

WOMEN COUNT

Security Council
Resolution 1325:

Civil Society
Monitoring Report
2013



**A project of the Global
Network of Women
Peacebuilders**

Armenia, Canada,
Colombia, Democratic
Republic of Congo, Fiji,
Liberia, Nepal, Netherlands,
Philippines, Serbia, Sierra
Leone, South Sudan, Sri
Lanka, Sweden, and Uganda

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The Global Network of Women Peacebuilders (GNWP), a program of the International Civil Society Action Network (ICAN), is a coalition of women's groups and other civil society organizations from Africa, Asia and the Pacific, South Asia, West Asia, Latin America, Eastern and Western Europe. Our work entails advocacy and action for the implementation of United Nations Security Council Resolutions (UNSCR) 1325 and 1820 on women and peace and security including the supporting resolutions 1888, 1889, 1960, 2106 and 2122 at the local, national, regional and international levels.

Security Council Resolution 1325: Civil Society Monitoring Report 2013

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A project of the Global Network of Women Peacebuilders

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Preface

The absence of regular monitoring and reporting by Member States continues to be one of the key challenges in the implementation of the UN Security Council Resolution (UNSCR) 1325 on Women, Peace and Security. In 2014, Member States are expected to populate country-focused indicators developed under UNSCR 1889. This will be the first time that Member States use indicators to monitor the implementation of UNSCR 1325—if they actually decide to do so. On the part of civil society, the Global Network of Women Peacebuilders and our members and partners realized the value of monitoring much earlier on: we have been carrying out a yearly monitoring exercise since 2010. The last four years have enabled us to develop a set of indicators that are locally acceptable and locally applicable; and a monitoring system that enables civil society to compare the level of implementation of the resolution across a number of countries.

For 2013, 15 countries were monitored bringing the total number of countries monitored in the last four years to 19. We monitor countries with and without National Action Plans (NAPs), highlighting the fact that there are different ways to implement UNSCR 1325, apart from developing and adopting a NAP. Furthermore, we monitor countries directly affected by conflict as well as countries with no direct experience of conflict to demonstrate that UNSCR 1325 applies to all countries.

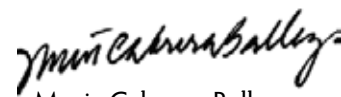
There are generally two types of reactions from governments, in relation to the civil society monitoring

exercise: resistance and cooperation. In some countries, the government agencies that the research teams approach for data question why civil society is monitoring UNSCR 1325 implementation. Governments also consider divulging data as a breach of security, and are at times suspicious of civil society organizations involved in data collection. However, there are also some countries where government agencies understand the value of data collection and monitoring. They are willing to cooperate and share data. Yet, in the process of collecting data from some of these cooperative government institutions, the research teams are confronted with a blatant lack of capacity. Data is often inaccessible, incomplete or outdated; data disaggregated by sex or age is practically inexistent. Accessible, reliable and gender disaggregated data will never exist unless and until Member States are capacitated and are able to generate resources for data collection. More importantly, governments must demonstrate political will to regularly and systematically collect data, so as to inform and report on their policy making and program implementation.

I would like to emphasize that the Civil Society Monitoring of UNSCR 1325 is not an accusatory exercise. It is not an effort to name and shame but an initiative to improve implementation. We do not want to name and shame because if we do so, we will be closing opportunities for dialogue; we will be losing opportunities for collaboration. Dialogue and collaboration are what we need most if we want to improve implementation. Instead of naming and

shaming, what we want to do is raise and praise: share best practices and lessons learned and inspire all countries to implement the women and peace and security resolutions fully and effectively.

While extensive data and analysis have been collected throughout the monitoring process, it is important to recognize the challenges associated with obtaining information on women and peace and security issues. As a result, not all indicators are populated for every country, and some of the more context-specific indicators are only relevant to a limited number of cases. It is hoped that the data gaps in this monitoring report will draw attention to the need for more resources and technical capacity in collecting information on women and peace and security issues at the national and global levels. It is also hoped that Member States will appreciate the civil society monitoring exercise as a contribution to better implementation and that they will provide the assistance needed to carry out this initiative in a regular and timely fashion.



Mavic Cabrera-Balleza

Editor and Overall Project Coordinator

Global Civil
Society

Monitoring
Report

List of acronyms

AECID	Spanish Agency for International Development Cooperation
AFELL	Association of Female Lawyers of Liberia
AG	Attorney General
ATT	Arms Trade Treaty
CA	Constituent Assembly - Nepal
CAFCO	Permanent Consultative Framework for Congolese Women
CCA	Swedish Civil and Contingencies Agency
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CENWOR	Centre for Women's Research
CEP	Common Experience Payment
CIDA	Canadian International Development Agency
CMO	Centre for Peacekeeping Operations of the Serbian Armed Forces
COE	Council of Europe
CPA	Comprehensive Peace Agreement – South Sudan
CSMO	Civil Society Monitoring Observatory group – Liberia
CSO	Civil Society Organizations
DCC	District Coordination Committee
DRC	Democratic Republic of Congo
DVN	Netherlands' Defense Women's Network
EU	European Union
FAB	Normalization of the Framework Agreement on the Bangsamoro- Philippines
FARC	Revolutionary Armed Forces of Colombia
FARDC	Armed Forces of the Democratic Republic of Congo
FBA	Folke Bernadotte Academy
FSU	Family Support Unit of the Sierra Leone Police
GAD	Gender and Development
GBV	Gender Based Violence
GNWP	Global Network of Women Peacebuilders
GR	General Recommendation
ICAN	International Civil Society Action Network
ICC	International Criminal Court
ICHLR	International Conference on the Great Lakes Region
ILO	International Labor Organization
IRC	International Rescue Committee
IRSSA	Indian Residential Schools Settlement Agreement
JICA	Japan International Cooperation Agency
KAIPTC	Kofi Anan International Peace Training Centre
LGBT	Lesbian, Gay, Bisexual and Transgender
LLRC	Lessons Learnt and Reconciliation Commission – Sri Lanka
LNP	Liberia National Police

MAROWPNET	Mano River Women's Peace Network
MDGs	Millennium Development Goals
MENA	Middle East and Northern Africa
MGLSD	Ministry of Gender, Labour and Social Development (MGLSD) – Uganda
MILF	Moro Islamic Liberation Front
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali
MINUSTAH	United Nations Stabilization Mission in Haiti
MONUSCO	United Nations Stabilization Mission in the Democratic Republic of Congo
MOVE	Men Opposed to Violence Against Women Everywhere – Philippines
MS	Member States
NAP	National Action Plan
NIMD	Netherlands Institute for Multiparty Democracy
NORDEFECO	Nordic Defence Cooperation
NOW-SL	National Organization of Women – Sierra Leone
NPTF	Nepal Peace Trust Fund
NSAP	National Strategy and Action Plan
OSCE	Organization for Security Co-operation in Europe
PNP	Philippine National Police
PPS	Swedish Prison and Probation Service (PPS)
PRSP	Poverty Reduction Strategy Paper
SADC	Southern African Development Community
SALW	Small Arms and Light Weapons
SG	Secretary General
SGBV	Sexual and Gender based Violence
SNIGPP	National Strategy for Gender Mainstreaming in Policy, Programs Development
SNPBG	National Strategy of Planning and Gender Responsive Budgeting – DRC
SPLA	Sudan People's Liberation Army
SSPS	South Sudan Police Services
TRC	Truth and Reconciliation Commission
UN	United Nations
UNDP	United Nations Development Program
UNHCR	United Nations High Commissioner for Human Rights
UNICEF	United Nations Children's Fund
UNMIL	United Nations Mission in Liberia
UNMISS	United Nations Mission in South Sudan
UNOCI	United Nations Operation in Côte d'Ivoire
UNODC	United Nations Office on Drugs and Crime
UNSCR	United Nations Security Council Resolution
UPDF	Uganda People's Defense Forces
WILPF	Women's International League for Peace and Freedom
WPS	Women, Peace and Security
WPSN-C	Women, Peace and Security Network-Canada

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Executive Summary

I. Background

The Global Network of Women Peacebuilders (GNWP), an autonomous program of the International Civil Society Action Network (ICAN), is a coalition of 72 women's groups and other civil society organizations from Africa, Asia and the Pacific, Latin America, Eastern and Western Europe and West Asia—mostly in conflict-affected countries—that are actively involved in advocacy and action for the full and effective implementation of the United Nations Security Council resolutions (UNSCRs) on women, and peace and security. Many of the members are networks on their own, which makes for a significantly broader outreach than the actual number of members.

GNWP-ICAN aims to bridge the gap between policy discussions and implementation and action on the ground on women and peace and security issues. To achieve this aim, GNWP-ICAN engages in four programmatic areas: Capacity Building, Advocacy, Research, and Institutional Strengthening. This programmatic focus includes various initiatives such as Civil Society Monitoring of the implementation of UNSCR 1325; Localization of UNSCR 1325 and 1820; Education and Advocacy on the CEDAW General Recommendation on Women in Conflict Prevention, Conflict and Post-conflict Situations; 1325 Media Outreach; Multi-stakeholders Financing Mechanism for the implementation of UNSCR 1325 National Action Plans; and Support to national action planning processes.¹

GNWP's work focuses on the following objectives:

- ▶ Enhancing women's capacities to use legal mechanisms available at the international, regional and national levels in order to protect their rights and ensure their participation in decision-making, peace building, conflict prevention and reconstruction;
- ▶ Enhancing capacity amongst civil society, especially women's civil society, to conduct effective monitoring, mobilize and advocate for effective policy implementation;
- ▶ Bringing visibility to women's issues and concerns on peace and security and amplify their voices at the national, regional and global levels;
- ▶ Supporting effective implementation of UNSCR 1325, 1820 and the supporting Women, Peace and Security resolutions, particularly at the national level; and
- ▶ Bolstering Member State (MS) accountability in a range of ways/forums, including the UNSCR and 1325 anniversaries every October and Committee on the Status of Women (CSW) meetings.

The 10th anniversary of UNSCR 1325 created a momentum for civil society and other women and peace and security advocates to intensify their lobbying for greater accountability to the resolution. It also presented a great opportunity to review and reflect on what has been achieved so far; what has made those achievements possible; what the gaps in implementation and what causes them to persist. In line with these objectives, GNWP-ICAN launched its civil society monitoring project in 2010, when the first set of country reports and the annual report, "Women Count," were released. Marking a decade after the adoption of UNSCR 1325, hopes were high that 2010 would mark real progress and a renewal of commitments to implementing the resolution. However, much still needs to be done to draw accountability to the women and peace and security resolutions and to undertake concrete action regarding the promotion, protection and fulfillment of women and girls' rights, particularly at the local and national levels.

The monitoring reports are not only rich sources of information but are also valuable advocacy tools that are a critical part of ensuring accountability at the national level for the full implementation of the resolutions.

GNWP's 1325 monitoring project is the first NGO initiative that monitors the implementation of the women and peace and security resolutions on a regular basis. The monitoring project provides civil society organization and peace activists with an evidence-based instrument to hold governments accountable to fully and effectively implement UNSCR 1325, 1820 and the supporting resolutions. It makes a unique contribution to the women, peace and security field by documenting evidence and data from a range of countries, and also provides a platform for civil society voices on these issues. The monitoring reports are not only rich sources of information but are also valuable advocacy tools that are a critical part of ensuring accountability at the national level for the full implementation of the resolutions. This year's global monitoring report covers 15 countries.² Armenia and Serbia are participating in the monitoring report for the very first time. Out of the 15, five countries have now been carrying out this exercise for four years (DRC, Nepal, the Netherlands, the Philippines and Uganda).

¹ For further information please visit www.gnwp.org.

² These are Armenia, Canada, Colombia, Democratic Republic of Congo (DRC), Fiji, Liberia, Nepal, Netherlands, Philippines, Serbia, Sierra Leone, South Sudan, Sri Lanka, Sweden and Uganda.

Table 1: Countries included in GNWP global monitoring reports (2010-2013)

2010	2011	2012	2013	Is there a NAP?
Afghanistan	Afghanistan	Afghanistan	-	No
-	-	-	Armenia	No
Burundi	Burundi	Burundi	-	Yes
Canada	Canada	-	Canada	Yes
-	Colombia	Colombia	Colombia	No
DRC	DRC	DRC	DRC	Yes
Fiji	-	Fiji	Fiji	No
-	Liberia	Liberia	Liberia	Yes
Nepal	Nepal	Nepal	Nepal	Yes
Netherlands	Netherlands	Netherlands	Netherlands	Yes
Philippines	Philippines	Philippines	Philippines	Yes
Rwanda	-	Rwanda	-	Yes
-	-	-	Serbia	Yes
Sierra Leone	-	Sierra Leone	Sierra Leone	Yes
-	-	South Sudan	South Sudan	No
-	Spain	Spain	-	Yes
-	-	Sri Lanka	Sri Lanka	No
-	Sweden	Sweden	Sweden	Yes
Uganda	Uganda	Uganda	Uganda	Yes
11 countries	12 countries	15 countries	15 countries	13 out of 19 countries

II. Summary of key findings by indicator

In 2012, progress for each indicator was rated according to a Traffic Light system similar to the one used to assess progress of the Millennium Development Goals. Ratings and trends identified in the 2012 Global Report were based on the data and analysis provided in each country report. Progress under each indicator was assigned one of three ratings: No progress or deterioration (Red light); Moderate progress (Yellow light); and Significant progress (Green light).

With the 2012 ratings as baseline, the 2013 country research teams rated progress over the past year for each indicator, as they compiled the 2013 country reports. To mark the important distinction between Deterioration and No change, this year, the research teams rated progress for each indicator using the following four categories: Deterioration; No change; Slight/moderate progress; and Significant progress. The table below provides a summary of the general trends for each indicator across the 15 countries covered by the monitoring project this year.

While extensive data and analysis has been collected throughout the monitoring process, it is important to recognize the challenges associated with obtaining information on women, peace and security issues. As a result, not all indicators are populated for every country, and some of the more context-specific indicators are only relevant to a limited number of cases. It is hoped that the data gaps in this monitoring report will draw attention for the need for more resources and technical capacity in collecting information on women, peace and security issues at the national and global levels.

Section 2 of this paper will provide more in-depth analysis of examples from the individual country reports, but this section will briefly outline the key findings for each indicator covered in the monitoring process.

Table 2: Global summary of trends by indicatorⁱ

	Deterioration	No Change	Slight/Moderate Progress	Significant Progress
Indicator 1: Index of women's participation in governance	Fiji; Liberia	Armenia; Nepal; Sri Lanka; Sweden	Canada; Colombia; DRC; Netherlands; Philippines; Serbia; Sierra Leone; South Sudan; Uganda	
Indicator 2: Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements	South Sudan	Canada; Colombia; DRC; Liberia; Nepal; Serbia	Armenia; Sierra Leone	Philippines
Indicator 3: Index of women's participation in the justice, security sector, and peace keeping missions	Canada; Fiji	Colombia; Sri Lanka (security sector, peace keeping)	Armenia; DRC; Nepal; Liberia; Netherlands; Philippines; Serbia; Sierra Leone; South Sudan; Sri Lanka (justice); Sweden; Uganda	
Indicator 4: Number and percentage of women participating in each type of constitutional or legislative review commissions	Nepal	Canada; Colombia; DRC; Fiji; Liberia; Sierra Leone; South Sudan; Sri Lanka; Uganda	Philippines	
Indicator 5: Number and percentage of civil society organizations in task forces/committees on UNSCR 1325 and 1820 (out of total task force members)	Liberia; Sweden	Canada; Colombia; Philippines; Netherlands	DRC; Fiji; Serbia; Sierra Leone; South Sudan	Nepal; Uganda
Indicator 6: Number and percentage of sexual and gender-based violence cases reported, investigated, prosecuted and penalized	Colombia; Fiji	Canada; DRC; Liberia; Nepal; Serbia; South Sudan; Sri Lanka; Uganda	Armenia; Philippines; Sierra Leone	
Indicator 7: Number and quality of gender-responsive laws and policies		Canada; Fiji; Liberia; Serbia; South Sudan; Sri Lanka	Armenia; Colombia; Nepal; Netherlands; Philippines; Sierra Leone; Sweden; Uganda	DRC
Indicator 8: Number and nature of provisions/recommendations in the truth and reconciliation commission and other transitional justice reports on women's rights		DRC; Liberia; Nepal; Sri Lanka	Colombia; Philippines; Serbia; Sierra Leone; South Sudan	Canada
Indicator 9: Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes	DRC	Canada; Liberia; Serbia; Sierra Leone; Sri Lanka	Colombia; Nepal; Philippines; South Sudan	
Indicator 10: Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law	Canada	Armenia; Colombia; Sri Lanka	DRC; Liberia; Netherlands; Philippines; Serbia; Sierra Leone; South Sudan; Sweden	Uganda
Indicator 11: Allocated and disbursed funding marked for women, peace and security programs to CSOs and government	Canada	Colombia; Netherlands; Serbia; South Sudan (government); Sweden; Sri Lanka	DRC; Liberia; Nepal; Philippines; Sierra Leone; South Sudan (CSOs); Uganda	

Optional Indicator A: Extent to which gender and peace education are integrated in the curriculum of formal and informal education	Canada	Armenia; Sierra Leone	Philippines; Sri Lanka
Optional Indicator B: Percentage of women's representation as peacebuilders and decision-makers in media content			

Indicator 1 – Index of women's participation in governance

Overall, progress on this indicator has been limited and the majority of the countries monitored fall short of the critical mass of 30 percent. Low literacy or low levels of education, poor preparatory training, a high household work burden, the high cost of running for elections, and negative attitudes towards women in public office are some of the barriers that were highlighted in the country reports as preventing women from competing in elections and taking on governance roles. Women continue to confront socio-cultural and institutional barriers to political participation, particularly at the local level. The existence of quotas has helped increase women's participation in certain countries, however additional tools and capacity-building are needed to translate their increased representation into effective participation in political systems.

Indicator 2 – Percentage of women in peace negotiating teams and breakdown of gender issues addressed in peace agreements

While only two countries have reported ongoing official peace negotiations (Colombia and the Philippines), in other cases women continue to be excluded from the implementation of previously signed peace agreements. Women's involvement should therefore extend to monitoring of peace agreements as well as subsequent discussions around the division of power and resources and setting of development priorities. Women also play important roles mobilising and lobbying for representative and inclusive processes outside of official peace negotiations.

Indicator 3 – Index of women's participation in the justice, security sector, and peacekeeping missions

The country-level findings show a wide variation in women's participation in the security sector. The military remains the institution with the most significant barriers to access for women, whereas police institutions tend to have recruitment and hiring policies that recognize women's specific needs and capacities, and as a result in most countries are viewed as a less harsh working environment. Some of the obstacles to women's representation in the security sector cited include public distrust of these institutions and masculinist cultures and practices.

Indicator 4 – Number and percentage of women participating in each type of constitutional or legislative review (including security sector review)

Country reports indicate a wide range of representation of women across constitutional and legislative review bodies, but lack detail on the factors which condition whether or not women are able to participate. Women may need capacity-building support and training in gender-sensitivity so that they are able to use their positions effectively to address women's rights and gender equality. It is particularly important for women's organizations to actively engage with these bodies as they play a critical role in integrating a gender perspective in the review and amendment of laws and public policies.

Indicator 5 – Percentage of civil society organizations in task forces on UNSCR 1325 and 1820 (out of total task force members)

Civil society clearly remains at the forefront of UNSCR 1325 implementation at the national level, whether there is a NAP in the country or not. The research has found that it is important for CSOs to have their own space to discuss their different agenda, build consensus and strategize in their engagement with governments, the UN and other regional and multilateral organizations. Whether or not they are part of official steering committees or taskforces, many CSOs also opt to form their own 1325 networks or working groups. It is noteworthy that taskforces were formed in two countries (South Sudan and Uganda) as a result of this monitoring process.

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized

Quantitative data collection on sexual and gender-based violence (SGBV) remains a challenge, and this year research teams were asked to focus their research on SGBV cases related to violent conflict to make data collection more manageable. SGBV remains widespread in all countries, with worrisome increases in the number of cases in DRC and in Fiji, and impunity continues to be a problem in most countries that populated this indicator. Some researchers noted the deterioration of women's personal security and safety is linked to armed conflict and/or heavy militarization.

On a positive note, some countries have noted slight to moderate progress with respect to the availability and quality of response services for victims of SGBV. However, there is an overall lack of coordinated and systematic data collection, and pervasive under-reporting of SGBV-related crimes remains a challenge.

Indicator 7 – Number and quality of gender-responsive laws and policies

Pressure from the international community to adhere to UNSCR 1325; and on-going advocacy and lobbying efforts of civil society have resulted in the adoption of significant numbers of gender-responsive laws and policies in post-conflict contexts. Three new countries adopted a National Action Plan (NAP) in 2013, and as of September 2013 there are now 43 countries with these plans. On the one hand, this trend indicates that there is increased awareness and political will to foster the advancement of gender equality and women's rights; on the other hand, the proliferation of gender-responsive laws might also reflect the persistence of gender inequalities and a continued lack of implementation of existing legislation, policies and strategies. Some of the reasons cited for this gap in implementation include the lack of political will of national governments to prioritize the implementation of gender-responsive laws, the failure to develop implementation mechanisms and increased access to services, especially in cases of SGBV, and the fact that women have limited knowledge of their rights.

Indicator 8 – Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

Among the countries included in this report, few have currently operational transitional justice mechanisms, yet the majority of the recommendations and strategies ensuing from TRCs and other types of transitional justice mechanisms have a gender dimension (Colombia, Liberia, Sierra Leone, Sri Lanka, South Sudan). This reflects greater awareness and recognition of the differential impact of conflict on women and girls, and consequently, of the need for particular programs and reparations. However, in spite of the inclusion and participation of women in transitional justice processes, the country-level monitoring confirms that implementation of the gender provisions and recommendations on women's rights emerging from them remains a challenge.

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

There continues to be little data on these programs, particularly sex-disaggregated data, reflecting that DDR programs still fail to take into account the fact that armed conflict affects women and men in different ways. Reparations and economic packages are an important source of support and skills development for women

who have been victims of, or combatants in, conflicts and more data on and resources for these programs is needed. Where data is available, the number of women receiving economic packages is generally very low. This is due to a wide range of factors, including: lower number of former women combatants; lack of official documents such as identity cards, citizenship, marriage or birth certificates; and limited follow-up by the agencies responsible for distributing reparations packages (South Sudan). The low number of female recipients also indicates that while women are the principal victims of conflict, they are not adequately compensated or assisted once the conflict is over. When no Disarmament, Demobilization, Reintegration programs are in place or after their mandates end, civil society organizations and partner agencies have provided economic packages and trainings for women.

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Data on this indicator is varied. The reports generally indicate slight/moderate progress, and most countries reported at least some level of training on gender perspectives and UNSCR 1325 and 1820 for the armed forces and the police. However, the scope of the trainings and the impact they are having are in many cases unclear. From all the country reports it is clear that the lack of measurement of impact of training remains a key limitation, and there is an obvious need for more comprehensive evaluation of these efforts. Various government entities, UN agencies and civil society organizations provide comprehensive training for military and police officials on the protection and promotion of women's rights, and in the absence of pre-deployment training, some countries focused on the provision of training in the post-deployment phase.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

As in previous years, obtaining information on funding for CSO and government programming on women, peace and security issues is a challenge. Information is not publicly available and several countries reported difficulties in accessing data directly from the organizations and government agencies working on WPS. Albeit inadequate, in some countries there are mechanisms in place for ensuring that programs on women's rights are adequately resourced. However, there is an evident gap between demand and availability of funds as well as a need for funding to be channelled into basic organizational capacity development. The lack of sustained, regular and flexible funding continues to be identified as a persistent preventative factor for women's organizations to carry out their work. Access to more sustainable funding continues to be one of the strongest demands by women's organizations around the world.

III. Summary of recommendations

This Executive Summary highlights some of the key recommendations with regards to the implementation and monitoring of UNSCR 1325. In summary:

- ▶ Donors should use their political influence at regional and local levels to support women to participate actively in mediation and peace negotiations;
- ▶ Donors should improve tracking of funds allocated to women, peace and security issues; adequately resource NAPs; and develop new, longer-term and flexible funding mechanisms that are accessible to women's organizations;
- ▶ Donors should link UNSCR 1325 to other foreign policy and development priorities to ensure broader buy-in across key ministries;
- ▶ Donors and national governments should continue to increase the numbers of women within the security sector, and develop and carry out training on UNSCR 1325 for police, army and peacekeeping officials;
- ▶ National governments should adopt quotas, affirmative action policies or other mechanisms to create a more level playing field for women at all levels of decision-making;
- ▶ National governments should develop NAPs on UNSCR 1325 through broad consultation with women's groups and CSOs, and ensure that they are adequately resourced with robust monitoring mechanisms in place;
- ▶ National governments should increase efforts to match legislative reform with improved access to services, particularly in relation to SGBV;
- ▶ Multilateral organizations should strengthen and monitor funding for WPS-related activities, and ensure innovative and flexible funding mechanisms are accessible to women's organizations;
- ▶ Multilateral organizations should support and facilitate cross-sharing of evidence of impact, lessons learned and good practice in relation to the implementation of UNSCR 1325;
- ▶ Women's organizations should continue to play watchdog role and further develop efforts to monitor the implementation of UNSCR, including through building links between countries and different regions to facilitate information-sharing and joint advocacy and media and awareness-raising campaigns;
- ▶ Women's organizations should develop and foster relationships across government institutions, particularly with the security sector, to enable more joined-up efforts to implement UNSCR 1325; and
- ▶ Researchers should continue to build up the evidence base on WPS issues, and develop partnerships with CSOs to ensure policy uptake.

1. Introduction

1.1 Research methodology and report structure

The country reports provide further analysis and full details on the status of UNSCR 1325 implementation at the national level. The in-country work is led by women's organisations that are either members or partners of GNWP. The research is carried out through a range of qualitative and quantitative research techniques to assess and monitor progress against the set of indicators that have been identified and agreed upon by GNWP members. The research took place in all countries between April and September 2013, and is based on document review, focus group discussions, and semi-structured interviews with key stakeholders. Each country report provides further details on the specific methodology used in their respective countries. This synthesis report provides a summary on some of the key findings and trends from the 2013 monitoring process.

Due to the diversity of experiences and levels of progress in the countries involved in this monitoring process, a direct comparison on the implementation of UNSCR 1325 and the supporting resolutions was not possible. However, the synthesis report has identified trends, common challenges and examples of good practice from across the different countries while analysing the progress and challenges under each indicator.

1.2 Overview of the indicators

Members of GNWP as well as other women's civil society organizations came together in February 2010 in New York and with the help of a consultant compiled a list of more than 1,500 indicators on women peace and security and related issues. This extensive list was cut down first to 80 and then 16 core indicators were selected based on the applicability to national contexts. Various civil society actors then used these 16 indicators in 2010 and 2011 to gather baseline data on the implementation of the resolutions at the global level.

In 2012, GNWP in partnership with members and partners undertook an assessment of the key elements of the resolution that were monitored in the last two years and revised the previous 16 indicators into 11, based on their relevance and applicability on a country-to-country basis. This review ensured that the indicators are locally applicable, acceptable and also that they reflect the socio-political changes and national policy development in the participating countries. Thus, they have been selected as the most relevant and practical for monitoring UNSCR 1325 at the national level and are divided into the three categories of Participation, Protection and Prevention, and the Promotion of a Gender Perspective as indicated in the table below.

Table 3: Division of GNWP's indicators

Participation	Prevention & Protection	Promotion of a Gender Perspective
Indicator 1: Index of women's participation in governance	Indicator 6: Level of sexual and gender-based violence and percentage of cases reported, investigated, prosecuted and penalized	Indicator 10: Number and percentage of pre-deployment training and post deployment training programs for military and police incorporating UNSCR 1325 and 1820, international human rights instruments and international humanitarian law
Indicator 2: Percentage of women in peace negotiating teams and breakdown of gender issues addressed in peace agreements	Indicator 7: Number and quality of gender responsive laws and policies, and initiatives	Indicator 11: Allocated and disbursed funding marked for women, peace and security projects and programs to CSOs and government
Indicator 3: Index of women's participation in the justice, security sector, and peacekeeping missions	Indicator 8: Number and nature of provisions/ recommendations in the truth and reconciliation commission and other transitional justice reports on women's rights	
Indicator 4: Number and percentage of women participating in each type of constitutional or legislative review (including security sector review)	Indicator 9: Percentage of women (versus men) that received economic packages in conflict resolution and reconstruction processes	
Indicator 5: Percentage of civil society organizations in task forces on UNSCRs 1325 and 1820 (out of total task force members)		

In addition to the indicators, countries also had the opportunity to provide monitoring information against two optional case studies on the integration of gender and peace education in the curriculum of formal and informal education; and the representation of women as peacebuilders and decision-makers in media.

Global indicators to track implementation of UNSCR 1325 were also developed at the request of Security Council resolution 1889 (2009) under paragraph 17. Following this request a set of 26 indicators were presented to the Security Council in October 2010 in the Secretary-General report on women and peace and security.³ The Security Council, in its presidential statement S/PRST/2010/22, indicated support for taking the indicators forward and encouraged Member States to take the indicators

³ Report of the Secretary General on Women Peace and Security, 2010 (S/20120/498) available at <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N10/540/24/PDF/N1054024.pdf?OpenElement>

into account in their implementation of UNSCR 1325 as well as the supporting resolutions. Data collection for more than half of the indicators is the joint responsibility of UN entities, while the rest are for voluntarily reporting by Member States. However, Member States' actual use of these indicators to track UNSCR 1325 implementation globally is still uncertain. Furthermore, some Member States fear and continue to insist that the use of these global indicators would be a "name and shame" exercise as well as an additional reporting burden to them.

Starting from 2011, the Secretary General's annual report on women peace and security has provided incremental reporting on data against the two-third of the indicators through collaborative efforts of different UN entities. Table 3 below demonstrates the overlap with the GNWP indicators, which means that the data presented in these country reports will also be useful for populating the indicators, put forward at the global level.

Table 4: Linking the GNWP indicators to global indicators reported in the SG's report from 2011-2013

GNWP Indicators	Relevant global indicators on UNSCR 1325	Year(s) reported on in the SG's report/MS indicator
1. Index of women's participation in governance	12a. Women's political participation in parliaments and ministerial positions	2011, 2012, 2013
2. Percentage of women in peace negotiating teams and breakdown of gender issues addressed in peace agreements	11a and b. Representation of women among mediators, negotiators and technical experts in formal peace negotiations and Women's participation in official observer status, at the beginning and the end of formal peace negotiations ⁱⁱ	2012, 2013
	8. Percentage of peace agreements with specific provisions to improve the security and status of women and girls	2011, 2012, 2013
3. Index of women's participation in the justice, security sector, and peacekeeping missions	16. Level of women's participation in the justice, security and foreign service sectors	MS indicator

4. Number and percentage of women participating in each type of constitutional or legislative review (including security sector review)	-	-
5. Percentage of civil society organizations in task forces on UNSCRs 1325 and 1820 (out of total task force members)	-	-
6. Number and percentage of SGBV cases reported, investigated, prosecuted and penalized	1a. Prevalence of sexual violence 1b. Patterns of sexual violence in conflict and post-conflict situations 14. Index of women's and girls' physical security 19. Percentage of referred cases of sexual and gender-based violence against women and girls that are reported, investigated and sentenced	MS indicator 2011, 2012, 2013 MS indicator MS indicator
7. Number and quality of gender-responsive laws and policies	5b. Extent to which measures to protect women's and girls' human rights are included in national security policy frameworks 15. Extent to which national laws to protect women's and girls' human rights are in line with international standards	MS indicator MS indicator
8. Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights	3a. Extent to which violations of women's and girls' human rights are reported, referred and investigated by human rights bodies 3b. Number and percentage share of women in governance bodies of national human right bodies 25. Extent to which Truth and Reconciliation Commissions include provisions to address the rights and participation of women and girls	2011, 2012, 2013 2011, 2012, 2013 2011, 2012, 2013
9. Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes	18. Percentage of benefits from temporary employment in the context of early economic recovery programs received by women and girls 26a. Percentage of benefits from reparation programs received by women and girls 26b. Percentage of benefits from DDR programs received by women and girls	2012, 2013 - 2012, 2013
10. Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law	20. Hours of training per capita of decision-making personnel in security and justice sector institutions to address cases of sexual and gender-based violence	MS indicator
11. Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government	23a. Proportion of total disbursed funding to Civil Society organizations that is allocated to address gender equality issues 23b. Proportion of total disbursed funding to support gender equality issues that is allocated to Civil Society organizations 22b. Proportion of budget related to targets that address gender equality issues in strategic planning framework	- - -

2. Analysis of global implementation of UNSCR 1325: achievements and challenges

This section of the report will provide a *synthesis of global implementation of UNSCR 1325 including the achievements and challenges in the 15 countries that participated in this year's civil society monitoring exercise*. This section will be useful for policymakers and researchers who want a clear overview of the different areas of implementation of UNSCR 1325 across different contexts. To obtain a deeper analysis and a wider range of examples, readers should consult the individual country reports, which provide additional research on the indicators and are a rich source of data.

Despite the extensive data and analysis collected each year through the Global Monitoring Project, *it is important to note the difficulties associated with obtaining the information needed to effectively monitor UNSCR 1325*. For example, in many countries the researchers encountered problems in obtaining data held by government ministries, and in many areas, most notably relating to sexual and gender based violence (SGBV) and funding allocations, there is only scant information available. In some cases, for example in Sierra Leone, it was also noted that collecting the data for the monitoring report was challenging due to the short timeframe and the fact that the field research fell during the rainy season. In addition, gathering data on peace processes proved to be difficult especially when the peace negotiations happen behind closed doors as in the case of Colombia. As a result, not all indicators are populated for every country. In some cases, particularly for the three donor countries covered in this report, data is not provided on some of the indicators, as they do not directly apply to their context such as the one on women's participation in peace negotiations. These challenges are not unique, and the need for better data

collection on gender-related issues has been widely noted and is an emerging priority of the international community. Indeed, drawing attention to the data gaps is equally important, and it is hoped that this may encourage governments to recognize the limitations in their knowledge about the women, peace and security situation and begin to devote more resources to collecting this information.

2.1 Participation

The first set of GNWP indicators focus on women's leadership and participation in governance, peacekeeping and peacebuilding. This emphasis on women's participation in decision-making in conflict and resolution processes in UNSCR 1325 represents the most transformative element of this groundbreaking resolution. In addition to acknowledging that armed conflict affects women and girls differently from men and boys, it reaffirmed the important role of women in the prevention and resolution of conflicts and in peacebuilding; and stressed the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security. The first set of indicators address issues relating to women's participation in peace and security particularly in decision-making on these issues. They also cover the broader dimensions of women's representation in decision-making structures from the local to the national levels, as well as their involvement in a range of institutions and processes relating to governance, justice, security and peacekeeping.

Indicator 1 – Index of women's participation in governance

This indicator measures women's participation in decision-making across three levels of governance structures - in cabinet or council of ministers, parliament, and in local government units. Table 5 below provides an overview of key findings across the countries, as well as information on whether or not quotas have been adopted to help increase women's political participation.

Table 5: Percentage of women's participation in governance structures (2010-2013)

Percentage of women in parliament by country				
Country	2010	2011	2012	2013
Armenia	Not applicable	Not applicable	Not applicable	9.2%
Canada	22.1%	35.9% – Senate	Not applicable	36.2% ⁱⁱⁱ – Senate
		24.7% – House of Commons		25.1% – House of Commons
Colombia	Not applicable	16% – Senate	10.3% – Senate	14.18%
		12% – House of Representatives	16.3% – House of Representatives	
DRC	5.8% – Senate	6% – Senate	3.7% – Senate	5.5% – Senate
	10.4% – National Assembly	10% – National Assembly	9.4% – National Assembly	10.4% – National Assembly
Fiji	5.2%	Not applicable	Suspended since 2006	Suspended since 2006

Liberia	Not applicable	16.7% – Senate 14% – House of Representatives	13% – Senate 11% – House of Representatives	11% – Senate 13% – House of Representatives
Nepal	33% – Constituent Assembly	33% – Constituent Assembly	33% – Constituent Assembly	Constituent Assembly was dissolved on May 27, 2012
Netherlands	38.4%	37.7%	39.1%	36.5%
Philippines	20.9%	22.1%	22.1%	22.9% – House of Representatives 13% – Senate
Serbia	Not applicable	Not applicable	Not applicable	32.4%
Sierra Leone	14.7% 13.7% (including Paramount Chiefs)	Not applicable	13.7%	12.1%
South Sudan	Not applicable	Not applicable	29%	29%
Sri Lanka	Not applicable	Not applicable	5.8%	5.8%
Sweden	Not applicable	45%	45%	45%
Uganda	31%	34.4%	35%	34%
Percentage of women in cabinet by country				
Country	2010	2011	2012	2013
Armenia	Not applicable	Not applicable	Not applicable	11.1%
Canada	27%	26%	Not applicable	26.3%
Colombia	Not applicable	30.74%	31.1%	31%
DRC	9%	33%	16.6%	12%
Fiji	5.26% (1 out of 19 Cabinet members)	Not applicable	9% (1 out of 11 Cabinet members)	2%
Liberia	Not applicable	25%	31%	25%
Nepal	11.6%	7.6%	22.4%	10%
Netherlands	35.7%	20%	25%	40%
Philippines	29.2%	31.2%	31.7%	17.5%
Serbia	Not applicable	Not applicable	Not applicable	17.4%
Sierra Leone	4.76%		9.5%	7.4%
South Sudan			17%	24% (after the Cabinet reshuffling in July 2013)
Sri Lanka	Not applicable	Not applicable	3%	3.03%
Sweden	Not applicable	46%	54%	54%
Uganda	32%	33%	31%	30%
Percentage of women in local government by country				
Country	2010	2011	2012	2013
Armenia	Not applicable	Not applicable	Not applicable	0
Canada	8% – Heads of Provinces 24% – Municipal Councillors	23%	Not applicable	24.1%

Colombia	Not applicable	17.2% – Departmental Assemblies 14.5% – Councils	9.3% – Governors 10.1% – Mayors 11.1% – Departmental Assemblies	9.4% – Governors 9.7% – Mayors 17% – Departmental Assemblies
DRC	7.3% – Provincial Parliamentarians 0 – Provincial Governors	0	8.9% – Provincial Parliamentarians 0 – Provincial Governors 16.3% – Provincial Ministers	8.9% – Provincial Parliamentarians 0 – Provincial Governors 16.3% – Provincial Ministers 0 – Provincial Directors
Fiji		Not applicable	26% – Provincial Development Board 27% – Divisional Development Board 10% – District Advisory Council	26% – Provincial Development Board 11% – Divisional Development Board 10% – District Advisory Council
Liberia	Not applicable	40% – Superintendents	33% – Superintendents	33% – Superintendents
Nepal	0 – Chief District Officers 1.33% – Local Development Officers (1 of 75)	0 – Chief District Officers 1.33% – Local Development Officers (1 of 75)	0 – Chief District Officers 1.33% – Local Development Officers (1 of 75)	0 – Chief District Officers (0 out of 75) 0 – Local Development Officers (0 out of 75)
Netherlands	38% – Senior Positions in provinces 45.9%	30.4%	39% – Senior Positions in provinces 30.5% – Senior Positions in municipalities	27%
Philippines	16%	17%	18.4%	16.4%
Serbia	Not applicable	Not applicable	Not applicable	15.8%
Sierra Leone	18.8%	Not applicable	10%	16.4%
South Sudan	Not applicable	Not applicable	No information	10% – (State Governors)
Sri Lanka	Not applicable	Not applicable	1.9%	4% – Provincial Government 1.9% – Local Government
Sweden	Not applicable	43% – Municipality councils 47% – County councils	29% – Chairs of municipal government 48% – County councils	No data
Uganda	1.25% – District Chairpersons	1.7% – District Chairpersons	40% – Local Councillors 2% – District Chairpersons 2% – Local Council Chairpersons (1) 3% – Municipality Chairpersons	2.7% – (3 out of 112 Districts Chairpersons)

There is very limited progress under Indicator 1. Compared to 2012, the result of this year's civil society monitoring of UNSCR 1325 shows that of the conflict-affected countries monitored only DRC and the Philippines have an increased number of women in parliament. Canada also exhibited a slight increase from their last monitoring in 2011. It is only in Canada (in the Senate), Netherlands, Serbia, Sweden and Uganda where women broke the glass ceiling to have more than 30 percent women in parliament.

In the Cabinet, only Canada and the Netherlands showed some progress. Of the conflict-affected countries, only South Sudan, indicated an increase but still below the 25 percent female participation benchmark that is stipulated in the Transitional Constitution of the Republic of South Sudan. The only remarkable increase in this highest executive governance body was exhibited by the Netherlands wherein the percentage of women in Cabinet rose from 25 percent in the 2012 monitoring report to 40 percent this year. Furthermore, from the countries directly affected by conflict, it is only in Colombia and Uganda where women made up at least 30 percent of this highest national executive body.

In most of the countries monitored, women continue to confront socio-cultural and institutional barriers to political participation.

In local governance positions, only Canada, Sierra Leone and Uganda demonstrated an increase. The percentage of women in local governance in Sierra Leone rose from 10 percent in 2012 to 16.4 percent in 2013. The highest percentage of women's representation in local governance positions is in Liberia at 33 percent. This is because the key local government positions such Superintendents, are appointed by the President of the Republic. The Netherlands, which always ranks highly in women's representation in governance, only had 27 percent women in its local government bodies. ***Elective positions in local government units have always been the hardest to secure for women because it is at the local level where traditional beliefs about political leadership as primarily a male domain are most dominant.*** It must also be noted that in a number of conflict-affected countries such as Liberia and Nepal, there have been no local elections yet since the conflict.

Sweden remains to be a shining example of women's representation in decision-making and governance. The representation of women in the Swedish Cabinet is one of the highest in the world at 54 percent while the percentage of women in the parliament remained at the same level as in 2011, at 45 percent. In the Netherlands and Sweden, women now head the Defence Ministries. Moreover, the chairpersons of the two houses of parliament in the Netherlands are both women.

As is evident from the data gathered under this indicator, the majority of the countries monitored fall way under the critical mass of 30 percent. In Sierra Leone very little has changed in women's representation in political positions since the 2007 elections despite having women run for different positions including that of the vice president.

In most of the countries monitored, women continue to confront socio-cultural and institutional barriers to political participation. Low literacy or low levels of education, poor preparatory training, a high household work burden, high cost of running for elections, and negative attitudes towards women in public office are just some of the barriers that prevent women from competing in elections and taking on governance roles. As the Sri Lankan monitoring report points out, it is not the lack of women coming forward to run for election that is the reason for not seeing more women in political positions but rather the strong voter bias against women and the lack of political will among political parties to include women on their slates that are preventing progress in terms of women's participation in governance.

The suspension of legislative bodies as in the case of Fiji and Nepal deprives women a critical opportunity to take part in decision-making processes that could result into laws and policies to promote and protect their rights in conflict, post-conflict, during recovery and transitions to peace. In Nepal, the Women's Caucus that was established in the Parliament (Constituent Assembly) in January of 2009, showed a lot of promise when it was still in existence. It was formed to promote gender sensitive policies and legislation, with different sub-committees including one on Violence against Women (VAW). However, the Constituent Assembly was dissolved in May 2012, which rendered the Women's Caucus obsolete.

In Colombia, the women's group *Sisma Mujer* analyzed data from the National Civil Registry Office and learned that in the 2010-2014 congressional term, the percentage of women increased to 14.18 percent.⁴ One of the possible reasons for this increase is the fact that a number of congressmen were found to have connections with paramilitary groups and were ousted from Congress and jailed. As a result, women who had the second highest number of votes took over the congressional positions.

The existence of quotas has helped increase women's participation in certain countries where they can be a powerful mechanism for breaking down some of the barriers that women face. For example, in Nepal, prior to the dissolution of the Constituent Assembly in 2012, women constituted 33 percent of the members of the Assembly, progress that can largely be attributed to the adoption of a quota system. In South Sudan, however, only four areas of governance attained the 25 percent female participation benchmark that is stipulated in the Transitional Constitution. These are the National Legislative Assembly (29 percent), Chairpersons of Specialized Committees

⁴ Corporación Sisma Mujer, Red Nacional de Mujeres. Derechos en femenino. Hacia un real camino a la igualdad. IV Informe de derechos humanos de las mujeres. 2010, 2012. Bogotá. 3013.

(28 percent), Deputy National Ministers (42 percent), and Deputy Chairpersons of Institutions and Commissions (25 percent). While a useful tool, it is important to ensure the non-treatment of quotas as an end in themselves, but rather one strategy that can be adopted to create a more level playing field for women's entry into politics. Additional tools and strategies are then often needed to train and build the capacity of women political leaders to ensure that they can translate their increased representation into effective participation in political systems.

Indicator 2 – Percentage of women in peace negotiating teams and breakdown of gender issues addressed in peace agreement

This indicator focuses on the extent of women's representation in peace negotiating teams, and the extent to which gender related issues are incorporated in peace agreements or any documents emerging from peace negotiations.

Of the 15 countries that took part in this year's monitoring, only two have reported an ongoing official peace negotiations: Colombia and the Philippines. The Colombian Government is currently negotiating with the Fuerzas Armadas Revolucionarias de Colombia (FARC) on the following issues: agrarian reform, political participation, drug trafficking, disarmament and restitution for conflict victims. Similar to peace negotiations in other countries, women are not the principal negotiators in the ongoing peace talks between the Colombian government and the FARC. Within the government's negotiating team, two women were appointed as alternate negotiators: Lucía Jaramillo and Elena Ambrosi.⁵ On the side of FARC, the five principal negotiators and the five alternate negotiators are all men. Two women, Tanja Nijmeijeralto and Shirley Méndez, serve as media liaison officers of the FARC.

The Philippines is continuing its negotiations with the Moro Islamic Liberation Front (MILF). The Philippine Government and the MILF have signed the *Framework Agreement on the Bangsamoro* in October 2012 after 15 years of negotiations. The peace negotiators are currently continuing the discussions on the annexes to the agreement such as the *Annex on Power Sharing* and *Annex on Normalization*. The parties have already signed the *Annex on Transitional Arrangements and Modalities*

and the *Annex on Revenue Generation and Wealth Sharing* in February and July, respectively. The annexes together with the Framework Agreement will comprise the Comprehensive Agreement, which the negotiating parties aim to sign within the year.

In 2012, there was a negotiation between Armenia and Azerbaijan over Nagorno-Karabakh. The Foreign Affairs Ministers of Armenia and Azerbaijan were the principal negotiators. They were joined by the Co-chairs of the Organization for Security Co-operation in Europe (OSCE) Minsk Group, which spearheads the OSCE's efforts to find a political solution to the conflict in and around Nagorno-Karabakh. The representation of women in this peace negotiation is limited to the level of technical experts, and observers. Women's organizations also participated in informal meetings on conflict resolution as well as in parliamentary assemblies organized by OSCE and COE. However, there is no peace agreement yet on the issue of Nagorno-Karabakh.

The Peace and Security Cooperation Framework for the DRC and the region signed in Addis Ababa on February 24, 2013 is one of the most important documents that aim to end violence in the DRC and the Great Lakes region. It was signed by 11 countries: Angola, Burundi, the Central Africa Republic, the Democratic Republic of Congo, Republic of the Congo, Rwanda, South Africa, South Sudan, Tanzania, Uganda and Zambia. The Framework also includes the establishment of a regional oversight mechanism involving the eleven countries and the leaders of four international organizations namely: the Chairperson of the African Union Commission, the Chairperson of the International Conference on the Great Lakes Region, the Chairperson of the Southern African Development Community and the Secretary-General of the United Nations. While not a peace agreement per se, the Framework could serve as an important guide to future peace processes. However, there is no mention of the impact of armed conflict on women in the Framework and the critical role they play in peacebuilding processes. GNWP members and partners in DRC and other countries in the Great Lakes region are closely monitoring the implementation of the national, regional and international commitments to end the recurring violence that were made under this framework. It is important to note that following the appointment of Mary Robinson as the Special Envoy of the Secretary General for the Great Lakes Region in Africa, women's CSOs were able to engage in the process. Since the elaboration of her mandate, women's empowerment has been included as one of the key areas in the implementation of the Framework.

⁵ Elena Ambrosi is the coordinator of the Thematic Group in the Office for the High Commissioner for Peace in Colombia. The data and analysis provided in this Global Report and in the Colombia monitoring report reflect the situation in October 2013. As of November 29, 2013, two female chief negotiators have been nominated to join the Government's team of negotiators: <http://www.un.org/apps/news/story.asp?www.sealthedeal2009.org/petition/realfile/story.asp?NewsID=46628&Cr=Colombia&Cr1=#.Upz4fmSxNyc>

Good practice from the Philippines: *The Philippines continues to set a good example in ensuring women's participation in peace negotiations. Women make up 40 percent of the government panel in the peace negotiation with the Moro Islamic Liberation Front (MILF). Moreover, the Chairperson of the government Ms. Miriam Coronel-Ferrer panel is a woman with a strong civil society background. She was appointed by President Benigno Aquino III as Chairperson of the government peace panel in December 2012 which marked the first time that a woman has been appointed to head the government peace panel ever since the peace negotiation with the MILF commenced in 1997. On the side of the MILF, while there is still no woman among the principal negotiators, two women were appointed to the Board of Consultants for the first time.*

Furthermore, as a result of the strong presence of women in the peace negotiation with the MILF, gender related provisions were included in Section VI on Basic Rights and Section VIII on Normalization of the Framework Agreement on the Bangsamoro (FAB). The Basic Rights section stipulates the "Right of women to meaningful political participation and protection from all forms of violence"; and the "Right to equal opportunity and non-discrimination in social and economic activity and the public service, regardless of class, creed, disability, gender and ethnicity." The Normalization section states: "The Parties recognize the need to attract multi-donor country support, assistance and pledges to the normalization process for return to normal life affecting combatant and non-combatant elements of the MILF, indigenous peoples, women, children, and internally displaced persons." Women are also represented in the Bangsamoro Transition Commission, which is tasked to solicit the views of all stakeholders that will be considered in shaping inclusive, participatory and empowering social and political institutions in the future Bangsamoro political entity. Three out of the four women in the Bangsamoro Transition Commission are part of the Women Engaged in Action on 1325 (WE Act 1325), the coalition of CSOs that is at the forefront of the implementation of the NAP 1325 in the Philippines. WE Act 1325 collaborates closely with government agencies and international organizations such as GNWP in NAP 1325 implementation.

In Sierra Leone, the last formal peace negotiation was held in 1999, which resulted into the signing of the Lome Peace Accord and ended the conflict in 2002. It is worth noting that women, particularly those from civil society were an integral part of this formal peace process. However, only one provision in the Lome Peace Accord recognizes the impact of the conflict on women and that "special attention shall be accorded to their needs and potentials in formulating and implementing national rehabilitation, reconstruction and development programs, to enable them to play a central role in the moral, social and physical reconstruction of Sierra Leone."⁶ This does not always occur in practice, as in November 2012, after an inter-political party skirmish in Bo County following the stoning of the Sierra Leone People's Party (SLPP) presidential candidate, an informal peace negotiation was held. No women took part in this informal peace negotiation.

South Sudanese women actively participated in the negotiation and drafting of the Comprehensive Peace Agreement between Sudan and South Sudan that was signed in 2005. Although gender issues were not at the center of discussions during the CPA, South Sudanese women's organizations believe that provision on 25 percent women's participation in governance quota is a result of their participation in the negotiation and

drafting of the CPA. However, such involvement of women was not replicated in the 2012 Addis Ababa Cooperation Agreement between the two countries which incorporated nine agreements between Sudan and South Sudan; one framework agreement and eight agreements on specific topics, that lay out the basic principles and terms of reference for the policymaking and technical committees. However, gender equality issues are not integrated in these agreements. In March 2012, the South Sudanese government established a Presidential Committee for Community Peace, Reconciliation, and Tolerance in Jonglei State. The objective of this committee is to mitigate conflicts by holding a peace conference in Bor and then traveling widely to areas where there are tensions to promote reconciliation. However, such efforts to continue the peace process have not sufficiently engaged women.

While not directly involved in peace negotiations, the Netherlands has supported women mediators, negotiators or women's civil society groups in peace negotiations in Sudan, South Sudan, Libya and Colombia between May 2011 and December 2012. Examples of support include facilitation of parallel meetings and issuance of public statements and press releases.⁷ However, there is limited information available to examine further the involvement of developed countries in peace negotiations around the world.

⁶ Lome Peace Accord, 1999, Article XXVIII on Post-war Rehabilitation and Reconstruction, the Sierra Leone Web, retrieved September 14, 2013 from <http://www.sierra-leone.org/lomeaccord.html>

⁷ Netherlands response to the EU Questionnaire for EU Member States on the Indicators for the Comprehensive Approach to the Implementation of the UNSCRs 1325 and 1820 on Women, Peace and Security. Not publicly available.

Good practice in regional women's mobilization in the former Yugoslavia: *The Kosovo Women's Network and the Network of Women in Black in 2006 established the Women's Peace Coalition, which campaigned to improve women's representation in and influence over the negotiations. The Women's Peace Coalition gathered together a large number of activists from the region. Furthermore, they established the Regional Women's Lobby for Peace, Security and Justice in South-East Europe. The lobby connected women from civil society, female activists and politicians from all the republics of the former Yugoslavia so that they were able to make a united front when representing issues of common interest. Both the Women's Peace Coalition and the Regional Women's Lobby advocated the idea of greater involvement and influence of women in the negotiations.^{iv}*

Women's experiences in official peace negotiations underscores that it is not only important that women are part of the negotiations themselves, but that this involvement extends to monitoring of peace agreements as well as subsequent discussions around the division of power and resources and setting of development priorities. It must also be noted that while it is critical for women peace activists to participate and influence official peace processes, it should be understood that such mechanisms could be fragile and cannot be the sole means by which to safeguard women's interests. Thus, official peace negotiations are not a substitute to women's active and autonomous mobilisation and constant lobbying for a representative and inclusive processes that respect and guarantee human rights and democratic spaces.

Indicator 3 – Index of women's participation in the justice, security sector, and peacekeeping missions

This indicator examines women's representation across the justice sector, the police and the military, as well as the involvement of women in different roles within peacekeeping missions. Women are under-represented in the security sector across the board, although some countries have made advancement by creating enabling conditions to increase women's representation and retention in the sector. Given the gendered dimensions of security, particularly in conflict-affected contexts, and the specific needs that women and girls have in relation to access to justice and protection, this is one of the most critical areas for the implementation of UNSCR 1325.

Table 6: Percentage of women's representation in the military, police, judiciary and peacekeeping forces

Country/Justice and Security Sector	2010	2011	2012	2013
ARMENIA				
Judiciary				17.6% – Supreme Court 40% – Appellate Court
Military	Not applicable	Not applicable	Not applicable	No data available
Police				No data available
Peacekeepers				0
CANADA				
Judiciary	25.6% – Federal Court 32.5% – Provincial Court	25.6% – Federal Court 32.5% – Provincial Court		32.4% – Federal Court 33.3% – Supreme Court 30.7% – Federal Court of Appeal
Military	15.1%	15.1%	Not applicable	12%
Police	19.1%	19.1%		20%
Peacekeepers	11.18% – Police officers 10.81% – Military experts 23.07% – Contingent troops	9% – Police officers 14.3% – Military experts 14.3% – Contingent troops		11.96% – Police officers 25% – Military experts 1.88% – Contingent troops

COLOMBIA				
Judiciary		11% – Constitutional Court 11% – Supreme Court 25% – Council of State	11% – Constitutional Court 13% – Supreme Court 31% – Council of State	11% – Constitutional Court 19% – Supreme Court 29% – Council of State
Military	Not applicable	0.97%	7.23%	1.15%
Police		6%	7%	No data available
Peacekeepers		20% – Police officers 6% – Military experts	7.6%	9.5%
DRC				
Judiciary	11%	24%	16.9%	19.46%
Military	2.7%	3%	2%	2%
Police	5.3%	6.7%	6.6%	5% (Officers only)
Peacekeepers	12.5% – Police officers (1 woman)	10% – Police officers	7.1% – Police officers deployed with MINUSTAH 11.1 – Police officers deployed with UNOCI	14.28%
FIJI				
Judiciary	23%		14% – High Court 26% – Magistrates Court	25.8%
Military	2%		2%	2%
Police	17%	Not applicable	19%	35% commitment but no data available to see if this has been met
Peacekeepers	0		10% – Police officers 0 – Military experts 5% – Contingent troops	26.8%
LIBERIA				
Judiciary		0.8%	0.8%	40% – Supreme Court 26% – Trial Judges
Military	Not applicable	3.7%	6.2%	5.3%
Police		14.8%	20%	17.3%
Peacekeepers		Not applicable	Not applicable	0
NEPAL				
Judiciary	2.4%	2.4% – (from 2010 data sources)	7.6% – Supreme Court 4.08% – Appellate Court 0.74% – District Court	4.48 %
Military	6.34% (Officers)	1.32% – Army 3.2% – Armed Police	1.6% – Army 3.22% – Armed Police	1.91% – Army 3.8% – Armed Police
Police	5.74%	6%	5.77%	5.31%

Peacekeepers	4.78% – Police officers 0 – Military experts 1.3% – Contingent troops	5.1% – Police officers 4.8% – Military experts 1.9% – Contingent troops	1.63% – Military experts 2.46% – Police officers	2.54%
NETHERLANDS				
Judiciary	47% (from 2004 data sources)	52%	53.4%	54.3%
Military	9% (from 2007 data sources)	9%	9.35%	9.36%
Police	40% (from 2009 data sources)	22%	35%	35.2%
Peacekeepers	25% – Police officers 8.69% – Military experts 33.3% – Contingent troops	9% – Military experts	4.16% – Military experts 0 – Troops 6.6% – Police officers	25%
PHILIPPINES				
Judiciary	35.5% (from 2004 data sources)	35.1%	36.51%	38%
Military	8.7%	8.7%	3.16%	4.2%
Police	9.6%	3.8% (Commanding Officers)	12.3%	12.55%
Peacekeepers	10.65% – Police officers 4.35% – Military experts 4.5% – Contingent troops	18.3% – Police officers 9% – Military experts 6.5% – Contingent troops	9.58%	6%
SERBIA				
Judiciary				No data available
Military	Not applicable	Not applicable	Not applicable	8.79%
Police				21.8%
Peacekeepers				13%
SIERRA LEONE				
Judiciary	47% – (High, Appeal & Supreme Courts, (2010)		14%	23.9%
Military	3.7%		3.7%	3.7%
Police	16.5%		16.6%	17.8%
Peacekeepers	19% – Police officers 0 – Military experts 5% – Contingent troops	Not applicable	38%	57.27% – Police officers 0 – Military experts 0 – Contingent troops

SOUTH SUDAN				
Judiciary			10% – High Court 12% – First grade County Court	0 – Supreme Court 0 – Court of Appeal 10% – High Court
Military	Not applicable	Not applicable	No data available	No data available
Police			25% – (Unofficial estimate)	No data available
Peacekeepers			Not applicable	Not applicable
SRI LANKA				
Judiciary			22%	27% – Supreme Court 16% – Court of Appeal
Military	Not Applicable	Not Applicable	No data available	No data available
Police			5%	No data available
Peacekeepers			3%	0.38%
SWEDEN				
Judiciary		71%	71%	49% – Judges 37% – Chiefs
Military	Not Applicable	12.6%	13.1%	13%
Police		39%	28.5%	41%
Peacekeepers		28% – Police officers 35% – Military experts ^v 8.9% – Contingent troops	14.7%	12%
UGANDA				
Judiciary	33% – Supreme Court 33% – Court of Appeal 24% – High Court	33% – Supreme Court 33% – Court of Appeal	33% – Supreme Court 33% – Court of Appeal 31% – High Court	40% – Supreme Court 20% – Court of Appeal 27% – High Court
Military	No data available	No data available	No data available	No data available
Police	14%	14%	14%	14%
Peacekeepers	20.1% – Police officers 28.57% – Military experts 0 – Contingent troops	17% – Police officers (All Missions) 2% – Contingent Troops (All Missions)	46% – Police officers UNMIL 29% – Police officers UNMISS 5% – Police officers AMISOM	30% – Police officers UNMIL 21% – Police officers UNMISS 15% – Police officers AMISOM

Compared to other areas of the security sector, women's representation in the judiciary is the highest. Among the conflict-affected countries, Liberia, the Philippines and Uganda recorded the highest representation of women in this sector ranging from 38 to 40 percent. Not surprisingly, Netherlands has 54.3 percent and Sweden has 49 percent women in their justice sectors. While there are also socio-cultural barriers to women's entry to and retention in the legal profession, these are often less strong than in the police and military institutions, which tend to have stronger masculinist cultures and practices. There are no "exclusively male" areas in the legal profession such as patrol duty or combat in the police and military. Women lawyers, prosecutors and judges are also common in many countries, conflict affected or not, and provide many role models for young women and girls to look up to.

The military remains the institution with the highest barriers to access for women. The percentage of women's representation in the military in the 11 countries where data was available ranges from 1.15 to 13 percent. Even in the Netherlands and Sweden where gender equality is on top of the policy agenda, women's representation in the military is only at 9.36 and 13 percent. Canada is another country that has a relatively high representation of women in the military at 12 percent. In conflict-affected countries such as DRC and Nepal, women's representation in the military stayed from 1.32 to 3 percent from 2010 to 2013.

The percentage of women in the police sector ranges from 5.3 to a high of 41 percent. In most countries, the police are viewed as a less harsh working environment than the military. Moreover, police institutions tend to have recruitment and hiring policies that recognize women's specific needs and capacities. In Liberia, one of the goals of the National Action Plan on UNSCR 1325, is to have a minimum of 20 percent female representation within the army and police forces.⁸ Furthermore, the Liberian National Police undertook a policy of gender training and gender mainstreaming with support from the UN Mission in Liberia (UNMIL) and other international partners to attain this goal.⁹ A Women and Child Protection Section and a Gender Affairs Unit was also established with the aim of promoting women's equality, and peace and security for all. Currently, 46 (or 31 percent) out of the total 148 recruits for 2013 are women. If this trend continues, the goal of 20 percent women's representation may be reached in a few years.

In peacekeeping missions, the percentage of women's representation range widely from the 0.38 percent deployed by Sri Lanka to the 57.27 percent deployed by Sierra Leone. In Sierra Leone this high number reflects women police officers deployed for peacekeeping missions which was mainly achieved through gender-sensitive security sector reform that has been taking place since 2002. **Overall, the meagre representation of women in overseas peacekeeping missions reflects the low representation of women in national police and military forces.**

⁸ "Women, Peace and Security in Liberia: Supporting the Implementation of Resolution 1325 in Liberia," International Research and Training Institute for the Advancement of Women, March 2009.

⁹ <http://www.bristol.ac.uk/global-insecurities/events/2012/21.html>

Of the 19 countries that have participated in the civil society monitoring of UNSCR 1325 in the last four years, only Canada, DRC and Fiji have shown a continuing increase in the percentage of women they send to foreign peacekeeping missions. Feedback from some key informant interviews conducted as part of this monitoring exercise reveal that in some developing countries, preference is given to male officers for these placements, which are considered as lucrative posts and critical in international career advancement.

Good Practice from the Netherlands: *Defense Minister Hennis-Plasschaert of the Netherlands, stated "... In Iraq and Afghanistan, it is crucial to have contact with the women, but often difficult. Our female soldiers make the difference."^{vi} Female military officers are able to connect more easily with women in local populations. Cognizant of this added value of having women in such missions as Iraq and Afghanistan, the Dutch military has been implementing a few practices over the years to recruit and retain more women. ... Measures such as part-time employment, lesser obligations for deployment in the first years after child birth, policies on parental leave, child care and family policy were designed to enhance female recruitment."^{vii} As the monitoring report from the Netherlands shows, the year 2012 saw a sharp increase in the number of Dutch women in UN peacekeeping operations from 6.6 percent in 2011 to 25 percent in this year.*

There are several obstacles to women's representation in the security sector. For example, low female representation in the military is due to the dominant public distrust towards this sector in a number of countries. In Liberia, due to the atrocities committed by the Armed Forces of Liberia during the country's civil war, majority of the population still do not trust the military. Thus, it is not perceived of as a career option for many women. There is also a continuing debate among civil society groups that women should not join the military because they could potentially become instruments of militarization and could also sustain the "business of war." On the other hand, there are also those who believe that more women should join the security sector as this will increase operational effectiveness including better handling of cases of sexual and gender-based violence. Moreover, gender equality in peacekeeping, peacebuilding efforts and post-conflict security services is critical to the establishment of governance structures that are representative, trusted, legitimate, and are able to meet the security needs of the population.

It is also important to note that some countries like Armenia and Uganda do not provide access to data on actual number of police and military personnel because it is considered a breach of security to reveal their police or military strength.

Table 7: Percentage of women in peacekeeping missions within the reporting countries/missions^{viii}

Mission/Country	Post description	Number of men	Number of women	Percentage of women
MONUSCO (DRC)	Individual Police	319	54	14.4
	Formed Police Units	958	89	8.5
	Military Experts	500	12	2.34
	Contingent Troop	18,258	329	1.77
Total		20,035	484	2.35
UNMIL (Liberia)	Individual Police	417	57	12.02
	Formed Police Units	856	127	12.91
	Military Experts	111	7	5.93
	Contingent Troop	5,536	221	3.83
Total		6920	412	5.61
UNMISS (South Sudan)	Individual Police	505	128	25.34
	Military Experts	137	4	2.83
	Contingent Troop	6607	180	2.65
Total		7249	312	4.12
UNISFA United Nations Interim Security Force for Abyei ^{ix}	Individual Police	7	3	30
	Military Experts	96	10	9.43
	Contingent Troop	3604	205	5.38
Total		3707	218	5.55

Even though the DRC is itself a conflict-affected country, it still deploys individual police to UNOCI, the UN Peacekeeping in Côte d'Ivoire. Six male and one female individual police officers are deployed to UNOCI from the DRC.

In 2013, 46 members of the Armed Forces of Liberia were deployed to Mali as a part of the African-led International Support Mission in Mali (AFISMA) also currently referred to as the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). President Ellen Johnson-Sirleaf viewed the deployment of this battalion as “a pay-back by Liberia to the many West African, African, and international groups from countries that have enabled us to now come close to our tenth consecutive year of peace.”¹⁰ This deployment is also regarded as a significant step in the establishment of Liberia as peaceful, stable member of the international community. However, no female peacekeeper was part of the Liberian Contingent Troop that was sent to Mali. This validates the obstacles to women's equal representation in peacekeeping missions and the security

¹⁰ Special Statement by H.E. President Ellen Johnson Sirleaf at Official Launch of ‘Kick-Start’ Implementation of the National Reconciliation Roadmap for Liberia & National Dialogue Conference on Peace and Reconciliation Centennial Pavilion, Thursday, June 20, 2013 http://www.emansion.gov.lr/doc/20130620President%20Sirleafs_Statement-at_Kick-Start_Implementation_of_National_Reconciliation-Roadmap.pdf

sector overall that were discussed in the preceding paragraphs of this report.

The deployment of peacekeepers from conflict-affected countries could also contribute to the enhancement of the capacities of their own security sector. When the police and military officers come back to their country, they can share their observations and lessons learnt in peacekeeping, thus contributing to the maintenance of peace and order and respect for the rule of law. In addition, having women represented in peacekeeping operations can help to raise awareness of women in the conflict country and can encourage them to join the security sector—as observed in Liberia when an all-women police troop was sent by the Government of India to the UNMIL in 2007.

Indicator 4 – Number and percentage of women participating in each type of constitutional or legislative review (including security sector review)

In post-conflict context and during peace negotiations, the processes to establish constitutions, new legislation or development priorities are valuable opportunities for influencing

the nature and distribution of power and resources in a country. Similarly, when review processes are launched to adopt laws or policies to institute changes in the government or political situation, it is important to ensure the inclusion of as many voices as possible. Integrating a gender perspective into these processes is

particularly important, and although an increased representation of women does not guarantee that gender equality issues or the specific needs of women and girls will be raised, this is more likely where there is a critical mass of women participants and there is a diversity of voices at the table.

Table 8: Percentage of women's representation in constitutional and legislative reviews (including security sector review)

Country / Review type / Review body	2010	2011	2012	2013
ARMENIA				
No data available	Not applicable	Not applicable	Not applicable	Not applicable
CANADA				
No data available	Not applicable	Not applicable	Not applicable	Not applicable
COLOMBIA				
Constitutional Court Review	Not applicable	11%	11%	11%
State Council Review		25%		29%
DRC				
Constitutional Amendment			10.5%	9.53%
Legislative Amendment	No data available	No data available	10.5%	9.53%
Security Sector Reform Amendment			46.1%	16.71%
FIJI				
Constitutional review	Not applicable	Not applicable	60%	Not applicable (No ongoing legislative or constitutional review)
LIBERIA				
Governance Commission	Not applicable	40%	40%	40%
Law Reform Commission		33%	33%	33%
NEPAL				
Constituent Assembly	28%	33%	33.27%	Not applicable (No ongoing legislative or constitutional review)
NETHERLANDS				
No data available ¹⁰	Not applicable	Not applicable	Not applicable	Not applicable
PHILIPPINES				
Legislative review Legislative-Executive Development Advisory Council	Not applicable	0	0	0
SERBIA				
No data available	Not applicable	Not applicable	Not applicable	No data available

SIERRA LEONE				
Constitutional Review Committee	35%	Not applicable	No data available	22.5%
Law Reform Commission	One female member (% of women's representation was not established)			40%
SOUTH SUDAN				
Constitutional Review Commission	Not applicable	Not applicable	No data available ^{xi}	28%
SRI LANKA				
Constitutional Review	Not applicable	Not applicable	22%	No data available
Legislative review			0.05%	
SWEDEN				
Council of Legislation	Not applicable	50%	Not applicable	Not applicable
Constitutional Review Committee for the new 2011 Constitution		35%		
UGANDA				
Law Reform Commission	40%	50%	40%	40%
Constitutional Review Commission	25%	25%	25%	25%
Comprehensive Defence Review	38%	36%	36%	36%
Uganda Police Review	15%	17%	17%	17%

For this year's report, only Colombia, DRC, Liberia, Philippines, Sierra Leone, South Sudan and Uganda presented data under this indicator. The percentage of women's representation in these bodies ranges broadly between 0 to 40 percent. Out of these, Uganda, Liberia and Sierra Leone were the countries with the highest percentage of women's representation in constitutional and legislative reviews. However, the country reports failed to elaborate on why more women are appointed to these bodies than in other government institutions. Nonetheless, it is very important for women's organizations to actively engage with these review bodies as they play a critical role in integrating a gender perspective in the review and amendment of laws and public policies.

In Sierra Leone, the Government inaugurated a new 80 member Constitutional Review Committee with 22.4 percent women's representation on July 30, 2013. The initial female representation was only 14 (17.5 percent). However, women CSOs wrote a letter to the Attorney-General (AG) and Minister of Justice on this low participation, and advocated for more space to be given to women. In an interview with the AG, it was learnt that the smaller

political parties who were given three slots each, had been encouraged to each nominate at least one woman in their slots. They responded positively and this has resulted in an increase representation of women from 14 to 18. Furthermore, women's organizations and human rights activists are hopeful that this new committee will address and repeal constitutional provisions that exempt discrimination based on marriage, divorce, race, and tribe among other factors. The decision of the Constitutional Review Committee will therefore be crucial to the legal framework on gender equality in the country.

However, in countries like Liberia, the Constitutional Review Committee is new and is in its early stages of operations. Therefore, it would be difficult to gauge the integration of gender equality perspective in the functions of this body. It would also difficult to take more time to assess the impact of women's involvement in the Constitutional Review process. In South Sudan women's groups who successfully lobbied for the inclusion of more women in the Constitutional Review Commission are confident that the 15 women members of the commission (out of 39) will ensure that principles of gender equality will be integrated into the permanent Constitution.

According to a representative from the Netherlands Institute for Multiparty Democracy (NIMD), the Ministry of Foreign Affairs (MFA) provides funds to its organization and other similar Dutch and international political and democracy organizations. These funds are aimed at supporting the participation of women in constitutional and legislative reviews and to change constitutional laws to promote greater opportunities for women to participate in parliament and political processes around the world.

While increased representation of women in some of the national committees analyzed during the monitoring process is encouraging, it is important to remember that effective participation depends on a range of other factors. There is a need for more research into how women representatives on committees are able to influence decision-making, as well as the types of issues that they raise. Women may also need capacity-building support and training in gender-sensitivity so that they are able to use their positions effectively to address women's rights and gender equality.

Indicator 5 – Percentage of civil society organizations in task forces on UNSCRs 1325 and 1820 (out of total task force members)

This indicator is intended to capture the involvement of civil society organizations in the implementation of UNSCR 1325 at the national level. In countries that have National Action Plans (NAPs) civil society organizations have generally been involved to differing degrees in the process, ranging from initiating and actively directing the priorities reflected in the NAPs, to be consulted in the final stage of validation.

Table 9 summarizes the types of task forces or committees that exist on UNSCR 1325 at the national level, and specifies the proportion of members that come from CSOs. While this quantitative measure does not necessarily capture the degree of influence that CSOs are able to have over national-level implementation, it does provide useful information about the extent and nature of coordination and communication that exists between government bodies and CSOs in each country.

Table 9: Percentage of civil society representation in task forces and official committees on UNSCR 1325

Countries	Task Force/committee on UNSCR 1325	Is there a NAP on UNSCR 1325?	Percentage of CSO Membership
Armenia	No task force	No	Not applicable
Canada	No task force	Yes	Not applicable
Colombia	No task force ^{xii}	No	Not applicable
DRC	NAP 1325 Steering Committee	Yes	20
Fiji	No task force ^{xiii}	No	Not applicable
Liberia	No task force	Yes	Not applicable
Nepal	High level Steering Committee	Yes	44
	District Coordination Committee (DCC)		28.57
Netherlands	NAP 1325 general signatory/ies working group (NAP II signatories)	Yes	93.2
Philippines	National Steering Committee on Women, Peace and Security	Yes	0
Serbia	Political Council	Yes	0
	Multi-sector Coordination Body		
Sierra Leone	NAP 1325 Steering Committee	Yes	42.3
Sri Lanka	No task force	No	Not applicable
South Sudan	NAP 1325 Steering Committee Technical Working Group	No	28
			9
Sweden	No task force	Yes	Not applicable
Uganda	1325 Task Force	Yes	68

Civil society organisations have played a critical role in the development and implementation of the women, peace and security agenda since 2000. Thirteen years on, *civil society remains at the forefront of UNSCR 1325 implementation at the national level, whether there is a NAP in the country or not.* In the Philippines, civil society initiated the development of the NAP. In Nepal, leaders of women's organizations and other CSOs were part of the High Level Steering Committee and the Peace Support Working Group that ensured the inclusive, consultative and participatory character of the national action planning process. In January 2013, the women's group EVE Organization for Women Development in South Sudan in collaboration with the Ministry of Gender, Child and Social Welfare organized the UNSCR 1325 National Action Plan Development Conference to initiate the process for the development of a NAP for the country.

The NAP 1325 general signatories working group of the Netherlands is a most unique model because CSOs were co-signatory to the NAP along with the Ministry of Defence, Ministry of Foreign Affairs and Ministry of Education, Culture and Science. This enabled CSOs to share accountability for the level of progress achieved—both within the NAP process and within the wider women, peace and security agenda.

In Uganda, 24 out of the 35 members or 68 percent of the 1325 Task Force are CSOs while the rest of the members are government agencies including the Uganda Police Force, the Uganda People's Defense Forces (UPDF), Ministry of Gender, Labour and Social Development (MGLSD), the Prisons Service and seven Local Governments. The 1325 Task Force is responsible for monitoring of UNSCR 1325 and documenting the findings as a tool for reporting, advocacy and demanding accountability. The CSO members of the task force are responsible for the production of the CSO monitoring report.

It is also important to note that whether or not CSOs are part of official steering committees or taskforces, many CSOs opt to form their own 1325 networks or working groups. Some of the examples are Coalición 1325 in Colombia; WE Act 1325 in the Philippines; Women, Peace and Security Network-Canada (WPSN-C); the NGO 1325 Working Group in the Netherlands; and the Civil Society Working Group on UNSCR 1325 in South Sudan. CSOs find it important to have their own space to discuss their different agenda, build consensus and strategize in their engagement with governments, the UN and other regional and multilateral organizations.

It is also noteworthy that the 1325 Task Force in Uganda and the Civil Society Working Group on UNSCR 1325 in South Sudan were formed as a result of the civil society monitoring of UNSCR

1325 coordinated by GNWP. The work of the Coalición 1325 in Colombia was also very much strengthened by their involvement in the civil society monitoring initiative. Formerly called Grupo 1325, it changed its name to reflect its more strategic advocacy for local action plans and a national action plan on UNSCR 1325 using the outcomes of the annual monitoring exercise.

As the 2013 monitoring process has shown, effective institutional arrangements to guarantee the full participation of women and girls in peacekeeping, peacebuilding and conflict prevention can significantly contribute to the maintenance of international peace and security. Although significant steps forward in representation have been and continue to be made, translating this into effective and meaningful engagement and influence remain a challenge.

2.2 Protection and Prevention

Another core area of UNSCR 1325 assessed as part of the monitoring process through the second cluster of indicators is the protection and prevention efforts towards the elimination of ongoing violence against women and girls. While women's insecurity can often be exacerbated in times of violent conflict, SGBV and other violations of women's rights also occur far too often in the aftermath of war or in times of peace.¹¹ UNSCRs 1820, 1888, 1960 and 2106 provide an important framework for the protection and promotion of women's rights and for efforts to prevent armed conflict and sexual and gender-based violence.

¹¹ As will be evident under Indicator 6, definitions and specific acts that fall under the categorization "sexual and gender-based violence" vary greatly from context to context. This makes data collection on SGBV and comparative analysis of this data particularly challenging. Generally, when SGBV is mentioned in this report, it uses the definition put forth by the United Nations High Commissioner for Refugees (UNHCR). Based on Articles 1 and 2 of the UN General Assembly Declaration on the Elimination of Violence against Women (1993) and Recommendation 19, paragraph 6 of the 11th Session of the CEDAW Committee, UNHCR defines SGBV as follows:

gender-based violence is violence that is directed against a person on the basis of gender or sex. It includes acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion and other deprivations of liberty.... While women, men, boys and girls can be victims of gender-based violence, women and girls are the main victims. [SGBV] shall be understood to encompass, but not be limited to the following:

a) Physical, sexual and psychological violence occurring in the family, including battering, sexual exploitation, sexual abuse of children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.
b) Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution.

As the UNHCR Guidelines for prevention and response to SGBV explain, sexual violence, gender-based violence and violence against women are terms that are commonly used interchangeably: "All these terms refer to violations of fundamental human rights that perpetuate sex-stereotyped roles that deny human dignity and the self-determination of the individual and hamper human development. They refer to physical, sexual and psychological harm that reinforces female subordination and perpetuates male power and control." See United Nations High Commissioner for Refugees, "Sexual and Gender-based Violence against Refugees, Returnees and Internally Displaced Persons: Guidelines for Prevention and Response," Geneva: United Nations High Commissioner for Refugees, May 2003, p. 11, accessed on October 24, 2013, <http://www.unhcr.org/3f696bcc4.html>

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized

Table 10: Types and overall number of reported SGBV cases^{xiv}

Country	Types of SGBV which are prevalent	Overall number of reported cases				
		2009	2010	2011	2012	2013
Armenia	Assassination, Intentional health damage, rape, violent sexual acts/sexual abuse, sex-selective abortion, sexual acts with a person under 16 years, immoral actions ^{xv} discrimination against LGBT	-	-	-	3,295 ^{xvi}	-
Colombia	Forced displacement, kidnapping, homicide, rape, deportation, expulsion, transfer or forced displacement of civilians, forced disappearance	-	585	162	- ^{xvii}	-
DRC	Aggression, rape, rape of a minor	-	-	11,678	18,620	5,423 ^{xviii}
Fiji	Domestic violence, rape, sexual harassment, child abuse	305	251	274	914 ^{xx}	-
Liberia	Sexual assault, abandonment, gang rape, spousal/child abandonment domestic violence	-	2,029	2,383	1,687 ^{xx}	-
Nepal	Rape, attempted rape, gang-rape, forced sexual relations, forced and unsafe abortions, forced nudity, killings following brutal sexual violence	-	-	1,744 ^{xxi}	-	-
Netherlands	Not applicable					
Philippines	Violation of RA 9262 of the Violence against Women and their Children (72.2% of all the cases); Physical Injuries (10.9%), Rape (6.5%), and Acts of Lasciviousness (4.5%)	-	-	12,948	15,969	-
Serbia	Rape as a torture and violation of the rights and customs of war, rape as a crime against humanity, sexual slavery, rape, forced sexual acts, prohibited sexual acts ^{xxii}	-	-	-	129 ^{xxiii}	-
Sierra Leone	Domestic violence, unlawful carnal knowledge, ^{xxiv} rape, indecent assault/sexual assault, ^{xxv} sexual harassment, child/ human trafficking	1,408	-	-	1,327	6,210 ^{xxvi}
South Sudan	Domestic assault, sexual harassment, forced and early marriages, defilement, rape, economic abuse and abduction	-	-	56	22 ^{xxvii}	-
Sri Lanka	Assault, domestic violence, psychological abuse, rape/incest, abduction/kidnapping, attempted murder, murder, trafficking	-	8,719	2,032	601 ^{xxviii} 118 ^{xxix}	-
Sweden	Not applicable					
Uganda	Battering; intimate partner violence, sexual abuse of female children in the household, early marriage, forced marriage; female genital mutilation (FGM) and other traditional practices harmful to women, sexual harassment and intimidation at work, school and elsewhere, commercial sexual exploitation, and trafficking of girls and women	-	-	3,218	3,696 ^{xxx}	-

Quantitative data collection on sexual and gender-based violence (SGBV) remains a challenge year after year, for all countries populating this indicator. In the previous monitoring reports, researchers collected data on SGBV in conflict and post-conflict situations, as well as SGBV cases independent of violent conflict and cases of SGBV against minority groups (including caste, LGBT, people with disabilities). In contrast, for this year's report, in-country research teams were asked to focus Indicator 6 on SGBV cases related to violent conflict. This focus on SGBV in conflict/post-conflict settings presumably would allow for a more meaningful comparison across countries where Indicator 6 is still applicable. However, it is important to note that isolating and identifying those incidences of SGBV related to violence against women. It is also important to consider that the particular acts that are considered sexual and gender-based violence vary from country to country, as is evident from the types of SGBV acts mentioned in each of the country reports, and recorded in Table 10 above. The discrepancies between what is—and is not—considered SGBV in a given context make comparative analysis under this indicator even more challenging. Nevertheless, based on the data and analysis presented in the country reports, it is possible to make several observations on the limitations in data collection and on general trends relating to SGBV in conflict and post-conflict contexts.

The lack of coordination of government, CSOs, UN agencies and international partners to gather data on SGBV cases in general is only exacerbated when it comes to monitoring and evaluation of SGBV in conflict and post-conflict settings. Consequently, quantitative data collected under this indicator is a collage of reports and databases from national ministries, national and local CSOs, local hospitals and centers for SGBV victims in conflict areas, and international humanitarian agencies. The Philippines is the only country included in this study where conflict-disaggregation of SGBV cases is currently being discussed by the Department of Justice. However, this system of monitoring SGBV cases related to conflict has yet to be in place in the Philippines, and none of the other countries taking part in this monitoring exercise relied on such systems, but rather reported on what they perceived to be acts of SGBV.

The lack of systematic data collection on SGBV in conflict and post-conflict at the national level across the board indicates that **governments have yet to think of data collection on SGBV as a priority activity directly linked to peace and security.** CSOs, who at times stand in or complement scarce government efforts in monitoring and measuring the level of sexual and gender-based violence, have very limited resources and geographical reach to gather data on their own. Furthermore, in countries such as Armenia, Colombia, DRC, Nepal, Sri Lanka and South Sudan, where partial quantitative data on conflict-related SGBV is available, anecdotal reports indicate that actual cases of SGBV far outnumber the number of cases reported.

Pervasive under-reporting of SGBV-related crimes is evident. Some examples of contributing factors to this that were cited in the country reports include: lack of access to justice mainly manifested through lack of economic resources of victims as well as costly legal processes for victims who denounce their perpetrator; stigma and culture of silence surrounding SGBV; lack of access to police stations; fear of retaliation; police corruption; and persisting impunity for the perpetrators.¹² Another major reason for under-reporting of SGBV identified in Nepal for instance is the very low number of female police officers: victims of SGBV often do not feel comfortable confiding to male police officers, and therefore refrain from reporting.

In several countries, such as the Philippines and Sierra Leone, an increase in the number of SGBV cases indicates greater awareness of SGBV rather than an increase in violence. In these cases, **campaigns to fight SGBV have empowered victims to come forward and to denounce their perpetrators in spite of stigma or taboo surrounding sexual violence.** As a result, both the Philippines and Sierra Leone report slight to moderate progress under this indicator.

Yet, this is not the reality for the majority of the countries included in this study and **SGBV remains widespread in all countries**, with worrisome increases in the number of cases in DRC and in Fiji. Although they were not able to rely on formal national studies on the correlation between violent armed conflict and the prevalence of SGBV, in-country researchers from DRC, Fiji, Nepal, Sri Lanka, South Sudan and Uganda reported that **the deterioration of women's personal security and safety is linked to armed conflict and/or heavy militarization.** In cases where conflict in a given country is localised in specific regions, with the exception of the Philippines,¹³ the areas most affected by the violence consistently report the highest numbers of SGBV cases. For example, in Armenia, the areas of the country most affected by war continue to have very high rates of domestic violence in the post-conflict period, as a result of combatants coming home without undergoing a proper rehabilitation and reintegration process. In Uganda, SGBV is most prevalent in conflict-affected areas, including those districts with high numbers of refugees, which is linked to excessive alcohol consumption, and the lack of the rule of law.

The post-conflict situation in Armenia presents a hostile environment for the lesbian, gay, bisexual and transgender (LGBT) community, particularly when it relates to its participation and contribution to the armed forces. LGBT individuals are considered unsuitable for the security sector, and homosexuality is described as a mental illness in Armenia's Criminal Code. Furthermore, the belief that same-sex couples cannot have children leads to the

¹² While these reasons were specifically cited in those country reports, this is not intended to be an exhaustive list of the reasons behind under-reporting of SGBV in these contexts and other factors may also play a role.

¹³ The correlation between conflict and rates of SGBV was less obvious in the Philippines, where two conflict-areas report the highest as well as the lowest SGBV rates country-wide.

perception that they do not contribute to the security of the country, since they do not produce offspring that can then serve in the army.

Although Canada is not a conflict country, the country monitoring report mentions that sexual harassment and assault occurs within Canada's police and military forces and reveals that independent investigations into SGBV in Canada's military have raised a number of red flags, including, but not limited to, accusations of SGBV not being investigated. Even though the data provided in the report was only for the sexual harassment perpetrated in the Ontario Provincial Police (OPP), it is important to note that out of the 118 complaints in 2012, 11 were alleged sexual harassment. Ten of those 11 were substantiated and actions were taken to address the problem.

Impunity for sexual and gender-based violence continues to be a problem in most countries that populated this indicator. Perpetrators of sexual violence during conflict are seldom prosecuted. For example, as of 2013, although it is estimated that 20,000 - 50,000 women were raped during the war in Yugoslavia in the 1990s, only 22 men have been sentenced for sexual violence as a crime against humanity. Some of the contributing factors to impunity for SGBV include: political protection for the perpetrators (Nepal); the lack of support services for victims (Nepal, Uganda); the poverty or illiteracy of victims (Sierra Leone, Uganda); lengthy court processes (Sierra Leone, Uganda); inadequate legal frameworks and legal definitions of rape (Nepal). Traditional and customary laws that consider SGBV a family matter to be settled in the home further leads to low conviction rates in DRC, Sierra Leone, South Sudan and Uganda, though DRC records a slight increase in the prosecution of army officials for SGBV. The Philippines also reports some progress in the number of SGBV cases investigated and disposed by the Department of Justice in 2012, compared to 2011. This is attributed to speedier justice processes, brought about by the opening of more courts and the establishment of e-court systems in large cities.

On another positive note, in Liberia and Uganda, there has been ***slight to moderate progress with respect to the availability and quality of response services for victims of SGBV***. The Liberia Ministry of Gender and Development, supported by international partners, established six safe homes for survivors of SGBV in six counties of the country in 2012. In these safe spaces, women and girls are provided with psychosocial services to tackle the trauma of sexual and gender-based violence. To date, these homes have provided a safe haven for 91 survivors. In addition, the creation of endowment funds, such as the one created by the Association of Female Lawyers of Liberia (AFELL) in May 2012, allowed the transportation of victims for medical and legal treatment services, relocation of survivors and follow-up support to survivors. In Uganda, the Ministry of Health—under the UN funded Joint GBV program—has established five protective shelters for women in crisis situations, as well as trainings for clinical officers and police officers in the management of SGBV cases in 50 districts.

Good practice from DRC: *Slight increase in prosecution of military personnel for SGBV-related crimes. Rape and other forms of sexual violence continue to be widespread in the DRC, yet there has been an increase of prosecutions of high-ranking military personnel since the adoption of Resolution 1888 in 2009. In Fizi, South Kivu, a Colonel was sentenced for the mass rape of women in Walikale in 2011. According to figures from MONUSCO, 224 military personnel and police have been convicted of serious violations of human rights (approximately half involving sexual violence) between July 2010 and July 2011. More recently, in September 2013, the Military Prosecutor of North Kivu sentenced two Lieutenant Colonels to jail for SGBV-related crimes. Although the long-term impact of these prosecutions on the overall rate of SGBV in DRC remains to be seen, impunity for army and police officials is decreasing, which also sends a powerful message to the broader community.*

Despite the unevenness or inconsistency of the data across or within the country reports, GNWP's monitoring members and partners stand by the validity of the data presented in the country reports. The challenges encountered in populating this indicator reflect the need for increased efforts in data collection on SGBV issues. These challenges must be addressed and can be summarized as follows:

- ▶ Failure of governments to see data collection on SGBV as a priority issue linked to security;
- ▶ Lack of coordination and harmonization among the different governmental and non-governmental institutions and organizations that collect data on SGBV;
- ▶ Absence of a standardized data collection methods;
- ▶ Difficulties in isolating and identifying incidences of SGBV related to violent conflict; and
- ▶ Underreporting of SGBV cases, due to wide range of factors, including a culture of silence surrounding SGBV, lack of—or costly—access to justice for victims, and enduring impunity for the perpetrators.

The country reports can be used to tackle these challenges by drawing political attention and soliciting accountability to the issue of SGBV; mobilizing resources for comprehensive SGBV prevention and response programs; and defining the mandates and responsibilities of international peacekeepers, rule of law actors and all duty bearers. Given that violence against women is garnering increased global attention, for example in the post-2015 agenda, there is potential for more resources to be allocated to this in the future. It is important to ensure that civil society organisations have a role in any monitoring initiative as well as access to data on SGBV to support their advocacy work on these issues.

