, although focused on integrating issues related to conflict-related sexual violence in the missions. The WPA is in charge of the supervision of the implementation of the MARA on sexual violence, which are vital for the work of the Security Council.<sup>72</sup> Moreover, it engages with local authorities to help them build capacity in addressing cases of sexual violence related to conflict and provides training to the mission's personnel on how to address such cases. The DPKO and the DFS have also developed two types of focal points: the gender focal points, which are deployed in traditional peacekeeping missions, and the focal points for women. The formers are appointed in missions that do not involve a Gender Unit. The latter's role is to develop and facilitate strategies that allow female staff to develop their career,

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<sup>71</sup> In this same chapter we have already analysed the role of a different kind of gender adviser, who is entitled to participate in peace negotiations to bring a perspective useful to address gender-related issues in the formation of a peace agreement.

<sup>72</sup> See chapter 2, paragraph 2.2 on the implementation of UN protection strategies.

mobility and representation within the DPKO and the DFS, and are deployed both on the headquarters and on the field.

As the missions can benefit from the implementation of the WPS agenda, even the agenda can find great benefits from the efforts of peacekeeping missions to implement it. In fact, given their mandates, peacekeeping missions are in the best position to promote and implement the provisions of the WPS resolutions, as they directly engage with local and national authorities, and can address issues such as conflict-related sexual violence from the ground level, directly on the field.

The Gender Advisers and the WPAs bring immense benefits to the missions since, as we have seen, incorporating a gender perspective in peacekeeping missions improves their performances for many reasons. In particular, their roles are vital for the implementation of gender-sensitive provisions within the mission and in local communities. It is from the relative advantages deriving from their appointment that the DPKO and the DFS developed their Gender Forward Looking Strategy.

#### ***4. Role of the International Community: the development of National and Regional Action Plans***

Now that we have analysed the main aspects of the WPS agenda – women’s protection in conflict settings and women’s inclusion in peace processes – we shall look at how international, regional and national actors have implemented the resolutions on the matter from the UN Security Council.

In 2002, the then-president of the Security Council released a statement saying that the Council

*“(…) encourages Member States, the entities of the United Nations system, civil society and other relevant actors, to develop clear strategies and action plans with goals and timetables, on the integration of gender perspectives in humanitarian operations, rehabilitation and reconstruction programmes, including monitoring mechanisms, and also to develop targeted activities, focused on the specific constraints facing women and girls in post-conflict situations, such as their lack of land and property rights and access to and control over economic resources.”<sup>73</sup>*

The need for Member States to act for the implementation of resolution 1325 (2000) was implicit within the resolution itself. Nonetheless, the statement represented a new

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<sup>73</sup> Statement by the President of the UNSC, October 2002.

acknowledgement, as it addressed the specific need for the development of implementation strategies at national levels. Indeed, states' role is critical for the advancement in WPS issues, especially for women's inclusion in peace processes, as they are the main entity entitled to appoint women to related decision-making roles during negotiations or in post-conflict reconstruction. Moreover, we shall not forget that increasing women's participation in peace processes and protecting women in case of conflict are, for Member States, obligations under Security Council's resolutions, which require them to take action in several inter-related areas.

The main method to implement Security Council's resolutions on WPS is, indeed, the development of Action Plans (NAP), that can be Local Action Plans (LAPs), National Action Plans (NAPs) or Regional Action Plans (RAPs) depending on the level of implementation. Their scope is to provide a sort of roadmap for the commitment of the local entity, the country or the regional organization to the issue that can be adopted in a time framework of three or five years. As of November 2018, 79 Member States of the UN, constituting the 40% of the countries represented in the Organization, have adopted NAPs in their national legislation. However, only 34 of them include reference to budget allocations to support the implementation of the NAP; 30% refer to issues specific defence capacity-building such as disarmament or control of the smuggling of small arms – which is a crucial issue in many countries, especially in Latin America and in countries from the MENA region where recent history of civil conflict has left societies to struggle with practical consequences such as disarmament to fight persistent crime. Regarding this second category, an example of suitable context for the development of a NAP that includes disarmament comes from Colombia,

where, 2017, the local Women’s International League for Peace and Freedom (WILPF) drafted a report regarding “Women for Disarmament” to highlight the connection between Resolution 1325 (2000) and the need for greater efforts for security stabilization following the 2016 agreement between the government and the Revolutionary Armed Forces of Colombia—People’s Army (FARC-EP).<sup>74</sup> The agreement succeeded in the disarmament of the FACR-EP, which ended in 2017. However, it failed to address the disarmament and demilitarization of other guerrilla groups, which are incredibly harming rural communities, especially women, who are the most vulnerable in such a context of instability and insecurity. Despite great advocacy efforts from several organizations dedicated to women’s rights, the Colombian government hasn’t developed a NAP yet. Good-practice examples, instead, come from several countries from different regions, including Italy, that has now reached its 3<sup>rd</sup> NAP – that we will analyse later in this chapter – and will probably develop a new one in 2019.

#### ***4.1 How to develop an effective National Action Plan (NAP)***

In my opinion, one of the best and most comprehensive guides for drafting of a NAP was written by Z. Lippai and A. Young from the Inclusive Security Group.<sup>75</sup>In their “Creating

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<sup>74</sup> The peace agreement ending more than 50 years of civil war in Colombia was the outcome of great efforts from all parties, which also involved a strong and fierce female component advocating for the inclusion of a gender-sensitive provisions within the agreement. In fact, the final agreement contained provisions on ways to address gender-based violence in the post-conflict phase and references to increasing women’s inclusion in politics;

WILPF, *Women for Disarmament: Summary Report*, 2017.

<sup>75</sup> Inclusive Security is one of the most active groups advocating for the implementation of Security Council resolutions on WPS worldwide. With its headquarter in Washington, Inclusive Security has brought together governments, officials, civil society representatives and other stakeholders to

National Action Plans: a guide to implementing Resolution 1325”, they give a detailed explanation of the various phases in the development of an effective NAP, which serves as an advisory tool for policymakers.<sup>76</sup> In this paragraph, you will find an analysis of the different phases encountered while developing a straight-forward NAP, as understanding what are the requirements for the development of an effective one will allow the reader to assess NAPs already in action autonomously and properly.

According to the guide, developing a NAP requires the full understanding of the major issues faced by local actors, as they are the ones directly and mostly affected by the lack of security that the NAP is trying to address. Furthermore, as they represent the most-affected group, they can also be the main agents of change. Their inclusion is the key to take a first step towards the implementation of the WPS agenda through a holistic approach.

To do so, the first step is the consultation with local communities, while ensuring to take some practical aspects related to the local stakeholders' culture into account. For instance, if local uses suggest that it is impossible to have mixed-gender dialogues, none of the genders' representatives should be excluded, and separate dialogues should be conducted in a group of women and in a group of men, to ensure a representation of both perspectives. Dialogues should be held on the site of the local communities, so local actors are not forced to travel to attend - which might be a disincentive. If not everybody speaks the same language, translators should be provided to ensure full and active participation of all the actors.