Table 11: Percentage of cases reported, investigated, prosecuted and penalized in conflict and post-conflict situations

Country	Types of Redress	Total number of cases (2009-2012)	Remarks and challenges in the data collection methods
Armenia	-	-	-
Colombia	Reported	89	Very limited data under the Unit for Justice and Peace from 2012. There is no gender-disaggregated information for 2012.
	Investigated	73	
	Found guilty	21	
	Detained	11	
	Convicted	5	
DRC	Reported	9,284	2012 penalization rate: 5.6 %
	Investigated	1,029	These numbers reflect the number of cases of rape, rape of a minor, aggression and other types of SGBV for the year 2012.
	Pursued	894	
	Penalized	521	
Fiji	-	-	-
Liberia	Reported	369	2012 conviction rate: 1 %
	Taken to court	125	This data represents the number of cases reported to the Liberia National Police (LNP). The discrepancy in figures is due to the fact that most incidents of rape and other SGBV are not reported to the LNP.
	Prosecuted	6	
	Convicted	5	
Nepal	-	-	Despite the prevalence of SGBV during conflict, to date, no nation-wide extensive research has been undertaken to gather data on SGBV during the conflict.
Netherlands	-	-	-
Philippines	Reported	12,561	The Department of Justice does not categorize disposed cases as prosecuted or penalized. The data provided in 2012 and presented in this table was only for violations of RA 9262 (Anti Violence Against Women and their Children Act of 2004) and rape.
	Investigated	23,771 ^{xxxi}	
	Disposed	18,036	
Serbia	-	-	As of 2013, only 22 men have been sentenced for sexual violence as crime against humanity committed during the wars of the 1990s, even though it is estimated that between 20,000 and 50,000 women were raped during the Yugoslav wars.
Sierra Leone	Reported	6,210	Data obtained from the Family Support Unit of the Sierra Leone Police (FSU), the International Rescue Committee (IRC) three Rainbo Centres located in Freetown, Kono and Kenema, and police reports from the four regions of the country.
	Investigated	3,951	
	Prosecuted	1,131	
	Penalized	152	
South Sudan	-	-	No statistics is available on the number of abusers who were prosecuted, convicted or punished.
Sri Lanka	-	-	Although the statistics released by the Child and Women's Bureau do include gender-disaggregated data until 2009, information is not available for 2010-2012

Sweden	Not applicable	Not applicable
Uganda	Defilement cases:	For cases of defilement reported to the police in 10 districts ^{xxxii} of Uganda in 2012: overall 50 percent of defilement cases were investigated; a much smaller percentage of cases were prosecuted at the district level, and none of the cases reported was penalized.
	Reported	1,559
	Investigated	779
	Prosecuted	n/a
	Penalized	0

Indicator 7 – Number and quality of gender-responsive laws and policies

Significant numbers of gender-responsive laws and policies have been developed and adopted in 2012 and 2013, in the countries included in this monitoring report. Consistent with findings from the past two years, post-conflict contexts seem to be particularly timely for the reform of discriminatory policies and the development of pro-gender legislation and strategies. The factors that contribute to this trend remain the same: the revisions of laws and policies by new post-conflict governments; pressure from the international community to adhere to a certain normative framework exemplified by UNSCR 1325; or the ongoing advocacy and lobbying efforts of civil society to bring in a new era of equality, democracy and inclusion. The number of governments adopting NAPs on UNSCR 1325 continues to increase at a relatively rapid pace, with five new countries adopting a NAP in 2012 and 2013. As of September 2013, 43 countries have adopted NAPs.¹⁴ ***One the one hand, this trend indicates that there is increased awareness and political will to foster the advancement of gender equality and women's rights; on the other hand, the proliferation of gender-responsive laws might also reflect the persistence of gender inequalities and a continued lack of implementation of existing legislation, policies and strategies.***

In the case of DRC, which reported significant progress for this indicator, the National Strategy of Planning and Gender Responsive Budgeting (SNPBG) and National Strategy for Gender Mainstreaming in Policy, Programs Development (SNIGPP), both adopted in August 2013, are particularly important to further the implementation of the country's NAP on UNSCR 1325. Nepal also adopted two important National Plans of Actions in 2012: the National Plan of Action against Human Trafficking, especially in Women and Girls, and the Adoption of a five-year National Strategy and Action Plan (NSAP) on combating Gender Based Violence (GBV) (2012-2016). 2012 was a prolific year with respect to gender laws in Colombia, Sierra Leone and the Philippines. In Colombia, a new law on domestic violence was adopted by congress (Law 1542) while President Santos officially presented the draft National Gender Policy in September 2012. In Sierra Leone, the focus of several new laws and strategies has been on sexual and gender-based violence. The 2012 Sexual Offences Law was passed in Parliament, and the Ministry of Social Welfare,

Gender and Children's Affairs—with the support of partners like IRC and UNICEF—completed and launched the National Referral Protocols for SGBV and the National Action Plan on SGBV on 19 October 2012. New laws and policies on reproductive health and domestic workers were adopted in the Philippines, however, the major development in the Philippines in terms of gender-responsive policies is the Women's Empowerment, Development, and Gender Equality Plan for 2013-2016, (Women's EDGE Plan), which sets gender-focused goals and objectives and defines the appropriate responses for government.

Armenia and Liberia are the exception to a relatively positive trend in the global number of gender-responsive laws and strategies adopted at national levels. Even though Armenia already has recently adopted a number of gender-responsive laws and policies, in February 2013, the Government of Armenia rejected an important Domestic Violence Act proposed by the Ministry of Labor and Social Affairs. In Liberia, where no progress has been reported for this year, the national legislature rejected the Gender Equality Bill (calling for 30 percent of women's participation at all levels of governance) and the Parity Bill (calling for equal women's representation in the legislature).

In most cases, the impact of newly adopted laws and strategies has yet to be felt and measured, but ***in-country monitoring of the implementation of existing gender-responsive laws points to a persistent gap in implementation.*** Some of the reasons cited for this gap in implementation include the lack of political will of national governments to prioritize the implementation of gender-responsive laws (Sri Lanka); the failure of laws to be accompanied by the necessary implementation mechanisms and increased access to services, especially in cases of SGBV (Nepal, Serbia); the inadequate distribution of responsibilities and lack of competence among officials responsible for upholding the laws (Fiji); the absence of monitoring and reporting on UNSCR 1325 and gender-related policies in general (Canada, the Netherlands, Serbia, Sweden); and the fact that women have limited knowledge of their rights (Liberia).

The widespread and persistent predominance of customary practices over statutory law is a major challenge. For example, domestic violence cases in DRC, Fiji, and Uganda in particular are considered family matters that must be dealt with through alternative customary mechanisms, among families or in the home. Even where laws exist, women are encouraged to seek reconciliation rather than to report SGBV cases. In Liberia,

¹⁴ Austria and Germany adopted a NAP on UNSCR 1325 in 2012. To date, Kyrgyzstan, Nigeria and the Republic of Macedonia adopted NAPs in 2013.

Good practice in UNSCR 1325 and NAP implementation: Developing localization strategies for UNSCR 1325 and NAP implementation has been a promising bottom-up approach to ensure that women's rights and gender equality are upheld. GNWP workshops aimed at raising awareness and understanding of UNSCR 1325 and 1820 and related legal mechanisms among local government officials, religious leaders, community elders, traditional leaders, and local women leaders in Colombia, DRC, Nepal, the Philippines, Sierra Leone and Uganda have led to greater ownership of the resolutions at community levels and to greater implementation on the ground. For example, the 2012 Localization Workshops in the Philippines led to the inclusion of 4 women in the Bodong of the Kalinga province—a 24-member century-old peace council appointed by tribal elders which, until then, was exclusively male. As a result of the Localization workshops, Nepal and Sierra Leone adopted Localization Guidelines for the local implementation of their NAP on UNSCRs 1325 and 1820 in 2012, to ensure the systematic integration of relevant provisions of the NAPs in local development planning processes. Local communities in Uganda and the Philippines have also adopted local action plans on UNSCR 1325 implementation to adequately respond to their local women and peace and security context. In Colombia, in the absence of a NAP on 1325, CSOs and local authorities have developed municipal, departmental and sectoral action plans, to ensure that the resolutions are being implemented in the communities that need them most, even when there is a lack of political will at national levels.

polygamy is prohibited under statutory law, yet it is permitted under customary law, and there are no provisions or legal discussions to address this disconnect. Similarly, in South Sudan, in spite of statutory laws that give women the right to own property left by their husbands (such as the Land Act), a high number of widows are deprived of their late husbands' land due to customary practices that continue to prevent widows from inheriting property.

A number of strategies have been developed in the past several years to address the gaps in the implementation of national gender-responsive policies and international legal instruments such as UNSCR 1325. For example, in Sierra Leone, the inclusion of a separate pillar (Pillar 8) on Gender Equality and the Empowerment of Women in the Government's Agenda for Prosperity (PRSP III) has been a strategy to foster political will

with regards to women's economic empowerment, education and health. To ensure monitoring and reporting on UNSCR 1325 in Sweden, some of the lead implementing agencies of the Swedish NAP and the Comprehensive approach to the EU implementation of the UNSCRs 1325 and 1820 are now required to report their progress in an annual Inter-Agency report. In the Netherlands, the lack of monitoring mechanisms makes tracking progress in NAP implementation a challenge, a fact that has been recognised by the government. While civil society organizations continued to be the principal actors to monitor and report on Dutch progress in implementation, the admission on the part of the government represents a step forward toward the establishment of more concrete and effective mechanisms.

The table below illustrates the list of gender responsive laws and policies in existence in the 15 reporting countries.

Table 12: Summary of gender-responsive laws and the countries where they exist^{xxxxiii}

Gender-responsive law or policy	Country
National Action Plan on UNSCR 1325	Canada, DRC, Liberia, Nepal, Netherlands, Philippines, Serbia, Sierra Leone, Sweden, Uganda
National Action Plan and policies on gender equality or women's rights	Armenia, Canada, Colombia, DRC, Liberia, Nepal, Netherlands, Philippines, Serbia, Sierra Leone, Sri Lanka, Sweden, Uganda
Gender-sensitive clauses in the Constitution	Armenia, Canada, Colombia, DRC, Fiji (draft constitution), Liberia, Nepal, Netherlands, Philippines, Serbia, Sierra Leone, South Sudan (transitional constitution), Sri Lanka, Sweden, Uganda
Legislated quotas for women in politics (national and sub-national levels)	Armenia, Colombia, DRC, Nepal, Philippines, Serbia, Sierra Leone, South Sudan, Uganda
Gender-sensitive land, property or inheritance laws	Colombia, Fiji, Liberia, Nepal, Sierra Leone, South Sudan, Uganda
SGBV laws (domestic violence, rape, trafficking, child violence)	Armenia, Canada, Colombia, DRC, Fiji, Liberia, Nepal, Netherlands, Philippines, Serbia, Sierra Leone, Sri Lanka, South Sudan, Sweden, Uganda
Gender-sensitive family or labor laws	Armenia, Canada, Colombia, DRC, Fiji, Nepal, Philippines, Serbia, South Sudan, Uganda

Indicator 8 – Number and nature of provisions/ recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

This indicator reports on the extent to which women and gender-specific issues are reflected in truth and reconciliation commissions (TRC) and other transitional justice reports. Among the countries included in this report, few have currently operational transitional justice mechanisms. Yet, as table 13 below illustrates, *the majority of the recommendations and strategies ensuing from TRCs and other types of transitional justice mechanisms have a gender dimension* (Colombia, Liberia, Sierra Leone, Sri Lanka, South Sudan). *This reflects greater awareness and recognition of the differential impact of conflict on women and girls, and consequently, of the need for particular programs and reparations.*

Established in 2012, the Liberia Strategic Roadmap for National Healing, Peacebuilding and Reconciliation contains a number of provisions directly related to women's empowerment, and includes projected outputs such as the development of a gender-disaggregated data on victims of the war, and the establishment of community-based reparation programs. In Sri Lanka, a number of recommendations of the Lessons Learnt and Reconciliation Commission (LLRC) also included recommendations that dealt with the specific situation and needs of women. While there is an ongoing peace negotiation, Colombia does not yet have a TRC but the state has set up a "Group on Historical Memory" (*Grupo de Memoria Historica*), to bring visibility to the voices of the victims of conflict that have been suppressed or silenced. This reporting mechanism produced reports on the effect of armed conflict on Colombian women in 2011 and 2012. Similarly, the Framework Agreement on the Bangsamoro (FAB) signed by the Philippines' government and the MILF signed in October 2012 includes provisions inclusive of all sectors of society affected by conflict, such as women, internally displaced persons and indigenous peoples within the Bangsamoro territory. In South Sudan, the 2013-2015 Strategic Plan of the Peace and Reconciliation Commission includes the promotion of women's participation in peace-building as part of its mandate, and contains specific

operational objectives on women's participation, the promotion of gender equality and the inclusion a gender perspective in services to war victims.

In spite of the inclusion and participation of women in transitional justice processes, *the implementation of the gender provisions and recommendations on women's rights emerging from them remains a challenge.* For example, even though the majority of those speaking before the Sri Lanka LLRC at district levels were women, the strong gender-specific recommendations on women's rights put forth by LLRC were left out of the National Plan of Action to implement LLRC recommendations, as they were not considered priority recommendations. As a result, the National Plan of Action is completely gender blind and no progress can be reported for Sri Lanka under this indicator. In Sierra Leone, the persisting gap in implementation is largely due to a lack of follow-up on the recommendations made by the TRC, whose mandate ended in 2004. Almost 10 years later, the gender-specific recommendations of the Sierra Leone TRC have only been partially implemented and the Human Rights Committee, which is the committee responsible for the implementation of the TRC recommendations, is still awaiting the official appointment of the Follow Up Committee.

Instead of weak implementation and follow-up mechanisms, in Nepal, the main obstacle to the operationalization and implementation of the Commission on Investigation of Disappeared Person, Truth and Reconciliation Ordinance of 2013 is the content of the ordinance itself. The Ordinance has been under suspension since April 1st, 2013 because it contains amnesty provisions, even for cases of "serious violations of human rights" and thus fails to comply with International Law. In this case, the suspension signifies progress in terms of combatting impunity, in particular since "rape and sexual violence" is listed as one of the "serious violations of human rights" that would fall under the amnesty provision of the Ordinance, if the Commission finds that there is "sufficient reasons and grounds."¹⁵

¹⁵ See Chapter 1, Section 2 of the "Ordinance on Investigation of Disappeared Persons, Truth and Reconciliation Commission" as well as Chapter 3, Section 23 "Provision regarding amnesty;" accessed on October 24, 2013, <http://www.simonrobinson.com/missing/wp-content/uploads/2013/02/Nepal-TRC-Ordinance.pdf>

Table 13: Extent to which women specific issues are reflected in transitional justice mechanisms

Country	Transitional justice mechanism	Gender provisions
Armenia	Not applicable	Not applicable
Canada	2007 Indian Residential Schools Settlement Agreement set up Truth and Reconciliation Commission of Canada (established in June 2008), with a budget of \$60 million and a five-year term, set to end in 2014	No specific gender issues or gender related recommendations made by TRC, and no gender-segregated data on recipients of reparations, though as of March 31, 2013, "99% of the 80,000 estimated former students eligible for the Common Experience Payment (CEP) under the Indian Residential Schools Settlement Agreement (IRSSA) have received payment." ^{xxxxiv}

Colombia	<p>Group on Historical Memory (Grupo de Memoria Histórica)</p> <p>Law 1448 (2011)</p>	<ul style="list-style-type: none"> • Produced two reports on women in 2011 and 2012 • Bring visibility to the voices of the victims that have been suppressed or silenced, such as women in conflict • Aims to advance the recognition and guarantee of the rights of victims, in particular with regard to reparations and land restitution.
DRC	Truth Reconciliation Commission from 2003-2006	<ul style="list-style-type: none"> • The 2003-2006 TRC was disbanded after the presidential, national legislative and provincial elections, due to its inoperability and to the fact that it was composed of suspected perpetrators of human rights violations during the armed conflict of 1998 to 2003.
Fiji	Not applicable	Not applicable
Liberia	Truth and Reconciliation (mandate ended in 2011) but Strategic Roadmap for National Healing, Peacebuilding and Reconciliation established in 2012, with 18-year timeframe.	<p>The Roadmap aims to achieve the following output with respect to victims, and women victims in particular:</p> <ul style="list-style-type: none"> • To develop a systematic and comprehensive sex-disaggregated victims directory of individuals physically disabled due to the civil war; • To establish a Reparations Trust Fund with the goal of ensuring predictable funding of reparations and memorialization programs; • Mental health recovery and medical support for victims, their families and communities designed and implemented; • Death certificates issued to families of all identified and verified victims of the civil war, as requested; • Death certificates issued to families of fallen non-combatant members of the international community including journalists, the Catholic missionaries, as requested; • Community based reparation programs designed and undertaken
Nepal	Commission on Investigation of Disappeared Person, Truth and Reconciliation Ordinance –2013	<ul style="list-style-type: none"> • Currently under suspension (since April 1st, 2013) due to its containing amnesty provisions, even for cases of gross human rights violations, and thus failing to comply with International Law. • Article 3(1) of the Ordinance states that the Commission shall comprise of five members, with a minimum of one woman.
Netherlands	Not applicable	Not applicable
Philippines	<p>Closure agreement between the Government of the Philippines and the Cordillera People's Liberation Army/ Cordillera Bodong Administration-2011</p> <p>Closure agreement between the Government of Philippines with the Rebolusyonaryong Partidong Manggagawa–Pilipinas/Revolutionary Proletarian Army/ Alex Boncayao Brigade Tabara Paduano Group-2000</p> <p>Framework Agreement on the Bangsamoro (FAB) between the government of the Philippines and the Moro Islamic Liberation Front-2012</p>	<p>Still being implemented, no specific provisions on women.</p> <p>Still being implemented. Deliverables still not determined, but human rights, women's rights and other gender concerns likely to be included in implementation process.</p> <p>Contains provisions to dispel discrimination on the basis of gender, as well ensure the meaningful political participation of women and equal opportunity for all in social, economic activities and public service. Also contains provision rejecting violence against women in any form, and ensures their protection.</p>

Serbia	No state-based/state-initiated TRC. The initiative to establish a regional commission for truth seeking and truth-telling about war crimes and other serious violations of human rights in the ex-Yugoslavia has been entirely a CSO initiative from Serbia, Croatia and Bosnia and Herzegovina.	-
Sierra Leone	Truth and Reconciliation Commission (mandate ended 2004). Recommendations to be implemented by the Human Rights Commission pending official appointment of the Follow Up Committee.	<ul style="list-style-type: none"> • Government of Sierra Leone and RUF/other factions to conflict to issue a full and frank apology to women for abuses sustained in the war (partly implemented) • Repeal all statutory and customary laws discriminatory against women, including provisions that prevent their inheritance of and access to land (partly implemented) • Sierra Leone to ratify the Protocol to the African Charter on the Rights of Women (AU Women's Protocol) (not yet implemented) • All Political parties to ensure that at least 30 percent of their candidates for all public elections are women (not yet implemented) • Repeal provision on the Women and Girls Act which links the prosecution of sexual offences to the moral character of the complainant (taken up in the 2012 Sexual Offense Law)
South Sudan	South Sudan Peace & Reconciliation Commission, Strategic Plan 2013-2015 (May 23, 2013)	<p>Part of the mandate of the Strategic Plan is to encourage and promote the participation of youth and women in peace-building. Specific operational objectives include the following:</p> <ul style="list-style-type: none"> • Contribute to the enhancement of gender sensitive execution of peace building and conflict transformation actions • Promote gender equality through ensuring broad participation in decision making for peace building and in the provision of services to war and conflict traumatized communities
Sri Lanka	Lessons Learnt and Reconciliation Commission (LLRC, appointed 15 May 2010)	<p>Contains several recommendations that relate directly to women:</p> <ul style="list-style-type: none"> • addresses needs of war-affected women to enhance reconciliation; • provides economic assistance and facilitate closure by helping to locate the whereabouts of the deceased; support collective efforts, including through CSOs, to address the issues women face in the aftermath of civil war; • provides opportunities to women to pursue higher education, vocational training or with finding employment; foster a country-wide environment conducive to safeguarding the security and basic human dignity of women; • addresses the issue of the whereabouts of the missing, abductions, arbitrary detentions and disappearances; • creates an inter-agency task force mandated to comprehensively address the needs of women, children, elderly and other vulnerable groups • However, the National Plan of Action to implement the recommendations of the LLRC (LLRC NPA), is completely gender blind and does not retain a single recommendation with regard to women.
Sweden	Not applicable	Not applicable
Uganda	No TRC in Uganda, in spite of call for its establishment.	

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

This indicator was not applicable for several countries, such as donor countries and countries that have terminated their DDR

processes. Nonetheless, the table below provides an overview of the types of assistance women received in the countries that do distribute economic packages in conflict resolution and reconstruction processes.

Table 14: Overview of economic packages provided to women

Countries	Type of program	Proportion of women assisted
Armenia	Not applicable	Not applicable
Canada	Canada does not currently fund any DDR programs.	-
Colombia	Beginning of implementation of Law of Victims and Land Restitution (Law 1448 adopted in 2011)	126,543 Individual Reparation Plans developed, compensation for 165,131 victims, including 7,052 boys, girls and adolescents, and support for symbolic reparation projects, among others.
DRC	DDR Funds	3% (3,388 out of 106,425)
	Child Soldiers	6.9% (2,280 out of 30,755)
	Campaigns for recovering arms amongst the population in exchange for money in North Kivu with Ecumenical Program for Peace, Conflict Transformation and Reconciliation (PAREC)	0.8% (63 out 7,437)
Fiji	-	There has not been any relevant conflict resolution and reconstruction process in Fiji since October 2000.
Liberia	No economic packages received as part of conflict resolution and reconstruction processes in 2012.	<p>Last figures on economic assistance packages for conflict resolution were in 2007:</p> <ul style="list-style-type: none"> • DDRR Grant (1st Phase): 31 % (24,967 out of 104,019) • Residual caseload (final phase): 37 % (2,709 out of 7,388)
Nepal	Interim Relief Program (FY 2012-2013)	<p>62,747 total recipients but no sex-disaggregated data available</p> <p>SGBV victims have not been covered by the Interim relief program</p>
Netherlands	Not applicable	Not applicable
Philippines	CPA-CPLA Comprehensive Local Integration Program (2012)	<p>12.55 % of recipients were women in 2012 (6.15 % in 2011)</p> <p>Breakdown for 2012:</p> <ul style="list-style-type: none"> • Micro-enterprise Development, 13.29 % women • Employment Skills Training, 28.57 % women • Employment Referral, 4.55 % women
Serbia	No DDR peace processes following peace agreements in 1990s and the 2013 Brussels Agreement. 61 veteran associations currently provide reintegration and rehabilitation programs to ex-combatants with yearly support from Ministry of work employment and social affairs.	No gender-disaggregated data on recipients/participants in reintegration and rehabilitation programs for ex-combatants.

Sierra Leone	Trust Fund for War Victims	Funds were exhausted in 2009. 12,003 victims were not serviced. Among them, 685 female victims of sexual violence and 8,539 war widows.
	UN Trust Fund (managed by UN Women)	Skills training provided to 650 victims of sexual violence (still 685 to receive training)
	The NaCSA/UNIFEM/UN Women/Victim of Sexual Violence's (VSVs) Project	3-6 months trainings. Trainees received: <ul style="list-style-type: none"> • SUSD 40 each month of training • SUSD 500 micro-grant upon completion of training • Tool kit worth SUSD 60 Trainings ended in 2012.
South Sudan	South Sudan DDR Commission (2012)	Women are included in the first group--Special Needs—to go through the DDR process Women associated with Armed Forces and Group (WAAF/G) and women ex-combatants are among beneficiaries in 2012: <ul style="list-style-type: none"> • 1,538 WAAF/G and 1,834 women ex-combatants received a startup kit for Agricultural Business, average value of SUSD 400
Sri Lanka	-	Very scarce public data on specific economic packages available for women. CSOs reports on women in post-conflict Sri Lanka show that that assistance has been fragmented and unsustainable. State-run programs and trainings for ex-combatants provided during the rehabilitation process have been inadequate.
Sweden	Not applicable	Not applicable
Uganda	Not applicable	No more economic packages being given out since the implementation of the Peace Recovery and Development Plan (for Northern Uganda) started three years ago.

There continues to be little data on these programs, particularly sex-disaggregated data. Presumably, this indicates that ***DDR programs still do not adequately take into account the fact that armed conflict affects women and men in different ways.*** For example, Nepal's Interim Relief Program only provides the total number recipients i.e. 62,747 for the 2012-2013 fiscal year. Very scarce data is available in Sri Lanka, Serbia and Colombia on specific economic packages available for women. Without routinely collecting sex-disaggregated data it is difficult for governments to monitor the implementation and impact of their economic reintegration programs.

Where data is available, the number of women receiving economic packages is generally very low. This is due to a wide range of factors, including: lower number of former women combatants (all countries); lack of official documents such as identity card, citizenship, marriage and birth certificate (Nepal); ignorance of procedure (Nepal); mobility restriction (Nepal); lack of information on relief programs (Nepal); and lack of follow-up of the agencies responsible for distributing reparations packages (South Sudan). The low number of female recipients also indicates that while women are the principal victims of conflict, they are

not adequately compensated or assisted once the conflict is over. In the DRC, women make up only 3 percent of the recipients of DDR funds and 6.9 percent of former child soldiers receiving compensation. Since the men are usually the ones carrying weapons, women do not benefit in any way from programs that give money in exchange for arms. In the DRC, women receiving cash for guns represent less than 1 percent (0.8 percent) of the total. In the Philippines, although the numbers remain low, there is a noted increase since 2011 of women benefiting from the Philippines CPA-CPLA Comprehensive Local Integration Program: women made up only 6.15 percent of recipients in 2011, but this figure reached 12.55 percent in 2012.

Sierra Leone is the exception to this trend of low numbers of women recipients of reparation packages: a greater number of women compared to men received reparations under the Trust Fund for War Victims, in part due to the inclusion of War Widows and Sexually Violated in the five categories of reparations recipients.¹⁶ Yet, Sierra Leone's reparations program still failed to provide adequate reparations to all victims. When the Funds were exhausted in 2009, 12,003 victims were not serviced—

¹⁶ The five categories of recipients of the Sierra Leone reparations programs were: Amputees, Other War Wounded, Sexually Violated, War Widows, and Child/Orphan victims.

among them, 685 female victims of sexual violence and 8,539 war widows.

When no DDR programs are in place or after their mandates end, *civil society organizations and partner agencies have provided economic packages and trainings for women.* Currently, in Serbia, 61 veteran associations provide reintegration and rehabilitation programs to ex-combatants. In Sierra Leone, UN WOMEN has funded a beneficiary impact assessment of the Victims of Sexual Violence Project, a program that is leaving women feeling empowered, with great self-esteem and livelihood skills.

Various government entities, UN agencies and civil society organizations provide comprehensive training for military and police officials on the protection and promotion of women's rights.

Reparations and economic packages are an important source of support and skills development for women who have been victims of, or combatants in, conflicts. Therefore more reliable data is needed as well as greater amounts of aid. South Sudan reports slight to moderate progress in this regard: in 2012, 1,834 women ex-combatants and 1,538 women associated with the Armed Forces received a start-up kit for agricultural business of an average value of USD 400, which constitutes an important step towards their financial independence. In addition, the South Sudan DDR Commission program takes into account the different necessities of women by providing separate accommodations for women staying overnight in DDR sites. As part of the CPA-CPLA Comprehensive Local Integration Program, women in the Philippines benefited from micro-enterprise development, employment skills trainings and employment referral. Like South Sudan and the Philippines, Nepal reports slight to moderate progress for this indicator: even though there is no gender-disaggregated data available on reparations and economic packages in Nepal, the Nepal monitoring report assesses that the Interim Relief program has contributed positively to the physical and psychological recovery of women in post-conflict Nepal, in addition to addressing women's basic needs and relieving some of their debt. In Colombia, peace is still being negotiated, but with the help of the 2011 Law of Victims and Land Restitution, women are beginning to demand reparations and land restitution. Out of the 4,913 individuals to present demands to the Land Restitution Unit in Colombia, 1,663 were women.

2.3 Promotion of a gender perspective

The third cluster of indicators focuses on promotion of a gender perspective in efforts to resolve conflict and promote peace. In this regard, they endeavour to track the efforts to integrate a gender perspective and provisions of UNSCR 1325 and 1820 in pre and post deployment trainings of the security sector. In addition, this section includes the examination of resource allocation to government and civil society actors for women, peace and security programs which is a crucial element of the implementation of the overall agenda.

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Increasing awareness of UNSCR 1325 and 1820 and providing comprehensive training for the military and police officials on the protection, rights and specific needs of women remains vital in safeguarding women and girls from violence. This points to the need for more training, sensitisation and capacity building of the security forces and draws attention to the ongoing challenges of violence against women in conflict-affected contexts.

Data on this indicator is varied. The reports generally indicate slight/moderate progress on this indicator and *most countries reported at least some level of training on gender perspectives and UNSCR 1325 and 1820 for the armed forces and the police.* However, the scope of the trainings and the impact they are having are in many cases unclear. In Nepal, a country that reported moderate progress on this indicator, a total of 1,074 armed police personnel received training on UNSCR 1325 and 1820 in 2013, a significant increase from 425 personnel in 2012. The army has developed training manuals on gender equality, UNSCR 1325 and 1820 that target army personnel at various levels. Yet, the effectiveness of the trainings has not been measured and the appropriate follow-up and monitoring on the use of the manuals are not in place.

Various government entities, UN agencies and civil society organizations provide comprehensive training for military and police officials on the protection and promotion of women's rights. For instance, in Liberia slight progress can be noted where Ministry of Gender and Development in partnership with UNICEF, UNMIL and UNDP provide regular trainings on issues related to gender for the Liberia National Police (LNP) and its Women and Children Protective Service. Furthermore, the Civil Society Monitoring Observatory group (CSMO) was created to ensure that the implementation process is monitored from the perspectives of civil society and women's groups. In Sweden,

where slight progress was reported, a comprehensive evaluation of the Armed Force's efforts to implement gender perspectives in military operations was released in 2012, showing some positive results. Additionally, reporting systems to systematically gather information from police personnel have been developed to collect success stories and experiences related to implementation of UNSCR 1325 in the field.

There is a clear recognition of the important role of civil society actors in promoting the protection of women's rights. For example, in Serbia the Ministry of Defence in cooperation with the Ministry of the Interior has organized a training course entitled "Gender advisors of the commanders of national contingents in peacekeeping missions" and a course on "gender in multinational operations." The courses are unique in that, contrary to common practice within the security sector, many of the trainers were experts from civil society. This is a clear acknowledgment of the contribution of civil society in protecting women's rights. The Philippines also reported slight change for this indicator and an abundance of training on Human Rights, International Human Rights Law and International Humanitarian Law, with an increase particularly in the number of training conducted in partnership with civil society. However, exactly how the partnership is being carried out is not clear. Equally lacking is an assessment of how the various trainings are making a difference.

In the absence of pre-deployment training, some countries focused on the provision of training in the post-deployment phase. In DRC for example, slight progress can be seen in the number of training in post-deployment. In 2012, 250 members of the armed forces (FARDC) and 500 National Police attended sessions on sexual violence, and 450 FARDC received training on UNSCR 1325 and gender. These training were provided by MONUSCO and intended for military observers, civilian police, and civilian personnel. Additionally trainings on UNSCRs 1820, 1888, 1889, 1960; human security; and 'code of good conduct' were reported. However, *data on the number of hours per session, and in some cases information on the participants, was not available, making it difficult to assess impact of such*

training. For instance, 150 participants were reported to have gone through post deployment Security Sector Reform training but no information on who the participants were, was provided.

While the Netherlands reported a variety of training and an increase in knowledge on UNSCR 1325 and gender within the military, *there is an insufficient number of instructors and a lack of structural embedding of UNSCR 1325 and a gender perspective in the early phases of military education.* In Sweden, the Swedish Police, the Swedish Armed Forces, the Swedish Prison and Probation Service, the civil Contingencies Agency, and the Folke Bernadotte Academy provide training that include aspects of gender and UNSCR 1325. The depth and scope of the training vary. As part of the Nordic Defence Cooperation (NORDEFECO), the Nordic Center for Gender in Military Operations was opened in 2012 to strengthen work that integrates gender perspectives into the planning, execution and evaluation phases of military operations.

Regarding the training of peacekeepers, the information received was generally quite wide-ranging. The Armed Forces of the Republic of Armenia peacekeeping brigade offers a course on general norms of humanitarian law, including rights of women and girls, but no detailed information on whether UNSCR 1325 and 1820 is included was made available. Armenian peacekeepers are trained further in Germany prior to deployment, however, the content of these trainings was not known. Sri Lanka, another troop contributing country reported that while the military provides some human rights and humanitarian law training to its cadre, there is no information available on whether pre-deployment training and post-deployment programs incorporate UNSCR 1325 or UNSCR 1820.

From all the country reports it is clear that *the lack of measurement of impact of training remains a key limitation.* While more training are being conducted in many of the countries, it is not yet clear that the trainings lead to greater capacity of troops or more resources. There is an obvious need for more comprehensive evaluation of the efforts undertaken to implement UNSCR 1325 and gender perspective in training.

Table 15: Overview of training provided on UNSCRs 1325 and 1820 to the security sector		
Country	Recipients of training	Type of Training Given
Armenia	Republic of Armenia Armed Forces peacekeeping brigade	Course on general norms of humanitarian law, including rights of women and girls; and additional trainings that include sessions on freedoms of women and girls
Canada	Data not available	Data not available
Colombia	Data not available	Data not available

DRC	National Police (PNC)	All sessions are post deployment and provided by UNDP, MONUSCO, DDR, EUPOL, EUSEC, FARDC and PNC
	Armed Forces (FARDC)	250 FARDC and 500 PNC attended Training on SSR
	Security Sector Reform (SSR)	450 FARDC attended Sessions on sexual violence
		Gender training (including UNSCR 1325)
Fiji		No data available
Liberia	Liberia National Police (LNP) and its Women and Children Protective Service	Ministry of Gender and Development in partnership with UNICEF, UNMIL and UNDP provide continued gender-based trainings. A Gender Unit has been created to oversee and coordinate gender-related issues at a national scale.
	The Police Training Academy	UNDP and UNMIL train the Liberian National Police
		The Police Training Academy has incorporated gender-sensitive training into its curriculum
Nepal	Nepal Army	12 two-day trainings/year on International Humanitarian Law and UNSCRs 1325 and 1820
	Nepal Police	1,084 army personnel trained on UNSCR 1325 and 1820 since 2010 (179 in 2013)
	Armed Police	Training manuals on gender equality, UNSCR 1325 and 1820 that target Army personnel (recruits; Company Commander and Staff College; Cadets; Junior Commissioned Officers; Non-commissioned officers; peacekeepers; and young officers)
		Incorporation of gender issues in the Army Syllabus
		No information provided
Netherlands	Schools for Peace Mission	Pre-deployment training is mandatory for all troops
	The Armed Forces (the Royal Netherlands Navy, the Royal Netherlands Army, the Royal Netherlands Air Force and the Royal Military and Border Police)	Two hours (of 14 hours total) basic level training on UNSCR 1325 and WPS issues. Human rights and international humanitarian law are also covered.
	Trainers for the Armed Forces	Netherlands' Defense Women's Network (DVN) and WO=MEN Dutch Gender Platform organize kick-off sessions gender perspectives and UNSCR 1325 for all four branches of the Armed Forces
	Military	3 week training on 1325 for Gender Advisors that will be deployed as gender experts to mission (16 persons/year)
	Orientation and Training of Trainers (ToT)	In a ToT for trainers of the Armed Forces the trainers are briefed on the incorporation of a gender perspective and UNSCR 1325
		Civil society supports the military in improving gender perspectives in civil military exercises.

Philippines	Philippine National Police (PNP)	<p>49 personnel received one-day planning and budgeting workshop on Gender and Development (GAD)</p> <p>452 PNP, NGO, socio-civic groups, students and local officials attended half-day training on 1st Responders Forum on Gender-Based Violence</p> <p>85 Senior Officers attended a half-day orientation seminar on UNSCR 1325 & 1820</p> <p>204 cadets in the Philippine National Police Academy took part in a series of advocacy trainings by Men Opposed to Violence Against Women Everywhere (MOVE)</p> <p>60 Special Action Force personnel took part in a half-day seminar on Violence Against Women conducted by MOVE</p> <p>33 personnel at National Headquarters attended a half-day deepening session on the Magna Carta of Women and other national laws on women</p> <p>524 police women took part in a 3 day Biennial Summit on Women in Policing</p> <p>27 Orient Logistics Support Service (LSS) personnel took part in a seminar on the significance of their role in the prevention and the elimination of abuse against women and children</p> <p>257 PNP personnel attended a series of two-day first responders seminars on how to handle cases of gender-based violence (GAD program)</p> <p>51 selected Women and Children Protection Desk (WCPD) Personnel and investigators took part in two-day training program on Trafficking in Persons</p> <p>1559 officers attended Specialized Training for Women and Children Protection Center Officers organized in partnership with UNFPA</p> <p>36 PNP personnel attended training programs on local level policies with an emphasis on VAWC, Barangay Protection Orders and Human Rights.</p>
	Armed Forces	<p>323 attended GAD seminars and workshops that included sessions on UNSCR 1325 and the Philippine NAP</p> <p>60% attended Seminar on Violence Against Women; 30% attended Seminar on Violence Against women and Children; 30% attended Seminar on Gender and Development</p>
Serbia	Military	<p>Gender equality in integrated into educational plans at all levels and the curricula of military educational institutions at all levels</p> <p>Ministry of Defence and Ministry of Interior have for two years organized a two courses: "Gender advisors of the commanders of national contingents in peacekeeping missions;" and "gender in multinational operations".</p> <p>International humanitarian law is part of the pre-deployment training of military personnel</p> <p>In accordance with the UN Standardized Generic Training Module for multinational operations, the Centre for Peacekeeping Operations of the Serbian Armed Forces (CMO) offers additional sessions on gender sensitivity. Topics studied are: "Prevention of sexual exploitation and abuse", "Gender equality in the MNO" and "Gender issues."</p> <p>Pre-deployment, CMO offers two lectures 45 min each on "Gender issues" and a one-hour lecture on "Rules of conduct and relations in the multinational environment"</p> <p>Military and police attend seminars on gender aspects of conflicts</p>
Sierra Leone	Police	<p>Pre-deployment orientation and induction training programs for men and women to peace support operations, including a separate session on UNSCR 1325 and 1820 are offered by Kofi Anan International Peace Training Centre (KAIPTC) and the Pearson Peacekeeping Training Centre, Canada</p>

South Sudan	South Sudan Police Services (SSPS)	21 SSNP officers attended Gender, Children and Vulnerable Persons Protection Course, with the objective to equip participants with skills on how to deal with gender-based violence related issues
	Sudan People's Liberation Army (SPLA)	1 brigadier attended Indvelop Training in Sweden on UNSCR 1325
	Government	UNMISS Police supports the government on SSR; rule of law and human rights
Sri Lanka	Military	The military provides some human rights and humanitarian law training to its cadre, but no specific information is available on the nature of pre-deployment training and post-deployment programs incorporating UNSCR 1325/1820.
		A few government officials have been a part of awareness-raising programs on UNSCR 1325, but these have been primarily focused on information sharing and very much limited to the context of formal peace processes and the potential spaces for women CSOs in peacebuilding. UNSCR 1325 was not examined in depth.
Sweden	Armed Forces	Basic mandatory pre-deployment training is provided on incorporating gender perspectives, and understanding the role of the Gender Field Advisors in the mission (includes discussions on trafficking and domestic violence etc.)
	The Police	International Police Officer Course that includes 4 hours on gender perspectives and women's security needs, including 1.5 hours on "women, peace and security"
	Swedish Prison and Probation Service	40 officers were briefed for one hour and 21 officers for 4 hours, on their responsibilities to implement UNSCR 1325
	Civil Contingencies Agency	Police officers going on international missions receive a handbook on implementing UNSCR 1325 on the ground, the Swedish National Action Plan, and a copy of UNSCR 1325
		A two-week long course offers two hours on UNSCR 1325 and related resolutions, while human rights and security receive more time
Uganda		All personnel receive 30 min briefing on gender and UNSCR 1325 related to their mission; 69 % receive additional training
		Pre-deployment training for Ugandan peacekeepers is undertaken by the UN, but information on course content not available

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

As in previous years, obtaining information on funding for CSO and government programming on women, peace and security issues is a challenge. Information is not publicly available and several countries reported difficulties in accessing data directly from the organizations and government agencies working on WPS. Funding for women's organizations remains dire and the UN Secretary-General has noted that "much of women's conflict prevention work still goes unrecognized and lacks consistent funding and institutional support".¹⁷ Additionally, *there is an evident gap between demand and availability of funds as well as a need for funding to be channelled into basic organizational capacity development*.¹⁸ The lack of sustained,

regular and flexible funding has been identified repeatedly in the Women Count reports over the years, as a persistent preventative factor for women's organizations to carry out their work. Access to more sustainable funding continues to be one of the strongest demands by women's organizations around the world.

Albeit inadequate, in some counties there are mechanisms in place for ensuring that programs on women rights are adequately resourced. Despite the overall rating of "no change" for this indicator, some positive developments include the establishment of a Trust Fund in DRC to finance activities outlined in the NAP. The coordination of the Trust Fund, which was created by the Ministerial Decree 09/MIGEFA of 5 June 2013 will be managed by UN Women. However, how and if CSOs will access the funding is unclear. Liberia and the Philippines both identified programs in which women, peace and security was not necessarily the focus but was visibly addressed and reflected in

¹⁷ United Nations Security Council S/2013/525 (forth coming) page 19

¹⁸ Ibid page 56

the project activities and implementation strategies. This indicates increased awareness of the need for mainstreaming WPS issues. In January 2012, the Ministry of Gender and Development (MoGD) in Liberia received USD 2,197,925 from the Swedish International Development Agency and USD 3,778,645 from the Government of Norway, UNDP, AUSAID, UN Women, and UNFPA for Psychosocial, Health, Legal [Aid], Protection and Coordination. As noted in the country report from Liberia, "The pillars of psychosocial, health, legal and protection overlap with issues concerning women's peace and security issues, such as addressing SGBV."

Overall data on funding to women peace and security programs to CSOs is still very limited. Nepal reports slight progress and increased attention and interest among donor agencies to support WPS agendas following the adoption of Nepal's National Action Plan on 1325 and 1820 in December 2011. The majority of recipients are women's rights organizations, such as Saathi, and alliances working specifically on awareness raising of UNSCR 1325 and 1820, the relevance of the National Action Plan and the importance of monitoring and advocacy for the effective implementation of the WPS resolutions.

There is an evident gap between demand and availability of funds as well as a need for funding to be channelled into basic organizational capacity development.

The Philippines is one of the few countries where information on funding seems to be somewhat accessible. The Japan International Cooperation Agency (JICA) and the Norwegian Government are the largest supporters of CSOs, with Norway supporting specifically WPS programs. The Spanish Agency for Development Cooperation (AECID) supports various government initiatives, including programs focused on enforcing the Magna Carta of Women to curb gender-based violence and mainstreaming peace and development in local governance.

While UN Women is the biggest donor of WPS program in Serbia, funds are often not directed where they are most needed.

The Serbian report notes that a large part of funds is often spent on hiring additional personnel for carrying out project activities and on paying consultants. Grassroots organizations by and large do not receive (nor accept) funds from the state because of their independent and critical stance.

South Sudan reported unclear disbursement of funds for work on WPS. Some women's groups receive funds from the UN or other donor groups within or outside South Sudan. However, many CSOs and especially grassroots organizations find it hard to access funds due to challenges in "talking the donor language." Lack of skills in proposal writing, reporting and financial management are a major obstacle. Many of small grassroots organization do not have access to computers, which is another hindrance in terms of accessing funding.

While funding in the Netherlands has increased for 2013, challenges for smaller and mid-range CSOs to access the funding and the continuing lack of transparency remain problematic. A small fund for voluntary organizations as well as a pilot grassroots NAP-fund for UNSCR 1325 are positive developments. The Dutch report however, calls for a debate with funders to ensure full incorporation of the added value of a diverse Dutch civil society and the role of smaller/ mid-range activist organizations.

While the Canadian government funds many national and international CSOs, no information on amounts or recipients was made available. The government of Canada contributes to many UN agencies and the World Bank who serve as executing partners in the target countries. In addition, Canada has been supporting programs that implement the 2009 Law on the Elimination of Violence against Women, and, as part of the G8, Canada has contributed SCAD 5 million to prevent sexual violence in conflict. No indications were given on how and where these funds will be used.

From these examples, the 2013 monitoring process reveals a wide array of funding contexts across the different countries. Overall, funding does not appear to be sufficient to meet demand, and CSOs struggle to access the money that is available due to lack of capacity. National Action Plans do appear to have prompted some donors to increase their support for women, peace and security issues in certain countries, but there is little evidence that funds are being allocated strategically or directly to activities set out in the implementation matrices of these plans.

Table 16: Funding to CSOs and government for WPS (2012)

Country	Funding to CSO	Funding to Government /UN Agency
Armenia	Not available	Not available
Canada	Not available	<p>Funds from National Budget to:</p> <ul style="list-style-type: none"> • UNDP – SCAD 18,000,000 (To ensure that women and girls are better protected from violence, exploitation, and abuse in the eastern provinces of the Democratic Republic of the Congo by fighting impunity for perpetrators.) • World Bank – SCAD 4,300,000 (Learning on “Gender and Conflict in Africa”: Integrating issues related to the specific needs of young ex-combatants and child soldiers in implementation of programming in the Great Lakes region (Uganda, Burundi, Rwanda, Congo). There is to be a special focus on the needs of women, girls and other vulnerable groups such as child soldiers and their experiences in the context of conflict and post-conflict to ensure equitable access to benefits and delivery.) • UNODC (UN Office on Drugs and Crime- Executing Agency and Partner) – SCAD 10,937,502 (To build the forensic capacity of the Palestinian justice system. A key feature of the project is the expansion of clinical forensic medicine services to deal with sexual assault, child abuse and domestic violence cases)
Colombia	<p>Funds from International Funding Agencies (unspecified) to various organizations and UN agencies:</p> <ul style="list-style-type: none"> • SUSD 4,730,122 	<p>Funds from International Funding Agencies (unspecified) to:</p> <ul style="list-style-type: none"> • National District Attorney General's Office – (FGN) SUSD 2,113,580 (Support to the Peace Process in Colombia in the name of the Law of Justice and Peace; an example of transitional justice) • F. Plan internacional Colombia – SUSD 1,749,699 (support to families with children)
DRC	<p>Fund from Ministry of Gender, Family and Children to:</p> <ul style="list-style-type: none"> • CAFCO – SUSD 165,000 (Popularization of laws on sexual violence in schools in Kinshasa) • Parliamentary Network of Women Ministers “REFAMP” – SUSD 165,000 (Strengthen the capacity of women advocating for political participation in the process of peacebuilding) • Common Cause – SUSD 220,000 (Strengthening women's leadership through the DRC) • LIZADDEL – SUSD 100,000 (Promote children's rights and combat violence against the girl child). <p>Fund from Folke Bernadotte Academy (Sweden) to:</p> <ul style="list-style-type: none"> • WILPF DRC – SUSD 27,000 (Popularization of 1235, 1820 and other legal instruments Resolution) <p>Fund from GNWP to:</p> <ul style="list-style-type: none"> • CAFCO – SUSD 82,000 	<p>Fund from UN Women to:</p> <ul style="list-style-type: none"> • Ministry of Gender, Family and Children – SUSD 78,400 (Treatment of victims of SGBV during the conflict)
Fiji	Not available	Not available

Liberia	<p>Funds from Ministry of Gender and Development (MoGD) to:</p> <ul style="list-style-type: none"> • Civil Society Observatory –\$USD 50,000 <p>Funds from GNWP to:</p> <ul style="list-style-type: none"> • LIWOMAC – \$USD 28,035 (media public awareness campaign on principles of UNSCR 1325 and 1820) • WONGOSOL – \$USD 16,817 (Community-focused Capacity Building on UNSCR 1325 and 1820) • \$USD 8,840 (monitoring implementation of UNSCR 1325) 	<p>Funds from National Budget to:</p> <ul style="list-style-type: none"> • MoGD –\$USD 5,000 (Treatment of SGBV) <p>Source: UNFPA</p> <ul style="list-style-type: none"> • MoGD – \$USD 10,000 (Treatment of SGBV) <p>Funds for WPS “related” projects:</p> <p>Source: Swedish International Development Agency</p> <ul style="list-style-type: none"> • MoGD – \$USD 2,197,925 <p>Source: Government of Norway, UNDP, AUSAID, UN Women, and UNFPA</p> <ul style="list-style-type: none"> • MoGD – \$USD 3,778,645
Nepal	<p>Funds from Nepal Peace Trust Fund (NPTF) under Peace fund for Non-government Actors (NGA) to:</p> <ul style="list-style-type: none"> • 8 CSOs – \$USD 888,889 <p>Funds from GNWP to:</p> <ul style="list-style-type: none"> • Saathi – \$USD 188,687 (Civil Society Monitoring of 1325, NAP Localization Guideline Development, Launch and Orientation, 1325 Radio and TV PSA Production and Dissemination) <p>Funds from Open Society Institute to:</p> <ul style="list-style-type: none"> • Saathi – \$USD 24,000 (NAP Monitoring) <p>Funds from Care Nepal to:</p> <ul style="list-style-type: none"> • Saathi – \$USD 13,279 (1325 National Action Plan (NAP) Monitoring, Orientation and Training of Trainers (ToT) on NAP Localization Guideline) 	<p>Funds from NPTF to:</p> <ul style="list-style-type: none"> • 62 projects implemented by different ministries – \$USD 218,974,778 (Cantonment Management; Integration/Rehabilitation of Combatants, Conflict Affected Persons and Communities; Security and Transitional Justice; and Constituent Assembly and Peace Building Initiatives in National and Local Levels)
Netherlands	<p>Funds from Ministry of Foreign Affairs (MfA): € 43 Million (Equal rights and opportunities for women)</p> <p>Refer to country report for detailed breakdown</p>	<p>Exact information not available. Amounts to foreign governments also not available.</p>

Philippines	<p>Funds from the Royal Norwegian Government to:</p> <ul style="list-style-type: none"> • WE Act 1325 – Php 3,148,388.42 <p>Funds from EU to:</p> <ul style="list-style-type: none"> • National Union of People's Lawyers – Php 15,055,547 • Union of People's Lawyers in Mindanao – Php 10,831,750 <p>Funds from Japan International Cooperation Agency (JICA) to:</p> <ul style="list-style-type: none"> • Ittihadun Nisa' Foundation, Inc. – Php 845,300 • United Youth of the Philippines, Inc. - Women – Php 637,500 • Mindanao Tulong Bakwet, Inc. – Php 1,797,291 	<p>Funds from Canadian International Development Agency (CIDA) to:</p> <ul style="list-style-type: none"> • Department of Social Welfare and Development; Department of Interior and Local Government; Office of Civil Defense; National Nutrition Council – Php 706,184,000 (Support for returnees and other conflict-affected households in central Mindanao; national capacity-development in disaster preparedness) <p>Funds from the Spanish Agency for International Development Cooperation (AECID) to:</p> <ul style="list-style-type: none"> • Commission on Human Rights (CHR) – Php161,012,500 (Institutional Strengthening) • Department of Social Welfare and Development; Local Government Units; NGOs – Php 30,917,080 (Enforcement of Magna Carta of Women to curb gender-based violence) • OPAPP; Department of Interior and Local Government – Php 87,825,000 (Mainstreaming peace and development in local governance) • Philippine Commission on Women – Php 87,825,000 (Institutional strengthening Focus: Implementation of the Magna Carta of Women) <p>Funds from JICA to:</p> <ul style="list-style-type: none"> • ARMM Regional Government – Php 1,300,496,593 (Human Capacity development Program and Autonomous Region for Muslim Mindanao Social Fund for Peace and Development) <p>Funds from International Labor Organization (ILO) to:</p> <ul style="list-style-type: none"> • Department of Interior and Local Government – Php 4,478,240 (Intensification of the campaign against illegal recruitment, trafficking in persons and irregular migration in Maguindanao province)
Serbia	<p>Funds from UN Women to:</p> <ul style="list-style-type: none"> • Women in black – USD 16,742 • Belgrade Center for Security Policy – USD 15,529 • Belgrade Fund for Political Excellence – USD 4,719 	<p>Funds from UN Women to:</p> <ul style="list-style-type: none"> • NAP 1325 Multi-sector Coordination Body – USD 23,143 (NAP implementation) • Ministry of Defense and Serbian Armed Forces – USD 9,837 (NAP implementation) • The Organization for Security and Co-operation in Europe (OSCE) funded some government activities on WPS but specific information was not made available

Sierra Leone	<p>Funds from GNWP to:</p> <ul style="list-style-type: none"> • GNWP members Sierra-Leone (NOW, MARWOPNET, WPJP, & Women's Forum) – \$USD 190,823 (Localization of SiLNAP) • \$USD 45,878 (Monitoring of the implementation of UNSCR 1325) <p>Funds from UNIPSIL to:</p> <ul style="list-style-type: none"> • Civil Society Platform on Non-violence during elections – \$USD 300,000 <p>Funds from UNWomen; UNDP; Local Donors (SLRTA, NATCOM, OXFAM) to:</p> <ul style="list-style-type: none"> • Women's Situation Room Process – \$USD 200,000 (Advocacy/mediation outreach for inclusive, fair and peaceful 2012 elections) <p>Funds from OSIWA to:</p> <ul style="list-style-type: none"> • CGG – \$USD 60,00 (Addressing sexual violence in post conflict election) <p>Fund to AMNet-SL from:</p> <ul style="list-style-type: none"> • CORDAID/UNDP – \$USD 71,690 (Operationalizing free helpline for woman and children to respond to abuse) • WILDAF – £6,000 (Facilitating drafting/ enactment of a Gender Equality Bill and Policy) • UNDP – \$USD 10,000 (Ratification of MAPUTO Sponsor 30% Quota) • UNDP – \$USD 10,000 (GBV referral pathways in Western Area/ Bo/ Makeni, Kenema) • OSIWA – \$USD 10,000 (free toll lines for GBV) • NATCOM – \$USD 600,000 (Toll free lines for SGBV victims to Technician in expertise) • CORDAID – \$USD 20,000 (Survey on harmful traditional practices) <p>Funds to 50/50 Group from:</p> <ul style="list-style-type: none"> • OXFAM – £10,000 (Civic Education training for elections in Kabala/ Kailahun Training of aspirants) • ENCISS – £50,000 (Empowering women in politics through dialogue forums with political parties ensuring violence free elections) 	<p>Funds from National Budget to:</p> <ul style="list-style-type: none"> • Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA) – \$USD 15,000 <p>Funds from UNFPA to:</p> <ul style="list-style-type: none"> • MSWGCA – \$USD 43,000
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South Sudan	<p>Funds to EVE Organization from:</p> <ul style="list-style-type: none"> • Operation 1325-Sweden – \$USD 30,000 (UNSCR 1325 awareness and women participation in Security Sector) • Canada (CFLI) – \$USD 29,500 (Support to NAP process) • Permanent Mission of the Principality of Liechtenstein to the UN (through GNWP) – \$USD 20,000 (Translation, printing of CSOs monitoring Report to Arabic and conduct of workshops on the peace agreement and CEDAW) <p>Funds to Community Empowerment and Progress Organization (CEPO) from:</p> <ul style="list-style-type: none"> • Norwegian People's Aid (NPA) – \$USD 10,000 (Gender manual development and 8 campaigns in central equatorial state) • PAX Christi (Netherlands) – €3,988 (Gender study and police reform in South Sudan) <p>Funds to AVOWAC from:</p> <ul style="list-style-type: none"> • Norwegian Peoples Aid – \$USD 25,000 (Outreach, campaign and trainings on Gender based violence) • UNMISS – Protection Unit- \$USD 15,000 (Awareness on Protection) 	<p>Ministry of Gender, Child and Social Welfare (MoGCSW) in charge of gender mainstreaming across government policies, programs and budgets has the smallest ministerial budget. Most programs are funded by partners and UN agencies.</p>
Sri Lanka	No specific allocation for CSOs	<p>No specific allocation for government.</p> <p>\$USD 5,000 from national budget and \$USD 10,000 from UNFPA (to treat victims of SGBV in conflict)</p>
Sweden	For 2013, the Folke Bernadotte Academy has allocated 7.9 million SEK to projects on women's participation. Funds are earmarked, but no specification with regard to how much is to be dispersed to CSOs.	No allocated funding for work related to UNSCR 1325. Efforts are to be mainstreamed in the agencies' regular operations.
Uganda	Information for CSOs not readily available.	Not applicable

Optional Indicator A – Extent to which gender and peace education are integrated in the curriculum of formal and informal education

Having been included in the Women Count Reports since 2010, these two indicators were categorized as optional in 2012, due to difficulty in obtaining data. In regards to Optional indicator A - Extent to which gender and peace education are integrated in the curriculum of formal and informal education, only a few countries were able to obtain data: Canada, the Philippines, Sierra Leone, and Sri Lanka.

In Canada, gender and peace are integrated primarily in educational programs at the post-secondary level, with eleven universities offering programs that focus on gender and peace. There is visible lack however, of such programs at secondary level. As secondary curricula is a provincial responsibility, the Canadian report suggests that Canadian provincial governments could be

encouraged to make it mandatory to integrate such information into secondary education, at both the elementary and high school level.

The Philippines stands out as one of the countries where peace education has been mainstreamed at primary, secondary and tertiary level. Executive Order 570 (2006) mandates that peace education be incorporated in the curricula of basic education, teacher education and informal learning systems making the Department of Education in charge of developing and promoting peace education initiatives within its regional and local offices as well as in schools, alternative learning systems and the Commission on Higher Education in charge of institutionalizing peace in the tertiary level. Despite the promise of the Executive Order however, the Philippine team reports that the policy has been slow to trickle down to local level, a gap that local government and civil society has made an effort to tackle by launching a number

of new initiatives, such as providing orientations to public school principals on the Executive Order as well as on peace education.

Sierra Leone reported plans to integrate peace education at Master's level at the University of Sierra Leone where peace education so far has been available only at the Postgraduate Diploma and first-degree level. The Institute for Gender Studies continues to produce Masters students, and there are plans to expand the program to the undergraduate level. The program establishes linkages with other social, economic and environmental issues.

In 2012, the Centre for the Study of Human Rights in Sri Lanka introduced a diploma program on UNSCR 1325. Designed together with CSO activists and academics conversant with peace and security concerns the program is available to government and non-government activists and advocates, and teaches innovative means to mainstream WPS into both government and non-governmental sector work on conflict recovery. Generally however, the Sri Lankan report concluded that including gender and peace in the formal curriculum remains difficult as the curriculum is considered overloaded already. The Centre for Women's Research (CENWOR) has however, developed gender modules for inclusion of gender in the core curriculum. Information on whether the modules are actually used was not available.

The general lack of data on this indicator points to the persistent gaps in gender and peace education. There is still a long way to go in terms of integrating these issues in particularly formal education.

Optional Indicator B – Percentage of women's representation as peacebuilders and decision-makers in media content

Not enough countries reported on this indicator to establish trends.

The Philippines stands out as one of the countries where peace education has been mainstreamed at primary, secondary and tertiary level. Executive Order 570 (2006) mandates that peace education be incorporated in the curricula of basic education, teacher education and informal learning systems

3. Key developments on the women, peace and security agenda

The outcomes of the in-country civil society monitoring reports are powerful evidence-based advocacy tools that provide women peace activists with the data and analysis to lobby for better implementation of UNSCR 1325, 1820 and the other supporting women, peace and security resolutions. Civil society organizations (CSOs), UN agencies and governments have used the report as a source of information in developing their programs around UNSCR 1325 and 1820. Furthermore, since the inception of the monitoring process in 2010, concrete baseline data on women, peace and security issues have been established in the countries that have participated.

The developments in international laws and regional policies represent a paradigm shift in how the UN as well as regional policy structures and security institutions approach the issue of peace and security from a gender perspective. Together, the instruments have strengthened the normative standards for the protection of women and girls' rights during and after conflict. They also urge that the specific needs of women and girls in the recovery and peacebuilding period be addressed. However, the implementation of these legal instruments and policies has been very slow and most of the resolutions adopted on the issue are not well known outside of the UN and international development circle, signifying the need for further sensitization work. It is therefore critical that efforts are made to bridge the gap between UNSCR 1325 and broader global challenges, where the insights such as those offered in these reports could in fact be of much use.

The following are the recent developments on the WPS agenda that have the potential for reinforcing and advancing the work on implementing UNSCR 1325.

The post-MDG framework

The Millennium Development Goals (MDGs), agreed upon in 2000, are now reaching the end of their lifespan with the target year of 2015 approaching. It is becoming increasingly clear that, particularly in the case of conflict-affected countries, many of the goals will not be reached. The High-Level Panel appointed by UN Secretary-General Ban Ki-moon in July 2012 has reviewed the experience gained and lessons learned in implementing the MDGs, and submitted its report to the SG along with a set of recommendations on the results achieved and improvements that need to be made. In addition to this, the SG report entitled "A life of dignity for all: accelerating progress towards the Millennium Development Goals and advancing the United Nations development agenda beyond 2015" was released in August 2013. Although this report establishes a link between

peace and development, it fails to fully engage with and build on the WPS agenda. As the discussions continue in the General Assembly over the next year, it will be important to make the links between the commitments set out in the WPS resolutions and the pursuit of peace, security and sustainable development. The data and analysis contained in the country-specific and global monitoring report provides important insights and baselines on different aspects of these issues, and as such should feed into any new goals, targets and indicators of the successor framework as they are being drafted.

The New Deal for international engagement in fragile states

The New Deal builds on previous international commitments such as the Paris Declaration on Aid Effectiveness (2008) and the Accra Agenda for Action (2008), and provides new momentum to efforts to support countries making the transition to peace. The emphasis the New Deal places on country leadership, local ownership and multi-stakeholder collaboration make it particularly important that women's voices are heard, and reinforce the need for an inclusive approach to peace and security. Several countries have already conducted Fragility Assessments using the agreed interim list of common indicators, and are now in the process of developing the country Compacts that will identify priority issues and activities. These represent important opportunities for integrating a WPS lens into the analysis as well as ensuring gender-sensitive implementation of peacebuilding programs in the G7+ pilot countries.

The Arms Trade Treaty (ATT) and United Nations Security Council Resolution 2117

One of the recent achievements was the adoption of the controversial treaty to regulate the international trade in conventional weapons. The treaty was negotiated at a global conference under the auspices of the United Nations from 2–27 July 2012 in New York. However, since it was not possible to reach an agreement on a final text at that time, a new meeting for the conference was scheduled for 18–28 March 2013. After contentious deliberations, the General Assembly ratified the treaty on 2nd April 2013. Currently, the ATT has been signed by 114 states, but it will not enter into force until it has been ratified or acceded to by 50 states. An increasing number of severe human rights abuses and the suffering of civilians are being committed due to the lack of regulation on small arms, and small arms are the most widely used instrument in perpetrating violence against women in conflict, post-conflict, and during formal peace situations. The ATT was the first treaty to recognize the link between gender-based violence and the international arms trade. Thus, it is a necessary step towards limiting States' right to trade arms, to ensure that such trade is in accordance with their responsibilities and obligations under international law including international human rights law and international humanitarian law. In this regard, all states should sign, ratify and implement the treaty and adopt national laws and policies that link arms control initiatives to the prevention of violence against women and girls. On the other hand, on 26 September 2013, the

Security Council adopted Resolution 2117 at its 7036th meeting, noting the significance of Small Arms and Light Weapons (SALW) as the most frequently used weapons in the majority of recent armed conflicts. The resolution referred to gun violence and its 'disproportionate impact on violence perpetrated against women and girls, and exacerbating sexual and gender-based violence' and called for further measures to facilitate women's full and meaningful participation in all policy making, planning and implementation processes to combat and eradicate the illicit transfer, destabilising accumulation and misuse of small arms and light weapons in all its aspects.

General Recommendation (GR) on women in conflict prevention, conflict and post-conflict situations

This GR provides appropriate and authoritative guidance to State Parties on the measures to be adopted to ensure full compliance with their obligations to protect, respect and fulfill women's human rights during times of armed conflict and in all peace-building processes, which includes the immediate aftermath of conflict and long-term post-conflict reconstruction. Furthermore, the GR also requires Member States that have ratified CEDAW to report on their implementation of UNSCR 1325 and 1820. After a series of regional consultations that took place in the Africa; Asia-Pacific; Europe; Middle East and Northern Africa (MENA); and Latin-America regions seeking further inputs from civil society, governments and UN entities, the CEDAW Committee adopted the GR on the 56th session of the CEDAW Committee on October 18, 2013. The GR mandates the CEDAW Committee to question on the implementation of commitments linked to women, peace and security in its examination of State party periodic reports. Furthermore, since the GR is much broader and covers issues that are not in the WPS resolutions such as: foreign occupation, other forms of occupation and the post-conflict phase, internal disturbances, protracted and low-intensity civil strife, political strife, ethnic and communal violence, states of emergency and suppression of mass uprisings, war against terrorism and organized crime; it will enhance and strengthens the accountability mechanism to the implementation of the WPS resolutions.

The Peace, Security and Cooperation Framework for the DRC and the Great Lakes region

There have been significant developments in policy and programming for the advancement of peace and security in the DRC and the Great Lakes Region in recent years. In February 2013, 11 African countries signed a new Peace, Security and Cooperation Framework (PSCF) for the DRC and the region with the objective of securing peace and stability in the region. The African Union, the International Conference on the Great Lakes Region (ICGLR), the Southern African Development Community (SADC) and the United Nations acted as guarantors for the implementation of the framework. This framework also led to the appointment of the former President of Ireland, Ms. Mary Robinson as the first female SG Special Envoy to the region. As part of the implementation of the framework, Ms.

Robinson convened a regional conference on women, peace and security and development in the region. The resulting July 2013 Bujumbura declaration set out the roadmap for women's participation in the implementation of the Framework. The peace initiative has provides an important opportunity for countries in the region to work collaboratively for peace and stability in the Great Lakes region.

United Nations Security Council Resolution 2098

On March 28, 2013, the Security Council approved the creation of its first-ever "offensive" combat force in the DRC. This combat force, also referred to as the Intervention Brigade is intended to carry out targeted operations to "neutralize and disarm" the notorious 23 March Movement (M23), as well as other Congolese rebels and foreign armed groups in conflict ridden eastern parts of the country. With the adoption of this resolution, the Council also extended the mandate of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) until 31 March 2014. The specialized brigade is tasked with carrying out offensive operations, either unilaterally or jointly with the Congolese armed forces, "in a robust, highly mobile and versatile manner" to disrupt the activities of those groups. The brigade, consisting of 3,069 troops, is led by a Tanzanian general, with troop contribution from Malawi, South Africa and Tanzania. Although, the real impact of the intervention brigade needs to be strictly analyzed, there have been some positive results achieved since it started its operation in the eastern parts of the DRC such as the M23's surrender of arms in the beginning of November of 2013.

United Nations Security Council Resolution 2106

On 24 June 2013, the UN Security Council unanimously adopted Resolution 2106 to strengthen prevention and monitoring of sexual violence in conflict. This resolution is mainly a reiteration of the previous resolutions, and aims to strengthen efforts to end impunity for sexual violence affecting not only large numbers of women and girls, but also men and boys. It emphasizes a more consistent and rigorous prosecution and investigation of sexual violence crimes as the main point of concern in prevention efforts. The resolution also calls for the further deployment of Women Protection Advisers (WPA) in accordance with UNSCR 1888 to ensure the implementation of all relevant resolutions on women, peace and security issues. It also expresses the need to ensure women's participation in all aspects of mediation, post-conflict recovery and peacebuilding and to address sexual violence in conflict in the establishment of mandates, missions and other relevant work of the Security Council. Furthermore, it also called on the UNSC to use its leadership to ensure that governments, UN bodies and all who can play a decisive part in the arrest and surrender of alleged perpetrators of sexual and gender-based violence, fully cooperate with the International Criminal Court (ICC). However, the adoption of yet another resolution with a primary focus on sexual violence has raised a concern among various stakeholders as women's right to

full participation in all matters of peace and security is being overlooked and women are increasingly being seen and treated mostly as passive victims of violence and abuse. Yet, due to its comprehensiveness and provision of greater operational detail of previous resolutions on this topic, this resolution presents a concrete engagement structure of implementing previous mandates and combatting impunity for these crimes.

General Assembly Declaration on Commitment to end Sexual Violence in Conflict

113 countries endorsed the Declaration on Commitment to end Sexual Violence in Conflict on September 24, 2013 on the sidelines of the United Nations General Assembly in New York. This event was co-hosted by the United Kingdom Foreign Secretary Mr. William Hague and UN Special Representative on Sexual Violence in Conflict Ms. Zainab Bangura. Countries were able to continue to add their endorsement to the Declaration until October 4th and the overall number has now reached to 128 countries. This Declaration contains a set of practical and political commitments to end the use of rape and sexual violence as a weapon of war, which terrorizes and destroys communities during conflict. Member States who signed the Declaration pledged to promote women's full participation in peace negotiations casting women, as more than victims of sexual assault during conflict who require restitution and also committed to exclude acts of sexual violence in conflict from amnesty provisions. Even though this declaration in itself is not a legally binding instrument, it is hoped to serve as a manifestation of countries' commitment to ending sexual violence in conflict as well as sending a clear message to victims that the international community has not forgotten them, and to the perpetrators of rape that they will be held to account.

United Nations Security Council Resolution 2122

This resolution aims to put women's leadership and participation at the center of all efforts to resolve conflict and promote peace. This new resolution presented a concrete roadmap that will ensure women's participation in peacebuilding and recovery. In this regard, the resolution outlines an operational framework aimed at improving the quality of gender analysis received by the Council in briefings and reports and also reiterates the Council's intention to take into account a gender perspective when establishing and renewing political and peacekeeping mandates. It requests the leadership of UN missions to regularly assess security threats faced by women and girls and consult with women's civil society groups on the ground. At its core, the resolution recognizes that gender equality and the empowerment of women are critical to international peace and security. Furthermore, it requests improved access to timely information and analysis on the impact of conflict on women and women's participation in conflict resolution in reports and briefings to the Council. Furthermore, the resolution also invites the Secretary-General to commission a global study on the implementation of resolution 1325 in preparation for the High-Level Review in 2015 that is meant to assess progress at the global, regional and national levels in

implementing resolution 1325. By far, this resolution is the most comprehensive women peace and security resolution, which provides consistency of the Security's Council commitments and obligations to women in conflict and post-conflict situations.

4. Recommendations

The findings of the 2013 global monitoring report echo many of the key points that were made in the two previous years of this project. For this reason, many of the recommendations that were put forward in 2011 and 2012 are still relevant. However, the following more targeted recommendations reflect some of the more recent analysis by civil society organisations and highlight some of the key steps that are still needed to more fully support the implementation of UNSCR 1325.

To Donors

- ▶ Use political influence at the regional and global levels to support increased numbers of women in mediation, and actively enable women's civil society organisations to participate in peace negotiations
- ▶ Improve tracking of funds allocated to WPS, using existing mechanisms where possible (e.g. the OECD-DAC gender marker) to reduce the burden of reporting
- ▶ Link UNSCR 1325 to other foreign policy and development priorities to prevent it from being left in a silo and to ensure broader buy-in across key ministries such as Foreign Affairs, Defense and Justice
- ▶ Develop new, longer-term and flexible funding mechanisms that are accessible to women's organisations, including those working at the grassroots level
- ▶ Adequately resource NAPs to ensure that key activities are implemented, and consider undertaking a twinning process or otherwise consulting with local women in priority countries for development aid to ensure that the NAP reflects their needs and priorities
- ▶ Continue to take action to increase the numbers of women represented across the security sector, particularly in the military, and address obstacles relating to discriminatory attitudes and masculine culture that prevent women from joining and advancing through the ranks
- ▶ Further develop and roll out training courses on UNSCR 1325 for police, army and peacekeeping officials, and begin to monitor the impact of any training received on behaviour and effectiveness of operations in conflict-affected countries

To National Governments

- ▶ Consider quotas, affirmative action policies or other mechanisms to create a more level playing field for women at all levels of decision-making. Ensure that women have access to the capacity-building and financial resources necessary to

run for office

- ▶ Ensure that UNSCR 1325 is mainstreamed across all government ministries and departments
- ▶ Recruit more women into the security sector and judiciary, particularly at senior levels. In cases where they lack the educational requirements or skills necessary to fulfil these roles, instigate and invest in fast-track training and education opportunities to enable them to qualify for recruitment
- ▶ Develop NAPs on UNSCR 1325 where they do not already exist, ensuring broad consultation with women's groups and other CSOs from the earliest stages and at regular intervals throughout the process
- ▶ Strengthen coordination and communication with national networks of CSOs working on WPS issues
- ▶ Ensure that NAPs and any other relevant policies on WPS issues are adequately resourced and that there are robust monitoring mechanisms to track progress in implementation over time
- ▶ Increase efforts to match legislative reform with improved access to services, particularly in relation to response to SGBV
- ▶ Strengthen legal frameworks to end impunity and increase levels of reporting and prosecution for crimes relating to SGBV

To Multilateral Organisations

- ▶ Support the collection and documentation of data on funding for WPS-related activities
- ▶ Increase support for women's organisations, including through the development of innovative and flexible funding mechanisms
- ▶ Support and facilitate cross-national/cross-regional sharing of evidence of impact, lessons learned and good practice in relation to the implementation of UNSCR 1325

To Women's Organisations

- ▶ Continue to play a watchdog role and further develop efforts to monitor the implementation of UNSCR 1325 on an ongoing basis
- ▶ Foster good coordination and communication among CSOs at national level, as well as undertake efforts to strengthen links with rural areas to ensure broad representation and ownership
- ▶ Build and develop links between countries as well as within and across different regions to facilitate information-sharing and joint advocacy to leverage impact
- ▶ Develop and foster relationships across government institutions, particularly with the security sector to enable more joined-up efforts to implement UNSCR 1325
- ▶ Develop media campaigns and awareness-raising programs to sensitise the population about UNSCR 1325 and the

government's commitments to uphold women's rights and gender equality

To Researchers

- ▶ Encourage the initiation of partnerships between southern and northern-based researchers, to allow for exchanging of lessons learned, capacity-building opportunities, and more joint advocacy around shared policy priorities
- ▶ Continue to carry out research to build up the evidence base on WPS issues, particularly around the impact of women's participation on peace and security and on the nature, prevalence and extent of SGBV
- ▶ Develop partnerships with civil society organisations to ensure that there is policy uptake of research findings

Table Footnotes:

- i Countries are not listed for the indicators that were not applicable, not populated in the report and/or for the indicators where data was insufficient to establish a trend.
- ii In 2012 and 2013 these indicators were reported on together under "Representation of women among mediators, negotiators and technical experts in formal peace negotiations (and consultations with civil society)."
- iii FEDERAL STATS - Equal Voice, Inter-Parliamentary Union, Women in Federal Politics, (2013), accessed June 28, 2013, http://www.equalvoice.ca/pdf/women_in_federal_politics_fact_sheet_march_2013.pdf.
- iv More information at official site of Women in black, Belgrade: http://www.zeneucnom.org/index.php?option=com_content&task=view&id=173&Itemid=55&lang=en, 15.06.2013.
- v This figure is an average taken from the three different types of experts referred to in Sweden's in-country civil society monitoring report for GNWP 2011: Swedish Civil and Contingencies Agency (CCA); Swedish Prison and Probation Service (PPS) and Folke Bernadotte Academy (FBA).
- vi Ministry of Defense, Hennis: Vrouwen vaak cruciaal bij militaire, Den Haag, 27 June 2013, accessed 1 July 2013, http://www.defensie.nl/actueel/nieuws/2013/06/27/46206832/Hennis_Vrouwen_vak_cruciaal_bij_militaire_missie.
- vii North Atlantic Treaty Organization (NATO), NATO Committee on Women in NATO Forces, The Netherlands, 26 March 2002, accessed 26 August 2012, <http://www.nato.int/ims/2001/win/netherlands.htm>.
- viii This table refers specifically to countries where there is a peacekeeping mission as opposed to the percentage of women deployed by specific countries to foreign peacekeeping missions.
- ix Abyei is the disputed area between the Republic of South Sudan and the Republic of the Sudan.
- x While there is no information available about its own constitutional or legislative review, the Netherlands Institute for Multiparty Democracy (NIMD) shared information that the Netherlands supports the participation of women in constitutional and legislative reviews in other countries to promote greater opportunities for women to participate in parliament and political processes around the world. The Ministry of Foreign Affairs of the Netherlands provides funds to Dutch and international organizations working for democracy which in turn fund CSOs in other countries. For example, in 2012, NIMD received funds from the MFA to support women's increased participation in politics in Kenya and Tunisia.
- xi The government of South Sudan has not yet announced the full list of commission members as of the date when the report was being written.
- xii There is no official task force working on the Colombian government's policy on UNSCR 1325. There are two civil society initiatives: Coalición 1325 and the Fokus 1325 Program Fokus 1325 to implement UNSCR 1325 even as the government has not adopted a National Action Plan.
- xiii Fiji does not have a NAP. However, the Pacific Regional Action Plan on Women, Peace and Security was adopted in 2012. The Pacific RAP covers all members of the Pacific Islands Forum: Australia, Cook Islands, Federated States of Micronesia, Fiji, Kiribati, Nauru, New Zealand, Niue, Palau, Papua New Guinea, Republic of Marshall Islands, Samoa, Solomon Islands, Tonga, Tuvalu and Vanuatu.
- xiv The data presented below comes from a wide range of government and civil society sources. As the analysis that follows explains, challenges in reliable quantitative data collection makes it particularly difficult to identify trends and draw conclusions under this indicator.
- xv "Immoral actions" refers to inappropriate touching and hugging, such as touching the genitals.
- xvi This is the total number of SGBV reported in 2012 by NGOs throughout Armenia.
- xvii Due to serious delay in the reporting of the Instituto Nacional de Medicina Legal (National Institute for Legal Health), national data and statistics on SGBV are not yet available for the year 2012.
- xviii SGBV cases reported for seven months (January-July) in 2013, by the Direction d'Etudes et de Planification of the Ministry of Gender, Family and Children.
- xix Data from the NGO Fiji Women Crisis Centre Client Statistics.
- xx Data from the Minister of Gender and Development.
- xxi This number is a sum of all the cases reported to police, district governor lawyers' office, district courts and CSOs from July 2011-June 2012.
- xxii This includes penetration by hand or foreign objects, or forcing someone to oral sexual act.
- xxiii This number is reported by the Center for Social work, Republic Institute for Social Protection. Sexual violence against women is still a taboo in Serbia and there are no representative surveys conducted by the state institutions.

- xxiv In Sierra Leone, unlawful carnal knowledge is an offense under the Sexual Offense Law. It applies to sexual penetration of a girl above 13 but below 14 years of age. In the strengthened August 2013 version of that law, it is incorporated with rape.
- xxv Indecent assault/sexual assault is when a person intentionally touches another person in a sexual manner without consent, or compels that person to touch the accused person in a sexual manner.
- xxvi This data was obtained from the Family Support Unit of the Sierra Leone Police (FSU); it is a compilation of information from the four regions of the country. Other data available on SGBV comes from the International Rescue Committee (IRC) in the specific areas where the IRC is operational. Yet the different parameters used to collect data on SGBV by the police and the IRC makes comparison on the two impossible.
- xxvii Documented Rape cases during the civilian disarmament in Jonglei state alleged to SPLA Soldiers March-August 2012.
- xxviii Number of SGBV cases reported in Vavuniya District, Northern Province in 2012. This was a province particularly affected by conflict in Sri Lanka.
- xxix Number of SGBV cases reported in Akkaraipattu, Amparai District, Eastern Province in 2012. This was a province particularly affected by conflict in Sri Lanka.
- xxx This data from the Police Annual Crime and Traffic Road Safety Report 2012 only reflects cases of rape, defilement and domestic violence from June 2012 to June 2013, in the following districts: Kapchorwa, Tororo, Amuria, Katakwi, Bushenyi, Isingiro, Gulu, Kitgum, Kasese, and Kabarole.
- xxxi The fact that there are more cases being investigated then being reported is due to the fact that cases were carried over from the year 2011.
- xxxii The districts are Kapchorwa, Tororo, Amuria, Katakwi, Bushenyi, Isingiro, Gulu, Kitgum, Kasese, and Kabarole.
- xxxiii Please note that this table only includes policies that are reported in the country monitoring reports, so should not be taken as a comprehensive or exhaustive assessment of the policy landscape in these countries.
- xxxiv Data from Aboriginal Affairs and Northern Development Canada, Government of Canada, <http://www.aadnc-aandc.gc.ca/eng/1315320539682/1315320692192>

Africa

The Democratic Republic of Congo

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List of acronyms

ADS/NALU	Democratic Allies/National Army for the Liberation of Uganda
AFDL	Alliance of Democratic Forces for the Liberation of Congo
AFEAC	Congolese Association of Women Lawyers
AFEJUCO	Association of Women Jurist of Congo
AFEMAC	Association of Women Judges of Congo
SALW	Small Arms and Light Weapons
APCLS	Alliance of Patriots for a Free and Sovereign Congo
AVIFEM	Agence Nationale de Lutte contre les Violences faites aux Femmes
CRC	Convention on the Rights of the Child
CAFCO	Permanent Framework of Congolese Women
CRC	Convention on the Rights of the Child
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
DRC	Democratic Republic of Congo
ENADEP	Centre National d'Appui au Développement Participatif
CENI	National Electoral Independent Commission
CEPFE	Cellule Stratégique de la Promotion de la Femme, de la Famille de L'Enfant
CJR 1325	Center of Studies on Justice and Resolution 1325
CNDP	National Congress for the Defense of the People
CORDAID	Catholic Organization for Relief and Development Aid
DSCRp	Document de Stratégie pour la Croissance la réduction de la Pauvreté
DDR	Disarmament, Demobilization and Reintegration
DIC	Inter-Congolese Dialogue
DPKO	United Nations Department of Peacekeeping
ENA	Unaccompanied Children
EUSEC	EU Advisory and Assistance Mission for Security Reform
FAFGA	Women Associated with Armed Forces and Groups
FARDC	Armed Forces of the Democratic Republic of Congo
FDLR	Democratic Forces for the Liberation of Rwanda
GAPS	Gender Action for Peace and Security
GNWP	Global Network of Women Peacebuilders
HAM	Higher Media Authority
ICAN	International Civil society Action Network
IDPs	Internally Displaced Persons
LIZADEEL	League of the Defense of Children's Rights of the African Zone
LRA	Lord's Resistance Army
MCDRP	Multi-Country Demobilization and Reintegration Program
MIGEFAE	Ministry of Gender, Family and Children
M23	Movement du 23 Mars 2009

MLC	Movement for the Liberation du Congo
MONUC	United Nations Organization Mission in the Democratic Republic of the Congo
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo
NAP	National Action Plan
ODH	Observatory for Human Rights
NGO	Non-Governmental Organization
PNDDR	National Program of Disarmament, Demobilization and Reintegration
RCD/Goma	Congolese Rally for Democracy based in Goma
RSS	Reform of the Security Sector
SADC	Southern African Development Community
STAREC	Stabilization and Reconstruction of areas emerging from armed conflict
SNLVBG	Stratégie Nationale de lutte contre les Violences Sexuelles Basées sur le Genre
SIDA	Swedish International Development and Cooperation Agency
TRC	Truth and Reconciliation Commission
UEPNDDR	Execution Unit of the National Disarmament, Demobilization and Reintegration
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNHCR	United Nations High Commissioner for Refugees
UNSCR	United Nations Security Council
WILPF/DRC	Women International League for Peace and Freedom/Democratic Republic of Congo
WPS	Women Peace Security

I. Women, peace and security profile

A. Nature of the conflict

The socio-political and security situation in the Democratic Republic of Congo (DRC) continues to be unstable and unpredictable throughout the country. According to a study published by the International Rescue Committee in January 2008, violence in the DRC has resulted in the death of 5.4 million people between 1998 and 2007, and continues to take a further 45,000 victims each month.¹ Consequently, the DRC is confronted with a situation of "neither war, nor peace." This situation has been exploited by leaders of certain neighboring countries and by the Congolese political-military liberation movements, who continually perpetrate acts of violence.² Fundamental human rights and freedoms have and continue to be violated across the country. Most notably these include: rapes and acts of gender-based violence; summary executions; abductions and kidnappings; the destruction of the socio-economic fabric; the destruction of the ecosystem; internal displacement of civilians; and poverty and indecent living conditions incompatible with human dignity.

In eastern DRC, particularly in the regions of South-Kivu and North-Kivu, where the Armed Forces of the DRC (FARDC) are currently engaged in military operations against the M23 forces, the social and security situation remains very concerning. Furthermore, in Province Orientale and North Kivu, the Lord's Resistance Army (LRA), a Ugandan rebel group, continues to pose a permanent threat to the population.³ Since the beginning of 2012, the United Nations High Commissioner for Refugees (UNHCR) reported that renewed violence in the east and north-east of the Democratic Republic of the Congo (DRC) has resulted in the displacement of more than 2.2 million people inside the country as well as almost 70,000 people crossing the border into neighboring Rwanda and Uganda.⁴

The conflict has two dimensions: an internal dimension linked to bad governance engendering impunity, corruption, and the gross violation of human rights; and an external dimension related to the illegal exploitation of the DRC's natural resources by multinationals who supply military forces with small arms and light weapons (SALW).⁵

Along with 10 other African countries, the DRC signed the Peace and Security Cooperation Framework on February 24, 2013. The framework outlines national, regional and international actions

that aim to address the recurring cycles of conflict and violence in eastern DRC and its neighboring countries. In signing the framework, the DRC committed to the consolidation of the State's authority particularly in the east, the prevention of armed groups used to destabilize neighboring countries, and the promotion of development including the expansion of infrastructure and provision of basic social services.⁶

B. Impact of conflict on women

The impact of the conflict on women is immeasurable.⁷ The consequences of sexual violence are multiple and complex, due in large part to the militarization of conflict zones. For example, the probability that raped women will be able to resume their lives and be reintegrated into the community is low. Female survivors of sexual violence are consistently marginalized and rejected, and are subjected to further humiliation when abandoned by their husbands. Many women are victims of anti-personnel mines laid by militias. As a result of the sexual violence that they face, they also risk the spread of HIV/AIDS, unwanted pregnancies sexually transmitted diseases, genital mutilation, and sexual and domestic slavery. Girls' education has also suffered, with an increase in the school dropout rates and high numbers of illiterate women. The number of female-headed households has increased in conjunction with the feminization of poverty, and the rate of orphaned and unaccompanied children in internally displaced persons (IDP) camps continues to rise.

A large proportion of IDPs are concentrated in the provinces of North-Kivu, South-Kivu, Ituri and North Katanga.⁸ The joint provinces of North and South-Kivu represent 65 percent of the 2.6 million IDPs, with more than 967,000 in North-Kivu.⁹ Women and children continue to form the majority of IDPs as a result of conflict.¹⁰ Female IDPs fall victim to food insecurity; physical and psychological harm; and constant fear prevents them from engaging in daily activities, such as working in the fields or attending school.

The continuing conflict also affects access to food, clean water, adequate shelter, sanitation and health services, greatly increasing the risk of epidemics and nutritional problems. Women's health has suffered, in particular the reproductive health of girls and women.¹¹ During the conflict, female combatants are also forced to serve warlords as domestic and sexual slaves.¹²

Amidst these major difficulties, women have taken on critical

1 With no sign of appeasement in sight, this would bring the total to around 6.9 million deaths to date. See www.caritas.congo.org

2 These movements include the Alliance of Democratic Forces for the Liberation of Congo (AFDL), the Congolese Rally for Democracy (RCD), Movement for the Liberation du Congo (MLC), National Congress for the Defense of the People (CNDP), the Movement of March 23 (M23), the Lord's Resistance Army, Democratic Allies/National Army for the Liberation of Uganda (ADS/NALU), etc.

3 See Elimination of the Lord's Resistance Army, ICR-LRA, www.peaceau.org/uploads/cps-rpt-lra-380-17-06-2013.pdf

4 United Nations High Commissioner for Refugees, "2013 UNHCR country operations profile-Democratic Republic of the Congo," available at <http://www.unhcr.org/pages/49e45c366.html>

5 See Du mirage nationaliste à l'utopie en action-du-messie collectif : le cas du Congo-Kinshasa, L'Harmattan, 2005, p. 7.

6 See Cooperation, Peace and Security Framework, accessible on <http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/SESG%20Great%20Lakes%20Framework%20of%20Hope.pdf>

7 See Panzi hospital archives, at www.panzihospital.org/archives/714

8 UN Office for the Coordination of Humanitarian Affairs, <http://unocha.org>

9 See Rapport OCHA et partenaires, PDI en RDC, Mai 2013

10 Security Council Resolution 1355 (2001) condemns the use of child soldiers.

11 Campaign to end fistula, see www.endfistula.org

12 Roundtable discussion on sexual violence in armed conflict, Honorable Muhima Bintu, Sabine, 2011, Berne, Suisse.

Women assume the key role in ensuring the survival of their households and are involved in defending peace by educating local communities on the issues of peaceful coexistence and reconciliation.

roles to keep their families and communities intact. They have become heads of households, providing food and shelter to their families. They serve as conflict mediators in their communities. They educate their neighbors and other members of their communities on issues of peaceful coexistence and reconciliation. Women assume the key role in ensuring the survival of their households and are involved in defending peace by educating local communities on the issues of peaceful coexistence and reconciliation.

To contribute to peace and security in the DRC and the Great Lakes Region, women leaders from the DRC, Rwanda, Uganda, Burundi, Liberia, Sierra Leone and South Sudan convened for a Women's Peace Dialogue in Kinshasa, DRC in April, 2013. The Women's Peace Dialogue was organized by the Global Network of Women Peacebuilders (GNWP) in partnership with its Congolese members and had the aim of facilitating spaces for women's voices from the DRC and the Great Lakes. 81 women leaders from civil society and government participated and produced the *Kinshasa Call to Action*¹³—a list of specific demands targeted at the DRC government, member countries of the African Union and signatories to the Peace, Security and Cooperation Framework, UN agencies, the donor community, as well as civil society.

C. Relevant legal and policy framework

As a result of legislative reforms at the national level, various policies and development programs in the DRC have undergone gender mainstreaming processes. In particular, the adoption of certain texts has had an impact on the protection of women and children's rights. Some of the main laws and provisions can be summarized as follows:

- *Articles 14 and 15 of the Constitution (18/02/2006).* Article 14 states the responsibility of the public institutions to

eliminate any discrimination against women and to ensure the protection of their rights. It formulates the principle of gender parity in the public sector and the responsibility of the Congolese state to put this principle into practice. Article 15 of the Constitution spells out the state's responsibility to prevent any form of sexual violence.

- *Articles 1, 2, 3, 128, 86, 72 and 138 in the Labor Code on women's employment.* According to this law, the husband is considered the head of the family. A Congolese woman would have to demand the permission of her husband to open a bank account or to conduct other judicial activities. She would also have to ask for permission in order to accept employment and to travel, even though the Congolese labour law is more progressive and do not claim these conditions.
- *The national Government and UNICEF campaign *Toutes les filles à l'école* (All girls in school) in 2006.* This campaign has the objective of ensuring that all girls in DRC attend schools. The number of girls in schools has increased during this campaign.
- *Law 06/018 and law 06/019 of July 20, 2006 on sexual violence.* This current law addresses several crimes related to sexual and gender-based violence, such as rape, sexual harassment, forced marriage and forced prostitution, sexual mutilation, sexual exploitation and prostitution of minors, forced pregnancy and forced sterilization.
- *Law 08/011 of July 14, 2008* provides protection to those living with and affected by HIV/AIDS.
- *Law 08/005 of June 10, 2008 on public funding of political parties.* Article 3 paragraph 6 calls on political parties to reflect gender balance in voter registration.
- *Law 09/001 of January 10, 2009* lays out the protection of children.
- *Ministerial Orders (MIGEFAE) of June 5, 2013* relating respectively to (i) the establishment, organization and functioning of the National, Provincial and Local Steering Committee for the implementation of the national action plan (NAP) on UN Security Council Resolution 1325 (UNSCR 1325) in DRC, (ii) the creation of the Coordinating Committee responsible for managing and monitoring the implementation of projects financed by the Trust Fund and other projects related to the implementation of the NAP on UNSCR 1325.
- *The national strategy for gender mainstreaming in policies and development programs is in the process of being updated for validation on August 30, 2013.*

¹³ The *Kinshasa Call to Action* has the objective of spurring immediate actions to address the root causes of the conflict and end the violence in the DRC and the Great Lakes region and to protect women and girls from the widespread forms of sexual and other forms of violence and can be accessed at <http://www.gnwp.org/wp-content/uploads/2013/04/FINAL-Outcome-Document-Womens-Peace-Dialogue.pdf>

II. Data presentation and analysis

Each year, the annual monitoring report is based on the guidelines provided by GNWP and adapted to the DRC context. Despite challenges in data collection related to the country's geographical vastness, researchers have populated and analyzed key indicators divided according to the three pillars of UNSCR 1325. Research methods employed for writing this report included documentary research, interviews, and a validation session with women's organizations working in the thematic area of women, peace and security (WPS).

A. Participation

Indicator 1 – Index of women's participation in governance

Table 1.1: Index of women's participation in governance in 2012

	Number of Women	Number of Men	% of Women
Women in high-level posts in political Cabinets and other Departments (2013)			
Secretary General	7	44	13.7
Public Officers (2013)			
Chairmen of the Board of Directors	3	34	8.1
Managing Director	4	33	10.8
Technical Director	5	32	13.5
Total Women in National Government (2013)			
Prime Minister	0	1	0
Deputy Prime Minister	0	2	0
Ministers	3	22	12
Deputy Ministers	3	5	37.5
Parliament			
Senate (2011)	6	102	5.5
National Assembly (2013)	52	448	10.4
Women in High Level Positions in Local Governance Structures (since 2006)			
Provincial Parliamentarians	61	618	8.9
Provincial Governors	0	11	0
Deputy Governor	0	11	0
Provincial Ministers	18	92	16.3
Provincial Directors	0	11	0

Sources: Official Journal 2012 and 2013, National Service of Institutions (Parliament et Government), Report from the National Electoral Independent Commission (CENI) 2006 and 2012, Reports from the Gender Observatory, see www.observatoiredeleparite.org/enquetes.

The results from both the presidential and legislative elections of 2001 and the presidential, legislative and provincial elections

in 2006 demonstrated that women are under-represented in national and provincial institutions. Following the 2006 elections, women made up only nine percent of the established institutions. Despite the adoption of certain measures to increase the participation of women in political and public spaces, many discriminatory provisions against women still persist. For instance, the current Family Code discriminates against legally incapacitated women for certain acts. The code is currently being revised to align it with the various legal instruments ratified by the DRC. Gender norms and stereotypes that shape gender relations are the main obstacles to a fair representation of women in political and public life.¹⁴

The results of the legislative elections in 2011 led to only 10.4 percent women representation, out of the total of 500 parliamentary seats. So far, no woman has ever served as Governor or Vice-Governor in any of the provinces. This is due to sealed alliances between political parties, where party leaders are mostly male and patriarchal. Provincial governments are generally composed of ten provincial ministries, which include: one woman in the government of the three provinces of Katanga, Kasai Occidental and Maniema; two women in the government of four provinces, Kinshasa, Kasai Oriental, North Kivu and Bandundu province; three women in the government of Equateur, Bas-Congo and Orientale province; and four women in the province of South Kivu. In total there are 24 women provincial ministers, in comparison to 86 male ministers, which amount to 16.4 percent of women's representation in 2006. This improvement is attributed to the cases made by the Ministry of Gender and women's organizations regarding the adoption of the law on parity, following the establishment of a quota of 30 percent in all sectors of national life passed by the Senate. This Act is currently at the Joint Committee of Parliament for its adoption and promulgation by the President.

The percentage of women in the Provincial Assemblies ranges from 0 percent in Maniema to 18.7 percent in Kinshasa, while small percentages include 2.3 percent in North Kivu, 2.7 in Equateur. The President of the Provincial Assembly is male, one woman is Vice-President of the Provincial Assembly (Bas Congo), and three women serve in the Office of the Provincial Assembly in Kinshasa, South Kivu and Bas Congo.¹⁵

On the other hand, the presence of women appointed in the positions of Mayor, Deputy Mayor, District Commissioner, Assistant District Commissioner, Director Planning, Assistant Administrator of territory, ranges from six percent in Bas-Congo and Equateur to 25 percent in South Kivu. The participation of women is much more visible in appointive positions. This is justified by the fact that appointments depend on the political will of decision makers, while elected positions depend on the voting results of the primary sovereign. However, increases in women's political participation have been slow at approximately one percent. Following our analysis for this indicator, the progress rating is slight progress.

¹⁴ Liam Mahony, Des stratégies non militaires pour la protection des civils en RDC, January 2013.

¹⁵ See Reports from the Gender Observatory (Observatoire de la Parité), accessible at www.observatoiredeleparite.org/enquetes

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

Table 2.1: Number and percentage of women in peace negotiating teams in 2013

Peace Negotiation Teams	Number of Women	Number of Men	% of Women
Cease-fire Agreement in Lusaka, July 10, 1999 ⁱ	45	300	15
Global and Inclusive Agreement of transition of the DRC, in Sun City, South Africa, December 7, 2002 ⁱⁱ	47	298	13.6
Pact on the Security, Stability and Development in the Great Lakes Region, Nairobi, Kenya, December 15, 2006 ⁱⁱⁱ	0	11	0
Act of Engagement in Goma, January 2008 ^{iv}	1	88	1.1
Peace Agreement between the Government and the National Congress for Defense of the People, Goma, March 23, 2009 ^v	0	4	0
Framework Agreement on peace, security and cooperation in the DRC and Great Lakes Region, Addis Ababa, February 24, 2013 ^{vi}	1	15	6.2
Total	94	716	11.6

Table 2.2: Gender issues addressed in peace agreements

1. Global and Inclusive Agreement on the Transition in DRC Sun City, South Africa, December 17, 2002

Program	Provisions	Results
Assistance for vulnerable groups	Women Associated with Armed Forces and Groups (FAFGA)	A budgeted provision was released for a maximum of 10,000 beneficiaries.
Legislative Reform	Revision of the Constitution to include gender issues	Article 51 of the Transitional Constitution; Articles 14 and 15 of the Constitution of the third Republic.
	Women's political participation at the level of 30% in all public institutions	30% of women present in all institutions supporting democracy: Independent Electoral Commission (IEC), Truth and Reconciliation Commission (TRC), High Authority for Media (HAM), and Observatory of Human Rights (ODH).
	Revision of the Family Code	Harmonization with the provisions of international and regional legal instruments ratified by the DRC.
	Fight against impunity for sexual violence	Adoption and enactment of laws on sexual violence in July 2006

2. Act of Engagement in Goma, January 2008

Program	Provisions	Results
Stabilization and Reconstruction of areas emerging from armed conflict « STAREC »	Security Sector Reform (SSR)	Construction of military barracks. Deployment of Police in the areas occupied by armed groups to secure people and property.
	Humanitarian Assistance	Return of IDPs and refugees to their home areas. Family Grouping of Unaccompanied Children « ENA »

Table 2.2: Gender issues addressed in peace agreements

1. Global and Inclusive Agreement on the Transition in DRC Sun City, South Africa, December 17, 2002

Program	Provisions	Results
	Economic Development	Agricultural Production Breeding Support for food security. Industrialization in the mining sector.

3. Peace, Security and Cooperation Framework in the DRC and Great Lakes Region Addis Ababa, February 24, 2013

Program	Provisions	Results
Peace and Security	Introduction of mechanized monitoring and evaluation of the Framework Agreement.	Regional Conference of Women Leaders on Peace, Security and Development in the Great Lakes Region. Adoption subject to the integration of amendments and regional implementation of UNSCR 1325 by the DRC, Burundi and Rwanda
Economic Development	Promoting development, including on the expansion of infrastructure and the provision of basic social services.	Indicators on the implementation of the Framework Agreement such as: increasing the number of primary and secondary schools by town, city, district; and improving enrollment in primary school with increased enrollment in general, especially for girls; increasing the number of hospitals by province; and decreasing the rate of unemployment among women and youth.

Table 2.3: Percentage of Women in Peace Negotiation Teams

Agreements	Cease-fire Agreement Lusaka, July 1999	Global and Inclusive Agreement of transition of the DRC, in Sun City, South Africa, December 7, 2002	Act of Engagement Goma, January 2008	Agreement between the Government and the CNDP, March, 23 2009	Peace, Security and Cooperation Framework in the DRC and Great Lakes Region, Addis Ababa, February 24, 2013
% of Women in Peace Negotiation Teams	5	16	1.12	0	0.07

Despite their low representation in the peace processes of the Inter-Congolese Dialogue (ICD) in Sun City, South Africa, Congolese women managed to include provisions to support women's rights and the principle of gender equality in the final resolutions of the ICD political negotiations in Sun City. As a result, the ICD was slightly more inclusive and also involved the Government, the armed forces, the unarmed political opposition, and civil society.¹⁶

At the negotiations in Lusaka, Zambia in July 1999, which led to the signing of a cease-fire between the warring parties, 5 out of the 99 attendees were women. During this conference, participants identified the different components that form part of the IDC and defined and adopted the guiding principles. Similarly, only 9 percent of women attended the meeting of the Preparatory

Committee of the IDC in Gaborone, Botswana, in August 2001. These women, however, played an important role in writing an open letter to delegates meeting in Gaborone, denouncing the under-representation of women. The signatories of this open letter also used international law to remind the Government of its obligations, such as DRC's ratification of CEDAW, its membership in the SADC with the commitment of ensuring 30 percent female representation in decision-making bodies, as well as reiterating the terms of UNSCR 1325. Despite these efforts, the participation of women remained low throughout the process. There were only 16 percent of women in Sun City and 13 percent in the Pretoria negotiations, which resulted in the signing of the Global and Inclusive Agreement on December 17, 2002 leading to the change in the drafting of the Constitution, to include some specific provisions on women's rights and gender equality.¹⁷

16 See Report of the Global and Inclusive Agreement on the Transition in the Democratic Republic of Congo, signed in Pretoria 17 December 2002.

17 Republic Democratic of Congo, Constitution of Republic Democratic of Congo 2006, reviewed in Mars 2011, accessible at <http://www.presidentrdc.cd/constitution.html>

It is important for women to be present at the negotiating table to help define priorities and to ensure that provisions taking into account the specific needs of women and incorporating the principle of gender equality are included in agreements and the Constitution.

For this reason, it is important for women to be present at the negotiating table to help define priorities and to ensure that provisions taking into account the specific needs of women and incorporating the principle of gender equality are included in agreements and the Constitution. Under the leadership of Mrs. Mary Robinson, Special Envoy of the Secretary General of the United Nations for the Great Lakes Region, a Regional Consultative Conference on Women, Peace, Security and Development was held from July 9-11, in Bujumbura, Burundi. This meeting allowed the women of the International Conference on the Great Lakes Region (ICGLR) to take ownership of the Framework Agreement signed by the various Heads of State. It was also an opportunity for women to give a lecture on the benchmarks and indicators of the Agreement.

Participants at the Regional Consultative Conference came up with the following recommendations to the signatories and guarantors of the Peace, Security and Cooperation Framework:

- ▶ Include women in the design, and national and regional supervision of the Plan of Implementation of the Framework Agreement on Peace, Security and Cooperation;
- ▶ Include security and cooperation objectives to promote women's human rights, gender equality and economic empowerment of women in the Plan of Implementation;
- ▶ Ensure that benchmarks, indicators and monitoring measures of the Plan of Implementation are sensitive to gender issues;
- ▶ Ensure the participation of women in formal political and economic processes in the implementation of the Agreement;
- ▶ Adopt national action plans for UNSCR 1325 in countries where they are yet to be adopted, and the effective implementation of the existing national action plans.

Indicator 3 – Index of women's participation in the justice, security sector, and peacekeeping missions

Table 3.1: Index of women participating in the justice sector in 2012

	Number of Women	Number of Men	% of Women
National Level (Supreme Court of Justice and General Prosecutor of the Republic)	3	49	5.7
Lower Court (Court of Appeals and General Prosecutor)	14	175	7.4
District Court and High Court	481	2,210	17.8
Total	498	2,434	16.9

Table 3.2: Index of women participating in the justice sector in 2013

	Number of Women	Number of Men	% of Women
National Level (Supreme Court of Justice and General Prosecutor of the Republic)	4	60	6.25
Lower Court (Court of Appeals and General Prosecutor)	34	250	11.97
District Court and High Court	621	2417	20.44
Total	659	2727	19.46

Source: Supreme Court and Prosecutors Office

Table 3.3: Women's participation in the security sector and in peacekeeping missions (2013)

	Number of Women	Number of Men	% of Women
Women in the Military Forces			
Officers (Total)	754	36,711	2
Generals	3	120	2.4
Colonels	9	683	1.3
Superior Officers	73	5,214	1.3
Junior Officers	681	31,422	2.12
Subaltern Officers	3,359	151,525	2.16
1st class Officers	632	31,422	2
2nd class Officers	1,029	38,287	2.6
Troops	1,698	58,355	2.8
Total in the Military Forces	8,238	353,739	2.27

Table 3.3: Women's participation in the security sector and in peacekeeping missions (2013)

	Number of Women	Number of Men	% of Women
Women in the Police			
Chief Divisional Inspector	0	2	0
Chief Inspector (Colonel)	0	0	0
Divisional Inspector	0	13	0
Assistant Divisional Inspector	1	30	0.3
Commissioner	5	52	10.8
Deputy Commissioner	13	242	5.0
Total in the Police	19	339	5.6
Women in Peacekeeping Mission in the DRC (MONUSCO) (July 2013)			
Post Description	Number of Women	Number of Men	% of Women
Military Experts	12	500	2.34
Individual Police	54	319	14.4
Formed Police Units	89	958	8.5
Contingent Troops	329	18,258	1.7
Total	484	20,035	2.35
Countries and Missions where individual police are deployed (July 2013)			
UNOCI - Côte d'Ivoire	1	6	14.28

Source: http://www.un.org/en/peacekeeping/contributors/2013/jul13_3.pdf, accessed on September 22, 2013.

With regards to the justice sector, the number of women in the judiciary as "sitting" (judges) and as "standing" (prosecutors) in civil courts is low. This low number of women in this sector undermines the principle of non-discrimination between men and women and the constitutional principle of equality. In addition, it poses a serious impediment to the fight against impunity for rape and other acts of violence against women. In light of the cases made by women's organizations such as the Security Sector Association of Women Judges of Congo (AFEMAC), the Association of Women Jurist of Congo (AFEJUCO), and the Association of Women Lawyers of Congo (AFEAC), we observed a slight increase in women's participation compared with 2012 data. The Supreme Court of Justice and General Prosecutor of the Republic saw a 0.15 percent increase; the Courts of Appeals saw a rise of 4.57 percent; and women's representation the District Court and High Court rose by 3 percent.

Women have had a long career in the military, spanning the period of 1966 to 2013 and including the forced recruitment of women paratroopers by Mobutu in 1966. In spite of this, women have been mostly absent from command positions of the police and the army, with the exception of a few women colonels in

administrative positions. Female military and police officers face many gender-related problems with the performance of their duties. In an environment where femininity is seen as the antithesis to the ideal of masculinity, sexual harassment is widespread.

In July 2013, nine women were promoted to positions of command in the security sector.¹⁸ This was the result of heightened awareness, advocacy and lobbying led by Ministry of Gender, Family and Children, civil society organizations, partners involved in the fight for the respect for gender, as well as Congolese women themselves who have become increasingly involved.

It is important to note that even as DRC is a conflict-affected country in itself, it still deploys individual police to UNOCI, the UN Peacekeeping in Côte d'Ivoire. Perhaps when these police officers come back to the country, they can share their observations and lessons learned in peacekeeping, maintaining order and respect to the rule of law.

The question of gender has been addressed in reform structures by thematic working groups on gender and sexual violence. The Ministry of Gender showed interest in being involved in discussions on the concept of security sector reform and ensuring gender mainstreaming within the sector. The analysis showed a slight progress on women's participation in the justice and the security. Rating is slight/moderate progress.

Indicator 4 – Number and percentage of women participating in each type of constitutional legislative review (including security sector review)

Table 4.1: Number and percentage of women participating in each type of constitutional legislative review (including security sector review)

	Number of Women	Number of Men	% of Women
Constitutional Amendment (2006)	58	550	10.54
Legislative Amendment (2006)	58	550	10.54
Security Sector Reform Amendment	58	289	20
Total	174	1,650	9.5

Women parliamentarians are the only women included in the constitutional and legislative revisions. They take part in each session scheduled for constitutional or legislative revisions. They represent 10.4 percent of the total number of MPs and 5.5 percent in the Senate. Given their small number, they are unable to play a big role, but they have been able to collaborate with male parliamentarians to push for provisions relating to gender equality. Women's organizations have had the opportunities to contribute to the drafting of legislation and make amendments to certain laws under review in Parliament.

¹⁸ See Ordinance No. 13/089 of 7 July 2013, appointing officers in the category of General in the FARDC; Judicature Ordinance, No. 13/029 of 1 June 2013, on the appointment of magistrates; and Judicature Ordinance No. 13/048 of 1 June, appointing Heads of Offices.

Indicator 5 – CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

Table 5.1: Number and percentage of CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

	Number of CSOs	Total number of task force members	% of CSOs
National Steering Committee on NAP 1325	10	40	25
Total	10	40	25

As part of the revitalization of the Steering Committee of UNSCR 1325, the Minister of Gender, Family and Children has made two decisions.¹⁹ The first decision involves the establishment, organization and functioning of the local, provincial and national Steering Committees, and the second decision was to create, manage and coordinate a Trust Fund. To ensure efficiency in operation, the current configuration of the National Steering Committee gives 10 spaces for CSOs in accordance with the 10 thematic areas of the NAP. This reduces the number of CSOs in the Committee, which was 16 in 2012.

CSOs have contributed to the development of legal texts establishing the Steering Committee and the Trust Fund of the NAP. This led to the publication of the NAP prefaced by the

Minister of Gender, and the commitment of stakeholders to mobilize funds for its implementation. Furthermore, following the escalation of conflict in the provinces of North and South Kivu, Katanga and Ituri (Eastern Province), several civil society organizations are integrating issues of peace and security into their action programs, to meet the needs of the population.

Challenges exist regarding women CSOs working on security sector reform. Culturally, the security sector is viewed as an exclusively male domain, thus women are poorly represented. To remedy this, advocacy must focus on changing attitudes and increasing awareness among decision-makers and local communities. Recently, there has been a slight shift in opinions.

B. Prevention and protection

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized

Table 6.1: Number of SGBV cases reported, investigated, prosecuted and penalized in 2012

Type of SGBV	Reported	Investigated	Prosecuted	Penalized	% penalized
Rape against Minors	4,165	1,203	830	543	13
Rape	3,541	258	167	110	3.1
Aggression	371	148	104	137	36.9
Other Types of SGBV	1,207	623	623	247	20.4
Total	9,284	1,029	894	521	5.6

Table 6.2: Reported incidences of sexual violence in the provinces of DRC from 2011 to June 2013

Province	2011	2012	2013	TOTAL
North Kivu	4,685	7,075	2,203	13,963
South Kivu	2,713	5,028	1,204	8,945
Orientale Province	1,826	3,685	890	6,401
Bandundu	348	440	310	1,098
Bas-Congo	400	903	400	1,703
Katanga	757	1,051	239	2,047
Kinshasa	405	438	177	1,020
Total	11,134	18,620	5,423	35,177

19 Ministerial orders MIGEFAE of 5 June 2013 relating respectively (i) the establishment, organization and functioning of the National, Provincial and Local Steering Committees of the DRC NAP 1325, (ii) creation of the Coordinating Committee responsible for the management and monitoring of the implementation of projects funded by the Trust Fund and other projects related to the implementation of the NAP 1325.

With regards to impunity for acts of SGBV, since the adoption of Resolution 1888 (2009), the Military Justice has convicted army officials. In Fizi, South Kivu, a Colonel was sentenced in 2011 for the mass rape of women in Walikale. Recently, two Lieutenant Colonels were sentenced by the Military Prosecutor of North Kivu.

As it can be seen from the tables above, the prevalence of sexual violence is increasing at an alarming rate in almost all of the provinces of the DRC. The challenges faced in efforts of the prevention of violence and enhancing the protection of women in the country are summarized as below:

Lack of adequate access to justice mechanisms²⁰

In addition to the failure of the judicial system, efforts to facilitate victims' access to justice are limited. This is notably due to inadequate courts, the isolation of victims from the judicial infrastructure, the high costs of pursuing justice, and the tendency to procure seemingly amicable arrangements between victims and perpetrators. Those who attempt to pursue legal remedies face the challenges related to both the limits of the judicial system and the fear of stigma. This ultimately prevents victims from denouncing their aggressors.

The absence of a compensation mechanism for victims—many of them already economically vulnerable—means that they lack the motivation to engage in a costly process. Legal assistance is not offered to the alleged attackers either, thus in most cases, they are presumed guilty. This means that conditions for a fair trial are near to impossible, and in some cases this can lead to serious abuses.

Absence of data

Most interventions lack the necessary support and framework for adequate monitoring and evaluation. The lack of a reliable database on sexual and gender-based violence also undermines the chances to build monitoring and evaluation on a solid foundation.

Lack of coordination

Despite efforts by the Government, through the Ministry of Gender, Family and Children, to provide leadership in the Sexual Violence Cluster, efforts remain inconsistent and often fail to correspond to national priorities in the absence of a specific framework of reference. Moreover, the multiplicity of mechanisms of coordination of interventions and actions in this area remains an issue that the Ministry of Gender, Family and Children wishes

to address. Despite the establishment of some mechanisms at the provincial and local level to provide a framework for coordination between the government, NGOs and international partners, most are not equipped to ensure effective coordination. In addition, groups responsible for humanitarian protection and assistance do not consider their actions within an emergency context. Even if the local structures involved in the fight against sexual violence benefit from the structures that enhance their capabilities, they still lack support and are unable to intervene effectively in the field.

Rape and sexual violence are widespread in the DRC and committed indiscriminately by all armed groups, including the security forces of the State (FARDC and PNC). In conjunction with armed conflicts, mass rape and the insertion of objects into the genitals of victims characterize acts of SGBV. With regards to impunity for acts of SGBV, since the adoption of Resolution 1888 (2009), the Military Justice has convicted army officials. In Fizi, South Kivu, a Colonel was sentenced in 2011 for the mass rape of women in Walikale.²¹ Recently, two Lieutenant Colonels were sentenced by the Military Prosecutor of North Kivu.²² According to figures from MONUSCO, 224 military personnel and police have been convicted of serious violations of human rights (approximately half involving sexual violence) between July 2010 and July 2011. This represents a significant increase over the previous years.²³

Whilst there are limited statistics on the level and nature of domestic violence, evidence suggests that it is particularly widespread in the provinces of Kasai and Lower Congo. Incidences of domestic violence are notably higher among the families of officers, as highlighted by the experience of security sector staff and their families through the EU Advisory and Assistance Mission for Security Reform (EUSEC) projects.²⁴ Overall there is a clear standstill in addressing SGBV.

Indicator 7 – Number and quality of gender-responsive laws and policies

The 2012 DRC report of Women Count on Security Council Resolution 1325²⁵ reported on the number and quality of laws dealing with gender issues. This includes the Constitution of 18/02/2006 in Articles 14 and 15 (2006), Law 06 /018 and 011019 / 06 Act of 20 July 2006 relating to sexual violence, Act 08 / 14 July 2008 on the protection of persons living with HIV/ AIDS affected people.

The gender audit is the basis of two strategies, namely SNIGPP

21 The quick conviction of perpetrators of SGBV in the East is welcomed by the Belgian Vanackereckie as the materialization of "zero tolerance policy" in the DRC, Journal Awards, Kinshasa, 23/02/2011/Politics.

22 Radio Okapi, Segment from 5 September 2013.

23 See Integrated Regional Information Networks (IRIN), "Violations des droits de l'homme par les deux parties au conflit," 30 July 2013, accessible on <http://www.irinnews.org/fr/report/98496/violations-des-droits-de-l-homme-par-les-deux-parties-au-conflit-en-rdc>.

24 Yvan Conoir, "Mettre fin à la guerre, construire la paix, La contribution du programme national de DDR en RDC à la paix dans la région des Grands Lacs africains," accessible on www.idrp.net/PDFs/TDRP_DDR_RDC_Report_fr.pdf

25 Annie Matundu Mbambi, Jeannine Mukaniirwa, and Rose Mutombo, "DRC Civil Society Monitoring Report," in Women Count 2012, Security Council Resolution 1325, the Global Network of Women Peacebuilders.

20 Report on the prevalence of SGBV in DRC and the actions undertaken to fight it 2011-2012.

and SNPBG, and is designed to address the identified challenges, namely:

1. the development and sharing of knowledge on equity and gender;
2. capacity building of human resources in issues of gender mainstreaming;
3. the significant reduction in the strong influence of detrimental sociocultural norms; and
4. the mobilization of additional financial resources.

Different strategies are developing assessment tools on gender indicators in policies and programs as well as planning and gender budgeting. In particular these include:

1. Knowledge of national, sub regional, regional and international instruments on gender issues;
2. The level of consideration of gender issues in the objectives, programs and action plans;
3. The integration of gender equality in implemented development programs and collaborative activities between the institution and its partners; and
4. The level of expertise of institutions vis-à-vis issues of gender and strategy used to develop skills in this area.

The strategy documents each define priorities for action and institutional frameworks for implementation by defining the responsibilities of each stakeholder.

In addition, GNWP in partnership with its CSO members in DRC and local authorities, grassroots women's groups, traditional leaders and other key local actors is working towards the integration of Resolutions 1325 and 1820 and the DRC NAP in its Localization of 1325 and 1820 program. This program represents a concrete effort in implementation.

Indicator 8 – Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

In the DRC, CSOs are organizing awareness campaigns on transitional justice and the peaceful coexistence of communities. The Truth and Reconciliation Commission (TRC) operating during the transition period of 2003-2006 was disbanded after the presidential, legislative and provincial elections. This was because the Commission never became operational due to various reasons, including the fact that the Commission was composed of suspected perpetrators of human rights violations during the armed conflict of 1998 to 2003.

Indicator 9 – Percentage of women (versus men) who receive

economic packages in conflict resolution and reconstruction processes

Table 9.1: Percentage of women (compared to men) who received economic packages in the processes of conflict resolution and reconstruction in 2013

Type of package	Number of Women	Number of Men	% of women
DDR Funds	3,388	106,425	3
Child Soldiers	2,280	30,755	6.9
Campaigns for recovering arms amongst the population in exchange for money in North Kivu with PAREC	63	7,437	0.8
Training sessions on 1325 organized by SIDA / Sweden	15	5	75

Since 2004, the Government of the DRC has been striving to demobilize and reintegrate ex-combatants who participated in the many regional and ethnic conflicts in the country. The implementation of the National Program for Disarmament, Demobilization and Reintegration (PNDDR) is underway with funding from the African Development Bank (ADB). The funding from the World Bank (IDA) was closed in September 2011. In total, the PNDDR has demobilized 109,846 combatants, released 31,738 children in armed forces, and supported the reintegration of 83,360 veterans.

The current work of the PNDDR focuses on economic reintegration of ex-combatants, particularly within the agricultural sector through cooperative farms. Children Associated with Armed Forces and Groups (EAFGA), who have gone through the DDR process between 2008–2011 in the eastern DRC, remains a priority of the UEPNDDR. Recently with UNICEF's strategic partnership, the UEPNDDR piloted the project "Support Child Soldiers" with the financial support of the World Bank. Up until 2011, more than 33,000 children benefited from socio-economic reintegration through the implementation of UNICEF's appropriate programs that work directly with national and international associations of child protection.²⁶ In the framework accompanying this process, the UEPNDDR established a mission in South Kivu in September 2012. The mandate of the mission was to assess the status of implementation of the component "Support for ESFGA," implemented by UNICEF and partners in the South Kivu province in 2010, the date of the last joint assessment mission.

The PNDDR offers demobilized women another way of life. This

26 See "Les Enfants Associés aux Forces et Groupes Armés," UEPNDDR, August 2013.

materializes increasingly through organizations of demobilized women who have selected agriculture as their main livelihood. After receiving training and individual kits financed by the World Bank (Phase 1: 2006-2007 and Phase recovery: 2008-2009), these women received additional specific support and successfully transformed into legalized associations with the message "unity is strength!" A total of seven associations representing about 150 members are active in the agriculture sector of Makuto Menkaoon, in the outskirts of Kinshasa. They have received several food series: beans, sweet potatoes, corn, watermelons, and cassava. They have 49 cuttings of cassava, corn, okra, and eggplant. Following these positive results, and to encourage the women further, the PNDDR facilitated the acquisition of a grant of 105 acres for these women's groups on the Mabanosite.²⁷

Although the packages do not include a breakdown of sex disaggregated data, it is provided on the numbers of those

demobilized and includes only people targeted, identified and sensitized who had knowledge of these packages. The difference between humanitarian aid and demobilization packages lies in the nature of kit contents. Humanitarian aid is urgent action whereas the reinsertion kit goes beyond emergencies and aims to strengthen the economic capacity of ex-combatants. As the targeted population to demobilize is recorded, each person receives packages as planned.

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Table 10.1: Number and type of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Type of training	Pre-deployment	Post-deployment	Number of troops receiving training
Democracy and reform of the security sector	N/A	Session on SSR	150
Sexual Violence	N/A	Session on SV	250 FARDC 500 PNC
UNSCR 1325	N/A	Gender orientation for military observers, civilian police, and civilian personnel quotas MONUSCO Sessions	450 FARDC
UNSCR 1820, 1888, 1889 et 1960	N/A	Orientation sessions on sexual violence and other gender-based violence, Driving & Discipline	N/A
Human Security	N/A	Orientation sessions on human rights, the protection of civilians, etc.	N/A
Code of Good Conduct	N/A	Orientation sessions as part of the struggle waged by the United Nations to prevent exploitation and sexual abuse committed by its staff	N/A

Source: MONUSCO. Réforme du Secteur Sécuritaire, 2012.

27 See "Une autre alternative de vie offerte par le PNDDR," UEPNDDR, August 2013.

The various programs are provided by UNDP, MONUSCO, DDR, EUPOL, EUSEC, the FARDC and the PNC. It is difficult to obtain data on the number of hours per session, participants.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

Table 11.1: Allocated and disbursed funding marked for women, peace and security programs (WPS) to CSOs

CSO	Donor country/ entity	Purpose/project	Amount received for WPS	% of total CSO budget dedicated to WPS
Permanent Consultative Framework of Congolese Women « CAFCO »	Ministry of Gender, Family and Children	Popularization of laws on sexual violence in schools in Kinshasa	SUSD 165,000	25
	GNWP	Localization of UNSCR 1325 and 1820 program	SUSD 82,000	100
Parliamentary Network of Women Ministers « REFAMP »	Ministry of Gender, Family and Children	Strengthen the capacity of women advocating for political participation in the process of peacebuilding.	SUSD 165,000	100
Common Cause	Ministry of Gender, Family and Children	Strengthening women's leadership through the DRC	SUSD 220,000	0
LIZADDEL	Ministry of Gender, Family and Children	Promote children's rights and combat violence against the girl child.	SUSD 100,000	100
WILPF/RDC	Folke Bernadotte Academy. (Sweden).	Popularization of 1235, 1820 and other legal instruments Resolution.	SUSD 16,000	100
Total			\$USD 748,000	

Table 11.2: Allocated and disbursed funding marked for women, peace and security programs (WPS) to government in 2012

Government body in charge of project and/ or programs	Government body in charge of project and/ or programs	Government body in charge of project and/ or programs	Government body in charge of project and/ or programs	Government body in charge of project and/ or programs
Women's Ministry (Ministry of Gender, Family and Children)	Undercharged Funds	UN Women	Treatment of victims of SGBV during the conflict	SUSD 78,400
Total				\$USD 78,400

The largest share of funding for the implementation of UNSC Resolutions 1325, 1820, 1888, 1889, 1960, 2016 came from technical and financial partners. At the national level, key players of the NAP agreed to establish a Trust Fund to finance activities under the NAP during the Open Day held in Kinshasa from 29 to 31 October 2012. UN Women will manage the coordination of this Trust Fund and determine the fund management criteria. The Trust fund was created by the Ministerial Decree 09/MIGEFA of 5 June 2013. Referring to the Fund that was held, allocated and disbursed to CSOs for programs on Women, Peace and

Security (WPS) in 2012, and the estimates of the NAP budget of U.S. \$59,108,883,²⁸ the report "What the Women Say" details that, "the considerable financial cost of militarism may force the international community to revisit the emerging principles for conflict prevention and human security that emerged in the 1990s."²⁹ This bestows the priority of financing on the government and donors to finance the implementation of resolution 1325, instead of increasing the cost of militarization in the country.

²⁸ See the DRC's National Action Plan, Mars 2013.

²⁹ See *What the Women Say, Participation and UNSCR 1325, A Case Study Assessment*, ICAN, Center for International Studies, October 2010, p 45.

III. Conclusion and Recommendations

Conclusion

This report seeks to monitor the progress of the implementation of UNSCR 1325 in the DRC. With regards to women's political participation in decision-making bodies at the national, provincial and local level, Articles 14 and 15 of the Constitution that promote gender equality in all institutions and sectors of national life have not yet been fulfilled. Although legal reforms have sought out to strengthen women's rights, there has been a lack of political will in the implementation of these laws. Women have been largely excluded from peace processes, yet they are the first victims exposed to sexual violence during armed conflict. Despite the presence of encouraging indicators that have promoted women to hold posts in security and justice areas, more efforts are needed to meet the challenge of equal participation of women in security sector reform.

At the time of writing this report, President Joseph Kabila had initiated a process of national consultations on Saturday, September 7, 2013, at the People's Palace in Kinshasa. He noted that these meetings are convened to consolidate national unity, "to ensure victory over the forces of aggression" and "end the vicious cycle of repeated violence mainly in North and South Kivu and Ituri." He also added that these meetings will strengthen the authority of the State throughout the national territory. The percentage of Congolese women's participation in consultations

Although legal reforms have sought out to strengthen women's rights, there has been a lack of political will in the implementation of these laws. Women have been largely excluded from peace processes, yet they are the first victims exposed to sexual violence during armed conflict.

is not yet known. The outcome of these consultations will be provided in the analysis of the 2014 monitoring report.

It is hoped that the recommendations in this report will be used to direct the efforts of policy makers, donors and civil society towards the necessary targets to facilitate the full participation of women in all areas of life, and help the DRC out of the perpetual cycle of conflict, so as to end sexual violence and move towards sustainable development.

Recommendations

Indicators	Actions	Actors
A. PARTICIPATION		
1	• Advocate for and monitor the proposed Parity Act and the Family Code	CSOs
	• Accelerate the adoption of the Law on the implementation of gender equality	Parliament
	• Support the development of a specific and comprehensive national action plan on Resolutions 1325 and 1820 in the DRC	Government
	• Promote women's decision-making skills in all areas and at all levels	Government
2	• Negotiate meetings between women's groups, facilitators and the negotiating parties to ensure that women can formally request a direct participation in the peace talks;	CSOs, Government
	• Conduct awareness campaigns to inform the public of the importance of participation in the peace process;	CSOs
	• Provide training to members of the negotiating parties - men and women on the importance of including a gender perspective in the peace process.	CSOs and bi/multilateral partners
	• Ensure women's participation in the consultations provided for the operationalization of the Peace and Cooperation Framework security.	Government
3	• Increase Promotion of competent military and police women with seniority in positions of high command;	Government
	• Include in the structures of the reform the theme of Gender and Gender Based Violence.	All key players in the implement of UNSCR 1235, bi/multilateral partners
4	• Contribute by offering recommendations to parliamentarians on the drafting of laws to be adopted	CSOs
5	• Accelerate the appointment of members of the Steering Committee of 1325	Ministry of Gender

B. PROTECTION AND PREVENTION		
6	<ul style="list-style-type: none"> Strengthen the technical capacity of civil society organizations involved in the fight against GBV, especially sexual violence so that they are able to fulfill their role; Advocate for the establishment of a Special Court for the DRC to fight impunity; Disseminate the Sexual Violence Act; Strengthen legal sanctions on gender-based violence 	Government and bi/multilateral partners Government CSOs
7	<ul style="list-style-type: none"> Conduct extension activities of the various laws and policies promulgated and various instruments ratified for the integration of the gender dimension; Organize awareness campaigns and mobilize the population at all levels for greater ownership of the gender approach. 	CSOs
8	<ul style="list-style-type: none"> Conduct awareness campaigns on transitional justice and the peaceful coexistence of communities; Establish an ongoing dialogue between the leaders and the people, for national cohesion; Conduct advocacy for the restoration of justice as a prerequisite for a lasting peace 	CSOs
9	<ul style="list-style-type: none"> Revitalise DDR 	Government
C. PROMOTION OF A GENDER PERSPECTIVE		
10	<ul style="list-style-type: none"> Organize deployment sessions, incorporating SCR 1325 and 1820, international human rights and international humanitarian law by deploying peacekeeping instruments 	UN
11	<ul style="list-style-type: none"> Advocacy on education for all and the revival of agriculture for food security and development Strengthen the capacity of women in different fields Offer technical and financial support to women's organizations 	CSOs, Ministry of Gender Education and other actors

Table Footnotes:

- i Cease-fire agreement of Lusaka, 10 July 1999, www.democratic.francophonie.org
- ii Global and Inclusive Agreement on the Transition in the DRC, 17 December 2002.
- iii Pact on Security, Stability and Development in the Great Lakes Region, 15 December 2006, Nairobi, Kenya.
- iv Goma Act of Engagement, January 2008
- v Peace agreement between the Government and the National Congress for the Defence of the People (CNDP), signed March 23, 2009, Goma.
- vi Cooperation, Peace and Security Framework RDC in DRC and the region, 24 February 2013, Addis-Abeba.

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 Women's Peace Dialogue & Women's Peace Delegation in the Democratic Republic of Congo , Women's Peace Dialogue – April 5-6, 2013 Kinshasa, www.gnwp.org

Resolutions

Résolution du Conseil de Sécurité des Nations Unies 1325, adoptée par le Conseil de Sécurité à sa 4214^e séance, le 31 Octobre, 2000
 Résolution 1355 du Conseil de Sécurité (2001) condamne l'utilisation des enfants soldats.
 Résolution du Conseil de Sécurité des Nations Unies 1820, adoptée par le Conseil de Sécurité à sa 5918^e séance, le 19 Juin 2009
 Résolution du Conseil de Sécurité des Nations Unies 1888, adoptée par le Conseil de Sécurité à sa 6195^e séance, le 30 Septembre 2009
 Les Enfants Associés aux Forces et Groupes Armés, UEPNDDR, Aout 2013

Ordinances and decrees

Ordonnance d'organisation judiciaire n°13/029 du 1^{er} juin 2013 portant nomination des magistrats du Siègè.
 Ordonnance N° 13/089 du 7 juillet 2013 portant nomination dans la catégorie des Officiers Généraux au sein des FARDC.
 Ordonnance d'organisation judiciaire n°13/048 du 1^{er} juin portant nomination des Chefs d'Office de parquet.
 Arrêtés ministériels MIGEFAE du 5 juin 2013 portant respectivement (i) création, organisation et fonctionnement du Comité de Pilotage National, Provincial et Local en RDC de la R1325 du CSNU, (ii) création du Comité de Coordination chargée de la gestion et du suivi de la mise en œuvre des projets financés par le Trust Fund et autres projets relatifs au PAN de la mise en œuvre de la R1325.

Interviews

Parliamentary Committees
 Ministry of Gender, Family and Children
 Ministry of Justice
 Ministry of Defense and Security
 Ministry of Foreign Affairs
 Provincial Assemblies
 Women's organizations of civil society

Republic of Liberia

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Researchers: Edward Rowland, Festus Poquie, Konah A. Karmo

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List of acronyms

AFELL	Association of Female Journalist
AFISMA	African-led International Support Mission in Mali
BCE	Bureau of Customs and Excise
BIN	Bureau of Immigration and Naturalization
CPA	Comprehensive Peace Agreement
CSO	Civil Society Organization
EU	European Union
GBV	Gender Based Violence
GNWP	Global Network of Women Peacebuilders
GOL	Government of Liberia
HDI	Human Development Index
LIWOMAC	Liberia Women Media Action Committee
LNP	Liberia National Police
MOGD	Ministry of Gender and Development
NFS	National Fire Service
NSA	National Security Agency
OSIWA	Open Society in West Africa
PUL	Press Union of Liberia
SSR	Security Sector Reform
SGBV	Sexual and Gender Based Violence
TRC	Truth and Reconciliation Commission
UNMIL	United Nations Mission in Liberia
UNSCR	United Nations Security Council Resolution
USAID	United States Action for International Development

I. Women, peace and security profile

Introduction

Liberia has made significant progress in the development of its fragile democracy in the decade since the end of its 14-year civil war. Between 2012 and 2013, Liberia has shown an eight point leap on the Human Development Index (HDI) from 182 to 174 out of 187 countries.¹ Liberia has also seen a decrease in poverty and maternal mortality in the past year.² Despite these achievements, 76 percent of the Liberian population still lives below the poverty line and Liberia's score on the Human Development Index remains well below the regional average.

As acknowledged by United Nations Security Council Resolution (UNSCR) 1325, women often account for the vast majority of those adversely affected by the armed conflict.³ This has certainly been the case in relation to the Liberian civil war. Women in Liberia are not only faced with the infrastructural and economic hurdles of a decade along with civil war, they are also facing with high levels of sexual exploitation (SE) and sexual and gender based violence (SGBV).

Although there are major concerns and some obvious barriers to the security of women, Liberia has also made significant progress in garnering support for women's rights and demonstrating the ability of its women. Through the election of Ellen Johnson-Sirleaf, Liberia's 24th President, gender mainstreaming and equality continue to be at the forefront of politics in Liberia. The Agenda for Transformation, the second Poverty Reduction Strategy, passed by the Sirleaf Government have placed the improvement of the socioeconomic and political status and capacity of women at the forefront.

2012 also saw Liberia play host to the United Nations Secretary General's High Panel on Eminent Persons on the Post-2015 Development Agenda. The 27-member panel, co-chaired by Johnson-Sirleaf, David Cameron and Susilo Bambang Yudhoyono, was tasked with providing recommendations on advancing the development framework beyond the target date for the UN's Millennium Development Goals.

The hosting of the High Panel was momentous as it showed a vote of confidence by the international community in Liberia's infrastructural capacity and stability. Despite this vote of confidence, the rise of instability in two of Liberia's bordering countries Ivory Coast and Guinea, serves as a reminder of the fragility of peace after a not so distant civil war. As peacekeeping obligations are transferred from the United Nations Mission in Liberia (UNMIL) to national military and police personnel, this report examines both the successes and failures of the implementation of UNSCR 1325.

1 UNDP, Global Human Development Report 2013, "The Rise of the South: Human Progress in a Diverse World", International Human Development Indicators, ISBN 978-92-1-126340-4

2 World Factbook, Liberia Demographics, Maternal mortality rate, Index Mundi 2013: http://www.indexmundi.com/liberia/maternal_mortality_rate.html

3 UN Security Council, United Nations Security Council Resolution 1325 on Women, Peace and Security (S/Res/1325), (New York: United Nations, 2000), : http://www.un.org/events/res_1325e.pdf.

Acknowledging the important role of women in the prevention and resolution of conflicts in peacebuilding; this report evaluates the impact of peace and security successes and shortfalls on women in Liberia. Using indicators developed by Global Network of Women Peacebuilders (GNWP), this report will analyze the socio-political and socio-economic implications of the roles women play in the post-conflict Liberian society with the purpose of determining the effectiveness with which UNSCR 1325 has been implemented.

A. Nature of the conflict

On the 16 January 2006, Liberia made history by electing into the Government office Ellen Johnson-Sirleaf as the first female head of state in Africa. Liberia is a post-conflict nation that was devastated by a violent, abhorrent civil war from 1989 to 2003. The causes and socio-political impact of that war cannot be analyzed without mention of Liberia's historical context.

Founded in 1847 by free born African-American, freed slaves from the Americas and the Caribbean, Liberia was to be the beacon of hope as Africa's first independent nation. However, the roots of future conflict were firmly planted by the settlers' decision to segregate the country between themselves and indigenous Liberians.⁴ Well into the mid-1900s, members of Liberia's 16 ethnic tribes were subjected to sub-standard treatment and prevented from participating in the governance of the nation.

It is in this setting that Liberia's first violent coup d'etat was carried out largely in response to the shooting of protestors at the Rice Riots of April 14, 1979. In 1980 Master Sargent Samuel K. Doe, of the Armed Forces of Liberia (AFL), overthrew President William Tolbert to become Liberia's first ruler of indigenous decent. Although Doe's reign saw the end of minority Americo-Liberian rule, it was marred by extreme violence and paranoia. After executing of 13 of key members of Tolbert's administration, Doe began to seek out and eliminate those in opposition as well as his very own former coup comrades.

In 1989, the National Patriotic Front of Liberia (NPFL), led by Charles Taylor, a former member of the Doe administration, invaded Liberia with the aim of ousting Doe. Six months later, after the splintering of the NPFL, the Independent National Patriotic Front of Liberia (INPFL), led by Prince Johnson captured, tortured and executed Samuel K. Doe. A further rebel group, United Liberation Movement for Democracy (ULMD), comprised of Doe's supporters from Sierra Leone and Guinea joined the civil war.

The conflict in Liberia spilled over its borders when Taylor backed Revolutionary United Front (RUF) joined the war in Sierra

4 Harvard Humanitarian Initiative 2001, Liberia Project, Peacebuilding Data: <http://www.peacebuildingdata.org/liberia/results/civil-war/root-causes-civil-war>

Leone. On April 26, 2012, the Special Court for Sierra Leone found Taylor guilty of 11 counts of war crimes and crimes against humanity in relation to his role in RUF and the Sierra Leonean civil war. Taylor is currently appealing that judgment.

Although the Economic Community of West African States tried to end the war by arranging cease fire agreements and by deploying cease-fire monitoring group peace keeping mission (ECOMOG), warring groups continued to split into fragments and relative peace was not possible until 1996.⁵ Upon signing of the Abuja Agreement, an election was held with Charles Taylor proving the victor. Taylor's rule was marked by gross human rights violations with constant scenes of torture and murder.⁶

Liberia's tentative peace, enjoyed from 1996 to 2000 was brought to an end when two groups opposing Taylor's rule invaded the country,⁷ resuming full-scale conflict. The Liberians United for Reconciliation and Democracy (LURD) and Movement for Democracy in Liberia reduced Taylor's control of the country to a third.

Due to international pressure, Taylor resigned the presidency on August 11, 2003. On August 18, 2003, a Comprehensive Peace Agreement was signed and the Liberian National Transitional Government (LNTG), headed by Gyude Bryant was tasked with running the country until the 2005 elections.

The 2005 elections won by Ellen Johnson-Sirleaf, have ushered in an era of peace and stability in Liberia. The Armed Forces of Liberia has experienced vast improvements through the Security Sector Improvements. In the year 2013, Liberia deployed a peacekeeping mission to Mali. Although, there are concerns about the transfer of responsibility from UNMIL to the AFL, positive recent developments, such as the deployment to Mali, indicate that the AFL will be able to handle their new responsibilities.

B. Impact of conflict on women

As a direct result of the conflict in Liberia, nearly half of Liberia's population became internally displaced or fled to neighboring countries of Ivory Coast, Guinea and Sierra Leone.⁸ As is the case in most conflicts, the women of Liberia were disproportionately adversely affected by the civil war. According to the Truth and Reconciliation Commission (TRC), all warring sides of the Liberian civil war subjected women and girls to deliberate and systematic sexual gender based violence (SGBV). Girls were also conscripted into the opposing rebel fractures as sex slaves and child soldiers. However, unlike their male counterpart, little was

done to reintegrate female child soldiers into society.⁹ Former female child soldiers continue to be shunned by their families and by society.

Despite the atrocities committed against women during the civil war and shortcomings after its end, it must be noted that the women of Liberia were a vastly influential force for peace and stability during the war and they continue to be influential to the post-conflict reconciliation and rebuilding process. Women's groups such as the Mano River Women's Peace Network (MAWOPNET) and Women in Peacebuilding Program (WIPNET) were instrumental to the realization of peace and security in Liberia. In 2003, MAWOPNET participated in peace talks as silent observers. WIPNET were also granted a similar status at a later stage. Through demonstrations, praying,¹⁰ sit-ins, and social mobilization and by physically stopping the delegates from leaving the site until peace talks were completed, Liberian women managed to garner peace for themselves and the future of their country.

Since the end of the civil war, there have been some significant symbols of empowerment of women most clearly illustrated by the election of Ellen Johnson-Sirleaf as Liberia's 24th president. By jointly awarding Ellen Johnson-Sirleaf and Leymah Gbowee the Nobel Peace Prize for their contribution to Liberia's peace, the Norwegian Nobel Committee provided a further symbol of empowerment and of the significance of women to the peacebuilding process.

Despite these monumental and symbolic achievements, Liberia remains a very gender unequal society. Although Liberia has had an eight point leap up the Human Development Index to a rank of 174 out of 187, percentage loss of potential human development due to gender inequality leaves the post-conflict nation ranked at 182 out of 187 on the gender inequality index.

C. Relevant legal and policy framework

Thus far, in the year 2013, Liberia has not made significant legal developments in relation to the peace and security of women. The Gender Equality Bill, proposed by President Ellen Johnson-Sirleaf asking for 30 percent representation of women in all levels of government was rejected by the national legislature. The same fate has befallen the Parity Bill, introduced by the Female Legislative Caucus.¹¹ Unfortunately, this Bill which calls for equal representation of women in the Legislature has also not been accepted by the Legislature. Despite vast gains made by the passing of gender-responsive legislations and policies in the recent past, Liberian women were unable to make any advances in the pursuit of legislative gains in the 2012 and 2013 thus far.

The Agenda for Transformation

Although no legislative gains have been made in 2012, there have been moderate policy advancements. Following from the Poverty

⁵ Advocates for Human Rights – 'A House with Two Rooms': Final Report of the Truth and Reconciliation Commission of Liberia Diaspora Project, Background on Liberia and the conflict, p 56, Published by DRI Press, St. Paul, Minnesota, : http://www.theadvocatesforhumanrights.org/Final_Report.html

⁶ "Charles Taylor's son, a US citizen known as Chuck Taylor was indicted in 2006 in US federal court for his actions as head of the Anti-terrorism Unit, a paramilitary unit of Charles Taylor's government alleged to be responsible for the torture and murder of many." Press Release, US State Department, Roy Belfast Junior aka Chuckie Taylor Indicted on Torture Charges: Justice Department Brings First Ever Torture Charges (6 Dec, 2012), http://www.usdoj.gov/opa/pr/2006/December/06_crm_813.html

⁷ LURD invaded in 2000; MODEL invaded in 2003

⁸ International Center for Research on Women and The Centre for Development and Population Activity, 1999, Promoting Women in Development, Violence Against Women in Times of War

⁹ Clair MacDougall, "When Child Soldiers Grow Up", Newsweek 31.07.2013

¹⁰ As documented in the award winning documentary "Pray the Devil Back to the Hell", 2008-2009 Fork Films LLC : <http://praythediabacktohell.com/>

¹¹ The Female Legislative Caucus is headed by Josephine Francis, District 1 Representative (Montserrado County) of the Unity Party

Reduction Strategy I, the Government of Liberia released Poverty Reduction Strategy II via the Agenda for Transformation (AFT). The AFT calls for improvement in the socioeconomic and political status and capacity of women in Liberia.

The AFT aims to achieve these goals by:¹²

- ▶ Improving the capacity of women to respond to gender-based violence and traditional practices
- ▶ Increasing women's participation in the community decision making process
- ▶ Strengthening women participation in income generation and employment opportunities in agriculture, fisheries and the formal sector.

Despite the creation of gender-responsive policies, security of women remains an area in need of vast improvement. Although Liberia's 2006 Rape Law adequately defines and prohibits rape, the reporting and conviction rates for rape are staggeringly low. Of the 369 cases of rape reported to the Women and Children Protection Service of the Liberia National Police (LNP), only 125 cases were forwarded to court. Of those cases forwarded to court, only six were prosecuted with 1 acquittal and 5 convictions.¹³ The stigma of rape and out of court settlements are believed to be partially responsible for the low conviction rates of rape in Liberia.

II. Data presentation and analysis

Methodology

Desk Review

A sizeable portion of the information for this report, particularly the quantitative data, was gathered by a comprehensive desk review of reports and studies conducted by the Government of Liberia, national and international NGOs and civil society organizations.

Stakeholders Survey

A written survey was conducted among 300 targeted respondents. Due to time constraints, respondents were chosen only within the Monrovia area. A set of 36 questions relating to the GNWP indicators on the UNSCR 1325 implementation was distributed to members of Women Groups, Civil Society Organizations (other than Women Groups) the media, Government entities, members of the private sector and ordinary people. The survey interviews were conducted by 10 Field Workers (5 males and 5 females), hired and trained by the Electronic Communication Consulting Services (E-Comsult) on the relevant GNWP indicators. Following

¹² Government of Liberia, Poverty Reduction strategy II, Agenda for Transformation, Pillar V, Agenda for transformation, 2012, p126

¹³ Bureau of Democracy, Human Rights and Labor, Country Reports of Human Rights Practices 2012, United States State Department : <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>

Despite these achievements at the top levels of government, women are seemingly unable to gain political advantages at intermediate and local levels of government.

the interviews, the questionnaires were statistically analyzed in specific database programs, and subsequently analyzed by a team of consultants.

Key Informants Interviews

Interviews meant to obtain specific informed and evidence based data were also conducted with relevant stakeholders from the Government institutions and civil society organizations on key issues relevant to the implementation of UNSCR 1325.

A. Participation

Indicator 1 – Index of women's participation in governance

Table 1.1: Index of women's participation in governance in 2012

National government (total)	Number of women	Number of men	% of women
Executive			
Commissioner - Land Commissioner	3	2	60
Commissioner National Elections Commissioner	3	4	42.8
National Fire Service - Officer	148	399	27.1
Commissioner - Governance commission	3	2	40
Local government (total)			
Superintendent	5	10	33.3

Table 1.2: Percentage of women's participation in governance from

	2005	2011	2012
National government (ministerial Posts)	22%	25%	25%
Local government (Superintendents)	----	40%	33%
Total	----	32%	29%

Ellen Johnson-Sirleaf has appointed more women to power than at any other stage in Liberia's history. Of the 19 government ministers appointed, 6 are women. Women also occupy deputy ministerial positions and lead several government agencies, thus bringing to 31 percent, the representation of women in the

senior level of the government as of July 2013. Johnson-Sirleaf has also appointed a woman as director of her cabinet and another woman as permanent representative to the United Nations in New York.

Despite these achievements at the top levels of government, women are seemingly unable to gain political advantages at intermediate and local levels of government. Female candidates have conceded the majority of legislative and senate elections showing that their positions and thus political influence are due to appointments not the will of the people. This indicates that the political gains made by the appointment of women as top government officials are symbolic gestures that only serve to disguise the political inequality within the country.

During our Key Informant Interview,¹⁴ Andrew G. Tehmeh, Deputy Minister for Planning and Administration of the Ministry of Gender and Development, attributed the lack of political gains in 2012 to the deceleration of the women's rights movement in Liberia. He purported that the movement for gender equality and women's rights was more organized and singularly focused in 2005 when they fought for the election of Ellen Johnson-Sirleaf. Such vitality has been lacking in 2013. Although Johnson-Sirleaf's presidency has been a positive step for women, it has also led to a sense of false security. There are now those who wrongly believe that there is no discrimination against women.¹⁵

This sense of false security was clearly evidenced in our survey. 69 percent of those surveyed believed that participation of women in Parliament had increased since 2012. In reality, women's representation in the bicameral legislature had decreased. After the 2006 election, women lawmakers held 17 out of a total of 94 seats, while after the 2011 election that number had fallen to 13 out of 94 seats.¹⁶ Currently, women only make up to 11 percent of the Senate and 13 percent of the House of Representative.¹⁷ Despite the 30 percent target set by the National Election Commission (NEC), women continue to be underrepresented in candidacy nomination.

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

2013 marks the tenth anniversary of the end of Liberia's civil war. During the decade, the nation has enjoyed a period of peace and stability. As such, there have been no major peace negotiation processes in the country. However, the call for violent nationwide protests to be held on April 12, 2013 led to a minor peace negotiation. Anti-government groups threatened the country with a "deadly" protest¹⁸ on a date that marked the deposition and assignation of Liberia's former President William Tolbert. Crisis was averted due to the efforts of the Inter-Faith Council, CSOs and Women in Peace-building Network (WIPNET) among

others. Once again women were at the focal point of this effort for peace. In honor of Liberia's decade of peace on August 19, the Women in Peace-building Network (WIPNET) raised flags in Monrovia representing countries in the Economic Community of West African States (ECOWAS) in recognition of the role women played during the war and continue to play to maintain peace in the region.

Indicator 3 – Index of women participation in the justice, security sector, and peacekeeping missions

Women in the Judiciary

The number of women in the judiciary has increased in the past year. Of the 5 Supreme Court judges, 2 are women. That is a 40 percent representation. Of the 23 local trial judges, known as magistrates, 6 are women equaling a 26 percent representation. This is an 11 percent increase from the year 2011. 13 percent of the staff members at the Ministry of Justice are women. As is the case in other sectors of governance in Liberia, women are better represented at top levels. Although this level of representation at the higher end of the judiciary is positive, it is less appealing when analyzed in relation to intermediate levels of the judiciary. Positions at the senior level of judiciary are appointed by the government and intermediate level positions are not. Where the government is not involved, female representation is significantly lower. This indicates that the state of representation of women within the judiciary is fragile as it is dependent on the whim of the government of the day.

Security Sector Reform

Since the end of its 14-year civil war, Liberia has embarked on a long journey of security sector reform (SSR). In 2009, the Government of Liberia (GOL), through its National Action Plan, set a policy goal of a minimum of 20 percent female representation within the army and police forces.¹⁹ With UNMIL and other international partners, a policy of gender training and gender mainstreaming was under taken by the LNP.²⁰ A Women and Child Protection Section and a Gender Affairs Unit were established with the aim of promoting women's equality, and peace and security for all. Despite this aspiration for inclusion of women in the security sector institutions (SSI), the 20 percent goal has not been met.

Table 3.1: Index of women participating in military and police in 2012

	Number of women	Number of men	% of women
Police (total) ⁱ	762	3,639	17.3%
Army (total) ⁱⁱ	110	1,980	5.3%
Military and police total	872	5,619	15.5%

¹⁴ Interview, Key Informant, Ministry of Gender and Development, 20-08-2013

¹⁵ Interview, Key Informant, Ministry of Gender and Development, 20-08-2013

¹⁶ Ibid

¹⁷ Inter-Parliamentary Union, "Women in Parliament" Situation as of 1 July 2013: <http://www.ipu.org/wmn-e/classif.htm>

¹⁸ Boima, J.V. "Liberia: Ellen Warned of April 12 Protest", 03-04-2013: <http://allafrica.com/stories/201304031054.html>

¹⁹ International Research and Training Institute for the Advancement of Women, "Women, Peace and Security in Liberia: Supporting the Implementation of Resolution 1325 in Liberia," March 2009

²⁰ SPAIS Seminar Series, 'When international gender norms travel: Analysing Gender Mainstreaming in Security Sector Reform', 11-28-12: <http://www.bristol.ac.uk/global-insecurities/events/2012/21.html>

Women in the Military

Women currently account for 5.3 percent of the Armed Forces of Liberia. Although this figure is very low, it is an improvement on the 2011 figure of 3.7 percent.²¹ The low participation of women in the Armed forces may be partially attributed to the fact that women are prohibited from joining the infantry. When all sectors and positions of the military are looked at individually, the figure becomes more promising. Although only 1 of the 20 Majors in the AFL is a female, women are more equally represented at lower and civilian levels of the army. In relation to civilian personnel of the AFL, women account for 44 out of the 185. In this case, women have exceeded the minimum requirement of 20 percent achieving 24 percent representation. There are also 17 female Lieutenants, 5 female Captains and 6 females in the engineering battalion.

One reason for low female representation in certain areas of the Military is the attitude of the society towards female members of the Military. Due to the atrocities committed by the AFL during Liberia's civil war, the army is still viewed with some skepticism. Army lifestyle is not seen as an appropriate option for women. There is a need for greater awareness if women are to be enticed into the military.

Women in the Police

As of July 2013, the number of National Police stands at 4,401. There are 762 female officers accounting for 17.3 percent of the police force. This is a fall from the 2012 figure of 800 female officers representing a 20 percent of the force. However, the LNP recruitment strategy indicates that this figure is likely to increase in the future. Thus far, of the total 148 recruits for the year 2013, 46 are women i.e. 31 percent of all new recruits are women. If this trend continues, the LNP will eventually surpass their minimum recruitment goals. There is no significant difference in female representation at a lower, intermediate or senior level of the police.

Other National Security Sector Institutions

Although the LNP and AFL have not met the 20 percent minimum standard set by the LNAP, Liberia's other national security sectors institutions (SSI) have achieved more promising outcomes. According to the 2012 Ministry of Gender and Development survey on gender equality, female representation in SSIs stands as follows:²²

1. National Fire Service (NFS)	43%
2. National Security Agency (NSA)	22%
3. Bureau of Immigration and Naturalization (BIN)	21%
4. Bureau of Customs and Excise (BCE)	25%
5. Drug Enforcement Agency (DEA)	14%

These figures demonstrate that although more efforts could be made towards further gender mainstreaming in Liberia's Security Service Institutions, many SSIs are on the right path. A reason for

the variations in representation of women in the various SSIs is the risk of personal harm involved. Institutions such as the LNP, the AFL and the Drug Enforcement Agency have a low rate of female representation than the Bureau of Customs and Excise, The Bureau of Immigration and Naturalization and the National Security Agency where the nature of assignments involve less of a risk of personal harm.

UN Military Personnel

Table 3.3: Index of women participating in peacekeeping missions (TROOP CONTRIBUTING) in 2012²³

	Number of women	Number of men	% of women
Military experts	6	114	5%
Troops	212	5578	3.7%
Individual police	56	419	11.8%
Formed police units	127	856	12.9

Source: United Missions in Liberia, Gender Report 2012

The United Nations peacekeeping force in Liberia (UNMIL) performed below expectation in relation to gender equality goals. Women continue to be underrepresented in the UNMIL. Out of a total of 120 military experts, women account for 6 whilst men account for 114. This is a 5 percent representation. The total number of troops presently in Liberia as of July 2013 is 5,790 with a male dominance of 5 578 and female representation at 212. This is an even lower 3 percent count.

In the peacekeeping police force has seen a decrease in female representation in 2012. Individual police strength stands at 475 with female representation at 56 while male is 419. Women account for 11 percent of the force, down from 13 percent in the previous year. The proportion of women has also decreased in the formed police unit. Of 983 police, there are 127 accounting for 13 percent of the force.²³ This is a decrease of 2 percentage points from the previous year's 15 percent representation.

Participation of AFL in Peacekeeping Missions

2013 saw the deployment of 46 AFL troops to Mali as a part of the African-led United Nations Multi-Dimensional Integrated Stabilization Mission in Mali (MINUSMA). President Ellen Johnson-Sirleaf viewed the deployment of this battalion as "a pay-back, by Liberia, to the many West African, African and international groups from countries that have enabled us to now come close to our tenth consecutive year of peace."²⁴ This operation marks a significant step in the establishment of Liberia as peaceful, stable member of the international community. Unfortunately, as women are prohibited from participating in the infantry, there were no women on this battalion.

²³ United Missions in Liberia, Gender Report 2012

²⁴ Special Statement by H.E. President Ellen Johnson Sirleaf at Official Launch of 'Kick-Start' Implementation of the National Reconciliation Roadmap for Liberia & National Dialogue Conference on Peace and Reconciliation Centennial Pavilion, Thursday, June 20, 2013: http://www.emansion.gov.lr/doc/20130620President%20Sirleafs_Statement-at_Kick-Start_Implementation_of_National_Reconciliation-Roadmap.pdf

²¹ Women Count, Security Council Resolution 1325: Civil Society Monitoring Report 2012

²² All figures are from Ministry of Gender and Development Annual Report 2012

Indicator 4 – Number and percentage of women participating in each type of constitutional legislative review (including security sector review)

The Constitution Review Committee

The Constitution Review Commission was established by the Constitution Review Committee is a 6 member committee with 2 women and 4 men, a 33 percent representation. The Chairperson of the Committee is a woman, Cllr. Gloria Musu Scott. Committee members were chosen with the aim of representing a cross section of religious, political and regional backgrounds. The Constitutional Review Committee has not yet made their recommendations to the President. Therefore, the significance of the influence of the women on the Committee cannot be ascertained. Male and Female members of the Committee are equally qualified.

The National Election Commission

There has been a slight decrease in female representation at the National Election Commission. Of the five members of the Commission, two (40 percent) are women. This decrease from the previous year's 50 percent representation is a result of the fact that the vacancy for Commissioner has not been filled thus reducing the number of Commissioners from 6 to 5.

Governance Commission

There are total of five Commissioners, and amongst them two women (40 percent). The role of the Governance Commission is to advise on various areas of government with the intention of aiding in the achievement of good governance. The commission provides assistance with political and legal reform, public sector reform, civic education, national identity and national visioning, national integrity system monitoring, evaluation, research and publication.²⁵ Women are fairly represented on this commission.

Law Reform Commission

Three Commissioners, one woman (33 percent participation)

These figures have remained the same since 2011.

Independent Human Rights Commission

Seven Commissioners, Three women (43 percent participation)

These figures have remained the same since 2011.

Land Commission

Six Commissioners, three women (50 percent representation participation).

Indicator 5 – CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

In 2011, a 17-member civil society observatory was tasked with monitoring the implementation of the Liberian National Action Plan on UNSCR 1325. Understandably, the Observatory consisted of many women rights groups. However, whilst conducting out key informants interviews,²⁶ we discovered that the Observatory

²⁵ <http://www.goodgovernanceliberia.org/overview.html>

²⁶ Interview, Key Informant, Ministry of Gender and Development

was no longer functioning. There has been stagnation in funding for the Observatory. The Observatory is unable to carry out its functions. Only the office of the Secretariat remains funded, but it is due to expire at the end of 2013. According to Andrew G. Tehmeh, Deputy Minister for Planning and Administration, "[i]f there is not a quick and strong intervention in terms of fund: the gains made [by the Observatory] would see a retraction."²⁷

Mr. Tehmeh attributed the lack of funding partially to a lack of enthusiasm on the part of CSOs. Liberian CSOs did not seek out funding. Mr. Tehmeh also stated that Observatory had not met some of its obligations; the 2012 financial report has not yet been completed.

B. Prevention and protection

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized

Table 6.1: Number and percentage of SGBV cases reported and penalized ^{iv}		
	2011	2012
Number of SGBV cases reported	2,383	1,687
Number and percentage of SGBV cases penalized	22% forwarded to court	7% forwarded to court

Source: Ministry of Gender and Development, GBV Annual Statistical Report for 2011

Legal Definition

According to the Ministry of Gender and Development (MGD), 40 percent of women in Liberia were subjected to sexual and gender-based violence during the 14-year civil war.²⁸ Under the Rape Amendment Act 2006,²⁹ rape is broadly defined. Rape is committed by a man or woman if he/she intentionally penetrates the vagina, anus, mouth or another opening of another person with a penis, a foreign object or any other body without the consent of that person. If one of the parties involved in sexual intercourse is below the age of 18 and the other is above the age of 18 this is also deemed to be rape. Under the Act, gang rape, a first degree-felony, is committed if a person purposely promotes or facilitates rape or agrees with one or more persons to engage performance of conduct which constitutes as rape.³⁰ Cases of gang rape, rape of a minor and where the victim is left permanently disabled or has been subjected to /threatened with Serious Bodily Injury (SBI);³¹ carry a maximum sentence of life imprisonment as first degree felonies.

The Role of the Government, NGOs, INGOs and CSOs

Liberia, through a network of NGO's, INGO's, and CSOs, continues to make moderate progress in dealing with rape and other cases of SGBV. In 2012, the MGD, with the help of international

²⁷ Ibid

²⁸ Ministry of Gender and Development, GBV Annual Statistical Report for 2011

²⁹ Liberia Rape Amendment Act 2006, Section 14.70 (1)

³⁰ Liberia Rape Amendment Act 2006, Section 14.70 (2)

³¹ Liberia Rape Amendment Act 2006, Part 4 Grading and Sentencing, Serious bodily injury

donors,³² completed six safe houses in six counties³³ for survivors of SGBV. These safe houses offer not just accommodation in a time of desperate need; they also offer psycho-social services to combat the unseen trauma of SGBV. Thus far, these houses have provided a safe haven for 91 survivors.

The Endowment Fund, created by the Association of Female Lawyers of Liberia (AFELL) as part of its awareness and sanitation sensitization campaign on the understanding of the provisions of the existing laws on SGBV, continues to provide assistance to survivors of SGBV. The Fund provides assistance in transportation for medical and legal treatment services, relocation of survivors and follow-up support to survivors. UNMIL, in conjunction with LNP have also launched an awareness campaign on the legal SGBV referral process.

These campaigns are a positive inclusion to the fight against violence against women in Liberia. However, more needs to be done on the educational and legal front. Women and girls need to be better educated of their rights, so that they are more willing to report their cases. Women also need to be provided with financial assistance so that they are economically able to separate from their abusers. On the legal front, Liberia needs to create updated legislation on domestic violence.

Reporting Trend

Despite these achievements, the incidence of SGBV remains high and conviction rates remain devastatingly low. The survey finds that the public believes cases of rape and other SGBV violence have increased. However, data collected by the MGD from its operations and other SGBV actors, confirms a total of 1,687 cases of SGBV in 2012. This is a decrease from 2011 figure of 2 383. Of the cases reported in 2012, 928 (55 percent) were rape. Furthermore, 68 percent of all SGBV incidents were perpetrated against children between the ages of 3 months and 14 years.

The number of rape cases recorded by the Ministry of Gender and Development far exceeds the number recorded by the Women and Children Services (WASCS) and the LNP. Only 369 cases were reported to the LNP³⁴ in 2012. Of the cases reported to the LNP, 125 were forwarded to court, 6 were prosecuted and 5 convictions were made from those prosecutions.³⁵ That is a conviction rate of 1 percent.

The discrepancy in figures is due to the fact that most incidents of rape and other SGBV are not reported to the LNP. According to the MGD, 54.5 percent of rape cases are reported to health facilities, 19.7 percent to NGOs, 11 percent to INGO's and 8 percent to WASCS/LNP.³⁶

The low rate at which rape cases are reported to the LNP is one of the contributing factors of a low conviction rate. On the other hand, the decrease in cases of rapes reported could be due to

the low possibility of conviction. 47.9 percent of those polled did not think the government took sufficient step towards the prosecution of SGBV.

In addition, survivors of rape are often coerced against pressing rape charges especially if the accused rapist lives close by. When asked what the barriers to effective reporting of rape cases were, 54.5 percent of those surveyed believed that out of court settlements were to blame for the low reporting rate of rape. 30 percent believed distrust of the justice system was the cause. Societal and financial pressures mean that survivors are told to accept cash payments instead of pressing charges.

Indicator 7 – Number and quality of gender-responsive laws and policies

Table 7.1: Number and quality of gender-responsive laws and policies

Law name & year	Purpose	Result of the law	Outcome
Section 14.70 and 14.71 of Penal Law Relating to Rape 2006 (revision made 2012)	To clearly define rape in the statute and provide penalties for gang rape; to increase maximum sentencing; To reduce the incidents of rape by acting as a deterrent	Clarification on the law has not served as a deterrent for rape	Prosecution and convictions for rape remain staggeringly low
House of Representative Committee on Gender-Responsive Budgeting (2013)	To promote peace, democracy, and accountability in relations to public spending to promote gender mainstreaming, gender equality, and women empowerment	A public hearing was held. Committee agreed to campaign for gender-responsive budgeting in the House of Representative	Data Not Available (center has not yet produced a report as they launched only in 2013)

There has been little progress in relation to the gender-responsive laws and policies in Liberia. Although, there have been a few high visibility campaigns such as the Government's Anti-Rape Campaign and the House of Representative' one-day public hearing on gender-responsive budgeting, concrete advancements to gender-responsive laws and policies have not been made. Gender-responsive laws and policies remain the same as they were in 2011.

Although the basic legal and constitutional assurances for equal treatment of women are in place, the effectiveness and quality of

32 Government of Sweden, Government of Norway, Spanish Fund for African Women and the New Partnership for African Development (NEPAD)

33 Nimba, Nong, Lofa, Grand Bassa and Grand Cape Mount Counties

34 Ibid 13

35 Ibid

36 Ministry of Gender and Development, GBV Statistical Report, February 2013 <http://www.mogd.gov.lr/images/stories/pdf/gbvreport-feb2013.pdf>

gender-responsive laws and policies could be greatly improved. Women are still not granted equality under all areas of statutory law. The Alien and Nationality Law 1973 continue to discriminate against women. In cases where a child is born to a Liberian mother and a non-Liberian father, nationality is not automatically passed on to the child. Nationality is automatically passed on by the father.

Furthermore, traditional practices under customary law continue to obstruct the progresses made by gender-responsive statutory laws and policies. This is serious cause for concern as 70 percent of Liberians use customary.³⁷ In many cases, this is done because access to statutory remedies is lacking. Under customary law, married women are not allowed to appear before traditional courts without their husbands. Furthermore, polygamy although prohibited under statutory law, is permitted under customary law. Female genital mutilation is also permitted and encouraged under customary law. There are no provisions made to address the disconnect between the two types of law.

Indicator 8 – Number and nature of provisions/ recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

The mandate for the TRC has ended. Informed by the recommendations made by the TRC, GoL and its partners have established the Strategic Roadmap for National Healing, Peacebuilding and Reconciliation to provide a “coherent strategy and coordination framework [and] to organize the multiple government and civil society initiatives on peacebuilding and reconciliation.”³⁸ The Roadmap, adopted June 2008, has a set 18-year timeframe during which it hopes to rebuild social, political, and economic institutions. These institutions will be rebuilt with the goal of sustaining reconciliation and peace by “accounting for the past, committing to addressing challenges of the present, and collectively aspiring for a better and shared future.”

One of ways in which the Roadmap aims to achieve this goal is through the empowerment of women. Women are to be empowered through the alleviation of structural inequalities including socio-economic exclusion and lack of access to economic opportunities. The Roadmap acknowledges that economic empowerment of women is essential for restorative and social justice in Liberia.

In respect to the empowerment of women, the roadmap aims to achieve the following output within its 18-year mandate:³⁹

- ▶ To systematic and comprehensive sex disaggregated victims directory of individual physically disabled due to the civil war created;
- ▶ To establish a Reparations Trust Fund with the goal of ensuring predictable funding of reparations and memorialization programs;

- ▶ Mental health recovery and medical support for victims, their families and communities designed and implemented;
- ▶ Death certificates issued to families of all identified and verified victims of the civil war, as requested;
- ▶ Death certificates issued to families of fallen non-combatant members of the international community including journalists, the Catholic missionaries, as requested;
- ▶ Community based reparation programs designed and undertaken.

The effectiveness of the Strategic Roadmap cannot be ascertained at this early stage. However, it must be noted that the goals set under the heading of “empowerment of women,” are not very gender specific. Furthermore, there is very little awareness of the Strategic Roadmap. Although the majority of those surveyed had heard of the roadmap, they were uncertain as to its content and purpose.

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

2012 has not seen the receipt of economic packages specifically for conflict resolution and reconstruction processes. In the decade since the end of the civil war, there has been a decrease in use of funding for such purposes. Agencies such as the Swedish International Development Agency (SIDA) have donated funds for women empowerment intended to be used for projects that provide job and life skills for adolescent girls. However, these funds are for general women's rights and empowerment. They are unrelated to conflict resolution and reconstruction as these issues are no longer seen as paramount.

The last available figures for economic packages for conflict resolution were in 2007. These figures were presented and highlighted in 2011 report.

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

As a part of the enactment process for the National Plan on the Implementation of UNSCR1325, the Ministry of Gender and Development in partnership with UNICEF, UNMIL and UNDP, have provided, gender-based training for Liberia National Police and its Women and Children Protective Service. A Gender Unit has also been created to oversee and coordinate gender-based issues in relation to the LNP on a national level. The Civil Society Monitoring Observatory group (CSMO) was created to ensure that the implementation process is monitored from the perspectives of civil society and women's groups.⁴⁰ However,

³⁷ Interview, Key Informant, Ministry of Gender and Development

³⁸ Strategic Roadmap for National Healing, Peacebuilding and Reconciliation, p. 2

³⁹ Ibid 23

⁴⁰ S. Dharmapuri, “A Survey of UN1325 National Action Plan Mechanisms for Implementation, Monitoring, Reporting and Evaluation” Harvard University (2011): <http://>

this Observatory is no longer functional. The dissipation of the Observatory is due to a lack of capacity and a lack of funding.

The Police Training Academy has incorporated Gender-sensitive training into its curriculum and the LNP continue to receive training from UNDP and UNMIL. Unlike the national police, the Armed Forces of Liberia does not have a gender policy. This situation is likely to change as the AFL is in the process of writing a handbook on gender sensitization for its members. LNP is also in the process of writing a handbook on the handling of SGBV by the police force.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

To CSOs

In 2009 the Liberian Government, through the Ministry of Gender and Development, adopted a National Action Plan specifically to implement the UNSCR1325. A Civil Society Observatory for the implementation of UNSCR 1325 was created. In August 2012, The MOGD distributed \$USD 50,000 to the Observatory.

WPS programs received further funding from Global Network of Women Peacebuilders (GNWP) through WONGOSOL and the Liberia Women Media Action Committee (LIWOMAC).

LIWOMAC received \$USD29,923 for the implementation of media public awareness campaign on the principles of the UNSCR 1325 and 1820 in Liberia. Radio adverts and videos were made in several Liberian languages highlighting the importance of women in government and creating awareness of various WSP issues.

GNWP also provided WONGOSOL with a total \$USD29,662 to monitor and evaluate the progress of the implementation of UN1325 in Liberia.

To Government

In the past year, the Government of Liberia received \$USD 10,000 from UNFPA to use for the treatment of SGBV. Although the government did not receive any further funding directly for women peace and security issues, the MOGD has received funding for other causes which overlap with peace and security. In January 2012, MOGD received \$USD 2, 197, 925.02 from Swedish International Development Agency (SIDA) for the 5 Programme Pillars of Psycho Social, Health, Legal, Protection and Co-ordination. A subsequent amount of \$USD 3,778,645.00 was also donated by the Government of Norway, UNDP AUSAID, UN Women, and UNFPA for the same purpose.⁴¹ The pillars of psycho social, health, legal and protection overlap with issues concerning the peace and security of women (e.g treatment for SGBV).

Table 11.1: Allocated and disbursed funding marked for women, peace and security programs (WPS) to government in 2012

Government body in charge of project and/ or programs	Funds from national budget: Yes/No? Amount?	Donor country/entity Amount?	Purpose	Total Amount
MOGD	Yes \$USD 5,000.00	UNFPA \$USD 10,000.00	Treat victims of SGBV	\$USD 15,000.00
MOGD	No	Government of Norway, UNDP AUSAID, UN Women, and UNFPA \$USD 3,778,645.00	Psycho Social, Health, Legal, Protection and Co-ordination	\$USD 3,778,645.00
MOGD	No	Swedish international development agency \$USD 2,197, 925.02	Psycho Social, Health, Legal, Protection and Co-ordination	\$USD 2,197, 925.02
Total	\$USD 5,000.00	\$USD 2,207,925.02		\$USD 25,976,570.02

Source: MOGD 2012 Annual Report

www.hks.harvard.edu/cchrp/research/working_papers/Dharmapuri_Examples_for_NAPs_FINAL_3_12_12.pdf

41 Ministry of Gender, Annual Report 2012

III. Conclusion and recommendations

Conclusion

An analysis of the facts and figures in this report indicates that moderate progress has been made on justiciability of equal rights for women in 2013. Data from the survey and key informant interview shows that women are well represented at higher, national levels of government but underrepresented at intermediate, local levels. This trend is a cause for concern as women are appointed to higher levels of government and elected at local/intermediate levels. It indicates that women are unable to garner equal representation from the general public.

The report also concludes that there has been an increase in awareness of SGBV and that the authorities tasked with dealing with such incidents are being trained to investigate report and possibly prosecute perpetrators. However, there remains significant cause for concern in relation to the low rates of reporting and convictions.

Societal influences and mistrust of authorities are undermining the progresses gained by authorities in this area.

Recommendations

To the Government

- ▶ Increase in the nomination of women for political or elective positions must be made by the Government of Liberia and opposition parties.
- ▶ Women representation at local and intermediate levels of government must be encouraged by relevant parties.
- ▶ The Government of Liberia should bridge the gap between statutory law and customary ideals so that their efforts for equality are not undermined. The Government must also have a better engagement with the local press to ensure greater awareness of women's rights.

To the Security Sector

- ▶ Priority must be given to women participation in the security sector.
- ▶ The security sector should continue its increased recruitment of female candidates.
- ▶ They should continue to train staff on gender-sensitive issues.
- ▶ All security sector institutions should implement a code of conduct that

To Civil Society

- ▶ Improved efforts must be made by Civil Society Organizations in the implementation of UNSCR 1325. They must build capacity so that they are able to get the funding required to function successfully.

- ▶ Capacity building trainings must be provided for local partners so that the assistance given develops into tangible results that affect the political and economic livelihood of women in Liberia

Table Footnotes:

- i Sam Collins, Public Affairs Department, Liberia National Police
- ii Bendu Varney-Fania, Deputy Director, DMALP/Ministry of National Defense
- iii United Missions in Liberia, Gender Report 2012
- iv Ministry of Gender and Development, GBV Annual Statistical Report for 2011

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- <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>
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- http://www.womens-rights.org/Publications/cedpa_prowid.pdf
- <http://www.globalwitness.org/library/justice-sierra-leone-charles-taylor-found-guilty-war-crimes-and-crimes-against-humanity>

Republic of Sierra Leone

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List of acronyms

ACDS	Assistant Chief of Defense Staff
ACOTA	African Contingency Operations Training Assistance
AFC	Agenda for Change
ASP	Assistant Superintendent of Police
BPFA	Beijing Platform for Action
CDP	Council Development Plan
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CHISECS	Chieftdom Security Committees
CGG	Campaign for Good Governance
CSO	Civil Society Organization
CSW	Commission on the Status of Women
DDR	Disarmament, Demobilization and Reintegration
DCAF	Democratic Centre for the Control of Armed Forces
DPKO	Department of Peacekeeping Operations
DISECS	District Security Committees
ECOWAS	Economic Community of West African States
ECOMOG	Economic Community of West African States Monitoring Group
ENCISS	Enhancing the Interaction and Interface between Civil Society and Government to Improve Poor People's Lives
FSU	Family Support Unit
FGM	Female Genital Mutilation
GBV	Gender Based Violence
GNWP	Global Network of Women Peacebuilders
G-CISTF	Government Civil Society Task Force
GFP	Gender Focal Point
HRCSL	Human Rights Commission Sierra Leone
HND	Higher National Diploma
HTC	Higher Teacher's Certificate
IMATT	International Military Advisory and Training Team
IMC	Independent Media Commission
IRC	International Rescue Committee
JP	Justice of the Peace
KAIPTC	Kofi Annan International Peacekeeping Training Centre
MARWOPNET	Mano River Women's Peace Network
M&E	Monitoring and Evaluation
MDA	Ministries, Departments and Agencies
MOD	Ministry of Defense
MRU	Mano River Union
MSWGCA	Ministry of Social Welfare, Gender and Children's Affairs

NaCSA	National Commission for Social Action
NaC-GBV	National Committee on Gender Based Violence
NAP	National Action Plan
NEC	National Electoral Commission
NGSP	National Gender Strategy Plan
NSC	National Steering Committee
NOW-(SL)	National Organization for Women Sierra Leone
ONS	Office of National Security
OPS	Operations
PROSECS	Provincial Security Committees
SSI	Security Sector Institution
RSALAF	Republic of Sierra Leone Armed Forces
RUF	Revolutionary United Front
SGBV	Sexual and Gender Based Violence
SSR	Security Sector Reform
SiLNAP	Sierra Leone National Action Plan
TC	Teachers' Certificate
TRC	Truth and Reconciliation Commission
UN	United Nations
UNIFEM	United Nations Development Fund for Women
UN WOMEN	United Nations Entity for Gender Equality and the Empowerment of Women
UNSCR 1325	United Nations Security Resolution 1325 (October 2000)
UNSCR 1820	United Nations Security Resolution 1820 (June 2008)
VSV	Victim of Sexual Violence
WANEP	West African Network for Peacebuilding
WANMAR	(Name coined from) West Africa Network for Peacebuilding (WANEP) and Mano River Women's Peace Network (MARWOPNET)
WISSL	Women in Security Sector, Sierra Leone
WPJP	Women Partnership for Justice and Peace
YWCA	Young Women's Christian Association

I. Women, peace and security profile

A. Nature of the conflict

In the period of March 1991 to January 2002, Sierra Leone experienced one of the most brutal civil wars in modern times, fought between the Government and the insurgent faction named the Revolutionary United Front (RUF). The civil conflict resulted in the wanton destruction of lives, infrastructure, and extensive internal and external displacement of populations. It is estimated that about 50 percent of a population of nearly 4 million (49 percent male, and 51 percent female) was displaced, and over 50,000 people lost their lives.¹ The fighters used the rape of women and girls as a weapon of war. According to UNIFEM (now UN Women), over 250,000 women and girls were raped and several hundred were mutilated.² The causes of the armed conflict in Sierra Leone have been explained in the Report of the Sierra Leone Truth and Reconciliation Commission³ and other documents as relating to an over-centralization of state power, bad governance, and political intolerance. Bad governance resulted in the politicization and weakening of state institutions, that became the fiefdom of the leadership. Largesse was distributed to cronies as a reward for loyalty rather than being allocated for the administration and operations of state institutions and public services delivery. This situation encouraged corruption and non-accountability, in addition to promoting land disputes, inequality, and discrimination across gender; in particular against women and youth who were not part of the political class.

Furthermore, spillover from the war in Liberia was a contributing factor, especially in light of Sierra Leone allowing the Economic Community Monitoring Group of the Economic Community of West African States (ECOMOG/ECOWAS) to use the country as a base for its peacekeeping intervention in Liberia. The intervention by ECOWAS thwarted Liberian ex-President Charles Taylor's plans to gain power through the barrel of the gun. Charles Taylor has been tried by the Sierra Leone Special Court that sat in The Hague, Netherlands, for war crimes committed in Sierra Leone and was sentenced to prison for 25 years although he has appealed against the judgment.

Libya and Burkina Faso provided training, logistics and support to the rebels while the government had support from mercenaries from South Africa and the UK at the initial stages. The ECOWAS intervention force, known as ECOMOG, and the United Nations (UN) came to the rescue of the people of Sierra Leone by sending peacekeepers and providing military and logistical support to the Armed Forces of Sierra Leone.

Sierra Leone has consistently moved from a fragile state along a stable trajectory since the war officially ended in January 2002. For the past two years, the World Bank Country Assessment Report has put Sierra Leone above the fragile state category. While the

country has reached significant socio-political and economic milestones in recovery and peace consolidation, there remains some feeling, according to a UN Integrated Technical Assessment Mission to Sierra Leone in January, 2013, that the country has still not passed the tipping point where progress is irreversible.

Nevertheless, Sierra Leone has moved into a development phase. The nation is expected to move in the right direction based on the Third Generation Poverty Reduction Strategy Paper III, titled the "Agenda for Prosperity," that was launched on 12th July, 2013. In terms of rebuilding of Security Sector Institutions (SSIs), the comprehensive Security Sector Reform (SSR) program, which started in 2005, is in its third phase. Since the war ended, Sierra Leone has conducted three free and fair multiparty democratic elections. The 17 November, 2012 Presidential, Parliamentary and Local Councils election was the first democratic one of its kind that was entirely led by the National Electoral Commission (NEC) Sierra Leone, unlike those of 2002 and 2007, which received extensive technical and security support from the UN and other Development Partners. Sierra Leone went through the 17 November 2012 multi party elections with less violence than had been anticipated. Although there were a few insignificant inter-political party and intra party clashes, international and national election observers considered the elections as peaceful, the results credible, and a manifestation of the people's will.

B. Impact of conflict on women

The fallout from the eleven years' war still plagues the people of Sierra Leone: children lost out on schooling, parental care and were exposed to drugs; and Sexual Gender Based Violence (SGBV) is widespread. The huge internal displacement of people and as refugees has constrained the operation and delivery of efficient and effective socio-economic services.

The war dehumanized many women and girls, some of whom were forced by the rebels to become perpetrators of wanton acts of brutalities. Some women actively participated in the war as fighters, wives, carriers' spies or sex slaves. For example, there was a female rebel fighter named Adama who was notorious for hacking off limbs and was nicknamed "Adama cut Hand."⁴

There was much destruction of schools, health and economic infrastructure, and facilities. Most young men and women, particularly in the age bracket 15-35 years, have low levels of education⁵ and possess limited marketable skills leading to youth frustration and a critical factor for human security. During a Focus Group Discussion in Bo, it was revealed that with conscription

1 Witness to Truth; Report of the Sierra Leone Truth and Reconciliation Commission, Vol.1-3, Sierra Leone, 2004, accessible on www.sierraleonetrcc.org

2 UNICEF, "The impact of conflict on women and girls in west and central Africa," 2005.

3 Witness to Truth; Report of the Sierra Leone Truth and Reconciliation Commission, Sierra Leone, 2004.

4 Testimony of an Escapee from the hands of the Rebels.

5 PRSP III - Agenda for Prosperity (A4P), Multiple Cluster Indicator Survey, 2010, shows the following statistics: Adult Literacy – Male 69.6%, Female 43.5%; Primary School Pass Rate – Girls 72.5%, Boys 75.9%; Junior Senior Secondary School (JSS) – Girls 55%; Boys 62%; Senior Secondary School (SSS) – Girls 8%; Boys 7%; Ratio of Girl to Boys in Primary School – 1.04; Ratio of Girls to Boys in Secondary School – 0.83.

of men into fighting forces, women bore the brunt of having to take care of the family. This has led to an increased number of female-headed households. Girls mostly dropped out of school and resorted to prostitution. Thus, a large number of single girl mothers and female-headed households abound nationwide, especially in the peri-urban and rural areas of the country and they make up the majority of the poorest of the poor. The high incidence of teenage pregnancy and commercial sex work engaged in by girls even as young as about 10 years old is another frustrating impact of the war. There were many rape incidents that had negative effects even after the war: children born as a result of rape were never really accepted into families. Such children ended up indulging in social vices. Furthermore, women abducted as bush wives were not accepted back by their husbands after the war because they believed the women would have inculcated habits that they would not endure; consequently, these women became Commercial Sex Workers (CSWs).

A positive phenomena arising from the conflict is the emergence of a plethora of women's organizations/groups. During the war, the women's movement had advocated and campaigned for the cessation of hostilities and against the violation of women's rights as evidenced in the rampant incidences of SGBV. In this post-conflict era, their advocacy campaigns are continuing albeit with reduced momentum due to a number of factors, such as dwindling resources. Many no longer readily volunteer their expertise. They want to be paid for their services. However, many women's organizations have limited funds for administrative/institutional operations.

C. Relevant legal and policy framework

Intense lobby and advocacy campaigns for the elimination of discrimination against women in marriage, divorce, and the devolution of estates have resulted in the passage of the three gender justice acts, namely: the Domestic Violence Act; the Registration of Customary Marriage and Divorce Act; and the Devolution of Estate Act. The passing of these three gender justice laws is a purposive domestication of some of the provisions of CEDAW. The Government signed CEDAW on 21st September 1988 and ratified it on 17th November 1989, but its full domestication is pending. Other major provisions of CEDAW, like the elimination of female genital mutilation (FGM), a harmful tradition practiced against women, still exist. The government has also signed the African Union's Women's Protocol in 2003, which is yet to be ratified. On the 23rd of August 2012, the Sexual Offences Bill was passed into law by the Sierra Leone Parliament. The enactment of the Sexual Offences Bill into law is another milestone achievement for women's activism and the determination of the Government of Sierra Leone (GoSL) to strengthen efforts for the prevention of sexual violence against women and girls.