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advocate for the creation of national strategies for the inclusion of women in leadership positions in defence and security spheres and for the development of gender-sensitive provisions in national legislations. Thanks to their work, many countries have developed their first NAPs.

<sup>76</sup> Inclusive Security, *Creating National Action Plans: a guide to implementing Resolution 1325*, 2017.

Consulting the individuals who are directly affected by the provisions of the NAP is a guarantee of success, as it allows the developers to have a holistic view of the root causes of the problems the plan is trying to address. For the same reason, once the NAP has been established and there is capacity for full implementation, the localization of the NAP can be established, which means building local strategies to be implemented directly by the communities as first actors. Before moving from this first step directly to the development of the national strategy, further consultation is required, this time with the wider range of actors that will be involved in the implementation process. This step is called “readiness assessment” and is fundamental to identify key actors – also called champions – and potential obstacles for implementation.

At this point, a clarification is needed: it may seem logic that a NAP for the implementation of the WPS agenda is only applicable to countries affected by conflict. Nonetheless, this assumption is not correct, since the main scope of the WPS agenda is the maintenance of peace and security through the construction of inclusive societies. It should not be looked at only as a resource aimed at resolving conflicts - and especially their consequences on women and girls' lives - but also at preventing them. Additionally, it directly applies to countries that are indirectly touched by conflicts, especially countries hosting refugees resulting from conflict and countries deploying troops or civilians in peacekeeping missions. Eventually, developing a NAP is the main way to translate UN rhetoric in common practice. Still, we should recall that States should implement NAPs, if not for good sense, for their obligations deriving from Security Council's directives.

Finding a plan that fits every specific national need deriving from single situations is indeed impossible. However, there are some aspects that, according to relevant analysis, are a crucial requirement for achieving positive results. That is the inclusion of government officials in the phases of development and in the coordination processes; the inclusion of civil society exponents to give a local input to the implementation of the plan, assessing results on a practical level resulting from direct approach; the constant supervision of the international community, which can and should partner with national authorities to set strategies in a global framework and partner for monitoring and evaluation.

Developing well-structured coordination mechanisms requires the inclusion of a great variety of actors, ranging from governmental to civil levels. The inclusion of governmental organs with different roles, rules, budgets, and so on, can make both horizontal and vertical coordination difficult. For instance, agencies or offices with a narrower mandate, or with more limited human resources, may feel threatened by the presence of offices with an overarching or simply broader role and more significant resources. In turn, the latter automatically can perceive their role as prominent, abusing power, and degrading the role of other coordination agents at a lower and less active level. Eventually, even the simple differences in working methods of different offices becomes relevant when effective and equal coordination is the both the means and the scope. The same problems apply in the coordination between the government and the civil society, for which the development of appropriate consulting methods is a crucial provision.

According to the authors from Inclusive Security, coordination can be vertical, horizontal, or we can have the so-called oversight coordination. The vertical one sees the presence of a

single controlling agency in charge of managing coordination between the lower agencies. This actor has some key responsibilities even in the monitoring process, as it usually collects reports from the agencies it supervises.

Horizontal coordination consists in the creation of a body of representatives from all the agencies involved, as a cross-cut democratic method for inclusion and supervision. In this scenario, the responsibilities are usually equally divided, and decisions are taken together. Bosnia and Herzegovina has successfully developed such model in its NAP. The last type of coordination, the oversight one, is used in the United States, and sees the presence of an independent agency acting like the one in the vertical model. In the case of the IS, this agency is the National Security Council, while the implementation responsibilities remain in the hands of other institutions.

For what concerns the inclusion of civil society in the coordination framework, most countries do not have a set rule for participation of civil representatives. Meetings between the government and civil society do not occur frequently, and the participation of the latter is confined to some informal meetings, while the whole responsibility of implementation remain with the government. Some countries have also developed forms of formal or informal coordination. In the first case, a formal board is established to conduct consultations between governmental exponents and civil society activists and advocates, and responsibilities are usually shared almost equally. In the latter the consultation has a more informal role, as it is carried out through working groups meeting periodically, and responsibilities only lay with the government.

The last fundamental step in the development of a NAP is the provision of effective monitoring and assessment mechanisms to track and evaluate progress brought about. To do so effectively, it is necessary to envision clearly what are the outcomes and the impacts expected from the implementation of the NAP. Once they are set, the actors developing the NAP should provide a series of indicators to make the micro-objectives as clear as possible in order to track implementation based on single steps towards the full achievement of the main goal. The indicators should be not only quantitative, perhaps measuring the number of women hired as police officers and similar cases, but even qualitative, assessing the meaningful progress brought about by education on the matter, for instance.

Finally, it is crucial for the indicators to be outlined while developing the plan, and not after it is already in action, as it can give an overarching view on the way to fully achieve the main objective set by the NAP.

#### ***4.2 The third Italian NAP***

In 2016, the Italian government, then led by Matteo Renzi, developed the third NAP of the country to be implemented in a time framework of 3 years. The plan was developed by the Inter-ministerial Committee for Human Rights (CIDU), within which an *ad hoc* Working Group on Women, Peace and Security was established under the leadership of CIDU. The focus was put on the inclusion of women in peace processes, stressing the positive influence they can bring to such missions, and on the inclusion of civil society organizations (CSOs) in the advancement in addressing WPS issues. The plan, in fact, stressed the importance that

the development of a strategy at national level plays for a country that is deploying personnel in peace missions. One of the drivers of the development of such strategy was, in fact, the commitment to support populations affected by conflict throughout the various phases of peace operations, from conflict prevention to reconstruction. The third NAP was also framed in a moment when the National Extraordinary Action Plan on Sexual and Gender-based Violence had been recently adopted and was in the core of the implementation process.

Although it is not directly related to WPS, it is worth to mention the broader efforts made by the government led by Renzi to support advancement in gender equality issues worldwide and at a domestic level, especially through the enforcement of the Beijing Declaration and Platform for Action.<sup>77</sup> At the UN Global Leaders' Meeting on Gender Equality and Women's Empowerment held on 27 September 2015, whose scope was to reinforce the international community's commitment to developing a more gender-equal world, ending discriminatory practices towards women, the former Italian prime minister promoted Italy's commitment to participate in advancing such measures. To do so, Italy provided almost 23 million euros, representing more than 45% of the total funds allocated for the development of the provisions highlighted by the international community during the Global Leader's Meeting. Italy also allocated funds to the implementation of the plan on Sexual and Gender-based Violence. Moreover, it developed some gender-sensitive legislation for the reinforcement of gender

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<sup>77</sup> UN-Women, *Italy pledges new resources up to 50 million euros will advance gender equality and women's rights (updated)*, 2015; UN-Women, *Italy's progress report on the commitments made at the global leaders' meeting on 27 September 2015. Delivering on gender equality and women's empowerment*, 2015.

equality within the country, for instance, through the introduction of gender quotas in state-led companies and compulsory paternity leave.