The Sierra Leone National Action Plan (SiLNAP) on UNSCRs 1325 and 1820 was developed by a broad coalition named WANMAR 1325 Task Force. The WANMAR 1325 Task Force is composed of the Ministry of Social Welfare, Gender and Children's Affairs (MSWGCA), the West Africa Network for Peace

building (WANEP), the Mano River Women's Peace Network (MARWOPNET), government actors, stakeholders from different relevant Ministries, Departments and Agencies (MDAs), other civil society organizations including women's organizations, groups, and human rights non-state actors at various levels.

His Excellency the President of Sierra Leone, Dr. Ernest Bai Koroma, officially launched the SiLNAP for the full implementation of UNSCRs 1325 and 1820 on the 8th of June 2010. The MSWGCA has set up a National Steering Committee for the full implementation of UNSCRs 1325 and 1820 so as to achieve effective, coherent responses.

Achieving gender equality and women's empowerment are priorities for the GoSL and so it has appointed a gender specialist attached to the President's office at State House. It has included a gender pillar in its Third Poverty Reduction Strategy Paper (The Agenda for Prosperity), which focuses on achieving gender equality in all spheres of governance among other areas. The achievement of gender equality is perceived as the catalyst for development. The MSWGCA in 2000 developed the National Policies on the Advancement of the Status of Women and Gender Mainstreaming. Currently, plans are underway to review them.

II. Data presentation and analysis

In spite of the efforts of government and its development partners to advance gender equality and women's empowerment for the attainment of peace and security in all spheres, the data revealed pervasive gender inequalities which are systemic and rooted in culture, tradition, and religion. The fact that sex disaggregated data is not readily available and accessible shows that policies and programs are gender blind. Patriarchal attitudes and behaviors, especially in institutions and structures in local communities, persist. The inequalities women experience are exacerbated by their low levels of education and poverty, which by themselves inhibit women's wide scale advancement, and serve as barriers to reaching transformative outcomes in the area of women, peace and security.

A. Participation

Indicator 1 – Index of women's participation in governance

Table 1.1: Index of women's participation in governance in 2013			
	Number of women	Number of men	% of women
National government (total) 185	23	163	12.5
Executive			
President	0	1	0
Vice President	0	1	0
Cabinet Ministers	2	25	7.4

Deputy Ministers	5	21	19.2
Ministers of State	1	5	16.7
Legislative			
Parliamentarians	15	109	12.1
Speaker of Parliament	0	1	0
Deputy Speaker of Parliament	0	1	0
Sessional Committees of Parliament (32) ⁱ	15	109	12.1
Local government (total) 631	107	524	16.9
Mayors of Local Councils	1	5	16.7
Chairpersons of Local Councils	1	12	7.7
Deputy Mayors of Local Councils	4	2	66.7
Deputy Chairpersons of Local Councils	1	12	7.7
Paramount Chiefs	13	136	8.7
Councilors	87	369	19.1
Total (all levels of government)	145	796	15.4

Source: National Electoral Commission Report, 2012

Table 1.2: Percentage of women's participation in governance (2009-2013)

Government Level	2009	2010	2011	2012	2013
National government	11.3	11.3	11.3	11.3	12.4
Local government	16.9	16.9	16.9	16.9	16.4
Total	28.2	28.2	28.2	28.2	28.8

Table 1.3: Number of women and men in decision making positions in the diplomatic service and National Election Commission (NEC) in 2013

	Number of women	Number of men	% of women
Diplomatic/Public Service	4	22	15.4
High Commissioners	0	2	0
Ambassadors	3	14	17.6
Deputy High Commissioners	1	2	33.3
Deputy Ambassadors	0	4	0
National Electoral Commission – Chief and Regional Commissioners	3	2	60
Total	11	46	23.9

Source: Ministry of Foreign Affairs and International Cooperation; National Electoral Commission (NEC)

Table 1.4: Number of women and men in positions in the Civil Service

Position Type and Level		2012			2013		
		Number of women	Number of men	% of women	Number of women	Number of men	% of women
Civil Service	Grade ⁱⁱ						
Junior Level	1-6	5,556	8,865	38.5			
Middle Level	7	93	247	27.4			
	8	47	173	21.4			

	9	59	273	17.8	
	10	6	48	11.1	
Total		205	741	21.7	
Senior Level	11	6	78	7.1	
	12	1	35	2.8	
	13	2	28	6.7	
	14	1	7	12.5	
Total		10	148	6.3	
Civil Service in Ministries and by Grade 11 upwards (Total) 366 for 2013			38	328	10.4

Source: Civil Service Records, Human Resource Office, Ministerial Building, George Street, Freetown; Sierra Leone's Third Generation Poverty Reduction Strategy Paper (2013-2018) at Pillar 8

On November 17 2012, Sierra Leoneans went to the polls to elect a President, Members of Parliament, Mayors/Chairmen, and Local Councilors. This was the third election since the end of the civil war and the first election to be solely led by the NEC, as international partners had in previous elections given tremendous technical and other support to the NEC.

Ten political parties and nine Presidential candidates contested the elections. None of the ten political parties was headed by a woman and no woman contested the Presidency.

The elections in reality were between the Sierra Leone People's Party (SLPP) and the All Peoples Congress (APC) whose flag bearers were all males. The Political Parties Registration Commission (PPRC) debars independent candidates from contesting for the presidency, which limits participation.

The 2012 presidential elections were a breakthrough for women's political participation. For the first time in the history of presidential elections in Sierra Leone, a woman was selected as the running mate of the SLPP flag bearer (the SLPP is the oldest political party in the country). Four other females were also chosen as running mates by other political parties.

There was a high national turnout of voters - 87.3 percent with more females than males registering to vote. Only 65 women were nominated to contest for parliament and they represented 11 percent of candidates. This mirrors the same figure as 2007. Out of the 65 women nominated as candidates only 16 were elected to Parliament. This falls short of the 13.7 percent who were in the parliament of 2007, and the 30 percent recommended by the Truth and Reconciliation Commission (one of the Transitional Justice organs set up by the Sierra Leone Government to investigate the causes of the civil war) and the Beijing Platform for Action (BPFA).

As indicated in Table 1.1, very little has changed in female representation since the 2012 monitoring report. In the Legislature, women's representation is on the decrease since 2002 and 2007, when 18 and 16 women were elected respectively out of a required number of 124 Parliamentarians. In the 2012 elections the number of women elected was again 16. The type of voting system employed in the 2007 and 2012 elections, "First

Past the Post," did not favor women, especially in the absence of an official policy on affirmative action. Women have to depend on the goodwill of the party symbols committee, which is predominantly male dominated.

Several reasons have been given for the decrease in the number of female parliamentarians. Firstly, there is no statute/law that requires political parties to give a quota of their party symbols to female candidates; hence parties did not pursue a policy of affirmative action in the award of party symbols to capable and competent women to run for elective seats. This was in spite of their promises to adopt affirmative action in the award of symbols to women. Secondly, political parties did not give financial assistance to female candidates so that they can run effective campaigns. Women's low levels of education, low self-esteem regarding political positions, and discriminatory traditional beliefs regarding women's ability to head decision-making bodies were barriers that prevented them from running effective campaigns and winning. Additionally, in some instances, women candidates were sent to constituencies where their party had a weak presence.

In spite of a drop in the number of elected female Members of Parliament (MPs), the 2012 General Elections resulted in three women candidates for parliament gaining the highest number of votes cast in national elections. Two of these women won in two constituencies in the Northern region, which traditionally does not elect women as chiefs and does not encourage women to hold decision making positions.

Paramount Chiefs are the traditional rulers in districts where this institution exists. The Western Area does not have this form of leadership. Paramount Chiefs in each district elect one of their peers to represent them in Parliament and they occupy 12 seats. However, in the Northern region and parts of the Eastern region women are debarred from holding this office. In regions that have female Paramount Chiefs, no woman was elected by her peer paramount chiefs to represent a district in parliament. The elections failed to enhance women's representation and are a microcosm of what obtains at all levels of governance.

Table 1.1 indicates that women are participating at all levels of governance, the exception being the absence of female chiefs

in parliament to represent a district. This is not surprising as this institution of Paramount Chiefs is the greatest barrier to women's empowerment and participation in all spheres and levels of development.

At the executive level, nine women have been appointed as ministers, although only two have cabinet rank in the Ministry of Health and Sanitation (MOHS), and the Ministry of Local Government and Rural Development (MLGRD). The other seven women are deputies in key ministries like Finance, Foreign Affairs and Agriculture, which traditionally are occupied by men. Also, one of them is a Minister of State in the Vice President's Office. The participation of women to appointive political ministerial positions is higher than in elective positions because of President Dr. Ernest Koroma's commitment to gender equality and women's empowerment.

The appointment of female deputy ministers to key ministries, such as agriculture, is significant because according to the African Development Bank women comprise the majority of the agricultural sector, where they engage in subsistence farming and marketing of produce.⁶ Finance is another powerful position as it is this ministry that draws up and allocates the national budget and would be responsible for any future developments in gender responsive budgeting.

Elections for local councils were also conducted in 2012 and citizens elected their councilors and mayors or chairmen. Mayors were elected for Freetown, Bo City, Kenema City, Koidu City, Makeni City, and Bonthe Municipality. Women were elected as 16.7 percent of mayors, 7 percent of chairpersons, 66.7 percent of deputy mayors, and 19.1 percent of councilors.

The local council elections held in 2012 noted an infinitesimal rise, as merely two additional women were elected. This does not reflect a positive change in women's representation at the local level. However, there are individual cases of a drastic rise in the number of women elected to office at local council level. For example in Kailahun, the number of elected female councilors increased from 3 to 12, and the district Koinadugu increased its number of female councilors from 6 in 2008 to 8 women representatives. In Bo, Moyamba, and Pujehun districts, there were drops in the numbers of female councilors elected. The role model is the Makeni City Council, where the Mayor and Deputy are women, and 7 out of the 15 councilors are also women.

In discussions with elected female and male councilors, in addition to former female candidates, it was revealed that despite the growing agitation for increased female participation in governance, women still face great opposition from male party executive members, traditional authorities, and rival male aspirants. Women are still disadvantaged economically to challenge rival male aspirants who have social and financial capital. In Kailahun, it was revealed that a lot of sensitization and capacity building had been undertaken by women's groups and non-governmental organizations, such as MARWOPNET, 50:50, and SEND, covering issues of women's empowerment, peace and security. This constant exposure to women's empowerment

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trainings, lobbying, advocacy and peace negotiations, and peace building have given local women confidence to run for elective positions.

As a result, female representatives comprise 40 percent of the Kailahun District Council. This is a notable exception to national trends and the district has also passed the 30 percent women's representation quota recommended by the TRC and BPFA. In addition, the Kailahun Women in Government Network provided trainings and financial assistance to all female candidates irrespective of party affiliation.⁷ All the support women candidates have received explains why the trend in Kailahun is different from that of the nation. This shows that carefully targeted interventions can help even in the absence of quotas.

During the Focus Group Discussion in some of the regions, it was observed that though women are participating at all levels of governance, their representation is higher at the national level than at the local level. At the local level, laws (e.g. the Chieftaincy Act) militate against women's participation in governance – especially at the chieftaincy level. In the Ward Committees, even though the statutory provision for a 50 percent female representation is met in most cases, it is evident that most women elected do not have the capacity (relevant schooling, experience, and confidence) to function effectively. It is reported that women who are capable and who can question the decision or authority of the councilor are most often marginalized. There is prejudice against the employment of women in local and chiefdom councils. Local court chairmen and clerks are mostly men. Women are rare as section chiefs, chiefdom speakers or paramount chiefs. The participation of women in governance is more at the national level where established standards are used in recruitment procedures. There are more women in appointive than in elected position; some discussants stated that women do not even support each other in elections as they feel greater allegiance to party interest than to gender equality and equity considerations.

⁷ European Union Election Observation Mission, Presidential, Parliamentary and Local Council Elections, 2012, accessible at http://www.eueom.eu/files/pressreleases/english/eueom-sierra-leone-final-report_en.pdf

Table 1.5: Female participation in Sector Committees in 2013

Council	Women Mayors	Women Deputy Mayor	Number of Councilors	Number of Women Councilors	% of Women Councilors	Sector Committees chaired by Women
Bo	0	0	15	3	20	Health, Social Welfare, Establishment
Bo District	0	0	26	8	30.8	
Pujehun District	0	0	22	1	4.5	Budget and Finance
Moyamba District	0	0	24	2	8.3	Establishment, Social Welfare
Bonthe District	1	0	18	2	11.1	Social Welfare, Agriculture
Bonthe Municipal	0	0	12	3	25	Social Welfare & Gender, Fire Prevention
Kenema City	0	1	12	3	25	Social Welfare
Kenema District	0	0	34	4	11.8	Social Welfare & Gender
Kailahun District	0	0	26	12	46.2	Health, Development Planning, Water and Sanitation, Agriculture
Kono District	0	0	24	3	12.5	Developing Planning, Solid Waste Management
Koidu New Sembehun	0	1	15	7	46.7	Budget and Finance, Agriculture, Education, Lands, Trade, Social Welfare.
Makeni City	1	1	15	7	46.7	Education, Health, Agriculture, Social Welfare
Bombali District	0	0	27	3	11.1	Development Planning, Social Welfare
Tonkolili District	0	0	28	4	14.3	Development Planning
Port Loko District	0	0	46	2	4.3	Social Welfare
Koinadugu District	0	0	24	8	33.3	Social Welfare, Water and Fire Prevention, Health and Sanitation, Solid Waste Management
Kambia District	0	0	25	2	8	Health
West Area Rural District Council (WARDC)	0	1	20	2		Education
Freetown City	0	1	49	11		Social Welfare, Municipal Trade

Source: Decentralization Secretariat, Youyi Building, Freetown Sierra Leone

Table 1.5 above gives a detailed breakdown of the different councils, their composition and the different sectoral committees chaired by women. In Makeni City council the mayor and her deputy are both females. This is remarkable especially for northern districts, such as Makeni, and Bombali, where it is taboo for women to become Paramount Chiefs. This is a breakthrough for women's empowerment. Some of the female councilors head important committees, such as budget, finance, fire prevention, and waste management, which deviate from the traditional committees that they used to head.

The information in Table 1.1 reveals that women's participation in parliament is much lower than at local council level. The differing male and female socialization process conditions men to aim for the sky and for women to aim for less challenging positions and/or professions. Men prefer to run for positions deemed to be of a higher status, such as MPs, Mayors, and Chairpersons of councils.

Women are more likely to start small and then graduate to higher levels. Local councils are an entry point for women's participation in politics and a breakthrough considering the structural, social, and traditional barriers they face.

Only 8.5 percent of women are top managers in the public sector and 20 percent in the diplomatic service and boards of parastatals. The National Gender Strategic Plan, 2010-2013 attributes this to the structural discrimination which women face in law and in practice, the pervasive beliefs surrounding women's roles in decision making, coupled with their multiple roles as wives, mothers, family caregivers, and employees.

The Chair of the NEC is a woman, as are 40 percent of the Commissioners. This is the first time in the history of the country that a woman is heading this institution, which was previously deemed a male purview due to the violence associated with

elections in the past. Also, the elections of 2012 were the first to be solely Sierra Leonean led.

A coalition of women's organizations/groups led by the Women's Forum with funding and technical support from UN Women including Femmes Africa Solidarité (FAS), UNDP, and some national level MDAs (e.g. National Telecommunications Commission, Sierra Leone Road Transport) set up the Women's Situation Room (WSR) to advocate, mobilize, and sensitize citizens on the need for peaceful elections. This contributed to easing tension and to ensuring that the 2012 elections were violence free. Over 300 women were trained and deployed as

national observers, which increased women's visibility and image as credible agents of peace. More women than men registered to vote which also demonstrated that they wanted to have a say in who runs the affairs of the nation.

Overall, there has been slight progress in women's participation in governance and in peace and security.

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

Table 2.1: Number and percentage of women in peace negotiating teams			
Peace negotiating teams	Number of women	Number of men	% of women
Formal			
Peace Agreement between the Government of Sierra Leone (GoSL) and the Revolutionary United Front(RUF) of Sierra Leone(Lome Peace Accord) July 1999			
GOSL Delegation	2	About 5	About 28.6
RUF Delegation	N/A	N/A	N/A
Inter Religious Council Delegation	1	4	20
CSO Observers	4	5	44.4
Informal			
November 2012 Inter Political Party skirmish in Bo (Stoning of SLPP Presidential Candidate)	3	N/A	
Gender issues addressed in peace agreements			
Peace Agreement: Lome Peace Accord (July 1999)			
Program/Population	Provisions	Outcome	
DDR, ex-combatants, survivor support	Cash for gun; educational and livelihood skills training plus start up kits after training; medical care	<p>Women/girls did not benefit from the cash for gun program, but some women/girls victims of sexual violence were supported to return to school/skills training and given start up kits after training. Skills acquired have enabled access to gainful employment. The medical care, including fistula surgery, has provided some relief for affected women and girls.</p> <p>The Office of National Security Coordination is in place and decentralized to regional, district, and chiefdom levels.</p> <p>Both SLP and RSLAF have developed Gender Policies which are being applied to varying extents.</p>	
Victims of sexual violence	Educational and livelihood skills training, medical care (e.g. fistula surgery), psychosocial and trauma healing services		
Security Sector Reform (ongoing)	Restructuring of especially the military and police institutions and operations to make them more professional and accountable in their service delivery; program has also included development and application of gender mainstreaming strategies		

The end to the civil war was negotiated in Lome, Togo from 25th May to 7th July 1999 and the war was officially declared over in January 2002, after the signing of the Peace Agreement referred to as the Lome Peace Accord. Women were an integral part of the Peace Negotiating Team in Lome, as shown in the Table 2.1.⁸ Although the documented evidence regarding the number of males and females on the delegations were not readily available, stories recounted by the representative of the CSO Women's Forum on the Observer team indicate that women comprised about 40 percent of all persons who participated in the negotiation process.⁹ The women participated actively and contributed to discussions in the working groups. Some of them were influential in lobbying and advocacy, particularly among the two Sierra Leonean sides, outside the formal space which contributed to moving the negotiation process forward. Most women delegates participated in the group work sessions that dealt with post-war rehabilitation and reconstruction, education and health, and child combatants. Despite these positive initiatives, it must be noted that women's concerns appeared only once in the Lome Peace Accord, with regards to post war rehabilitation and reconstruction. It is recognized in the Agreement that women were particularly victimized during the war and Article XXVIII of the Lome Peace Accord, of 7th July 1999, called for special attention to be accorded to women's needs and potentials in formulating and implementing national rehabilitation, reconstruction, and development programs, so that they are able to play central role in the moral, social, and rebuilding initiatives of Sierra Leone.¹⁰ Yet, this does not always occur in practice. For example, in November 2012, after an inter-political party skirmish in Bo County following the stoning of the SLPP presidential candidate, an informal peace negotiation was held. No women took part in this informal peace negotiation.

Since the restoration of peace in Sierra Leone, all stakeholders (such as government functionaries in the conventional Ministries and Departments; politicians; Local Councils, including state institutions and structures set up for national reconciliation and the consolidation of peace (e.g. the then National Commission for Resettlement, Rehabilitation and Reconstruction (NCRRR), currently NaCSA); the Human Rights Commission; CSOs including women's, youth, children's, and other special needs (disabled/ war wounded) groups; former combatants; Security Sector Institutions; and International Partners, such as the UN System) have been included in recovery and peace building efforts. This has been carried out with the active support of development partners as evidenced in the compact with the UN Peace Building Commission (PBC). Various initiatives/programs (such as enhanced protection and redress for victims of SGBV that have resulted in the development of stronger SGBV related policies

8 ECOWAS mediated the peace talks which was chaired by the Minister of Foreign Affairs of the Togolese Republic, H.E.Koku Kofigoe; the peace mediation was also supported by the Representatives of the Organisation of African Union, (Ms. Adwoa Coleman), the Commonwealth of Nations, the United States of America, and the Special Representative of UN Secretary General (Francis Okelo). The Chief Negotiator on the GoSL side was the vice president at that time, H.E. Solomon Berewa (a lawyer by profession) and the Negotiator on the RUF side was a Sierra Leonean Lawyer, Omri Golley.

9 Dr. Nana Pratt, representative of the Women's Forum and Academic Staff Association, Fourah Bay College, University of Sierra Leone at the Lome Peace Talks, Lome, May-June 1999.

10 Detailed information on the Lome Peace Agreement is available on: <http://www.sierra-leone.org/lomeaccord.html>.

and laws, along with provision of safe homes and shelters for survivors) were established and funded under the Peace Building Fund (PBF) to ensure that the hard-won peace is nurtured and maintained, and that Sierra Leone would not relapse into war. Even where there have been hot spots of political violence that posed threats to the safety and security of persons, especially women and girls, serious actions were taken to diffuse and prevent conflicts through relevant strategies, including dialogue, mediation, and reconciliation. A number of representatives of women's organizations like MARWOPNET, Women's Forum, and Gender Empowerment Movement were trained by ECOWAS and the United Nations Office for West Africa (UNOWA) on negotiation and mediation techniques. In some instances, and prior to the 2012 national elections, civil society organizations including these women's organizations have worked together with male -led/mixed gender CSOs on peace consolidation projects within the framework of the Civil Society Platform for Non-Violence set up with funding from the United Nations Integrated Peace Mission for Sierra Leone (UNIPSL). Among such groups is HOPE Sierra Leone, an organization campaigning for peace that attempts to mediate conflicts by directly working with communities on reconciliation initiatives. Another organization, Fambul Tok, has trained community women, referred to as Peace Mothers, to mediate peace in their communities.

Indicator 3 – Index of women's participation in the justice, security sector and peacekeeping missions

Women in the judiciary

Table 3.1: Index of women participating in the justice sector 2012-2013

Sector of Judiciary	2012			2013		
	Number of women	Number of men	% of women	Number of women	Number of men	% of women
Justice of the Peace	3	7	30.0	2	11	15.4
Magistrates	2	18	10.0	2	23	8.0
High Court	3	11	21.4	3	13	18.7
Court of Appeal	3	2	60.0	3	2	60.0
Supreme Court	3	2	60.0	3	2	60.0
Law Courts - Chief Justice	1	0	100.0	1	0	100
Solicitor-General	1	0	100.0	1	0	100
Administrator-General	1	0	100.0	1	0	100
Total	17	40	29.8	16	51	23.9

Source: Sierra Leone Courts Registry, Law Courts Headquarters, Freetown, June 2013

Women have done extremely well in the judiciary, particularly at the higher echelons. The Chief Justice, the Solicitor General, the Chair of the Law Reform Commission, and the Administrator General are all women, in addition to the three out of the five Supreme Court judges and Appeals Court judges. Female representation on the higher bench surpasses that of males, however at the high court, there are only 3 female judges out of 16, while at the magistrate courts, female representation is 2 out of 25. Women's participation in the lower echelons of the judiciary (the first three courts) is minimal and this can be attributed to the fact that girls may shy away from the legal profession, which is seen as a male domain. The many years of schooling associated with a legal career may also deter girls and women from pursuing the field. However, the few women that are seen in the justice and security sector institutions may be serving as an inspirational factor for young girls to want to get into such respected, admirable, and powerful professions that are stereotypically seen as a male preserve.

The repercussion of having low women representation in the justice and security sector institutions relates more to the question

of trust and confidence. Women and girls victims/survivors/offenders find difficulty oftentimes in understanding procedural measures and feel timid in engaging with male officers during investigation. High level of female representation in these sectors contributes to helping the situation, to improving efficiency in handling women's specific justice and security concerns, and keeping them on the national justice and security agenda.

The findings in this research also point to the fact that there is no female in all the local court sectors in the provinces. A Paramount Chief (PC Umaru Jalloh) reported at a recent advocacy strategy meetings relating to the implementation of UNSCR in Sierra Leone, that three females have applied for the local court chair position in the Nieni chiefdom of Koinadugu District. This is a bold and positive step by these women since women are typically excluded from such customary decision-making spaces.

Between 2012 and 2013, the total number of females in the judiciary declined by 1 (in the Justice of the Peace Sector). In the same period the number of males increased from 40 to 51. This increase was in the three lower court sectors.

Women in the police

Table 3.2: Index of women participation in the Sierra Leone Police (SLP) 2012-2013

	2012			2013		
	Number of women	Number of men	% of women	Number of women	Number of men	% of women
Police 2013 (total) 13,036				2,320	10,716	17.8
Inspector General	0	1	0	0	1	0
Deputy Inspector General	0	1	0	0	1	0
Assistant Inspector General	1	16	1.5	1	16	5.9
Chief Superintendent	2	15	1.5	2	27	6.9
Superintendent	10	99	9.7	11	99	10
Assistant Superintendent	40	262	5.2	41	254	13.9
Inspector	148	514	4.2	144	497	22.5
Sergeant	276	2,009	15.67	265	1,920	12.1
Constable	1,388	6,270	19.3	1,853	7,585	19.6
Support Staff	48	393	9.35	3	316	0.9
Total	1,893	9,575	16.5	2,320	10,716	17.8

Source: Systems Administration, Sierra Leone Police, Headquarters, George Street, Freetown, 23rd May 2013

The highest ranking officer in the force is the Inspector General (IG). Both the IG and the Deputy Inspector General (DIG) are men. There are 16 male Assistant Inspector Generals (AIG) and only one female at this level. The IG, DIG and AIG are the decision makers and they are assisted by the line managers: Chief Superintendent and a Superintendent.¹¹ No woman has ever reached the level of Inspector General or Deputy Inspector General in the history of the police force. There are 27 female holders of degrees (10.5 percent) compared to 256 males. Only degree holders can aspire to the top cadre of the police force and since female graduates comprise only 10.5 percent, it explains the paucity of women at the top cadre, from Inspector General of Police to Assistant Superintendent, where decisions are taken.

The highest number of women can be found among constables. The number of women at the constabulary level in 2012 was 1,388; currently it is 1,853. This marks an increase of 465 females at this level. The educational requirements to enter the force as a constable are minimal. The stipulated age for men is 18-25 and they should have an aggregate of 30 at the Basic Education Certificate Examination (BECE) in order to be accepted, while for women the age limit is 28 and the educational requirement is 35 at BECE. The police are pursuing a targeted form of affirmative action policy, which is creating space for women in order to close the gender gap in the force.

Women are highly represented as nurses, laborers, administrative and clerical staff that are less likely to be involved in decision-making, as they are often the support staff. Women dominate

in this category because of stereotypes relating to subject and career choices: clerical work and nursing require less education so they opt for these careers, which are an extension of their reproductive roles as care givers.

All auxiliary staff (technical and mechanical) members are males who are trained in technical and mechanical skills within the force. This category of staff includes drivers, motor mechanics and cleaners.

The SLP is committed to closing the gender gap in the force through gender mainstreaming and in pursuing a policy of affirmative action in the recruitment and promotion of qualified females. This "preferential" treatment caused a male officer to make the following comment, "In my next re-incarnation I would come as a woman to work in this force." It has adopted targeted affirmative policy in terms of recruitment and rapid upward mobility through accelerated promotions of females. The gender mainstreaming policy that the police force developed was guided by the National Gender Policy. The SLP with the support of DCAF and a Sierra Leonean Gender Consultant from the Institute of Gender Research and Documentation (INGRADO) has conducted an assessment of the implementation and effect of its various gender policies (gender mainstreaming and sexual exploitation, sexual abuse and sexual harassment policies of 2008). According to the report¹² the Sierra Leone Police has made a lot of efforts to transform the service to be more gender sensitive, but has to confront some more remaining challenges.

Women in the military

Table 3.3: Index of women participating in the Sierra Leone military 2010-2013

Class	Level	Rank	2010		2012		2013	
			% of women	% of men	% of women	% of men	% of women	% of men
Commissioned	Senior Officers	Major General to Major	19.0	81.0	7.5	92.5	7.0	93.0
	Junior Officers	2 nd Lieutenant to Captain	4.0	96.0	5.1	94.9	6.0	94.0
Non Commissioned	Senior Officers	Sergeant to Warrant Officer Class 1 & 2	3.0	97.0	2.4	97.6	2.0	98.0
	Junior Officers	Corporal to Recruit	4.0	96.0	4.7	95.3	5.0	95.0

Source: Republic of Sierra Leone Armed Forces, Ministry of Defense Headquarters, State Avenue, Freetown, Sierra Leone, 2010; August 2012 & August 2013.

11 Source: Key informant interview 23/06/13.

12 Dr. Aisha Fofana Ibrahim, The Integration of Gender Perspective in the Sierra Leone Police (Geneva:DCAF, 2012)

Table 3.4: Comparative percentages of men and women in different ranks of RSLAF in 2013

No.	Rank	% of women	% of men
1	Major-General	0	100
2	Brigadier-General	17	83
3	Colonel	0	100
4	Lieutenant-Colonel	12	88
5	Major	5	85
6	Captain	7	93
7	Lieutenant	6	94
8	2nd Lieutenant	10	90
9	Warrant Officer Class1	5	95
10	Warrant Officer Class2	4	96
11	Staff Sergeant	1	99
12	Sergeant	3	97
13	Corporal	2	98
14	Lance Corporal	5	95
15	Private	7	93

Source: Ministry of Defense Headquarters, Tower Hill Freetown, August 2013

The Republic of Sierra Leone Armed Forces is a patriarchal institution where the infrastructure provided for its force is very spartan and constructed with the view that only men would enlist. Unsuitable living quarters pose challenges for males as well as females but more so for women who dislike sharing accommodation with males. Inadequate provision of water and lack of toilet facilities are factors that deter women from applying and staying in the military. The highest ranking female is a Brigadier and the other females in rank are Lieutenant Colonels.

Based on key informant interviews with personnel from the Gender Equal Opportunities Unit of the RSLAF, it was revealed that female representation is still at 3.7 percent in 2013.¹³ Thus, the situation is the same as it was in 2012 with minimal female enrolment. There is a gender policy but the military does not yet have an affirmative action policy for women in place, such as the accelerated upward mobility, which exists in the police for graduate females entering the force. It takes years to advance within the military for women. As one key informant suggested, terms and conditions of service and policy for women should be linked and re-enforced. Even the military attire is tailored for males as the flap is sewn to suit men only. An association of women in Security Sector in Sierra Leone (WISSL) for female members from Security Sector Institutions (SSI), namely: Police, Prisons, Immigration, Customs, and Private Security Agencies, has been formed with the support of the military. Other SSIs, such as the Prisons and Fire Force, that do not yet have a gender policy, are being encouraged to put such an enabling instrument in place.

A sexual harassment and fraternization policy was passed on

13 This RSLAF statistic was provided during key informants interviews.

March 15, 2013. A review of the Defense White Paper is being undertaken to make it gender sensitive. Also a policy on gender mainstreaming and office practicalization is in progress at the Ministry of Defense (MOD)/RSLAF. With a lot of support from WIPSEN-Africa/MSWGCA applying the PBF, and the Centre for Democratic Control of Armed Forces (DCAF), Geneva as well as other stakeholders, the MOD/RSLAF has continued its gender mainstreaming activities. These activities according to interviews/discussion have had some positive effects on attitudes and behaviors among male and female military personnel. For example, it is reported¹⁴ that there has been a significant reduction in Gender-Based Violence (GBV) perpetrated by soldiers against their wives and/or female personnel. Also, male soldiers have accepted the idea of positive discrimination and that female/male participation rate would have to be increased in favor of females through affirmative action that is yet to be passed. It is stated that nowadays, many more female recruits and personnel seek to be deployed in the infantry units rather than in the traditional roles as nurses in the medical unit or caterers in the catering department.

Women in peacekeeping missions

Table 3.5: Participation of women in Peacekeeping Missions in 2013

Mission/ Country	Post	Number of men	Number of women	% of women
MINUSMA (Mali)	Contingent Troop	4	0	0
UNAMID (Darfur)	Individual Police	40	55	57
	Military Experts on Mission	10	0	0
	Contingent Troop	4	0	0
UNIFIL (Lebanon)	Contingent Troop	3	0	0
UNISFA (Abyei)	Military Experts	2	0	0
UNMISS (South Sudan)	Individual Police	7	8	53.33
Total		70	63	47.36

Source: UN Mission's Summary Detailed by Country: Monthly Report http://www.un.org/en/peacekeeping/contributors/2013/jul13_3.pdf. Accessed Sept 24, 2013.

No Sierra Leonean female soldier has taken part in peace enforcement although Sierra Leone has taken part in peacekeeping operations as far back as 1960 in the then Congo. RSLAF is committed to training women to serve as combatants and to generate a force that will enable it to fulfill its obligations to the UN, AU and ECOWAS. Women would be sent on rear operations as administrators and logistics officers and if the environment is conducive, they would then proceed to the trenches. In 1979,

14 Army Chief of Staff, "The Effects of Gender Mainstreaming on the Republic of Sierra Leone Armed Forces" Paper delivered at the WIPSEN-Africa & Mod/RSLAF Annual Gender Reflection Seminar, Taia Hotel Freetown, 24th April 2012.

women were trained for combat but lost that rank because many of them could not endure the physical rigors of the training and had to quit while others were transferred to administrative duties. Currently, women are recruited for combat and it is envisaged that by 2014 women from Sierra Leone will be able to take part in combat peacekeeping missions.

Currently, there are four contingent troops in Mali, three in Lebanon, and four in Darfur. All contingent troops are men. RSLAF is giving pre-deployment training to 31 women and 840 men to equip them for peacekeeping. When these women complete their training they would then be sent on rear operations as administrators and logistic officers if the environment is benign and then proceed to trenches.

Training modules in pre-deployment include the following:

1. Response to terrorism
2. Check point duties
3. Logistics – Movement of materials and administration and communications
4. Anti-ambush drills

In general, gender and gender mainstreaming form parts of the RSLAF training in all modules within all training institutions. This is to contribute to preparing the minds of soldiers, especially male personnel at all levels, to gender sensitivity. It appears from discussions with various ranks of men and women in the RSLAF that the notion of gender awareness and sensitivity through training and mentoring is gradually taking hold.

In 2009, the UN Police Division launched the global effort to increase the number of female police officers working for the UN. They set a global target indicating that at least 20 percent of all UN Police must be females by 2014. As mentioned previously, no female soldiers have taken part in peace enforcement, however, females constitute more than 15 percent of the SLP as of June 2012, and 77 out of the 180 SLP officers serving in Civilian Police (CIVPOL) as part of peacekeeping missions are females.¹⁵ The UN Police Magazine (2012) placed Sierra Leone fourth out of the top ten contributors of female police officers. Thus, Sierra Leone has passed the 20 percent global goal set for 2014.

The SLP also has a policy framework on peacekeeping operations¹⁶ which is based on internationally acceptable human rights frameworks, instruments, and protocols ratified or adopted by the Sierra Leone government. It has applied special measures to recruit and train women so as to ensure inclusivity and gender equality.

Overall females' representation and participation remain lower than males in all sectors. For example, women constitute 23.9 percent of the judiciary; 17.8 percent in the police (total); 7.5 percent among Commissioned ranks and 2.4 percent among non commissioned ranks in the Military. However women made progress occupying the higher echelons in the Judiciary. In

some areas of Peace Support Operations such as the CIVPOL sector, more women feature than men e.g. UNAMID (Dafur) and UNMISS (South Sudan).

Indicator 4–Number and percentage of women participating in each type of constitutional review (including security sector review)

The Law Reform Commission comprises of seven Commissioners, including the Chair who is a woman. She chairs all meetings of the Commission and most of the important review processes e.g. the review of the Electoral Laws of Sierra Leone. The other members of the Commission are drawn from the Judiciary, including the Attorney General and Minister of Justice; the Sierra Leone Bar Association and the Faculty/Department of Law at Fourah Bay College, University of Sierra Leone. The Secretary and Assistant Draft person are women. The Law Reform Commission has staff strength of 23, distributed as indicated in Table 4.1.

Table 4.1: Number and percentage of women in the Law Reform Commission

Staff Rank	Number of women	Number of men	Total	% of women
Commissioners	2	5	7	28.6
Professionals	4	4	8	50
Total	6	9	15	40

Table 4.2: Number and percentage of women participating in each type of constitutional review 2013

	Number of women	Number of men	% of women
Constitutional review	18	62	22.5
Security sector review	N/A	N/A	N/A

Women constitute 22.5 percent of the Constitutional Review Committee. They would actively contribute to the deliberations to ensure that the amended Constitution provides an adequate blueprint for achieving social cohesion, good governance, application of human rights, including women's rights, and afford equal opportunities to Sierra Leonean women, men, girls, and boys. During the Constitution Review process in the period 2006 to 2008 women recommended that the discriminatory provisions against women in Section 27 (4d & 4e of the 1991 Constitution) should be expunged and others, such as that relating to citizenship, be amended. The recommendation on 27 (4d) featured in the Committee's report to Government. On the 30th July 2013 Government inaugurated a new 80 member Constitutional Review Committee with 22.5 percent female representation.¹⁷ It has been learned that the 2008 report

¹⁷ The initial female representation was only 14 (17.5) Women CSOs wrote a letter to the Attorney- General (AG) and Minister of Justice on this low participation, and advocated for more space to be given to women. In an interview with the AG, it was learned that the smaller political parties who were given three slots each, had been encouraged to nominate at least one woman each. They have responded and this has resulted in an increase representation of women from 14 to 18.

¹⁵ UN Police Magazine, 9th Edition July 2012, p. 56.

¹⁶ Sierra Leone Police Policy on Peacekeeping Operations 2013, p. 3.

of the previous Committee will form part of the background documents in the work program of this 2013 Committee, which should conclude its work by March 2015. Women's organizations/groups and mixed gender human rights activists expect that the recommendation for the removal of Section 27 sub-sections 4d & 4e¹⁸ will be upheld in its outcome report to government in two years time. This report will be subjected to a referendum after passage in Parliament thus affording the people themselves a final say on their issues. The Law Reform Commission would play an active part in the review by providing legal researchers for the Committee's work. The Committee is chaired by the Ombudsman.

Indicator 5 – CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

Table 5.1: Number and percentage of CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

	Number of CSOs	Total number of Steering Committee members	% of CSOs
NAP 1325 Steering Committee for the implementation of Sierra Leone National Action Plan (SiLNAP)	11	26	42.3
Total	11	26	42.3

There has been little or no change in the number and percentage of CSOs represented on the National Steering Committee for the implementation of the SiLNAP since its inception in May, 2012. CSOs constitute 42 percent of members. Seven members of the CSO group represent women's organizations, and of these about five work specifically on Women, Peace and Security issues. The majority of the members represented on the Committee were drawn from the initial WANMAR Task Force. These members had fully attended and participated (either as theme coordinators, planners/ organizers of regional consultations, paper presenters,

or as data/information gatherers, drafters, editors, etc) in the process comprising various activities undertaken by the Task Force, which finally yielded the SiLNAP. The transformation of the Task Force into the National Steering Committee for Implementation gives effect to activities under Pillar 5 of SiLNAP that is to promote coordination of the implementation process, resource mobilization, monitoring and evaluation of and reporting on the implementation, and going forward. The Provincial, District, and Chiefdom Steering Committees are yet to be launched, since the preliminary activities of proposing criteria and identifying the membership started last year.

Funding has been a challenge. However, the inclusion for implementation of various strategic gender equality plans as one of several priority actions under the Pillar 8 of the PRSP (III) launched on 12th July, 2013 is one channel/way to battle this challenge.

There has been little or no change in the representation on the National Steering Committee for Implementation of SiLNAP since its establishment in May 2012. With technical and financial support from the GNWP, the Decentralisation Secretariat, the MLGRD including the nineteen Local councils and the MSWGCA, jointly developed Localization guidelines on integrating women, peace and security issues into the local legislation process/development planning process in the local councils. The Localization guidelines that were launched on the 6th February, 2013 will contribute to guiding the way forward for the prioritization of WPS issues in the development plans and programmes of local councils which can be monitored by the Provincial/District/Chiefdom Steering Committees for the implementation of UNSCR1325/SiLNAP. There is an urgent need for these local level steering committees to be established and operationalized as already discussed by the National Steering Committee for the implementation of UNSCR/SiLNAP and also by local councilors at the launch of the guidelines.

B. Prevention and protection

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized

Table 6.1: Number of SGBV cases reported, investigated, prosecuted and penalized from January to December 2012

Type of SGBV	Reported	Investigated	Percent Investigated out of Reported cases	Prosecuted	Percent Prosecuted out of Investigated cases	Penalized	Percentage Penalized out of Prosecuted cases
Domestic Violence; Unlawful carnal knowledge; ⁱⁱⁱ Rape; Sexual Assault; Sexual Harassment; Indecent Assault; Child/Human Trafficking	6,210	3,951	63.6	1,131	28.6	152	13.4

Source: Computed from data provided by Family Support Unit, Sierra Leone Police 2012 Report

18 See "Women Count" 2010, p. 100, Indicator 8; "Women Count" 2012, p. 95, Indicator 4.

The data presented in the table above was obtained from the Family Support Unit of the Sierra Leone Police (FSU). The International Rescue Committee (IRC) also collects data in their operational areas. The data from the police is a compilation of information from the four regions of the country, while data from the IRC were collected from their three Rainbo Centres located in Freetown, Kono, and Kenema. Unlike the FSU, which deals with reported cases and their outcomes, the IRC data captures information related to rape, sexual assault, and physical assault. This makes comparison of data impossible. In addition, the IRC data also contains information of survivors by age (0-11 years; 12-17 years; 18 years and over).

Based on the more comprehensive data from the FSU, domestic violence is the most prevalent form of SGBV. On the whole, domestic violence comprised 60.3 percent of all SGBV cases.

Although cases reported are large; convictions or penalties are much lower.

The pattern of sexual violence suggests that forms that were common during the eleven years' war in Sierra Leone, such as rape, are still prevalent in the country. The rate of reporting may have escalated in current years because of widespread campaigns against sexual violence, which has apparently resulted in an increase in reporting such crimes.

A total of 6,210 cases of SGBV were reported at the national level (Eastern, Northern, Southern and Western Area) from January to December 2012. A total of 3,951 or 63.6 percent were investigated, and of the total number of cases investigated, 28.6 percent were prosecuted, with 13.4 percent of those prosecuted being penalized. These results suggest that although cases reported are large; convictions or penalties are much lower. With respect to whether minority groups are targeted, the data is not available from the FSU but the data collection institutions (FSU, IRC) do not discriminate during reporting and as such they cannot be easily identified, though they might exist. The number of cases reported for January to December 2012 is two-and-a-half times the number reported for the same period for January to December 2011. However, the percentage convicted is only 13.4 percent for 2012 compared with an average of 17.5 percent conviction rate in 2009 for cases of sexual assault and domestic violence.

Conviction rates in Sierra Leone are low for the following reasons: some cases are thrown out of court because of a lack of convincing evidence from the prosecution; some cases are withdrawn from the courts and settled at homes because families of the victims are generally poor and illiterate. Under these conditions, perpetrators tend to bribe their way out of prosecution. In other situations, some cases are kept in view to be called for at a later

time, however, there may often be a long waiting period ((for unknown reasons). During such periods, the victims are forced to withdraw their complaints from the police on traditional practice/beliefs that such matters are best settled within the family, and to prevent stigmatization of the victim.

Despite these problems, Sierra Leone has made some strides to address the issues of sexual and gender-based violence since the war. Some of the initiatives include establishment of the FSU's in 2001; and enactment of the 2007 gender laws that address Domestic Violence, Devolution of Estates, and Registration of Customary Marriage and Divorce.

In 2012, the Sexual Offences Law was passed in Parliament. This law is comprehensive as it covers issues, such as, unlawful carnal knowledge, cruelty to children, domestic violence, indecent assault, sexual harassment, and rape. A standard operational procedure has been launched and disseminated to assist the SLP in handling sexual offences and domestic violence. Additionally the MSWGCA with the support of partners (IRC, UNICEF) completed and launched the National Referral Protocols for SGBV and the National Action Plan on GBV on 19th October 2012 to serve as a seamless pathway and give better support services to victims of GBV throughout the country. Another initiative to enhance political will is the inclusion of a separate pillar (Pillar 8) on Gender Equality and the Empowerment of Women in the Government's Agenda for Prosperity (PRSP III). This Pillar, which deals with women's economic empowerment, education, and health, also has a section on violence against women. It is hoped that the strategies therein will go a long way towards minimizing SGBV in Sierra Leone. However, the provision of adequate resources is required for the implementation and enforcement of the Sexual Offences Law. Indeed, a national NGO-Campaign for Good Governance has recently obtained funding assistance from the Open Society Initiative for West Africa (OSIWA) and is collaborating with MSWGCA and the National Committee on Gender-Based Violence (NAC-GBV) to develop and roll out a one year strategy framework/plan to accelerate implementation of and enforce compliance with the Sexual Offences Act. Also, Advocacy Movement Network (AmNet) in collaboration with MSWGCA and with funding from UNDP has conducted training sessions for the FSU, paralegals, and traditional authorities on the Sexual Offences Law. All of these intensified efforts are expected to help the impunity with which the heinous crime of rape has been continuing throughout the country.

There is a slight to moderate progress for this indicator: moderate in that SGBV cases are now being reported at all levels and slight as the percentage penalized is still low. The culture of silence in this matter is being broken due to continuous awareness raising initiatives by women's groups/and other human rights campaigners. The low percentage of cases penalized could weigh heavily on the fact that domestic violence constitutes 60.3 percent of all the cases reported, and are being settled by alternative dispute resolution measures where there is no grievous bodily harm and both parties are amenable to reconciliation.

Indicator 7 – Number and quality of gender responsive laws and policies

The Sierra Leone government continues to demonstrate its commitment to achieving gender equality and through the enactment of gender responsive laws and policies. In the recently launched Third Generation Poverty Reduction Strategy paper III (The Agenda for Prosperity, 2013-2018), the government has adopted a twin track approach by not only mainstreaming gender across Pillars 1-7, but also including a separate pillar on Gender Equality and Women's Empowerment.

In August 2012, the Sexual Offences Act was passed into law and is now being implemented with the setting up of the Saturday courts to facilitate the timely prosecution of sexual offences. However, the passage of the Matrimonial Causes Bill, which went to Parliament at about the same time as the Sexual Offences Bill, is still pending.

The GoSL continues to take effective measures to strengthen legislations and policies that are gender responsive or focused. For example, the MSWGCA is actively working with particularly Justice sector institutions, NGOs (especially the Women's Forum, CGG, AMNet, IRC), the UN System (UNICEF, UNDP, UNFPA) to develop and roll out implementation plans and ensure application of legislations and policies through strategies including sensitization, advocacy, and capacity building for key actors particularly at community levels. In addition to its gender mainstreaming policy and its affirmative action in recruitment and upward mobility of female officers, the RSLAF has developed a Sexual Harassment Policy, which was approved by the Defense Council on 14th March, 2013. The SLP, in the same vein, is currently implementing its affirmative action on the accelerated promotion of female police officers.

Despite the existence of these gender sensitive policies, female members in security sector institutions have expressed dissatisfaction at the slow application of the policies, recently. On August 22, 2013, executive members of WISSL called on H.E. President Ernest Koroma to apprise him of the situation and

advocate for his intervention.

There have also been significant strides in building the capacity of Local Court personnel and bringing them into the administration of the formal justice system. The Local Courts are presided over by local elders and they provide justice in most rural areas. Court chairmen and clerks have received training organized by the Ministry of Local Government and Rural Development. The Ministry has also re-assessed, re-organized, and re-trained chieftdom police officers to make them aware of modern trends in policing.

As indicated previously, with support from GNWP, and in collaboration with the Ministries of Local Government and Rural Development, and Social Welfare, Gender and Children's Affairs, the Local Councils have also developed Localization Guidelines on integrating women, peace and security issues into the local legislation process in the local councils. These Localization Guidelines that were launched on the 6th of February, 2013 will chart the way for the prioritization of women, peace and security issues in the development agenda of local councils. There is an urgent need to deepen awareness of this approach by rolling out the guidelines at town and district level councils, now that the recently elected councils are being shaped into their ways of work.

Indicator 8 – Number and nature of provisions/recommendations in the Truth and Reconciliation Commission and other transitional justice reports on women's rights

The Truth and Reconciliation Commission has claimed that there were deep-seated discriminatory practices against women that pre-date the war. The Human Rights Commission, which includes two female commissioners in its five-member composition, has assumed the responsibility of following up on the implementation of the TRC until the official appointment of the Follow up Committee is made.

Table 8.1: Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

Recommendation; year	Recommending body	Purpose	Outcome
GoSL and RUF/other factions to conflict to issue a full and frank apology to women for abuses sustained in the war; 2004	TRC	Prevent repetition	Partly implemented as President Koroma apologized to the women of Sierra Leone on 27th March, 2010, but others are yet to do so.
Repeal all statutory and customary laws discriminatory against women, including provisions that prevent their inheritance of and access to land	TRC	Protection of women's rights and promotion of Gender Equality perspectives.	Partly implemented as gender justice laws have been passed; discriminatory provisions still remain in the 1991 Constitution now being reviewed. Also, considerable resources are needed to ensure that the right holders can claim and duty bearers enforce the laws.

Sierra Leone to ratify the Protocol to the African Charter on the Rights of Women (AU Women's Protocol)	TRC	Protection, Prevention and Participation MSWGCA in collaboration with NOW (SL) has organized nationwide popularization and community sensitization on the protocol. Women's groups, e.g. NOW(SL); AmNET, have continued to lobby MSWGCA to work with Ministry of Foreign Affairs and International Cooperation to table a bill for ratification in Parliament	Not implemented; signed but not ratified.
All Political parties to ensure that at least 30% of their candidates for all public elections are women; 2004	TRC	Participation	Not yet implemented. The lobby for implementation is continuing. The GoSL is supportive of the advocacy and lobby at all levels; currently a coalition of women's groups and other NGOs is working with MSWGCA for Minister to table a bill addressing the 30% quota in Parliament.
Repeal provision on women and girls Act which links the prosecution of sexual offences to the moral character of the complainant, 2004	TRC	Prevention, Protection and Prosecution	Implemented, as taken care of in the new Sexual Offences Law, passed August 2012.

In an interview, the Director of Gender, MSWGCA, explained that the inclusion of these issues as priority areas in the Pillar 8 of the PRSP III (A4P) represents a step forward towards implementation. Furthermore, it was revealed that some strategic activities in the SiLNAP are included in the MSWGCA work plan for this year. The MSWGCA is planning to collaborate with the Ministry of Justice and the Ministry of Foreign Affairs, along with undertaking international cooperation in the matter of ratifying the AU Women's Protocol. In addition, the MSWGCA is in the process of reviewing the existing draft Gender Equality and Women's Empowerment Bill, with a view to finalizing and submitting it to Parliament by the Minister of MSWGCA.

The recently enacted Sexual Offences Act takes a very strong position against compromise. Consequently, parents who attempt to prevent the issue of sexual assault from going public by ensuring that their child who has been assaulted is married off to the perpetrator are culpable of "compromise" and equally subject to prosecution. The government's Girl Child Policy also ensures that girls in all regions in Junior Secondary School (JSS) do not pay any school fees in the first year and minimal amounts in the second and third years. There was also a Free Health Care Initiative (FHCI) launched in 2009, to ensure that the challenges faced by women and girls with regards to access to health care services during pregnancy and childbirth is addressed. Strong efforts are being made by the GoSL—with the support of development partners—to confront implementation barriers.

Many believe that the absence of a full-fledged follow-up committee to monitor the implementation of the recommendations of the TRC, supported with the relevant

resources, is largely responsible for the slow pace in meeting the set objectives especially as they relate to women.

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

The Lome Peace Agreement of 7th July 1999, which ended the eleven years of civil war, stipulated that the GoSL should ensure reparations for war victims, in compensation for the violation of their human rights. The TRC also endorsed this recommendation. Five categories of war victims were identified by the TRC: Amputees, other War Wounded, Sexually Violated, War Widows, and Child/Orphan victims.

Media, such as radio programs, publications in daily newspapers, and community sensitizations by town criers were used in order to disseminate information on the reparation programs throughout the country. Registration of victims was done in all 149 chiefdoms. Initially, victims were hesitant to come forward to register, often due to fear or shame. In total, as many as 20,107 people were able to come forward and meet the registration deadline.¹⁹

In total, a greater number of women compared to men received reparations. As documented in previous Monitoring Reports on UNSCRs 1325 & 1820, the initial funds of USD 3,000,000 for the reparation program were donated by the United Nations Peacebuilding Fund.²⁰ These funds were intended to assist the

¹⁹ Source: Sierra Leone Reparation Programme, Annual Status Report (Dec 2008 – Dec 2009); Women Count – Security Council Resolution 1325: Civil Society Monitoring Report 2010 page 103, available at <http://www.gnwp.org>

²⁰ Sierra Leone In-Country Monitoring Report on Implementation of UNSCRs 1325 &

GoSL to kick start the reparations program and to raise more money through revenue and private donations for the program to continue. The weak revenue input of the GoSL into the Trust Fund for War Victims and the inability of the management Committee established under the National Commission for Social Action (NaCSA) to raise significant funds has hampered the continuation of the program on the needed scale. At the end of 2009, funds for the reparation programs were exhausted so 12,003 victims were not serviced. Among those left out were 685 female victims of sexual violence and 8,539 widows.

A UN Trust fund that was set up to end violence against women was managed by UN Women, and it catered for 650 female victims for skills training. The funds allocated in 2010 were SUSD 999,999 for two years. There are 685 female victims of sexual violence still to receive skills training.

Beginning in 2010, the NaCSA/UN Women/Victim of Sexual Violence's (VSVs) Project provided training, based on the prioritized needs of the women. The trainings lasted between 3-6 months. Beneficiaries received skills training conducted by local NGOs and Skills Training Institutions. During the training, participants received a stipend of SUSD 40 each month. At the end of the training, they received a micro grant of SUSD 500 and a tool kit worth SUSD 60. This was meant to assist women in starting over, through engagement in meaningful and productive activities.

There has been no progress in terms of training the remaining victims of sexual violence since the phase wise trainings ended in 2012, due to the challenge of mobilizing additional funds. In 2011 UN Women funded a beneficiary impact assessment of the first phase of the VSV Project. Most of the beneficiaries found the training program empowering and are gainfully using the livelihood skills acquired and that it has helped to increase their self-esteem.²¹ A second phase impact assessment has been conducted in 2012 and the result is awaited.

C. Promotion of a Gender Perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Pre-deployment orientation and induction training programs for

men and women going on to peace support operations usually include principles and provisions of UNSCR 1325 and 1820. Regarding the resolutions 1325 and 1820, there is a separate session on that during the induction training in the Mission.

During the training greater attention is paid to the module that covers the following topics

1. Gender perspective
2. Gender, Human Rights and Conflict
3. Gender and Positive Outcomes of Conflicts

Greater attention is paid to these topics as they raise clear understanding and awareness on information that peacekeepers are to know and implement in missions.

The primary source of the course is from the Kofi Anan International Peace Training Centre (KAIPTC) and the Pearson Peacekeeping Training Centre, Canada. Modules and topics covered in pre-deployment training course are:

1. Contemporary Peace Operations
2. Knowing your mission – AU Structure, UN Structure, and Legal framework
3. Roles and responsibilities of UNPOL in Mission
4. Code of Conduct and Discipline
5. Personal Health and Safety
6. Report Writing
7. Working with Vulnerable Population
8. Gender in Peacekeeping Operations
9. Conflict Management/Negotiation and Mediation
10. Strengthening local capacity
11. Practical exercises

The courses are usually conducted by national experts with technical support at times by external experts. Gender dimensions are also included in modules in the Police training school including capacity building workshops for police and military serving within the country.

Other than post-deployment debriefing such trainings are not undertaken. It is critical to scientifically investigate the extent to which the exposure and insight that participants have acquired is applied/reflected in their service delivery back home.

1820 2012, 2012, available on the GNWP website at www.gnwp.org

21 The Best Development and Management Consultants Report on Victims of Sexual Violence's Reparation Project-Beneficiary Impact Assessment funded by UN Women (Sierra Leone's National Commission for Social Action).

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

To CSOs

Table 11.1: Allocated and disbursed funding marked for women, peace and security programs (WPS) to CSOs in 2012-2013 (in \$USD)

CSO	Donor country/ entity	Purpose	Amount received for WPS (\$USD)	Percentage of total CSO budget dedicated to WPS
GNWP Sierra-Leone (NOW{SL}/MARWOPNET{SL}, WPJP, & Women's Forum)	Cordaid, Netherlands; Folke Bernadotte Academy, Sweden; Government of Canada through GNWP, New York	Conduct in-country monitoring and report on implementation of UNSCRs1325&1820.	45,878	100%
		Development and Launch of Guidelines for the integration and Harmonisation of SiLNAP with Local Council Development Planning Process	190,823	100%
Civil Society Platform on Non –violence during elections	UNIPSL	IEC/Advocacy Campaigns on Non-Violence before, during and after elections	300,000	Not Available
Women's Situation Room Process (Women's CSO Coalition e.g. Women's Forum, YWCA, The 50/50 Group AMNet, MARWOPNET)	UN Women; UNDP, Local Donors e.g. SLRTA, NATCOM, OXFAM	Advocacy/mediation outreach for inclusive, fair and peaceful 2012 elections	200,000	Not Available
CGG	OSIWA	Addressing sexual violence in post conflict election	60,000	Not Available
AMNet- SL	CORDAID/UNDP	Operationalizing free helpline for woman and children to respond to abuse	71,690	Not Available
	WILDAF	Facilitating the drafting and enactment of a Gender Equality Bill and Policy	9,800	Not Available
	UNDP	Ratification of MAPUTO Sponsor 30% Quota.	10,000	Not Available
	UNDP	Applying assisting GBV referral pathways on Western Area/Bo/Makeni, Kenema to be implemented.	10,000	Not Available
	OSIWA	Free toll lines for GBV	10,000	Not Available
	NATCOM	Toll free lines for SGBV victims to Technician in expertise.	600,000	Not Available
The 50/50 Group	CORDAID	Survey on harmful traditional practices	20,000	Not Available
	OXFAM	Civic Education training for elections in Kabala/ Kailahun Training of aspirants	16,334	Not Available
	ENCISS	Empowering women in politics through dialogue forums with political parties ensuring violence free elections.	81,610	Not Available

Source: MSWGCA; Key Informant Interview with relevant institutions, 2013

To Government

Table 11.2: Allocated and disbursed funding marked for women, peace and security programs (WPS) to government in 2012 (in \$USD)

Government body in charge of project and/ or programs	Funds from national budget: Yes/No? Amount?	Donor country/entity Amount?	Purpose	Total Amount
Ministry of Social Welfare, Gender & Children's Affairs (MSWGCA)	Yes \$USD 15,000	UNFPA \$USD 43,000	Treat victims of SGBV during conflict, support to legislating the Sexual Offences Act, training and establishment of community advocacy groups on SRHR and Gender Equality	\$USD 58,000

Table 11.3: Allocated and disbursed funding marked for women, peace and security programs (WPS) to government in 2013

Government body in charge of project and/ or programs	Funds from national budget: Yes/No? Amount?	Donor country/entity Amount?	Purpose	Total Amount
Ministry of Social Welfare, Gender & Children's Affairs (MSWGCA)	Yes + Partners \$USD 49,000	GoSL and Development Partners e.g. UNICEF, UNFPA, UN Women, UNDP	WPS Program	\$USD 49,000

Source: MSWGCA 2013

Table 11.4: Amount and percentage of funding marked for women, peace and security programs (WPS) of government from 2008/2009, 2012, 2013

	2008/2009	2012	2013
Amount Received for WPS	\$USD 802,000	\$USD 58,000	\$USD 49,000 + more to be allocated under Agenda for Prosperity (A4P)

Source: MSWGCA; The Monitor: Official Newsletter of the Centre for Accountability and the Rule of Law; Volume 4: June 2013: "What does the 2013 budget say about Government's Commitments to Gender and Juvenile Justice Issues?"

D. Optional Indicators

Optional Indicator A – Extent to which gender and peace education are integrated in the curriculum of formal and informal education

Gender and peace education remains integrated into the formal tertiary educational system in Sierra Leone. At the University of Sierra Leone, peace education is currently integrated at the Postgraduate Diploma, and first degree levels. However, plans exist for further integration at the Masters level. Training includes modules in Peace in the Mano River Basin, and Peacebuilding and Natural Resources and Conflict - a new study area in the Unit of Peace and Conflict Resolution. To broaden the scope of the program, internship and outreach programs continue to be organized.

In the Institute for Gender Studies, the general situation has remained unchanged since 2012. The main theme is gender and the Institute continues to produce Masters students in Gender Studies, and there are possibilities for expanding the program to the undergraduate level, as well. An advantage of the program is that it establishes linkages with other social, economic and environmental issues.

Both programs produce an enlightened crop of male and female graduates. These graduates find placement services in NGOs and private organizations where they promote both peace building and gender advocacy programs. The success of both programs, especially in the Peace and Conflict Unit, has been their collaboration with both local and international supporters.

On the whole, not much has changed in actual implementation of the programs, although there are additions that have been planned.

Integrating peacebuilding in curricula at the teacher training level

The situation outlined in the 2012 Monitoring Report remains largely the same. The annual training of teachers and lecturers on Emerging Issues (EMI) is planned for later this year. However in March 2013, a workshop on “Integrating Peace Building Activities into Teachers Training – linking key drivers to specific content in course Modules” was held in Bo, Southern Region for training college and Polytechnic lectures. Additionally, UNICEF is involved in the monitoring of new teaching techniques (Child Centered Teaching Technique) used in classrooms, with regards to reading and emerging issues.

Table 12.1: Integration of gender and peace education in the curriculum of formal and informal education

Level/type	Existing programs that integrate gender and peace education
Formal education	
	<ul style="list-style-type: none"> • Peace and Gender Education, and Peace and Conflict Studies • Emerging Issues – Human Rights; Civic & Democracy; Health & Environment; Gender Concepts and Strategies
Primary	
Secondary	
Tertiary	<ul style="list-style-type: none"> • Certificate; Diploma; First Degree; Post Graduate (e.g. modules in the Institute of Gender Research and Documentation (INGRADO) Masters Program; also Peace and Conflict Studies Program, Fourah Bay College; Teacher Training (Emerging Issues)
Informal education	
	<ul style="list-style-type: none"> • Adult Education Programs at Community Levels

III. Conclusion and recommendations

Conclusion

It is evident that much has not been happening since last year. Female participation in governance still falls far below the 30 percent threshold as recommended by the Truth and Reconciliation Commission and the Beijing Platform for Action. Although the number of Presidential Appointees (cabinet ministers, Deputy Ministers and Ambassadors) has increased, this increase is still minimal. Female representation in Parliament is more or less constant hovering at about 14 percent. In the local councils, there has been much improvement in terms of the number of female Mayors/Chairpersons or the Deputy Mayors/Chairpersons elected. Furthermore, there are positive signs in that there are more women elected to chair very important sector committees in local councils.

Female representation in the security and justice sectors is still the same although there are positive moves, particularly at the lower ranks of the police force, (through the introduction and adoption of policies) to ensure gender equality and exclude discrimination in these sectors. However, while the women in the forces are complaining about the slow application of gender policies, some of their male colleagues wished they could be women so as benefit from accelerated promotion scheme.

The implementation of some national gender related plans and policies including specific institutional gender policies are still slow. Much more remains to be done in effectively applying them and thereby confront persistent gender resistant culture at all levels, particularly in the rural communities.

Recommendations

It is to be noted that some of the recommendations made last year still stand, particularly since the position has progressed very little/or not.

To Government

- ▶ Take proactive measures and ensure that the National Steering Committee on the full Implementation of SiLNAP (NSCI-SiLNAP) is fully functional and operational through the provision of required resources
- ▶ Establish Regional/District Steering Committee on the implementation of SiLNAP. This will have the responsibility also to ensure that Local Councils popularize and effectively use the Guidelines in the preparation of Development Plans;
- ▶ Ensure that gender disaggregated data is readily available in all Ministries, Departments and Agencies (MDAs) and that all MDAs adopt affirmative action in the recruitment and promotion of women in their institutions.
- ▶ MSWGCA should fast track the presentation of the Gender Equality Bill before parliament and thus implement the TRC recommendation on 30 percent threshold for female representation at all levels of governance, as well as ensure that it is enshrined in the 1991 Constitution which is currently being reviewed.
- ▶ Continue efforts for the enactment of the Freedom of Information Bill into law

- Provide additional funds for the training of the remaining victims, given that only 650 victims of sexual violence have benefitted from Skills Training Programs funded under the NaCSA / UNWOMEN Victim of Sexual Violence Project. Funds could be sourced from revenue accruing from natural resource mining as recommended by the TRC.
- Ensure that UNSCR 1325 and 1820, through implementation of SiLNAP, is mainstreamed across all government ministries and departments, such as, Ministries of Finance and Development; Education; Agriculture; Local Government; Rural Development; and Internal Affairs etc.

To the UN

- UN Women should provide funds to GNWP members in Sierra Leone to work with the MLGRD including other stakeholders (MSWGCA, Local levels Steering Committee for the implementation of UNSCR1325/SiLNAP) and roll out the Guidelines on the Harmonisation of UNSCR 1325 and 1820 with the Development Plans of local councils to different stakeholders at the local level.

To Civil Society

- GNWP members in Sierra Leone should develop a proposal to roll out the Guidelines on the Harmonisation of UNSCR 1325 and 1820 with the Development Plans of local councils to different stakeholders at the local level.
- Initiate/step up advocacy activities about reopening another window for registration of sexual violence victims who were left out of the initial process.
- Conduct a survey of women peacekeepers to find out how they are utilizing the skills obtained/acquired in peace support operations. This will inform what impact is made in security services responding to women's needs Promote mobilization of domestic revenue for contribution/donation to the reparation fund.

To the Donor Community

- Continue to support initiatives to provide funds to enhance the training of personnel of the Family Support Unit (FSU) of the Sierra Leone Police on how to collect standardized information on rape and other sexual assault cases. At present, the format for presentation of cases is in bulk but there is a need for reporting cases prosecuted by category.

Table Footnotes:

- i Women chair only three of the thirty-two (i.e. 9.3 percent) Parliamentary Oversight Committees which are: Health and Sanitation; Fisheries and Marine Resources; as well as Social Services.
- ii Grade means "Level." Grade 1-6: Junior Employees; Grade 7-9: Medium Employees; Grade 10-14: Senior Employees.
- iii Unlawful Carnal Knowledge was an offence under the sexual offence law before the new/ strengthened sexual offences law of August 2012. It applies to sexual penetration of a girl above 13 but below 14 years of age; the new sexual offences law has incorporated this offence and marriage to or consent of the victim is no longer a defence. Indecent Assault/ Sexual Assault is when a person intentionally, without the victim's consent, touches that person in a sexual manner or compels that person to touch the accused person in a sexual manner and in this case defence can use consent for women but not for girls under 14 years.

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South Sudan

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List of acronyms

AVOWAC	Action against Violence on Women and Children
CEDAW	Convention on the Elimination of all forms of discrimination against women
CFLI	Canadian fund for local initiative
CPA	Comprehensive Peace Agreement
CRC	Constitution Review Commission
CSO	Civil Society Organization
DDR	Disarmament, Demobilization and Reintegration
FAR	Fellowship for African Relief
FXC	Female ex - Combatants
GiZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GNWP	Global Network for Women Peacebuilders
IDP	Internally Displaced People
IOM	International Organization for Migration
JDT	Joint Donor Team
MoGCSW	Ministry of Gender, Child and Social Welfare
MoGEI	Ministry of General Education and Instruction
MXC	Male ex - combatants
NAP	National Action Plan
NFI	Non Food item
NLA	National Legislative Assembly
NPA	Norwegian People's Aid
OAF	Other Armed Groups
RSS	Republic of South Sudan
SAF	Sudan Armed Forces
SGBV	Sexual and Gender Based Violence
SIDA	Swedish International Development Aid
SPLM/A	Sudan People's Liberation Movement/Army
SSDDRC	South Sudan Disarmament, Demobilization and Reintegration Commission
SSLA	South Sudan Legislative Assembly
SSPS	South Sudan Police Services
UN	United Nations
UNDP	United Nations Development Fund
UNISFA	United Nations Interim Security Force for Abyei
UNMISS	United Nations Mission in South Sudan
UNSCR	United Nations Security Council Resolution
WAAFG	Women Associated with Armed Forces and Groups
WFP	World Food Programme

I. Women, peace and security profile

A. Nature of the conflict

Sudan was the biggest country in Africa. Under British colonial rule from the 1890s to 1955, the country was split into two administrative zones, the northern and the southern parts.¹ While the northern part was closely linked to its neighbor Egypt and was predominantly Muslim, the southern part was controlled by the British, who introduced both the English language and Christianity. After independence from British rule in 1955, the northern Arab Sudanese government took over control in the south, leading to the Southern Sudan Liberation Movement (SSLM) attempting to gain control in order to create an independent country. The first Sudanese civil war lasted for 17 years, from 1955 to 1972. In 1972 the central government signed a peace agreement, giving the south relative control over both land and resources, especially the oilfields.² However, in 1980, the military government of the north redrew the borders between the northern and southern provinces, including the oilfields in the territory of the north.

In addition to this, Shari'a law was introduced in line with extensive Islamization efforts by the northern government and imposed on the predominantly Christian south. Another factor was the marginalization of the south Sudanese people and their exclusion from all political and decision making processes. This led to tensions, that ultimately caused the second civil war from 1983 to 2005 between the armed forces of the Sudanese government and the Sudan People's Liberation Movement/Army (SPLM/A), claiming an estimated 1.5 to 2 million lives, internally displacing an estimated 4.9 million people and forcing many more to flee the country and seek refuge elsewhere.³ The war officially ended in 2005 with the signing of the Comprehensive Peace Agreement (CPA) between the parties. Included in the CPA were the demarcation of the border between north and south, a permanent ceasefire, sharing of resources and self-determination.⁴

South Sudan seceded from Sudan through a referendum which was conducted January 2011. The people voted overwhelmingly for independence from the north, with almost 99.8 percent of the votes and a very large turnout of voters.

B. Impact of conflict on women

During the war, South Sudanese communities heavily depended on customs and traditions to resolve disputes and regulating communities and families; yet dependence on the traditions and customs has also negative impact on women. The customs and traditions are in many ways patriarchal and do not provide sufficient protection to women. The years of war and insecurity had destroyed the country leaving no infrastructure; as a result

South Sudan is left to start from scratch in rebuilding the nation. While South Sudan Transitional Constitution in the bill of rights guarantees equality and human rights, implementation is far from existence as such customs and traditions are still the rule of the day in most communities.

Two years into being an independent state, not much difference had been seen in terms of improvement in security, justice, health, education, socio-economic status and women's political participation in governance. In the Justice sector for example; as the New state establishes functional legal systems and draft new laws, it faces challenges of implementation hence impunity is rampant. In the area of health, in Juba teaching hospital which is the state's main hospital; prematurely born babies are still dying in incubators due to the lack of power. South Sudan is ranked as one of the countries with the highest maternal mortality rates with 16 women dying daily due to pregnancy related complications.⁵ Poor infrastructure, inadequate transport services, distance from health facilities and harmful social practices play a big role in maternal mortality in South Sudan.⁶ For example; 50 percent of girls under the age of 18 are married; this also contributes to the high rate of maternal mortality in the country.

Furthermore, with a population of about 11 million, women account for over 60 percent of the population in South Sudan. Years of conflict undermined the promotion of equal rights and the ability of women to actively participate in the development of the new nation. Over 90 percent of women in South Sudan are illiterate.⁷ Even though the number of girls enrolled in the school has increased over the last few years since the signing of the comprehensive peace agreement in 2005, the percentage of girls at school compared to boys lingers at around 37 percent.⁸ This number severely declines for education past primary school level.⁹ When it comes to finding a job, many adolescent girls and young women struggle because they are more socially isolated, with fewer contacts.

Most importantly, the security situation in South Sudan still remains a challenge. For instance Juba, the capital city of South Sudan has experienced a rise in insecurity where armed robberies associated with extreme violence threatened the lives of civilians since early 2012. Due to a large number of uncontrolled arms; it is difficult to identify the perpetrators. The citizens especially women within Juba town are more concerned with the security developments.

The two testimonies given below are only two among the voices of many women who have experienced brutal insecurity within Juba.

1 http://www.academia.edu/1801996/Conflict_transformation_in_the_Republic_of_South_Sudan_-_A_social_psychological_examination_of_mechanisms_opportunities_and_obstacles

2 *ibid*

3 *ibid*

4 *ibid*

5 <http://reliefweb.int/report/south-sudan-republic/maternal-mortality-big-challenge-world%E2%80%99s-newest-nation>

6 *ibid*

7 *ibid*

8 *ibid*

9 <http://www.genderconcerns.org/images/gal/Women%20in%20South%20Sudan.pdf>

"My son was just 19 years old when he was shot dead in cold blood in Gudele – Juba. He went to spend the night at my brother's place who had travelled for work. At night three armed men broke in and asked him to give them money and his laptop. After searching the house and not finding anything they shot him dead. He is my eldest son who had just completed secondary School. He was my hope for the future. My husband was killed during the war, I had to struggle to raise my three children alone. I brew alcohol, sold groundnuts to ensure they have something to eat and go to school. Now I don't know what I can do. My husband was killed for the liberation of this country, now that there is peace why should my son be robbed from me? What else can I sacrifice? Where can I get justice?"

Achiya Mogga

"I cannot trust the police or the SPLA soldiers at night since we cannot depend on them for security. They are the same ones who go around killing, raping and looting at night. When the sun sets, we get so worried and when we wake up in the morning, we thank God. I am a widow with no good job; I cannot afford to put a bamboo fence around my hut to provide me some level of security, so I just trust God for protection"

Resident of Jebel – Juba

The continued tensions and mild conflicts between Sudan and South Sudan, primarily fought by each side's proxy armed groups has been a stumbling block for any kind of meaningful development in South Sudan. The two Governments committed themselves to implementing the 'Addis' Cooperation Agreement that was signed on 27th September 2012 including the framework agreement and eight agreements on specific topics on Cooperation, Security, Borders, Cross Border Trade, Banking, Post Service Benefits, Citizenship and Status of Nationals, Certain Economic Matters, and Oil. Moreover, on 8 March 2013, an "Agreement on Implementation Modalities" was signed between Sudan and South Sudan at the Extraordinary Meeting of the Joint Political and Security Mechanism (JPSM) in Addis Ababa, of which implementation is still stalled to date due to Sudan threats of shutting down the oil.

While the immediate run-up to the independence referendum in January 2011 saw a reprieve in inter-tribal conflict, it resumed almost immediately after the voting. At the same time, rebel militia intensified their challenges to the hegemony of the SPLA and the central government.¹⁰

The inter-tribal violence in 2011–2012 has been most widespread and intense in Jonglei, South Sudan's largest state. The roots of the conflicts there lie in the rivalry between the Murle tribe of eastern Jonglei and the Lou Nuer of northern Jonglei, with the occasional

The continued tensions and mild conflicts between Sudan and South Sudan, primarily fought by each side's proxy armed groups has been a stumbling block for any kind of meaningful development in South Sudan.

involvement of the BorDinka and other Nuer clans. During the second half of 2011, a series of attacks blamed on the Murle took place in Lou Nuer and Dinka territory throughout Jonglei, including Akobo, Uror, Duk, Nyirol, and Twic East counties, resulting in the deaths of up to 1,000 people and the alleged theft of thousands of cows.¹¹ Dozens of women and children were kidnapped in the raids.¹²

By early December 2011, the Lou Nuer 'White Army' (a loosely organized cattle camp youth) began gathering in Akobo County to organize a revenge attack. On 23 December 2011, up to 8,000 of them attacked the Murle village of Likuangole in Pibor County.¹³ Pibor town itself was attacked on 31 December. Estimates of the number of people killed range from the low hundreds to 3,000 people. Witness accounts indicate that women and children made up the majority of the victims—two thirds, according to the Pibor Commissioner's office.

One aid worker with an agency that has a presence in Pibor said the killing of women went "beyond stray bullets and collateral damage." He said clinics and hospitals were also deliberately attacked and destroyed. "There's an attempt to destroy everything, including all the facilities that provide public services, everything that provides life." As the victims fled into the bush, they were exposed to new threats, with one clinic in Pibor reporting a "huge increase" in malaria and malnutrition.¹⁴

South Sudan's internal ethnic conflicts have only destabilized the situation further and led to further violations of women's rights. The shutdown in the production of oil has meant that the government does not have adequate financial resources to implement development projects that would help empower women. The current plight of South Sudanese women therefore makes the advocacy and implementation of UNSCR 1325 imperative.

It is also important to note that although women were negatively impacted by the war, they did not resign to despair but instead became solid pillars that held families and communities together in the chaos of violence brought about by the wars. Women managed to keep a semblance of community life as they went about taking care of their children and doing most of the work done by men, most of whom had gone off to war.

11 ibid

12 ibid

13 ibid

14 ibid

10 <http://www.smallarmssurveysudan.org/fileadmin/docs/facts-figures/south-sudan/womens-security/HSBA-women-and-armed-conflict.pdf>

C. Relevant legal and policy framework

South Sudan is at an early stage of developing national laws and policies. Some of the legal provisions that are related to women peace and security are listed below. However, their enforcement is still at an infancy stage.

1. The Transitional Constitution of the Republic of South Sudan (TCRSS)
2. The Prison Act (2003)
3. The Child Act (2008)
4. The Land Act (2009)
5. The Local Government Act (2009)

The Ministry of Gender, Child and Social Welfare has also recently finalized its gender policy and has also commenced the process of developing the UNSCR 1325 National Action Plan (NAP) for South Sudan. It is also expected that South Sudan will soon ratify the Convention on the Elimination of all forms of discrimination against women (CEDAW) since it is currently under discussion at the National Legislative Assembly. Another initiative that is in place is the efforts by both the ministry of Gender and CSOs to integrate Gender into the New Deal Initiative for peace building and state building in fragile states. These and all other national laws and policies, if implemented, will make a difference in the lives of women in South Sudan.

Even though women did play a crucial role in the struggle for independence, in post-conflict South Sudan, "the positive role that women played in the independence struggle barely features in the development policy discourse."¹⁵ During the referendum, women were at the forefront campaigning for the separation vote. Post-election statistics show that 52 percent of those who voted for separation were women.¹⁶ South Sudan women do not just want to participate fully in all sectors of government and the economy but they would like to create an environment where the country does not go to war again. The token representation of women in policy and decision making bodies in South Sudan is because of the government's lack of a clear road map to women's participation. South Sudan's interim constitution, article 142 (3) provides for a 25 percent quota for women in all governing bodies. In addition, South Sudan in becoming an African Union Member State "has also adopted the AU's Post Conflict, Reconstruction and Development strategy which call for gender main streaming to inform member states' nation- and state-building projects."¹⁷

¹⁵ Oder, S., & Reliloe, J. Independence Not Providing Dividends for Women in South Sudan. All Africa. 26 July 2012. Retrieved from: <http://allafrica.com/stories/201207260762.html>

¹⁶ Yasin, S. How Will Women Fare in the World's Newest Country? June, 2012. Retrieved August 2012 from available at: <http://msmagazine.com/blog/blog/2011/07/10/how-will-women-fare-in-the-worlds-newest-country/>

¹⁷ Oder, S., & Reliloe, J. Independence Not Providing Dividends for Women in South Sudan. All Africa. 26 July 2012. Retrieved from: <http://allafrica.com/stories/201207260762.html>

II. Data presentation and analysis

A. Participation

The data collected for this report on the implementation of the UNSCR 1325 in South Sudan is conducted at the national level. Data was collected using the guiding analysis questions provided by the Global Network of Women Peacebuilders (GNWP). Data for this report was collected and compiled by some of the members of the South Sudan UNSCR 1325 monitoring committee, which is composed of the different CSO organizations working on women peace and security issues within Juba. The committee relied mainly on secondary data from different institutions and desk review. It also conducted interviews with individual activists and stakeholders from the government, the private sector, UN agencies, and Non-Governmental Organizations (NGOs) and CSOs.

Indicator 1 – Index of women's participation in governance

The Transitional Constitution sets up the government structure of the country into legislature, the executive and the judiciary. The legislature, National Legislative Assembly (NLA) of South Sudan was established in 2011 by the interim constitution of the Republic of South Sudan. According to the constitution the President of the Republic of South Sudan appoints all ministerial positions. It is to be noted that there had not been major change under this indicator. Significant change is expected to take place during the next elections in 2015. Even though the new data has been included in the Table below, at the time of this monitoring, no data for the under secretaries was available.

Table 1.1: Women's participation in government

	Male	Female	Total	Male %	Female %
Office of the President	4	0	4	100	0
Presidential advisors	4	1	5	80	20
National Legislative Assembly	237	95	332	71	29
Council of States	44	6	50	88	12
Chairpersons of Specialized Committees (NLA)	13	5	18	72	28
National Ministers	16	5	21	76	24
Deputy National Ministers	7	5	12	58	42
State Governors	9	1	10	90	10

Table 1.1: Women's participation in government

	Male	Female	Total	Male %	Female %
Chairpersons of Independent Commissions and Institutions (ICI)	18	2	20	90	10
Deputy Chairpersons of ICI	15	5	20	75	25
Central Bank of South Sudan	6	0	6	100	0
Internal Security Affairs	6	0	6	100	0
Ambassadors	81	9	90	90	10
Austerity Measures Committee	15	15	15	100	0

Source: The Republic of South Sudan Magazine 2011.Cde.Larco Lomayat

The table above shows that only four areas of governance attained the 25 percent female participation benchmark. These are the National Legislative Assembly (29 percent), Chairpersons of Specialized Committees (28 percent), Deputy National Ministers (42 percent), and Deputy Chairpersons of Institutions and Commissions (25 percent). Women representation in other sectors of governance falls well below the 25 percent benchmark.

Following the July 2013 reshuffle of the cabinet of the government of the South Sudan, the national ministries had been reduced to only 21 from 29 ministries.

Following the July 2013 reshuffle of the cabinet of the government of the South Sudan, the national ministries had been reduced to only 21 from 29 ministries. The ministry of Humanitarian Affairs and Disaster Management and the ministry of Parliamentary affairs were both cut off while the ministries of Commerce, Industry and Investment was merged with the Ministry of Finance; the two Education Ministries were merged to one, the Ministry of Animal Resources and Fisheries is merged with the Ministry of Agriculture; the Ministry of Wildlife conservation was merged with the Ministry of Interior; the Ministry of Water and Irrigation is merged with the Ministry of Electricity and Dams; the Ministry of Roads and Bridges is merged with the Ministry of Transport. Out of the 21 newly appointed ministers, only 5 are women, representing 24 percent.

Table 1.2: Percentage of women in States Assemblies before the independence 9 July 2011

States	Number of Female MPs	Number of Male MPs	Total Number of MPs	% of Women
Central Equatoria	11	37	48	22
Eastern Equatoria	8	40	48	16
Western Equatoria	12	36	48	25
Jonglei	10	38	48	20
Unity	11	37	48	22
Upper Nile	10	38	48	20
Lakes	14	34	48	29
Western Bahr El Ghazal	13	35	48	27
Northern Bahr El Ghazal	10	38	48	20
Warrap	10	38	48	20

Source: Department of research and Library – SSLA

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

Despite concerted efforts by women regarding participation in government, their role in South Sudan's transformation has not been fully recognized and mostly underestimated. This is clearly reflected in the 2012 Sudan –South Sudan Cooperation agreements and in the presidential Committee for Peace, Reconciliation and Tolerance in Jonglei State.

The South Sudan delegation for the Cooperation agreement is formed of men from the government of South Sudan. This cooperation agreement was considered to be a high level and negotiators were all top political figures in the government. No consultations were done with the CSOs in this regard. The nine agreements between Sudan and South Sudan; a framework agreement and eight agreements on specific topics, lay out the basic principles and terms of reference for the policymaking and technical committees. However in all the nine agreements, gender concerns did not figure out explicitly.¹⁸

In March 2012, the government established a Presidential Committee for Community Peace, Reconciliation, and Tolerance in Jonglei State, spearheaded by Archbishop Daniel Deng Bul and President Salva Kiir. The presidential committee has attempted to mitigate conflicts by holding a peace conference in Bor and then traveling widely to hotspots to promote reconciliation. However, these and other ad-hoc efforts to continue the peace process suffer from insufficient engagement with women and youth due to inadequate resources, and a lack of coordination between the many actors who are involved.¹⁹ It is not clear whether this committee has a significant women representation.

¹⁸ The 2012 Sudan-South Sudan agreements through a gender LENS-USIP

¹⁹ <http://www.enoughproject.org/reports/sometimes-we-see-ourselves-apart-south-sudans-response-violence-jonglei>

Indicator 3 – Index of women's participation in the justice, security sector and peace keeping missions

Women in the Judiciary

The constitution of South Sudan mandates the establishment of the Judiciary of Southern Sudan (JOSS) as an independent decentralized institution. The overall management of JOSS; its composition and functions shall be prescribed by law, in accordance, with provisions of the constitution. The Judiciary of South Sudan is structured as follows:

- ▶ The Supreme Court of South Sudan
- ▶ Courts of Appeal
- ▶ High Courts
- ▶ County Courts
- ▶ Other courts or Tribunals as deemed necessary to be established

As it can be seen in table 3.1 below, few women are represented in the judicial system. Reason is that there are only a few women engaged in this field. In order to address the majority of injustices in post-conflict committed against women, women should be encouraged to join this field.

Women in the Police

South Sudan's police force was thought initially to total some 52,000 men and women.²² However due to the ongoing checks in the police database, an exercise backed by the United Nations Police UNPOL; only 25,778 Police officers are confirmed to be real.²³ The rest are considered to be rogue officers. With the ongoing exercise the total number of women is yet to be confirmed.

Peacekeeping Missions

South Sudan is currently not contributing troops to any peacekeeping missions due to the security instability in the country and also to the fact that the army is not yet properly organized. The country, on the contrary, is a beneficiary of the United Nations Mission in South Sudan (UNMISS) peacekeeping mission which has been operating in the country since the signing of the CPA and United Nations Interim Security Force for Abyei (UNISFA) which was established on 27 June 2011 to monitor and verify the redeployment of Sudan Armed Forces (SAF) and Sudan people's Liberation Army (SPLA) in the Abyei Area.

Table 3.1: Number and percentage of men and women in the judiciary

	Male	Female	Total	Male %	Female %
President of Supreme Court	1	0	1	100	0
Deputy President of Supreme Court	1	0	1	100	0
Courts of Appeal(Justices)	9	0	9	100	0
High Court Judges	18	2	20	90	10
First Grade County Courts Judges	46	5	51	90	10
Second Grade County Court Judges	30	8	38	79	21

Source: <http://www.gurtong.net/Governance/JudiciaryofSouthSudan/tabid/344/Default.aspx>

Women in the Military

Following the independence of South Sudan in 2011 the SPLA became the regular army of the new republic. As of 2013, the SPLA was estimated to have 210,000 soldiers and an unknown number of personnel in a small air force.²⁰ The SPLA is divided into divisions of 10,000-14,000 soldiers.²¹ However sources contacted in the army confirmed to the monitoring committee that currently the exact number of women in the military is not confirmed, however there is an ongoing reorganization of women in the military to establish the exact number of women in the army.

Beginning late May 2011, Abyei was the scene of intense clashes and looting after the Sudan Armed Forces (SAF) launched a major assault on Sudan People's Liberation Army (SPLA) forces in the area. The fighting left over 110,000 residents dead or displaced. In response, the SPLA increased its troop presence in the area, creating a standoff between North and South Sudan. In response, the UN Security Council voted to deploy United Nations Interim Security Force for Abyei (UNISFA) interposing UN peacekeepers between the two sides ever since in an effort to prevent renewed violence over the disputed territory. Since the deployment of UNISFA in June 2011, UN peacekeepers formed an effective

20 Peoples Liberation Army. Retrieved from http://en.wikipedia.org/wiki/Sudan_People's_Liberation_Army

21 ibid

22 <http://www.africareview.com/News/Half-of+South+Sudan+police+force+fake/-/979180/1970164/-/1p4gin/-/index.html>

23 ibid

barrier between Sudanese and South Sudanese forces and have been instrumental in preventing the return of violence to Abyei. In addition to monitoring the region and preventing the entry of unauthorized armed forces, UNISFA oversaw the complete withdrawal of Sudanese and South Sudanese troops from Abyei. This withdrawal represented a major step towards stabilizing the region, for these reasons, UNISFA has been praised by U.S. officials and NGOs for its work.²⁴

However, due to the nature of the conflict over Abyei and the data available, it is still not possible to establish the impact made by the deployment of the few female peacekeepers on the situation of women in Abyei.

Indicator 5 – Percentage of civil society organizations in taskforces/committees on UNSCR 1325 and 1820 (out of the total number of taskforce members)

The Ministry of Gender, Child and Social Welfare (MoGCSW), in 2011 initiated a process of strengthening implementation of United Nations Security Council Resolution 1325 (2000) on Women, Peace and Security in the Republic of South Sudan (RSS). The objectives were to increase awareness of key stakeholders on rights and responsibilities under UNSCR 1325, create a shared understanding of the status of UNSCR 1325 implementation in RSS, and, on this basis to facilitate development of a UNSCR 1325 National Action Plan (NAP), providing an overall framework for

Table 3.2: Gender statistics as of July 2013

	United Nations Mission to the Republic of South Sudan (UNMISS)			United Nations Interim Security Force for Abyei (UNIFSA)		
	M	F	Total	M	F	Total
Military Experts	137	4	141	96	10	106
Troops	6607	180	6,787	3,604	205	3809
Individual Police	505	128	633	7	3	10

Source: <http://www.un.org/en/peacekeeping/contributors/gender/2013gender/jul13.pdf>

Indicator 4 – Number and percentage of women participating in each type of constitutional and legislative review (including security sector review)

The South Sudan Constitution review process is currently the only review process ongoing in the country. The South Sudan Transitional Constitution 2011 is in the process of being reviewed before the adoption of a more permanent constitution for the country. The Constitution Review Commission (CRC) members were sworn in January 2012. According to an interview conducted with one of the members of the constitution review commission; she confirmed that there are six sub committees and one of the Sub Committee for Civic Education is headed by a woman, while the other sub committees have women as members. She confirmed that women in the review commission are well qualified to ensure that women interests are reflected in the constitution.²⁵

Table 4.1: Number and percentage of women participating in Constitutional Review Commission

	Number of women	Number of men	% of women
Constitutional review	15	39	28%

²⁴ <http://www.betterworldcampaign.org/un-peacekeeping/missions/abeyi.html>

²⁵ Interview conducted with Rosa Weet, member in the constitution review commission July 8, 2013

strengthened and coordinated implementation, monitoring and reporting on UNSCR 1325. Therefore with support from the Joint Donor Team (JDT) and in collaboration with UN Women, the MoGCSW undertook a UNSCR 1325 South Sudan Baseline Study as a part of initiating the NAP process.

The UNSCR 1325 regarding women's peace and security has a special importance in the context of the Republic of South Sudan as it is geared towards establishing peace following two civil wars. Many women and girls suffered from sexual and gender based violence, which affected their mental and physical stability as well as left a deep impact on their families and community. It is in this context, there is a need for a National Action Plan for the implementation of UNSCR 1325 to ensure women's peace and security. In January 2013, EVE Organization for Women Development in collaboration with the Ministry of Gender, Child and Social Welfare with funding from the Canadian fund for local initiative CFLI and the Joint Donor Team organized the *UNSCR 1325 National Action Plan (NAP) Development Conference* in Juba to initiate the UNSCR 1325 National action plan process. The objective of the conference was to provide both CSOs and government representatives from both national and state level in South Sudan an opportunity to identify priority areas and challenges faced by women at grassroots level that they would like to see incorporated and addressed through the National Action Plan.

Currently, this process is still underway and being coordinated by the Ministry of Gender, Child and Social Welfare in the Government of the Republic of South Sudan. The mandate of developing and implementing a National Action Plan, lies with

The mandate of developing and implementing a National Action Plan, lies with key Ministries in the Government of the Republic of South Sudan and the process include all stakeholders in South Sudan.

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Two committees were formed to run the process of the National Action Plan.

1. The UNSCR 1325 Steering Committee, composed of 28 representatives from related Government Institutions, CSO, Donor Community, UN agencies and Embassies,
2. The Technical Working Group comprised of 9 representatives from government, Civil Society and UN representatives.²⁶

Table 5.1: Number and percentage of CSOs in UNSCR 1325 and 1820 committees

	Number of CSOs	Total number of task force members	% of CSOs
NAP 1325 Steering Committee	2	28	7
Technical Working Group	1	9	11
Total	3	37	

Initially the CSOs were only allocated one seat in the UNSCR 1325 NAP National Steering Committee on the rationale that every institution should have one representative. However, during the CSOs consultation meeting held in January 2013 in Juba, CSOs addressed a letter to the steering committee urging them to increase the CSOs representation from one representative to four representatives; however the steering committee responded by granting one more seat to the CSOs on the Steering committee and one seat in the technical working group making the total to three CSOs representatives in the process of the NAP process.

These three CSOs represented in the NAP committee i.e. EVE Organization, Skills for South Sudan and Voice for Change (VFC), are all national organizations that are work in the areas of women peace and security and have the expertise in these areas.

EVE Organization since its foundation had been addressing issues of women leadership and had since 2008 started trainings and awareness raising on UNSCR 1325 in both Sudan and South Sudan and since then UNSCR 1325 had been the core Resolution that the Organization based their activities on. Voice for Change

works on UNSCR 1325 and Sexual and gender based violence while Skills for South Sudan has a department of gender. Both VFC and Skills are members in the steering committee while EVE Organization is a member in the Technical working group and secretariat at the Steering Committee.

B. Prevention and protection

Indicator 6 – Number and percentage of Sexual and Gender Based Violence (SGBV) cases reported, investigated, prosecuted and penalized

Although SGBV does not have a specific definition in the National laws of South Sudan, however according to the PENAL ACT 2008, of the Republic of South Sudan; Chapter XVIII on rape, other sexual offences and offences against morality, Article 247 on Rape states that whoever, has sexual intercourse or carnal intercourse with another person, against his or her will or without his or her consent, commits the offence of rape, and upon conviction, shall be sentenced to imprisonment for a term not exceeding fourteen years and may also be liable to a fine.

While studies and reports indicate SGBV to be widespread in South Sudan; there is no proper reporting system and reliable statistics on SGBV prevalence in South Sudan. During this monitoring exercise, a team visited some Police stations, the Ministry of Justice, Ministry of Gender and social welfare and the Judiciary to collect some statistics within the capital city Juba. Much as some data was shared with the researchers, a majority of it was verbal communications and opinions rather than concrete data as there are no proper records for references. For example in one police station when asked how many domestic violence cases had been reported since 2012, the police officer responded that it is a common occurrence but did not have any figures. In yet another station, the response reflected around 15- 20 times. Therefore the statistics cannot be totally relied on.

According to an assessment conducted by Action against Violence on Women and Children (AVOWAC),²⁷ the SGBV type prevailing includes, domestic assault, sexual harassment, Forced and Early marriages, Defilement, Rape, Economic abuse and abduction. The violent domestic assault in the country includes various forms of physical assaults especially by intimate partners.

While there are no proper statistics on SGBV, several reported incidents and its trends indicate that SGBV is a reality on ground. For example, in May 2013, a 10-year old girl was raped and strangled to death by a man who is said to be in his 50s.²⁸ In the same month, a gang of 12 armed men raped a Kenyan woman in Warrap state. In Wau a woman was raped, brutally murdered and her body dismembered by her husband.²⁹ In Eastern Equatoria, Torit; four policemen have been arrested in for allegedly raping two Kenyan girls who were in their custody.³⁰

27 AVOWAC'S Analysis Report on Sexual and Gender-based Violence (South Sudan).

28 <http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/11218/Juba-Man-Detained-For-Rape-And-Death-Of-A-10-Year-Old-Girl-In-Gudele.aspx>

29 <http://www.sudantribune.com/spip.php?article46741>

30 <http://www.radiomiraya.org/news-202/south-sudan/3016-4-policemen-arrested-in-eastern-equatoria-for-alleged-rape.html#gsc.tab=0>

According to the Secretary's General Report on Sexual violence that was issued in March 2013; many incidents of sexual violence took place in South Sudan in the context of the intercommunal violence that broke out in Jonglei State and the civilian disarmament process that followed it.³¹ It is estimated that, in December 2011, between 6,000 and 8,000 armed youth, primarily from the Lou Nuer ethnic group, systematically launched a series of attacks over 12 days on areas inhabited by the Murle ethnic group.³² From 27 December 2011 to 4 February 2012, small groups of armed Murle youth launched retaliatory attacks on Lou Nuer and BorDinka areas. Hundreds of people were killed or injured, tens of thousands were displaced and both groups abducted women and children with sexual violence often occurring.³³ To address the intercommunal violence, in March 2012 the Government launched a civilian disarmament campaign in Jonglei State. Although largely peaceful, incidents of sexual violence were reported as a result of the presence of approximately 15,000 additional Sudan People's Liberation Army (SPLA) soldiers and 5,000 South Sudan Police Service Auxiliary Forces.³⁴ SPLA soldiers were allegedly responsible in all the cases. The South Sudanese authorities arrested and convicted seven SPLA soldiers for the rapes in Pibor and Bor counties.

Table 6.1: Documented rape cases during the civilian disarmament in Jonglei state alleged to SPLA soldiers March – August 2012

	Number of reported cases	Number of cases involving girls under the age of 18	Number of incidents in Pibor County
Rape Cases	14	6	12
Attempted Rape Cases	8	Not specified	Not specified
Total	22	-	-

Source: http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/149&referer=http://www.un.org/en/sc/documents/sgreports/2013.shtml&Lang=E

These cases among many others though have been reported, no statistics is available on the number of abusers who were prosecuted, convicted or punished. This is due to a number of institutional challenges such as the lack of recording, monitoring and evaluation systems, lack of an independent justice system and lack of capacity making it difficult to collect accurate data. Secondly, common beliefs among a significant number of both men and women that domestic violence is a family and private matter deters women from reporting acts of violence against them. Thirdly, the inadequate training on gender related issues in police academies results in non-sensitivity to victims of SGBV. This makes it difficult for girls and women who are exposed to SGBV to report due to fear of re-traumatization. Lastly, a woman may not report rape to protect her dignity and from fear of the stigma that is often associated with it. Women, who have suffered rape, fear to be looked down by their communities if knowledge of what happened to them goes into the public. Women will

³¹ http://www.un.org/en/ga/search/view_doc.asp?symbol=S/2013/149&referer=http://www.un.org/en/sc/documents/sgreports/2013.shtml&Lang=E

³² *ibid*

³³ *ibid*

³⁴ *ibid*

therefore choose to remain silent than risk stigmatization and loss of self-esteem and confidence. For this indicator to be properly monitored in South Sudan, a proper research needs to be conducted.

Indicator 7 – Number of quality of gender responsive laws and policies

Below are some of the legal provisions that are gender responsive. However it has to be noted that South Sudan is at its early development stage in terms of laws and policy development. There is no data to suggest that these provisions were developed as a result of advocacy from CSOs or gender activists.

1. The Transitional Constitution of the Republic of South Sudan (TCRSS)

The TCRSS set out to rectify historical injustices that have affected women. To do so it included an Affirmative Action Clause designed to increase the number of women in key positions throughout institutions of governance. Part II of the TCRSS (The Bill of Rights), Section 16 (1-5) provides for several rights for women, one of which is 'the right to participate equally with men in public life.' [12] Section 16(4) mandates that all government institutions must promote the following: 'women participation in public life and their representation in the legislative and executive organs by at least 25 percent as an Affirmative Action to redress imbalances created by history, customs, and traditions.' [13] Other rights include 'equal pay for equal work' [14], provision for 'maternity and childcare, medical care for pregnant women' [15] and the 'right for women to own property and share in the estates of deceased husbands.' [16] Part IX, Ch. II, Sec. 142(3) provides that the National Government ensures that 25 percent of the seats on Independent Institutions and Commissions shall be allocated to women. [17] Part VI, Ch. III, Sec. 108(3) deals with the National Council of Ministers and requires the President to ensure that at least 'twenty-five percent of members of the Council of Ministers are women.' [18]

2. The Local Government Act (2009)

Section 110: Rights of Women states that women shall be accorded full and equal dignity of the person with men and that women shall have the right to equal pay for equal work and other related benefits with men. It further states that women shall have the right to participate equally with men in public life and that all Local Government Councils shall promote women's participation in public life and enforce their representation in the Legislative and Executive organs by at least 25 percent as an affirmative action to redress imbalances created by history, customs and traditions; enact legislations to combat harmful customs and traditions which undermine the dignity and status of women; and provide maternity, child and medical care for pregnant and lactating women. Women shall have the right to own property and share in the estate of their deceased husbands together with any surviving legal heirs of the deceased.

3. *The Child Act (2008)*

Section 26: Rights of the Female Child. (1) Every female child has a right to be protected from sexual abuse and exploitation and gender-based violence, including rape, incest, early and forced marriage, female circumcision and female genital mutilation. (2) Every female child has the following rights – (a) the right of equal participation on a nondiscriminatory basis as partners with a male child in social, economic and political activities; (b) equal rights to succession and inheritance to property and reasonable provision out of the estate of a deceased parent without discrimination; and (c) the right to develop their full potential and skills through equal access to education and training. (3) No female child shall be expelled from school due to pregnancy or motherhood or hindered from continuing her education after one year of lactation.

4. *The Land Act (2009)*

Section 1.4: Gender. States that women shall have the right to own and inherit land together with any heirs of the deceased.

5. *Prison Act (2003)*

Section 48: Treatment of Female Prisoners states that female prisoners shall be kept in separate section equipped with the necessary requirements for their care and treatment. In respect of pregnant female prisoners where practicable, necessary precaution shall be taken for them to deliver their babies in Civil Hospitals and if a child is born in the prison no mention of the same shall be made in the Registries.

One of the biggest challenges is the implementation of these provisions. Although the Land Act, for example, gives women the right to own property left by their husbands, a significant number of widows are not able to inherit the their deceased husband's land because land issues are still regulated by customary practices that deprive widows from owning property.³⁵ As concerns the provision protecting the female child, it is important to note that women and girls are subjected to degrading practices such as forced and early marriage, wife-inheritance and that girls are sometimes used to pay debts.³⁶

Indicator 8 – Number and nature of provisions/ recommendations in the Truth and Reconciliation Commission (TRC) and other transitional justice reports on women's rights

The South Sudan Peace & Reconciliation Commission holds the primary responsibility for the overall coordination of peace related actions in the country. Accordingly, the Peace and Reconciliation Commission Act of 2012 calls upon the Commission to assist the government in developing peace policies, inspiring peace initiatives, and coordinating all peace and conflict prevention activities in the country. Despite the Commission's important

role, it struggles to ensure sufficient capacity and resources for its operations in the fragile context of post-independence South Sudan.³⁷ The strategic and operational objectives for the Peace and Reconciliation commission 2013 – 2015 includes specific operational objectives on the enhancement of gender sensitive execution of peace building and conflict transformation actions and also promote gender equality through ensuring broad participation in decision making for peace building and in the provision of services to war and conflict traumatized communities.³⁸

Recently the president has also established a new national reconciliation committee to oversee efforts to reconcile various communities in the country and identify the root causes of the conflicts.³⁹ The committee is chaired by Archbishop Daniel Deng Bul of the Episcopal Church and is mandated to oversee efforts to reconcile the various communities in the country and identify the root causes of the conflicts with the aim of addressing them. The reconciliation committee is formed of mostly religious leaders who might not have the necessary relevant expertise to address issues of truth and reconciliation comprehensively. Although around 200 peace mobilizers had been trained from the ten states of South Sudan, it is not clear what role they will be playing at the grassroots level. With all these initiatives nothing tangible on provisions and recommendations with regards to women rights can be reported on the peace and reconciliation process in South Sudan.

Indicator 9 – Percentage of women (versus men) who received economic packages in conflict resolution and reconstruction processes

The South Sudan DDR Commission which came in under a presidential decree in 2012 targets 80,000 Sudan's People Liberation Army/South Sudan Armed Forces (SPLA/SSAF) soldiers and 70,000 members from the South Sudan Police, Wildlife, Prison and Fire Brigade Services. The programme also intends to increase livelihood opportunities for ex-combatants in communities of return and aims at facilitating the release, return and reintegration of children associated with armed forces and groups into their families and communities. Other beneficiaries are women associated with Armed Forces and Group (WAAF/G). The social and economic reintegration of WAAF/G shall be supported through a separate area-based support programme in communities where their concentration is high.⁴⁰ In October 2012, the President of the Republic of South Sudan established the National DDR Council, which composed of almost all the national ministries including the ministry of Gender to ensure the highest level of political alignment and support the overall NDDRP and its strategic direction.⁴¹

37 <http://www.cmi.fi/media-2/news/africa/225-youth-dialogue-in-south-sudan/717-south-sudan-ssprc>

38 http://www.cmi.fi/images/stories/publications/reports/2013/SSPRC_SP%202013-2015_FINAL.pdf

39 <http://www.sudantribune.com/spip.php?article46472>

40 http://www.ssdrc.org/uploads/DDR%20Inside/DDR%20Inside_September_October%202012.pdf

41 Ibid

35 Birungi, M. Women's changing role in South Sudan [Part 4]: Obstacle inheritance laws. May 20, 2012. Retrieved August 2012 from <http://www.theniles.org/articles/?id=1168>

36 World Report 2012: South Sudan. Retrieved August 2012 from <http://www.hrw.org/world-report-2012/world-report-2012-south-sudan>

Table 9.1: Number of men and women who receive economic packages in the DDR program in 2012

Type of package	Number of WAAFG	Number of women FXC	Number of men MXC	% of WAAFG	% of women FXC
The startup kit for Agric- Business was compared to total per value an average of \$ 400	1,538	1,834	3,178	23.5	28

Source: DDR Commission – Gender Advisor's Office

Women are included in the first group to go through the DDR process those with Special Needs. The Special Needs Group includes the elderly, disabled fighters and those with chronic illnesses that make them unfit for active service. Female fighters and Women Associated with Armed Forces are entitled to the same DDR benefits and provisions as men. In some cases, special provision is made for women going through the DDR process. Where they must stay overnight at a DDR site, separate accommodation is provided for them. Otherwise all stages are the same as for men.⁴²

An interview conducted with the DDR gender advisor; the startup kit for Agric- Business provided for ex-combatants was an equivalent of \$USD 400 which when compared to the economic situation in the country is not sufficient to start a sustainable business. She confirmed that the same package had been given since 2009 up to 2012. Some of the startup package includes for example some goats and one cow for some Dinka communities; however it is the same package for both men and women.

The ex-combatants to be disarmed are identified by the SPLA who disarm them and the demobilization part is done by the DDR commission with collaboration with the line Ministers, and the UN and UNMISS, IOM, GIZ and UNDP are responsible for the reintegration according to the SSDDRC policy document. The DDR Commission is a Government own program and is a security pillar. It has a National Council Chaired by the Vice President of RSS hence is completely different from a humanitarian aid. Secondly the SPLA fought for the liberation of South Sudan and deserve better treatment than the humanitarian aid. DDR is part of the Security pillar. She also confirmed that some of the women ex combatants did not get their packages, due to poor follow-up between the UN Organization who are less committed.

C. Promotion of a gender perspective

Indicator 10 – Number and Percentage of Pre-deployment Programmes for Military and Police Incorporating UNSCR 1325, UNSCR 1820, International Human Rights, Instruments, and International Humanitarian Law

As an emerging police force, the South Sudan Police Services (SSPS) has heavily relied on the expertise of UNMISS police. The UNMISS strategy of building SSNP capacity has been through training and mentoring.⁴³ For example, advising the SSNP both

⁴² <http://www.ssddrc.org/ddr-in-south-sudan/women-in-ddr.html>

⁴³ Corporation between UNMISS police and South Sudanese police. Retrieved August 2012 from <https://www.gurtong.net/ECM/Editorial/tabid/124/ID/7563/Default.aspx>

at national and local levels on how to fulfill their responsibility of protecting civilians. UNMISS has also given advice to SSNP on policy, planning and legislative development. In addition, UNMISS police, in cooperation with other international partners, supports the South Sudanese government, in developing strategies for security sector reform and rule of law, including human rights. Under this initiative, training on human rights related issues has been conducted for SSNP.⁴⁴ One such training conducted for 21 SSNP officers based in Juba was titled *Gender, Children and Vulnerable Persons Protection Course*. The course's objective was to equip participants with skills on how to deal with gender-based violence related issues.

In the SPLA, a brigadier from the army and a staff from the Ministry of Defense were sent for the Indevelop training in Stockholm – Sweden. Indevelop a Swedish consultancy company, funded by SIDA offers International Training Programme on UNSCR 1325 Women, Peace and Security. The training entails UNSCR 1325, UNSCR 1820, the UN Charter, International Human Rights Instruments, and International Humanitarian Law and Gender in the army. This is seen as a new development and a progress towards integrating women peace and security issues into trainings provided to army officers.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

To CSOs

In South Sudan there is currently no clear disbursement of funds for activities on women and peace and security (WPS). Some women's groups receive funds from either the UN or other donor groups within and outside South Sudan. However, many CSOs and especially those at the grassroots rarely receive any funding due to the lack of connections and difficulties in "talking the donor language" in terms of proposal writing, reporting and financial management. Many of them do not have access to computers, which is another impediment in terms of accessing funding. Those CSOs that receive funding do not share information on the source and the amount of their annual funding. Reasons for not divulging information could not be established.

The data provided in table 11.1 summarizes the funding received by three National CSOs working on WPS in South Sudan in 2012.

⁴⁴ Corporation between UNMISS police and South Sudanese police. Retrieved August 2012 from <https://www.gurtong.net/ECM/Editorial/tabid/124/ID/7563/Default.aspx>

Table 11.1: Allocated and disbursed funding marked for women, peace and security programs (WPS) to CSOs in 2012

CSO	Donor country/ entity	Purpose	Amount received for WPS	% of total CSO budget dedicated to WPS
EVE Organization	Operation 1325 – Sweden	UNSCR 1325 awareness and women participation in Security Sector	SUSD 30,000	100%
	Canada (CFLI)	Support to the NAP process in South Sudan	SUSD 29,500	100%
	Permanent Mission of the Principality of Liechtenstein	Translation of CSOs monitoring Report to Arabic and printing	SUSD 20,000	100%
Community Empowerment and Progress Organization (CEPO)	Norwegian People's Aid (NPA)	Gender manual development and form 8 campaign in central equatorial state	SUSD 10,000	100%
	PAX Christi (Netherlands)	Gender study and police reform in South Sudan	€3,988 (SUSD 5,397)	100%
AVOWAC	Norwegian Peoples Aid	Outreach, campaign and trainings on Gender based violence	SUSD 25,000	100%
	UNMISS – Protection Unit	Awareness on protection	SUSD 15,000	100%

To Government

While the Ministry of Gender, Child and Social Welfare (MoGCSW) is mandated to spearhead and support gender mainstreaming across government policies, programs and budgets, it continuously has the smallest ministerial budget. Most programmes of the ministry are funded by partners; the Joint Donor Team (which no longer exists); and other UN agencies.

Some women's groups receive funds from either the UN or other donor groups within and outside South Sudan. However, many CSOs and especially those at the grassroots rarely receive any funding due to the lack of connections and difficulties in "talking the donor language" in terms of proposal writing, reporting and financial management.

III. Conclusion and recommendations

Conclusion

Though the country still faces a lot of challenges and is under austerity measure since the shutdown of the oil pipes; little progress is seen in the recommendations below. Most of the recommendations below are still valid since less attention had been given to some of them; however one of the significant progresses in the recommendations was the formation of the UNSCR 1325 National Action Plan process. A significant improvement has also been seen in the coordination between some Government institutions, UN agencies, some donors and the CSOs. Efforts had been put by a number of CSOs in reaching grassroots with raising awareness on the UNSCR 1325; however the need is still very high.

Recommendations

To Government

- ▶ Ensure a high-level commitment and political will to improve the lives of women and mainstream gender in all its institutions to ensure that women are equally represented at all levels.
- ▶ Establish a clear linkage between the ongoing UNSCR 1325 National Action Plan process and other national processes e.g. the New Deal Engagement for fragile state to avoid plethora of plans.

- ▶ Allocate a *basket fund* to support the plight of women in South Sudan.
- ▶ Ensure collaboration with the civil society organizations and donors to promote women's grassroots participation, which could include training in leadership and other relevant skills; working to eliminate socioeconomic, political, and cultural barriers to women's participation at the household, community, and state.
- ▶ Ratify the CEDAW and the Maputo protocol and all other international conventions that will benefit South Sudanese women.
- ▶ Develop a proper monitoring and reporting system for SGBV.
- ▶ Ensure that the ministry of General Education and all other stakeholders in South Sudan support women by providing scholarships to improve their careers. Women need to be encouraged to study online and when opportunities arise to study at universities either within the country or outside. The government and all other agencies and institutions also need to be flexible in allowing women to go for studies. This approach should be applied by the government, the UN, NGOs, and other international private companies.
- ▶ Ensure that all agencies, government and private sector accept women graduates as interns in their agencies to enhance their capacity. This should be made mandatory to all agencies, International NGOs and private sector at all levels.
- ▶ Ensure that the national security is improved in order to protect the rights of women and girls.
- ▶ Ensure that the country's justice system is improved and is independent and put an end to impunity.

To the UN

- ▶ Ensure availability of reports on violation of women rights by both UN troops and other violators i.e. SPLA or the rebels to the CSOs and the general public.
- ▶ Ensure that a substantial percentage of women in uniform are included in UNMISS to have an influence on the South Sudan army/police and better still influence women in Military aspire for higher ranks.
- ▶ Ensure a comprehensive incorporation of UNSCR 1325 in their activities.
- ▶ In collaboration with the government of the republic of South Sudan, UNMISS needs to ensure the development and implementation of more trainings concerning gender related issues for the police and army. They should be able to support the government in developing a strategy to promote the recruitment of more women in both the police and the army.
- ▶ Ensure allocation of more funds by UN agencies for WPS projects and be transparent in the allocation of funds to the different women groups.
- ▶ Ensure that UN agencies support potential Women CSOs to develop their institutional capacity in order for them to provide effective services to women.

To CSOs

- ▶ Engage both government, UN agencies and International Organizations to ensure implementation of UNSCR 1325 in South Sudan.
- ▶ Engage donors to support the process of interlinking CSO, government and donor efforts in peace and state building.
- ▶ CSO Committee for the UNSCR 1325 and 1820 National Action Plan process in South Sudan should take the lead and follow up with other stakeholders on the process of a NAP in South Sudan.
- ▶ Advocate for the implementation of gender responsive laws and policies.
- ▶ Ensure that women representatives, regardless of education level or socio-economic status, be engaged in developing a strategic framework for achieving the 25 percent quota.

To Development Partners

- ▶ Commit to incorporate UNSCR 1325 and mainstream gender in all aspects of the programmes funded by them to government, CSO and NGOs.
- ▶ Support the linkage of the implementation of the New Deal to the ongoing UNSCR 1325 National Action Plan process.
- ▶ Commit resources to specific research and analysis by CSO to support advocacy efforts on gender in South Sudan.
- ▶ Commit funds for the CSOs monitoring of UNSCR 1325 and the process of developing the NAP in South Sudan.
- ▶ International universities and foundations worldwide should give special attention for women from South Sudan by providing special offers and scholarship for South Sudanese women to further their Education.
- ▶ Allocate extra funds to the ministry of gender in support of WPS projects.

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4. Centre for Domestic Violence Prevention (CEDOVIP)
5. Centre for Women in Governance (CEWIGO)
6. Dokolo District Local Government
7. East African Sub Regional Support Initiative (EASSI)
8. Gulu District Local Government
9. Hope After Rape (HAR)
10. Isingiro District Local Government
11. Isis – Women's International Cross Cultural Exchange (Isis – WICCE)
12. Kasese War Widows Network
13. Katakwi District Local Government
14. Kitgum Women Peace Initiative (KIWEPI)
15. Lango Female Clan Leaders Association (LFCLA)
16. Lira Rural Women and Children Development Initiative Shelter (LIRWOCDI)
17. Luwero Women's Development Association (LUWODA)
18. Makerere University Kampala (MUK)
19. MIFUMI
20. Ministry of Gender Labour and Social Development (MGLSD)
21. National Association of Women in Uganda (NAWOU)
22. National Union of Women with Disabilities
23. Orthodox Mothers Union
24. Participatory Rural Action for Development (PRAFORD)
25. Radio Apac
26. Rwenzori Islamic Voluntary Development Forum (RIVODEF)
27. Soroti District Local Government
28. Teso Women Peace Activists (TEWPA)
29. Uganda Association of Women Lawyers (FIDA)
30. Uganda Joint Christian Council (UJCC)
31. Uganda Muslim Supreme Council
32. Uganda People's Defense Forces (UPDF)
33. Uganda Police Force (UPF)
34. Uganda Prisons Service
35. Uganda Women's Network (UWONET)

List of acronyms

ACFODE	Action for Development
ADF	Allied Democratic Front
AMISOM	African Union Mission in Somalia
AU	African Union
BGOs	Bilateral Governments
BTVET	Business Technical and Vocational Education and Training
CAOs	Chief Administrative Officer(s)
CAR	Central African Republic
CARE	CARE International Uganda
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CEO	Chief Executive Officer
CEWIGO	Centre for Women in Governance
CID	Criminal Investigations Department
CSO	Civil Society Organizations
DDR	Disarmament, Demobilization, Disintegration
DPC	District Police Commander
DRC	Democratic Republic of Congo
EAC	East African Community
EASSI	East African Sub Regional Support Initiative for the Advancement of Women
FGD	Focus Group Discussions
FGM	Female Genital Mutilation
GNWP	Global Network of Women Peace Builders
HIV/AIDS	Human immunodeficiency virus infection/acquired immunodeficiency syndrome IDPs Internally Displaced Persons
IGAD	Inter – Governmental Authority on Development
KDDP	Karamoja Disarmament and Development Plan
LUWODA	Luero Women's Development Association
LIWEPI	Lira Women's Peace Initiatives
LIRWOCDI	Lira Rural Women's and Children's Development Initiatives' Shelter
LRA	Lord's Resistance Army
MDGs	Millennium Development Goals
MFPED	Ministry of Finance, Planning and Economic Development
MGLSD	Ministry of Gender, Labour and Social Development
MP	Member of Parliament
NAP	National Action Plan on UNSCR 1325 and 1820
NCDC	National Curriculum Development Centre
NGOs	Non-Governmental Organizations
NRA	National Resistance Army
NUSAF	Northern Uganda Social Action Fund
PRDP	Peace Recovery and Development Plan (for Northern Uganda)

RIVODEF	Rwenzori Islamic Voluntary Development Foundation
SGBV	Sexual and Gender – Based Violence
SSP	Senior Superintendent of Police
TEWPA	Teso Women Peace Activists
TRC	Truth and Reconciliation Commission
UDHS	Uganda Demographic Household Survey
UGP	Uganda Gender Policy
UHRC	Uganda Human Rights Commission
UNSCR	United Nations Security Council Resolution
UNAMID	United Nations Advance Mission in Darfur
UNAMIS	United Nations Advance Mission in Sudan
UNHCR	United Nations High Commission for Refugees
UNFPA	United Nations Population Fund
UNLA	Uganda National Liberation Army
UNRF	Uganda National Rescue Team
UPDF	Uganda Peoples' Defense Forces
UPF	Uganda Police Force
URA	Uganda Revenue Authority
UWONET	Uganda Women's Network
VAW	Violence Against Women

I. Women, peace and security profile

A. Nature of the conflict

Over the past three decades, most of Uganda has experienced armed conflicts. However, the most devastating conflict was the over 20 year insurgency of the Lord's Resistance Army (LRA) that affected communities across the northern and much of the eastern regions of the country. This particular conflict led to thousands of deaths, over two million people were internally displaced and hundreds of young boys and girls were abducted by the rebels. Young girls were subjected to extreme sexual violence including sexual slavery and institutional rape. The security situation relatively improved after the signing of a cessation of hostilities agreement. Although the displaced people have returned to their homes, big parts of the population in the conflict affected areas continue to suffer from the consequences of the long standing war. Extreme poverty, continued displacement, lack of access to adequate health services, and limited access to justice continue to dog the area. In combination to the societal factors and traditional practices, the already weakened position of women creates an ideal environment for increased incidents of gender based violence especially domestic violence, land seizure from war affected widows and orphans, rape and defilement of young girls.¹

Since its independence, Uganda has witnessed tyrannical and dictatorial rule, and power has always changed through the gun and not once has there been peaceful handover of power. The situation has not been helped by emerging conflicts around resources, often due to influence from international actors that exacerbate the divide between different national, religious and ethnic groups in the country.² In addition to its own internal conflicts Uganda has also experienced conflict as a result of events in the Great Lakes Region. Uganda's geographical position places it at the crossroads of armed conflicts in Sudan, Somalia, Democratic Republic of Congo (DRC) and other countries within the Great Lakes Region.³ As a result, in addition to its own internal conflicts, Uganda has found itself involved in other inter and intra state conflicts on peace keeping missions in South Sudan, Darfur and Somalia, or as an antagonist such as in the DRC, Rwanda and Somalia. Though no official government report has been published, many Ugandans are in fear that the August 2012 helicopter fighter jets crash on Mount Kenya might have been caused by *enemy* attack.⁴ In other cases, Uganda has also been a victim⁵ as was the case during the post-election conflict in Kenya.⁶

Furthermore, Western Uganda experienced armed conflict from 2002 to 2007 as a result of activities by various rebel forces, some from Uganda and others from Democratic Republic of Congo, including the Allied Democratic Front (ADF) which operated in the mountainous Rwenzori sub-region⁷ as well as the rebel militias from the DRC that continue to fight the government in Kinshasa. South Western Uganda suffered from the war of 1978-1979 that toppled Idi Amin, the former president who targeted the elite from the entire country during his murderous regime, but the region has also been host to the numerous refugees from Rwanda (since 1950s), Kenya, DRC, and now Somalia. The central region was central to the 1981-1985 armed conflict that brought President Museveni to power. The whole of Uganda therefore is rightly described as a post-conflict state.

Uganda also continues to host large numbers of refugees from the various conflict ridden areas in the Great Lakes Region. Isingiro district is one of the districts covered by the research team hosts a permanent refugee camp with refugees from Rwanda, Somalia, and DRC. The recent conflict in the Eastern DRC, where fighting between March 23 Movement (M23) rebels⁸ and the government forces backed by the UN special Brigade, has forced thousands of refugees to flee into Uganda through Isingiro, Bundibugyo, Kanungu and Rukungiri districts. Civilians, mostly women and children have crossed into Uganda and it is estimated that over 600,000 refugees from the Eastern DRC are now in Uganda. The influx of refugees on a daily basis presents a security threat for Uganda. In addition the Allied Democratic Front that has bases in Eastern DRC continues to pose a security threat to Western Uganda with repeated incursions into the country. The implementation of the Framework for Peace provides hope and an opportunity for the region to secure peace with time.

There are other security threats to Uganda. The country continues to face internal lawlessness and violence that comes during general elections and bye-elections in many of the districts where the different supporters turn to election violence in support of their candidate,⁹ Another threat is Gender Based Violence (GBV) especially sexual violence and particularly rape of young children, which the Uganda law refers to as *defilement*. Other security threats have continued to include the habitual incursions by Karimojong warriors into the Teso region- where they rape, kill, destroy property and raid cattle. Sometimes the Ateso have been attacked while in the fields. In addition there is land grabbing, demonstrations by angry civilians often frustrated by poor service delivery and corruption. When the anti-riot police meet up with such protestors, they often turn violent and as a result number of people, including a policeman have been killed.

1 Ministry of Gender, Labour and Social Development 2011: The Uganda Action Plan on UNSCR 1325&1820 and the Goma declaration

2 Peace Direct 2011: Insights on conflicts, guide to the conflict and peace building in Uganda

3 The countries of the Great Lakes region include Uganda, Kenya, Tanzania, DRC Congo, Burundi, Rwanda and the Central African Republic

4 <http://www.weinformers.net/2012/08/17/updf-investigates-al-shabaab-role-in-uganda-crashed-planes/>. Accessed on 17th August 2012

5 Uganda depends on Kenya's transport infrastructure especially the port at Mombasa for imports and exports. During the election violence Ugandan truck drivers were targeted, their goods destroyed, and their trucks set ablaze. Uganda suffered an acute shortage of fuel which led to escalating commodity prices.

6 CEWIGO 2011: Monitoring implementation of UNSCR 1325 in Uganda

7 Karimojong are an ethnic group of agro-pastoral herders living in the North east of Uganda bordering Kenya.

8 This is a rebel group composed of former members of the rebel National Congress for the Defense of the People (CNDP) which has led to displacement and killing of many civilians from DRC since 06th July 2012.

9 <http://allafrica.com/stories/201208100824.html>. Accessed on 9th August 2012

B. Impact of conflict on women in Uganda

Women and girls continue to suffer the effects of armed conflict in much of post conflict Uganda. Not only were many women and girls abducted by the LRA rebels who forced them to become wives of rebel soldiers, but many went through horrendous suffering in IDP camps as they tried to look for food to sustain their families. Some were raped, others mutilated- their noses, ears and lips were cut off, while others were tortured or killed. Those who survived the attacks suffered from psychological trauma, permanent physical injury, and long-term health risks, especially HIV/AIDS and vaginal fistula. Many of the survivors have faced difficulty trying to fit in the communities because the community views them as outcasts.

Many of the communities in northern and eastern Uganda still struggle to put their lives back on track, and many young women are stuck with babies fathered by both government soldiers and rebels as a result of rape or abduction. Others have had to deal with rejection by family and community, in addition to reproductive health complications. For the women of post conflict northern Uganda, the silence of the guns did not signal the end of violations. They continue to confront discrimination in reconstruction programs, sexual and domestic violence in communities, and violence when they attempt to return to their homes.¹⁰ Many women are still traumatized by the gruesome manner in which their husbands, their parents, their siblings, their sons and daughters were killed or abducted. There is a tremendous number of widows, orphans and female headed households as a result of the conflict.

During conflict, women are systematically singled out for sexual violence and other atrocities.¹¹ Women victims of violence face insurmountable difficulties in trying to ensure that the perpetrators are brought to justice. Unfortunately women rarely have access to political power structures and continue to be absent or poorly represented at peace negotiation tables. During the 2007 Juba Peace Talks between the government of Uganda and LRA rebels, there was no woman within the government delegation, yet women were meant to be part of this process.

Despite this challenge, a few Ugandan women have fostered initiatives to prevent, stop, and recover from war and to participate in peace building and conflict resolution.¹² During the Juba peace process Ugandan women mobilized and lobbied aggressively. With support from UN Women, formerly UNIFEM, a women's peace coalition was formed and worked throughout the period of the peace talks to raise women's concerns and interests in the process.¹³ The existence of the Women's Task Force (WTF) for a gender responsive Peace Recovery and Development Plan (PRDP) since 2009 is a proof of women's efforts to participate in the reconstruction of their lives. The WTF advocated for several issues for the implementation of the PRDP phase I and II, which were adopted by the government.

While living in IDP camps, it was the women that held families together. They wandered through the bushes to look for food and firewood and had the courage to engage in petty trading to make a living. While women acquired new skills, the men were frustrated into helplessness and despair and resorted to drinking local brew made by women. As a result women acquired a new resilience, and took on new leadership roles, thus changing gender roles at home as providers. When life in the camps ended, the men continued to drink and the women had to continue playing the role of family provider. Such women have developed new entrepreneurial skills, they have organized themselves into groups, to pool resources and work together, they have formed Community Based Organizations (CBO) to counsel and support formerly abducted girls and to take care of orphans. They have acquired new knowledge in peace building and in fighting GBV. The men in most of the post conflict areas have lost hope and only could find solace in alcohol, but because they realized they have *lost* power to their wives, they became very abusive, thus contributing to the increased number of cases of GBV.

The role of women in conflict transformation and peace building continues to be significant in post conflict northern and eastern Uganda. The government of Uganda revised and launched the three-year Peace, Recovery and Development Plan Phase 2 (PRDP II) that became effective from July 2012 to June 2015. The PRDP is the Government of Uganda's response to address post conflict peace and security challenges in northern and north-eastern Uganda. It provides the institutional framework for strategic development for any future peace building recovery and development interventions.

The women of Uganda continue to mobilize under the National Women's Task Force (WTF), a coalition of women's organizations at national and grassroots level that has since 2009 advocated for a gender responsive PRDP. PRDP II now, unlike PRDP I, recognizes SGBV as a contributing factor to the conflict, as well as the need to train the police and the Justice Law and Order Sector institutions in skills and knowledge to strengthen GBV response. PRDP II also provides for strengthening community-based mechanisms for GBV response and the provision of psychosocial support for male and female formerly abducted and internally displaced persons.

At the grassroots level women's organizations and women's groups such as Teso Women Peace Activists (TEWPA), Lira Women Peace Initiatives (LIWEPI), Kitgum Women Peace Initiatives (KIWEPI) and Kasese War Windows Association (KWAWA) and Women's Peace Initiatives in Lira continue to mobilize women as members and engage them in various conflict transformation activities. It is important to note that women in the north and north-eastern Uganda are involved in human rights education and activism much more than their counterparts from the central or western regions of the country, whose knowledge of gender and human rights and activism remains almost non-existent.

10 <http://www.fasngo.org/assets/files/publicatons/Gender%20based%20violence%20in%20Great%20Lakes.pdf>. Accessed on 22 August 2012

11 S/RES/ 1325 (2000)

12 Isis WICCE 2012: Raising Hope: Reclaiming lives in Lira District

13 CEWIGO 2011: Monitoring Implementation of UNSCR 1325 in Uganda

C. Relevant legal and policy framework

The Convention on the Elimination of all forms of Discrimination against Women (CEDAW) (1979), which Uganda ratified in 1985 with no reservations; the International Conference on Population and Development (ICPD) (1994); the Beijing Declaration and Plan of Action (1995); UNSCR 1325 (2000), UNSCR 1820 (2008); the Rome Statute (2002); the United Nations Declaration on the Elimination of Violence Against Women (1993), and the Convention of the Rights of the Child (1990) have all informed Uganda's legal and policy framework for gender equality.

At the regional level, Uganda's commitments include: the Protocol on the Rights of Women in Africa (July 2003), the AU Heads of States Solemn Declaration on Gender Equality (July 2004). Uganda is also signatory to: the African Charter on Human and Peoples' Rights (1981); the Protocol to the Charter on Human and People's Rights of Women in Africa (2003); the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children of the International Conference on the Great Lakes Region (30 November 2006); and the Goma Declaration on Eradicating Sexual Violence and Ending Impunity in the Great Lakes Region (2008).

Uganda's Constitution calls for the gender equality and affirmative action for women. Chapter Four of the Constitution outlines the protection of fundamental human rights some of which include Article 21 (2) on discrimination on ground of sex; Article 32 (1) on affirmative action in favor of marginalized groups on the basis of gender; Article 33 (1-5) on equality, protection and welfare of women, and the taking into account the women's unique status and maternal functions, among others. Also, Uganda's commitments include Uganda Gender Policy (2007), the Uganda Policy and Strategy, the National Plan of Action on Women (NAPW) in 2007, the Equal Opportunities Act and Policy.

The Constitution further provides for the promotion of human rights through legalizing the identity of structures such as the Police, Prisons and the Uganda Human Rights Commission. Moreover, the Local Government Act (1997) which is derived from the Constitution gives the local councils power to enact by-laws. PRDP (2007) was initiated for the rehabilitation, resettlement and reintegration of people and infrastructure in conflict affected districts. Following much criticism by women organizations that the first PRDP was not gender responsive, gender concerns were integrated in the PRDP II (2012-2015), although government funding for Women, Peace and Security issues remains minimal.

II. Data presentation and analysis

A. Participation

Introduction

Gender differences in formal representation can, to a great extent, be attributed to both institutional and societal constraints. Some social norms make it more difficult for women to leave their traditionally domestic roles for more public roles outside of the home. Institutional constraints include barriers such as political systems and structures that operate through rigid schedules that do not take into consideration women's domestic responsibilities. There has been considerable increase in the numbers participating in democratic institutions since the introduction of the quota system popularly known as affirmative action in Uganda.

There is increased acknowledgement however that affirmative action alone is not enough to ensure that women's concerns are heard. Despite increased participation, women are still primarily a minority within patriarchal political systems; thus, it remains difficult for their voices to be heard. In addition, women politicians cannot be assumed to prioritize or even identify with the needs of other women. Class, race, religion, socioeconomic status, sexual orientation and disabilities are some of the many differences that can divide women.¹⁴ In Uganda, they have said they do not represent only women! Nonetheless, quotas can have an impact on society's perception of women, with increasing acceptance of women as leaders.¹⁵

Indicator 1 – Index of women's participation in governance

Indicator 1 looks at the percentage of women ministers, women in Parliament, the public service, statutory bodies and senior levels of local governments. Generally Uganda ranks well globally regarding women's participation in politics with women in Parliament and in all levels of Local Councils due to the affirmative action policy.

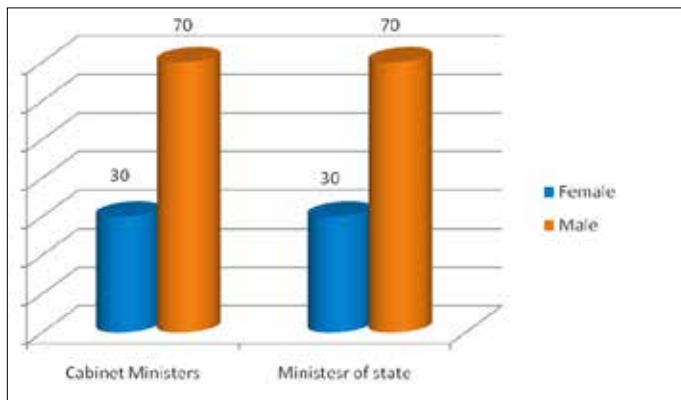
However President Museveni has also appointed a number of women in top leadership positions including in the cabinet and as heads of the key institutions. Some very top positions held by women include Ministers, the Director of Criminal and Investigations Department (CID); the Inspector General of Government (IGG) and her Deputy, the Director General of National Agricultural Research Center, and for the first time, Uganda has a woman Clerk to Parliament.

¹⁴ www.gsdc.org/go/topic-guides/gender/gender-and-governance visited on 5 August 2013

¹⁵ Beaman, L. et al (2009) 'Powerful Women: Does Exposure Reduce Bias', *The Quarterly Journal of Economics* Vol 124 No.4 pp 1497-1540

Women Ministers

Figure 1.1: Percentage of Women Ministers



Source: Office of the Deputy Clerk to Parliament June 2013

According to Figure 1.1 above, Uganda Government has 77 Cabinet ministers out of whom 23 (29.9 percent) are women. Out of the 30 Senior Ministers only nine (30 percent) are women and out of out of 47 junior ministers 14 (29.8 percent) are women. Women lost the Health Portfolio in a recent cabinet reshuffle.

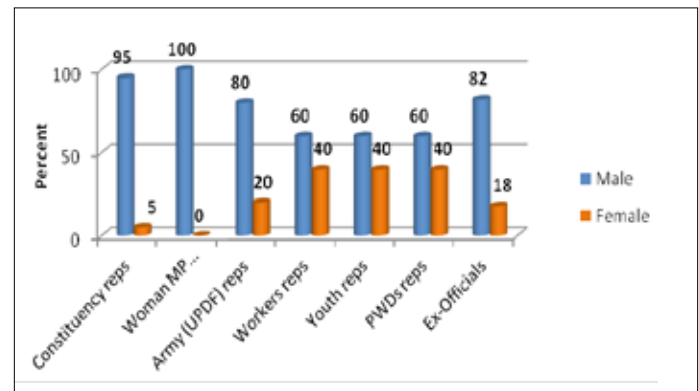
The appointment of the members of Cabinet is the sole responsibility of the President of Uganda. Overall the percentage of women ministers in cabinet remained the same. In 2010, there were only 16 women in the Cabinet, accordingly 23 in 2011, and 23 in 2012, implying no progress over the last two years.

Women dominate leadership positions in the Ministry of Education and Sports including the Minister, the Permanent Secretary, the Under Secretary, the Directorates of Higher Education and the National Curriculum Development Centre, and the Commissioners of Teacher Education, Technical and Vocational Education and Training, Career Guidance and Counseling, and Business, Technical and Vocational Education and Training (BTVET). This is an achievement made over the last one year.

Women in Parliament

The number of women in the Parliament in Uganda has increased over the years with the current number at 132 women (34 percent) out of the 385 members of the Parliament. Until about 20 years ago, "women in parliament" was a term unheard of, as Parliament was a no go area for women, except for very few women from privileged families. Men served as the sole decision makers. The Women's Movement insisted on a gender sensitive constitution that included the quota system in Parliament and Local Councils. Once the constitution was promulgated, the United Nations specifically UN Women (UNIFEM before) and UNDP supported women's organizations to train women at different levels in readiness for the 1986 Parliamentary elections to take up positions on the affirmative action tickets. Emphasis on gender equality was echoed by both women and UN officials in Uganda and combined with the political will at the time.

Figure 1.2: Percentage of women representing Special Interest Groups in Parliament



Source: Records of the Clerk to Parliament

It must be noted, however that 112 of the women MPs joined Parliament through affirmative action, which requires one woman representative for each of Uganda's 112 districts. Only 12 women (3.1 percent) won their Parliamentary seat against men. Such seats are referred to as direct constituency seats. A few other women have joined Parliament as representatives of special interest groups as shown in figure 1.2 above.

The number of women in the Parliament in Uganda has increased over the years with the current number at 132 women (34 percent) out of the 385 members of the Parliament.

The challenge for Uganda remains the lack of influence of women MPs on key legislation and other key decisions made in Parliament. For example, in June 2013, the Marriage and Divorce Bill was thrown out of Parliament without the female MPs putting up a fight for it. This was despite the fact that the women of Uganda have demanded a comprehensive family law since the 1960s.

Many female parliamentarians encounter challenges including negative attitudes from their male colleagues. An interview¹⁶ with a male MP indicated that whilst women boost numbers, there was need for women MPs to be more assertive. Many of them are perceived as not committed to the needs and concerns of women, while community members say that many women MPs saw their presence in Parliament as a form of employment and a gift by President Museveni. While some women are able to juggle multiple roles, for others the numerous gender roles and chores expected of them tie them down and limit the time they have for politics. Whereas male and female MPs have almost the same functions in the Parliament, the daily gender activity profile is skewed in favor of men.

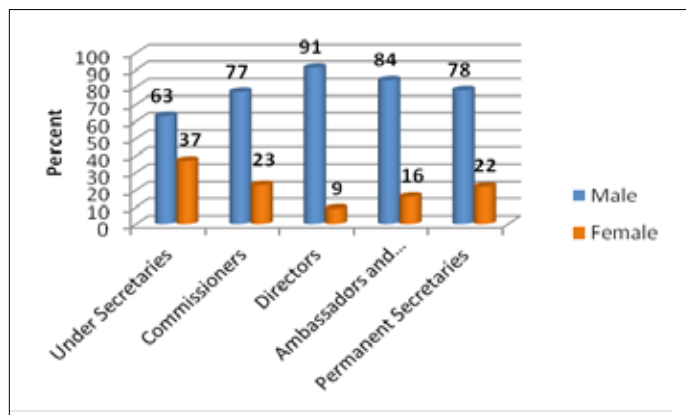
16 Interview with Male MP July 2013

The Daily Monitor¹⁷ in a study about women's participation in the Parliament applauded 15 women MPs who exhibited excellent debating skills for having spoken more than 15 times during financial year 2012-2013. The same study observed that out of the 134 women MPs in the Parliament, less than 60 contributed to meaningful House debates in the same period. The report further lists seven women MPs who did not contribute anything to the debates in Parliament. When contacted, the said women MPs gave several reasons including, participating at committee level, fear to annoy party leaders, taking time to learn how to move motions and contribute to debates. In addition, they named the difficulty of discussing an issue where one has no expertise, low education, and inadequate leadership and public speaking skills. This shows that there is still a big gap between the performance of male and female MPs. Women also reported they feel intimidated by male dominance in the House. So, while, Uganda has the critical number of women in the Parliament, their participation and influence on key decisions and legislation is yet to be realized.

Women in the Civil Service

The number of women in top positions in the civil service remains low despite the gains in education by women over the last two decades. Unlike the policy of affirmative action in the Parliament, employment in the public service is based purely on merit. Women reported suffering gender discrimination in the recruitment process.¹⁸ At the international level, a few Ugandan women have been appointed to the top jobs in 2012-2013.

Figure 1.3: Percentage of women and men in senior positions in the civil service in Uganda



Source: Ministry of Public Service Records June 2013

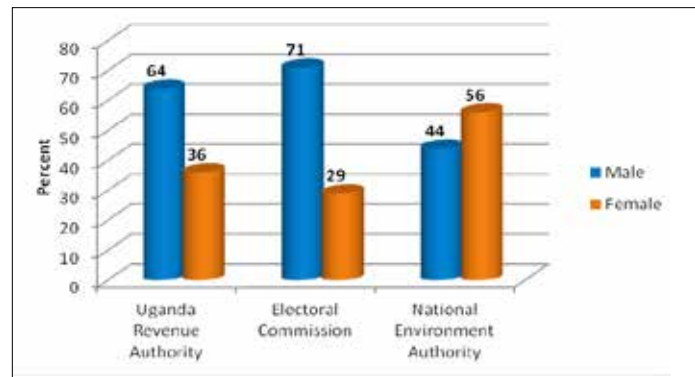
Figure 1.3 above shows that despite the gains women have made in education over several years, and the Affirmative Action in public universities' admissions, women's engagement in the Public Service can be referred to simply as *tokenism*. At the Director level, there are only 3 women out of 35 Directors representing only 9 percent. This data shows that parity is still a long way in Uganda's Public Service.

¹⁷ Mercy Nalugo "50 female MPs spoke five times in two years" The Daily Monitor Monday September 2, 2013 (www.monitor.co.ug/News/National/50+female+MPs+Spoke+five+times+i n+two+years 688334/197) visited 2 September 2013

¹⁸ Interviews with key informants in several ministries Kampala July 2013

Regarding women's representation in statutory bodies, data available shows a small increase in the number of women in leadership positions. The National Environment Management Authority (NEMA) with 56 percent women leadership registers the highest, followed by Kampala City Council Authority (KCCA) with 45 percent and Uganda Revenue Authority (URA) with 36 percent. It is worth noting that, with the exception of NEMA, it is significant that the statutory bodies that are headed by women, namely URA and KCCA also have high numbers of women in leadership positions.

Figure 1.4: Percentage of women in top positions in selected statutory bodies



Source: Ministry of Public Service – June 2013

Women in Local Councils

The Local Government Act (1997) provides for a minimum of one third women's representation at all local council levels. The study established that at Local Council (LC) V executive level, women are not well represented. Thus, although there could be many capable women to compete for LC V positions, studies have indicated that patriarchy remains a bottleneck.¹⁹ In the current study, negative attitudes by both men and women over women's leadership capacities as LC V, LC III or even LC I chairpersons continue to be frequently voiced.

However, there are exceptions. Women in leadership positions in the conflict-affected districts of Kitgum, Dokolo and Gulu were described as assertive and active. For instance of the four motions brought to the floor of the Council in Gulu between January and June 2013, two were moved by women and the same was reported for Kitgum. In Dokolo district, women comprise 50 percent of the LC V council and form 60 percent of the executive committee. The research team found that perception of women's leadership in Dokolo district was high and so was the confidence of the women in the District Council.

Only 3 (2.7 percent) out of 112 districts have a woman LC V chairperson, an increase of one since 2012. In the 10 districts that were studied, there is only one woman District Speaker and one Woman Vice Chairperson. This suggests that key governance decisions made in the district are hardly influenced by women. Findings from focus group discussions indicate that women councilors face many challenges including low level of education

¹⁹ Ahikire, 2007

resulting in failure to express themselves and a lack of confidence. Moreover, the subordinated position women have historically occupied in Ugandan communities makes them feel not confident enough to raise issues in important forums.

Men in Local Councils who were interviewed held the view that even when women appeared to perform better, they were disadvantaged by biology:

*"The woman who contested against me is a very powerful woman, but most of the votes that I got from men are because they believe a woman cannot lead a man so I could say that my sex voted me in."*²⁰

Men and even women feel that affirmative action is a question of numbers only and has not been necessarily translated into improved performance, as the remark below from a male District Chairperson indicates:

*"For example the secretary for production was a woman but she was not performing at all. The council wanted to fire her. To avoid embarrassment, I decided to reshuffle the Executive Council. The law requiring a 3rd of the executive to be women is dragging our council down. I am struggling to see women perform."*²¹

The need to train women in Local Councils to enhance their leadership capacity and increase their empowerment is still glaring.

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

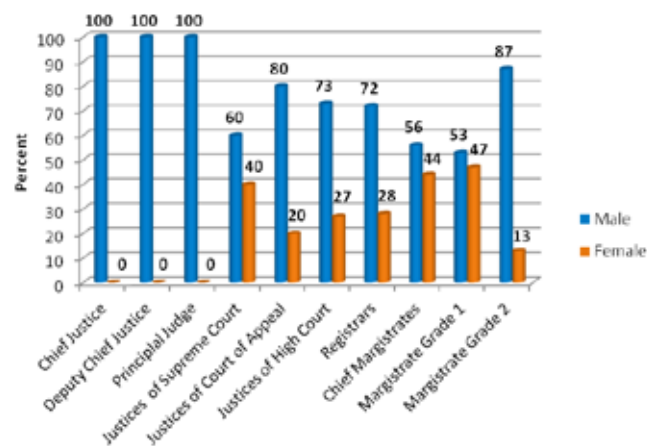
From the beginning of the peace negotiations that Uganda chaired between the Government of the Republic of Congo and the M23 rebels, there was not a single woman at the peace table. However, a group of regional women's organizations based in Kampala engaged women activists from Eastern DRC who then demanded a seat on both sides of the negotiating team. The M23 included one woman on their side but the government of DRC still did not include a woman.

Indicator 3 – Index of women's participation in the justice, security sector, and peace keeping missions

Women in the Judiciary

Data available indicates that the number of women in key positions in the Judiciary is increasing and that women represent 50 percent of top positions in the sector. Figure 3.1 below shows the percentage of women in key leadership positions in the Judiciary as of June 2013. For the first time since 1995, both the Chief Justice and Deputy Chief Justice are men and so is the Principal Judge.

Figure 3.1: Percentage of women leadership in Judiciary

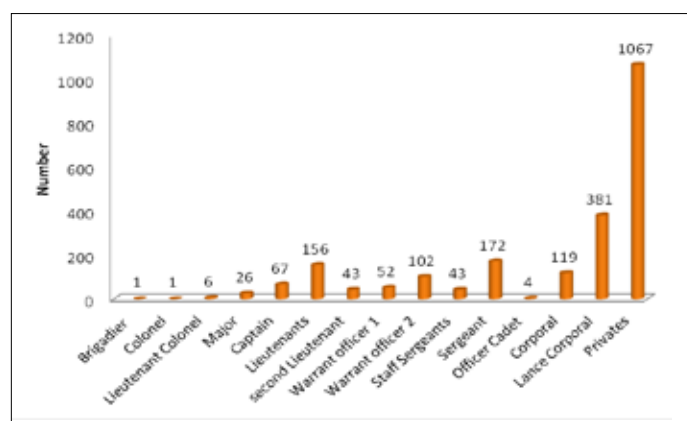


Source: Acting Chief Registrar June 2013

Out of the 28 new judges for the Supreme Court, Court of Appeal and High Court, 12 are women with 9 of them in the High Court. The majority of women in the Judiciary are in the middle level and junior ranks.

Data available indicates that the number of women in key positions in the Judiciary is increasing and that women represent 50 percent of top positions in the sector.

Figure 3.2: Women in the Military: Percentage of women participation in the military by rank



Source: The Uganda Peoples' Defense Forces, June 2013

The Uganda Peoples Defense Forces (UPDF) 6,721 (14 percent) female officers. The UPDF has a total of 2,240 female soldiers. The research team was unable to establish the total numbers of the male soldiers because the force would not release the information. Cognizant of the gender gaps in the Army, UPDF considered the promotion of female combatants during the last five years, albeit

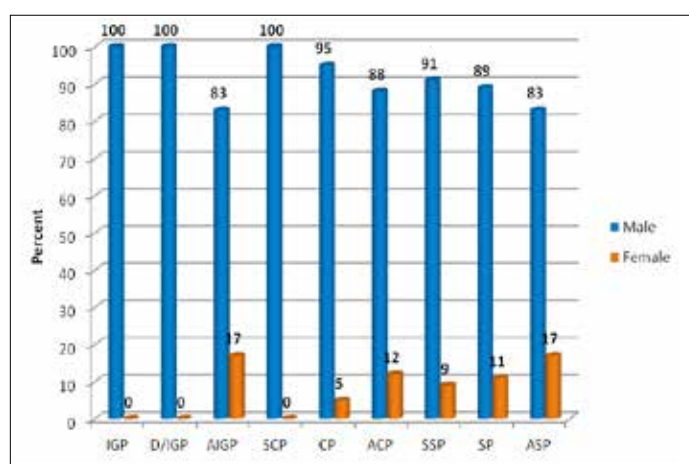
20 Interview with Local Council V official

21 Interview with Local Council Official

at a small scale. Other interventions for addressing gender issues concern the establishment of Directorate of Women Affairs which addresses issues of female combatants, and the establishment of the soldiers' Spouses Desk to addresses the socio-economic issues of spouses. The highest rank in the UPDF is that of Chief of Defense Forces and is held by a man. The highest rank held by a woman is that of Brigadier and only one woman is at that level. There is also only one woman Colonel and one woman Lieutenant Colonel. The majority of women in the UPDF are privates which is an entry level for those with low education. The research team was told that few women of higher education are willing to join the armed forces, and the few that join are often constrained by marriage and the raising of families which limits their engagement in operations that would lead to promotion.

Women in the Police Force

Figure 3.4: Percentage of women in senior positions in the Uganda Police Force as of July 2013



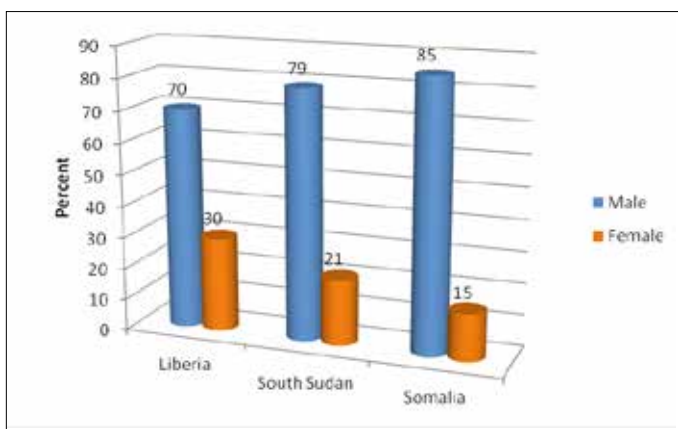
Source: HRM records Police Headquarters Naguru, June 2013

The Uganda Police Force is comprised of 42 747 officers of whom 5,951 (14 percent) are women. Out of the 1,986 senior officers only 293 (15 percent) are women. Looking at the positions and ranks women occupy in the Police Force, the picture is not good at all. The highest rank for three women in the force is that of Assistant Inspector General of Police (AIGP). The rank of IGP and Deputy IGP are political appointments. Currently these two positions are occupied by men. The need to have social training for women in the force to enable them qualify for the higher positions cannot be overstated. The Head of the Human Resource Department in the force said they were looking into it but that is just the same answer he gave to the research team back in 2012. The women police officers interviewed expressed the need for women's organizations to train policewomen in leadership and advocacy skills and also to invite as many of them as possible to participate in CSO events for exposure.

The women police officers interviewed expressed the need for women's organizations to train policewomen in leadership and advocacy skills

Women in Peacekeeping Missions

Figure 3.5: Women in Peacekeeping Missions as of July 2013



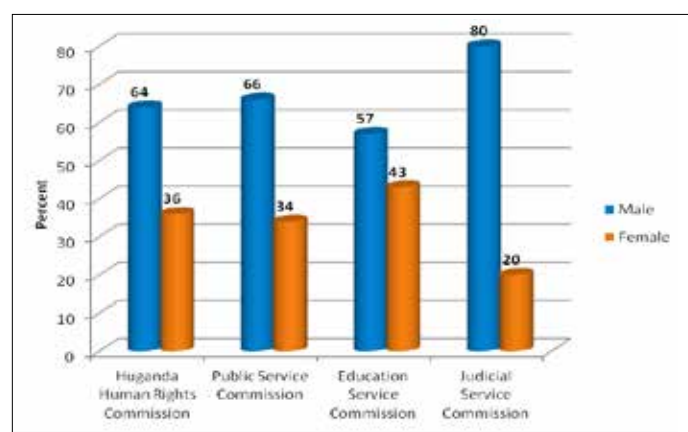
Source: Directorate of Interpol and Peace Support Operations records August 2013

By the time of the study, the Uganda Police deployment to East Timor had ended and all officers had returned home in June 2013. Uganda has 10 officers in the UN Mission in Liberia (UNAMIL) of whom 3 are women representing 30 percent; while the mission to South Sudan (UNAMIS) has 38 officers of whom 8 (21 percent) are women. The largest Uganda peacekeeping mission is part of the African Union Mission in Somalia (AMISOM) with 200 officers of whom 29 (15 percent) are women.

The research team was informed that deployment to peacekeeping missions is rotational and that officers deployed serve for one year and return and are replaced by a new troupe. The team was also informed that the numbers of women in peace-keeping missions are still low because the numbers of women in the entire Police Force is low (only 14 percent), and the majority of the 14 percent have only minimum educational qualifications. The informant also stated that the majority of women who show interest in joining peacekeeping missions do not pass the Selection Assessment Assistance Test (SAAT) and tend to fail English language and driving tests which are mandatory for one to be deployed on such a mission.

Indicator 4 – Number and percentage of women participating in each type of constitutional or legislative review (including security sector review)

Figure 4.1: Percentage of women in constitutional or legislative review commissions



Source: Ministry of Public Service Website May 2013

Indicator 5 – CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

The Government established a GBV Reference Group in 2008 under the leadership of the Ministry of Gender, Labour and Social Development (MGLSD). The Government, the UN and civil society organizations are represented in the reference group, and membership to the group is open. The Group currently has a total of 108 members and out of these, 70 (75.6 percent) are CSOs, 33 (30.5 percent) are Government institutions and 5 (4.6 percent) are UN agencies. However out of 108 members, only 60 are active and of these 49 (81.65 percent) are CSOs.

At national level there is the Uganda 1325 Task Force with 35 members of which 24 (68 percent) are CSOs and 11 (38 percent) government agencies. Among the eleven government agencies are the Uganda Police Force, the UPDF, MGLSD, the Prisons Service and seven (7) Local Governments. The 1325 Task Force is responsible for monitoring of UNSCR 1325 and documenting the findings as a tool for reporting, advocacy and demanding accountability. The CSO members of the task force are responsible for the production of the CSO monitoring report.

In addition there is the National Women's Task Force for a gender responsive Peace Recovery and Development Plan (PRDP), which initially had 18 members but has grown to 24, including 15 (62.5 percent) grassroots women's organizations and 9 national women's organizations. The Task Force sits on each of the PRDP working committees and is represented on the high level Technical Committee. The task force participates in planning for PRDP programmes and monitors their implementation. The task force has formed district chapters in most post-conflict districts. All members of the Task Force work on Women, Peace and Security issues. Another UNSCR 1325 relevant task forces is the Steering Committee for the UN Joint Programming on Gender which is comprises mainly of UN agencies and Government of

Uganda, and on which two national CSO members sit.

B. Prevention and Protection

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized

According to UNHCR²², sexual and gender-based violence (SGBV) refers to acts that inflict physical, mental or sexual harm or suffering, threats of such acts, coercion or arbitrary deprivation of liberty, that target individuals or groups of individuals on the basis of their gender. In 1995, the UN expanded the definition to include: violations of the rights of women in situations of armed conflict, including systematic rape, sexual slavery and forced pregnancy; forced sterilization, forced abortion, coerced or forced use of contraceptives; prenatal sex selection and female infanticide. It further recognized the particular vulnerabilities of women belonging to minorities: the elderly and the displaced; indigenous, refugee and migrant communities; women living in impoverished rural or remote areas, or in detention.

Table 1: SGBV Cases reported to the police between July 2012 and June 2013

District	Type of SGBV		
	Defilement	Rape	Domestic Violence
Kapchorwa	62	7	-
Tororo	194	16	218
Amuria	184	7	124
Katakwi	210	10	411
Bushenyi	68	11	134
Isingiro	133	14	141
Gulu	218	0	-
Kitgum	199	24	280
Kasese	255	26	184
Kabarole	136	28	402

Source: Police Annual Crime and Traffic Road Safety Report 2012

From the interviews and records available, defilement (sex with young girls below the age of 18) is the most common form of GBV in Uganda. Interviews and focus group discussions showed perpetrators to be relatives, usually fathers, uncles, family visitors and teachers. It was also mentioned that the backward belief that sex with a virgin can cure one of HIV/Aids has increased defilement cases.

The study found that reported cases are only a drop in the ocean as the majority of rape and defilement cases never get reported. Rather than report, parents and guardians prefer to settle the matter with the perpetrator out of court. Reasons given for this practice include poverty, fear to annoy clansmen, long distances to police stations, corruption in the police and

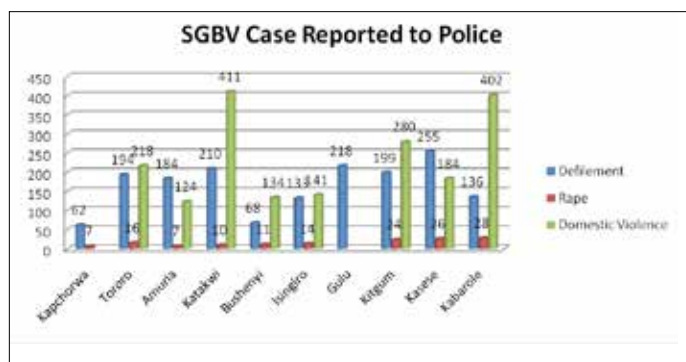
22 UNHCR, see www.unhcr.org/3f696bcc4.pdf page 10. Visited 5 September 2013

long court process. Also, as the abuser is more often than not a close relative, families choose not to expose them. Rape of adult women was also reported high, although, unfortunately, it does not get the attention it deserves from the Police as can be seen in Table 1 above. However, even when the cases are reported, the number of convicted cases is not commensurate with the number of cases reported. The reasons the police explained for this situation include inadequate magistrates and judges, loss of interest in cases by the family, and corruption in the police. They also mentioned inability of many defilement survivors to testify because most of them are very small children that get easily intimidated. Records from districts show a similar pattern. Figure 6.1 below shows data from the sample districts of this study.

The study found other forms of SGBV including: domestic violence, wife battering, forced marriages, female genital mutilation (FGM), denial of sex by a spouse, family neglect by husbands/fathers, and trafficking of girls for sexual exploitation and slavery. Researchers were also informed of increased cases of wives who subject their husbands to physical violence especially burning with hot water and beating.

Factors contributing to SGBV were reported as polygamy, poverty, women's economic dependence, and ignorance of human rights. Other factors included alcohol and substance abuse, increased women's economic independence, inability to manage anger, and the culture of silence. SGBV underreporting is due to several factors that include lack of clear referral mechanisms, fear of being stigmatized by members of the community, and livelihood dependency of the victim on the perpetrator. Moreover, lack of psychosocial support in post conflict communities, and men who find it difficult to deal with an empowered wife, who makes more money than them. In some communities, 18 years is too old for a girl to get married and so men tend to marry girls as young as thirteen years.

Figure 6.1: Cases of SGBV reported to Police from study sample districts July 2013



Source: Primary data from District Police Stations July 2013

The above Figure 6.1 shows cases of SGBV reported to the Police in 2012 in the sample districts where the study was carried out.

The study discovered that overall 50 percent of defilement cases are investigated. Unfortunately a much smaller percentage of the cases are prosecuted at the district level, and no case was reported penalized.

One worrying consequence of defilement is the increasing number of child mothers in Uganda. In one of the districts in the study, a sub-county chief confessed that in his sub-county there were more than 400 child mothers. Girls who become pregnant often must leave and work to provide for their children. Many such girls will be forced into prostitution as a survival strategy. SGBV is most prevalent in conflict-affected areas including those districts with high numbers of refugees. This could be a result of poor social control mechanisms, frustration, excessive alcohol consumption, and general anarchy. The study identified male teachers, fathers, uncles, neighbors and family friends as primary perpetrators.

Rape and defilement are criminal offences that ought to be punished at national level. However, FGDs indicated that parents often realize that they can make money out of the case instead of reporting. Parents may settle for small amount of money because they want to settle some urgent issue in their homes. As a result, girls become commoditized. "They could ask for a goat", one respondent said. The most expensive goat in Uganda costs Shs 120,000-130,000 (about USD 50).²³ Fathers and mothers may also force the perpetrator to marry the girl they have defiled, which leads to under age marriages. In several cases of defilement, parents employ tradition and culture and may not necessary report the case to the police or local councils. In many focus group discussions, it was reported that many cases are not reported at all. One woman stated that:

*"In Isingiro district a nine year old girl was defiled by a man. A social worker visiting the family tried to help this young girl who had been orphaned at the three years and lived with her widowed grandmother. At the health center, it was not possible to help the child as they did not have antiretroviral drugs (ARVs). She was referred to a higher level health center, where she was checked and defilement confirmed but the Police Form 3 could not be completed by the doctor on duty because he did not want to be a witness in court."*²⁴

There are still continuous challenges to implementing the law that is meant to address SGBV as long as it conflicts with people's culture or religion. Evidently rampant poverty and high numbers of children also play a key role. A woman who married off her 12-year old claimed she had no money to look after her daughter, given the very many children she had. Similarly while there is a law against female genital mutilation (FGM), and public sensitization and awareness raising has been conducted in the districts where it is practiced, families send their daughters across the border into Kenya where the practice is not yet outlawed. And no neighbor will report such a girl or family. This culture of silence undermines efforts to eliminate the practice.

23 The equivalent of \$USD 50.

24 Social/community development officer Isingiro district headquarters

Indicator 7 – Number and quality of gender-responsive laws and policies

Table 7.1: Gender responsive laws and policies on provision on women's rights

S/N	Laws	Provisions
1.	The Constitution of the Republic of Uganda (1995)	<p>The Bill of Rights:</p> <ul style="list-style-type: none"> • Guarantees fundamental and other human rights freedoms. • Guarantees that all persons are equal before the law in all spheres of political, economic, social, and cultural life and in every other respect and shall enjoy equal protection under the law. • Prohibits discrimination against any person on any grounds including sex, race, religion, ethnic origin, tribe, birth, creed, social or economic standing, political opinion or disability. <p>On the rights of women:</p> <ul style="list-style-type: none"> • Full and equal dignity with men • Protection of women and their rights taking into account their unique status and maternal functions • Equal treatment of women and men including equal opportunities in political, economical and social activities • The right to affirmative action to redress the imbalances created by history, tradition and/or custom.
2.	The Children's Act (1996)	The Act provides for the protection and promotion of the rights of children irrespective of gender.
3.	The National Women's Council Act (2002)	The Act provides for the composition of the National Women's Council, the Women's District Council, the National and District Women's Council Executive Committees.
4.	The Land Act Amendment (2004)	Provides for joint ownership of the matrimonial home and property and prohibits either the husband or wife from selling such property without the consent of the other and the children.
5.	The Equal Opportunities Commission Act (2007)	Articulates the composition and mandate of the Equal Opportunities Commission to give effect to the State's Constitutional mandate to eliminate all forms of discrimination in access to social services, employment, opportunities and governance structures and redressing imbalances where they exist.
6.	The Penal Code Amendment Act (2007)	Includes several provisions to address issues of criminal and civil nature including sexual offences and indecent assault. It prohibits defilement of boys and girls and prescribes the punishment for perpetrators.
7.	The Education Act (2008)	The Act provides for the education of all children without discrimination on the basis of gender or disability. It also provides for separation of sanitary facilities in all co-educational schools and colleges for the comfort of female pupils and students.
8.	The Marriage and Divorce Bill (2009)ⁱ	The Bill seeks to provide for fairness in marriage and in the dissolution of marriage
9.	The Prevention of Trafficking in Human Persons Act (2009)	Prohibits the relocation of human persons for purposes of slavery or other forceful activity.
10.	The Domestic Violence Act (2010)	Provides for the protection and relief of victims of domestic violence and remedies for the punishment of perpetrators, provides for the procedures and guidelines to be followed by courts in relation to protection and compensation of victims of domestic violence, provides for the jurisdiction of courts including the issues of protection orders and enforcement orders made by the court; and, provides for empowering the family and children's court to handle cases of domestic violence and related matters.
11.	Female Genital Mutilation Act (2010)	The Act defines FGM as all procedures involving partial and total removal of the external female genitalia. It criminalizes discrimination against women and girls that have not undergone FGM. It stipulates that any person who carries out FGM on self, or on others, procure, aid, induce, threaten, or fail to report the practice are also guilty of committing FGM and are liable to imprisonment, a fine or both.
12.	The International Criminal Court Act (2010)	The Act criminalizes sexual exploitation of women during conflict situations.

i The Marriage and Divorce Bill, Sexual Offences Bill and HIV Bill have yet to be enacted.

Table 7.2: Gender responsive policies

S/N	Policies	Provisions
1.	Affirmative action in Politics (1995)	Guarantees one woman member of Parliament for each district and 30 percent representation of women at all levels of local government councils
2.	Affirmative action in Education (1995)	Accords an extra 1.5 points for girls wishing to join university, as a measure of eliminating the historical and cultural imbalances in higher education.
3.	Universal Primary Education (UPE) (2005)	Makes it mandatory for all school going age children irrespective of gender to attend primary school. Despite this, there are still children who do not access primary school, such as street children.
4.	The National Equal Opportunities Policy (2006)	Addresses the challenges of exclusion and inequalities and affirmative action that underlie the rights and freedoms of marginalized and vulnerable groups.
5.	The Uganda Gender Policy (2007)	Provides the framework and guidelines for mainstreaming gender in the public sector
6.	The NAP for the National equal opportunities Policy (2009-2013)	Provides a framework and guidelines for operationalizing the Equal Opportunities Policy.
7.	The National Development Plan (2010)	Is the five-year development plan for Uganda. Among other things, the Plan focuses on poverty alleviation, as well as addressing the hindering forces of gender equality.
8.	PEP Policy (2012)	Protecting the victim against likelihood HIV and unwanted pregnancy and requires that anyone who reports at health center after rape must be given a PEP kit.
9.	The Peace, Recovery and Development Plan (PRDP 2) (2012 – 2015)	Provides a framework for return, resettlement, reintegration and rehabilitation of conflict affected persons. Initially, PRDP was silent about gender, but has since been engendered especially after much lobbying by women's CSOs.
10.	The Elderly and People with Disability Policy	The Act provides for the elimination of discrimination against the elderly persons and persons with disabilities, and provides for mechanism to address the existing inequalities.
11.	The NAP for implementation of UNSCR 1325, 1820 and the Goma Declaration	The NAP provides a framework for the implementation of the UNSCR 1325, 1820 and the Goma Declaration. It allocates responsibility for government, the Civil Society and Development Partners and provides indicators for measuring progress.
12.	The National Policy on GBV and guidelines	Provides a framework for prevention, management and strategies towards supporting and providing services for GBV victims and survivors.
13.	Universal Secondary Education (USE)	Provides free secondary educations to boys and girls in one secondary school per sub-county.

There has been improvement in the implementation of initiatives against SGBV. Ministry of Health (MoH) under the UN funded Joint GBV program has established five protective shelters for women in crisis situations as well as training duty bearers including clinical officers and police officers in the management of SGBV cases in 50 districts. SGBV has also been included in the Minimum Health Care Package for the country. However this program only covers 27 out of 112 districts of the country.

As can be seen Uganda is not short of gender responsive legal and policy frameworks. The challenge remains implementation of the laws and policies, influenced by a myriad of factors as already mentioned. While many 'good' laws abound, they appear not to be applied to women and girls caught up in violent situations. There is a need for a comprehensive study on the use of existing gender legal and policy framework to inform review of policies and strategies for their implementation.

Indicator 8 – Number and nature of provisions/ recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

The research team did not get any data for this indicator as there has been no TRC in Uganda despite the many calls for one.

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

This indicator is not applicable to Uganda any more as there are no more economic packages being given out since the implementation of the PRDP started three years ago.

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

This time round, the research team was able to get information on pre-deployment training. The team was informed that pre-deployment training for peacekeepers is undertaken by the UN and that the peace keepers are given training before deployment. The research team was able to access the training manual and it was encouraging to find such topics as the legal and policy framework for deployment, conduct and disciplinary procedures, sexual exploitation and abuse, human rights, international humanitarian law, UNSCR 1325, 1820, 1889 & 1960, gender awareness and HIV/AIDS. This is a significant improvement but the challenge is that all the material must be covered in only five days which is too little time for a comprehensive training. However it was not possible to get any information about post deployment training.

The Ministry of Gender, Labor and Social development informed the research team that their expertise is sought to deliver sessions on gender issues and the women, peace and security resolutions including UNSCR 1325 and 1820 and the Kampala Declaration on sexual violence. This is actually provided for in the Uganda NAP for training of peacekeeping missions on gender issues and the provisions of UNSCR 1325 and 1820 before deployment.

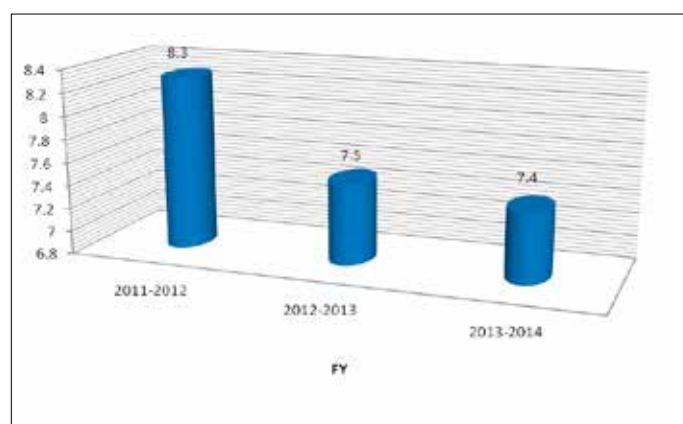
Indicator 11 – Allocated and disbursed funding marked for women, peace and security programs to CSOs and government

The research team was unable to establish the level of funding for CSOs for women, peace and security issues. However, an interview with CEWIGO official indicated that in the year 2012 CEWIGO received \$USD 787,674 and all funds received, except for 15 percent that go to administration, are spent on women, peace and security related programs. CEWIGO also confirmed that it is not only national level civil society organizations that receive funding for women, peace and security interventions but also CBOs and international NGOs such as CARE International, ACODE, World Vision, Plan International and Oxfam.

The Ministry of Gender, Labor and Social development informed the research team that their expertise is sought to deliver sessions on gender issues and the women, peace and security resolutions including UNSCR 1325 and 1820 and the Kampala Declaration on sexual violence.

The health sector

Figure 11.1: Budget allocation to health sector as a percentage of the National Budget



Source: Approved Estimates of Revenue and expenditure, for the year ending 30th June 2013 and Medium Term Expenditure Framework of 2012/13 and 2013/14

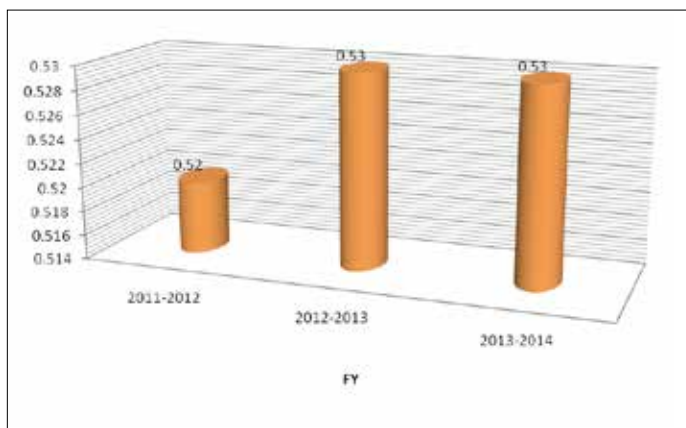
The Ministry of Health is among those charged with implementing Uganda's NAP. The sector budget was 8.3 percent of the national budget for Fiscal Year (FY) 2011/2012, 7.5 percent for 2012/2013 and 7.4 percent for 2013/2014. Evidently the budget is declining over the last years with specific decrease of 10 percent in 2013/2014 from the allocation of 7.5 percent in 2012/2013. According to the Abuja Declaration of 2001 which Uganda ratified, all member states should allocate at least 15 percent of their national budgets to health.²⁵ With a budget allocation of 7.4 percent, Uganda has not fulfilled her commitment.

As it has been noted above, the Ministry of Health has implemented WPS initiatives including training of clinical officers in SGBV management in 50 out of the 112 districts. The Ministry of Health receives funds from development partners to implement SGBV programs across the country, capacity building for health workers and policy formulation processes. The research team established that CSOs play a key role in implementing interventions that address SGBV.

²⁵ See CEWIGO Monitoring Implementation of Uganda Action Plan (NAP) for UNSCR 1325, 1820 and the Goma Declaration 2012 p20.

Social Development Sector

Figure 11.2: Trends in allocations to Social Development Sector as a percentage of the national budget



Source: Government Annual Performance Report 2011/2012 and National Budget Framework Paper FY 2013/2014

In FY 2012/2013, the Social Development sector's budget was SUSD 24,960. By end of May 2013, one month to the end of the financial year only SUSD 5,792 had been released.²⁶ In FY 2013/2014 a total of SUSD 26,976 was allocated to the Sector. However, it is not clear how much of this money is budgeted for women, peace and security, or how much of it will actually be released for the purpose.

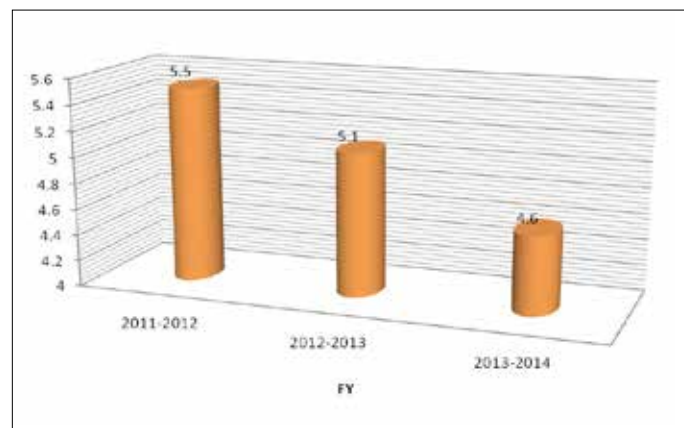
The Social Development sector's focus is to strengthen the rights of communities, and enhance social protection measures. The sector is also crucial for women, peace and security issues as it provides space for the budgeting and implementation of strategies and programs such as those included in the NAP, which specifically address gender equality and equity, and freedom from violence. It is also within the sector that human rights are realized.

The research team established that gender mainstreaming is still being implemented at a slow pace since it has been applied to only seven sectors. More vigilance is required in this area since gender mainstreaming aims at achieving gender equality which leads to equal access to opportunities and control of resources by both genders. This is one avenue through which development results can be optimized.

26 Social Development Sector, Policy Statement for FY 2013/2014.

Justice Law and Order Sector (JLOS)

Figure 11.3: Trends in allocations to the JLOS as a percentage of the national budget



Source: Government Annual Performance Report 2011/2012, November 2012, Approved Estimates of Revenue and Expenditure, FY 2012/2012 and National Budget Framework Paper FY2013/2014

The Justice, Law and Order sector (JLOS) is also responsible for the implementation of certain sections of the NAP. Women need and often do seek justice for crimes committed against them during or after conflict but also in their daily lives. This study has established that the JLOS continued to be relatively well financed, as demonstrated by three consecutive financial years receiving supplementary funding. Nevertheless, there is a decline in the budget allocation over the three years as Figure 11.3 shows. The FY 2011/2012 saw a release of UGX 582.04bn, surpassing the approved budget of UGX 552.86bn by 5.3 percent. However, while only a few of the sector's institutions benefits from the supplementary budget at a time, two institutions have been consistent beneficiaries. They are the Ministry of Justice and Constitution Affairs and Uganda Police Force, which received 161.3 percent and 123.4 percent of their approved annual budgets receptively in FY 2011/2012.

III. Conclusion and recommendations

Conclusion

While the impact of armed conflict seems to have affected all women in Uganda irrespective of area, the women in conflict affected districts undergone most of the suffering. Although the latest armed conflict in real terms ended in 2006, women still suffer the trauma from the conflict as well as from untold and unwarranted gender-based violence. This has long-term implications on their lives and that of their families.

On participation in leadership and decision making, the study has established that the Affirmative Action strategy has improved women's participation in leadership and decision making in Uganda. The provision of a woman MP for each district, and for 30 percent women's representation in Local Councils has brought many women into positions of leadership, the hitherto invisible have become visible, and as a result society is gradually accepting the inevitable; that women make as good leaders as men. However, despite the high educational qualifications and experience that women hold, it is evident that the majority of women in the public service are in the bottom rung. However, women have done better in the Judiciary. The women in Uganda's public service top positions and statutory bodies have proved beyond reasonable doubt that they can deliver results. The example of Uganda Revenue Authority that has been transformed by a woman Commissioner General and KCCA by a woman Executive Director has shown the world at large that women can be effective leaders. The Public service structure therefore needs to ensure at least 30 percent women's representation in all levels of top leadership, in each ministry, department, and agency.

Uganda is the current chair for peace negotiating teams of the M23 and the government of the DRC. However, there is little to show on the ground the progress of peace talks between the belligerents. On the other hand, women's CSOs particularly those in the National Women's Task Force and those in the 1325 Coalition coordinated by CEWIGO continue to play a very active role in peace building and conflict resolution initiatives, raising public awareness of human rights and women's peace and security issues and in advocating for the respect of women's rights in post conflict Uganda.

Uganda has in the last 20 years instituted a gender responsive legal and policy framework. However, the study identified gaps in the implementation of the laws and policies that aim to protect women against violence. Other very important Bills, (the Sexual offences Bill, the Marriage and Divorce Bill and the HIV Bill) have yet to be enacted.

The judiciary has made modest progress in addressing gender biases with regards women in top positions. However, the small

number of High court judges makes the prosecution of SGBV very lengthy and hinders access to justice. Moreover, the Police and even the Army have only received staggered training in the provisions of UNSCR 1325 and 1820, and the Goma Declaration.

The women of Uganda have played a commendable role in conflict transformation through associations, coalitions, networks and task forces to get their voices heard through various initiatives and fora. They have lobbied and advocated on issues that affect women including maternal, child safety and their own safety.

The existence of the Uganda NAP provides a framework whose implementation, if well coordinated and supported, would make a difference to women's peace and security in the country.

Recommendations

To government

- ▶ Consider elimination of violence against women as inseparable from achieving equality of women and development. Furthermore, Ugandan government must, because of the high need, do everything within its means to avoid the occurrences of unnecessary armed conflicts that have plagued Uganda most especially since independence.
- ▶ Set up a special fund for the implementation of the Uganda NAP and related UNSCR 1325 related instruments such as the Framework for Peace in the Great Lakes Region to which different donors can contribute to and from which different agencies including women's organization can apply for Women Peace and Security work.
- ▶ Ministry of Gender, Labor and Social Development should operationalize a multi stakeholder Steering Committee to oversee implementation of the Uganda NAP.
- ▶ Ministry of Gender, Labor and Social Development should plan for a multi stakeholder review of the Uganda NAP to integrate the Framework for Peace in the Great Lakes Region
- ▶ The UPDF and Uganda Police Force should develop a targeted training for women in Uniform that would enable them acquire the requisite knowledge and skills to enable promotion to higher ranks.
- ▶ Provide funding for the implementation of long-term and integrated, multi-sectoral strategies which embed women's participation and peace building into wider community-based transitional programs. Access to basic education, health services and economic livelihoods are proven foundations for meaningful participation in community and national affairs.

- ▶ Support a strategic approach to consolidating peace by connecting grassroots peace building with national and international peacemaking efforts. Place enhanced emphasis on these linkages during the piloting of the UN global 1325 indicators by implementing the new Secretary General's report on Women and Peace building, with its practical 7-point plan.
- ▶ Scale up the Joint Programme on Gender and the Joint Programme on GBV to cover the rest of the country and scale up training of duty bearers and public sensitization and awareness raising on GBV related laws and policies.
- ▶ Increase resourcing (human, tools, and financial) for the institutional capacity of the Family and Child Protection unit in the Uganda Police Department to strengthen GBV response
- ▶ Integrate Women, Peace and Security issues in all pre and post deployment training for peace keeping missions.
- ▶ Target men for awareness rising on issues of gender and women, peace and security.

To the UN

- ▶ Increase pressure on Government to set up a special fund for the implementation of the NAP.
- ▶ Support the review of a more comprehensive NAP.
- ▶ Adopt a holistic approach to women's participation in peace and security policy and practice through implementing comprehensive strategies aimed at addressing women's competence and potential, as well as the structures and relations that condition their choices. This entails strategies that foster linkages between access to civil, political, economic and social rights.

- ▶ Promote empowerment with a focus on confidence building, diplomatic skills, knowledge enhancement, effective public speaking to enable women and other marginalized groups to participate fully and effectively in governance at local and national levels.
- ▶ Commit specific funds for in country monitoring of the implementation of UNSCR 1325.
- ▶ Establish and allocate budget for regional training facility on women peace and security in line with UN framework.

To Civil Society

- ▶ Commission a study on the utilization of gender sensitive laws and policies in Uganda.
- ▶ Scale up the Localization of UNSCR 1325 and 1820 and the NAP and support processes for Local Governments to develop district Action Plans.
- ▶ Target men for awareness raising on issues of gender and women, peace and security.

To Development Partners

- ▶ Increase funding for women's CSOs engaged in women's capacity building for political life and monitoring of peace, recovery and development programs.
- ▶ Enhance local justice by empowering local council courts to address partly criminal cases through referral systems.
- ▶ Enhance mentorship in security agencies through role modeling and mentorship. Increase funding for women already in forces to go for training.

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Asia-Pacific

Fiji

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List of acronyms

FWCC	Fiji Women's Crisis Centre
FWF	Fiji Women's Forum
PIFS	Pacific Islands Forum Secretariat
RAP-WPS	Regional Action Plan- Women Peace and Security
RDSSSED	Roadmap for Democracy and Sustainable Socio-Economic Development
RRRT	Regional Rights Resource Team
SODELPA	Social Liberal and Democratic Party
SPC	Secretariat of the Pacific Community
UN	United Nations
UNAMI	United Nations Assistance Mission to Iraq
UNDOF	United Nations Disengagement Observer Force
UNMIL	United Nations Mission to Liberia
UNMISS	United Nations Mission to South Sudan
UNSCR	United Nations Security Council Resolution
CEDAW	Convention on the Elimination and Discrimination against Women

I. Women, peace and security profile

A. Nature of the conflict

Fiji is under military rule since December 5, 2006 with a suspended Constitution since April 2009. In 2012, the country underwent an elaborate constitution drafting exercise presided by a Constitutional commission chaired by Professor Yash Ghai of Kenya.

The constitution making process followed the December 5, 2006 ousting of the democratically elected Fijian Prime Minister Laisenia Qarase by the military leader Commodore Frank Bainimarama. In 2009, following a judicial ruling that the military government, led by Commodore Bainimarama, violated the Constitution, the Prime Minister (Bainimarama) assumed all powers and abrogated the 1997 Constitution.