In 2016, so in the same year of adoption of the third NAP, Italy also adopted an action plan on the Fight Against Trafficking.<sup>78</sup>

Going back to the NAP for 2016-2019, the presentation of the country's commitments to the topic states that the plan is aimed at ensuring the inclusion of a gender perspective in every political activity and practical measures related to peace maintenance and promotion. The plan puts much pressure on the involvement of all stakeholders, including national authorities that have in fact been called upon to implement the provisions of the plan.

As advisable, the country's plan was framed within the one of the EU implementation plans adopted in 2016. Since it is not outdated, I will not draw the analysis further on it, but you will find a specific paragraph on the implementation of WPS provisions at the EU level later in this thesis. However, it is important to acknowledge that the Italian NAP also took into account higher and broader levels of action, which guarantees a more efficient allocation of resources and a stronger design of specific mandates for national stakeholders.

The Plan provides a quite strong horizontal coordination mechanism. In fact, several entities were involved for the implementation of provisions connected to the advancement of 7 goals in total, to be linked to more indicators. Although the Plan does not present a purely and formally horizontal coordination mechanism as the one we have seen in the previous paragraph, we can still consider it horizontal in the sense that more actors are aimed at

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<sup>78</sup> Italian Council of Ministers, *National Action Plan Against Trafficking in Human Beings 2016-2018*, 2016.

implementation and monitoring, from the working group in the CIDU to civil society actors. In fact, most of the tasks outlined in the plan for the achievement of specific goals have been conferred to agencies and offices at a ministerial level and to CSOs. However, it has remained unclear what types of CSOs have been involved, but it is still early to assess whether the inclusion of civil society has been effective or simply professed. As mentioned above, the plan envisions 7 specific goals which represent various spheres of action for the implementation of the WPS agenda. The goals encompass, in fact, a wide range of sub-topics, from the empowerment of women at decision-making levels, to the strengthening of advocacy practices performed by the state in relevant fora, and an increased cooperation with CSOs. The third goal states that Italy will "Continue to ensuring specific training on the various and cross-cutting aspects of UNSCR 1325(2000), in particular to personnel taking part in peace operations".<sup>79</sup> So far, Italy has shown excellent results, providing resourceful training to peace operators, not only to national but even to international troops. The implementation of such provision is carried out by various agencies, including the Center of Excellence for Stability and Police Units (CoESPU), to which is dedicated the next paragraph.

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<sup>79</sup> Ministero degli Affari Esteri e della Cooperazione Internazionale, *Italy's Third National Action Plan, in Accordance With Security Council Resolution 1325 (2000)*, 2016.

### ***4.3 The Italian Center of Excellence for Stability and Police Units (CoESPU)***

The CoESPU, that was briefly mentioned in the introduction, is one of the best examples of the Italian engagement in the perpetration of the UN principles and knowledge-sharing platform for best practice at national level.

It was established by the Italian Carabinieri in 2005 in Vicenza, Northern Italy. It followed an Italian initiative that was firmly supported by the G-8 countries that had just launched the Action Plan for Expanding Global Capability for Peace Support Operations. This was the result of the increasing need for military and police assistance of the African continent. It came, in fact, not much later than the approval of the European Peace Facility for Africa, which allocated 250 million dollars to those countries in need of facilities for addressing institutional reconstruction.<sup>80</sup> In this wider frame, CoESPU was established.

It mainly cooperates with the Department of Peace Operations (DPO, former Department of Peacekeeping Operations, DPKO) of the United Nations and with other organizations with an international or regional nature. The rationale behind the engagement of the CoESPU is training peacekeepers, particularly the ones deployed in peace operations by police contributing countries, on transversal matters relevant for their work on the field. It serves, in fact, as a think tank and training center, providing courses for police units especially on matters relevant in a country's transition phase from a post-crisis setting to a stable environment. What is extremely relevant for our purposes is that the CoESPU always

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<sup>80</sup> Carabinieri, *G-8 Action Plan for Expanding Global Capability for Peace Support Operations*, 2004.

integrates a gender perspective in the training courses it develops. The implementation through training of UNSC Resolution 1325 (2000) is fundamental for the Center, that inserts gender specific references in every course, treating the subjects at hand transversally and with a multifaceted approach. In order to fully integrate Security Council's resolutions on WPS in their work and to mainstream in it a gender perspective, the CoESPU is equipped with a Gender Advisor.

#### ***4.4 Regional Action Plans best practice: the African Union***

The year 2015 represented a crucial turning point for the reaffirmation of the commitments born from UNSC Resolution 1325 (2000), engaging a wide range of actors at international, regional and national level to draw conclusions on the state of their progresses. The same year was entitled by the African Union (AU) Commission to Women's Empowerment and Development Towards Africa's Agenda 2063, driving further attention on the issue of women's rights' recognition throughout the continent. It was impossible for the AU Peace and Security Council (AU PSC) not to put a special focus on the continent's implementation of the WPS agenda, especially given the high rate of conflicts undergoing in many African countries.

The AU materialized this renewed engagement in the launch of a new report, a Continental Result Framework, in 2016, consisting in a guiding framework for concerted implementation at regional level that formulates recommendation for effective implementation directed to national governments.

The AU's renewal of commitment was also built upon the Security Council's adoption of Resolution 2242 in 2015, which once again called upon regional actors to further engage in the implementation of the WPS agenda as they play a more than critical role in effective coordination of national entities. Additionally, the AU had already developed a significant legal framework, comprising the Protocol to the AU Charter on Human and People's Rights on the rights of Women in Africa, also called Maputo Protocol, and the Solemn Declaration on Gender Equality in Africa (SDGEA). One fundamental feature of the Maputo Protocol is the full recognition of women's right to participate in the political life of their countries with equal treatment compared to men, to which article 9 is dedicated.<sup>81</sup> Article 11 is then dedicated to women's protection in conflict settings.

However, only 37 out of the 54 countries member of the AU have ratified the Protocol and as of 2016, when the RAP was developed with the publication of the above-mentioned report, only 3 members states had reported on progress in the implementation of the Protocol, as required by it. Despite these flaws, the value of the document remains undeniable.

As mentioned above, together with the framework of implementation at continental level, the AU Committee also issued a report of evaluation of the improvement made by the African national governments in advancing the directives of the Security Council on the implementation of WPS-related issues. To date, 19 countries (Burkina Faso, Burundi, Central African Republic, Cote D'Ivoire, Democratic Republic of the Congo, Gambia, Ghana,

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<sup>81</sup> Since the eradication of violence against women is one of the background principles for action embedded in this thesis, it is worth to mention that the Maputo protocol represented also a milestone for its call to end female genital mutilation. However, and this harmful and inhuman practice remains widely used throughout the continent

Guinea, Guinea Bissau, Kenya, Liberia, Mali, Nigeria, Rwanda, Senegal, Sierra Leone, South Sudan, Togo and Uganda) have developed and adopted NAPs on Women, Peace and Security, with Cote D'Ivoire being the first in 2007. Nonetheless, several countries have developed other policies and programs with a mainstreamed gender perspective, such as Namibia, which has applied a gender sensitive perspective in security and defence strategies. Among groups of countries member of the AU, two RAPs on UNSC Resolution 1325 have been adopted by the Economic Community of West African States (ECOWAS), that developed the first RAP in 2010, the Intergovernmental Authority on Development (IGAD), in 2013 – one was also drafted by the East African Community (EAC), but it never received approval at governmental level.

The RAP developed by ECOWAS, that was adopted in the frame of a regional forum called “Women Count for Peace”, is based on four main pillars: Prevention, Participation, Protection, and Relief and Recovery. In general, the points of the RAP encompassed a wide range of provisions, from women’s protection from conflict-related sexual violence and their inclusion in decision-making roles, to humanitarian assistance in post-conflict situations. Although significant steps have been taken in the application of such provisions during the last 9 years, the commitment at regional level has not been renewed yet by ECOWAS. Even if many of the actions entailed in the RAP remains relevant in the current scenario, the optimal time frame for implementation of a regional plan is 5 years, and not longer. The same applies to the RAP adopted by IGAD, that has not been renewed since its approval in 2013. The Continental Result Framework remains the most recent effort of the AU to apply UNSC Resolution 1325 (2000) in a wider manner. In fact, it provides recommendations for

implementation at national, regional and continental level. At regional level - which is the one we are considering in this paragraph - the AU intends to boost the capacity of every fora of discussion on WPS by ensuring their functioning and funding. The rationale behind it is that having a supranational framework for action can guarantee a better harmonization of national efforts. Moreover, it is useful to guarantee an efficient network of actors engaged in research for capacity building. The recommendations formulated at the continental level have a special focus on the harmonization of monitoring and assessment mechanisms, which results vital to stabilize progress. An interesting feature is also the provision calling for an increase in advisory for Election Observation Missions, requiring the deployment of women and election observers, who should provide reports on the situation with an analysis of the participation of women in the election, and on incidents against women engaged in politics. The concerted efforts at national and regional level in the African Union represent one of the best examples of engagement in the WPS agenda.

#### ***4.5 NATO/EAPC Policy on WPS***

The first strategy for the implementation of the PWS mandate developed by NATO, was approved in 2007 after a first recognition of the importance of the military organization's engagement in the global efforts for achieving gender equality and eradicating violence against women in conflict settings. The plan was renewed in 2010, at the Lisbon Summit, and then again in 2015 in occurrence of the celebration of the 15<sup>th</sup> anniversary from the adoption of the first WPS resolution. The current policy on WPS was developed in 2018,

during the Brussels Summit, and presents new provisions in a better-structured manner. The main scope is mainstreaming a gender perspective in the three main cores of the Organization's mandate, namely collective defence, crisis management and cooperative security.

The policy, developed in coordination with the Euro-Atlantic Partnership Council (EAPC), is divided in areas named the 3 I's: Integration, Inclusiveness and Integrity. I will now analyse them separately.

### ***Integration***

This framework relates to the integration of gender perspectives within the work of NATO at every level, in its core duties and functions. Reference is also made to the importance of communication strategies for promoting women's participation when engaging in communication directed to the public through media. The scope is, of course, raising awareness on the topic of WPS, also guaranteeing visibility to NATO's efforts in that sense. A very interesting feature of NATO/EAPC's policy is the conferral of advisory functions to civil society representatives, conveyed in the Civil Society Advisory Panel (CSAP), that was specifically established for supporting the Organization in implementing the WPS mandate. The CSAP's role is to facilitate dialogue between NATO/EAPC and civil society exponents that can provide expertise and become local champions for change. In fact, it mostly serves as a channel for the civil society to convey feedback and suggestions and, when necessary,

to provide guidance on the development of consultative mechanisms on the ground, where NATO operations are deployed.<sup>82</sup>

For what concerns crisis management, the deployment of Gender Advisors has been included in NATO's provisions for the composition of the Command Group. Their role is to provide guidance to the Commander on how to mainstream a gender perspective in the operations, and to maintain relations with international organizations and civil societies organizations (CSOs). Additionally, NATO has mandated the creation of Gender Focal Points (GFPs) which are deployed in the headquarters and on the field.

### ***Inclusiveness***

Inclusiveness relates to the increase of women's participation in all employment levels of NATO, even in military staff. The policy puts great pressure on the importance of awareness raising in order to achieve the goal of full inclusion and gender parity. Awareness can only be reached through gender-related training and education. Despite the general commitment to increase training and education on the matter, the policy does not include very detailed provision on the practical implementation. However, every year, the NATO Committee on Gender Perspective publishes a report on progress made in women's inclusion by the member countries and the partners of the organization. The most recent report published entails the statistics for 2016. To date, more than 96% of member countries train troops on gender perspectives in pre-deployment phases, showing a good increase – the percentage was 92%

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<sup>82</sup> Civil Society Advisory Panel on Women Peace and Security, *Report of the First Annual Meeting*, 2016.

in 2015.<sup>83</sup> However, the percentage of women deployed in military personnel of NATO members remains at 10.9%, showing a minor increase from the 10.8 average in the previous year.

### ***Integrity***

Within the integrity framework, the NATO/EAPC NAP, the Alliance is committed to integrate provisions for addressing cases of sexual exploitation and abuse within its policy, with the additional realization of accountability mechanisms.

The first of the outcomes embedded in the framework is, in fact, the realization of measures for preventing exploitation and sexual abuse in NATO's operations. It also committed to developing a specific policy on sexual exploitation and abuse, and specific training on how to prevent it. The same importance is given to trafficking in human being, as the NAP urges for an update of the related NATO policy.

Moreover, in the reference documents serving as the legal basis of the provisions, the NATO/EAPC recalls the UN Security Council's Resolution 2272 (2016), proving that the Alliance adopts the same standards of conduct as the UN, based on zero tolerance and full accountability.

The NATO/EAPC action plan gives a good example of how an organization with a military scope and nature engages in the implementation of the WPS mandate. The general

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<sup>83</sup> NATO, *Summary of the National Reports of NATO Member and Partner Nations to the NATO Committee on Gender Perspectives*, 2016.

framework, divided in three sub-topics, presents a good structure and the correlation with a time framework for implementation surely is a quite efficient path towards implementation of the provisions. However, such provisions remain quite general and every sub-topic – i.e. integration, inclusiveness, and integrity – has a narrow frame of application as they present only a limited number of outcomes with not very detailed provisions on how to achieve them. However, it is surely hard for an institution with such a delicate mandate to make broader promises: eventually, the power of the Alliance to make commitments and to apply them relies in the 28 member states, which have the final decisional power.