In March 2012, Commodore Bainimarama announced a process for democratic transition through a series of decrees with a timeline for the drafting and adoption of a new Constitution including the establishment of a Constitution Commission. At the same time he set out certain non-negotiable principles and values for the new Constitution. These principles were namely - a common and equal citizenry; a secular State; the removal of systemic corruption; an independent judiciary; the elimination of discrimination; good and transparent governance; social justice; one person, one vote, one value; the elimination of ethnic voting; proportional representation; and a voting age of 18. He also emphasized that the new Constitution must be premised on the fundamental values and principles set out in the Peoples' Charter for Change.¹

While the constitutional process was promoted as one where every Fijian will have a voice, and will be heard on the issues of concern and there was a subsequent relaxation of the Public Emergency Regulations (2009) and media censorship. The Prime Minister also announced that the draft Constitution will be considered by a Constituent Assembly in an inclusive and transparent process and the Assembly will consist of representative civil society groups and organisations that are Fijian-registered, including faith-based organisations, national institutions, political parties and government officials.

Professor Yash Ghai from Kenya and his Commissioners travelled extensively around Fiji for three months and heard more than 7,000 submissions. The Constitutional Commission completed its draft constitution but when Yash Ghai made copies for the public his office was raided by the police, the copies were confiscated and he was alleged to have broken the law.² The 200 page Commission report (commonly referred to as the People's Draft) was presented to the President of Fiji (December 2012) however in January 2013 Fiji's interim government declared that the People's Draft constitution was unsuitable and on March 21, 2013,

Prime Minister Commodore Voreqe Bainimarama announced the release of a new draft (referred to as the Government's Draft Constitution) saying that "we (government) will finalise the Constitution to have it ready for implementation no later than 12 April this year." Commodore Bainimarama also scrapped the Constituent Assembly charged with reviewing the document.³

Significant changes to the previously provided constitution-making process were announced by the Prime Minister when releasing the Government Draft Constitution (GDC) including the abolishment of the Constituent Assembly (decree 58/2012) and instead asking people to become the constituent assembly by making comments on that draft by no later than 5th April, with the government to then finalise the draft Constitution within seven days (by 12th April). The GDC allows Bainimarama to remain in power until Election Day i.e. September 30, 2014 and is more accommodating of the military's role in Fiji. It offers a pardon for anyone who has been involved in all the four coups that Fiji had in the last 25 years. Constitutional scholars have said the draft gives the elected prime minister extraordinary lawmaking powers. It names the Prime Minister as head of the armed services and gives the government broad powers to override much of the Bill of Rights in the interests of national security.

At the time of the completion of this report the President of the Republic of the Fiji Islands formally gave assent to the endorsement of the new constitution on 6th September, the document referred to in this report.⁴

On 15 January 2013 the Political Parties Decree 2013 stipulate the registration process of political parties who wish to contest the 2014 elections. This resulted in a reduction of the number of parties from 17 to 3 as of February 19. The decree requires that political parties have at least 5,000 members and pay a registration fee of \$USD 2,800. The fee must come from contributions from the party members; parties can no longer receive donations from businesses, non-governmental organizations, or other groups. Journalists, editors, and media organizations can be jailed or fined if they refer to an unauthorized organization as a political party.⁵

As of July 2014, four political parties have succeeded in gaining initial registration. These include the Fiji Labour Party, the National Federation Party and the renamed Social Democratic Liberal Party (SODELPA), which are now allowed to operate legally. The decree required parties to sign up at least 5,000 members across Fiji and there were hefty fines and imprisonment if anyone held themselves out as representing a party without it being

³ Sean Dorney, Fiji Government Further Criticized Over Draft Constitution, <http://pidp.org/pireport/2013/February/02-11-03.htm>

⁴ <http://www.fiji.gov.fj/Media-Center/Speeches/FIJIAN-PRIME-MINISTER-S-ADDRESS-ON-THE-ASSENT-TO-T.aspx><http://www.radioaustralia.net.au/international/radio/program/pacific-beat/pacific-island-leaders-welcome-the-release-of-fijis-new-constitution/1186459?autoplay=1186439>

⁵ Dionisia Taburegui, *New Rule of play- Tough For Oldies but vague to Independents*, available at <http://www.islandsbusiness.com/2013/3/fiji/new-rules-of-play/>

¹ Fiji, People's Charter for Change, Peace and Progress available at <http://www.itaukeiaffairs.gov.fj/docs/finalcharter.pdf>

² Sean Dorney, Fiji Government Further Criticized Over Draft Constitution, <http://pidp.org/pireport/2013/February/02-11-03.htm>

registered.⁶ The People's Democratic Party is the fourth party to gain registration allowing it to operate legally in the run up to elections promised for 2014.

While the parties have their registration and are technically free to start campaigning for elections in 2014 there are still obstacles to overcome, like having to submit the financial details of members and their families as well as the lack of an Electoral Commission which is yet to be set up once the new Constitution is in place. The Commission will consist of a chairperson and four others – appointed by the President – on the advice of the Prime Minister.

B. Impact of conflict on women

Submissions to the Constitution Commission of Fiji in 2012 revealed that rights relating to health; education; water and food; work and livelihood; and social security were of predominant concern to Fijians. This has also been reflected in ongoing documentation undertaken by FemLINKPACIFIC and communicated through its monthly Women, Peace and Human Reports highlighting that the brunt of poverty continues to be experienced by women in the lower impact brackets or the growing informal economy which includes rural women who are particularly impacted by poor infrastructure development which further impedes their ability to access and participate in political processes.⁷

Priority issues communicated through FemLINKPACIFIC's reports (2012-2013) continues to identify food and economic security as major obstacles particularly as rural women did not have access to land and are also unable to balance the family budget as expenses continue to outweigh family income. Many women also relate violence experienced in the home with economic problems and there remains a disconnection particularly in rural communities between their needs and hardships faced and national budget allocation particularly to health services. The lack of economic security is also affecting women's ability to effectively participate in political processes and many rural women who rely on traditional media and communication systems such as radio are further marginalised because of the lack of gender-inclusive media and communication strategies available (ie aside from such initiatives as FemLINKPACIFIC's rural community media network and initiatives including community radio.

During the consultation process undertaken by the Constitution Commission of Fiji in 2012, the Commission received many submissions on human rights issues. Most people who made these submissions focused on the rights of the particular group to which they belonged especially on women's rights, or the rights of iTaukei, or the rights of persons with disabilities and the rights of prisoners. Many people spoke about limitations on rights that have occurred over the last few years, especially rights to associate with others, form organisations and express opinions. Other important rights that were mentioned included rights such as freedom of information.

In April 2012 the landmark Fiji Women's Forum (short for the Fiji Consultation on Women's Participation in National Democratic Processes) was convened in Suva, Fiji Islands. This is a national consultation to discuss the participation of women in national democratic processes. Women's full and meaningful engagement in all national processes is essential to human rights centred development, and to full and effective democratization. Women are already participants and decision-makers in all areas of state and civil society, but their views are minimized, blocked or tokenized when formal processes regarding constitutionality and governance are nationally debated and decided. The co-conveners of the forum are the National Council of Women Fiji, the Soqosoqo Vakamarama I Taukei, FemLINKPACIFIC and Fiji Women's Rights Movement. Since the first meeting, the Fiji Women's Forum co-conveners have continued to demonstrate their commitment to work together to enhance women's participation and decision making at all levels of Fiji's democratization process and have convened four national forum meetings since March 2012.

Since the second Women's Forum in June 2012, Women's Forum representatives have effectively mobilized to deliver over 125 rights based civic education campaigns and programs in communities around Fiji enabling the participation of women in all our diversities, particularly rural women and other minority groups in the Constitutional Consultation process. These activities are undertaken despite the very limited time allocated by the State for civic education and the often disempowering spaces for women in which the consultations were held.

As a result of the Women's Forum's civic education activities, over 650 individual and group submissions were made, which included submissions advocating for a strengthened Bill of Rights that includes the full range of civic, political, economic, social and cultural rights and for increased women's participation in decision making roles in particular through Temporary Special Measures. The Women's Forum has produced a publication entitled *Balancing the Power: Promoting Women's Political Participation in Fiji through Temporary Special Measures* as an advocacy tool to be used by its representatives in the upcoming National Democratic Processes.

Activities undertaken by the Fiji Women's Forum have been in line with the Four Priority Areas agreed upon by the participants of the inaugural Fiji Women's Forum held from the 10th - 12th of April 2012 and endorsed on June 6th 2012. These priority areas are as follows;

1. Respect for Human Rights;
2. Defining the role of the security forces;
3. Promotion of women's participation in decision-making and democratization processes including Temporary Special Measures; and
4. A rights based, respectful, open and participatory constitution making process

⁶ Nasik Swami, Political Parties question decree criteria, available at <http://www.fijitimes.com/story.aspx?id=222646>

⁷ For further information please refer to www.femlinkpacific.org.fj

Ongoing activities will include civic education, and build on existing women, peace and security initiatives and amplify gender, economic and ecological justice concerns.

The Fiji Women's Forum (FWF) had nominated 13 women leaders to be part of the Constituent Assembly (CA). The FWF had also worked with women from all the divisions in Fiji to make submissions to the Constitution Commission, particularly in relation to women's human rights and women's political participation.

In light of these efforts and successes, the Fiji Women's Forum was deeply disappointed that the women's values and priorities which were reflected in their submissions to the People's Draft Constitution, 2012, was rejected resulting in the invisibility of women in the current Government Draft, 2013. This contravenes the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), which Fiji ratified in 1995. The Fiji Women's Forum further condemned the State's decision to abandon the Constituent Assembly. The Women's Forum had concerns on legitimacy of the overall process but recognized the importance of including women's perspectives in a participatory, open, transparent and substantive debate on constitutional content.

In 2013, women's participation in the recent political processes has not only been limited to the civil society spaces. There is a re-emergence of women's political leadership in political parties in particular SODELPA and the new People's Democratic Party.

C. Relevant legal and policy framework

The 10th anniversary of UNSCR 1325 was a catalytic factor to the Pacific Forum Leaders in demonstrating commitment to the advancing integration of UN Security Council Resolution 1325 (Women, Peace and Security) into the regional peace and security architecture through the high level development and adoption of a Regional Action Plan on Women, Peace and Security particularly to ensure the integration of gender equality (and the advancement of women) in all deliberations, policies and programmes relating to regional peace and security.

A collaborative approach between women's CSO networks working on UNSCR 1325, in particular FemLINKPACIFIC together with government and regional inter-government counterparts such as the Pacific Islands Forum Secretariat (PIFS) and the Secretariat of the Pacific Community (SPC) together with United Nations agencies based in Suva throughout 2011 and into 2012 brought about the Pacific Regional Action Plan on Women, Peace and Security (RAP-WPS) which was launched on October 18, 2012. Formulating the Regional Action Plan has provided an opportunity for the region to identify broad priorities, initiate strategic actions, and determine responsibilities among different actors. It also ensures that Women, Peace and Security activities are not seen as standalone efforts but rather as an integral part of regional peace and security discussions, in line with regional efforts of promoting gender equality.

The RAP-WPS provides a broad framework at the regional level to assist Forum Members and Pacific Territories to accelerate implementation of existing international, regional and national commitments on women, peace and security and has been informed by women's civil society activism and action, and reflects the growing recognition of the need to invest in women, peace and security. The development of the Regional Action Plan has also been a substantive step towards mainstreaming gender and bringing more women and young women into official peace and security processes at the regional level, as well as creating a supporting mechanism for regional and national efforts on Women, Peace and Security.

The RAP-WPS has a focus on three strategic pillars:

1. Gender mainstreaming and women's leadership in conflict prevention and management, political decision-making and peacebuilding and peacekeeping;
2. Gender mainstreaming and women's participation in security sector oversight and accountability and;
3. Protection of women's human rights in transitional and post-conflict contexts.

The development of the Pacific RAP-WPS included co-chairs from SPC, United Nations (UN) and FemLINKPACIFIC. The formulation of the RAP was informed by the efforts of Pacific activists who belong to the Pacific Women's Media and Policy Network on UN Security Council Resolution 1325 coordinated by FemLINKPACIFIC and includes Leitana Nehan Women's Development Agency Vois Blong Mere Solomon and Ma'afafine moe Famili of Tonga. The network uses community media as a platform to communicate and integrate UNSCR 1325 into the regional and national peace and security architecture.

Since 2007, FemLINKPACIFIC has convened the Pacific Regional Women's Community Media and Policy Network on UNSCR 1325 and through a series of activities including the "Peace Talks" project and the publication of the annual Policy for Peace in the Pacific Region series contributes to solidarity and collaboration with Peacewomen in Fiji, Bougainville in Papua New Guinea, Solomon Islands and Tonga.

By advocating for implementation of UN Security Council Resolution 1325 on Women, Peace and Security within national and regional policy spheres and through a Women, Peace and Human Security Framework stemming from women in local communities, FemLINKPACIFIC has worked to translate UNSCR 1325 not only in the literal sense but to also to operationalize it and to demonstrate the opportunities that exist at a policy level, a community level, as well as within our own women's networks, with the benefit of transnational links and support.

The Regional Action Plan is a crucial step in acknowledging how women continue to play an important role in brokering peace because they help to foster and maintain confidence and trust among the people and are able to address issues of concern to women and marginalised groups particularly as too often we

are unable to share our knowledge or communicate impending instability and violence even though we are active at the local level in terms of conflict prevention and management, mediation and dialogue. This is too often compounded by the low level of women's political representation at all levels of political decision-making at national and sub-national level across our region.

The RAP-WPS therefore has the potential to:

- ▶ Facilitate the enabling environment we need to improve women and young women's leadership in conflict prevention and management, peacekeeping, security policy decision-making;
- ▶ Ensure women's and girls' human rights are protected; and
- ▶ Strengthen civil society, women's groups, including young women and gender equality advocates engagement with regional security and conflict prevention policy and decision-making.

In Fiji, the government's Women's Plan of Action (WPA) from 2010 - 2019 is closely aligned to the current Roadmap for Democracy and Sustainable Socio-Economic Development (RDSSD 2009 - 2014 and the UN Convention for the Elimination of all forms of Discrimination Against Women (CEDAW) and focuses on five priority areas:

- ▶ Formal sector employment and livelihoods
- ▶ Equal participation in decision making
- ▶ Elimination of Violence against Women and Children
- ▶ Access to Services
- ▶ Women and the Law

The WPA currently has no references to UN Security Council Resolution 1325 or 1820. However the development of a Human Security Framework by the Ministry of Defence and National Security is providing an entry point for FemLINKPACIFIC to integrate UNSCR 1325 into the framework. The WPA's strategic objective 2.1 recommends that "Temporary Special Measures for women's participation in Parliament are adopted and implemented by 2015" and strategic objective 2.2 which addresses the institutionalization of equality in decision making including in local governance structures also commits to advancing proportional representation through legislated quota, as well as ensuring 50 percent representation by women in Electoral Commission and Trade Unions. However this has not been reflected in the Government's Draft Constitution (March 2013) and is further contradicted by recent decrees relating to the Trade Union and Political Party membership.

The WPA's strategic objective 3.1 commits to improving responses to crimes against women and children and strategic objective 3.2 commits to improved access to justice and legal services there are no specific references to peace and security even though Fiji remains a key Troop Contributing Country for the United Nations. The WPA, however, does cite several decrees including the Crimes Decree 2009 and the Domestic Violence Decree 2009 which have been discussed in previous country reports.

II. Data presentation and analysis

A. Participation

Indicator 1 – Index of women's participation in governance

The sole female member of the military appointed government is the (Cabinet) Minister responsible for Women, Poverty Alleviation and Social Welfare. There are no elected women in local government. The representation of women both within the management level of the public service as well as in appointed position there has been a six percent drop in representation.

Table 1.1: Index of women's participation in governance in 2012-2013

	No. of women	No. of men	% of women
National government (total)			
Executive			
Minister for Women, Social Welfare and Poverty Alleviation	6	40	18
Acting Permanent Secretary, Justice, Electoral Reform and Anti-Corruption			
Permanent Secretary for Public Enterprises Tourism and Communication and Civil Aviation			
Permanent Secretary for Foreign Affairs, International Co-operation			
Permanent Secretary for Local Government, Urban Development, Housing and Environment			
Legislature¹			
Local government (total)			
Executive			
Women in Senior Positions in Local Government Structures (Special Administrators)	0	9	0
Provincial Development Board	45	128	26
Divisional Development Board	28	239	11
Chief Executive Officer	1	13	7
District Advisory Council	24	226	10
Women employees in Local Government			25
Total	98	615	15

Percentage of women's participation in governance from		
	2012	2013
National government	18	18
Local government	21	15
Total	39	33

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

There was no formal peace negotiating processes that took place in Fiji in 2012.

Indicator 3 – Index of women participation in the justice, security sector, and peacekeeping missions

The Table below provides an overview of women's participation in the justice and peacekeeping missions. For the justice sector, the data obtained was the number of women and men in the divisions of the Resident Magistrate and the Justice of the high court. On the other hand, since there are no active UN missions in Fiji, the data collected for the peacekeeping missions reflect the no of women and men that Fiji is contributing to United Nations Assistance Mission to Iraq (UNAMI), United Nations Disengagement Observer Force (UNDOF), United Nations Mission to Liberia (UNMIL) and United Nations Mission to South Sudan (UNMISS). However, it was not possible to attain the data for the security sector.

Table 3.1: Index of women participating in the justice sector in 2012 ⁱ			
	Number of women	Number of men	Percentage of women
Resident Magistrate	6	12	33
Justices of the High Court	2	11	15
Total	8	23	25.8

Index of women participating in peacekeeping missions (TROOP CONTRIBUTING) in 2012			
	Number of women	Number of men	Percentage of women
Peacekeeping missions ⁱⁱⁱ	32	708	4.3
Military experts	0	2	0
Troops	24	672	3.5
Individual police	8	34	19
Total	64	1,416	26.8

While there is an improvement in terms of numbers it is not clear whether this is due to the government's efforts to ensure equality in representation in the military and judiciary.

Military

The rapid expansion of the Republic of Fiji Military Forces (RFMF) and its involvement in peacekeeping, required a mass recruitment of females between 2005 and 2006, suggesting it was international pressure which forced the RFMF to increase the representation of women within the military forces, and not a genuine internal commitment. However, despite this recruitment drive, the representation of women in the RFMF still remains at only around two percent.

Police

Since 2003, the human resource policy of the Fiji Police Force provided a commitment of reserving 35 percent of personnel numbers for women. The policy also promoted a more transparent and fair selection procedure, gave women front line operational roles including elite units, established networks, and promoted zero tolerance of sexual harassment as well as positive media coverage of women in the police force. However, it was not able to verify whether these targets are being achieved or not during the preparation of this report.

Judiciary

While the government is demonstrating a commitment to the appointment of women to the judiciary, the challenging political environment in Fiji means that there remains a tension between the judiciary and human rights defenders.

Peacekeeping

In June 2013 when Fiji deployed an initial troop to the Golan Heights on UN peacekeeping mission the civilians who were deployed included women. It is not clear whether the level and content of any pre deployment training for both military and civilian personnel are inclusive of human rights training.

Indicator 4 – Number and percentage of women participating in each type of constitutional legislative review (including security sector review)

Table 4.1: Number and percentage of women participating in Fiji Constitutional Review Commission			
	Number of women	Number of men	Percentage of women
Constitutional review	3	2	60
Legislative review	N/A	N/A	N/A
Security sector review	N/A	N/A	N/A
Total	3	2	60

No constitutional, legislative or security sector reviews were undertaken in 2012. The last major review of Fiji's security and defence requirements was conducted from 2003-2004 and a Draft White Paper was subsequently prepared by the Ministry of Home Affairs in 2005. Furthermore, since the abrogation of the 1997 Constitution in 2009, new laws and changes to existing laws have been made by decree by the President and the military Regime, which have not been subject to any legislative reviews. Since then, the Bainimarama Government has announced its commitment to developing a new constitution by September 2013 and holding national elections in September 2014.

On 9 March 2012, the Fiji Government announced the roadmap for a new constitution making process and the subsequent appointment of a 5-member Constitutional Commission. Three members of the 2012 Constitutional Commission were women – namely, Ms. Taufu Vakatale, the first female Deputy Prime Minister of Fiji; Ms. Christina Murray, a constitutional law expert from South Africa; and Ms. Penelope Moore, a longstanding human rights advocate in Fiji and the first coordinator for the Fiji Women's Rights Movement.

However, as it has been stated in the background section of this report, when the Constitutional Commission completed its draft constitution and copies were made available to the public, their office was raided by the police, the copies were confiscated and he was alleged to have broken the law. The 200 page Commission report commonly referred to as the People's Draft was presented to the President of Fiji in December 2012. But in January 2013 Fiji's interim government declared that the People's Draft constitution was unsuitable and on March 21, 2013, Prime Minister Commodore Voreqe Bainimarama announced the release of a new draft which was referred to as the Government's Draft Constitution.

Indicator 5 - Percentage of civil society organizations (CSOs) in task forces on UNSCR 1325 and 1820 (out of total task force members)

Under the current government, there has been no attempt to establish task forces on Peace and Security which would enable human rights based civil society organizations to participate and contribute to such a process.

While FemLINKPACIFIC, has been involved in the development of the Regional Action Plan on Women, Peace and Security convened by the Pacific Islands Forum, due to Fiji's current suspension from the Pacific Islands Forum there has been no national government involvement in the process. FemLINKPACIFIC and Leitana Nehan Women's Development Agency are the two civil society members of the Pacific Islands Forum Regional Working Group on Women, Peace and Security tasked to support the implementation of the RAP.

B. Prevention and protection

Indicator 6 –Number and Percentage of SGBV cases during the rule of the presently non-elected government

The cases that are enumerated in the table below are cases which were reported to Fiji Women's Crisis Centre (FWCC) for the year 2012. The Fiji Women's Crisis Centre (FWCC) is a feminist non-governmental organization which provides crisis counseling and legal, medical and other practical support services for women and children who are victims and survivors of violence committed against them by men. The Centre's work addresses all forms of violence against women including rape, beating, sexual harassment and abuse of children.

Table 6.1: Number of SGBV cases reported, investigated, prosecuted and penalized in 2012^v

Type of SGBV	Reported to (FWCC)
Domestic Violence	560
Rape	17
Sexual Harassment	9
Child Abuse	45
Others	283
Total	914

In 2013 the revival of the Inter-Agency Task Force on Violence against Women convened by the Department of Women has demonstrated some progress to rebuild collaboration between women's rights based group and the police as well as other service providers. It is understood protocols are being developed to enhance the effectiveness of the no drop policy as well as support services for the victim-survivors. There remains a close correlation between the deterioration of women's personal security and safety and the protracted nature of Fiji's political situation.

Indicator 7 – Number and quality of gender-responsive laws and policies

The table below shows the current gender-responsive laws and policies in Fiji.

Table 7.1: Names and purposes of gender-responsive laws and policies in Fiji

Law name & year	Purpose
Child Welfare Decree 2013	Protect children (including the girl child) from abuses of any sort.
Domestic Violence Decree, 2009	The law clarifies the responsibilities of the police and allows for restraining orders and other measures to protect women from abusive partners

Family Law Act, 2005	Protects the best interest of women and children during separation of married couples
Child Welfare Decree, 2009	Protects the girl child against any sort of abuse/exploitation in any situation. Access to basic needs including education of the girl child.
Crimes Decree, the Criminal Procedures Decree and Human Rights Commission Decree, 2009	Exists to uphold the protection and non-discriminatory of women diversity within the country.
2013 Appropriation Decree 2012	Ministry of Social Welfare, Women and Poverty Alleviation; SFJD 39,161,761 allocated to better the Ministry's services.

The Domestic Violence Decree (DVD) and the Crimes Decree

In Fiji, while the Domestic Violence Decree of 2009 (DVD) and the Crimes Decree of 2009 have to some level significantly improved the legal framework for prosecuting cases of sexual and domestic violence. However, due to the process taken for its adoption – decrees by an unelected government – it is still contentious. The DVD does not establish any training mechanisms for police officers by which the decree will begin to be implemented, nor does it make any provision for support services for survivors of violence. And as such, with all decrees, public consultation and support was not part of the process – nor has dialogue or cooperation been sought from civil society for implementation. Hence, critics observe, it is unlikely that progressive elements of the decree will be operationalized. The Office of Development Effectiveness (ODE) report cited Fiji's No-Drop Policy for police handling domestic violence cases as a promising practice to discourage women from withdrawing complaints against abusive husbands due to pressure from the abuser or his family. Although the policy has been in place for many years and training by the FWCC and Regional Rights Resource Team (RRRT) continues, service providers reported that the police have to be continuously reminded of the laws, as they still are inclined to send women home to reconcile with their husbands, or to minimize their complaints in other ways.

Family Code

In 2009 the Marriage Act was amended by decree, raising the age of consent to 18 and removing the ability of minors under this age to marry with parental consent. The effect on early marriage rates is unknown at this point, since the most recent data is from 1996. Drawing on this data, the United Nations' World Fertility Report estimated that 10 percent of all Fijian girls between 15 and 19 years of age were married, divorced or widowed. According to the Marriage Act, both men and women are free to independently choose their spouses. Although arranged marriages occur in some Indian communities, a study by the Committee for the Elimination of Discrimination against Women

(CEDAW) reports that both parties must consent to the proposed union. Polygamy and bigamy are illegal in Fiji as declared in the Crimes Decree of 2009. Legislation grants parental authority to both parents with regards to the upbringing of their children. In the event of divorce, both parents have equal right to custody, and the court will make a final decision in the best interests of the child, in regard to child custody. Legally, men and women have equal rights to inheritance. However, women have no inheritance rights to customary land and tradition favors male heirs over their female counterparts when it comes to inheritance.

Resources and Entitlements

Women in Fiji have full ownership rights, including the same legal rights as men in access to land and access to property other than land. However, a recent 2010 CEDAW report states that women have relatively limited knowledge of these rights and frequently accept not being recorded as co-owners in documents concerning titles or other transactions of family assets. Fijian women also tend to be excluded from the decision-making process on disposition of communal land. Fijian law provides men and women with the same access to bank loans and credit. In reality, access is biased towards men as they are better positioned to provide collateral and/or an initial deposit, a situation hampered by the concentration of women in low-paying, less secure occupations. Women in particular have been hit hard by declines in the sectors where they comprise a majority of workers, such as tourism and the garment industry as well as a high proportion of workers in the informal sector. In response, the Fiji Development Bank and the Ministry of Women are taking steps to improve the situation by creating special credit schemes for women. However, anecdotal evidence from rural women have also highlighted challenges for women to access financial schemes and projects as many of the patriarchal social structures remain entrenched.

Physical Integrity

The Crimes Decree of 2009 has defined and criminalized rape in Fiji, recommending as punishment imprisonment of 10 years for attempted rape and life for rape. Spousal rape is a criminal offence under the Domestic Violence Decree. The Domestic Violence Decree of 2009 created a specific offence of domestic violence, as well as removing previous requirements that a couple attempt reconciliation before a case could be brought. Sexual harassment is a prohibited under the Human Rights Commission Act. Fiji still requires laws on sexual violence and changes to employment law to ensure gender equality. Better training of judges and lawyers and wider consultations when making law, utilizing gender technical experts, is also required

Indicator 8 - Number and nature of provisions/ recommendations in the Truth and Reconciliation Commission (TRC) and other transitional justice reports on women's rights

Currently there are no efforts by the state to initiate a TRC process in Fiji.

Indicator 9 - Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

There has not been any relevant process in Fiji since October 2000.

Indicator 10 - Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

No data available

Indicator 11a - Allocated and disbursed funding marked for women, peace and security projects and programs to CSOs

No data available

Indicator 11b - Allocated and disbursed funding marked for women, peace and security projects and programs to Government

No data available

III. Conclusion and recommendations

"Effective participatory constitution-making has to provide for women's equal representation in the process and outcome. No process which excludes or marginalizes the majority of the population can be representative. No constitution which has failed to fully ensure the perspectives and concerns of women can be seen as fully legitimate over time."

Mary Robinson, Former United Nations High Commissioner for Human Rights

The return to parliamentary democracy requires a transformation from a military-led government to one that is more accountable to peace-building, democratization and development. Through women's eyes, there is a broader notion of security – one that is defined in human, rather than in military, terms. Peace is possible when civil society regains faith in and democratic control of all organizations that have the authority to use or threaten to use force.

Until the state's security and legal infrastructure are rebuilt, women's security is threatened inside and outside of the home, where they are subject to the rule of aggression rather than the rule of law. Until women feel secure in their homes and communities, countries cannot be assured of sustainable peace

in the nation. When women feel secure, peace is possible. When women feel secure enough to organise for peace – expressed through theatre, public demonstrations and civil disobedience – peace is on its way.

Leaders should utilize quiet diplomacy, mediation, sanctions and other measures as conflict-prevention measures rather than deploy force after the outbreak of conflict. By consulting routinely with women technical experts, the security sector can enhance its expertise and change its policies and regulations to provide security for all. In the context of women's security, we wish to state that for women, 'security' is pervasive, not just related to armed conflict and affects every area of women's lives. We wish to clarify, that this is about the welfare and status of women, our human security issues, and the impact of decisions in relation to the form and functions of the military, police and the broader security sector has direct impact on women in this country.

Ensuring that any new or reformed constitution integrates temporary special measures to promote 50 percent women's political participation at national and local will enhance gender equality at decision making levels and also ensuring more gender inclusive responses to matters of peace and security.

FemLINKPACIFIC believes that given Fiji's political realities since the first military coup on May 14, 1987 and the protracted period without a democratically elected government since December 2006, the constitutional framework for Fiji must take a peacebuilding and preventive action approach and reflect the views and sentiments of the people who responded to the call for public and written submissions in 2012. We further assert that there is a need to ensure that media freedom, inclusive of community media forms such as community radio, is a prerequisite for providing the enabling environment for participatory and inclusive democratization.

This documentation was a result of FemLINKPACIFIC localizing UNSCR 1325 and mobilizing our networks and between July – August 2012 whereby 208 women leaders representing a collective membership of more than 2000 women from a diverse range of local clubs and groups participated in our divisional level consultations which included the usual 1325 network consultations and rural community outreach to 2 new centres, namely Tavua and Rakiraki. This is in addition to information sourced from women between the first 6 months of this 2012 when a total of 404 rural women leaders based in Nausori, Nadi, Labasa and Ba, collectively representing more than 4000 women.

Fiji's overall democratization process is also an opportunity to define a national action plan for UN Security Council Resolution 1325 (Women, Peace and Security) focusing on 4 pillars:

1. **Prevention:** Prevention of conflict and all forms of violence against women and girls;
2. **Participation:** women participate equally with men and that gender equality is promoted in peace and security decision-making processes at local and national levels;

3. **Protection:** Women's and girls' rights are protected and promoted; and
4. **Relief and Recovery:** ensuring such responses highlight and meet women and girls specific relief needs and to ensure women's capacities to act as agents in relief and recovery are reinforced in humanitarian crises situations.

This will require that the state not only simply integrates UNSCR 1325 into the National Women's Plan of Action but also ensures that WPS is not just limited to the work of the Ministry of Women but integrated across the sectors and becomes a key responsibility of the Ministry of Foreign Affairs which is assigned the key responsibility of monitoring and reporting on treaty compliance. The development of a National Action Plan should also link into and build on women's civil society initiatives, such as FemLINKPACIFIC's local "1325" network.

Recommendations

To the Government of the Republic of Fiji

- ▶ Incorporate compliance with UNSCR 1325 and UNSCR 1820 within UN Convention for the Elimination of All Forms of Discrimination against Women reports
 - ▶ Work with women's peace activists to develop a National Action Plan on Women, Peace and Security drawing on the Regional Action Plan on Women, Peace and Security
 - ▶ Undertake regular and sustained dialogue with women's peace activists in the development and review of Security Sector Governance policy and practice
 - ▶ Utilize the skills of women's peace activists to review and update pre and post deployment procedures for peacekeeping personnel
 - ▶ Ensure Constitutional provisions to integrate temporary special measures to promote 50percent women's political participation at national and local government levels
 - ▶ Work in close collaboration with civil society and review the criteria for qualification for high-level appointments and leadership positions so as to ensure that they do not continue to exclude women based on stereotypes and standards that are unrelated to real capacity to perform
 - ▶ Along with political parties should adopt quotas and affirmative action measures to ensure democracy in all peace and security decision making, including at least 30per cent representation of women including in cabinet, parliament, provincial and district committees, political party leadership, local government and committees and through reform of campaign financing frameworks and policies
 - ▶ Ensure long term support for a new generation of women's leaders in the peace and security sector, including through the availability of scholarships and other training and capacity building initiatives
- ▶ Undertake a comprehensive Security Sector Governance Review in line with international conventions and treaties including UN Security Council Resolution 1325 (Women, Peace and Security) to hold the security sector accountable for human rights violations
 - ▶ Institute gender inclusive civil society oversight provision in the context of the constitutional role of military and navy with a clear delineation of roles and responsibilities from the Fiji Police Force which must provide a public service that is based on the needs of the community within which it serves, and as a crime prevention tool, a more analytical approach is taken to not only ensure improved and effective resourcing for not only its community policing work but also undertake the necessary information collation/analysis in a conflict prevention role
 - ▶ Follow up this oversight procedure with the drafting and tabling of Fiji Defence Act which must include full and effective participation of women's human rights and peace activists and should take into account of the following:
 - ▶ A review of the Fiji Military Forces and Navy to clearly define their role in defence and maintenance of peace and security from a conflict prevention approach
 - ▶ That such a review ensure the correct definition of human security in line with human rights principles and includes "protecting people from critical and pervasive threats and situations, building on their strengths and aspirations"
 - ▶ In the context of women's security, 'security' is pervasive, not just related to armed conflict and affects every area of women's lives.
 - ▶ This is about the welfare and status of women, our human security issues, and the impact of decisions in relation to the form and functions of the military, police and the broader security sector has direct impact on women in this country
 - ▶ Review and reform the Media Decree to ensure that it does provide the framework for a free and pluralistic media environment including the recognition of community media, in particular Community radio which plays an important role in building participation and opinion sharing, improving and diversifying knowledge and skills and in helping communities meet their health and cultural needs

To development partners

- ▶ Dedicate specific funds to support the efforts of women's peace activists working to enhance the participation of women in conflict prevention and peacebuilding
- ▶ Support the efforts of women's organisations involved in localizing UNSCR 1325 and UNSCR 1820

To the United Nations

- ▶ Support the development of a National Action Plan on Women, Peace and Security drawing on the Regional Action Plan on Women, Peace and Security by supporting a consultative process involving government officials and women's peace activists
- ▶ As a UN Troop Contributing Country ensure Fiji is in compliance with human rights standards in all pre and post deployment programmes as well as commitments to the Geneva Declaration on Armed Violence and Development

Table Footnotes:

- i There is no elected legislature only an interim Cabinet appointed by the Prime Minister.
- ii <http://www.judiciary.gov.fj/>
- iii 4- UNAMI Contingent Troop, UNAMI, UNDOF Contingent Troop, UNDOF, UNMIL Individual Police, UNMIL, UNMISS Individual Police, Experts on Mission, Contingent Troop, UNMISS
- iv Fiji Women Crisis Centre Client Statistics 1984-June 2013, www.fijiwomen.com

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¹ Some of the information included in this report is based on five thematic and region based research studies carried out in the conflict affected north and east and adjacent districts of Sri Lanka. The studies were on the themes of violence against women; female headed households; marginalisation and poverty; former female combatants and women and land rights. The research was conducted by the Muslim Women's Research and Action Forum, Viluthu, Suriya Women's Development Center, Home for Human Rights and the Rajarata Community Center and co-ordinated by the Women and Media Collective. This initiative was funded by FOKUS.

List of acronyms

CBO	Community Based Organisation
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CENWOR	Center for Women's Research
FHH	Female Headed Households
GBV	Gender Based Violence
GCE	General Certificate of Education
GOSL	Government of Sri Lanka
LLRC	Lessons Learnt and Reconciliation Commission
LTTE	Liberation Tigers of Tamil Eelam
MOD	Ministry of Defence
NGO	Non Governmental Organisation
NPA	National Plan of Action
PAMA	Public Assistance Monthly Allowance
PDVA	Prevention of Domestic Violence Act
SGBV	Sexual and Gender Based Violence
SLAAED	Sri Lanka Association for the Advancement of Education
UDA	Urban Development Authority
UNSCR	United Nations Security Council Resolution
VAW	Violence Against Women
WRDS	Women's Rural Development Societies

I. Women, peace and security profile

A. Nature of the conflict

Sri Lanka has a population of 21 million people,² which comprises of four main ethnic groups: a Sinhalese majority (mainly Buddhists and some Christians), a Tamil minority (mainly Hindus and some Christians), Muslims (Moors and Malays) and Burghers (of British, Dutch and Portuguese colonial descent). An indigenous population, the Veddas, live in various settlements, including in conflict-affected regions.³ Despite being a plural, multiethnic, multi-religious and multicultural society, Sri Lanka has failed to ensure that political power is shared between the centralized Sinhala majoritarian state and the marginalized non majoritarian ethnic communities, in particular the Tamils. In the 1970s, unequal power-sharing and discriminatory policies against the ethnic minorities led to violent conflict between the Sri Lankan state and the Liberation Tigers of Tamil Eelam (LTTE), who wanted a separate Tamil state in the northern and eastern regions of the country. During the 30-year conflict, there were a number of peace talks beginning with an all-party conference in 1984, but none of them succeeded in putting an end to the violence. The armed manifestation of conflict did not end until the military defeat of the LTTE in 2009 by the Sri Lankan forces.

Since the military defeat of the LTTE, the root causes of the conflict as well as the consequences of 30 years of war have yet to be resolved or to be politically addressed. Sri Lanka's military has consolidated its presence in the predominately Tamil region in the North and the East, in both civil and political life.⁴ A state of exception—justified by concerns over national security—has now become the norm, with the Prevention of Terrorism Act still in operation suspending normal rule of law and politically motivated appointments of military personnel to governance and civil administrative posts in those regions are increasing.⁵

The war between the Sri Lankan forces and the LTTE had immediate as well as long-term effects on the civilian population, particularly in the North and East of the country, and in the adjacent regions. Civilians were killed or displaced during the fighting and in its immediate aftermath.⁶ Entire communities in

conflict-affected areas were unable to engage in their traditional income-generating activities such as agriculture, fisheries and animal husbandry, and had limited resources, skills, and opportunities to engage in other profitable sectors. Services and facilities provided by the government and other stakeholders did not meet the needs of the people on the ground, only compounding this problem.

In the current phase, there has been little change or improvement in terms of socio-economic recovery and sustainability, particularly for the poor and marginalized. The limited availability of income-generating opportunities for entire communities has had a negative impact on the wellbeing of civilians, particularly that of women, children, the disabled and the elderly. Resettled and host communities also faced significant personal and social challenges in the immediate aftermath of the war; the constrained environment and lack of resources has had a bearing on community integration and social cohesion.

B. Impact of conflict on women

In Sri Lanka, as in other countries, women and girls were particularly affected by the war. As men fled or took up arms, women were left behind to care for fractured families and communities. Women themselves lived through multiple dislocations and resettled in Internally Displaced Peoples' (IDP) camps or distant and unfamiliar villages. War and attendant militarism contributed to an increase in the levels of violence against women, ranging from sexual harassment to rape, sexual torture and domestic violence.

Yet women in the Sri Lankan conflict were not merely victims: they were frontline combatants as well as human rights defenders, engaging with political and military institutions on behalf of the detained, tortured, raped, disappeared or executed. Women led movements demanding the protection of human rights. They negotiated mutual co-existence with hostile neighbours, and campaigned for the end of the conflict. At the community level, women also engaged in conflict mediation, management and resolution with state and non-state entities.

The war, displacement, and life in IDP camps have had different impacts on women from different communities in Sri Lanka, at different times. When men joined combatant forces, were arrested and/or abducted, or fled to safer locations, women became de facto and de jure heads of households; they were thrust into new roles both within and outside the private domain. Commonly perceived merely as victims, numerous Tamil, Muslim and Sinhala women became responsible for the physical and economic security and survival of their families and had to battle the cultural constraints that challenged this transition. Women were forced to assume new roles and responsibilities. Widespread displacement

² Census of Population and Housing (2011) <http://www.statistics.gov.lk/page.asp?page=Population%20and%20Housing>

³ UN, Report of the Secretary General's Internal Review Panel on United Nations Action in Sri Lanka, November 2012.

⁴ Towards the end of the conflict in 2008, former military officers were appointed to government offices in the North and East. A Provincial Governor as well as the civil administrative posts of Government Agents in Trincomalee are currently held by former military personnel appointed by the Executive government. The Defense Ministry also controls the Urban Development Authority (UDA), and in the Vanni region, the Civil Affairs Office of the military must approve every-day matters of civil governance, formally dealt with by the civil authorities.

⁵ Currently two Government Agents in Trincomalee and Mannar as well as two Governors of the Northern and Eastern Provinces are military personnel. In addition the Ministry of Defense is now also in charge of Urban Development and military and naval personnel are widely deployed in urban development activity which has hitherto been a civil function.

⁶ Some of the earliest displacements to the Vanni were recorded in 1981, following ethnic riots in the plantation areas. In June 2009, approximately 282,380 displaced Tamil civilians were in emergency transit camps located mostly in Vavuniya, and in Mannar, Jaffna, and Trincomalee. The military guarded the camps, granting international and national NGOs very limited access to the Internally Displaced People (IDPs). Most IDPs have now returned to their homes, yet because they come from areas where the LTTE was particularly active, they remain under heavy military presence and control. Displacement and return continues to be an issue

for a number of Northern Muslims who were forcibly expelled by the LTTE in 1990; they still await the opportunity to return home.

and dislocation compelled them to break out of social and cultural stereotypes. Their access to, and development of, new skills and capacities opened up new employment opportunities and economic leverage, if not economic independence.

However, for some women, conflict and displacement restricted their freedom, as some displaced communities adopted conservative cultural practices that restricted women's movement as a way to assert their ethnic or religious identity.⁷

Since 2009, insecurity continues to be a serious threat for women and their communities who now live under heavy militarization and military presence. Women ex-combatants face particular difficulties. Out of the 12,000 LTTE cadres who surrendered at the end of the war, 2,240 were women.⁸ Many of them have gone through state "rehabilitation" processes and have returned to their homes. Yet, communities are suspicious of reintegrated women ex-combatants, particularly because they are under constant surveillance by the armed forces.⁹

While some progress has been made, the fulfilment of women's rights continues to be a cause for concern in Sri Lanka. Women's representation in parliament, provincial and local government is very low. High levels of violence against women, impunity and discriminatory laws and practices against women endure in socio-economic and cultural spheres.¹⁰

C. Relevant legal and policy framework

There are no national policies relating directly to women, peace and security (WPS), neither has the state subscribed to national, regional or global policy frameworks to implement United Nations Security Council Resolution (UNSCR) 1325 or other WPS resolutions. However, the Sri Lankan government has ratified a number of UN Conventions that require the State to protect, promote and fulfil the rights of women. These include: the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW); Optional Protocol to CEDAW; International Convention on Civil and Political Rights; International Convention on Economic, Social and Cultural Rights (ICCPR); the Convention Against Torture (CAT); the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD) and the Convention on the Rights of the Child (CRC).

At the national level, the Sri Lankan Constitution guarantees that, "No citizen shall be discriminated against on the grounds of race, religion, language, caste, sex, political opinion, place of birth or any such grounds."¹¹ Furthermore, women's security entitlements

continue to be governed by the Penal Code and legislation such as the Prevention of Domestic Violence Act (PDVA) of 2005.

National Action Plan on Women (NAPW)

Even though Sri Lanka does not have a National Action Plan specifically on the implementation of UNSCR 1325 and the supporting WPS resolutions, Sri Lanka's National Committee on Women has spearheaded the drafting of National Action Plans on Women, through a consultative process between government and civil society representatives. The 3rd National Action Plan on Women that has been drafted for the 2009-2013 period includes a Chapter on Women, Armed Conflict and Peace Making. The 2008 draft of this 3rd National Action Plan on Women makes special reference to UNSCR 1325 in its preamble, as follow:

Women have been at the forefront of peace building efforts in Sri Lanka even before formal peace negotiations. Women from Sinhala, Tamil and Muslim communities have worked across ethnic barriers to call for a negotiated settlement to the conflict; nurture mutual understanding and reconciliation, strengthen human rights, and lobbied for the inclusion of women and gender concerns in the peace process. The United Nations Security Council Resolution 1325 on Women, Peace and Security validated such peace initiatives by women and has put in place an international legal framework for women's equal participation and full involvement in the prevention and resolution of conflict and peace building.¹²

Yet, this 2008 draft of the National Action Plan on Women has yet to be presented to cabinet and to receive approval and be implemented.

National Action Plan for the Protection and Promotion of Human Rights

As a result of pressure from the Human Rights Council during the Universal Periodic-Review process in 2008, Sri Lanka has developed a Sri Lanka National Action Plan for the Protection and Promotion of Human Rights (2011-2016). This plan includes chapters on women and IDPs and mentions some interventions relating to the "effective reintegration of women ex combatants" into society; the development of policy and programs for war widows; the reduction of violence against women; and women IDPs.¹³ However, the Cabinet approved this plan in 2011, it still remains to be implemented with any serious political will.

The Women's Caucus in Parliament, which brings together all 13 women MPs in the house across party lines, adopted an Action Plan for the Caucus in July 2013 that commits to monitor the implementation of the section on women in the National Action Plan for the Protection and Promotion of Human Rights. The action will also monitor the recommendations on women and conflict. The Women's Caucus hopes to begin implementation of its Action Plan immediately.

⁷ This was the case in for some women in displaced Muslim communities. See: Refugee Watch, "War and its Impact on Women in Sri Lanka," June 2000, available at <http://www.mcrg.ac.in/War%20and%20women%20in%20Sri%20Lanka.pdf>

⁸ "Observation of the Progress of National Reconciliation and Reconstruction in Sri Lanka," Chairman's Report by H.E. Mr. Tsuneo Nishida, Permanent Representative of Japan to the United Nations, 20 February 2013

⁹ 'National security' in post-war Sri Lanka: Women's (In) security in the North http://groundviews.org/2011/04/25/national-security-in-post-war-sri-lanka-womens-in-security-in-the-north/?doing_wp_cron=1374990922.3812561035156250000000

¹⁰ de Rivero. K. (2000). War and its Impact on Women in Sri Lanka. Refugee Watch, June 2000. <http://www.mcrg.ac.in/War%20and%20women%20in%20Sri%20Lanka.pdf> (Last accessed June 2013).

¹¹ The Constitution of Sri Lanka, 1978, Article 12 (2), Chapter 3, Available online at http://www.priu.gov.lk/Cons/1978Constitution/Chapter_03_Amd.htm

¹² Sri Lanka Parliamentary Women's Caucus: Country Action Plan.

¹³ National Action Plan for the Protection and Promotion of Human Rights available at http://www.hraccionplan.gov.lk/posters/National_action_plan_for_the_protection_and_promotion_of_human_rights_2011_2016_English.pdf

II. Data presentation and analysis

A. Participation

Indicator 1 – Index of women's participation in governance

Table 1.1: Index of women's participation in governance in 2012

	Number of women	Number of men	% of women
National Government (total 384) [in 2012]	26	358	6.7
Executiveⁱ			
The President and Cabinet Ministers (66)	2	64	3.03
Deputy Ministers (31)	1	30	3.22
Secretaries to the Ministries (62)	10	52	16.12
Legislativeⁱⁱ			
National Parliament (225)	13	212	5.8
Provincial Government			
Provincial Councils (total amount not available - 2009)	-	-	-
Provincial Council Ministers (total 35 in 2006)	0	35	0
Provincial Chief Ministers (total 8 in 2012)	0	8	0
Provincial Governors (total 9 in 2012)	1	8	11
Provincial Council Ministers (total 380 in 2004)	19	361	5
Local Government (total – 4,466ⁱⁱⁱ [in 2008 / 2009 / 2011])	91	4,375	2.03
Municipal Councils (23 councils in total)	-	-	-
Urban Councils (41 councils in total)	-	-	-
Village Councils (Pradeshiya Sabha – 271 in total)	-	-	-
Members of Local Government Councils (total 3,952) [in 2006]^{iv}	74	3,878	1.87
Municipal Councils (330)	10	320	3.0
Urban Councils (379)	13	366	3.4
Village Councils (3243)	51	3,192	1.6

Table 1.2: Percentage of women's participation in governance from 2006 to 2012

	2006	2009	2011	2012
National Government	-	-	-	6.7%
Provincial Government	-	4.9%	-	4% ^v
Local Government	1.87%	-	2.03%	1.9% ^{vi}
Average	-	-	-	4.2%

Source: International Civil Society Action Network (2013) Elusive Peace, Pervasive Violence: Sri Lankan Women's Struggle for Security and Justice, Spring 2013, Brief 8.

Women's representation is persistently low in national, provincial and local government structures. One of the key reasons behind the low level of women's representation is that mainstream political parties historically nominate very few women candidates. Women nominated by political parties generally fall between 0 and 2 percent of the total number of candidates at Local Government, and about 2 to 6 percent at the level of Parliament.

The lack of political will has prevailed in all parties in Parliament, who disregard calls for affirmative action in the form of quotas, at the very least to increase nominations for women to 30 percent to correct historic imbalance.

Party nominations are crucial in a system of electoral politics that heavily favour mainstream political parties. Despite the introduction of a system of Proportional Representation in 1978, a number of factors continue to prevent women from either being nominated or from winning seats once nominated. These factors include: the considerable size of the electorate body in which a candidate runs; the high cost of electoral campaigns; male biased patron-client relationships; character assassination of the candidates running; and to some degree, electoral violence. In addition, politics continues to be perceived as a male domain, which is only reinforced by male dominance in party structures. Patriarchal and gender discriminatory attitudes, social conditioning and social pressure to conform to traditional gender roles, and responsibilities that assign family responsibilities to

women at the expense of their career further prevent women from equally and meaningfully participating in governance.

There is an overall lack of political will on the part of legislators to change the status quo. The lack of political will has prevailed in all parties in Parliament, who disregard calls for affirmative action in the form of quotas, at the very least to increase nominations for women to 30 percent to correct historic imbalance. A mandatory quota of 40 percent for youth candidates at local government was revised in 2012 through new amendments to Local Government legislation: it now does not provide for mandatory quotas, but instead calls for a discretionary allocation of 20 percent nominations for women and youth. The women's caucus in Parliament has just supported amendments to Local Government legislation calling for 30 percent nominations for women. These amendments were tabled in Parliament on August 7, 2013 and will now be open for debate.

Arguments from national policymakers that women are reluctant to run for elections are belied by the fact that a number of women have come forward to run in critical elections.¹⁴ For example, during the Jaffna Municipal Council elections in 2009, in the immediate aftermath of war, 30 percent of those receiving nominations from mainstream Tamil political parties were Tamil women. Three of these women won seats in the Council, of which the Mayor is a woman. The strong voter bias against women and the lack of political will—and not the lack of women coming forward to run for election—are preventing progress in terms of women's participation in governance.¹⁵

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

There are no ongoing peace negotiations in Sri Lanka, since the state and incumbent regime headed by President Rajapakse believe that the war ended in 2009 and that peace can be achieved through development.

Yet the 2002 peace process—the last formal peace talks in Sri Lanka—to some extent opened up a new space for women's engagement in peace building. In February 2002, the Prime Minister and the LTTE signed a Ceasefire Agreement (CFA) with the mediation of Norway. The CFA was followed by peace negotiations later in the year, in which only one woman, Adele Balasingham, took part as a member of the LTTE negotiation team. The quasi-absence of women at the peace talks and the monitoring of the CFA in 2002 led women's groups to mobilize and advocate for women's inclusion in the talks.

As a result, ten months after the CFA, and four months after the formal peace talks began, the government and the LTTE agreed that a women's committee be established to “explore the

effective inclusion of gender concerns in the peace process.”¹⁶ The Committee—subsequently known as the Sub Committee on Gender Issues, or SGI—was coordinated by a senior Norwegian woman Minister, Dr. Astrid Heiberg, and comprised of ten appointees, five each from the government and the LTTE.¹⁷ The purpose of the SGI was to identify issues of concern to women and bring those into the agenda of the peace process. The Committee was mandated to report directly to the plenary sessions of the peace talks and to work closely with other Sub-Committees to the peace process. The SGI was placed in an advisory capacity to include gender concerns in the peace process and met twice in 2003 to develop their terms of reference and make policy interventions. The SGI chose to focus broadly on: Sustaining the peace process; Resettlement; Women's personal security and safety; Infrastructure and services; Livelihood and employment; Political representation and decision making and Reconciliation.¹⁸ This mechanism was possibly the first of its kind set up within a formal peace process at a pre-substantive stage of negotiations. It was also the first effort by the Sri Lankan government and the LTTE to recognize the involvement of women in peace building and peace making.

Unfortunately, the LTTE withdrew from the peace negotiations in April 2003. These peace negotiations were the only peace process that actively sought to establish a mechanism to engage women and bring in gender concerns to the table. During the brief resumption of talks in 2006, Minister Fariel Ashroff was part of the government delegation, marking the first time that a woman was officially part of the talks on behalf of the government.

While women activists, peace activists, women's groups and coalitions concerned with peace should influence the official process when possible and demand to play a more engaged role at the formal level, it should be understood that mechanisms such as the SGI are potentially fragile and cannot be the sole means by which to safeguard women's interests. It cannot be considered a substitute to women's active and autonomous mobilisation and constant lobbying for a representative and inclusive process that respects and guarantees human and democratic rights. The work of women's peace activism cannot afford to rest at any stage of a peace process, either during conflict or post conflict. Women Civil Society Organisations (SCO) must carry on parallel to any official process as much as it does when no formal peace process is in force. Civil society must be committed to the struggle for transformative peace far beyond the signing of official agreements and well into the period of interim and post conflict implementation. The political security of women can be achieved only through the success of such autonomous and continued involvement of women in processes of peace making.¹⁹

16 Press Release of 5 December 2002 following the 3rd round of peace talks held in Oslo released by the Royal Norwegian Government.

17 The government delegation was led by Dr. Kumari Jayawardena and included Dr. Deepika Udagama, Dr. Fazila Riaz, Faizun Zackeria and Kumudini Samuel. The LTTE delegates were led by Thamilini Subramaniam. The rest of the delegates were Kaaya Somasundaram, Premila Somasundaram, Suthamathy Shanmugarajah and Yalini Balasingham. As Dr. Kumari Jayawardena, has noted, the SGI represents women “who are both from the South and North [and] the SGI is generally for women's issues, which affects the whole island.” While its “broad mandate is to promote gender activities in the peace process” (Mejbert 2003:22). See SGI Press Release of 6 March 2003

18 See SGI Press Release of 6 March 2003 available at www.peaceinsrilanka.org.

19 Samuel. K. (2011). Women in the Sri Lanka Peace Process: Included but Unequal, in

14 A Stocktaking Report for the Ministry of Child Development and Women's Empowerment and the United Nations Development Program, 2009. Chulani Kodikara, “The Struggle for Equal Political Representation of Women in Sri Lanka”: Available at <http://www.undp.org/content/dam/srilanka/docs/governance/WPE%20FINAL%20PDF.pdf>

15 Ibid.

Indicator 3 – Index of women participation in the justice, security sector, and peacekeeping missions

Table 3.1: Index of women participating in the justice sector in 2012

	Number of women	Number of men	% of women
Supreme Court Judges (total 11) ^{vii}	3	8	27
Court of Appeal (total 12) ^{viii}	2	10	16

Women in the Judiciary

Even though women's participation in the judiciary has been increasing in recent years, the number of women in the high decision-making positions within the Judiciary continues to be relatively low, with about 27 percent women in the Supreme Court and 16 percent in the Court of Appeal. The first female justice of the Supreme Court was appointed in 1996; currently, there are 3 women judges on the bench of the Supreme Court. Sri Lanka appointed its first woman Chief Justice, Justice Shirani Bandaranayake, in 2011.²⁰ However, Bandaranayake was impeached and removed from office in January 2013, even after the Supreme Court established that her impeachment was unconstitutional. The impeachment drew widespread public criticism, due to concerns over the involvement of party policies in the justice system: the impeachment was politically motivated rather than gender related. This incident is not considered representative of the overall positive trend in women's participation in the judicial system.

Approximately 74 percent of new students in the various law faculties and Law College in 2008/09 were women, indicating that women are increasingly pursuing careers in state, judicial, and the corporate sector. Women in the Justice sector have been increasingly appointed to key positions. For example, the current Secretary to the Ministry of Justice and the Legal Draftsman are both women, and the first woman Attorney General was appointed in 2011.

Women in the Security Sector

There is no gender disaggregated data for women in the security sector available to the public, aside from limited statistical information in the 4th quarter report of the Sri Lanka Labour Force Survey for 2012 (Sri Lanka Department of Census and Statistics), in which figures are available for Public Administration and Defence and Compulsory Social Security, under a single category. Women make up approximately one third of the total.

The Ministry of Defence website provides occasional news stories of women in the various security services. For example,

Rethinking Transitions: Equality and Social Justice in Societies Emerging from Conflict / ed. by Gaby Oré Aguilar and Felipe Gómez Isa, Cambridge [etc.] : Intersentia.

²⁰ However, with increasing political interference in the Judiciary, Bandaranayake was removed from office on 13 January 2013 after President Mahinda Rajapaksa ratified an impeachment motion passed by Parliament. Her impeachment motion was ratified even after the Supreme Court established that the impeachment was unconstitutional. As a result was widespread public discontent and concern regarding the impeachment, yet the impeachment was politically motivated rather than gender related. However, this incident is not representative of the positive trend in women's participation in the judicial system.

it reported on the award of Laurels for women from the Sri Lanka Army Women's Corps—an all-women core that celebrated its 15th anniversary in 2012. Women officers have served in various specialized fields in the Service, such as control tower operators, electronic warfare technicians, radio material typists, automotive mechanics, aviation supply personnel, cryptographers, doctors, combat medics, lawyers, engineers and aerial photographers.

The number of women in the 2nd Volunteer Battalion of the Women's Corps was also raised to meet the operational requirements for field combat. A few women officers were deployed to active combat duties in the North and East, but their numbers are not publicly available. In addition, three women graduated as para-troopers of the Sri Lanka Army in 2009, out of a group of 39 total trainees. 109 women recruits completed the Voluntary Naval Services in 2010.

However, in spite of minimal participation, the predominant male bias in the armed forces of the Ministry of Defence endures. Women continue to be seen as unfit for the military, and the prevalent patriarchal attitude is that they should remain in domestic roles. There have been reports of courses in beauty culture and sewing as vocational training for women in the Army, Navy and Air Force nearing retirement.

There is little progress to report in terms of women's participation in the police force. The Police Force of Sri Lanka was formed in 1832, and women were enrolled into the Police Force for the first time in 1952. The rank of Woman Police Sub Inspector was introduced in 1976 and two Women police officers were promoted to that rank of Sub Inspector. In 1988, a Woman Police Inspector was promoted to the rank of Assistant Superintendent of Police.

Since then, starting in the 1990s, the Police Department has established branches of the Children and Women's Bureaus at police divisions to investigate complaints of abuse against women and children. 36 such desks operate island-wide and, generally, have at least one woman on staff duty to receive complaints. These desks are considered to be helpful but there have been concerns that the desks are not operational at night and that in some areas—particularly the Tamil speaking areas—there is a lack of Tamil speaking personnel.

Peace Keeping Forces

Table 3.2: Index of women participating in peacekeeping missions (TROOP CONTRIBUTING) in 2012

	Number of women	Number of men	% of women
Peacekeeping missions (total)	51	13,305	0.38
Contingent Troop	0	12,254	0
Experts on Mission	0	136	0
Individual Police	51	915	5.28

Table 3.2: Index of women participating in peacekeeping missions (TROOP CONTRIBUTING) in 2012

	Number of women	Number of men	% of women
Countries/Missions where peacekeepers were deployed – 2012			
MINURSO	0	28	0
MINUSTAH	15	10,665	0.14
MONUSCO	0	46	0
UNIFIL	0	1,812	0
UNISFA	0	44	0
UNMIL	0	179	0
UNMISS	24	155	13.41
UNMIT	12	376	3.09

Source: Data compiled from information received on this website: http://www.un.org/en/peacekeeping/resources/statistics/contributors_archive.shtml

Table 3.3: Percentage of women participation in peacekeeping missions from 2010-2012

	2010	2011	2012
Peacekeeping missions ^{ix} (troops contributing)	0.53%	0.26%	0.38%

Source: UN Peacekeeping Operations website

The number of women sent overseas on peacekeeping missions is extremely low. This is a reflection of the overall low participation of women in the military and the police, as well as the preference given to male members of the Security Services for these placements, which are often perceived as lucrative and career-advancing posts. In July 2013, Military Spokesman Brigadier Ruwan Wanigasooriya, speaking to Daily Mirror online, explained that the training of female soldiers for peacekeeping missions was initiated in 2010, as per a request of the UN for a contingent of female military personnel to be deployed in peacekeeping to focus on incidents of gender based violence, in particular in African missions. Although the female soldiers of the Sri Lanka Army are now trained and ready, the Brigadier said they have not yet had the opportunity to be deployed in a peacekeeping mission and use their skills. The numbers of police women being deployed are, however, higher than the number of women soldiers and this may indicate a higher demand for women Police within the Peacekeeping Forces.

Indicator 4 – Number and percentage of women participating in each type of constitutional legislative review (including security sector review)

There are various committees set up in Parliament, such as Consultative Committees for Special Purposes, Select Committees and Standing Committees (Legislative) that engage in legislative review, among other functions. Women Parliamentarians are appointed to these Committees. However, since women make

up only 4.8 percent of MPs – i.e. 13 in a house of 225 members, they are present in lesser numbers and are compelled to engage in multiple committees.

There are 58 Consultative Committees, which generally deal with Ministerial subjects. Except for the Committee on Child Development and Women's Affairs, which includes all 13 women MPs in a Committee of 25, most of the other Committees count only between one and three women, or very rarely, four. Significantly, women are completely excluded from the most important Committees, such as Civil Aviation; Construction, Engineering Services, Housing and Common Amenities; Defence and Urban Development; Education; Finance & Planning; Ports and Highways; Public Administration and Home Affairs; and Public Management Reforms. The need for increasing women's representation in Parliament becomes imperative if women are to play a more significant role in legislative review. This is a concern that the Women's Caucus in Parliament has continued to highlight in the Action Plan of the Caucus.

Indicator 5 – CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

To date, there is no National Action Plan for the implementation of UNSCRs 1325 and 1820 in Sri Lanka. There are no official task forces or committees established to develop a NAP or to monitor the implementation of UNSCR 1325 or 1820 through an equivalent national mechanism.

In 2009, the implementation of UNSCR 1325 was included as one of the priorities of the National Human Rights Action Plan (NHRAP) of the Ministry of Human Rights and Disaster Management of Sri Lanka, which United Nations Development Programme (UNDP) has agreed to support. Key activities under this area included a review of existing material related to UNSCR 1325 and the development of a framework for the national consultation on the establishment of a Task Force on 1325, under the auspices of the Ministry for Human Rights. However, the Ministry of Human Rights was shut down soon after, precluding the possibility of continuing with the creation of a mechanism to implement UNSCR 1325. Instead, civil society organizations hoped that Sri Lanka's National Action Plan on Women would be adopted with a Chapter on Women, Armed Conflict and Peace Building. However, this plan, which as drafted in 2008, has not yet, received Cabinets' approval.

The only other formal mechanism somewhat related to Women, Peace and Security in Sri Lanka is the National Action Plan for the Protection and Promotion of Human Rights (2011-2016), approved by the Cabinet in 2011. The Human Rights National Action Plan, however, still remains to be implemented with any serious political will in the absence of a Minister for Human Rights. To address this lack of implementation, the Action Plan of the Women's Caucus in Parliament, which was approved in 2013, has decided to monitor relevant aspects of the National Action Plan for Human Rights dealing with women and conflict recovery.

In the absence of a NAP and a formal committee for UNSCR 1325 implementation, women's NGO have taken the lead in terms of awareness raising, implementation and monitoring of the WPS resolutions. Yet this work has focused on awareness raising and dealt more with increasing women's representation in formal peace processes and in political institutions of decision making, rather than with all the pillars of the UNSCR 1325 (United Nations Population Fund (UNFPA) Assessment 2008). As a consequence, there was very little space created for implementing the resolution at the community level.

B. Prevention and protection

Indicator 6 – Number and percentage of sexual and gender based violence (SGBV) cases reported, investigated, prosecuted and penalized

There is extremely limited comprehensive data nationwide on violence against women (VAW) in Sri Lanka. Demographic health surveys throughout the country provide some information on people's perceptions of violence against women, but data on actual incidents of VAW are sporadic and limited.

Data on violence in war-affected areas is even more limited. Sexual and gender based violence (SGBV) desks in the main government hospitals in the North and East provide some data on SGBV cases in conflict-affected areas, but they offer just a limited picture of the problem. Some of the CSOs in the North and East that provide assistance to women victims of violence also report on cases of SGBV. Both data collected from SGBV desks of government-run hospitals and data collected by CSOs is presented in the data tables below.

Table 6.1: Number of SGBV cases reported, investigated, prosecuted and penalized in 2012 in Vavuniya District, Northern Province, Sri Lanka^a

Type of SGBV	Reported	Investigated	Prosecuted	Penalized	% Penalized
Domestic Violence	212	176	16	16	7.5
Psychological Abuse	150	150	7	4	2.6
Child Sexual Abuse	24	24	5	0	0
Child Abuse	47	47	12	0	0
Sexual Harassment	4	4	0	0	0
Rape	5	5	4	0	0
Molestation	4	4	0	0	0
Hurt	5	5	4	3	6
Physical abuse	150	150	13	0	0
Total	601	565	71	23	3.8

Source: SGBV Desk at Vavuniya Hospital and Home for Human Rights (HHR) Clients

Table 6.2: Number of SGBV cases reported, investigated, prosecuted and penalized in 2012 in Akkaraipattu, Amparai District, Eastern Province, Sri Lankaⁱⁱ

Type of SGBV	Reported	Investigated	Prosecuted	Penalized	% Penalized
Domestic Violence	92	10 cases: filed under (Prevention of Domestic Violence Act (PDVA) 37 cases: filed under Maintenance Act	5 cases: Interim Protection Order obtained 5 cases: Reunited with the family 23 cases: Maintenance cases pending in court		
Psychological Abuse	11	11 cases: Provided assistance through Hospital mental health unit			
Child Sexual Abuse	12	5 cases: carried out by Probation Officer	4 cases: concluded and prosecuted. 1 case: pending in courts	4	33.3
Child Abuse	3	1 case: being carried out in Magistrate Court 2 cases: sent to Shelter Home			
Total	118			4	3.3

Source: Home for Human Rights (HHR) Clients

Out of the total number of cases of SGBV reported in the North and Eastern regions of the country, only very few were penalized. In the Vavuniya District of the Northern Province, only 3.8 percent of the cases reported were penalized. None of the cases of rape, sexual harassment or molestation were penalized. Limited data from Akkaraipattu, in the Amparai District of Eastern Province, show that only cases related to child abuse were penalized in 2012, though it does not specify whether girls were more often targets of abuse than boys.

Even though domestic violence and psychological abuses were the types of SGBV most often reported in Northern and Eastern regions, it is widely known that these numbers are not an accurate representation of the prevalence of domestic violence.²¹ There continues to be underreporting of domestic violence, in spite of the Prevention of Domestic Violence (DV) Act of 2005, which offers women civil protection from domestic violence. There is still little awareness of the Act and the Police continue to be reluctant to use it. For instance, many domestic violence cases continue to be mediated by the Police through counselling. Since domestic violence is most often perpetrated by family members, women victims are reluctant to use the Act and take a family member to courts, unless in cases of extreme violence.

Cases related to sexual violence specifically are also underreported. Many of the cases of sexual violence are anecdotal in nature and are not reported to the police, but are dealt with through CSO counselling and accompaniment. Women and girls are reluctant to speak of sexual violence or to denounce the perpetrators because rape is stigmatized. Women and girls victims of sexual violence who come forward are often ostracized from their families and within their communities.

Impunity is another factor that prevents women from reporting domestic violence as well as sexual and gender-based violence in general. Impunity is still extremely pervasive in post-war Sri Lanka, and litigation, particularly in cases of sexual violence, continue to be drawn out and rarely lead to convictions.

There continues to be underreporting of domestic violence, in spite of the Prevention of Domestic Violence (DV) Act of 2005, which offers women civil protection from domestic violence.

Although there are no formal studies that correlate the increase in militarization with an increase in reporting of violence against women, anecdotal evidence suggests a correlation between the heavy military presence in conflict-affected regions in the North and East and the rates of SGBV, including domestic violence. Due to the high percentage of female headed households and heavy militarization in the North and East, women are at greater risk of sexual violence and are reluctant to file cases against the security forces or former militants due to fear of reprisals. Transactional sex remains an ambivalent and grey area, with women having to offer sexual favours to access resources and food entitlements or to receive assistance for building homes or accessing state facilities. The military in the North and East appear to facilitate some form of voluntary or coercive transactional sex, which women sometimes engage in as a survival measure.

While the table below is not specific to the regions that were heavily affected by armed conflict, rape and incest were the most prevalent kind of offenses against women committed by the armed forces and the police in 2011. This trend is also reflected in national data of "Grave Crimes Against Women" reported in 2011. Out of the 1,247 cases of Grave Crimes committed against women in 2011, 408 were cases of rape/incest, and only 59 of those cases were actually taken to court, indicating once again that impunity is pervasive particularly if the offenses were committed by the state security forces.

Table 6.3: Crimes committed by Officers of the Armed Forces and Police during the year 2011

Offences	On Duty			Off duty		
	Army	Police	Home Guards	Army	Police	Home Guards
Rape / Incest	80	4	16	39	1	1
House Breaking / Theft	50	3	8	123	1	8
Grievous Hurt	31	7	13	8	0	1
Robbery	74	16	6	70	5	4
Unnatural Offence / Grave Sexual Abuse	18	1	4	9	0	0
Hurt by Knife etc	26	11	4	10	0	0
Other ^{xii}	166	63	27	112	7	13
Total	445	105	78	371	14	27

Source: Compiled from the website of the Sri Lanka Police. More details available Online at: http://www.police.lk/images/others/crime_trends/2011/three_forces_police_grave_crimes_year_2011.pdf

21 A focus on domestic violence ((MWRAF) 2013, unpublished) in selected war affected regions in Eastern Sri Lanka, one of the two provinces most affected by the conflict, helps shed some light on the conditions of women affected by domestic violence and the impacts it can have on their families. It also broadens insights into the services women who are affected by domestic violence have access to.

Table 6.4: Grave Crimes Committed Against Women for the Year 2011

Offence	Case Reported	Pending Cases	Plaint Filed	Cases ended in Courts	Cases pending in Courts
Homicide	148	138	10	0	10
Attempted Homicide	27	17	10	1	9
Rape / Incest	408	349	59	0	59
Grievous Hurt	310	174	136	2	134
Hurt by Knife	208	81	127	2	125
Unnatural Offences / Grave Sexual Abuse	36	23	13	0	13
Abduction / Kidnapping	90	44	46	0	46
Procuration/ Trafficking	20	11	9	0	9
Total	1,247	837	410	5	405

Source: Compiled from the website of the Sri Lanka Police. More details available Online at: http://www.police.lk/images/others/crime_trends/2011/grave_crimes_committed_against_women_for_the_year_2011.pdf

national gender-responsive laws and policies are seldom enacted into law or implemented.

Indicator 7 – Number and quality of gender-responsive laws and policies

Table 7.1: Number and quality of gender-responsive laws and policies

Law name & year	Purpose
Land Development Ordinance, No. 19 of 1935	An Ordinance enacted before Sri Lanka achieved independence to provide for the systematic development and alienation of State land. The Ordinance is based on the concept of preference for the eldest male among heirs and is gender discriminatory.
Penal Code (Amendment) Act, No. 22 of 1995	The amendment introduces new offenses of sexual violence and includes among others custodial rape.
Penal Code (Amendment) Act, No. 22 of 1998	This Act focuses on child pornography.
Prevention of Domestic Violence Act No.34 of 2005	An Act to prevent domestic violence by providing for a protection order to prevent violence.
Citizenship (Amendment) Act No. 16 of 2003	An Act to allow women to pass on their citizenship to their children.
Convention on Preventing and Combating Trafficking in Women and Children for Prostitution Act, No. 30 of 2005	The Act focuses on combating trafficking in women and children for prostitution.
Penal Code (Amendment) Act, No. 16 of 2006.	Replaces section 360C of the principal enactment and provides for a broader definition of trafficking.
Resettlement Authority Act, No. 09 of 2007	The Act provides for the establishment of the Resettlement Authority to formulate a national policy and plan for the resettlement of internally displaced persons and refugees and implement such policies and plans. There is no specific provision for women to be represented on the Board while it does not address the special vulnerabilities of internally displaced women.
Ministry of Child Development and Women's Affairs. National Action Plan for Women (NAPW) in Sri Lanka, 2007-2012. Colombo, 2007	The action plan has a section on women, armed conflict and peace building and cites UNSCR 1325. It deals with women in post-conflict situations, resettlement and reintegration. It incorporates measures to ensure that women are involved and addresses the issue of decision making at welfare centers. Lack of gender sensitivity among camp administrators and camp committees, skills development, credit facilities, livelihood support are also included. The action plan has separate sections on violence against women, trafficking and internally displaced women. The NAPW has yet to be approved by cabinet and has been delayed inordinately.

Table 7.1: Number and quality of gender-responsive laws and policies

Law name & year	Purpose
Ministry of Disaster Management & Human Rights. National Framework for Reintegration of Ex-Combatants into Civilian Life in Sri Lanka. Colombo, 2009.	The National Framework Proposal for Reintegration of Ex-combatants into Civilian Life aims to address the specific emotional, social, and economic needs of this vulnerable group of people. It will be complementary to the State's agenda for the reconstruction and development of the North and East and the National Human Rights Action Plan prepared by the Ministry of Disaster Management and Human Rights. While LTTE ex-combatants are the focal point in this Framework, there are other armed groups operating in the North and the East that will be included, in order to make the proposed reintegration process as comprehensive and meaningful as possible. Gender is treated as a cross cutting issue. This framework however is not been implemented with any serious political will.
National Commission on Women (Bill) Still not passed.	A bill to establish a commission to advance, respect, promote and protect the rights of women and to give effect to the provision of international treaties and standards in respect of women's rights. Still not passed into law.

Source: 2012, CENWOR, Bibliography of Material on United Nations Security Council Resolution 1325 Relevant to Sri Lanka, Center for Women's Research and the United Nations Population Fund, Sri Lanka. Available online at: <http://www.cenwor.lk/UN%20Security%20Council%20resolution%201325-Bibliographic%20doc-Eng%20Sin%20Tam-18Jun2012.pdf>

In Sri Lanka, national gender-responsive laws and policies are seldom enacted into law or implemented. For example, even though Sri Lanka's Women's Charter was adopted in 1993, it has not been enacted as law. In 2004, a draft Women's Rights Act was prepared specifically addressing the need to ensure that both State and Non-State actors are made to conform to Constitutional standards on equality. The draft Act also attempted to incorporate the concept of the indivisibility of women's rights and proposed the establishment of a well-resourced independent National Commission on Women that could provide leadership on law and policy reform. While the bill was made public in 2011, it has not yet been enacted.²² Furthermore, the National Action Plan for Women (NAPW) has yet to be submitted to Cabinet. The National Committee on Women (NCW) undertook the drafting of the NAPW through an inclusive process of discussion and engagement with civil society groups. As a result, the NAPW has a chapter on Women and Conflict. However, this process has come to a standstill and there is no information or transparency about the current status of the draft.

In sum, Sri Lanka has never had an Independent Women's Commission and has not had an operative National Action Plan for Women in the last ten years. This indicates a serious lack of political will to enact legislation to fill gaps in existing policies. The transformation of the Ministry of Women's Affairs into a Ministry of Women's Empowerment that is now combined with Child Development since 2005 has undermined the women's right to equality agenda. In addition, for the first time in its history, the Ministry has both a male Minister and a male Secretary, depriving women's representation even at the very top of national gender architecture.

²² In late 2009, women's groups were informed that the new draft Act had been placed as a Bill before Parliament. When copies of the Bill were obtained it was found that the whole of the first part of the new draft Act on Women's Rights had been omitted and only provides for the establishment of a National Commission on Women. However, the concept of an "independent commission" had not been incorporated, since the proposed Bill provides for appointments to the Commission to be made by the Executive President.

A number of laws contain discriminatory provisions that need to be amended. Women's organizations continue to advocate for the following legal reforms:

- ▶ Amendment of Land Development Ordinance to remove the clause of 'primogeniture';
- ▶ Decriminalize same sex relations by abolishing Section 365a of the Penal Code which criminalizes adult consensual same-sex relations in public and private spaces;
- ▶ Amend the Thesawalamai Law to allow women to have absolute power of disposition of their own immovable property without written consent from either husband or the State;
- ▶ Criminalize Marital Rape even in cases of Judicial Separation;
- ▶ Decriminalize Abortion on the grounds of rape, incest and foetal abnormalities.

Sri Lanka has never had an Independent Women's Commission and has not had an operative National Action Plan for Women in the last ten years. This indicates a serious lack of political will to enact legislation to fill gaps in existing policies.

Indicator 8 – Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

Some of recommendations of the LLRC, their specific provisions on women, their inclusion in the NPA and their levels on implementation are discussed below:

Table 8.1: Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

Recommendation, year	Recommending body	Purpose	Outcome
2012	Lessons Learnt and Reconciliation Commission	To bring about reconciliation	Recommendations and National Action Plan – Not yet implemented

The Lessons Learnt and Reconciliation Commission (LLRC) was a Commission of Inquiry appointed by President Rajapakse in May 2010, in response to international pressure following the end of the war in Sri Lanka. The commission was mandated to:

- ▶ investigate the facts and circumstances which led to the failure of the ceasefire agreement made operational on February 27th, 2002;
- ▶ examine the lessons learnt from those events and the institutional, administrative and legislative measures that need to be taken in order to prevent any recurrence of such concerns in the future; and
- ▶ promote further national unity and reconciliation among all communities. After an 18 month inquiry, the commission submitted its report to the President on November 15th, 2011. The report was made public on December 16th, 2011, after being tabled in Parliament.

A very significant number, if not the majority of those speaking before the LLRC were women, especially at the district level. Following these interventions, the LLRC made a number of recommendations that dealt with the specific situation and needs of women, although most of the recommendations were framed from the perspective of women as victims and no recommendations directly acknowledged women's agency or role as participants in post conflict recovery, development, reconciliation and conflict resolution. Nevertheless, many recommendations referring to women were based on some understanding of the specific impact of conflict and its aftermath on women and girls.

The National Plan of Action to implement the recommendations of the LLRC (LLRC NPA), however, is completely gender blind and does not retain a single recommendation with regard to women. All its recommendations are gender neutral, whether they deal with disappearances, displacement or the reintegration of former combatants. While the recommendations are important in themselves, it is important to note that the promotion, protection and fulfilment of women's rights post-conflict cannot be solely limited to the LLRC recommendations or their implementation. A much more comprehensive approach to address conflict and its impact on women is required to undertake post-conflict recovery, political restructuring, social transformation, justice for war crimes and reconciliation.

Missing Persons, Abductions, Involuntary/Enforced Disappearances

A large number of women asked the LLRC for information about the return of their disappeared family members. Consequently, the LLRC recommended inter alia the appointment of a Special Commissioner of Investigation to probe alleged disappearances and to provide material for the Attorney General to initiate the appropriate criminal proceedings. However, the National Plan of Action to implement the LLRC recommendations does not accept the creation of such an office. Instead, it only "invokes the present procedures as available in the Code of Criminal Procedures with priority given to such complaints," which is insufficient to ensure due process and justice.

The LLRC recommends that, "The families need to be assisted to deal with the trauma of not knowing the whereabouts of their family members, in some cases for years. They could also be assisted financially in situations where the missing persons had been the breadwinners. Legal aid should also be provided as and when necessary." This is an important gender-sensitive recommendation that takes into consideration the particular needs of women who are sole breadwinners and have no secure income. Past Commissions investigating disappearances have made provisions for compensation and other financial assistance. However the LLRC NPA makes no recommendations for financial or legal assistance for women. The role of women as primary or sole breadwinners as a consequence of war continues to be ignored and women continue to subsist on informal sector support that is insufficient and insecure, pushing them to engage in illegal or dangerous activities to meet their basic needs.

Demobilization, Disarmament and Reintegration

The LLRC called on the Government of Sri Lanka (GOSL) to implement programs to ensure that former combatants are integrated into civilian life, and called on CSOs to play a more substantial role in this reintegration process [LLRC para 9.71]. This recommendation has special significance for female ex-combatants who are stigmatized in their own communities and face heightened security risk, since they are required to report regularly to the security. These women continue to live in fear and seclusion. Community engagement in inclusive reintegration processes is essential to deal with these problems. Unfortunately, the NPA makes no recommendation to implement this provision of the LLRC.

Women

Although the previously discussed recommendations had an important gender component, the LLRC made a series of recommendations specifically on women [LLRC paras 9.86 to 9.92]. The recommendations dealt with female heads of households as a major challenge and priority in the aftermath of war, as part of a collective effort towards reconciliation. The LLRC also recognized the need for the immediate provision of livelihood and income generating means to these women, many of whom were living in poverty. The LLRC NPA completely ignores these recommendations.

The LLRC also noted the need for single or recently resettled women to share their concerns with local government institutions and political leadership. Despite the recognition that women must engage with—and be represented in—political institutions, the NPA makes no mention or recommendations to increase women's representation in political institutions or decision-making bodies and processes that shape post-war recovery and development.

Land

The LLRC recognized that there is a need to grant legal land ownership to those conflict affected IDPs who have been resettled [LLRC para 9.124]. The NPA inter alia called for the effective implementation of statutes, i.e. The State Lands Ordinance, Land Development Ordinance (LDO), Land Grants (Sp. Provisions) Act. However, it failed to recognize the discrimination against women entrenched in the Land Development Ordinance 1935 (LDO) on the application of the principle of primogeniture (or preference for males in any category of heirs) on death of a male permit holder of State land. This provision remains in place.

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

There is limited information on women's access to economic packages within the recovery and development context in war affected regions. After the war, non-governmental agencies provided a range of support intended to offer livelihood opportunities within a recovery context. This support included the provision of machinery, infrastructure renovation, and small business support, including home based businesses focusing on women, skills training, etc. As these regions slowly began to recover, agencies have provided market-based livelihood opportunities, some consciously trying to include women as beneficiaries.

In the absence of public data on specific economic packages and its availability for women CSO studies such as the one undertaken by Suriya Women's Development Center (Xavier and Rathnayake, 2013, unpublished) report that women's access to economic and reintegration packages tend to be piecemeal and ad hoc. In the North and East of the country, which endured years of destruction, unemployment is high, and people have limited skills. Women are mainly involved in household work and in rudimentary cultivation of paddy and highland crops and honey collection. The Women's Development's study on recovery in Batticaloa, Eastern Sri Lanka,

revealed that assistance has been available to women, but that it has been fragmented and unsustainable, often leaving women with nothing once the program ends. There is a high dependency on various government safety net programs, such as the Samurdhi Poverty Alleviation program, an elders' allowance and disability program that provides food stamps and small grants monthly, but these are available only to a limited number of families. These programs are not specifically for women.

Another study on female ex-combatants (Xavier 2013, unpublished) shows that programs and training for ex-combatants provided by the State during the rehabilitation process has been grossly inadequate. Former LTTE cadres—many of them heads of households—now have very limited freedom of association and movement, which in turn affects their access to income generating activities.²³ According to government sources²⁴ 700 ex-combatants of 11,000 remain in the government run rehabilitation centers and of these, an estimated 3,000 were women. Following their training and reintegration, many women ex-combatants are not even able to obtain a loan, since banks or other institutions repeatedly make requests for guarantors or other supporting documents, which these women often do not have.

In addition, the political participation of women ex-combatants is restricted, and many of their other rights have been curtailed by state security personnel, and—on certain occasions—by other community members. Community members, families and neighbours mistrust women ex-combatants; they fear re-arrest. When they are sent back to their communities, they are unable to use any of their skills and they must instead return to traditional gendered roles, leading to frustration and tensions within their communities.²⁵ Women's lack of access to land presents yet another obstacle to the successful reintegration of women ex-combatants. When women do have access to land, they do not have proof of ownership or only have limited security through a land permit.

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Trainings for Peacekeepers

Sri Lanka first participated in UN peacekeeping in 1960 by deploying six peacekeepers in the United Nations Mission in the Democratic Republic of Congo (MONUC). In 2004, Sri Lanka enhanced its contribution by deploying a complete infantry battalion of 950 personnel to the UN Stabilization Mission in Haiti

²³ "Female ex-combatants of LTTE in post-war of Sri Lanka" By Shamila in Ground Views. <http://groundviews.org/2012/02/24/female-ex-combatants-of-ltte-in-post-war-sri-lanka/> (Last accessed on May 17, 2013)

²⁴ "Post War Sri Lanka denies rights of Women ex-combatants: by Thusyanthini Kanagasabapathipillai in Ethics Action : <http://www.ethicsinaction.asia/archive/2013-ethics-in-action/2013V7N1/2013V7N1P8> (Last accessed on May 16, 2013)

²⁵ Ibid <http://blog.srilankacampaign.org/2013/03/haunted-by-her-yesterdays.html> (Last accessed on May 17, 2013)

Table 11.1: Allocated and disbursed funding marked for women, peace and security programs (WPS) to government in 2012

Government body in charge of project and/ or programs	Funds from national budget: Yes/No? Amount?	Donor country/entity Amount?	Purpose	Total Amount
Women's Ministry	Yes \$USD 5,000	UNFPA \$USD 10,000	Treat victims of SGBV during conflict	\$USD 15,000

(MINUSTAH).²⁶ Sri Lanka is now a committed partner for UN peacekeeping operations with over a thousand men and women from the three armed forces and the police serving in seven different UN peacekeeping missions, and ranks 22nd in terms of troop contributions to the UN peacekeeping.

The Sri Lanka military provides some human rights and humanitarian law training to its cadre, but there is no specific information available on the nature of pre-deployment training and post-deployment programs for the military or police incorporating UNSCR 1325 or UNSCR 1820 specifications.

Trainings for the Sri Lanka government officials and Security Sector

The Sri Lanka police and the military have a general knowledge of the concept of "human rights," and of the fact that there are international standards and norms that have to followed, though training programs do not specifically include UNSCR 1325.

Only few government officials have been a part of awareness-raising programs on UNSCR 1325, yet these have been primarily focused on information sharing and very much limited to the context of formal peace processes and the potential spaces for women CSOs in peace building. UNSCR 1325 was not examined in depth.

Although assessment during trainings targeted at the police revealed that the police force had some awareness regarding issues of violence against women, they were in general not gender sensitive. It was also found that Police officers, the military and government officials in the East of the country had no direct knowledge of any of the UN mechanisms to which the government of Sri Lanka has subscribed. None of them were aware of UNSCR 1325.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

There is no specific allocation of government funds for work on women, peace and security programs either for CSOs or government departments. However, there is a small allocation of

government funding for sexual and gender based violence work, which is conducted through the Ministry of Child Development and Women's Affairs and the National Committee on Women (NCW) and is supplemented by the UNFPA. The Ministry and the NCW also engage with CSOs in the Gender Based Violence Forum (GBV Forum) co-ordinated by UNFPA. The Forum conducts a campaign in November each year to mark the 14 days of global campaigning against GBV issues. There is also state funding for one stop crisis centers (Mithuru Piyasa) maintained at five district base hospitals in the provinces which deals with SGBV issues. The state also runs one shelter for domestic violence survivors. The National Committee on Women has a counselling service and the Legal Aid Commission offers legal assistance. The State also runs a program for rehabilitation of former women combatants and loan schemes for conflict affected women heads of household and widows for livelihood support. However these programs are still insufficient to meet security and economic needs of the large numbers of women affected by conflict and those living in poverty due to the consequences of conflict.

D. Optional Indicators

Optional Indicator A – Extent to which gender and peace education are integrated in the curriculum of formal and informal education

There is no program in the formal curriculum on "gender and peace education." It has been difficult to have gender be included into the curriculum and the combination of gender and peace would be even more difficult, as the curriculum is already considered to be overloaded. The Sri Lanka Association for the Advancement of Education (SLAAED)²⁷ study of the curriculum for Grades 6-11, in 2010, conducted by the Center for Women's Research (CENWOR) found "gender" totally missing in the curriculum. It is equally ignored in the General Certificate of Education (GCE) Ordinary Level (O/L) and GCE Advanced Level (A/L) curriculum for Grades 10-13.

However, the following is in place:

1. Human rights is a component of the curriculum in Grades 10 and 11 (G.C.E.O/L)

²⁶ 'UN signs routine peacekeeping accord with Sri Lankan government' <http://english.peopledaily.com.cn/90001/90777/90856/7391651.html>

²⁷ SLAAED is the Sri Lanka Association for the Advancement of Education. The 'educators' in CENWOR are also office bearers or Council members of SLAAED. Sri Lanka Association for the Advancement of Education, 2010. A Study to Examine the Vertical Integration of the Modernized Curriculum Introduced at Secondary Level (Grade 6 -11) since 2007.

2. In the subject 'Life Competencies', the ongoing curriculum revision proposes including human rights as part of the curriculum.

As CENWOR has always underscored the invisibility of gender in the curriculum, CENWOR has developed gender modules in collaboration with the Colleges of Education (Teacher Education Institutions). CENWOR felt that unless teachers are sensitized on the subjects they teach, they cannot successfully share information and have a positive impact on their students. With the greatest difficulty, CENWOR was able to develop gender modules for the inclusion of gender in the existing core curriculum. They are now been accepted officially by the National Institute of Education (NIE), the curriculum development authority. The modules of the National Colleges of Education were accepted in 2009. The modules for the Life Competencies curriculum and those for the Pre-school Teacher Education course were accepted in 2010. However, there has been no visible impact.

CENWOR also has stressed to the Sri Lankan authorities, to NGOs and other stakeholders that the process of gender sensitization should begin at the pre-school level. Therefore, CENWOR also developed gender modules for inclusion in the curriculum of the Pre-school teacher education courses, conducted by the Faculties of Education of the Universities and the NIE. These were accepted by the Faculties of the University of Colombo and the Open University as well as by the NIE.

In addition, CENWOR attempted to introduce gender into the school curriculum in the Life Competencies curriculum in Grades 6-9. These gender modules were accepted by NIE. However, it is impossible to know whether they are used in classrooms, as CENWOR projects did not provide for monitoring. However CENWOR is assisting in workshops in introducing these and other gender modules in the curriculum revision that has just begun.

SLAAED has also been requested by the Human Rights Commission to examine the curriculum from the perspective of human rights, to collaborate with NIE in developing materials and in the in-service training of teachers. The project developed by SLAAED has been approved and activities were planned in August-September of 2013.

In 2012, the Center for the Study of Human Rights, which is aligned with the Law Faculty of the University of Colombo, began a diploma program on UNSCR 1325 which the Center conducts in Colombo, through the University of Jaffna and the Eastern University. Designed together with CSO activists and academics conversant with peace and security concerns the programs are available to both government and non government activists and advocates offering an innovative means by which work on the resolution can be mainstreamed into both government and non governmental sector to work on conflict recovery. This program is funded by FOKUS.

III. Conclusion and recommendations

Conclusion

Progress in the Participation pillar of UNSCR 1325 in Sri Lanka remains extremely low or non-existent. Only women's participation in the Judiciary has slightly increased in the past several years, while women in decision-making posts at national and sub-national levels and in the security sectors have remained the same. This is in large part due to enduring patriarchal attitudes that perceive women as unfit for politics and for security.