Probably, the main effort of NATO towards the realization of the WPS agenda was the adoption of the Bi-strategic Command Directive 40-1 on “Integrating UNSC 1325 and Gender Perspective into the NATO Command Structure”, for mainstreaming a gender perspective in the highest sphere of the Alliance.<sup>84</sup>

#### ***4.6 The European Union strategic approach to WPS***

On 25 October 2018, Ambassador Mara Marinaki, Principal Advisor on WPS for the European Union (EU), made a strong statement at the UN headquarter at the opening of the Security Council’s open debate on the implementation of the WPS mandate and women’s political and economic empowerment. Receiving great support from other member states, Ambassador Marinaki presented the quadripartite strategy of the EU on the topic, which

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<sup>84</sup> NATO, *Integrating UNSC 1325 and Gender Perspective into the NATO Command Structure*, 2017.

consisted in: strengthening women's capacity to participate in political fora and in leadership positions; eradication of gender-based violence in conflict and emergencies; boosting activities for women's economic empowerment; prioritization of the implementation of the EU strategic framework on the WPS agenda both at the Union's and member states' levels.

On 10 December 2018, the Council of the European Union adopted conclusions on the implementation of UNSC Resolution 1325 (2000) at the Union level. The Conclusions presented the newly adopted EU Strategic Approach to Women, Peace and Security.

As expected, even the EU strategy focuses on women's increased participation in politics and leadership positions and on their protection from violence in conflict settings.

Nonetheless, the concept behind the WPS agenda is widened to include root causes of women's vulnerability to conflict-related violence and societal discrimination mechanisms preventing women's empowerment. For instance, the strategy includes references to women's economic empowerment as a vehicle of positive change. In fact, the Strategy's main approach is directed towards gender equality, even involving men and boys as agents for change who can contribute to the eradication of social exclusion instruments.

Further emphasis is also put on the fundamental role of CSOs and women's advocacy groups, to which the EU commits to give full political and financial support as they represent the main actors who can address grassroot causes of women's exclusion and targeting. The Union also commits to mainstream a gender perspective within every aspect of its work, both with regard to internal and external actions related to peace and security. Eventually, the core of the strategy is once again dedicated to the three pillars of participation, prevention, protection, and relief and recovery. In fact, it bases focuses on the EU's role in every phase

of conflict's evolution, from women's efforts as active agents for prevention, to the potential need for assistance for women, girls, men and boys in post-conflict situations.

I will not analyse the EU strategy further in dept, as the scope of my reference was to highlight one point: although it is very detailed and it encompasses an extremely wide range of sub-issues related to the WPS mandate, the EU strategy lacks of strength when it comes to assessing progress. The main reason is, indeed, the lack of specific targets – which, in turn, we have found in other policies and action plans – that are the basis for a successful strategy as they represent concrete goals towards which actions can be developed and measured. Lacking targets, the EU strategy also lacks indicators, making implementation more volatile. Nonetheless, the EU remains deeply committed to implementing the WPS mandate. For instance, in Afghanistan the EU has supported the government in providing women part of the High Peace Council with training on gender-related matters in order to make them play a pivotal and constructive role in the negotiation of the peace agreement with the Hizb-e-Islami group.<sup>85</sup> In March 2018, the EU launched the Women Platform called Gaziantep, a network connecting women participating in the peace processes taking place in Geneva with NGOs and activists active in Syria, and many more examples could follow.

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<sup>85</sup> Delegation of the European Union to the United Nations – New York, *EU-Statement – United Nations security Council: Promoting the Implementation of Women, Peace and Security Agenda and Sustaining Peace through Women's Political and Economic Empowerment*, 2018.

## *Conclusions*

The line from Patrick Cammaert opening this thesis, “it is perhaps more dangerous to be a woman than a soldier in armed conflict”, shows a dimension of modern conflict that has been neglected and sometimes voluntarily hidden for too many years. That first step towards recognition of WPS issues moved by the UN Security Council in 2000, with the adoption of Resolution 1325, was the result of many years of strenuous fight of feminist movements asking for their voices to be heard. Nonetheless, it remains the turning point that gave new, international impetus to the WPS mandate.

In the first chapter, we had the chance to see how those first voices led to the concretization of a strong legal framework comprising conventions and declarations regarding the achievement of full gender equality in general and, most importantly for our analysis, the eradication of every form of violence against women, including in conflict situations. This roots of the WPS agenda have grown to encompass eight Security Council resolutions on the matter, which have drawn further attention and engagement in the two main aspects of the agenda: women’s protection from conflict-related violence and the increase in their participation in peace processes. Two these two topics the following chapters (number 3 and 4) were dedicated.

Over history, gender-based violence has always been a structural side-component of conflict and with the evolution of conflict and the development of terrorism, it has become a real means of war and terror. To face this threat, the international community has developed over time a series of protection mechanisms, most of which consist of UN strategies and tactics

directly applied in peace operations. These instruments range from the inclusion of designation criteria targeting individuals and entities directly responsible for sexual-violence crimes, to more practical protection tasks, such as the designation of UN armoured personnel carriers to escort women from refugee camps to the surrounding woods to collect firewood and grass to feed their animals. The strategies, in fact, encompass the two main areas of prevention and ultimate response.

Two paragraphs were also dedicated to violence perpetrated by UN uniformed personnel deployed on the field, which is, unfortunately, one of the most controversial issues surrounding UN's involvement in conflicts. Thanks to the Organization's effort to eradicate the phenomenon, a slight decrease in reports of sexual violence, exploitation and abuse perpetrated by peacekeepers was registered, despite the recent strengthening of reporting mechanisms. The zero-tolerance policy promoted by the UN Secretary General Guterres, and new accountability mechanisms have proved successfully, paving the way towards the goal of complete eradication.

For what concerns women's inclusion in peace processes, several studies have shown that conflict-resolution and post-conflict reconstruction are positively and deeply impacted by meaningful women's participation in peace negotiations. Nonetheless, the percentage of women taking part in peace negotiations remains low, or they remain relegated to the role of simple observers. When meaningful, women's participation has also increases the gender-sensitivity of the resulting agreement, leading to the inclusion of provisions for response to conflict-related sexual violence and victims' support through recovery. The topic also covers the increase of women's quota in uniformed personnel deployed in peace missions, which

can lead to incredibly positive outcomes in the missions themselves. For instance, having more women has proven to lower the cases of sexual exploitation and abuse perpetrated by peacekeepers, and it increases the chances of local victims reporting cases of sexual violence during conflicts. Although there has been an increase, the number of uniformed personnel in peacekeeping missions remains extremely low compared to men's, with women accounting only to 4% of the total police and military personnel.

The main problem is that, although the UN can be the best fora for agreeing on lines of action and principles, the main responsibility of implementation of the WPS agenda lays in the Member States. In fact, eventually, Member States are in charge of selecting the personnel deployed on the field and they are the ones accountable for their personnel's conduct during missions, as we have seen in the paragraph dedicated to the peacekeepers' rules of conduct. For this reason, the Security Council has mandated national governments and regional institutions to develop *ad hoc* NAPs and RAPs for the development of specific strategies and policies. To date, 79 countries have adopted NAPs and 11 RAPs are in place as well. The need for calls against conflict-related sexual violence and for an increase in women's participation in the political life of their countries may result extremely urgent in countries affected by conflict, but the fact that the development of a NAP on WPS is desirable does not necessarily imply that the country will develop it. Moreover, in most cases, a strategy for such implementation is developed in countries affected by conflict where a UN peace mission is deployed. For instance, in the Central African Republic, where governmental institutions exist, but have a very limited control over the territory, having a NAP on 1325 (2000) is the direct result of the UN influence on the field. Nonetheless, it does not erase the importance

of having a national or regional strategy, as it can boost progress. Additionally, the concerted efforts of conflict-afflicted countries and regions such as the MENA countries and ECOWAS, together with entities such as the NATO/EAPC, guarantee further improvement through a multilateral approach.

In conclusion, when taking in consideration the general frame of the implementation of the WPS agenda, some recommendations could be made, but always considering the specific actors who could implement them.

- The UN should continue its efforts in mainstreaming a gender perspective in every office and entity related to peace and security. Moreover, further attention should be put in the inclusion of a gender-perspective in the development of the mandates of peace operations, maybe using the expertise of gender advisors. Moreover, the Organization could give more importance to Monitoring, Analysis, and Reporting arrangements (MARA), and reference them for every mission deployed.
- The main recommendations are directed to States, who keep the most power in implementing the WPS mandate. They could:
  - Increase the number of experts on gender-related issues in their agencies and institutions dedicated to defence and security;
  - When involved in peace negotiations, mandate gender advisors to be involved in the diplomatic teams, even in case of mediation. Moreover, every representative of the state participating in the negotiations should receive, in advance, an effective training on gender-related issues, with a special focus on those relevant

in case of conflict, such as gender-based conflict-related sexual violence – especially on response mechanisms and on victims’ support.

- Gender training should be available for human rights staffs selecting police and military personnel to be deployed on the field, in order to guarantee a uniform and holistic vision on the possible effects of each resource’s possible contribution to the missions.
  - Every state should develop a NAP with clear outcomes and indicators, following the guidelines provided by study groups such as Inclusive Security, and good practice examples, such as the Italian and the English plans.
  - Encourage peacekeeping personnel to take part to training classes with a multifaceted approach such as those developed by CoESPU.
- Regional actors should play a greater role in the collection of data and in concerting national actions in order to harmonize their efforts. In the development of the RAPs, they should remember to use guidelines similar to those for the development of NAPs, including clear indicators and targets.

Entities specifically dedicated to implementing the WPS agenda should be strengthened (such as the WPS Task force of the EU).

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## *Abstract*

The thesis on Women, Peace and Security (WPS) and the way towards the implementation of the UN Security Council's resolutions was inspired by the strenuous commitment of the former UN Secretary General Ban Ki-Moon, for whom including more women in peacebuilding leadership has been a priority throughout the mandate. While he was Secretary General, in fact, a fundamental step was made in the advancement of the WPS agenda with the development of the Global Study on the Implementation of Resolution 1325 (2000). Published in 2015 to mark the 15<sup>th</sup> anniversary from the adoption of the first WPS resolution, the Global Study presented the progress made in achieving the goals of the WPS mandate and made recommendations to the international community on how to move their commitment forward given the vacuums in the existing implementation methods. In its structure, the Study followed the two branches towards which the WPS agenda spreads: women's protection from conflict-related sexual violence and its eradication and the increase in women's participation in peace processes.

Not much has changed since the Global Study was launched, but it still serves as the most recent source of information presenting a holistic framework on the topic. Nonetheless, there were some related elements I was curious about, such as the consideration of gender issues in the negotiation of peace agreements and the rules of conduct for UN uniformed personnel related sexual exploitation and abuse. The purpose of this thesis was to investigate these and other issues and to assess them critically in light of the UN's guidelines for action.

In the international community, the need to address contemporary conflicts and asymmetrical threats forced UN and non-UN security and defence actors to mainstream a gender perspective within the development of their strategies, plans, policies and programs. For instance, gender-related issues can be useful even in the development of strategies to address terrorism. The integration of a gender perspective in defence plans has proven to be necessary in recent years, as terrorist groups have started taking advantage of the most common societies' biases on women's role to perform terrorist activities. One example is Boko Haram's strategy: the terrorist group uses women as suicide attackers since they were less suspicious and are less likely to be screened. In fact, women are usually perceived as unthreatening and even if considered so, it could be dangerous for a male peacekeeper to screen her as, in many cultures, it could appear disrespectful and initiate a fight. Integrating a gender perspective in plans of actions means developing plans that are not biased by common perceptions on gender, allowing to perform defence-related tasks with increased awareness. One of the aims of the thesis is just showing how multifaceted the WPS topic is and the implications this has on the strategies developed to implement it.

The introduction to the thesis intends just to present the multifaceted nature of WPS, presenting the importance of a multilateral approach for implementation, requiring the engagement of national, regional and international actors. This context and rationale behind the thesis highlight the increasing relevance acquired by the topic in recent years, presenting the above-mentioned Global Study on the Implementation of Resolution 1325 (2000) and the fundamental commitment of the present and former UN Secretary Generals, Antonio Guterres and Ban Ki-Moon.

Resolution 1325 (2000) was the result of years of fights for protection and recognition of women's rights in conflict and emergency settings. Nonetheless, it was not the first attempt of the international community to bring about such issues. The *Declaration on the Protection of Women and Children in Emergency and Armed Conflict* was adopted in 1974, setting the first legal basis for the follow-up documents on the topic. Another milestone towards the integration of gender-related issues in the security agenda of international fora was set by UN General Assembly, that passed the *Convention on the Elimination of All Forms of Violence against Women* in 1979. New turning point for advancement in the recognition of women's rights was the adoptions of the *Beijing Declaration and Platform for Action* (BPfA) during the Fourth World Conference on Women in 1995. The BPfA represents a real milestone as it recalls the principle asserting that the rights of women are "inalienable, integral, and indivisible part of universal human rights."<sup>86</sup> Among many issues relevant for the empowerment and the protection of women, the BPfA dedicates a paragraph to women in armed conflict.

It was not sooner than 2000, with resolution 1325, that a binding document focusing both on women's protection in conflict settings and their inclusion in peace processes was adopted. Subsequently, seven additional UN Security Council resolutions followed. They are resolutions: 1820 (2009), 1888 (2009), 1960 (2010), and 2106 (2013) on women's protection from conflict-related sexual violence and resolutions 1889 (200) and 2122 (2013) addressing women's inclusion in peace processes.

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<sup>86</sup> *Beijing Declaration and Platform for Action*, 1995.