Official and reliable data on SGBV cases remains scarce as they do for sexual violence. Impunity for the perpetrators of SGBV and the stigma that women and girls face in their communities when they report cases of SGBV contribute to the underreporting of sexual violence and reluctance to institute litigation for domestic. Although no formal report has been produced on the subject, anecdotal reports and CSO reports indicate that there is a correlation between heavy military presence, militarisation and the general culture of impunity and the rates of SGBV in the Northern and Eastern regions of the country, which were particularly affected by the conflict.

Existing laws and policies fail to prevent SGBV and to protect women and women victims. For the most part, the gender-responsive policies in place are not implemented due to a lack of political will and to enduring discriminatory attitudes. Several potentially beneficial policies and action plans such as the National Action Plan on Women for the years 2009-2013 have yet to be approved or to be enacted into law or implemented.

Although a number of recommendations specifically targeted at women in the recovery process are included in Sri Lanka's LLRC, the National Plan of Action of the LLRC has left these recommendations out completely, further preventing women from being active participants in the recovery process and from benefiting from gender-responsive recovery programs. Women ex-combatants face particular challenges, as their communities perceive them with mistrust and the state trainings and programs fail to ensure their access to viable income-generating activities.

Even though there is still little knowledge of the resolutions among government officials and security sector members, CSOs have played a crucial role in raising awareness of UNSCR 1325 in Sri Lanka, through trainings and awareness raising programs and the Center for the Study of Human Rights at the Faculty of Law offers a diploma program based on UNSCR 1325 at the tertiary level.

There is a serious need for better collection of quantitative and qualitative data on women's participation and SGBV, which must be linked to clear mechanisms of action on the pillars of UNSCR 1325.

Recommendations

To the Government

- ▶ Develop and implement a comprehensive approach such as a National Action Plan on USNCRs 1325 and 1820 to address the gendered nature of conflict and its impact on women, post conflict recovery, political restructuring, social transformation, justice for crimes of the past and reconciliation;
- ▶ Introduce mandatory quotas and put in place mechanisms for the nomination and meaningful participation of women at all levels of governance, while supporting and carrying out voter education on women's participation in political spaces;
- ▶ Include women's CSO representation in all relevant policy and decision making bodies at national, regional and local levels;
- ▶ Reform or abolish discriminatory laws and policies such as the Land Development Ordinance, Section 365a of Penal Code, Personal Laws and decriminalize Marital Rape even in cases of Judicial Separation, abortion on the grounds of rape, incest and foetal abnormalities, and same sex relations;
- ▶ Implement cost-effective, innovative programs for the prevention of SGBV and for the protection of women and women victims which include medical and psychosocial services;
- ▶ Revise the LLRC National Plan of Action to include the LLRC recommendations with regard to women; and allocate enough financial and human resources and make the necessary policy and legal reforms for the implementation of these recommendations;
- ▶ Provide additional financial resources to female ex-combatants;
- ▶ Collect systematic quantitative and qualitative data on women's participation, the prevention and protection from SGBV and the promotion of a gender perspective, ensuring that all data is accessible to CSOs; and
- ▶ Support CSOs in reporting and programming on UNSCR 1325.

To Civil Society

- ▶ Advocate for the development and implementation of a comprehensive approach such as a National Action Plan on USNCRs 1325 and 1820;

- ▶ Collect systematic quantitative and qualitative data on women's participation, the prevention and protection from SGBV and the promotion of a gender perspective; and
- ▶ Continue to implement awareness-raising programs on UNSCR 1325 among national and local authorities, the security sector and the education sector.

To the Donor Community

- ▶ Support CSO and government-led programs on WPS and UNSCR 1325 that seek to improve the conditions of women and to help promote gender equality;
- ▶ Support local organizations, such as CBOs and Women's Rural Development Societies (WRDS), so that their work and role within the community should be promoted and strengthened; and
- ▶ Build initiatives designed to ensure public support for women's property rights and to support actions to help resolve bureaucratic inertia and resistance.

Table Footnotes:

- i Data compiled by the information provided on the website of the Office of the Cabinet Ministers of Sri Lanka: (<http://www.cabinetoffice.gov.lk/>)
- ii Data compiled by the information provided on the website of the Parliament of Sri Lanka: (<http://www.parliament.lk/en/members-of-parliament/statistics>)
- iii The total number 4,466 is an approximate figure comprising of data gathered following staggered elections in 2008, 2009 and 2011.
- iv Source: Combined 5th, 6th, & 7th Periodic Reports of Sri Lanka submitted to the CEDAW Committee during the 48th Session of the CEDAW Committee in January 2011.
- v Source: <http://www.icanpeacework.org/wp-content/uploads/2013/06/Slanka-final.pdf>
- vi Source: <http://www.icanpeacework.org/wp-content/uploads/2013/06/Slanka-final.pdf>
- vii Source: March 2012: Combined 5th, 6th, & 7th Periodic Reports of Sri Lanka submitted to the CEDAW Committee during the 48th Session of the CEDAW Committee in January 2011.
- viii Court of Appeal of Sri Lanka. <http://courtofappeal.lk/>
- ix Data compiled from information received on the website of UN Peacekeeping Operations: http://www.un.org/en/peacekeeping/resources/statistics/contributors_archive.shtml
- x Data gathered from SGBV Desk at Vavuniya Hospital and Home for Human Rights (HHR) Clients
- xi Data gathered from HHR Clients
- xii See this link for more details: http://www.police.lk/images/others/crime_trends/2011/three_forces_police_grave_crimes_year_2011.pdf

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The Federal Democratic Republic of Nepal

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List of acronyms

AIGP	Additional Inspector General of Police
CA	Constituent Assembly
CPA	Comprehensive Peace Accord
CSO	Civil Society Organization
DCC	District Coordination Committee
DIGP	Deputy Inspector General of Police
DSP	Deputy Superintendent of Police
DV	Domestic Violence
EC	Election Commission
FY	Fiscal Year
GoN	Government of Nepal
HLPC	High Level Political Committee
HLSC	High Level Steering Committee
IGP	Inspector General of Police
IRP	Interim Relief Program
LPC	Local Peace Committee
MoFALD	Ministry of Federal Affairs and Local Development
MoPR	Ministry of Peace and Reconstruction
MoWCSW	Ministry of Women, Children and Social Welfare
NAP	National Action Plan
NGO	Nongovernmental Organization
NHRC	National Human Rights Commission
NPTF	Nepal Peace Trust Fund
OCMC	One-Stop Crisis Management Centre
OPMCM	Office of Prime Minister and Council of Ministers
PLA	People's Liberation Army
SGBV	Sexual and Gender-based Violence
SC	Supreme Court
SP	Superintendent of Police
SSP	Senior Superintendent of Police
TRC	Truth and Reconciliation Commission
UNSCR	United Nations Security Council Resolution
VAW&G	Violence Against Women and Girls
VDC	Village Development Committee
WPS	Women, Peace and Security

I. Women, peace and security profile

A. Nature of the conflict

Conflict in Nepal between Maoist insurgents and the Government of Nepal (GoN) began in 1996 and ended formally ten years later with the signing of the Comprehensive Peace Accord (CPA) between the Government of Nepal and the then-Communist Party of Nepal (Maoists) (CPN-M) on November 21, 2006.

The Maoist insurgency that started in 1996 brought together disadvantaged men and women from diverse backgrounds and remote parts of the country. Together, they fought against structural inequality, exclusion, and discrimination based on gender, caste, class, and geography, as well as poverty, unemployment and lack of opportunities, and the overall failure of the state governing system. Yet, the insurgency led to heinous crimes against human rights, death, and destruction to a degree previously unseen in Nepal. It is estimated that more than 13,000 men, women, and children died during the conflict. Between 100,000 to 200,000 people were displaced, and the whereabouts of more than 1,000 people remain unknown. Of the total 3,915 Village Development Committees (VDCs), more than 1,772 VDC buildings were destroyed, and some 2,646 development structures damaged.¹ When the conflict finally came to an end in 2006, the Nepali people were extremely hopeful that a “New Nepal” would emerge from 10 years of violent conflict.

The transitions from monarchy to a republic, from hegemony to an inclusive and participatory system of governance, and from a one-religion state to a secular state are some of the positive developments since the signing of the CPA in 2006.² The recent security sector restructuring is also an important achievement, as it is a critical element of the peace process. The integration and rehabilitation of Maoist combatants has begun: altogether 1,444 ex-combatants were integrated into the Nepal Army, 6 were provided rehabilitation packages, and the rest opted for voluntary retirement.³

Yet, seven years after the signing of the CPA, the hopes and aspirations of Nepali people still remain largely unfulfilled. Despite four extensions of the deadline during a four-year term, the Constituent Assembly (CA) failed to draft the Constitution for the “New Nepal.” The Supreme Court formally dissolved the CA, on 27 May 2012. Following the dissolution of the CA, the country was governed by the Maoist-led government for almost a year. Chief Justice Khil Raj Regmi was appointed as the chairman of the Interim Election Government, amid dissatisfaction and disputes over the Executive and Judiciary government bodies.

The date for the second Constituent Assembly Election has now

been announced for November 19, 2013. However, doubt and skepticism prevail regarding whether the election will really take place on the scheduled date. Dissenting parties threaten to disrupt the election and political parties still have not come to consensus on contentious issues such as: the size of the CA, the delineation of constituencies, the federal structure of the nation, and the governance structure.

The date for the second Constituent Assembly Election has now been announced for November 19, 2013. However, doubt and skepticism prevail regarding whether the election will really take place on the scheduled date.

B. Impact of conflict on women

Fighting gender-based discrimination is one of the issues on the Maoist agenda, which has led to the promotion of women's issues during conflict and the post-conflict transitional phase. During the conflict women were active as combatants, as part of the Maoist rebels (3,558 women) or as Nepal Army personnel. Some women stayed with their families, many of them becoming heads of their households. This underscored women's resilience and enhanced their ability to shoulder responsibilities. The provision of the 33 percent quota for women in the CA (2008) may be attributed to the impact of conflict. Increased vocal demands for legal provisions guaranteeing women's rights, plans, and policies targeting women's rights had also been brought about during the period.

Nonetheless, the conflict also brought along dire consequences in the lives of Nepali women and girls. With male members being away from home—either as part of the security forces, as rebels, as migrant workers, or simply as escapees of threats—women became over-burdened with the responsibilities of solely shouldering household chores and supporting children and the elderly. Forced induction within the rebel group compelled many families to send their daughters away from home, disrupting and ending their education. Many were exploited and trapped into trafficking and sexual work due to displacement, absence of a familial security net, and limited funds and skills to survive. Accessibility to health facilities became difficult due to fear of being caught in crossfire, while the mental and physical fear of abduction, interrogation, sexual abuse, and death remained a constant threat. Sexual and gender-based violence (SGBV) dimensions took new forms.

¹ Saathi, “Keeping the Beijing Commitment Alive...Nepal NGO Report on Beijing +15,” (Nepal: National Network for Beijing Review Nepal, 2009), 37.

² United Nations Development Program, “Nepal Human Development Report 2009,” (Kathmandu, Nepal: State Transformation and Human Development, UNDP, 2009), 16.

³ Chadani Hamal, “PLA fighters finally become NA personnel,” República Nepal Republic Media, July 5, 2013, accessed July 25, 2013, http://www.myRepublica.com/portal/index.php?action=news_details&news_id=57356.

Sexual harassment and rape by either warring side have been noted by a number of researches, though most SGBV cases remain under-addressed even in the current phase. Anecdotal evidence⁴ indicates female combatants were asked by superiors to agree to sexual favors for male combatants to “boost their morale.” Other anecdotes reveal frontline health workers secretly being taken into rebel camps to conduct large numbers of abortions. The number of widows increased, with more than 4,000 women losing their husbands and hundreds raped by parties in conflict.⁵ Even today high numbers of internally displaced people, many of whom are women, have not been able to return home, and thousands continue to face mental distress and physical torture. Of the total 13,344 people killed during the period of Maoist insurgency, 10,297 were men and 1,013 were women. The gender of 2,034 people was not verified, as they were killed during the clashes and were buried or taken by the conflicting parties in an attempt to hide the identity of the deceased. Similarly, of the 84,969 people abducted, 2,087 were women, while the identity of 69,403 people abducted during the period remains unknown.

The post-conflict transition period has not put an end to inequality. Despite the 33 percent representation of women in the CA (2008), their decision making powers remained indistinct. With political parties being deeply entrenched in patriarchal norms and values, women were given little say. Women politicians continued to be sidelined in positions of power within the political parties. Despite party manifestos underscoring women’s rights issues, violence faced by women politicians themselves has not been addressed. Women’s participation in the peace negotiations remains insignificant. They are under-represented in most government and non-government bodies, especially at decision making levels.

Women continue to suffer from SGBV and the after-effects of mental and physical torture, internal displacement, and social and economic exploitation. Lack of adequate support and benefits from their party leaders have compelled many former women rebels to settle for compensations that are inadequate to address their individual and children’s needs. The inability of the GoN to promote economic opportunities in the country has compelled an increasing exodus of women to Gulf nations in search of better opportunities. The lack of adequate and effective support mechanisms continues to increase their vulnerabilities to SGBV.

C. Relevant legal and policy framework

Nepal is party to 16 international human rights instruments, including the International Covenant on Civil and Political Rights (1966), the International Covenant on Economics, Social and Cultural Rights (1996), the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW, 1979), the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984), the Second Optional Protocol to the International Covenant on Civil and

Political Rights (1989), the South Asian Regional Association for Regional Cooperation (SAARC), and Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002). Since the formal conclusion of the conflict in 2006, a number of laws and policies addressing Women, Peace, and Security (WPS) issues have come about, including:

- ▶ Tenth Five Year Plan (2002-2007), which includes gender and human rights as crosscutting sectoral issues. Gender Focal Points established in sectoral ministries and Task Forces at central and district levels to check trafficking;
- ▶ The Comprehensive Peace Accord (CPA, 2006), including a prohibitory provision on SGBV to be abided by both parties to the agreement;
- ▶ The Gender Equality Act (2006), repealing and amending 56 discriminatory provisions of various previous Acts and incorporating provisions to ensure women’s rights;
- ▶ The adoption of policy representation of 33 percent women in government and political sectors in the Interim Constitution 2007;
- ▶ The Interim Constitution of Nepal (2007), prohibiting physical, mental, or any other form of violence against women. Women’s reproductive rights, recognized as fundamental;
- ▶ The Human Trafficking and Transportation Control Act (2007) and Regulation (2008), extending the definition of trafficking to include offense of transportation for trafficking purposes. The new Act affords support and care for victims;
- ▶ The Supreme Court issued orders to prohibit malpractices that contribute to SGBV at different times;
- ▶ Three Year Interim Plan (2007-2010) of the Government of Nepal, identifying putting an end to SGBV as its key objective;
- ▶ The Domestic Violence (Crime and Punishment) Act (2009) and Regulation (2010), defining physical, mental, sexual, economical, and behavioral violence as domestic violence;
- ▶ The Three Year Plan Approach Paper (2010/11-2012/13), with the objective of establishing lasting peace in the country by providing relief and reparation to the conflict-affected people;
- ▶ The Three Year Human Rights National Action Plan (2010/11-2012/13), making significant provisions for the rights of women and children;
- ▶ The National Action Plan on the Implementation of United Nations Security Council Resolutions (UNSCRs) 1325 and 1820 (2011); and
- ▶ A five-year National Strategy and Action Plan (NSAP) on combating Gender Based Violence (SGBV) (2012-2016).

⁴ The anecdote was shared with the researchers by a jail guard in a workshop facilitated by Saathi in August 2012. It was based on his discussions with imprisoned female Maoist combatants during conflict period.

⁵ (2009) Keeping the Beijing Commitment Alive...Nepal NGO Report on Beijing +15. National Network for Beijing Review, Nepal.NNBN/SAATHI.

II. Data presentation and analysis

A. Participation

Indicator 1 – Index of women's participation in governance

The country is currently gearing up for the second Constituent Assembly Election and the government is engaged in informal talks/negotiation with opposing parties to bring them on board the election process. However, women's participation in ongoing political talks has remained null. Neither the High Level Political Committee (HLPC, comprising of four major political parties formed to address constitutional complications) nor the task force (formed by the Committee to study contentious issues on constituency delineation and provide recommendations) has any women members. Furthermore, with very few women in the central committees of major political parties, it is evident that women lack equal opportunities and that they have little say in decision making. Moreover, the current 2013 Election Ordinance does not ensure 33 percent representation of women: the Election Ordinance recommends 33 percent only in candidacy, which is applicable only to the parties whose candidacy is 30 percent or more of the total candidacy filed. A question has also been raised regarding the inclusiveness of the upcoming election and the CA, given that the size of the CA has been decided to be 491, while the CA that dissolved in 2012 had 601 members. Given this situation, Shantimalika, a network of 17 national level organizations working on women's issues has filed a writ against 21 political parties and various ministries, including the Office of the Prime Minister and the Council of Ministers, demanding that "a mandamus order be issued to ensure proportional representation of women in all state mechanisms by preparing necessary acts and policies."⁶ It further urges the Supreme Court to issue a mandamus order against the Election Commission (EC) to bar political parties who have not ensured proportional representation of women as mentioned in their statutes from the polls, and to issue a mandamus order to political parties to file women candidacy on the basis of their population.⁷

Legislative and Parliamentary Level

Despite women's significant contribution in various movements and during major political changes in the country, women's participation in governance/decision making has remained insignificant, with the exception of the 33 percent representation in the now-dissolved CA. Even Nepal's 2011 "Jumbo cabinet"—the largest in Nepal's history—could not secure more than 22.4 percent women representation. The present cabinet has only one female minister out of 11 ministers.

6 "Writ seeks just representation of women in state mechanisms," The Himalayan Times, July 21, 2013, accessed on July 22, 2013, <http://thehimalayantimes.com/rssReference.php?headline=Writ+seeks+just+representation+of+women+in+state+mechanisms&NewsID=384628>

7 Ibid.

Table 1.1: Total number of women in the four cabinets formed during the CA Process

Year	Total	No. of Male	No. of Female	Female (%)	Remarks
2013	11	10	1	10	Cabinet constituted and reconstituted between 14th–18th March 2013
	49	38	11	22.4	Cabinet constituted and reconstituted between 20th October–11th November 2011
	35	28	7	20	Cabinet constituted and reconstituted between 4th September–20th October 2011
2011	13	12	1	7.6	Cabinet constituted and reconstituted between 30th August–4th September 2011
2010	43	38	5	11.62	

Sources: <http://www.opmcm.gov.np/en/council/2010>, <http://www.can.gov.np/> 2010, <http://www.opmcm.gov.np/en/council/2011>, <http://www.opmcm.gov.np/en/council/2012>

As shown in the table below, this year's figures report a decline in women's representation in civil service as compared to previous years. Civil service currently consists of 11.39 percent⁸ women while it was 15 percent in 2012. The previous years' data shows that at the senior decision-making level, men account for 93.4 percent while women account for a mere 6.6 percent. Women's representation in civil service continues to remain low, particularly in senior positions. The government has introduced several policies and affirmative action procedures such as: an increase in the age limit for women to enter civil service; a provision for female quotas; special coaching classes for women on the civil service entrance examination; and revision of the Nepal Administrative Staff College curriculum. Yet in spite of all these measures, civil service remains to be gender responsive and to have gender representation. The enduring patriarchal system is the root cause of women's limited ability to enter civil service. The patriarchal system dominates Nepali society and dictates women's various roles within and outside of the household. Women are relegated to undertake domestic chores such as cleaning, cooking, washing, and taking care of children and the elderly. Their mobility is restricted outside of the home and they are compelled to choose between career and family.

Table 1.2: Total Percentage of Women in Civil Service in 2010-2013

Year	Female %
2010 ⁱ	11.33
2011 ⁱⁱ	13.7
2012 ⁱⁱⁱ	15
2013 ^{iv}	11.39

8 "Women under-represented in judiciary, army," The Himalayan Times, July 30, 2013, 3.

Women's participation in local governance is null. There are no women holding Chief District Officer or Local Development Officer positions. The same, deeply entrenched patriarchal attitudes that limit women's participation in governance at national levels also hinder women's participation in local governance.

Table 1.3: Percentage of Women in Local Government in 2010-2013^v

2010	2011	2012	2013
0 – Chief District Officers (Total: 75)	0 – Chief District Officers (Total: 75)	0 – Chief District Officers (Total: 75)	0 – Chief District Officers (Total: 75)
1.33% – Local Development Officers (Total: 75)	1.33% – Local Development Officers (Total: 75)	1.33% – Local Development Officers (Total: 75)	0 – Local Development Officers (Total: 75)

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

Despite the dire consequences women endured during the decade-long armed conflict and the pivotal roles they played in conflict resolution, mitigation and mediation, women's participation in official peace processes has remained negligible.

During the ceasefire between the government and the Maoists in 2002, the peace negotiating team had only one woman, the then-state Minister. In the National Monitoring Committee on Code of Conduct for Ceasefire, formed in 2006, there were only 2 women members out of 31. It was only after a campaign led by women's organizations that the Interim Constitution Drafting Committee, initially made up of six men, was subsequently expanded to include six women as well as representatives of the Dalit Community.⁹ Similarly, during the signing of the historic 2006 Comprehensive Peace Accord, women's representation was null.

At local levels, although Local Peace Committees (LPCs) are required to ensure one-third women's participation, it is not clear whether this has actually happened, or if women's issues are

At local levels, although Local Peace Committees (LPCs) are required to ensure one-third women's participation, it is not clear whether this has actually happened, or if women's issues are being discussed as a result of women's inclusion.

being discussed as a result of women's inclusion. At the national level, as of now more than 65 peace agreements on different issues have taken place between the GoN and other conflicting groups. With some exception, women's presence in almost all of these negotiations/agreements has been null. A compilation of negotiations, agreements, Memorandums of Understanding (MOUs), declarations, and decisions taken in the peace process of Nepal (from November 2005 - July 15, 2012), show women were only represented in one agreement that was between the GoN and CPN-M and in two negotiations that took place between the GoN and conflicting groups, where women were present to serve as coordinators from the conflicting groups. Moreover, women's issues tend to become sidelined in the face of ethnic issues and party ideologies.

Women's absence is usually explained by lack of negotiation skills and capabilities; however, no efforts have been initiated to enhance women's capacity. One reason for women's absence in the peace processes is the lack of political will. There is a lack of sincere efforts by those in decision-making positions who have the obligation to address the gender disparity within their political parties and in peace processes. As the peace process is viewed as an opportunity to transform the political landscape of a country, the absence of women in the process has certainly denied them from this important opportunity.

Indicator 3 – Index of women's participation in the justice, security sector and peacekeeping missions

Women in the Justice Sector

Table 3.1: Women's Representation in Justice Sector in 2013

Court	Position	Female	Male	Remarks
Supreme Court ^{vi}	Chief Justice	0 (women have never been appointed)	1	Rt. Hon'ble Chief Justice Khil Raj Regmi, Chairman, Council of Ministers (Since March 14, 2013)
	Justice	1	8	
Appellate Court ^{vii}	Chief Judge	0	16	Judicial Council Decision dated June 9, 2013 regarding appointment of judges for Appellate Court and District Court, August 2013
	Judges	2	45	
	Additional Judges	4	28	
District Court	Judge	1	88	

9 In the caste system, the Dalit are the "untouchables," or of lower caste.

Office of Attorney General^{viii}	Attorney General	0 (women have never been appointed)	1
	Deputy Attorney General	0	4
	Joint Government Attorney (Gazetted First Class)	0	19
	Deputy Government Attorney/District Government Attorney (Gazetted Second Class)	1	80
	Deputy Government Attorney (Gazetted Third Class)	9	93
Total		18 (4.48%)	383

Table 3.1.1 Women in Justice Sector in 2010-13

Court	Position	Female %			
		2010	2011	2012	2013
Supreme Court	Chief Justice	0	0	0	0
	Justice	6.66	5.55	7.6	11.11
Appellate Court	Chief Judge	0	0	0	0
	Judges	4.25	3.73	4.08	4.25
District Court	Judge	0.76	0.89	0.74	1.12
Office of Attorney General	Attorney General	0 (women have never been appointed)	0	0	0
	Deputy Attorney General	0	0	0	0
	Joint Attorney General	0	0	0	0
	Deputy Attorney	0	0	1 (0.88)	1.23
	District Attorney	4.8		8 (7.33)	8.82

Sources: <http://www.supremecourt.gov.np>, <http://attorneygeneral.gov.np> 2010, 2011, 2012

When tracking women's participation in the judiciary since 2010, no notable progress is visible. The judiciary remains a male domain and women continue to be significantly under-represented. Despite being an important agency for justice delivery, the judiciary itself is far from becoming just and equal when it comes to gender. While the mere presence of women does not necessarily ensure gender-sensitive justice, their absence will certainly have an adverse impact. It is vital to increase women's participation in the judiciary to ensure a gender perspective while interpreting laws/policies, as well as gender sensitive investigation and prosecution of cases. Just recently, the Supreme Court issued an interim order not to implement the 2013 Truth and Reconciliation Commission (TRC) Ordinance, which contained amnesty provision even for cases of gross human rights violation during the conflict. It is noteworthy to mention here that this order was issued by a single bench of a female Justice.

It is not possible to increase women's participation in the Judiciary without aiming for gender equality in this typically male dominated arena; and institutionalizing support mechanisms for women such as child care support and mentoring system. The obstacles that women face in pursuing careers in the legal sector are many and varied—a major one being the demanding nature of the Judiciary, which requires persistent engagement for years to build a career. This plays a significant role in limiting women's participation considering the multiple caretaking, supportive, and reproductive roles that women are socially prescribed to, which do not leave much room for professional responsibilities. The lack of a gender friendly environment, family support, and income in the initial phase of a judicial career, as well as the lack of flexibility required to socialize with clients beyond office hours, discourage women from entering the judiciary. Even when they join, women are unable to continue for very long, and divert to

other professions. Very few women reach high-level positions in this sector because of the huge socio-cultural and institutional barriers

Women in the Security Sector

Table 3.2: Percentage of women in Security Sector from 2010-2013

Year	2010	2011	2012	2013
Nepal Army	-	1.32	1.69	1.2
Armed Police Force	3.36	3.37	3.72	3.8
Nepal Police	-	5.75	5.77	5.31

Table 3.3: Women's representation in Nepal army in 2013

Position	Infantry	Technical	Army Staff/ Clerks	Total
Officer	134	168	-	302
Junior Commissioned Officer	-	156	26	182
Non Commissioned Officer	1,389	108	147	1,604
Followers	148	-	-	148

Source: Nepal Army Headquarter, Human Rights Nepal Army, August 2013

Table 3.4: Women's representation in Armed Police Force

Year	2010	2011	2012	2013
Male	27,690 (96.63%)	27,793 (96.62%)	29,017 (96.27%)	31,585 (96.19%)
Female	964 (3.36%)	971 (3.37%)	1,123 (3.72%)	1,248 (3.8%)
Total	28,654	28,764	30,140	32,833

Source: Armed Police Force, August 2013

Table 3.5: Women's representation in Nepal Police

Position	No. of Female
Inspector General of Police (IGP)	0
Additional Inspector General of Police (AIGP)	0
Deputy Inspector General of Police (DIGP)	2
Senior Superintendent of Police (SSP)	5
Superintendent of Police (SP)	3
Deputy Superintendent of Police (DSP)	19
Police Inspector (Insp.)	51
Sub Inspector of Police (SI)	117

Assistant Sub Inspector of Police (ASI)	199
Police Head Constable	546
Police Constable	2,507
Police Followers	123
Total	3,572

Source: The Kathmandu Post, Nepal's. English Daily, August 26, 2013

Like in the Judiciary, there is minimal women's representation in the Security Sector; acute gender imbalance persists. The proportion of women in the Nepal Army (1.91 percent in 2013), the Armed Police Force (3.8 percent in 2013) and the Nepal Police (5.31 percent in 2013) has seen a very limited increase since 2011. A comparative analysis of the security forces shows that the Nepal Police holds the highest representation of women in the Security Sector. However, very few women hold decision-making power in any of the ranks of the security forces. The largest proportion of women is in bottom ranks. Most high-ranking women in the Nepal Army have technical professions such as doctors, nurses, and lawyers. In recent years, the recruitment of women in infantry positions has increased their chances to attain captain and lieutenant ranks, although there is no indication of opportunities for their promotions. In addition, the Nepal Army has committed to increasing women's representation to five percent within its force, a promising step forward. Similarly, the Nepal Police also aims to increase women's participation to 10 percent from the existing 5.31 percent by 2018.

The need for more women's participation in the Security Sector has become obvious and evident in view of the increasing incidences of violence against women and girls

The need for more women's participation in the Security Sector has become obvious and evident in view of the increasing incidences of violence against women and girls (VAW&G). It has been found that the lack of female police is one of the major reasons behind under-reporting of VAW&G, especially, cases pertaining to sexual violence including rape as the victims do not feel comfortable confiding in male police. The male dominated security sector is not safe or secure even for female personnel. There have come out many incidences of male personnel perpetrating sexual violence against female colleagues in the security sector. Just recently in 2012, an internal survey carried out by the Nepal Police found that "40 percent of women personnel reported facing some kind of sexual harassment, including rape by male colleagues."¹⁰ Therefore, to combat gender based violence within the institution as well as to make the environment friendly to both genders, it is essential to ensure gender parity at all levels.

¹⁰ Editorial, "Women in uniform: Police's efforts to bolster the number of female personnel is commendable," The Kathmandu Post, August 27, 2013, 6.

It is commendable that the Security Sector has realized the need for more women's participation and has been making concerted efforts to achieve this. However, quantitative representation alone is not enough to make an impact. In order to make a substantial impact, female personnel should also be provided with promotion opportunities at par with their male counterparts. They should be offered roles and responsibilities that are beyond traditionally assigned clerical jobs.

first and foremost, it is necessary to address the existing gender disparity in the security forces at all levels. In addition, affirmative action plans and policies such as quota systems for women should be introduced in peacekeeping missions.

An analysis of the judiciary, the security, and peacekeeping missions shows the women's participation is the highest for the judiciary. However, it is necessary to address the existing

Women in Peacekeeping Missions

Table 3.6: Number of women in peacekeeping missions deployed by Nepal detailed by post (January – July 2013)

Description	No. of Male	No. of Female	Total	Female (%)
Individual Police	1,424	70	1,494	4.68
Formed Police Units	4,136	239	4,375	5.46
Experts on Mission	399	0	399	0
Contingent Troop	24,726	492	25,218	1.95
Total	30,685	801	31,486	2.54

Source: <http://www.un.org/en/peacekeeping/resources/statistics/contributors.shtml>, August 30, 2013

Table 3.7: Number of Women in Peacekeeping Missions deployed by Nepal Army

No. of Women in Peacekeeping Missions	2010	2011	2012	2013	Total
	61	120	114	140	435

Source: Nepal Army Headquarter, Human Rights Nepal Army, August 2013

Table 3.8: Number of women in peacekeeping missions deployed by Armed Police Force

Mission	2010			2011			2012			2013		
	M	F	T	M	F	T	M	F	T	M	F	T
Formed Police Units (FPU)	475	5	480	239	2	241	432	8	480	607	13	620
UN Police (UNPOL)	115	2	117	129	1	130	75	0	75	102	2	104
Total	590	7	597	368	3	371	507	8	555	709	15	724

Source: Armed Police Force, August 2013

The peacekeeping missions deployed by Nepal comprised of 140 women from the Nepal Army and 15 women from the Armed Police Force in 2013, which constitute a slight increase since 2010. The data from the Nepal Police could not be obtained for comparative analysis of the security forces. However, the Department for Peacekeeping Operations (DPKO) data on countries' contribution to peacekeeping missions shows that women account for a mere 2.54 percent of the total personnel deployed by Nepal.

Though information on the exact roles and positions of female personnel deployed in peacekeeping missions could not be found, it can be assumed that the majority of them belong to the bottom rank, given that there are more women in lower ranking positions in the security sector. There is no denying the fact that women can play an effective and significant role in addressing issues pertaining to gender-based violence as well as in promoting and protecting women's human rights. In order to increase women's participation in peacekeeping missions,

gender disparity in each institution at all levels as all these play a significant role in ensuring gender sensitive investigation and prosecution of SGBV cases, incorporation of gender perspectives in interpretation and implementation of laws and policies, promotion and protection of women's human rights, and delivery of gender justice.

Although the representation of women in decision-making and peacekeeping missions is scarce, the security forces have undertaken various initiatives aimed at improving women's participation, protection, and security through trainings, awareness, and the establishment of infrastructure, such as the Women and Children Service Centre, in all 75 districts. The establishment of Training Centers in all five development regions is underway. Supported by the Nepal Peace Trust Fund (NPTF), the Training Centers' main objective is to provide education and raise awareness about UNSCRs 1325 and 1820. The project also hopes to increase women's representation in the Nepal Police Force from 6 to 9 percent. Another important step includes the

establishment of a Women's Section within the Nepal Army. This section is responsible for investigating cases of gender-based violence within the institution, or cases related to the general public. Similarly, in the Armed Police Force, a gender section has been established to deal with cases of SGBV within the institution. The gender section has made it easier to deal with SGBV and since 2013, out of the 47 complaints of SGBV against police force personnel, 38 were penalized.

Indicator 4 - Number and percentage of women participating in each type of constitutional or legislative review (including security sector review)

and policies, planned for recognizing contribution and economic value of domestic chores to the gross national product and raised the issue of women's proportional representation (i.e. 51.5 percent as per the census 2011), their protection, prevention of violence against women, as well as the issue of socio-cultural, economic, health, education, and citizenship rights of women. Although with the dissolution of the CA, the attempt of the caucus to incorporate women's rights in the constitution could not be materialized, it has certainly paved the way for taking women's issues forward in the upcoming election and the new constitution. It has generated increased awareness among the general public on women's rights and the need to ensure it

Table 4.1: Women's representation in 2008 CA Constituent Committees

S.No.	Committee Type	Total No. of Members	Female	Female %
A.	Constituent Assembly Committee	595	198	33.27
	<ul style="list-style-type: none"> To draft the Constitution To provide support in the process 			
1.	Constituent Committee (1)	61 (two vacant)	15	24.19
	<ul style="list-style-type: none"> To present concept paper on constitution and the themes not covered by thematic committees 			
2.	Thematic Committees (10)	421	137	32.54
	<ul style="list-style-type: none"> To develop concept paper and preliminary draft on different themes 			
3.	Procedural Committees (3)	113	46	40.7
	<ul style="list-style-type: none"> To take the constitution drafting process at general public To collect public opinion To build capacity of CA members and staffs involved in constitution making 			
B.	Legislative Parliament Committee	621	193	
1.	Legislative Committee	73	27	36.98
2.	Thematic Committee	406	123	30.29
3.	Special Committee	142	43	30.28

Source: <http://www.can.gov.np> August 2011

Although the CA could not fulfill its main purpose to promulgate a new constitution and was subsequently dissolved, it marked a momentous achievement for women in Nepal: it had the highest women's representation in parliament in Nepal's history. It offered women an opportunity to guarantee essential human rights of women constitutionally. The quality of women's representation was always subject to question. However, women's capacity to raise women's issues, to cross party lines, and to unite on women's concerns despite ideological differences and on the level of their involvement in the decision making process are some important achievements made during the CA process, which cannot be overlooked.

The parliament's women's caucus was an informal mechanism within the parliament that promoted gender sensitive legislations

constitutionally. As a result, women's issues have gained increased attention and importance. An editor of the Kathmandu Post, a *Daily English Newspaper*, writes "...the upcoming election needs to continue to recognize women not only as voters but also as candidates, observers and election administrators. The role of women as decision makers in politics is crucial to encourage their participation in all other sectors."¹¹

Indicator 5 – CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

As per the NAP on UNSCRs 1325 and 1820, a High Level Steering Committee (HLSC) was formed for the effective implementation of the NAP. The HLSC comprises of 25 members,

11 Editorial, "Still invisible," The Kathmandu Post, July 24, 2013, 6.

including different ministries, representatives from the National Planning Commission (NPC), the National Women's Commission (NWC), the Office of Prime Minister and the Council of Ministers (OPMCM), as well as 11 different civil society organizations (CSOs) and alliances of CSOs working on women, peace and security issues. The CSOs and alliances consist of women's organizations that have been playing a significant role towards the implementation of UNSCRs 1325 and 1820, even prior to the adoption of Nepal's NAP in 2011. These organizations have been mainly involved in awareness-raising on WPS concerns, capacity building of district coordination committees (DCCs) and local peace committees (LPCs), support to conflict affected women, and dissemination of information on the NAP at the local level. Similarly, an 8-member Implementation Committee and a 14-member District Coordination Committee have been formed, where the number of CSOs involved is 1 and 4, respectively.

Another important development in terms of CSO involvement in official committees and initiatives for the implementation on the NAP is the adoption of the 2013 NAP Localization Guideline.

practice of participatory/inclusive policy making processes. The monitoring reports have set precedence at national and international levels. Moreover, the 2011 report marks the first time the government and CSOs jointly carried out the monitoring.

Table 5.1: Number and Percentage of CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

Committees	Total number of task force members	No. of CSOs	Percentage of CSOs	Remarks
High level Steering Committee (HLSC)	25	11	44	The Committee may, as required, invite to its meeting the Chief of UN Women in Nepal; the representative/s of the Peace Support Working Group (PSWG), ^{ix} the Resident Representative of the UNDP for Nepal and other experts on related subjects
Implementation Committee	8	0	0	The Committee involves a representative from UN Women. The Committee shall invite the representatives of the MoFA to its meetings as an invitee member while representatives of donor organizations as specified by the HLSC may be included in the Committee as observers
District Coordination Committee (DCC)	14	4 (2 conflict affected women, 2 NGO representatives)	28.57	The Committee may invite representatives of donor agencies based in the district providing support for the NAP implementation as observers as well as representatives of other offices in the district as seen necessary
Total	47	16	34.04	

Source: National Action Plan on the Implementation of UNSCRs 1325 and 1820, 2011

The involvement of CSOs in the committees for the NAP implementation does signify the state's recognition of the invaluable contribution CSOs made in the NAP development process, as well as in ensuring the NAP's full and effective implementation. It is also the reflection of an effort to ensure CSOs' ownership, commitment and accountability towards implementation.

Some CSOs were also engaged in monitoring the NAP implementation status and developed a monitoring report in 2011 and 2012. Undertaken by the Ministry of Peace and Reconstruction (MoPR) in collaboration with CSOs, the monitoring report holds significance in terms of assessing the current NAP implementation status. This report is another indication of continued collaboration and partnership between the government and civil society organizations that began during the development of the NAP, which is taken as an exemplary

Another important development in terms of CSO involvement in official committees and initiatives for the implementation on the NAP is the adoption of the 2013 NAP Localization Guideline. The Guideline was developed following the implementation of a CSO-led Localization initiative, which aims to ensure local ownership of the WPS resolutions and the NAP in communities most affected by conflict and to guarantee implementation of the NAP on the ground. The Localization of the NAP entails enhancing the capacities of district and village level authorities to integrate the NAP into community development plans and policies. Based on the feedback of the participants in Localization workshops in Nepal, the Localization Guideline is meant to guide local officials in the integration of relevant NAP provisions into local development plans. It was developed through collaboration between the Ministry of Peace and Reconstruction (MoPR), the Ministry of Federal Affairs and Local Development (MoFALD), Saathi, a CSO member of the HLSC and the international CSO,

the Global Network of Women Peacebuilders (GNWP). The Government of Nepal adopted the Localization Guideline in February 2013, while it was officially launched at a ceremony in May 2013 amidst the presence of high level government officials, civil society representatives, representatives from international development partners including UN Agencies, and concerned local stakeholders from 10 districts and 18 VDCs. The program was successful in bringing together more than 120 local and national stakeholders and generating strong commitment from them for the implementation of the NAP and the Localization Guideline.

B. Prevention and protection

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized

Sexual and gender based violence is a major human rights violation in Nepal. The situation was further aggravated during the decade-long armed conflict.¹² Women and girls were subjected to different forms of SGBV, including rape, from both the state and the non-state actors. Despite the widespread occurrence of sexual violence during the conflict, documentation and reporting of sexual violence remains scarce. Underreporting could be explained by stigma and a general culture of silence attached to SGBV in Nepal, as SGBV is a socio-cultural taboo. This culture of silence is reinforced by a lack of support mechanisms for the victims, fear of retaliation and, most importantly, impunity. Perpetrators often enjoy political protection, and cases involving sexual violence during the conflict have yet to be prosecuted. Research¹³ on sexual violence during the Nepal conflict conducted by the NGO Institute of Human Rights Communication, Nepal (IHRICON) indicates that even in cases of reported incidences, real investigation was rarely undertaken while in most cases, victims who filed complaints were given money to withdraw their complaints.

To date, no nation-wide extensive research has been undertaken to gather data on SGBV during the conflict as in other forms of

human rights violations. The limited research that has been carried out does not give a representative quantitative picture. Rather, it only offers qualitative insight and is mostly focused on forms and patterns of sexual violence. As for the forms and patterns of sexual violence during the conflict, women and girls were subjected to rape, attempted rape, gang-rape, forced sexual relations, forced and unsafe abortions, forced nudity, unlawful killings following brutal sexual violence, etc. The majority of SGBV was committed during search operations, interrogation, detention, custody, and in course of daily livelihood activities outside of the home. During the conflict in Nepal, women and girls, particularly below 18 years of age, who lived near army barracks and in the Maoists areas, were most vulnerable to sexual violence.

With the adoption of Security Council Resolution 2601 on sexual violence in June 2013, there has been increasing attention to prevention, protection and prosecution of sexual violence during the conflict. However, a major challenge lies ahead in documentation and identification of conflict-time SGBV cases in the absence of support systems and legal redress. Furthermore, the existing legal frameworks are not adequate to address SGBV. For example, rape has been very narrowly defined in Nepal Civil Code, Chapter 14. The definition of rape does not cover penetration other than by sexual organ, such as penetration by object and other forms of sex, such as oral sex. In the absence of a TRC, there is no guarantee that real investigation will be undertaken and given the statute of limitation of 35 days to file complaints of sexual violence, including rape. There is little chance that perpetrators can be brought to justice. Furthermore, the victims of SGBV have not been covered by the interim relief program, under which the government has been offering financial assistance in different categories of conflict affectedness.

Indicator 7 – Number and quality of gender-responsive laws and policies

The Government of Nepal (GoN) has adopted numerous gender responsive laws, policies and plans of action. Some of the significant ones are the following:

Table 7.1: Gender responsive laws, plans and policies	
Year	Laws, Policies and Plans
2013	<p>The Ministry of Women, Children and Social Welfare has enforced Single Women Security Fund (Operation) Regulation 2013 on 28th June 2013. The government has allocated 30 Million for the fund, which will be used mainly for education, economic empowerment, medical treatment, legal aid, relief and rehabilitation of single women.</p> <p>National Action Plan on Implementation of United Nations Security Council Resolutions 1325 & 1820 and Localization Guideline to support effective implementation of the NAP by integrating NAP activities into local development plans.</p>

12 In Nepal, there is no country specific definition of—and difference between—gender based violence (GBV) and sexual and gender based violence (SGBV) but the majority of government documents/plans/policies speak of GBV, and not SGBV, though GBV includes sexual violence.

13 Institute of Human Rights Communication, Nepal (IHRICON), Sexual Violence in the “People’s War”: The Impact of Armed Conflict on Women and Girl in Nepal” (Kathmandu: IHRICON, 2007) p.31.

2012	<p>Adoption of a five-year National Strategy and Action Plan (NSAP) on combating Gender Based Violence (SGBV) (2012-2016)</p> <p>Introduction of a provision of camera hearing in court with regard to SGBV cases.</p> <p>Initiation of using code numbers to ensure privacy and confidentiality of survivors while registering SGBV cases.</p> <p>Issuance of directive order to establish a fast track court and to extend the statute of limitations of 35 days to file the cases of rape by the Supreme Court</p> <p>Establishment of a hospital-based One-Stop Crisis Management Centre (OCMC) in 8 districts: Makwanpur, Baridya, Kanchanpur, Doti, Baglung, Panchthar, Sunsari and Kathmandu. The OCMCs are based in district/zonal/regional hospitals and aim to provide SGBV survivors holistic care and effective support services such as medical treatment, shelter, psychosocial counseling, legal advice and referral services all in one place. The GoN plans to establish similar centers in 8 other districts, namely, Kavre, Solukhumbu, Sarlahi, Tanahu, Nawalparasi, Jumla, Saptari and Dang.</p> <p>National Plan of Action against Human Trafficking, especially in Women and Girls.</p> <p>Development of Standard Operating Procedures for Rehabilitation Homes* as per the Human Trafficking Act, 2007 which decrees that the GoN must take initiatives to address the rescue, repatriation, rehabilitation and reintegration of trafficking survivors.</p> <p>Lifting of age bar on widow allowance to be provided by the GoN.</p> <p>Inclusion of single women issue in the national census data.</p>
2011	<p>Adoption of National Action Plan on Implementation of United Nations Security Council Resolutions (UNSCRs) 1325 and 1820.</p>
2010	<p>Three Year Interim Plan (2007-2010) of the Government of Nepal, identifying putting an end to SGBV as its key objective;</p> <p>The Three Year Plan Approach Paper (2010/11-2012/13), with the objective of establishing lasting peace in the country by providing relief and reparation to the conflict-affected people;</p> <p>The Three Year Human Rights National Action Plan (2010/11-2012/13), making significant provisions for the rights of women and children.</p> <p>Declaration of 2010 as the Year against SGBV</p> <p>Some achievements entailed include the following:</p> <ul style="list-style-type: none"> • Passage of Domestic Violence (Crime and Punishment) Act (2009) Regulation (2010); • Establishment of SGBV Elimination Fund; • Allocation of \$US 266,667.00 for disbursement in all districts to establish OCMCs in 8 district hospitals; • Establishment of Rehabilitation Centres in 8 districts^{vi} for trafficked survivors; • Formation and implementation of several codes of conduct such as the SOP for Rehabilitation Homes; • Formation of important mechanisms as such Inter-ministerial committee for the formulation of NAP against gender-based violence SGBV led by Chief Secretary, advisory group; • Formation of SGBV complaints management and monitoring unit within the Office of the Prime Minister and Council of Ministers (OPMCM); • Adoption of the National Plan of Action against SGBV 2010, focusing on prosecution, protection and prevention, highlights the need for a special commission to investigate cases of violence against women.
2009	<p>The Domestic Violence (Crime and Punishment) Act defining physical, mental, sexual, economical as well as behavioral violence as domestic violence.</p> <p>The Supreme Court issues orders prohibiting malpractices that contribute to SGBV.</p> <p>Tenth Five Year Plan includes gender and human rights as crosscutting sectoral issues.</p> <p>Gender Focal Points established in sectoral ministries and Task Forces at central and district levels to check trafficking.</p> <p>Adoption of policy representation of 33 percent women in government and political sectors.</p> <p>Issuance of the Procedural Conditions for the formation of Local Peace Committees (LPCs). The LPCs' Terms of Reference states at least one-third of the total members of the LPCs constituted at local level should be women, to ensure that their voices and concerns relating to protection from SGBV are addressed.</p>

2008	Provision for addressing women's security in the National Women's Commission Act, 2008 Passage of Human Trafficking and Transportation Control Act (2007) Regulation (2008)
2007	The Interim Constitution of Nepal prohibits physical, mental or any other form of violence against women. Women's reproductive rights are recognized as fundamental rights. The adoption of policy representation of 33 percent women in the Interim Constitution 2007. The Three Year Interim Plan (2007-2010) identifies the end of SGBV as a key objective. The Human Trafficking and Transportation Control Act (2007) and Regulation (2008), extending the definition of trafficking to include offense of transportation for trafficking purposes. The new Act affords support and care for victims.
2006	The CPA includes a prohibitory provision on SGBV to be abided by both parties to the agreement. Gender Equality Act repeals and amends 56 discriminatory provisions of various previous Acts and incorporates provisions to ensure women's rights.

Despite the proliferation of gender-responsive laws, plans and policies, there remains a major gap between the laws/policies and their actual implementation. For example, the Three Year Plan Approach Paper (2010/11-2012/13) aims to establish lasting peace in the country by providing relief and reparation to conflict-affected people. Yet, SGBV victims during the Nepal conflict have not been covered by the interim relief program under which the government has been offering financial assistance in different categories of conflict affectedness. Similarly, the Supreme Court (SC) has issued the directive order to extend the statute of limitations of 35 days to file cases of sexual violence including rape, yet the government has not implemented the verdict. The statute of limitations poses a major hindrance in seeking legal redress for sexual violence victims. Moreover, as previously mentioned, rape has been very narrowly defined in Nepal Civil Code, Chapter 14.

Despite a number of laws/policies on combating SGBV, the SGBV victims are unable to speak up against the violence given the lack of a gender friendly environment, a separate space for dealing with SGBV cases in the police, gender-sensitive service providers, female police, and doctors. Deeply entrenched patriarchal norms/values of law enforcement agencies do not consider domestic violence as a serious crime. Thus the majority of domestic violence (DV) cases are settled through mediation. Similarly, despite the recognition of the equal rights for men and women to transfer their citizenship to their children on the basis of descent in the Interim Constitution 2007 and also the Supreme Court decision in this regard, women are still unable to pass on Nepali citizenship to their children due to lack of clarity in legal and administrative procedures.

Plans and policies aside, even the implementation of the Supreme Court's verdicts on Public Interest Litigation (PIL) remains poor. The annual report prepared by the verdict implementation directorate of the SC shows that only 6 percent of the verdicts on PIL were implemented by the government in 2012/13.¹⁴ The table below shows the implementation status of verdicts issued by the SC on PIL.

Table 7.2: Implementation Status of Supreme Court Verdicts on Public Interest Litigation in FY 2011/12 - 2012/13

Orders	No. of Verdicts on PIL issued by the SC	No. of Verdicts Implemented by the government	Remarks
Directive Orders	165	11	In the FY 2011/12
Mandamuses	122	28	In the FY 2012/13
Certioraris	29	8	In the FY 2012/13
Writ Petitions	119	22	In the FY 2012/13

Source: República, an English National Daily, August 26, 2013

Indicator 8 – Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

The *Commission on Investigation of Disappeared Persons, Truth and Reconciliation Ordinance – 2013* is currently under the suspension following the stay order issued by the Supreme Court on April 1, 2013. The suspension is due to controversy around the Ordinance, since it contained amnesty provision even for cases of gross human rights violations, thus failing to comply with International Obligations. The *Commission on Investigation of Disappeared Persons, Truth and Reconciliation Ordinance – 2013* has received vehement criticism from all the sectors, including civil society, national, international human rights organizations, UN agencies, the diplomatic community and those affected by conflict. The main concerns raised were that the Ordinance contains a legal provision that grants power to the Commission to recommend amnesties even for gross human rights violation, which does not comply with Nepal's international legal obligations to investigate gross violation of human rights,

¹⁴ Gani Ansari, "Implementation of SC verdicts on PIL poor," República, August 26, 2013, 1.

and to prosecute and penalize the perpetrators when found guilty. In addition, the Ordinance grants the Commission with full authority over reconciliation, while it should be a matter of consent of the parties involved. Moreover, the Ordinance does not ensure a fully independent, impartial Commission essential to win victims' trust and confidence.

Aside from criticism over amnesties, the adoption of Ordinance did not entail any consultations with civil society, conflict affected people, or human rights organizations. Instead, the Ordinance was adopted through a joint decision of the four major political parties. In fact, the final version of the Ordinance was not shared publicly. Even the National Human Rights Commission claimed to have been denied access to the final version of the Ordinance. Therefore, criticism of the Ordinance is based on unofficial and informally retrieved copies. However, it is significant that during the drafting process of the Bill, public consultations were held on the draft with civil society and victim groups. Based on a version of the Ordinance retrieved and commented on by the UN Office of the High Commissioner on Human Rights, the Ordinance does contain an article on the minimum inclusion of women in the Ordinance's commission: Article 3(1) states that the Commission shall comprise of "five members, with minimum one woman."¹⁵

The establishment of a Truth and Reconciliation Commission, as envisaged in the CPA and in the Interim Constitution, would constitute a major achievement in terms of transitional justice mechanisms. However, mere establishment of a TRC that is for political expediency and does not address the victims' concerns and rights and lacks national ownership does not guarantee truth and justice.

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

Since fiscal year (FY) 2008/09, a total of 62,747 individuals have received compensation as indicated in the table below. Though the actual number of female recipients for this fiscal year could not be obtained due to the lack of gender disaggregated data, previous years' data shows that women constitute quite a low number of recipients in all categories, except under the category

of family of deceased. The reasons behind the low number of women recipients in other categories include: lack of women's access and control over ancestral property; lack of official documents such as identity cards, citizenship, marriage and birth certificates; ignorance of procedures; restrictions on mobility; and most importantly, lack of information on relief programs. As the information is disseminated through local governance structures such as LPC, VDC and municipalities via notice, only those living near these offices are likely to get the information. Moreover, illiterate victims are unable to read the information provided in written form and are unable to fill in necessary application forms. Regarding the high number of women recipients in the family of deceased category, this is due to the wife being the immediate beneficiary.

Though the Interim Relief program was not adequate enough to enable the victims to develop sustainable means of livelihood as intended, it did help them address their basic immediate needs and get released from their debt to some degree. However, there has been a social impact on the recipients, particularly female recipients whose husbands were killed. They were accused of profiting from their deceased husbands, while many of them felt guilty for receiving "blood money." During a regional consultation with conflict-affected women and girls in Banke in 2010, a participant in the consultation shared: "I cried the whole night the day I took a check of a hundred thousand rupees for my disappeared husband."

In Nepal, a sustainable, viable peace is not possible without reparations. It is important to distinguish between compensation and reparation. Reparation has a key element as "...satisfaction and guarantees of non-repetition include such individual and collective elements as revelation of truth, public acknowledgement of the facts and acceptance of responsibility, prosecution of perpetrators, search for disappeared and identification of remains, the restoration of the dignity of victims through commemoration and other means, activities aimed at remembrance and education and at prevention the recurrence of similar crimes."¹⁶ It is particularly important that all of these elements of reparation be implemented, to heal women's wounds, address their pain and suffering, and enable them to recover fully physically, psychologically, as well as spiritually.

¹⁵ The United Nations Office of the High Commissioner for Human Rights (OHCHR), *Comments on the Nepal "Commission on Investigation of Disappeared Persons, Truth and Reconciliation Ordinance – 2069 (2013)*, Geneva: OHCHR, 3 April 2013, p. 8.

¹⁶ "What is reparation?" accessed August 20, 2013 <http://www.redress.org/what-is-reparation/what-is-reparation>

Table: 9.1: Details of Relief Distributed to Conflict Affected till FY 2012/13

S.No.	Types of Conflict Affected and Kind of Relief	Total number of Recipients to receive relief	Expenditure in FY 2012/13		Progress (Expenditures from FY 2008/09 to FY 2012/13)		Remaining people to be provided relief	Remarks
			Number of recipients	Amount in USD	Number of recipients	Amount in USD		
1.	Kin of Deceased (@SUSD 1,111.12)	17,886	0	0	0	0	0	
2.	Widow of Civilians who died in the conflict (@ SUSD 277.78)	9,000	0	0	0	0	0	
3.	Family of Disappeared (@ SUSD 1,111.12)	1,530	42	46,666.66	1,528	1,697,777.77	2	
4.	Displaced	79,571	0	0	25,000	2,668,266.66	54,571	
5.	Property Loss	17,484	1,045	721,577.77	9,045	3,597,111.11	8,439	
6.	Handicapped (as per the percentage of injury)	8,191	2,996	1,118,844.44	7,996	4,109,644.44	195	
7.	Abducted (@ SUSD 277.78)	3,142	905	251,388.88	3,405	945,833.33	-263	Due to Amount Freeze
8.	Allowance to Martyr's Family (Historic People's Movement II)	26	26	21,493.33	26	102,804.44	0	To be given on regular basis
9.	Monthly Allowance to those who sustained injury of 50percent+ during Historic People's Movement II	30	30	22,160	30	94,526.66	0	To be given on regular basis
10.	Scholarship for children of those who sustained injury during the Historic People's Movement II	34	34	5,344.44	34	25,866.66	0	To be given on regular basis
11.	Disabled during Historic People's Movement II	3,984	0	0	3,216	451,633.33	768	
12.	Livelihood Allowance to handicapped (51 percent+) ^{xiii}	744	736	684,011.11	736	937,522.22	8	To be given on regular basis
13.	Children who lost both the parents	620	522	371,222.22	522	615,000	98	To be given on regular basis
14.	Kin of those died after the signing of CPA	110	2	3,388.88	58	96,722.22	52	
15.	Special relief							
a.	Additional SUSD 2,222.23 to Kin of Deceased	12,000	0		8,939	19,877,400	3,061	From Relief and Recovery Unit Only
b.	Additional SUSD 2,222.23 to kin of Disappeared	1,530	243	54,000	1,530	3,400,000	0	
c.	Additional SUSD 277.78 (at once) to Wife of Disappeared	1,000	111	3,083.33	611	169,722.22	389	
16.	As per the recommendation of NHRC		63	99,477.77	71	110,033.33		To be distributed as per the recommendation
Total			6,755	3,917,522.22	62,747	38,899,866.66		

Source: http://www.rahat.gov.np/uploads/4330_File_Ashad1.pdf, August 2013

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Nepal Army

Table 10.1: Number of Army Personnel receiving on UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Details	2010	2011	2012	2013	Total
Number of Army Personnel receiving training on UNSCR 1325 and 1820	26	541	338	179	1,084
Number of Army Personnel receiving training on Human Rights and Law of Armed Conflict	282	493	114	157	1,046

Since 2010, the Nepal Army has been providing training on International Humanitarian Law and UNSCRs 1325 and 1820. There are 12 trainings per year altogether. From 2010 to date, a total of 1,084 army personnel have received two days training on UNSCRs 1325 and 1820. Moreover, a set of six basic and advanced training manuals have been developed on gender equality and UNSCRs 1325 and 1820, targeting Army personnel at different levels: recruits, Company Commander and Staff College (CCSC), Cadet, Junior Commissioned Officers, Non-commissioned officers, peacekeepers, and young officers. While there have been more trainings incorporating UNSCRs 1325 and 1820, International Humanitarian Law and other International Human Rights Instruments compared to previous years, the quality of the trainings and its impact have yet to be assessed. However, the incorporation of gender issues in the Army Syllabus,

the increase in number of women in peacekeeping missions, and the Army's efforts to sensitize its personnel from the very initial stage of recruiting can be taken as some positive initiatives toward building a gender responsive Nepal Army.

Nepal Police

Nepal police did not provide any data/information.

Armed Police Force

In 2013, 16,087 Armed Police Force personnel of different ranks received the training on International Human Rights Instruments, UNSCR 1325 and 1820, Sexual and Gender Based Violence, Human Rights, Gender Equality, Gender Justice, etc.

Below is the data on the training participants from different ranks.

Table 10.2: Details of Participants of the training on SGBV, Human Rights, Gender Equality, Gender Justice, International Human Rights Instruments and International Humanitarian Law

S.N.	Name of Unit	SP	DSP	Insp.	SSI	SI	ASI	SHC (Senior Head Constable)	Head Constable	AHC	Constable	Followers	Total
1.	APF Headquarter	5	7	25	0	30	35	4	10	7	9	0	132
2.	APF Metropolitan Office	0	6	70	2	184	279	383	601	788	2,265	0	4,578
3.	Baraha Brigade	0	0	25	1	82	111	232	270	463	1,051	0	2,235
4.	Rudra Brigade	0	2	34	0	98	175	304	383	655	1,507	39	3,197

5.	Muktinath Brigade	0	11	30	3	83	103	126	171	252	473	28	1,280
6.	Mashewori Brigade	0	1	22	2	65	85	154	234	355	689	20	1,627
7.	Baiddahanath Brigade	0	12	41	0	109	159	264	404	715	1,334	0	3,038
Total		5	39	247	8	651	947	1,467	2,073	3,235	7,328	87	16,087

Comparative data of 2010 to 2013 as shown in the table below indicates a significant increase in the number of personnel receiving training on UNSCRs 1325 and 1820.

Table 10.3: Number of Personnel receiving training on UNSCRs 1325 and 1820

Training Details	2010	2011	2012	2013
Number of Personnel receiving training on UNSCRs 1325 and 1820	4	7	425	1,074

It is encouraging to see the increasing number of security force personnel receiving training on SGBV, international human rights instruments, international humanitarian law, human rights, gender justice, gender equality, and UNSCRs 1325 and 1820. It does indeed indicate a positive step towards making the security sector gender responsive and gender sensitive. However, it is necessary to assess the effectiveness of the training. There should be regular follow-ups and monitoring beyond the training to see

how gender sensitive they actually are in practice.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

The gender responsive budget was officially introduced in Nepal in FY 2007/2008. Since then, the government budget of all ministries, commissions and committees are categorized under directly gender responsive, indirectly gender responsive, and neutral. The table below shows gradual increase in allocation of gender responsive budget over the years. However, it remains very nominal and requires greater affirmative action. Moreover, allocation of funds alone does not ensure timely dispersal and proper usage of funds. Many times in different forums, women have complained of the bureaucratic hassle to access funds, and of instances when funds have been used for other purposes such as road construction, which was justified by stating that women also use roads.

Table 11.1: Percentage of Gender Responsive Classification of National Budget^{xiii}

S.N.	GRB Classification	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13*	2013/14
1.	Directly Responsive	11.3	13.9	17.3	17.9	19.05	-	21.75
2.	Indirectly Responsive	33.2	35.4	36.4	36.3	45.7	-	43.94
3.	Neutral	55.5	50.6	46.3	45.7	35.1	-	34.31

*The government did not bring a new budget for FY 2011/12. It simply extended that of the previous year.

The incorporation of gender issues in the Army Syllabus, the increase in number of women in peacekeeping missions, and the Army's efforts to sensitize its personnel from the very initial stage of recruiting can be taken as some positive initiatives toward building a gender responsive Nepal Army.

Nepal Peace Trust Fund (NPTF), established in 2007, is a joint initiative of the GoN and donor agencies (namely Denmark, European Union, Finland, Germany, Norway, Switzerland, United Kingdom and United States of America) aimed at supporting the implementation of the Comprehensive Peace Accord and subsequent peace agreements. So far, a total of 218,974,777.80 USD has been funded for 62 different projects under the 4 major thematic areas, namely: Cantonment Management; Integration/ Rehabilitation of Combatants, Conflict Affected Persons and Communities; Security and Transitional Justice; and Constituent Assembly and Peace Building Initiatives in National and Local Levels.¹⁷ So far, the projects have been implemented by different government agencies, which include: the Ministry of Peace and Reconstruction (MoPR), Ministry of Health and Population (MoHP), the Ministry of Women, Children and Social Welfare (MoWCSW), the Ministry of Home Affairs (MoHA), the Non-Formal Education Centre (NFEC), the Nepal Police, the National

17 Please see Annex.

Women Commission (NWC), Nepal Television (NTV), Radio Nepal (RN), and the Election Commission of Nepal (ECN).

Recently, the NPTF has opened access to civil society organizations as a pilot initiative “Peace fund for Non-government Actors (NGA).” Under this initiative, NPTF has allocated 888,888.90 USD for NGOs. However, the selection process of NGOs was not transparent. Instead, it was based on a perception survey. However, after the 1325 Action Group—an alliance of NGOs, and networks working on WPS—raised their concerns, NPTF expressed its commitment to follow a consultative process for the next phase of the project. Currently, NPTF is in the process of reviewing the concept notes submitted by eight select NGOs.

As for gender mainstreaming and social inclusion in the NPTF projects, an External Monitoring carried out in five districts to assess the effectiveness of the projects indicates that significant efforts have been made to increase participation of women and socially excluded and marginalized groups in most project activities. However, their access to decision making remains poor. Similarly, from a conflict sensitivity and project effectiveness perspective, the design and implementation of NPTF projects lack enough attention in addressing the root causes of the conflict.

Although data on marked funds allocated and disbursed for women, peace and security programs to CSOs is limited, there has been increased attention and interest regarding the WPS agenda among funding agencies since the adoption of Nepal's National Action Plan on 1325 and 1820 in December 2011. The majority of recipients are women's rights organizations, such as Saathi, and alliances working specifically on WPS. Their programs focus primarily on Orientation, Information, and Awareness Raising on the relevance and significance of UNSCRs 1325 & 1820 in the context of Nepal, as well as on the relevance of the National Action Plan and the importance of monitoring and advocacy for the effective implementation of UNSCR 1325. A detailed breakdown of CSO budgets allocated to WPS issues is not available.

While an exhaustive list of the major funders of WPS programs in Nepal is not available, funding agencies and supporting organizations on WPS include Peace Support Working Group, Care Nepal, GNWP, USAID, and the European Union, among many others.

Civil Society Organizations

Table 11.2: Allocated and disbursed funding marked for women, peace and security (WPS) programs to Saathi for FY 2012/13

Funding Agency	Purpose	Funding Amount ^{xiv}
Global Network of Women Peacebuilders (GNWP)	Civil Society Monitoring on 1325, NAP Localization Guideline Development, Launch and Orientation, 1325 Radio and TV PSA (Public Service Announcement) Production and Dissemination etc.	188,686.88
Open Society Foundation (OSF)	1325 National Action Plan Monitoring	24,937.00
Care Nepal	1325 National Action Plan (NAP) Monitoring, Orientation and Training of Trainers (ToT) on NAP Localization Guideline	13,178.82

III. Conclusion and recommendations

Conclusion

The Constitution Assembly (CA) was formally dissolved on May 27, 2012, following its failure to promulgate a new constitution. The date for a second Constituent Assembly has been announced for November 14, 2013. Major political forces are having dialogue with the dissident groups in an effort to bring them on board the election process. So far the talks have been futile, with dissident groups demanding a postponing of the poll date while the HLPC has dismissed the demand. In the midst of doubts and debate on deferring the poll date, the country is preparing for the election.

Participation

While the issue of proportionate representation of women (51.44 percent as per Census 2011) is gaining momentum, the state is unable to achieve even 33 percent representation as ensured in the Interim Constitution, aside from the now-dissolved CA. Acute gender imbalance continues to prevail in all state machineries and other decision making bodies. Women have negligible representation in governance, bureaucracy, legislative, judiciary, and security sectors. All these sectors remain dominated by men. Moreover, women have remained virtually absent in all the ongoing political talks and negotiations.

In order to address existing gender inequalities in male dominated areas, it is essential to introduce as well as give continuity to affirmative laws, plans, policies and action.

While women's absence from decision making roles can be attributed to gender inequality as both a cause and a consequence, women's mere presence alone does not ensure meaningful participation and representation of women's concerns. However, women's exclusion from decision making positions has significant consequences in the extent to which issues of concern to them are addressed; on the level of access to resources, rights, and entitlements; and on the level integration of gender perspective in all development plans and policies.

In order to address existing gender inequalities in male dominated areas, it is essential to introduce as well as give continuity to affirmative laws, plans, policies and action. It is equally important to ensure strong enforcement of those laws/plans/policies and to strengthen women's leadership potential and meaningful participation in peace processes and decision making. Women's participation in decision making cannot be achieved without promoting women's political participation. Building women's capabilities to influence decision making and promoting their political participation are essential for achieving gender equality in politics. Furthermore, the predominant patriarchal mindset must be transformed. Moreover, all political parties should address gender disparity within their parties and be committed to promote women's political participation not only in words but also in action. What's more, the agenda of promoting gender equality should not only be limited to election periods, but should also be a permanent agenda.

Protection and Prevention

Despite the widespread occurrence of SGBV during the Nepal conflict, documentation and reporting remain scarce. No nationwide research has been carried out so far to gather data on SGBV during the conflict. The research undertaken has focused on forms and patterns of violence. Cases of rape and sexual violence are generally not reported due to social stigma surrounding them. This culture of silence is further reinforced by various factors, such as the prevalence of a culture of impunity, the lack of legal redress, the 35 days statute of limit on filing cases on rape and sexual violence, the lack of confidence in getting justice, the lack of support systems, etc. Over the past few years, there has been a proliferation of gender-responsive laws, plans and policies to promote gender equality and address SGBV. The government has adopted a five year National Actions and Strategy Plan to combat SGBV. With the adoption of new a Security Council Resolution on Sexual Violence in conflict time in June 2013, there has been increasing attention to SGBV during the conflict from the donor community. However, identification of the SGBV victims and data

collection remains a huge challenge in the absence of investigation and prosecution mechanisms.

SGBV victims are excluded from economic assistance that the government has been offering to conflict affected people under several categories through an Interim Relief Program. SGBV victims continue to suffer and are deprived of justice. Nepal's TRC Ordinance is currently stalled as a result of the interim order against the ordinance by the Supreme Court. The interim order was issued after the petitions filed by conflict-affected women and a group of lawyers, for its failure to comply with Nepal's International Legal Obligations. The ordinance contains amnesty provision even for cases of gross human rights violation.

Promotion

There have also been efforts to promote a gender perspective in the security sector, and to make the security sector more gender-responsive and sensitive. The adoption of a gender policy to create gender-friendly environments within the institution is one of the initiatives towards promoting women's participation in the Nepal Police. Moreover, the Nepal Police aims to have 10 percent women by 2018, while currently, women constitute only 5.31 percent of the police force. Similarly, there have been increasing trainings on UNSCRs 1325 and 1820, gender equality, and SGBV in all of the security forces. The Nepal Army has developed a set of six different training manuals on UNSCRs 1325 and 1820, targeting army personnel at different levels.

As for the funding for WPS issues, there has been an increase in gender responsive budgeting and through the Nepal Peace Trust Fund (NPTF); different programs through ministries and government agencies have been implemented. Just recently, NPTF has opened access to civil society as a pilot initiative of NGO engagement.

Recommendations

To government

- ▶ Ensure equal and quality representation of women in all the peace building efforts and at all levels in all state machineries, particularly in decision making positions.
- ▶ Make it mandatory for all political parties to ensure at least 33 percent women's representation in their central committees, in order to promote their political participation.
- ▶ Promote women's leadership potential through capacity building programs.
- ▶ Collect data on SGBV committed during the conflict; extend the existing 35 days' statute of limitation on filing cases of rape and sexual violence; strengthen efforts to end the culture of impunity prevalent with regard to SGBV, ensure investigation, prosecution and penalization if found guilty to SGBV cases; and ensure free medical, legal, psychosocial economic support for survivors of sexual violence.

- ▶ Revise the TRC Ordinance to ensure an impartial, competent and independent Commission that is in full compliance with Nepal's International Legal Obligations.
- ▶ Ensure effective implementation of gender responsive laws, plans, and policies.
- ▶ Maintain gender-disaggregated data.

To the UN and donor communities

- ▶ Give utmost importance to gender analysis while planning and determining resources, priorities, and allocations.
- ▶ Promote women as active agents in all the peacekeeping and peacebuilding processes.
- ▶ Provide adequate and equitable funding to ensure women's social, economic and political empowerment at all levels and to secure the protection and prevention of violence against women.

To civil society

- ▶ Monitor, advocate, and support the full and effective implementation of gender-responsive laws, plans and policies including National Action Plan on UNSCRs 1325 and 1820.
- ▶ Continue to play a bridging role between policy formulation/development in the central level and implementation and action on the ground.

Table Footnotes:

- i *Ministry of General Administration, August 2010*
- ii *Ministry of General Administration, August 2011*
- iii *Ministry of General Administration, August 2012*
- iv *The Himalayan Times, Tuesday, July 30, 2013, "Women underrepresented in Judiciary, Army"*
- v Source for 2012 data: Email exchange with Samjhana Kachhyapati from Saathi, on October 28, 2013.
- vi <http://www.supremecourt.gov.np/main.php?d=justices&f=default>
- vii Source: <http://www.judicialcouncil.gov.np/Notice.aspx?type=sidebar&title=Notice>
- viii Source: <http://attorneygeneral.gov.np/index.php?link=organizational>, August 2013
- ix PSWG is a consortium of bi-lateral, multilateral donor agencies, UN Agencies, diplomatic missions, INGOs formed to facilitate the peace process of Nepal, particularly, to implement 1325, 1820
- x MoWCSW was supported in the SOP development by The Asia Foundation, which is focusing on policy implementation through the CTIP. Technical support is provided by the Trans Cultural Psycho-Social Organization. A committee comprising of NGOs running shelters and government agencies were involved in this process.
- xi Established in 2009, the Rehabilitation Centres are financially supported by the GoN and managed by CSOs in: Kathmandu: managed by ABC Nepal; Sindhupalchowk district: managed by Gramin Mahila Srijanshil Paraivar; Kailali district: Srijanshil Samaj; Jhapa, Birgunj and Rupandehi districts; MaitiNepal; and Banke district: managed by Saathi; and Chitwan district: managed by Aadarsh NariParopakar Kendra.
- xii This number refers to the percentage of the injury sustained. Different kinds of injuries to different parts of the body and the extent of the injury would be assigned a different percentage.
- xiii NNBN/SAATHI (2009) Keeping the Beijing Commitment Alive...Nepal NGO Report on Beijing+15. Kathmandu, Nepal.
- xiv These figures use the Exchange Rate 1 USD = 85 NPR.

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Annex: NPTF funded Projects

Name of the Cluster	Projects completed	Projects ongoing	Total Projects	Approved budget in mn NRS	in % of total	Projects in preparation
1. Cantonment Management, Integration/ Rehabilitation of Combatants	16	6	22	5,539.87	28.11%	0
2. Conflict Affected Persons and Communities	0	4	4	1,064.83	5.40%	0
3. Security and Transitional Justice	0	15	15	3,947.83	20.02%	6
4. Constituent Assembly and Peace Building Initiatives on National and Local Levels	9	12	21	9,155.20	46.45%	3
Total	25	37	62	19,707.73	100%	9

Detailed information on each funded project as per cluster:

Cluster 1: Cantonment Management and Rehabilitation of Combatants

No.	Title of Project (in order of approval)	Approved Budget (mn)	Status
0101	<u>Cantonment Access Roads</u>	355.84	Completed
0102	<u>Roads and Causeways</u>	40.00	Completed
0103	<u>Physical Infrastructure (houses, containers, etc.)</u>	59.28	Completed
0104	<u>Water supply</u>	37.98	Completed
0105	<u>Electricity</u>	35.00	Completed
0106	<u>Telephone</u>	3.00	Completed
0107	<u>Basic Needs Fulfillment in Cantonments</u>	3,229.49	Ongoing
0108	<u>Temporary Housing</u>	106.00	Completed
0109	<u>Temporary Cantonment Infrastructures</u>	138.26	Completed
0110	<u>Cantonment Health Management Programme (CHMP)</u>	37.98	Completed

0111	Emergency Health Management Programme	3.5	Completed
0112	CHMP Phase II	59.56	Completed
0113	CHMP- Extended to all Satellite Cantonments	28.25	Completed
0114	Installation of Toilet attached Biogas and Solar Systems	83.79	Completed
0115	CHMP Phase-III	83.79	Completed
0116	Cantonment Management Project	101.12	Completed
0117	Water Supply System in Cantonment	36.66	Ongoing
0118	All Weather Access Roads and Bridges	450.00	Ongoing
0119	CHMP Phase IV	108.00	Completed
0120	Establishment of Secretariat of Special Committee	110.00	Ongoing
0121	CHMP Phase V	4.41	Ongoing
0122	Rehabilitation of ex Maoist Army Combatants	4.41	Ongoing
Total for Cluster 1		5,539.87	

Cluster 2: Conflict Affected Persons and Communities

No.	Title of Project (in order of approval)	Approved Budget (mn)	Status
0201	Special Program for Rehabilitation of IDPs	371.6	Ongoing
0202	Rehabilitation Center for conflict affected (BPKIHS)	98.00	Ongoing
0203	Rehabilitation Center for conflict affected (NDF)	52.22	Ongoing
0204	Targeted Assistance for CAPs including Ex-Combatants with special needs.	544.60	Ongoing
Total for Cluster 2		1,064.83	

Cluster 3: Security and Transitional Justice

No.	Title of Project (in order of approval)	Approved Budget (mn)	Status
0301	Reconstruction of Police Units - Phase I	801.38	Ongoing
0302	Support to Mine Action	22.06	Ongoing
0303	Reconstruction of Police Units - Phase II	1,111.25	Ongoing
	Implementation of NAP on UNSCR 1325/1820	608.13	Ongoing
0304	Promoting Ownership for Women's Empowerment and Recovery (POWER)/ (MoPR)		
0305	Partnership on Women Empowerment and Representation (POWER)/(MoWCSW)		
0306	Enhancing Access to Justice for Women, Girls and Conflict Affected People (MoJJ)		
0307	Prevention, Protection and Recovery Programme (MoHA)		
0308	Enhancing Capacity of Conflict Affected Women and Girls for Employment and Enterprise Development (MoI)		
0309	Sensitizing Local Bodies & Key Local Stakeholders on NAP on UNSCRs 1325 & 1820 (MoFALD)		
0313	Promoting Women's Participation in Peacebuilding Process and Economic Opportunities (MoD)		
0314	Empowering Conflict Affected Women and Girls Through Literacy and Livelihood Skills (MoE)		
0315	Promoting Equal Participation of Women in Decision Making Positions and Peacebuilding Process (NWC)		
0310	Women friendly infrastructure development in Police	234.42	Ongoing
0311	Reconstruction of Police Units - Phase III	1,075.96	Ongoing
0312	Strengthening the Capacity and Mechanism of relevant State Institutions to Implement Human Rights Plan and Policies in Nepal		

Philippines

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List of acronyms

AECID	Spanish Agency for International Development Cooperation
AFP	Armed Forces of the Philippines
AFPPKOC	AFP Peacekeeping Operations Center
AR	Accomplishment Report
ARMM	Autonomous Region of Muslim Mindanao
BLMI	Bangsamoro Leadership and Management Institute
CAR	Cordillera Administrative Region
CARHRIHL	Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law
CBA-CPLA	Cordillera Bodong Administration-Cordillera People's Liberation Army
CEAP	Catholic Education Association of the Philippines
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CFPD	Cordillera Forum for Peace and Development
CHED	Commission on Higher Education
CHR	Commission on Human Rights
CLA	Common Legislative Agenda
COSERAM	Conflict Sensitive Resource and Asset Management
CPE	Center for Peace Education
CSO	Civil Society Organization
DepEd	Department of Education
DFA	Department Foreign Affairs
DILG	Department of Interior and Local Government
DND	Department of National Defense
DOJ	Department of Justice
DOTC	Department of Transportation and Communication
DSWD	Department of Social Welfare and Development
EO	Executive Order
FAB	Framework Agreement on the Bangsamoro
FEU	Far Eastern University
forumZFD	Forum Civil Peace Service
GAD	Gender and Development
GenPeace	Generation Peace Youth Network
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit
GPBs	Gender and Development Plans and Budget
GPH	Government of the Philippines
GUAs	General Headquarters, Unified Command, AFP-wide Service Support Units
HSF	Hanns Seidel Foundation
ICRC	International Committee on the Red Cross
IHL	International Humanitarian Law
ILO	International Labor Organization
IP	Indigenous Peoples

IPSP	Internal Peace and Security Plan
IRR	Implementing Rules and Regulations
J1	Office of the Deputy Chief of Staff for Personnel of the Armed Forces of the Philippines
JAGS	Judge Advocate General Service
JC	Joint Memorandum Circular
JEEPGY	Justice and Peace Education, Engaged Citizenship, Environment and Sustainable Development Education, Poverty Reduction, Gender and Development, and Youth Empowerment
JICA	Japan International Cooperation Agency
JICA	Japanese International Cooperation Agency
KPP	Kapatiran para sa Progresong Panlipunan
LEDAC	Legislative Executive Development Advisory Council
LGU	Local Government Unit
LRDMS	Learning Resource Development Management System
MC	Miriam College
MET	Monitoring, Evaluation, and Transparency
MILF	Moro Islamic Liberation Front
MINHRAC	Mindanao Human Rights Action Center
MINUSTAH	UN Stabilization Mission in Haiti
MNLF	Moro National Liberation Front
MOA	Memorandum of Agreement
NAP	National Action Plan
NASU	National Administrative Support Unit
NCIP	National Commission on Indigenous Peoples
NCMF	National Commission on Muslim Filipinos
NDDU	Notre Dame of Dadiangas
NDFP	National Democratic Front of the Philippines
NSC WPS	National Steering Committee on Women Peace and Security
OPAPP	Office of the Presidential Adviser on the Peace Process
OPAS	Office of Personnel and Administrative Services
PA	Philippine Army
PAPs	Programs, Activities and Projects
PCW	Philippine Commission on Women
PFT	Physical Fitness Test
PKO	Peacekeeping Operations
PMA	Philippine Military Academy
PN	Philippine Navy
PNP	Philippine National Police
PNPA	Philippine National Police Academy
PNU	Philippine Normal University

PRO	Police Regional Office
RA	Republic Act
RH	Reproductive Health
RPM-P/RPA/ABB	Rebolusyonaryong Partido ng Manggagawa ng Pilipinas/ Revolutionary Proletarian Army/Alex Boncayao Brigade
RSCGD	Regional Sub-Committee on Gender and Development
SEA	Sexual Exploitation and Abuse
SGBV	Sex and Gender Based Violence
SPCPD	Southern Philippines Council for Peace and Development
SSC	St. Scholastica's College
SU	Silliman University
TC	Transition Commission
TIP	Trafficking in Persons
UNCIMIC	UN Civil-Military Coordination Officer's Course
UNCMLOC	UN Civil-Military Liaison Officer Course
UNDOF	United Nations Disengagement Observer Force
UNICEF	United Nation's Children Fund
UNMIL	United Nations Mission in Liberia
UNOCI	United Nations Operations in Côte d'Ivoire
UP	University of the Philippines
VAWC	Violence Against Women and Children
WAC	Women's Auxiliary Corps
WCPD	Women and Children Protection Desk
WCPS	Women and Children Protection Services
WE Act 1325	Women Engaged in Action on 1325
WPLA	Women's Priority Legislative Agenda
WPS	Women, Peace and Security

I. Women, peace and security profile

A. Nature of the conflict

Armed conflict in the Philippines has endured since the early 1970s prompted by two main insurgent groups: the communist party and the Muslim separatist movement. Collectively known as the Communist People's Party – National People's Army – National Democratic Front, the leftist group endeavors to liberate the country from elite leadership and foreign oppression through armed struggle. The movement flourished during the administration of former President Ferdinand Marcos whose dictatorial regime was plagued with allegations of corruption and human rights violations. The Armed Forces of the Philippines (AFP) have estimated the members of the movement at 4,111.¹ Conversely, the Muslim separatist movement is rooted in the experience of cultural discrimination and oppression of the Moros, a group of indigenous Muslims residing in Mindanao, southern Philippines. The plight of the Moros was exacerbated by poor governance and widespread poverty in the region. Their armed uprising was instigated by the alleged massacre in 1968 of Moro recruits of the AFP as a result of their refusal to carry out their mission of reclaiming Sabah, Malaysia. Known as the Jabitah Massacre, the event led to the establishment of the Moro National Liberation Front (MNLF) and consequently, the Moro Islamic Liberation Front (MILF) which is currently the main group seeking for greater autonomy for the Bangsamoro.²

Several breakaway factions of these groups have also complicated the security situation and government strategies in addressing them. Apart from breakaway groups, terrorist activities and violence spurred by *rido* or clan wars have become major security concerns in the country. Arms proliferation has increased the number of private armies set up by warring political families and private corporations. According to the Philippine National Police (PNP) 68 out of 170 private armies recorded were active in 2012.³

Enduring armed conflicts aggravated by other security threats have resulted in insecurity, displacement and deaths in affected communities. At the national level, it has affected economic growth, worsened poverty and increased the development disparity between urban and rural areas. In Mindanao alone, about 150,000 people have been killed and 2 million people have been displaced since the war started with estimates of the cost of conflict reaching \$USD 3 billion.⁴

Currently, the Philippine Government continues talks with the various armed groups and seek peaceful settlement with the

parties. The current administration is steadfast in its pursuit for national peace and security through peaceful means. The government has strengthened its support to formal peace talks and has complimentary programs that address immediate needs of conflict-affected communities.

B. Impact of conflict on women

The experiences of women and girls during conflict situations are quite distinct. Women are likely to become victims of displacement, which makes them vulnerable to contracting illnesses, incurring psychological trauma and experiencing heightened sense of insecurity even in the confines of evacuation centers. These experiences are complicated by the economic and political roles they assume as a consequence of men taking part in the conflict, while women continue to perform their conventional roles and obligations for their families.

In spite of the negative impact of conflict to women's lives, there have been spaces of opportunity that have opened to women allowing them to contribute in rebuilding conflict-torn communities. Women organize and form cooperatives to support their economic activities. They seek ways to ensure their family members' safety and access to basic needs. Within their families, women settle minor disputes and ease tension in relationships, a role which has extended to the community where they also serve as mediators and conflict monitors.

Increased women's participation in peacebuilding can also be seen in the formal levels of the peace process. More and more women are involved in the peace process as negotiators, consultants, observers and legal staff. Last year, the first female chief negotiator was appointed by the government to lead talks with the MILF.⁵ Other parties have also made an effort in increasing women's representation and ensuring gender perspective considerations in the peace talks. The Moro Islamic Liberation Front, for example, has appointed two women as part of their Board of Consultants in 2012 and more recently, as members of the Transition Commission.

C. Relevant legal and policy framework

The Philippines has a significant number of laws on women's rights, passed since the 1980s. In 2009, a landmark law on women's human rights, the Magna Carta of Women, was passed outlining the rights of Filipino women to be protected and promoted by the Philippine government. Several national action plans have also been adopted since, such as the National Action Plan on Women, Peace and Security (2010) and the National Strategic Action Plan against Trafficking in Persons (2011).

1 Office of the Presidential Adviser on the Peace Process. CPP-NPA-NDF The Armed Struggle. May 31 2011. Accessed 11 July 2012 <http://opapp.gov.ph/cpp-npa-ndf/armed-struggle>

2 Abuza, Zachary. *Militant Islam in South East Asia: crucible of terror*. (Lynne Rienner Publishers), 39

3 Alquitran, Non. "PNP says 68 of 170 private armies active" November 5 2012. Accessed 25 June 2013 <http://www.philstar.com/headlines/2012/11/05/863398/pnp-says-68-170-private-armies-active>

4 "Philippines, the dividend". United Nations Office for the Coordination of Humanitarian Affairs. June 20 2013. Accessed 28 June 2013. <http://www.unocha.org/top-stories/all-stories/philippines-dividends-peace>

5 San Pedro, Dexter. "UP Prof Miriam Cornel Ferrer is government's new peace panel chief". Interaksyon. December 7 2012. Accessed 5 July 2013. <http://www.interaksyon.com/article/49876/miriam-coronel-ferrer-is-govts-new-peace-panel-chief>

Prior to the landmark law, laws that further protect and promote women's human rights have also been adopted: RA 3815: The Revised Penal Code, RA 7877: The Anti-Sexual Harassment Act, RA 8353: The Anti-Rape Law, RA 8369: Family Courts Act of 1997, RA 8505: Rape Victim and Assistance Act of 1998, RA 9208: The Anti-Trafficking in Persons Act, RA 9262: The Anti-Violence Against Women and their Children Act of 2004, RA 9745: The Anti-Torture Act of 2009 and RA 9851: The International Humanitarian Law (IHL) Act of 2009.

The Philippines has signed and ratified the following International agreements pertaining to gender equality:

- ▶ Convention on the Elimination of All Forms of Discrimination against Women signed July 15, 1980 and ratified August 5, 1981
- ▶ Optional Protocol to the Convention on the Elimination of Discrimination against Women signed March 21, 2000 and ratified November 12, 2003
- ▶ United Nations Convention against Transnational Organized Crime signed on December 14, 2000 and ratified May 28, 2002
- ▶ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime Preamble, supplementing the United Nations Convention against Transnational Organized Crime signed December 14, 2000 and ratified May 28, 2002
- ▶ Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime signed December 14, 2000 and ratified May 28, 2002⁶
- ▶ Rome Statue of International Criminal Court signed December 28, 2000 ratified August 30, 2011

II. Data presentation and analysis

A. Participation

Indicator 1 – Index of women's participation in governance

Table 1.1: Index of women's participation in governance in 2012			
	Number of women	Number of men	Percentage of women
NATIONAL GOVERNMENT (total)	136	400	25.3%
Executive (total)	67	159	29.6%

⁶ IHumanRights.ph, "Universal Human Rights Instruments", accessed 03 June, 2013 <http://www.ihumanrights.ph/hr-instruments-2/other-hr-instruments/>

Cabinet Secretary	7	33	17.5%
USec.	24	56	30%
ASec.	36	70	33.9%
Legislative (total)	69	241	22.2%
Senate	3	20	13%
House of Representatives*	66	221	22.9%
LOCAL GOVERNMENT			
Executive (total)	7,136	36,281	16.4%
Governor	15	65	18.7%
Vice Governor	11	68	13.9%
Mayor (City)	25	102	19.6%
(Municipality)	215	1,074	16.6%
Vice-Mayor	N/A		
Barangay Captain	6,870	34,972	16.4%
FOREIGN SERVICE			
Ambassadors	24	41	36.9%
Consul Generals	6	14	30%

*considerations may result in changes to percentage

Table 1.2: Percentage of women's participation in governance from				
	2009	2010	2011	2012
National government	29.2%	31.2%	31.7%	29.6%
Local government	16%	17%	18.4%	16.4%

In the current Philippine context, it can be noted that women participate in all levels of governance to varying degrees. Women hold important roles in both the executive and legislative branches of the Philippine government. President Benigno Aquino III has eight women in his cabinet with the positions of Presidential Management Staff Chief, Social Welfare and Development Secretary, Justice Secretary, Commission on Higher Education Chair, and Labor and Employment Secretary. Other women also hold high-level positions in other agencies, the Commissioner of the Bureau of Internal Revenue, and Mindanao Development Authority head. Notably the Presidential Adviser on the Peace Process is also a woman.⁷

In the legislative branch of the government, there are 69 women legislators out of 310 total listed members, which amounts to 22.2 percent. In the Senate, three of the 24 are female lawmakers. Amongst them these women head the Senate Committee on Constitutional Amendments; Revision of Codes and Laws; Health and Demography; Youth, Women and Family Relations; Foreign Relations; and Climate Change, and Cultural Communities.⁸

In the House of Representatives Members List of the 15th

⁷ Eli Ben, List of Cabinet Secretaries and their Departments – November 2012, November 26, 2012, accessed July 1, 2013, <http://infolikes.com/education/list-of-cabinet-secretaries-and-their-departments-november-2012/>

⁸ List of Committees, Senate of the Philippines, 15th Congress, last updated December 19, 2012, <http://www.senate.gov.ph/committee/list.asp>

Congress, there are 287 members listed, of whom 66 are women, an equivalent of 22.9 percent. However, it should be noted that not all those posts were held by the same people for the duration of the term. Of these, there have been three resignations and three more representatives have died while in office between the latter half of 2012 and early 2013.⁹ One member was dropped from office due to a conviction of parricide.¹⁰ Notably one party list seat left by resignation was filled by a woman in October 2012.¹¹ Another seat was vacated after a representative was made a cabinet secretary. In the final months of the term, one female representative, was ousted by the Supreme Court due to technicalities surrounding requirements.¹² Thus the percentage of women in the legislative branch may slightly fluctuate depending on these considerations. In the Philippines there is no quota for the number of women that are allowed to hold government positions. Senators and Representatives are elected based on votes, regardless of sex. Hence the representation of women in these positions is also reflective of the perspectives of the voting populace and openness to the capacities of women in terms of leadership.

In terms of quantity, there are more women at local level positions. This is because the overall computation includes the 6,870 Barangay captains nationwide, but this amounts to only 16.4 percent. The overall percentages of women participating in local governance vary between 13 to 19 percent. However, in terms of the overall percentage of women in each category there are more women serving at national level, mostly as Assistant Secretaries (33.9 percent) and Under Secretaries (30 percent) in the various government agencies. Of the different government departments, women in senior positions are found most in the Foreign Service. According to data from the Office of Personnel and Administrative Services (OPAS) of the Department of Foreign Affairs (DFA), there are currently nine women holding senior positions in the Foreign Service. Occupying 39 percent of the senior positions in the department, one is Undersecretary, seven are Assistant Secretaries, and one is the Director of the Foreign Service Institute, all of whom are career officials. Apart from the Cabinet Secretary, males in senior ranks include 11 career officials and three appointed officials. Of the ambassadors representing the Philippines worldwide, there are 34 male career ambassadors and 21 female career ambassadors. Appointed

chief of missions are fewer in number, with three women and seven men. Additionally there are 14 male, and six female Consul Generals serving globally, all of whom are career foreign service officers. This may be an indication of the perception of women being effective in support roles in governance and in leadership.