The former became necessary to address the changing nature of conflict. With the fading boundaries between home-front and battlefield, women and men are exponentially affected by gender-based violence, in particular sexual violence, being the most common form of gender-based violence in conflict situations. This type of violence is even used as a real war and terror tactic, as terrorist groups use sexual violence and exploitation as an incentive to recruitment, perhaps promising brides to potential new recruits, and to force displacement and religious conversion. Women are also traded as a currency or used as a reward for combatants, where exploitation and abuse are used to generate revenue for the groups' shadow economy.

Addressing sexual violence in conflict settings can be a responsibility for different actors, ranging from international organizations like the UN to national institutions. The former's responsibility mostly materialises in peace operations. The UN Department of Peace Operations (DPO, former Department of Peacekeeping Operations, DPKO) had developed useful protection strategies, including the development of *ad hoc* designation criteria allowing to target individuals who have committed such crimes and the appointment of Women Protection Advisers (WPAs). The DPO, together with the DFS, developed specific tasks and tactics for local women's protection, included but not limited to the designation of UN armoured personnel mandated to escort women from refugee camps to the surrounding woods to perform their housekeeping tasks.

In 2017, the UN Secretary General launched the report "Special measures for protection from sexual exploitation and abuse: a new approach", addressing the continuous allegations of

sexual violence committed by peacekeepers or by uniformed personnel acting in missions mandated by the Security Council. The response of the UN, particularly that of the Secretary General, left no room for compromise.

In 2005, the Secretary General's Special Advisor, Prince Zeid Al-Hussein, issues a report on "a comprehensive strategy to eliminate further sexual exploitation and abuse in the United Nations peacekeeping operations" (A/59/710) highlighting the lack of capacity of the UN to fully address the issue. According to the Zeid Report, the inefficiency of the system was due to a flawed awareness of the rules of conduct by the UN personnel, unclear procedures to file complaints, unavailable comprehensive data, and impossibility of the UN missions to conduct direct investigations.

In 2006, the Department of Field Support developed a tracking and monitoring method for such allegations of misconduct called Misconduct Tracking System (MTS). Keeps personal information on the victim and the perpetrator confidential, the MTS shows fundamental information for data tracking necessary both for statistics purposes and for deterrence purposes, comprising the following categories: mission of reference; date of incident; personnel (whether civilian or uniformed); nationality; victim (whether adult or minor); allegation; paternity claim (when applicable) and paternity establishment; state of the investigation; interim action; financial action; referral for criminal accountability.

Finally, with the adoption of Resolution 2272 (2016) on "sexual exploitation and abuse by UN peacekeepers" by the Security Council, the system reached its highest standard as the resolution endorsed: the possible repatriation of peacekeeping units where there is evidence sexual exploitation and abuse; the replacement of any unit that has not taken sufficient steps

to investigate crimes committed by its personnel. Moreover, in case Member States fail in conducting investigations, they might be replaced and omitted from participating in future peace operations. In recent years, allegations of sexual abuse and exploitation against peacekeeping personnel have significantly decreased.

For what concerns the second main aspect of the WPS agenda, women's participation in peace processes, records show that only a small percentage of women have set at the negotiation tables, although they have often been present at an informal level. At the same time, only 4% of the about 90.000 police and military recruits deployed in UN missions are women. Although relevant studies have proven that conflict-resolution and post-conflict reconstruction benefit from women's inclusion, their participation remain limited and informal. The obstacles to women's participation in peace processes and their appointment to leadership roles are hard to identify in the contemporary global context, as most of the causes are rooted in issues that present a transversal nature. The best analysis I have found was outlined in the 2018 report on WPS from Secretary General Guterres, which includes a section named "in-focus" resulting from an expert group meeting convened by UN-Women for the preparatory work of the report. The Expert Group's Meeting (EGM) on Women's Meaningful Participation in Negotiating Peace and the Implementation of Peace Agreements outlined 7 main trends as bases for women's exclusions: "patriarchal systems and persistent gender inequalities; nature of contemporary conflict; shrinking political space and threats against women's human rights defenders; funding challenges and insufficient investment in

gender expertise; limited recognition of women's expertise and lived experience; tension between transformative and technocratic approaches; knowledge gaps.”<sup>87</sup>

Focusing on peace negotiations, to analyze possible solutions for the removal of these obstacles, I have outlined the different modalities through which women can participate. The appointment of Gender Advisers to mediators or delegates resulted as one of the best ways to guarantee the inclusion of effective gender-related provisions in the peace agreement. However, several biases surround women's participation in the negotiation of peace agreements. In fact, historical evidence shows us that having a relatively large number of women in the negotiation process does not necessarily influence the outcoming agreement accordingly. In a 1992 agreement signed in El Salvador, Guatemala, 12% of the signatories were women, representing 13% of the negotiation team. Still, the final agreement lacked any reference to women-related or gender-related issues.

The other pillar of UNSC Resolution 1325 (2000) is the involvement of women in UN-led peace and security operations. Although, as we have seen, only 4% of the UN uniformed personnel is female, women can perform the same tasks as men, under the same conditions and with the same standards. Moreover, they are crucial for the success of operations, due to their positive impact on several aspects of the missions. For instance, they address the needs of women in conflict and crisis settings more empathically, especially those survivors of sexual gender-based violence. Their presence can improve intelligence measures that have

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<sup>87</sup> UN-Women, *Women's Meaningful Participation in Negotiating Peace and the Implementation of Peace Agreements*, 2018.

so far left a vacuum in the security strategies, as they can access populations and venues that are more frequently restricted to men. Furthermore, as we have seen, women are less likely to break rules of conduct on sexual exploitation and abuse and it was proven that if 5% of a mission's personnel was composed of women, such risk would be reduced by half. The responsibility to increase the number of women among the uniformed personnel deployed in peace missions ultimately lays with Member States, as they are in charge of recruiting peacekeeping personnel. While 4% of the female uniformed personnel accounts to the military division, 10% of the police troops are women. It is possible that the discrepancy is given by recruitment methods, as the military personnel is not hired *ad hoc* for the mission as the troops are already formed, while police candidates receive a special evaluation.

Apart from mere women's inclusion, integrating a gender perspective is fundamental for the success of peacekeeping missions. Some of the personnel deployed on the field missions has the specific aim of incorporating a gender perspective in the missions themselves. These are Gender Advisers, who are mandated to provide advisory to all the components of a missions at all levels on how to incorporate a gender perspective in their work. WPAs have a similar role, although their mandate focuses on integrating views related to gender-based sexual violence in the missions. The WPAs are entitled to supervise the implementation of the Monitoring, Analysis and Reporting Arrangements on sexual violence, which are a vital basis for the work of the Security Council. From the comparative advantages deriving from the institution of Gender Advisers and WPAs, the DPKO and the DFS have developed their Gender Forward Looking Strategy, fundamental for the inclusion a gender-perspective within their work at all levels.

States' role in the implementation of WPS agenda is critical, especially for women's inclusion in peace processes and accountability mechanisms for those guilty of sexual violence in conflict. These, for Member States, are effective obligations under Security Council's resolutions, which require them to formulate provisions even in inter-related areas. The main way for Member States to implement WPS mandate is the formulation and adoption of dedicated Action Plans that can be Local Action Plans (LAPs), National Action Plans (NAPs) or Regional Action Plans (RAPs). To date, only 79 States member of the UN have adopted NAPs, accounting to only 40% of the countries represented. Additionally, only 11 RAPs are currently in action.

Some studies have been conducted on how an effective action plan should be drafted. According to me, one of the most comprehensive guides is the one by Z. Lippai and A. Young from the Inclusive Security Group. Their "Creating National Action Plans: a guide to implementing Resolution 1325" explains the various steps to follow when developing a NAP, providing an advisory tool for policymakers.

The first thing to consider when developing a NAP are the issues faced by local actors, who are the most affected category affected by the lack of security that the NAPs try to address. To this aim, consultation with local communities is crucial, while considering practical aspects related to the local stakeholders' culture – such as cases of language divergence, impossibility to have mixed-gender dialogues. Consulting those who are directly influenced by the provisions of the NAP increases chances of success, as it allows the developers to have a holistic view of the root causes of the issues at hand. After the Plan has passed the readiness assessment, it can be localized, meaning that local strategies should be

implemented directly by the communities to which they refer. Finding a plan that fits every national situation is impossible but there are some aspects that are fundamental for the achievement of positive outcomes. These features include, but are not limited to, the consultation of government officials in development and coordination phases; the inclusion of civil society exponents; the constant partnership with international institutions to frame strategies globally. Finally, the development of effective provisions on coordination mechanisms is at the core of an efficient implementation. This requires the inclusion of a great variety of actors, ranging from governmental to civil society exponents.

The most important aspect of an effective action plan is the provision of clear and well-defined outcomes, targets and indicators for assessment. The third Italian NAP, adopted in 2016 for a three-years' implementation time frame presents provides a perfect example of well-structures indicators and outcomes, together with related actors entitles to implement the specific provisions. The Italian NAP mostly focuses on the inclusion of women in peace processes, given their positive impact on missions. Moreover, it draws attention on the involvement of civil society organizations (CSOs) for addressing the WPS agenda. For a troops-contributing country like Italy, having a fully operative NAP is crucial also for implementation at international level, that relies on the concerted efforts of national institutions.

The Italian NAP is based on seven main goals. Goal number 3 states that the country will "Continue to ensuring specific training on the various and cross-cutting aspects of UNSCR

1325(2000), in particular to personnel taking part in peace operations"<sup>88</sup> To date, Italy has shown extremely positive results, providing training to national and international UN uniformed personnel. These training courses are performed by various agencies, including the Center of Excellence for Stability and Police Units (CoESPU) based in Vicenza. The CoESPU works closely with the DPO of the United Nations and with other international and regional organizations. The engagement of the CoESPU is connected to the training provided to peacekeepers, particularly the ones deployed in peace operations by police contributing countries. The CoESPU provides courses focused on transversal matters relevant for their work on the field, including gender-related issues. It is also equipped with a gender advisor, further confirming the Center's commitment towards gender mainstreaming in its work.

At the regional level, the African continent represents an example of best practice. In fact, both at the level of the African Union (AU) and at that of minor regional organizations such as the Economic Community of West African States (ECOWAS), that developed the first RAP in 2010, and the Intergovernmental Authority on Development (IGAD), whose first RAP was published in 2013. The RAP developed by ECOWAS was based on four main pillars: Prevention, Participation, Protection, and Relief and Recovery. The provisions encompassed a wide range of provisions, from women's protection from conflict-related sexual violence and their inclusion in decision-making roles, to humanitarian assistance in post-conflict situations. However, ECOWAS' commitment was not renewed after that first RAP and, as the optimal time-frame for implementation is 5 years. The Continental Result

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<sup>88</sup> Ministero degli Affari Esteri e della Cooperazione Internazionale, *Italy's Third National Action Plan, in Accordance With Security Council Resolution 1325 (2000)*, 2016.

Framework launched in 2016 remains the most recent effort of the AU to apply UNSC Resolution 1325 (2000) in a concerted manner. The Framework includes recommendations for implementation at national, regional and continental level.

For what concerns regional institutions with a defence-related mandate, the current policy on WPS developed by the North Atlantic Treaty Organization (NATO), in coordination with the Euro-Atlantic Partnership Council (EAPC) was adopted in 2018. The main scope is mainstreaming a gender perspective in the three main cores of the Organization's mandate, namely collective defence, crisis management and cooperative security. The policy is divided in the three areas of Integration, Inclusiveness and Integrity.

As expected, the European Union's strategy focuses on women's participation in politics and leadership positions and on their protection from violence in conflict settings as well. Nonetheless, the rationale behind it is expanded to include root causes of women's exposure to sexual violence and societal discrimination mechanisms preventing their participation in the political life of their countries. In general, the EU Plan's approach is focuses on gender equality and women's empowerment, even through the involvement of men and boys as champions for change able to contribute to the eradication of social exclusion. Much emphasis is also put on the involvement of Civil Society Organizations (CSOs) and local groups advocating for the WPS agenda. Despite being very detailed, the EU strategy lacks strength when it comes to assessment mechanisms, mostly because of the absence of specific targets and indicators.

In conclusion, since the adoption of Resolution 1325 in 2000 a long road has been walked by the international community towards the full implementation of the WPS agenda, The UN has exponentially increased its efforts to address sexual violence in conflict, both in the fields of prevention and response. The establishment of the Secretary General's Special Representative on Sexual Violence in Conflict and the deployment of WPAs on the field have contributed to the implementation of the agenda. Moreover, the development of new monitoring methods to assess peacekeepers' conduct on the field and the new measures included in Resolution 2272 (2016) have contributed to decreasing the allegations of misconduct against peacekeepers. The development of NAPs and RAPs have led to an increase in the number of women involved in peace processes at different levels, from negotiation, to peacekeeping and reconstruction.

However, further steps can and should be taken on the road towards full implementation. The recommendations that can be driven from the analysis are the following:

- The UN should make larger use of MARA, implying them in every peace mission. A more comprehensive gender-sensitive approach should be used to formulate the mandate of peace operations.
- States should increase the number of experts on gender-related issues in their agencies and institutions dedicated to defence and security and include gender advisors in their diplomatic teams mandated to represent the country in peace negotiations. Every representative of the country participating in such negotiations should receive an ad hoc gender training. States should also develop NAPs with clear outcomes, indicators

and targets following best practice examples. Finally, they should encourage unformed personnel to take part to dedicated training classes, such as the CoESPU's.

- Regional organizations should work as wider platforms for the coordination of national actors' efforts, especially in monitoring and assessment phases.