There is a higher percentage of women in senior positions in the national government, perhaps because many of these are appointed positions. Women are nominated and appointed based on their capabilities, including performance in required exams. In order to be appointed to a high-ranking position in the government departments, both men and women alike must fulfill certain requirements, such as passing necessary examinations provided for by the Civil Service Commission. They are not elected by popular vote. As such, their participation is not dependent on popular name recall, or established political dynasties, or favor conferred by their party list or political party. Additionally, women in the local posts may be fewer in number because there is still the presence of a mindset in the voting populace that favors choosing a male politician instead of a woman, reflecting the general public's perception of the capabilities of women to lead and participate in matters relating to governance. Many factors may account for the amount of participation by women in governance, or lack thereof. The amount of women running for positions, or being nominated by their parties to seats in congress, may be considered, likewise the number of women who pass necessary exams for appointment to higher positions.

Overall, women's participation in governance in the national level is increasing ever so slightly. With the passing year we find the number of women in governance is growing in increments, from 29.2 percent in 2011 to 29.6 percent in 2012. At the local level, the percentage of women decreased from 18 to 16 percent. The recently concluded national elections for the Senate and House of Representatives in May 2013 will be a good gauge to measure if the increase in women's participation in governance continues.

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

Table 2.1: Number and percentage of women in peace negotiating teams of the GPH and MILF in 2012

Peace negotiating teams (GPH)	Number of women	Number of men	Total Number	Percentage of women
Formal Peace Panel	2	3	5	40%
Secretariat	9	8	13	69.2%
Legal Team	6	4	10	60%
Peace negotiating teams (MILF)				
Formal Peace Panel	0	6	6	0
Bangsamoro Transition Commission	4	8	12	33.3%

9 House Members, accessed June 21, 2013 <http://www.congress.gov.ph/members/>

10 ANDREI MEDINA, Dinagat Rep. Ruben Ecleo Jr. removed from Congress By, GMA News, June 1, 2012, accessed July 1, 2013 <http://www.gmanetwork.com/news/story/260252/news/nation/dinagat-rep-ruben-ecleo-jr-removed-from-congress>

11 Transport group 1Utak has new representative accessed July 1, 2013 <http://newsinfo.inquirer.net/285882/transport-group-1utak-has-new-representative>

12 SC ousts Lucy Torres-Gomez as Leyte lawmaker, Accessed July 1, 2013 <http://newsinfo.inquirer.net/376187/sc-ousts-lucy-torres-gomez-as-leyte-lawmaker>

Table 2.2: Number and percentage of women in peace negotiating teams of the GPH and NDF in 2012

Peace negotiating teams (GPH)	Number of women	Number of men	Total Number	Percentage of women
Formal Peace Panel	2	3	5	40%
Secretariat	6	5	11	54.5%
Technical Committee	2	1	3	66.7%
Special Representatives (for the Special Track)	1	4	5	20%
Peace negotiating teams (NDF) ⁱ				
Formal Peace Panel	2	3	5	40%
Special Representatives (for the Special Track)	2	3	5	40%

Table 2.3: Gender issues addressed in peace agreements

Bangsamoro Framework of Agreement	
Program	Provisions
Basic Rights	<p>Right of women to meaningful political participation and protection from all forms of violence.</p> <p>Right to equal opportunity and non-discrimination in social and economic activity and the public service, regardless of class, creed, disability, gender and ethnicity.</p>
Normalization	<p>Puts emphasis on human security as a vital element of the peace process. The normalization process encompasses desirable living conditions, sustainable livelihoods, protection and promotion of human rights and political participation.</p> <p>The Parties recognize the need to attract multi-donor country support, assistance and pledges to the normalization process... for return to normal life affecting combatant and non-combatant elements of the MILF, indigenous peoples, women, children and internally displaced persons.</p>

Table 2.4: Percentage of women in peace negotiating panel from

(GPH-MILF Peace table)	2010	2011	2012
GPH	20%	33.33%	40%
MILF	0	0	0
(GPH-NDFP Peace table)			
GPH	80%	40%	40%
NDFP	60%	40%	40%

The appointment of Professor Miriam Coronel-Ferrer as the new chairperson of the GPH peace panel for the GPH-MILF peace negotiations is a significant progress with regards to the involvement of women in the peace process. Miriam Coronel-Ferrer is the first woman to head the GPH peace panel ever since talks with the Moro Islamic Liberation Front (MILF) were launched in 1997.¹³ Although this is the first time that a woman

¹³ Bong Sarmiento, "Ferrer appointed GPH peace panel chair in talks with MILF"

was appointed to head the government's peace panel, it is a product of the culmination of the efforts of women to engage in the formal peace process.¹⁴

Furthermore, the appointment of Professor Ferrer curbed the inhibitions that gender would affect the progress of the peace process as the MILF peace panel had been composed of males from 1997 to 2011.¹⁵ However, the letter from the MILF chair Mohagher Iqbal that acclaimed the proclamation of a new peace panel chair further diminished the concern that the appointment of a woman would be an issue. Mohagher stated that the MILF is not keen on who would replace Marivic Leonen as long as that person bears the trust and confidence of the president.¹⁶ Ferrer interpreted the letter of the MILF chair, as a sign of confidence in the government and a signal that the peace process would continue to proceed.¹⁷

On the MILF peace negotiating team, Atty Raissa Jajurie and Bai Cabaybay Abubakar have been among the consultants of the MILF since 2011. Although they are not considered to be part of the regular peace panel, according to Ghazali Jaafar, the MILF vice Chairperson for political affairs, their presence, as women consultants, is considered to be a great help to the negotiating team because they represent the sentiments of women especially from the civil society (Elusfa, 2011). Conversely, data for the number of women in the secretariat and legal team of the MILF was not available.

Gender-related provisions were visible in Section VI on Basic Rights and Section VIII on Normalization of the Framework Agreement on the Bangsamoro (FAB). In the Basic Rights section, are written the rights of women to "meaningful political participation and protection from all forms of violence" and "to equal opportunity and non-discrimination in social and economic activity and public service." On the other hand, a section in Normalization indicates "the need to attract multi-donor country support, assistance and pledges to the normalization process... for return to normal life affecting combatant and non-combatant

MindaNews.com, last modified December 8, 2012, <http://www.mindanews.com/top-stories/2012/12/08/ferrer-appointed-gph-peace-panel-chair-in-talks-with-milf/>

¹⁴ Steven Rood, "Woman to Chair Philippine Government Peace Panel," AsiaFoundation.org, last modified December 12, 2012, <http://asiafoundation.org/in-asia/2012/12/12/woman-to-chair-philippine-government-peace-panel/>

¹⁵ Ibid.

¹⁶ Kathlyn dela Cruz, "MILF lauds appointment of new peace panel chair," ABS-CBNnews.com, last modified December 8, 2012, <http://www.abs-cbnnews.com/-depth/12/08/12/milf-lauds-appointment-new-peace-panel-chair>

¹⁷ Casauay, "Miriam Coronel Ferrer is new gov't peace panel chair"

elements of the MILF, indigenous peoples, women, children and internally displaced persons.”¹⁸ The inclusion of these provisions in the FAB indicates that women’s meaningful participation in the peace process is substantiated by gender-related measures in the formal agreement. Furthermore, these provisions acknowledge the specific social needs and concerns of women especially in conflict situation, as these should be enclosed in the transitional process for it to have essential impact on the lives of women.

Women are also visible in the Bangsamoro Transition Commission (TC). Four women, two from the side of the GPH and two from the side of the MILF, were elected to be part of the TC. These women are, a consultant to the MILF peace panel and a member of the technical working group on the annex of wealth sharing, a member of the all-women contingent of the Civilian Protection component of the International Monitoring Team, a peace advocate who has worked in the area of peacebuilding in the civil society and was a member of the Consultative Assembly of the Southern Philippines Council for Peace and Development (SPCPD), the transition mechanism of the 1996 Final Peace Agreement with the MNLF, and the head of the legal team of the government peace panel.¹⁹

This visibility of women in the TC reflects the efforts of various civil society organizations to urge both the GPH and the MILF to include women who have proven to have track records in peacebuilding, human rights, women’s empowerment, and demonstrate support to the peace process, to be part of the TC.²⁰ Moreover, three of the women in the TC have a strong civil society background as they came from civil society organizations and are part of Women Engaged in Action on 1325 (WE Act 1325) a network that engages in the implementation and monitoring of the National Action Plan (NAP) on UN Security Council Resolution 1325. This political space gained by women in the TC would ensure that women’s agenda, concerns and rights would be appropriately represented and upheld especially in the crafting of the Bangsamoro Basic Law, which will govern the new Bangsamoro political entity.

As the talks between the GPH and the MILF progress towards the development of a final agreement which would bring peace to the conflict-ridden region of Mindanao, the visibility and representation of women is imperative to ensure that the rights and concerns of women are upheld in the final agreement, particularly the gender related provisions stated in the basic rights and normalization process. The women in the peace panel and in the Transition Commission embody spaces where women can engage and participate in the formal peace process. However, there is still a need to ensure that the concerns of the women especially at the grassroots level would be appropriately voiced out and represented. Hence, consultation and communication channels between the representatives and the women in the

consultation and communication channels between the representatives and the women in the communities should be established and maintained in order to identify their priority needs and concerns.

communities should be established and maintained in order to identify their priority needs and concerns. A bottom-up approach would further magnify the political participation of women, especially in the decision-making process with regards to the future of the Bangsamoro.

As for the peace negotiations between the GPH and the NDFP, the formal peace negotiations is still at an impasse due to the contradicting assertions on both sides regarding the requirements for the talks to proceed. The GPH is firm on its stand that the key to the resumption of the talks is the Oslo Joint Statement signed by both parties in 2011. However, for the NDFP, the recommencement of the talks would start with compliance with the Joint Agreement on Safety and Immunity Guarantees.²¹ Even if this is the case with regards to the formal talks, the GPH and NDFP continued to talk through informal meetings to discuss issues and concerns which have caused this impasse such as a possible ceasefire, violations of the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law (CARHRIHL), release of political prisoners and a possible truce and alliance.²²

The GPH and the NDFP further continued to explore alternative venues for negotiations as they both appointed special representatives to talk about the facets of a Special Track for the peace negotiations. Special representatives met in The Hague, Netherlands on December 17-18, 2012. They agreed to pursue discussions on the common declaration of national unity and just peace, upholding national independence, democracy and human rights, committee of national unity, peace and development, agrarian reform, rural development and national industrialization and truce. They had also agreed to implement a ceasefire from December 20, 2012 to January 15, 2013 to give ample space for humanitarian responses to the victims of typhoon Pablo. A subsequent meeting among the special representatives is expected to proceed in 2013.²³

On the GPH and Rebolusyonaryong Partido ng Manggagawa ng Pilipinas / Revolutionary Proletarian Army / Alex Boncayao

18 “Framework of Agreement on the Bangsamoro,” OPAPP.gov.ph, last modified October 7, 2012, <http://opapp.gov.ph/resources/framework-agreement-bangsamoro>

19 “The Bangsamoro Transition Commission,” OPAPP.gov.ph, last modified April 3, 2013, <http://www.opapp.gov.ph/resources/bangsamoro-transition-commission>

20 Ryan Rosaura, “Peace panelist urged to include women, lumad in transition commission,” Philippine Daily Inquirer, November 29, 2012, <http://newsinfo.inquirer.net/315311/peace-panelists-urged-to-include-women-lumad-in-transition-commission>

21 “Key to the resumption of talks lies in compliance with Joint Oslo Statement – GPH,” OPAPP.gov.ph, last modified February 17, 2012, <http://opapp.gov.ph/cpp-npa-ndf/news/key-resumption-talks-lies-compliance-oslo-joint-statement-%E2%80%93gph>

22 “GPH, NDF meet for informal talks, agree to continue discussions,” OPAPP.gov.ph, last modified June 17, 2012, <http://opapp.gov.ph/cpp-npa-ndf/news/gph-ndf-meet-informal-talks-agree-continue-discussions>

23 “GPH, NDF agree to nationwide ceasefire, continue talks under Special track,” OPAPP.gov.ph, last modified December 20, 2012, <http://opapp.gov.ph/cpp-npa-ndf/news/gph-ndf-agree-nationwide-ceasefire-continue-talks-under-special-track>

Brigade (RPM-P/RPA/ABB) peace table, a closure agreement had been drafted in January 2012. A workshop regarding the closure agreement ensued in order to assist both parties in leveling off on the definitions and expectations of the agreement. In addition to this, they have agreed on the components and principles to be included in the draft. The goal of the closure agreement is to transform the RPM-P/RPA/ABB into a legal political organization and create mechanisms for the economic and social integration of the former combatants.²⁴

The Memorandum of Agreement (MOA) between the GPH and the Cordillera Bodong Administration-Cordillera People's Liberation Army (CBA-CPLA) marked its 1st year of implementation in 2012. The achievements in the first year of its implementation are the change of name by the CBA-CPLA to Cordillera Forum for Peace and Development (CFPD) as part of their transformation into a socio-economic organization and formation of 10 people's organizations in the different provinces of Cordillera to serve as the channels in the implementation of livelihood projects. CPLA members have already been profiled to identify the corresponding socio-economic intervention appropriate for them. Firearms were also turned over and inventoried as part of the MOA.²⁵ These developments are essential for the reintegration of the former combatants into mainstream society.²⁶

Although there are no explicit provisions in the closure agreement that address the agenda of women, Under-Secretary Sandoval of the Office of the Presidential Adviser on the Peace Process (OPAPP) stated in a meeting on July 24, 2013 that women are engaged in the implementation of the closure agreement. There are economic opportunities available for women and there are no quotas on the number of women who will be part of the program. Furthermore, last November 2012, OPAPP held a two-day consultation with 25 women who are mostly wives of the CPLA members. During this consultation, these women were asked to define their role in the implementation of the closure agreement and what programs would be apt for them. Under-Secretary Sandoval upholds that the strengthening of women is essential in the strengthening of peace that would sustain the transformation of the CPLA.²⁷

Indicator 3 – Index of women participation in the justice, security sector, and peacekeeping missions

²⁴ "Drafting closure agreement with RPMP-RPA-ABB officially starts," OPAPP.gov.ph, last modified January 19, 2012, <http://opapp.gov.ph/rpm-rpa-abb/news/drafting-closure-agreement-rpmp-rpa-abb-officially-starts-%E2%80%93-opapp>

²⁵ "GPH, CBA-CPLA mark 1st year of MOA implementation," OPAPP.gov.ph, last modified July 4, 2012, <http://opapp.gov.ph/cpla/news/gph-cba-cpla-mark-1st-year-moa-implementation>

²⁶ "Turnover up next after inventory of Cordi rebels' firearms – OPAPP," OPAPP.gov.ph, last modified November 20, 2012, <http://opapp.gov.ph/cpla/news/turnover-next-after-inventory-cordi-rebels%E2%80%99-firearms%E2%80%94opapp-official>

²⁷ "Updates on the GPH-CBA/CPLA Peace Process," powerpoint presentation, Office of the Presidential Adviser on the Peace Process, July 24, 2013.

Table 3.1: Index of women participating in the justice sector in 2012

	Number of women	Number of men	Percentage of women
SUPREME COURT			
Chief Justice	1	0	100%
Justices	2	12	14.29%
COURT OF APPEALS	26	42	38.2%
SANDIGAN BAYAN	2	12	14.2%
REGIONAL TRIAL COURTS	280	530	34.5%
MUNICIPAL TRIAL COURTS (in cities)	122	153	44.3%
	93	97	48.9%
MUNICIPAL CIRCUIT TRIAL COURTS	112	181	38.2%
Metropolitan Trial Court	32	39	45%
SHARIAH CIRCUIT COURT	2	26	7.1%
Total	672	1,092	38%

Table 3.2: Index of women participating in military and police in 2012

	Number of women	Number of men	Percentage of women
Police (total)			
DIRECTOR GENERAL	0		
DEPUTY DIRECTOR GENERAL	0		
DIRECTOR	1		
CHIEF SUPERINTENDENT	0		
SENIOR SUPERINTENDENT	17		
SUPERINTENDENT	186		
CHIEF INSPECTOR	338		
SENIOR INSPECTOR	407		
INSPECTOR	365		
SPO4	223		
SPO3	458		
SPO2	370		
SPO1	2,129		
PO3	2,130		
PO2	3,434		
PO1	8,421		
Armed Forces (total)	5,180	119,224	4.2%
GUAs			
Officers	138		
Enlisted Personnel	447		
Army	1,822	77,991	2.3%
Officers	484		
Enlisted Personnel	1,338		

Air Force	1,719	12,833	11.8%
Officers	256		
Enlisted Personnel	1,463		
Navy/Marines	1,054	18,658	5.3%
Officers	283		
Enlisted Personnel	771		
Military and police total	23,659	247,935	8.7%

Table 3.3: Index of women participating in peacekeeping missions

	Number of women	Number of men	Percentage of women
Peacekeeping missions (total)	43	664	6.08
Military experts	0	6	0
Contingent Troops	33	579	5.39
Individual police	10	79	11.23
Formed police units	0	0	0
Countries/Missions where peacekeepers are deployed			
MINUSTAH	9	169	5.05
UNAMA	0	2	0
UNDOF	16	323	4.71
UNISFA	0	1	0
UNMIL	12	132	8.33
UNMISS	3	31	8.82
UNMOGIP	0	3	0
UNOCI	1	5	16.66

Sources: http://www.un.org/en/peacekeeping/contributors/2013/jul13_4.pdf and http://www.un.org/en/peacekeeping/contributors/2013/jul13_3.pdf Accessed on Sept. 21, 2013

Table 3.4: Percentage of women participation in the justice, security sector, and peacekeeping missions from

	2009	2010	2011	2012
Justice sector	35.5%*	35.1%	36.51%	38%
Security sector (AFP)	8.7%	8.8%	3.16%	4.2%
(PNP)	9.6%	3.8%	12.30%	12.55%
Peacekeeping missions (troops contributing)	6.7%	10%	9.58%	6%

*Data stated in the 2009 research is dated 2004

Amongst the judiciary, security sector and peacekeeping operations, women are found to participate most in the justice sector. The Municipal Trial Courts in Cities and Metropolitan Trial Courts have the highest percentages of female judges, occupying almost half of the positions at 46.2 percent and 46.8 percent respectively. The Supreme Court only has three women in its roster of 15. However, in August of 2012, President Aquino appointed a female as the new Chief Justice of the Supreme Court. She was chosen from eight nominees for the position, becoming the first female Chief Justice in Philippine history and

the second youngest ever appointed, at 52 years of age. She will serve as Chief Justice for the next 18 years until reaching the retirement age of 70.²⁸ This appointment provides tangible proof not only of women's increased participation within the Philippine judiciary, but also that the highest post is now attainable for women. Nonetheless, there is room for improvement, as the numbers show that there are only two female judges in the Shari'ah courts. The list of incumbent judges provided by the Judicial Bar Council Website also shows that there are 13 vacant positions in the Shari'ah Circuit Courts, an additional 14 courts of which are still unorganized. These remaining 27 positions may be spaces for women to participate in in the future. Similarly, other courts have vacant posts that may be taken up by women. Judges are appointed by the President upon completing requirements set forth by the Judicial and Bar Council, based on experience, education and competence among others, indicating that there are no barriers favoring male justices over their female counterparts, given that requirements are adhered to. Apart from the 672 incumbent female judges, according to correspondence from Ms. Hedeliza Encabo, the acting Chief of the Personnel Division of the Department of Justice, there are also 569 female state prosecutors, who comprise 35.4 percent of 1,605 total.

In the Armed Forces of the Philippines (AFP), when women are concerned, it is usually the Women's Auxiliary Corps (WAC) that comes into parlance. This is the division of the AFP, having all female officers and enlisted personnel, providing, auxiliary services to the three major branches and General Headquarters, Unified Command and AFP-wide Service Support Units (GUAs). However, as early as December 2012, there was already news that the WAC would be closed down. As of March 2013, the Women's Auxiliary Corps has been "unmanned", with the formal proceedings closing the division occurring on July 1, 2013.²⁹ The 19 female officers forming the WAC³⁰ are now to be integrated into a major service of their choice. According to Maj. Saddam, from the Office of the Deputy Chief of Staff for Personnel (J1), this was done because there is no longer a specific task uniquely performed by the WAC alone, hence it was found best that the female officers be integrated into offices wherein they can better use their specializations. They will join other women in the service who are involved in intelligence, logistics, finance and other administrative duties. According to Lt. Gen. Gregorio E. Macapagal, the presiding officer of the closing ceremony, this shows the "elevated status of women in the armed service wherein they are now recognized as equal partners of men in national development. As such, they are no longer confined in only performing technical, administrative and non-combat roles but have extended their horizon to field duty assignments."³¹ However, for the WAC to be completely closed down, the law creating it, Republic Act 3895, must be amended or repealed.

28 First woman Chief Justice, Philippine Daily Inquirer Online, <http://newsinfo.inquirer.net/257098/first-woman-chief-justice-2>

29 AFP unmans Women's Auxiliary Corps, AFP Online, Published July 1, Accessed July 1, 2013 <http://www.afp.mil.ph/index.php/14-afp-data-articles/1171-afp-unmans-women-auxiliary-corps>

30 WAC Officers Seniority Lineal List (SLL) Document, Prepared by: P2Lt. Zurlah Faye Paginag, updated August 1, 2012, Obtained December 2012,

31 AFP unmans Women's Auxiliary Corps. Op cit.

Apart from the WAC, women are also found in the Major Services. The highest number of women (1,822) is found in the ranks of the Army, followed by the Air Force (1,719), and the Navy / Marines (1,054). Ironically, of the three Major Services, the Army has the lowest percentage of women overall, at a meager 2.3 percent. Despite technically having the highest number of women, the Army also has the highest number of men, which far surpasses the former, causing the miniscule percentage. Although, the Army also has the highest number of female officers, documentation of a reflection workshop held by the Philippine Army for its female officers, enlisted personnel and civilian staff, states that according to participants, promotion remains an issue for women in the Army.³² Promotion is granted upon acquiring or fulfilling certain requirements such as years of experience and specialized education courses. When expounded upon, it was revealed that factors such as health matters, i.e. being given a rest and recuperation period after pregnancy, before undertaking their Physical Fitness Test (PFT), a requirement for promotion, were components of the lack of women moving up the ladder.

However, said workshop was conducted by the Gender and Development Unit of the Philippine Army in an effort to consult women regarding issues they face in their profession and as a form of policy review, which will be considered in the review and amendment of the Policy on Recruitment, Training, Utilization and Career Management of Philippine Army Female Military Personnel. Furthermore, according to Maj. Saddam in an interview on June 3, 2013³³ there is no discrimination with regards to promotion, so long as requirements are met. As of 2012, there are 1,161 female officers in the AFP, a slight increase from the 1,049 in 2011.

The Philippine Air Force has the highest percentage of women in the Armed Forces at 11.8 percent. But at an even higher percentage are the women who make up more than half of civilian employees in the Armed Forces numbering 4,554, or 69.8 percent of the 6,523 total. Although in the formal military structure, women only comprise 4.2 percent, still far from the 20 percent quota, women are quite visible as civilian employees of the Armed Forces.

Turning to the Philippine National Police (PNP), there are notably more women in uniform at 18,479. It is well on its way of achieving the 15 percent quota for women, currently at 12.55 percent. Nonetheless, a vast majority of women continue to be found in the lower level ranks. The most number of women, at 8,421 hold the rank of Police Officer 1, which is the lowest rank, followed by the 3,434 who are ranked Police Officer 2. According to the Women and Children's Protection Center (WCPC) of the PNP, 3,244 of these policewomen are assigned to more than 3,000 Women and Children's Protection Desks (WCPD) around the country. Contrary to the large numbers of low ranking officers, and the fact that the highest ranking position in the police force has never been held by a woman, it is notable that in June 2012, a female officer was conferred the rank of Police Director, the first

woman to attain this feat in the PNP.³⁴

A factor that may contribute to the low number of women in the security sector, is the number of students applying and being admitted into training institutions like the Philippine Military Academy (PMA) and the Philippine National Police Academy (PNPA). In 2012, only 4.8 percent of cadets admitted in the PMA were female, amounting to only 19 students.³⁵ On the other hand, the PNPA similarly admitted only 28 female students out of 350, amounting to 8 percent.³⁶

There are very few women involved in the peacekeeping forces, compared to their male counterparts. Women account for a meager 5.31 percent of military personnel deployed by the AFP to conflict areas all around the globe. In 2012, only three women were deployed as individuals, and their roles were to be part of the Peacekeeping Staff, and one was a Military Liaison Officer which entails facilitating links between military and the civilian component of the mission as well as the host nation. The rest, 64 women, are part of the troops. There were only 67 females in the 1,260 peacekeeping personnel. There are no women-only contingents.

There may be a difference in the numbers provided by the UN regarding troops contributed by the Philippines to various missions, vis-à-vis data from provided by the AFP Peacekeeping Operations Center (AFPPKOC). This is because these numbers include peacekeepers still on duty in mission areas, commencing in 2011 and returning in 2012, while UN data provided on their website cite data until July 2013, which may no longer include those who completed their tour of duty in 2012. In this more recent data gathered from the UN, a mere 6.08 percent of peacekeeping personnel were women, numbering only 43, then vast majority of which, 33, being part of the contingent troops. There were no female military experts, or formed police units deployed. The highest number of women deployed, 16, were sent to the United Nations Disengagement Observer Force (UNDOF), however they only accounted for 4.7 percent. The peacekeeping mission area with the highest percentage of female participation is the United Nations Operations in Côte d'Ivoire (UNOCI), however this is technically only one female out of five personnel.

According to Major Renante Besa of the AFPPKOC, peacekeeping assignments are open to both men and women in the AFP, but only a few women take on the opportunity. Peacekeeping along with other combat roles requires military personnel to move to various locations, and this is one of the reasons cited as a factor affecting the low number of women involved. Women would rather not be far away from their families, especially their children, and this deters them from signing up for peacekeeping duties. Furthermore, other women accepted and assigned to peacekeeping missions are sometimes repatriated or disallowed from joining due to pregnancy. Conversely other women do take on peacekeeping to

32 Documentation Report: Women In The Philippine Army Making A Difference: A Reflection Workshop On Gender Issues, May 9-10, 2013

33 Saddam, Camillo. Interview with author, Camp Aguinaldo, June 3, 2013

34 DJ Yap, PDI Online, June 22, 2013, Accessed July 5, 2013, Woman advances to two-star rank in PNP for first time <http://newsinfo.inquirer.net/217059/woman-advances-to-two-star-rank-in-pnp-for-first-time>

35 Correspondence from GAD focal person of the PNPA, June 2013, Accessed July 6

36 Correspondence from the PMA registrar, December 2012, Accessed July 6

make additional income for their families, considering the hefty remuneration that comes with the role. In line with the 10 percent quota for women in AFP peacekeeping missions, recruitment and sending out of information is continuously done to reach the most women possible. Peacekeepers themselves are encouraged to recruit and inform their colleagues in their respective services regarding peacekeeping opportunities.

Overall, the women in the justice sector now occupy 38 percent of positions in various courts, a small increase from 36.5 percent in 2011. Women in the security sector now amount to 4.2 percent in the Armed Forces, rising from 3.16 percent in 2011, and the PNP have had a miniscule change in the 12.3 percent of its women, which is now 12.55 percent. On the other hand, despite being open to all military personnel, the percentage of women involved in peacekeeping operations has lessened further, to 6 percent from 9.58 percent in 2011.

Indicator 4 – Number and percentage of women participating in each type of constitutional legislative review (including security sector review)

Table 4.1: Number and percentage of women participating in each type of constitutional legislative review (including security sector review)

	Number of women	Number of men	Percentage of women
Constitutional review	N/A	N/A	N/A
Legislative review	0	19	0
Security sector review	Partnerships, Dialogue and Multi-stakeholder approach.		

With the signing of the Framework of Agreement on the Bangsamoro, the appeals for Charter Change have been revived. Questions have been raised as to whether the new Bangsamoro political entity will be in line with the present set-up of the constitution, particularly the indicated relationship between the new autonomous political entity and the national government. However, the Aquino Administration had been firm on its position that charter change is not among the priorities of the administration.³⁷

In its security agenda, the Aquino administration continuously upholds its multi-sector approach on peace and security as embodied by the Internal Peace and Security Plan (IPSP). Presidential Adviser on the Peace Process, Teresita Deles, lauded and welcomed the reforms and the transformations in the security sector as she mentioned that a multi-stakeholder approach is a milestone for Philippine democracy. She expressed that the broader public should understand the implications of

37 Cathy Yamsuan and Michael Lim Ubac, "Charter change next peace step – Santiago," Philippine Daily Inquirer, October 9, 2012, <http://newsinfo.inquirer.net/285476/charter-change-next-peace-step-santiago>

The impact of the security sector reform is yet to trickle down in the grassroots level where human rights violations, especially in conflict-affected areas continue to occur.

the security sector reforms in their lives for them to support this change.³⁸

Bantay Bayanihan was a civil society initiative created to support and to monitor the IPSP Bayanihan of the security sector. In terms of assessing the role, participation and implication of the security sector reform, Ateneo de Manila University's Working Group on Security Sector Reform is keen on incorporating gender analysis in its forthcoming projects and researches.³⁹

The impact of the security sector reform is yet to trickle down in the grassroots level where human rights violations, especially in conflict-affected areas continue to occur. Institutionalizing the values of the IPSP-Bayanihan, vertically and horizontally, can be seen as the next step for growth and change. The outcomes of the security sector reform could also be evaluated through the transformation of behavior of the forces, especially those who are positioned at the ground. Furthermore, involving the Civil Society Organization (CSO) in the implementation and monitoring of the security sector policy would further strengthen the reformed security agenda.

Indicator 5 – CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

Table 5.1: Number and percentage of CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

	Number of CSOs	Total number of task force members	Percentage of CSOs
National Steering Committee Women Peace and Security	0	9	0
Total	0	9	0

There hasn't been any change in terms of civil society participation in national committees implementing the National Action Plan (NAP) on UNSCR 1325. The official task force in charge of overseeing the implementation of the NAP is the National Steering Committee on Women, Peace and Security (NSC-WPS). The NSC-WPS was created under Executive Order 865 (EO 865) to implement UNSCRs 1325 and 1820 in the Philippines through

38 "Deles lauds reforms in the PH security sector," OPAPP.gov.ph, last modified March 12, 2012, <http://opapp.gov.ph/news/deles-lauds-reforms-ph-security-sector>

39 Alma Mario Salvador, personal communication by the author, July 13, 2013.

the NAP drafted by the Office of the Presidential Adviser on the Peace Process and the Philippine Commission on Women, in partnership with civil society organizations. The NSC-WPS is comprised of nine heads of government agencies and has no members from the civil society:

- ▶ Presidential Adviser on the Peace Process (OPAPP)
- ▶ Chairperson of the Philippine Commission on Women (PCW)
- ▶ Secretary of Foreign Affairs (DFA)
- ▶ Secretary of Interior Local Government (DILG)
- ▶ Secretary of National Defense (DND)
- ▶ Secretary of Justice (DOJ)
- ▶ Secretary of Social Work (DSWD)
- ▶ Head of the National Commission on Indigenous Peoples (NCIP)
- ▶ Head of the National Commission on Muslim Filipino (NCMF)

However, EO 865 stipulates that members of NSC-WPS shall actively collaborate with civil society organizations, particularly peace and women's groups in implementing, monitoring and evaluating the NAP. In line with this, civil society set-up a parallel task force to aid the NSC-WPS in the NAP implementation. The Women Engaged in Action on 1325 (WE Act 1325) was established to structure civil society efforts in implementing the NAP. It was formed by civil society organizations that lobbied the government for an adoption of an action plan on UNSCR 1325, and currently has 34 members from peace, human rights and women's groups.

Current initiatives of the NSC-WPS and WE Act 1325 are focused on localizing the NAP, particularly in conflict-affected communities.

B. Prevention and protection

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized

Table 6.1: Number and percentage of SGBV cases reported, investigated, disposed

Type of SGBV	Reported	Investigated	Disposed	Percentage of Disposed Cases
Rape	1,030	6,964	6,432	92%
Incestuous Rape	33			
Attempted Rape	256			
Acts of Lasciviousness	721			
Physical Injuries	1,744			
Sexual Harassment	41			
RA 9262	11,531	16,807	11,604	69%
Threats	240			
Seduction	10			
Concubinage	146			
RA 9208	41			
Abduction/Kidnapping	20			
Unjust Vexation	156			
Total	15,969			

Table 6.2: Status of Different Types of SGBV Cases

Offense Category	Case Load			Disposition			
	Carry-Over	Newly Received	Total	Filed in Court	Dismissed	Others	Total
Violence Against Women (RA 9262)	4,301	12,506	16,807	8,113	3,279	212	11,604
Trafficking in Persons (RA 9208)	130	685	815	498	84	14	596
Rape (RA 8353)	2,040	6,964	9,004	5,133	1,123	176	6,432

Compared to the data of 2011, there has been a steep increase in the cases investigated and disposed by the DOJ.

The reporting system of the PNP does not identify cases as related to or independent of conflict. The number of Sex and Gender-based Violence Cases (SGBV) reported to the Philippine National Police Women and Children's Desk (WCPD) increased from 2011's 12,948 cases to 15,969 last year. Similar to 2011, the most prevalent of the SGBV cases reported is the violation of RA 9262 of the Violence against Women and their Children (VAWC). It constitutes 72.2 percent of all the cases filed in 2012 and is followed by Physical Injuries, Rape and Acts of Lasciviousness constituting 10.9 percent, 6.5 percent, and 4.5 percent respectively.

In the data obtained from the Philippine Commission on Women (PCW), Region 6 posted the highest number of SGBV cases constituting 20.1 percent of all reported cases while ARMM recorded the lowest number of cases reported. Known as conflict-affected areas, Region 6 and ARMM constantly record the highest and lowest number of reported cases among 17 Police Regional Offices (PRO).

According to PCW, it is not certain whether the increase of SGBV cases are brought about by increasing incidences of violence against women or an attribution to the effectiveness of campaign against SGBV that has heightened women's awareness to violence and the appropriate mechanisms they can turn to for assistance. PNP continues its efforts of conducting Anti-VAWC campaigns in local communities and last year, has reached 670,998 individuals.⁴⁰ Moreover, it has been increasing the number of VAWC desks setup in police stations nationwide to accommodate such cases. As of last year, 1,766 police stations have active WCPD and 3,288 personnel have been trained to handle SGBV cases.⁴¹ Apart from

establishment of WCPD desks, PNP has tapped other forms of reporting to widen access to PNP's services. Its *Aleng Pulis* hotline that entertains text message and voice call reports on domestic abuse, last year, has recorded and responded to 3,451 cases.

Data on investigated and disposed cases have been received from the Department of Justice. The case management system of DOJ doesn't categorize disposed cases as prosecuted or penalized. Furthermore, it only provided data on violations of RA 9262 and rape. The discrepancy of data from PNP and DOJ is brought about by the carried over cases from 2011 that DOJ was only able to investigate in 2012. Last year, there were 4,301 and 2,040 carried over cases for VAW and rape, accordingly.

In regards to the disposition of cases, DOJ has categorized them into three sub-categories: filed in court, dismissed and others. For violations of RA 9262, a total of 11,604 cases have been disposed, of which 8,113 have been filed in court, 3,279 cases have been dismissed and 212 are classified as others. For Rape, 5,133 cases have been filed in court, 1,123 have been dismissed and 176 cases are categorized as others. A total of 6,432 cases of rape have been disposed last year. Compared to the data of 2011, there has been a steep increase in the cases investigated and disposed by the DOJ. This is due to the inclusion of carried over cases from previous years in the 2012 data. Furthermore, efforts to hasten the disposition of cases were made by DOJ in 2012 to address the delay of verdicts and consequently, the attainment of justice by those who seek it. More courts were opened last year to ease court congestion and the e-court system for major cities has been developed. In addition, DOJ is working towards the development of a case management system to monitor gender-related cases. In a letter, one of their undersecretaries stated the possibility of conflict-disaggregation of cases through the new case management system to monitor cases related to and independent of ongoing conflicts.

Indicator 7 – Number and quality of gender-responsive laws and policies

Table 7.1: Number and quality of gender-responsive laws and policies

Law name & year	Purpose
RA 10354 – Responsible Parenthood and Reproductive Health Act of 2012	The right to make informed choice on the subject of reproductive health. Promote universal access to reproductive health and family planning services, supplies and information, including voluntary contraception, which are medically-safe, non-abortifacient, quality, effective, legal and affordable with priority to acceptors from poor and marginalized sectors who shall receive for free RH services and commodities (PCW, 2012).
RA 10361 – Domestic Workers Act of 2013	An act instituting policies for the protection and welfare of domestic workers.

40 Philippine National Police. PNP Accomplishment Report 2012. Accessed 01 July 2012 <http://do.pnp.gov.ph/PNP%20AAR/PNP%20Annual%20Accomplishment%20Report%20CY%202012.pdf>

41 Ibid

RA 10352 – General Appropriations Act of 2013	Section 28 of the general provisions provides that all agencies of the government shall formulate a Gender and Development (GAD) Plan designed to address gender issues within their concerned sectors or mandate and that the GAD Plan shall be integrated in the regular activities of the agencies, which shall be at least five percent of their budgets.
Joint Circular 2012-01	Prescribes guidelines and procedures for the formulation, development, submission, implementation, monitoring and evaluation including accounting of results of agency annual GAD plans and budgets (GPBs), and GAD accomplishment reports (AR) Provides the mechanics for the development of programs, activities and projects (PAPs) to respect, protect and fulfill the rights of women at the socio-cultural, economic and political spheres.
Women's Empowerment, Development, and Gender Equality Plan for 2013-2016, (Women's EDGE Plan)	Provides the means to achieve gender-focused goals and objectives and defines the responses appropriate for government. It is also the gender equality guiding plan for the Philippine Development Plan 2011 - 2016. It will serve as basis for the gender and development (GAD) plans and budgets of government agencies for the next three years.

No laws on women, peace and security have been ratified in 2013. However, there are gender-responsive policies and laws that have been adopted. The PCW has crafted the Women's Priority Legislative Agenda (WPLA), which "seeks to amend or repeal the discriminatory provisions of existing laws and moves for the formulation and adoption of new legislations that promote women's empowerment and gender equality."⁴² Two out of the five women's priority legislative agenda were passed into law during the 15th Congress; these bills refer to the Reproductive Health (RH) Bill and the Kasambahay Bill.

Considered one of the landmark laws enacted by the 15th Congress is the Reproductive Health Bill. It gained a vote of 133 in favor from the House of Representatives and 13 votes in favor from the Senate. President Aquino signed the RH Bill into law last December 21, 2012, and it is now called the Responsible Parenthood and Reproductive Health Act or RA 10354.⁴³

The law highlights the right of women to make free and informed decisions to protect and uphold their reproductive health and reproductive rights. The State then has the duty to provide "ethical and medically safe, legal, accessible, affordable, non-abortifacient, effective and quality reproductive health care services" in promoting the rights of women especially those in the marginalized communities⁴⁴

The passage of the Reproductive Health Law is seen as an essential factor in lowering the maternal deaths rates of the country. More importantly, the RH Law has a decisive role to play in improving the socio-economic status of women through informed family planning decisions and access to appropriate and affordable reproductive health services before and throughout pregnancy. Empowerment ensues as women gain more claim over their reproductive health.

The salient points of the law mandate the state to provide universal access to reproductive health and family planning

42 "Women's Priority Legislative Agenda," PCW.gov.ph, accessed last July 8, 2013, <http://pcw.gov.ph/wpla>

43 Cathy C. Yamsuan, Christian V. Esguerra, Leila B. Salaverria, "Congress passes RH Bill," Philippine Daily Inquirer, December 18, 2012, <http://newsinfo.inquirer.net/326013/congress-passes-rh-bill>

44 "Reproductive Health, Responsible Parenthood and Population Development Bill," PCW.gov.ph, accessed July 8, 2013, <http://pcw.gov.ph/wpla/reproductive-health-bill>

services and the freedom of informed choice of women with regards to maternal health and reproductive rights.⁴⁵ Sen. Miriam Defensor-Santiago, a known proponent of the bill in the Upper House, stated that "reproductive health care is a human right; people are entitled to demand it from their government and the government is in turn obliged to provide it to the people."⁴⁶

For these goals to be realized, the next phase of the RH advocacy is educating women, especially from the poor and marginalized communities, regarding the Reproductive Health Law and its association, importance and impact to their lives. Knowing the availability and accessibility of these reproductive health services would enable women to acquire these services. A provision on the Guiding Principles for the Implementation of the law (Sec. 3 of RA 10354) recognizes the vital role and the active participation of the different sectors of the society in ensuring that the main reproductive health concerns and needs of women, especially the poor and the marginalized, are adequately addressed by the law.⁴⁷

On the other hand, the Kasambahay Bill or Domestic Workers Bill passed the bicameral conference meeting on November 20, 2012. President Aquino signed the bill into law on January 18, 2013.⁴⁸

Domestic work is a feminized sector because it is frequently associated with women.⁴⁹ This is because domestic work is usually correlated with household chores that are by and large considered as unpaid work, having little economic significance and often "discounted, devalued and dismissed."⁵⁰ Because of this, domestic

45 Rep. Edcel Lagman, "The RH Advocacy: The Tasks Ahead," last modified January 30, 2013, <http://www.edcellagman.com.ph/speeches/reproductive-health.html>

46 Miriam Defensor Santiago, "Leave no Woman Behind: Why we fought for Reproductive Health Bill," CNN.com, last modified December 31, 2012, <http://edition.cnn.com/2012/12/29/opinion/philippines-reproductive-health-bill-santiago>

47 "Republic Act 10354," PCW.gov.ph, accessed last July 8, 2013, <http://pcw.gov.ph/law/republic-act-10354>

48 Christina Mendez and Jess Diaz, "Congress passes 'kasambahay' bill," last modified November 28, 2012, <http://www.philstar.com/headlines/2012/11/28/875533/congress-passes-%E2%80%98kasambahay%E2%80%99-bill>

49 International Labor Organization, Domestic workers across the world: global and regional statistics and the extent of legal protection (Geneva: International Labor Office, 2013), http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_173363.pdf

50 Natasha Lycia Ora Bannan, "Domestic Workers and Their Right to be Heard: Residential Picketing Makes Visible the Invisible," The Crit 4, no. 1 (2011): 116, accessed July 11, 2013, <http://thecritui.com/wp-content/uploads/2011/02/Bannan.pdf>

workers are seen as an invisible labor force, the lowest-paid and one of the sectors most vulnerable to exploitation. This status of domestic workers also excludes them from enjoying certain rights, privileges and benefits similar to the other work sectors.⁵¹

Three of the women's priority legislative agenda are yet to be enacted into law. These include the Marital Infidelity Bill, the Local Sectoral Representation Bill and the Anti-Prostitution Bill. Gender-responsive laws would improve women's access to justice. These laws would capacitate women to access a wider and broader spectrum of rights and resources, which would in turn broaden opportunities and improve productivity. Therefore, laws are decisive agents of achieving gender equality for it establishes rules, procedures and accountability mechanisms.⁵²

The implementation of the Reproductive Health Law and the Domestic Workers Act is yet to be seen; hence, its impact on the lives of women is also unknown. Given this situation, the immediate course of action is to inform women about the rights entailed in these newly enacted laws, as well as existing laws, such as the Magna Carta of Women and the Violence Against Women and Their Children. Women's limited awareness and information would restrict their capacity to access these rights. Enforcement of these gender-responsive laws is also a part of the equation.⁵³ The government and civil society organizations have been incorporating gender in trainings of the security sector and other agencies of the government. There are also orientation-briefings on the localization of the Magna Carta of women conducted by the DILG. Mechanisms such as these are important in the enforcement of the law. Enforcement efforts should not only focus on the outputs (i.e. number of laws passed, number of gender training, among others) but more importantly the outcomes, referring to the substantive impact of these laws, projects and programs to women, should be monitored and evaluated.⁵⁴

The Gender and Development (GAD) budget is one of the government's principal measures to ensure that the promotion of gender equality, sensitivity and awareness is present in the programs and policies of national and local agencies. The General Appropriations Act enforces the integration of gender in the budget planning of government agencies as it also mandates these agencies to develop gender-focused programs within the directive of their office. Five percent of the budget of national agencies comprises the GAD budget.

Joint Memorandum Circulars are issued to provide guidelines and procedures for the development and implementation of GAD plans and budgets. Joint Memorandum Circular 2012-

01 prescribes "guidelines and procedures for the formulation, development, submission, implementation, monitoring and evaluation including accounting of results of agency annual GAD plans and budgets (GPBs), and GAD accomplishment reports (AR)."⁵⁵ The provision of additional and more definitive guidelines in terms of the development, implementation, monitoring and evaluation of the GAD budget and GAD accomplishment reports would contribute in clarifying the responsibilities and accountability of the respective government agencies.⁵⁶ Furthermore, the JC 2012-1 openly stated that the GAD budget could exceed 5 percent. Clarity of responsibilities, accountability, and expansion of the budget would enhance the enforcement of GAD budget in addressing gender issues and promoting gender equality.

Legal mechanisms alone cannot completely address gender inequality and discrimination. The outcomes of these laws can better be realized if it is accompanied by the institutionalization of gender in the economic, social, cultural and behavioral practices of the community and the society as a whole.⁵⁷ Women's access to their rights entails a multi-disciplinary approach.

As for women's claim to their rights in relation to peace and security, a number of local government units have began the localization of the National Action Plan on UNSCR 1325 through integrating the NAP into their respective policies and programs. Twelve LGUs have initiated actions ranging from the passage of ordinances in support of UNSCR 1325 to the conceptualization of economic programs for women. These LGUs are ARMM, provinces of Ifugao, Maguindanao, Sulu, Tabuk City in Kalinga, Municipalities of Magallanes, Agusan del Norte, Cuyapo, Nueva Ecija, Real, Quezon, Calbiga Matuginao, San Jorge, San Jose de Buan, and Samar. In the ARMM region, there has been a resolution encouraging all of the Barangays to develop their barangay-specific NAP in partnership with accredited CSOs in their communities.⁵⁸ In Maguindanao and in Sulu, the provincial government established a women and children's peace center as a conduit for special humanitarian interventions. These peace centers were also meant to strengthen the capacity and skills of women for them to better participate peace process.⁵⁹ The city government of Tabuk, Kalinga on the other hand, has pushed for the inclusion of women in the special conflict resolution body called Matagoan Bodong Council. This is to ensure that women and children will be represented and heard especially on matters of peace consultation.⁶⁰

55 "Joint Circular 2012-01," PCW.gov.ph, accessed July 3, 2013, <http://pcw.gov.ph/law/joint-circular-2012-01>

56 Chiongson, et.al., Role of Law and Justice in Achieving Gender Equality, World Development Report (2012), accessed July 11, 2013, <http://siteresources.worldbank.org/INTWDR2012/Resources/7778105-1299699968583/7786210-1322671773271/Chiongson-law-and-justice.pdf>

57 International Development Law Organization, Accessing Justice: Models, Strategies and Best Practices on Women Empowerment, accessed July 10, 2013, <http://www.idlo.int/Publications/Women-AccessToJustice.pdf>

58 Piscano (2013)

59 Office of the Presidential Adviser on the Peace Process, Gov't opens women and children's peace center in Sulu, posted January 23, 2013, <http://www.opapp.gov.ph/news/gov%E2%80%99t-opens-women-and-children%E2%80%99s-peace-center-sulu>

60 Geraldine Dimalig, "Tabuk peace council now has women members," posted April 23, 2012, <http://news.pia.gov.ph/index.php?article=191335158024>

51 International Labor Organization, Domestic workers across the world: global and regional statistics and the extent of legal protection

52 Chiongson, et.al., Role of Law and Justice in Achieving Gender Equality, World Development Report (2012), accessed July 11, 2013, <http://siteresources.worldbank.org/INTWDR2012/Resources/7778105-1299699968583/7786210-1322671773271/Chiongson-law-and-justice.pdf>

53 Chiongson, et.al., Role of Law and Justice in Achieving Gender Equality

54 International Development Law Organization, Accessing Justice: Models, Strategies and Best Practices on Women Empowerment, accessed July 10, 2013, <http://www.idlo.int/Publications/Women-AccessToJustice.pdf>

Indicator 8 – Number and nature of provisions/ recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

There are currently no truth and reconciliation commissions in the Philippines. However, two of the Peace Processes in the country are in the course of implementing closure agreements with armed groups in various regions. These are the GPH and the CBA-CPLA, and the GPH with the RPM-P/RPA/ABB TPG. 2012 also made headway in the peace talks with the MILF, with the signing of the historic FAB in October, and beginning work on the corresponding Annexes.

A mechanism for Monitoring, Evaluation, and Transparency (MET) has been set up to oversee the Memorandum of Agreement with CBA-CPLA. This will involve the Office of the Presidential Adviser on the Peace Process, as well as some civil society organizations in the Cordillera Administrative Region. The CSO partners of the OPAPP for the MET mechanism are the Concerned Citizens of Abra for Good Governance (Abra), Peoples Organization for Social Transformation Development Network Inc. (Apayao), Philippine Association of Social Workers, Inc. (Ifugao), International Association for Transformation (Kalinga) and EBGAN, Inc. (Mountain Province).⁶¹ As of yet, efforts on realizing this agreement are focused more on the disposition of arms and reintegrating former combatants. There was no available information on specific provisions or ongoing efforts regarding transitional justice and women's concerns.

It was agreed that the RPM-P/RPA/ABB TPG, upon signing the peace agreement would transition into an unarmed, socio-economic organization. It is now transitioning into the Kapatiran para sa Progresong Panlipunan (KPP).⁶² Advocacy areas for the KPP include women, children, and the environment. Stated on the Office of the Presidential Adviser on the Peace Process website, "The group maintains that safeguarding these areas is an "inseparable component" in upholding the rights and welfare of the working masses."⁶³ According to communication by Assistant Secretary Jennifer Oreta of the Office of the Presidential Adviser on the Peace Process, the teams working on the implementation of the GPH-RPM-P/RPA/ABB TPG closure agreement, which was drawn in 2000, are still in the process of determining deliverables to be shouldered by each side. Although, she did affirm that transitional justice, would be part of the programs to be finalized, human rights, women's rights and other gender concerns would likely fall under this aspect of the implementation.

With regard to the GPH-MILF, the following provisions are included in the FAB on transitional justice, addressing human rights, women's rights and addressing violations:

Powers

- ▶ The Parties recognize the need to strengthen the Shari'ah courts and to expand their jurisdiction over cases. The Bangsamoro shall have competence over the Shari'ah justice system. The supremacy of Shari'ah and its application shall only be to Muslims.
- ▶ The Bangsamoro Basic Law shall provide for justice institutions in the Bangsamoro. This includes: c) Alternative dispute resolution systems.
- ▶ The customary rights and traditions of indigenous peoples shall be taken into consideration in the formation of the Bangsamoro's justice system. This may include the recognition of indigenous processes as alternative modes of dispute resolution.

Basic rights

- ▶ Right of women to meaningful political participation, and protection from all forms of violence;
- ▶ Right to equal opportunity and non-discrimination in social and economic activity and the public service, regardless of class, creed, disability, gender and ethnicity;

Transition and implementation

- ▶ The Parties agree to adopt and incorporate an Annex on Transitional Arrangements and
- ▶ Modalities, which forms a part of this Framework Agreement.

Normalization

- ▶ The aim of normalization is to ensure human security in the Bangsamoro. Normalization helps build a society that is committed to basic human rights, where individuals are free from fear of violence or crime and where long-held traditions and value continue to be honored. Human insecurity embraces a wide range of issues that would include violation of human and civil rights, social and political injustice and impunity.
- ▶ The Parties agree to adopt criteria for eligible financing schemes, such as, priority areas of capacity building, institutional strengthening, impact programs to address imbalances in development and infrastructures, and economic facilitation for return to normal life affecting combatant and non-combatant elements of the MILF, indigenous peoples, women, children, and internally displaced persons;
- ▶ The Parties agree to work out a program for transitional justice to address the legitimate grievances of the Bangsamoro people, correct historical injustices, and address human rights violations.

These provisions show that both parties aim to include all sectors including women, internally displaced persons and indigenous peoples within the Bangsamoro territory. As such, justice mechanisms will take into account Shari'ah law, as well as alternative modes of dispute settlement such as those in the traditions of Indigenous Peoples (IP). Additionally, committed

⁶¹ Mechanism for transparent implementation of peace pact with former Cordi rebels set –May 24, 2013, Accessed July 5, 2013 <http://opapp.gov.ph/cpla/news/mechanism-transparent-implementation-peace-pact-former-cordi-rebels-set>

⁶² RPM-P/RPA/ABB begins transformation into legitimate, mainstream organization April 17, 2013 Accessed July 5, 2013 <http://opapp.gov.ph/rpm-rpa-abb/news/rpm-prpaabb-begins-transformation-legitimate-mainstream-organization#sthash.OvWioBaA.dpuf>

⁶³ Ibid

human rights violations are to be addressed, and the normalization process seeks to ensure that basic human rights will be upheld. To this end, provisions seek to dispel discrimination on the basis of gender, as well ensure the meaningful political participation of women and equal opportunity for all in social, economic activities and public service. Another important provision rejects violence against women in any form, and ensures their protection. December 2012 was the original deadline for the formulation of the Annexes, however, up until now the government and MILF panels both continue to work on these documents. The Transition Modalities Annex was signed in February 2013, and the Wealth-sharing Annex was signed very recently on July 13, 2013.

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

Table 9.1: Number and percentage of women who receive economic packages in conflict resolution and reconstruction processes in 2012⁶⁴

Type of package	Number of women	Number of men	Unspecified	Percentage of women
Micro-enterprise Development	23	144	6	13.29%
Employment Skills Training	4	9	1	28.57%
Employment Referral	2	40	2	4.55%
Total	29	193	9	12.55%

Table 9.2: Percentage of women who received economic packages in conflict resolution and reconstruction processes from

Type of package	2011	2012
CPA-CPLA Comprehensive Local Integration Program	6.15%	12.55%

PAMANA (PAyapa at MAsaganang PamayaNAn) embodies the government's framework for peace and development in conflict-affected areas and communities covered by the existing peace agreements. Through the PAMANA, the government seeks to address poverty, improve governance and empower the communities towards a just and lasting peace. There are various types of assistance given by the government in conflict resolution and reconstruction process. Part of these forms of assistance are economic-related such as micro-enterprise development, employment skills training and employment referral. Women are incorporated in the economic programs, however it is marked by a low number of participation.

In compliance with the socio-economic aspect of the Memorandum of Agreement (MOA) with the CBA-CPLA, the GPH continues to implement development projects in the Cordillera Administrative region (CAR) through the PAMANA program. Currently, there are 24 projects in the areas of Abra,

Apayao, Benguet and Mountain Province. Such projects include road construction and rehabilitation, irrigation, multipurpose center construction, nursery building among others. 10 out of 24 of these projects are on progressing towards completion while the rest are at the bidding or testing stage. In connection to the livelihood and socio-economic pillar, OPAPP, in partnership with the Department of Trade and Industry-CAR, conducted entrepreneurship development trainings in the CAR to better contribute skills and knowledge of the former combatants.⁶⁴

The government is also set to implement more PAMANA projects in South Cotabato in order to contribute to the peace and development efforts in the area. These projects were launched in partnership with the provincial government as funds were turned over to the respective LGU.⁶⁵

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Table 10.1: Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Type of training	Troops receiving training	Description
PHILIPPINE NATIONAL POLICE		
GAD Planning & Budgeting Workshop for 2013	49 personnel	A whole day planning and budgeting workshop on Gender and Development
1 st Responders Forum on Gender-Based Violence	452 participants (multi-stakeholder)	A half-day training attended by PNP, NGO, socio-civic groups, students and local officials
Seminar on UNSCR 1325 and 1820	85 Senior officers	A half-day orientation seminar on UNSCR 1325 & 1820 given to Senior Officers of PNP
Men Opposed to Violence Against Women Everywhere (MOVE) Advocacy	204 cadets	Series of advocacy trainings conducted for the Philippine National Police Academy

64 "Gov't continues implementation of dev't projects as part of CBA-CPLA MOA," OPAPP.gov.ph, last modified June 7, 2012, <http://opapp.gov.ph/cpla/news/gov%E2%80%99t-continues-implementation-dev%E2%80%99t-projects-part-cba-cpla-moa>

65 "Gov't to implement more PAMANA projects in S. Cotabato," OPAPP.gov.ph, last modified August 4, 2012, <http://opapp.gov.ph/mnlf/news/govt-implement-more-pamana-projects-s-cotabato>

MOVE Academy Seminar	60 SAF personnel	A half-day seminar on Violence Against Women for Special Action Force personnel
Deepening Session on the Magna Carta of Women	33 personnel HQ	A half-day training on the Magna Carta of Women and other national laws on women attended National Head Quarters personnel
Biennial Summit on Women in Policing	524 policewomen	3-day summit for women serving in the police force
GAD Seminar and MOVE Advocacy	2012 27 LSS personnel	Orient Logistics Support Service (LSS) personnel on the significance of their role in the prevention and the elimination of abuses on women and children
Gender and Development Program	257 PNP personnel – 5 batches	A series of two-day first responders seminar on how to handle gender-based violence cases
Raising Awareness on Trafficking in Persons (TIP)	51 selected WCPD personnel and investigators	Two-day training program on Trafficking in Persons given to Women and Children Protection Desks Personnel and investigators
Specialized Training for Women and Children Protection Centers Officers	1,559 officers – 32 batches	A series of training for WCPD officers in partnership with United Nations Population Fund (UNFPA)
Human Rights Seminar	13,695 personnel	Institutionalized training program on human rights for PNP personnel
Barangay Legal Education Seminar	36 PNP personnel	Training programs on local level policies with emphasis on VAWC, Barangay Protection Orders and Human Rights

PNP-ICRC workshop training on human rights and IHL	57 officers	Aimed to further the understanding of the PNP personnel on HR and IHL, to provide opportunity to discuss IHL issues relevant to Special Action Force, Regional Public Safety Battalion, Phil. Public Safety College, City Police Office Public Safety Company
Clustered training for human rights	214 personnel	Series of trainings from April to August
Instructors development course	40 PNP human rights desk officer	10 day training US Department of Justice
Lecture of Human Rights in the Police Context	410 personnel	Given to different PNP units

It Can be observed that the number of training programs conducted in partnership with the civil society has been increasing.

Percentage of all training programs and personnel receiving such cannot be identified given that some training programs are specialized and have not yet been institutionalized. Criteria for participation are being set by directorates and units spearheading the training programs.

Apart from regular training programs on human rights, the PNP has been offering specialized programs on women's human rights and the IHL for its personnel. Most training programs on women's rights are coordinated by the Family, Juvenile, Gender and Development Division of the PNP. The division serves as the Gender and Development focal point of the police force and continuous to develop programs related to family youth, women, and children.

It can be observed that the number of training programs conducted in partnership with the civil society has been increasing. Local civil society and international organizations such as the Hanns Seidel Foundation (HSF), International Committee on the Red Cross (ICRC), University of the Philippines Law and WE Act 1325 have collaborated with the institution to provide various training programs to strengthen awareness of PNP personnel on human rights and IHL.

Apart from capability-building programs, PNP has started internal policies to strengthen their human rights thrust. In September 11,

2012, a directive was released entitled “Policy on the Supervision and Monitoring of Trainings on Human Rights and International Humanitarian Law to all Police Personnel.” The policy is meant to harmonize and structure human rights training programs of the PNP and appoints all regional human rights desks officer to supervise all human rights and trainings done in their respective areas.

In addition, PNP started its development of the “Human Rights based Policing Assessment Indicators” last year as a result of

their research “Police Context Assessment: A Contextual Analysis on Law Enforcement in the Philippines.” It also conducted its assessment and review of the PNP Guidebook on Human Rights-based Policing.

In 2012, PNP also activated its Women and Children Protection Service (WCPS) as a National Administrative Support Unit (NASU) to further enhance the capability of the institution in upholding laws relating to women and children's rights. WCPS is tasked to evaluate and monitor the operations of all established Women and Children's Desks nationwide.

Table 10.2: Number and percentage of pre-deployment training and post-deployment programs for military personnel incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Type of training	Number/ Percentage of troops receiving training	Description
Armed Forces of the Philippines		
Career courses (Philippine Army)	4,432 (94%)	Human rights module including principles of basic principles of HR & IHL
Pre-entry courses (PA)	62 students	Modules include understanding basic HR principles, with emphasis on the history of Armed Conflict, implementation of IHL in the Phil, and knowledge of the duties and tasks of military forces.
	64 students	
	2,320 students	
Human Rights Seminar (PA)	23 personnel (49%)	1 day HR Refresher course with speakers from CHR
GAD Seminar Workshops (PA)	323 personnel	Throughout the year 2012 these include: Men Opposed to Violence Against Women Everywhere (MOVE campaign); symposium on the Magna Carta; Orientation on the National Action Plan on UNSCR 1325; GAD awareness/ orientation seminar; and Gender Sensitivity trainings & gender responsive planning and workshops.
Seminar on RA 7192, 7877, 9262 (Philippine Navy)	25 personnel	Awareness raising on pertinent legislation
Seminar on International Human Rights and International Humanitarian Law (PN)	75% of personnel	
Seminar on Violence Against Women (PN)	60% of personnel	Topics covered include VAWC, CEDAW and GAD
GAD Activity and Gender sensitivity Awareness (PN)	30 personnel (13.6%)	Discussion included basic concepts, gender fair language, and gender issues in the Philippine Navy (conducted semi-annually)
Special Operations Training in White Area (PN)	40 personnel (18.2%)	Includes basic human rights and International Humanitarian Law (conducted annually)
Special Advocacy Literacy Livelihood and Advancement for Muslims (PN)	40 Personnel (18.2%)	Includes Indigenous People's rights
VAWC Seminar (PN)	30%	Women's rights
GAD Seminar (PN)	30%	Women's rights
Legal Seminar (PN)	30%	IHL & HRL
Security Refresher Training Seminar (PN)	25%	IHL & HRL
Anti-Terrorist Training & Crisis Officer Management (PN)	15%	IHL & HRL

Source: AFP Office of the Deputy Chief of Staff for Education and Training (J8)

The AFP regularly conducts seminars on Human Rights and the IHL, which occasionally include Indigenous People's Rights. Additionally seminars on GAD and Women's rights are held, focusing on the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and VAWC. Although limited, the AFP, through the Philippine Army specifically, also informs their personnel about UNSCR 1325 and the National Action Plan on WPS. The numbers of personnel having access to these trainings cannot fully be drawn out because of the differences in numerical data provided with some having concrete numbers, and other offering only the percentage.

In the conduct of trainings, resource persons from Local Government Agencies and Civil Society Organizations are tapped to provide their expertise on these fields. Data submitted also included information on trainings conducted to personnel in the Philippine Air Force in Module 3, however, there is no detail as to what type of training is done on the subject of human rights or international humanitarian law in said Module.

Pre-deployment training for AFP Peacekeepers include a UN Civil-Military Liaison Officer Course (UNCMLOC) which aims to

provide an understanding on major civil-military coordination issues in modern UN Peacekeeping Operations (PKO) including "Blue Liaison", human rights and negotiation. Large Group discussions focus on important UN Peacekeeping Operations Issues including Attitudes & Culture, Code of Conduct/Personal Safety, Sexual Exploitation and Abuse (SEA) and Personnel & Stress Management. Other pre-deployment training also includes the UN Train the Trainers Course with exercises that focus on Human Rights & the Use of Force, among others, and the UN Civil-Military Coordination Officer's Course (UNCIMIC) similar to the UNCMLOC, that focuses on military to military and civilian actors in PKO, classroom exercises also include portions on human rights. Furthermore, training for United Nations Mission in Liberia (UNMIL) / UN Stabilization Mission in Haiti (MINUSTAH) contingents involves providing students with legal knowledge and awareness of international laws, protocols and conventions that must be followed and observed while in the UN mission.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

To CSOs

Table 11.1: Allocated and disbursed funding marked for women, peace and security programs (WPS) to CSOs in 2012

CSO	Donor country/ entity	Purpose	Amount received for WPS	Total amount or Percentage for WPS
WE Act 1325	Royal Norwegian Government	Funding for Projects on Women, Peace and Security		Php 3,148,388.42
National Union of People's Lawyers	EU	Reducing Vulnerabilities: Empowering Human Rights Victims and Defenders		Php 15,055,547
Union of People's Lawyers in Mindanao	Not Available	People of Mindanao vs Impunity: Strengthening Grassroots People's Organisations for the Promotion of Human Rights and Fundamental Freedoms against Modern Warlordism and impunity in Mindanao		Php 10,831,750
Ittihadun Nisa' Foundation, Inc.	Japan International Cooperation Agency (JICA)	Enhancement and Upgrading Training for Bangsamoro Women Skills Training Center (BWTC) July 2012 – January 2013	As part of the community empowerment programs, aims to upgrade the skills and knowledge of Bangsamoro women in starting their own entrepreneurial activities	Php 845,300
United Youth of the Philippines, Inc. – Women	Japan International Cooperation Agency (JICA)	Empowering Women Capacities in Special Conditions July 2012 – January 2013	Enhance the overall capacities of organized women groups as early as warning and quick response mechanism to respond to and address trauma and human rights abuses due to conflict	Php 637,500

Mindanao Tulong Bakwet, Inc.	Japan International Cooperation Agency (JICA)	Skills Training on Fish Culture and Processing for Returned Internally Displaced Persons Y1 Dec 2012 – Mar 2013 Y2 April – July 2013	Promotion of peace and security by improving the socioeconomic situation of the internally-displaced persons through sustainable aquaculture and fish processing	Php 1,797,291
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*Conversion rate used 1€ = 58.55Php

To Government

<i>Table 11.2: Allocated and disbursed funding marked for women, peace and security programs (WPS) to government in 2012</i>				
Government body	Funds from the National Budget: Yes/No? Amount?	Donor country/ entity & Amount?	Program and Purpose	Total Amount or Percentage
All Government Agencies; Members of the NSC-WPS	General Appropriations Act			5% of the total government agency budget
Commission on Human Rights (CHR)		Spanish Agency for Development Cooperation (AECID) Php 161,012,500	Institutional Strengthening of the Commission on Human Rights of the Philippines (Dec 2011-2014) Project aims to strengthen the ability of the CHR to impact on the human rights' focus of development planning, and local & national policies	9% of total budget
CHR		United Nations Development Program (UNDP) Php 9,042,600	Protection monitoring in Mindanao.	Php 9,042,600
DSWD LGUs NGOs		Spanish Agency for Development Cooperation (AECID) Php 30,917,080	Enforcement of Magna Carta of Women to curb gender-based violence	Php 30,917,080
DILG		International Labor Organization (ILO) Php 4,478,240	Intensification of the campaign against illegal recruitment, trafficking in persons and irregular migration in Maguindanao province.	Php 4,478,240
OPAPP/ DILG		AECID Php 87,825,000	Mainstreaming peace and development in local governance in the Philippines (Nov 2011- July 2015) The project aims to reinforce the management of municipalities and barangays in order to have an integrated focus on peace and development, providing opportunities and services to the local population.	30% of total budget Php 26,347,500

Philippine Commission on Women (PCW)		Spanish Agency for Development Cooperation (AECID)	Institutional strengthening of National and Local Governance on Human Rights and Economic Empowerment with Gender Focus: Implementation of the Magna Carta of Women (Dec 2011- Dec 2014)	10% of total budget Php 263,475
		Php 87,825,000	The project aims to contribute to the reduction of gender disparities and inequalities in economic, social and political spheres.	
PCW	Php 1, 322.50		Deepening Session on Women, Peace and Security for the Regional Commission on Bangsamoro Women and the ARMM Regional Steering Committee	Php 1, 322.50
PCW	Php 433, 298.00	UN Women Php 393, 660.00 (Total amount received for the program: Php 1, 180, 980.00)	Development of the Women's Empowerment, Development and Gender Equality (W-EDGE) Plan 2013-2016 (The plan has a chapter for addressing strategic gender issues related to peace and security)	Php 826, 958.00
PCW	Php 32, 193.00		Localization of the National Action Plan on Women, Peace and Security in the ARMM	Php 32, 193.00
OPAPP				
PCW	Php 133, 190.00		Indigenous People Women Leaders' Training Workshop: Enhancing Competencies, Engaging and Negotiating	Php 133, 190.00
National Commission on Indigenous Peoples (NCIP)				
ARMM Regional Government		Japan International Cooperation Agency (JICA) Php 202,718,761.10	ARMM Human Capacity Development Project (April 2011 – March 2014) To enhance overall administrative capacity of the ARMM government and to secure its sustainability	
ARMM Regional Government		Japan International Cooperation Agency (JICA) Php 1,097,777,778	Autonomous Region for Muslim Mindanao Social Fund for Peace and Development (2004 – 2012) To reduce poverty and help build sustainable peace in conflict-affected areas in ARMM by financing small-scale subprojects of social and economic infrastructure with participation of local communities and by providing technical assistance for strengthening institutional capacity	
DSWD OCD DILG NNC		Canadian International Development Agency (CIDA) Php 706,184,000	Support for returnees and other conflict-affected households in central Mindanao and national capacity-development in disaster preparedness.	Php 706,184,000

Mindanao Human Rights Action Center (MINHRAC)	Php 8,234,400	Building a Critical Peace Constituency: A Joint GPH-MILF Advocacy	Php 8,234,400
		November 2012 – March 2013	
		To develop a critical peace constituency to support to the peace progress and participate in peace building through conduct of consultation about the Framework Agreement on the Bangsamoro	
Bangsamoro Leadership and Management Institute (BLMI)	Php 1,660,500.00	Implementation Plan on BLMI-BDA Training for Capacity Building (November 2012 – March 2013)	Php 1,660,500.00
		To develop and strengthen the leadership and management skills of Bangsamoro community leaders through the conducts of training on Accounting/Bookkeeping, Leadership and Management, and Human Rights, Mediation and Conflict Resolution	
Department of Justice (DOJ)	Php 365,811.22	Orientation for Regional Gender and Development Committee Members and Committee on Decorum and Investigation on Anti-Sexual Harassment Law	Php 365,811.22
DOJ	Php 1, 743.75	Gender and Development Committee Activities	Php 1, 743.75
National Nutrition Council	Php 11,000.00	Sectoral Celebrations (Celebration of Women's Month, Violation against Women, etc.)	Php 11,000.00
OPAPP	UNFPA	Strengthening national peace infrastructures	Php 34,534,120
	Php 34,534,120		
OPAPP	Exact Amount Not Available	Documentation of the experiences of women.	
OPAPP	Exact Amount Not Available	Provision of technical and administrative assistance to the National Steering Committee on Women, Peace and Security	
OPAPP	Exact Amount Not Available	Accompaniment Activities of Women in the CPLA and RPMP	
DND, AFP	Exact Amount Not Available	NAP orientation for the male senior officers and women officers of the Philippine Army	
NCMF	Exact Amount Not Available	Development of Community Peace Plans in nine communities in Sulu, Basilan, Tawi-Tawi.	
NCMF	Exact Amount Not Available	Development of Module on Islamic based trauma healing.	

*Conversion rate used 1€ = 58.55Php; 1\$=43.06; 1¥ = 0.44 Php

Executive Order 865 created the National Steering Committee on Women, Peace and Security (NSC WPS), which will be in charge of implementing UNSCR 1325 and 1820. The NSC WPS is composed of 9 government agencies namely OPAPP, PCW, Department of National Defense (DND), Department of Social Welfare and Development (DSWD), DOJ, Department of Interior and Local Government (DILG), DFA, National Commission on

Indigenous Peoples (NCIP) and the National Commission on Muslim Filipinos (NCMF).⁶⁶

The OPAPP chairs the NSC WPS. Some of the programs of OPAPP for women, peace and security for the year 2012 include documentation of the experiences of women in Track 1, the increase in the number of women involved in the peace

66 "The Philippine National Action Plan on Women, Peace and Security," OPAPP.gov.ph, accessed August 5, 2013, <http://www.opapp.gov.ph/features/philippine-national-action-plan-women-peace-security>

negotiations, and provision of technical and administrative assistance to the NSC WPS.⁶⁷ OPAPP and PCW also conducted efforts to localize the National Action Plan in the ARMM. Part of this is the orientation among the members of the Regional Sub-Committee on Gender and Development (RSCGD) of ARMM. The orientation aimed to familiarize the participants on the Philippine NAP, gender mainstreaming strategy of the government, and relevance of the LNAP in ARMM, among others.⁶⁸

The PCW, which co-chairs the NSC-WPS, has allotted a total of Php 993,663.50 for their WPS programs for the year 2012. These programs include the localization of the NAP in the ARMM in partnership with OPAPP, the deepening session on women, peace and security, capacity building workshop for Indigenous People Women Leaders, and the development of the Women's Empowerment, Development and Gender Equality Plan which has a chapter on women, peace and security.⁶⁹

As for the other members of the NSC WPS, the DOJ has allotted a total of Php 367,554.97 for their WPS related programs. There was an orientation of Regional Gender and Development Committee members and Committee on Decorum and Investigation on Anti-Sexual Harassment Law and there are also gender and development committee activities. The DND, along with its attached agencies and bureaus, have yet to develop programs for women, peace and security for the year 2012. However, recent progressions show that DND have started to incorporate the NAP in their Gender and Development planning for the year 2013. DND activities which sought to incorporate the NAP include a DND-Wide Forum on the NAP on women, peace and security and a seminar on policy review and formulation of the NAP. These activities were conducted in coordination with OPAPP.⁷⁰ On the other hand, the NCMF started efforts to develop community peace plans in nine communities in the areas of Sulu, Basilan and Tawi-Tawi. The NCMF also developed modules on Islamic based trauma healing.⁷¹

Optional Indicator A – Extent to which gender and peace education are integrated in the curriculum of formal and informal education

<i>Integration of gender and peace education in the curriculum of formal and informal education</i>	
Level/type	Executive Order 570: Institutionalizing Peace Education in Basic and Teacher Education
Formal education	
Primary	Executive Order 570: Institutionalizing Peace Education in Basic and Teacher Education Peace Education Teaching Exemplars Peace Clubs
Secondary	Executive Order 570: Institutionalizing Peace Education in Basic and Teacher Education Peace Education Teaching Exemplars Peace Clubs
Tertiary	Executive Order 570: Institutionalizing Peace Education in Basic and Teacher Education Existence of Classes on Peace and Gender Graduate Courses on Peace and Women's Studies
Informal education	
National Service and Training Program (NSTP)	

Peace Education in the Philippines continues to be mainstreamed by Executive Order 570 (EO 570) adopted in 2006. Through this, peace education is incorporated in the curricula of basic education, teacher education and informal learning systems. Its implementation is strengthened through the release of its implementing rules and regulations in 2008. Under its signed Implementing Rules and Regulations (IRR), the Department of Education (DepEd) will be in charge of developing and promoting peace education initiatives within its regional and local offices as well as in schools, alternative learning systems and communities. The Commission on Higher Education (CHED), equally, shall be responsible for institutionalizing peace in the tertiary level especially in education courses.

Peace Education is not implemented as a separate subject for all grade and year levels, but is mainly integrated in various existing subjects through peace exemplars. Peace themes such as tolerance, environmental sustainability, active citizenship, human rights and others are included in subjects like English, Filipino, Science and Social Studies, among others.

67 "Updates on the GPH-CBA/CPLA Peace Process," powerpoint presentation, Office of the Presidential Adviser on the Peace Process, July 24, 2013.

68 "Gov't localizes nat'l action plan on women, peace and security," OPAPP.gov.ph, accessed August 5, 2013, <http://opapp.gov.ph/news/gov%E2%80%99t-localizes-nat%E2%80%99l-action-plan-women-peace-and-security>

69 Emmeline Verzosa, personal communication to author, July 17, 2013.

70 Efren Fernandez, personal communication to author, July 18, 2013.

71 "The Philippine National Action Plan (NAP) – Updates. 2012 Accomplishment Report and 2013-2014 Plans," powerpoint presentation, Office of the Presidential Adviser on the Peace Process, July 24, 2013.

In the tertiary level, there are peace-related subjects, which have become pre-requisite courses to undergraduate students of Education and similar courses.

Resource materials to support the mainstreaming of peace education have also been produced. DepEd and OPAPP in partnership with United Nations Children's Fund (UNICEF) published these Peace Exemplars for all grade and year levels. In the Learning Resource Development Management System (LRDMS) developed by DepEd, there are seven resource materials on peace education that can be accessed. The LRDMS was developed to respond to the lack of quality instructional resources available to educators⁷². Apart from these, civil society organizations have also published relevant materials on peace education and human rights. The Philippine Human Rights Information Center has published "A Resource Book for Teaching Human Rights and Peace" (2010) designed for public school teachers and "Peace Education: Pathway to a Culture of Peace" (2011) by the Center for Peace Education (CPE) is used as a text book in the tertiary level.

Despite the passage of EO 570 in 2006, the policy is seemingly cascading in a slow pace to the local level. Staff development and training is seen to be the main challenge in EO 570's implementation especially in remote communities. To respond to this, several initiatives have been launched by local government, government agencies and civil society last year in support of peace education.

Local government of Sarangani provided orientations to its public school principals on EO 570 and peace education and affirmed its commitment in strengthening school-based peace initiatives in 2012.⁷³

Collaborative partnerships between government agencies and civil society to promote peace education are also increasing. CHED, together with the Forum Civil Peace Service (forumZFD), spearheaded Teacher-Training Programs for administrators and educators of fourteen public and private academic institutions.⁷⁴ The Generation Peace Youth Network (GenPeace) continued to partner with local governments in localizing Peace Day Celebrations through academe and community-based activities.

Private academic institutions such as Miriam College (MC) and Silliman University (SU) have conducted Teacher Training Programs on Peace Education in 2012. Similarly, civil society

organizations working on peace and human rights conduct capacity-building programs on peace education. The Global Peace Festival Foundation organized peace education module workshops to implementers of the National Service Training Program. Mindanao Peacebuilding Institute's Annual Peacebuilding Training also has modules on strengthening peace education.⁷⁵

Far Eastern University (FEU), MC, Notre Dame of Dadiangas (NDDU), Philippine Normal University (PNU) and SU are some of the few academic institutions that have active peace advocacy centers that mainstream peace education and advocacy within their institutions and partner communities.

Compared to peace education, promotion of gender education is not gaining ground. There is currently no legislative mandate supporting the mainstreaming of gender education in basic education although there are initiatives being done by various government agencies and offices to promote gender concepts in education through trainings and resource materials development.

The DepEd LRDMS database has eight resource materials available on gender education that discusses various gender issues such as women's rights, violence against women and children, gender equality, reproductive health and responsible parenthood. State-run colleges and universities also have school-based initiatives since the 1990s. Diploma and graduate courses on Women and Development are offered by the University of the Philippines in Diliman. UP Manila has a Center for Gender and Women's Studies tasked to engender the curriculum of the institution and conduct training programs on gender-mainstreaming and sensitivity.

Moreover, there are strong efforts of private academic institutions and civil society organizations to promote gender-fair education in the Philippines. The Catholic Educational Association of the Philippines (CEAP) developed its pillar program on Justice and Peace Education, Engaged Citizenship, Environment and Sustainable Development Education, Poverty Reduction, Gender and Development, and Youth Empowerment (JEEPGY). The JEEPGY Program will be implemented by all member-schools of CEAP and shall be integrated in their curricular and extra-curricular offerings.⁷⁶

Colleges and Universities have also established advocacy offices on gender such as Miriam College, St. Scholastica's College (SSC) and the University of the Philippines in Diliman and Manila.

⁷² Learning Resource and Management System. About Us. Department of Education. Accessed 15 June 2012. <http://lrmds.deped.gov.ph/lrmds/main/adhoc/page/aboutus>

⁷³ "Sarangani pushes integration of peace education in public schools". *Zambotimes*. July 16 2012. Accessed 08 June 2012 <http://www.zambotimes.com/archives/49438-Sarangani-pushes-integration-of-peace-education-in-public-schools.html>

⁷⁴ "Education commission, group embark on peace program". *Sun Star Davao*. January 25 2012. Accessed 12 March 2012 <http://www.sunstar.com.ph/davao/local-news/2012/01/25/education-commission-group-embark-peace-program-202361>

⁷⁵ Vertucci, Christine. Mindanao Peacebuilding Institute 2012 Annual Peacebuilding Training in the Philippines. Peace and Collaborative Development Network. Accessed 12 March 2012 http://www.internationalpeaceandconflict.org/profiles/blogs/mindanao-peacebuilding-institute-2012-annual-peacebuilding#.UdpljM_Mh20

⁷⁶ Catholic Educational Association of the Philippines. CEAP Strategic Directions. Accessed 12 July 2013 http://ceap.org.ph/cms/WhoWeAre.aspx#Page_5

III. Conclusion and recommendations

Conclusion

In the areas of participation, there has been progress to varying degrees. Slight progress is noted in women's representation in the national government, local government units, justice and security sector. Significant progress is recorded in women's participation in the peace processes while little to no change is seen in the involvement of women in peacekeeping missions. It can be gleaned that women's participation are increasing in appointive positions while elective posts continue to be an area that can be worked on when it comes to women's representation.

The increase of women's participation has created significant impact in political areas of law-making and the peace process. The passage of laws on women's human rights and the integration of gender perspectives in the peace process outcomes attest to the meaningful contribution of women in the political spaces they participate in. In spite of notable breakthroughs, there are still areas in governance and politics where women representation is very limited. Agencies such as LEDAC and the AFP have little to no female participation.

Moreover, civil society involvement in implementing the NAP has continued. Strong collaboration between government agencies and civil society have been cited last year and span from providing capability-building training programs, supporting advocacy and campaigns for the peace process, service-delivery and research work.

In the areas of protection and prevention, there is a gradual increase of SGBV cases being committed over the past years. It is uncertain whether the rise in number reflects an increase of SGBV cases being committed or the increased awareness on women's rights translated into more women breaking their silence against gender-based violence. In addition, laws on women's human rights continue to increase but implementation efforts have remained weak and inadequate.

With regard to the promotion of gender perspective, efforts to mainstream gender in the security sector are gaining ground. In the PNP, specialized training programs on gender, human rights and International Humanitarian Law have been increasing. These capability-building efforts are complemented by internal policy changes that mirror PNP's adherence to upholding human rights.

As for resource availability, funding for women, peace and security programs is slightly increasing and its sources have also been diversifying. Government agencies and local government units are able to implement programs through their GAD budget. Several international organizations and development agencies have also provided grants specifically for women, peace and security programs. Gender components of various peace and development projects are also being strengthened.

The review of the optional indicator on peace and gender education has shown some slight improvements in regards to their promotion and integration. Peace education is given more priority and focus compared to gender education given its institutional support. Nonetheless, efforts to institutionalize gender by civil society and private bodies are still consistent and useful in making the issues of gender and education go beyond gender parity.

Recommendations

To government

- ▶ To institutionalize sex-disaggregation of all pertinent government data
- ▶ To continue efforts of gender mainstreaming within government agencies and institutions
- ▶ To commit to meeting gender quotas
- ▶ To ensure coordination within and among government agencies on their efforts on women, peace and security
- ▶ To strategize the localization of national laws, plans and policies and the monitoring of such efforts
- ▶ To ensure the proper utilization of the GAD budget for meaningful programs that will hasten gender mainstreaming and close gender gaps
- ▶ To continue partnership with civil society on their peace and development programs
- ▶ To continue supporting third-party researches by making data more accessible to researchers

To donors

- ▶ To support efforts on women, peace and security conducted by civil society
- ▶ To increase transparency of reports for Aid agencies

To civil society

- ▶ To continue engaging government agencies and local government units in their implementation of the NAP WPS
- ▶ To continue efforts of building the local peace constituency that will support the peace process and settlement of all ongoing conflicts through peaceful means.
- ▶ To explore ways of sustaining programs through partnerships.

Table Footnotes:

- i The number of women in the secretariat and legal team of the MILF were not available.
- ii The number of women in the secretariat and technical committee of the NDF were not available.
- iii Comprehensive Local Integration Program Unit Data Base

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Europe

Republic of Armenia

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List of acronyms

ARM AF GS	General Staff of the Armenian Armed Forces
ASSR	Armenian Soviet Socialist Republic
DIY	Do It Yourself
DV	Domestic Violence
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
COE	Council of Europe
CSO	Civil Society Organization
EPNK	European Partnership for the Peaceful Settlement of the Conflict over Nagorno-Karabakh
IDP	Internally Displaced Person
LGBT	Lesbian, Gay, Bisexual and Transgender
MP	Member of the Parliament
MoD	Ministry of Defense
NAP	National Action Plan
NK	Nagorno-Karabakh
NKAO	Nagorno-Karabakh Autonomous Region
NKR	Nagorno-Karabakh Republic
NGO	Nongovernmental Organization
OSCE	Organization for Security and Cooperation
RoA	Republic of Armenia
SGBV	Sexual and Gender-based Violence
SSR	Soviet Socialist Republic
USA	United States of America
UN	United Nations
UNHSCR	United Nations Security Council Resolution
UNFPA	United Nations Population Fund Armenia
WPS	Women, Peace and Security
UXO	Unexploded Ordnance

I. Women, peace and security profile

A. Nature of the conflict

The Republic of Armenia is one of the three post-soviet countries in Southern Caucasus. It is a country with an unstable economy and a high level of emigration. According to the official statistics, a third of Armenians lived below the poverty line in 2009.¹ In 2011 34 percent of the population in the capital city Yerevan were living in poverty.² The ethnic composition of Armenia's population is 93.3 percent Armenian; 1.5 percent Russian; 1.7 percent Kurdish; and 3.5 percent Assyrian, Greek, and other.³

Since 1988, there has been an on-going conflict between Armenians and Azerbaijanis over the enclave Nagorno-Karabakh (NK), which is also known to Armenians as Artsakh. The conflict itself began in 1917 after the collapse of the Russian Empire and the independence of three south Caucasus states. After the Bolsheviks' expansion into South Caucasus in 1920 and the formulation of three regional republics, the Supreme Council of Azerbaijan and the Caucasian Bureau of the Russian Communist Party recognized 95 percent of the Armenian populated Nagorno-Karabakh as a part of Armenia (June–July 1921). Despite the decision made on July 4, 1921 one part of Nagorno Karabakh was on July 7, 1923⁴ established as an autonomous region within the Azerbaijan Soviet Socialist Republic under the command of Joseph Stalin in Moscow. During Soviet governance, discrimination from Azerbaijan towards Nagorno-Karabakh impacted the population. As a result, the composition of the Karabakh population changed. In 1923 Armenians amounted to 94.4 percent of the population of Nagorno-Karabakh, but according to 1989 statistics, the number of Armenians had been reduced to 76.9 percent.⁵

The people of NKAO (Nagorno-Karabakh Autonomous Oblast) and authorities of Armenian Soviet Socialist Republic (SSR) sent multiple requests to the Soviet central authorities asking for reconsideration of the decision to incorporate Nagorno-Karabakh to Azerbaijan, all of which were ignored or rejected, causing persecutions against the initiators of mentioned requests. "What followed those peaceful demonstrations in Yerevan were a series of pogroms against Armenians in the Azerbaijani cities of Sumgait and Kirovabad-Ganja in 1988. Joint Soviet and Azerbaijani forces deported Armenians living in towns and villages of Azerbaijan bordering Nagorno-Karabakh, and in January of 1990, massacred ethnic Armenians living in the Azerbaijani capital, Baku. Tens of thousands of ethnic Armenians were either massacred or displaced."⁶

The current phase of the Nagorno-Karabakh conflict began in 1988, when in response to the self-determination claims of the Nagorno-Karabakh population, the Azeri authorities organized massacres and ethnic cleansings of the Armenian population

on the entire territory of Azerbaijan, particularly in Sumgait, Baku and Kirovabad.⁷ In 1988, the Armenian deputies in the local soviet assembly of Nagorno-Karabakh voted to unite the region with Soviet Armenia. Tensions grew between Armenians and Azerbaijanis, and inter-ethnic violence broke out between these two nations. In 1991, Azerbaijan and Armenia declared independence from the Soviet Union. On December 10, 1991 Armenians in Nagorno-Karabakh held a referendum on independence and as a result, declared independence as a new state separate from Azerbaijan. An overwhelming majority of the voters cast their ballots in favor of an independent Republic of Nagorno-Karabakh. The referendum was boycotted by local Azerbaijanis.⁸ Shortly after, armed conflict over Nagorno-Karabakh broke out between Azerbaijan on one side and Nagorno-Karabakh and Armenia on the other. Thousands of people were killed and hundreds of thousands were displaced due to the conflict. Although this was a war for Nagorno Karabagh, and within its territory, bordering settlements of Armenia and Azerbaijan were also damaged from gunfire.

In May 1994, a ceasefire came into effect through Russian mediation, but there was no peace. Armenians were in control of both Nagorno-Karabakh, a former autonomous region, and bordering Azerbaijani territories as a security guarantee or Green Zone for Armenian populated Nagorno-Karabakh. Since then Nagorno-Karabakh, Armenia and Azerbaijan have held negotiations, under mediation of the Minsk group (chaired by USA, the Russian Federation and France) from the Organization for Security and Cooperation in Europe (OSCE). Sporadic outbursts of gunfire are still taking place along the border between Armenia and Azerbaijan and along the line of contact to Nagorno-Karabakh. There have also been reports of mine accidents; most of this vulnerable areas are near the border villages where mainly women, children live. Nagorno-Karabakh has not been recognized as an independent state by any UN member country, including Armenia.⁹

Nagorno-Karabakh Republic (NKR) is a de facto independent state and as its constitution declares: "The Nagorno-Karabakh Republic is a sovereign, democratic, secular, legal and social state, where power belongs to the people. The state power system in the Republic is based on the principles of separation and balance of legislative, executive and judicial powers, as well as on the distribution of the powers between republican and local authorities.¹⁰ Nagorno-Karabakh is a presidential republic, with 33 member parliaments and three parliamentarian fractions. The population of Nagorno-Karabakh is estimated to be 141 400.¹¹

The Conflict over Nagorno-Karabakh between Azerbaijan and

1 <http://iwpr.net/report-news/armenia-sinking-poverty>
2 http://www.armstat.am/file/article/poverty_2012a_7.pdf
3 <http://www.everyculture.com/A-Bo/Armenia.html#b>
4 <http://www.mfa.am/hy/artsakh/>
5 <http://www.un.mfa.am/en/karabagh/>
6 <http://www.ancanada.org/en/home/page/139>

7 <http://www.un.mfa.am/en/karabagh/>
8 <http://www.equalpowerlastingpeace.org/five-conflicts/nagorno-karabakh/>
9 <http://www.equalpowerlastingpeace.org/five-conflicts/nagorno-karabakh/>
10 <http://www.president.nkr.am/en/nkr/statePower/> Chapter 3 of the NKR constitution
11 <http://www.president.nkr.am/en/nkr/statePower/>

Armenia is currently frozen, but casualties on the borders are very common. Sniper attacks in bordering villages affect the rural communities, mainly children and women who are the most vulnerable in this situation. Following the conflict over Nagorno-Karabakh, the bordering country Turkey has also closed its borders with Armenia in support of their allies in Azerbaijan. Armenia has found itself in a critical situation with most of its borders closed and constantly under threat of escalated violence.

B. Impact of conflict on women

According to a report by Kvinna till Kvinna - one of the few organizations working for the empowerment of women in conflict areas of this region - women from conflict affected groups are in a particularly vulnerable situation. This includes internally displaced persons (IDPs), refugees, women raped during conflict and persons with disabilities as a result of the conflict. Women belonging to conflict affected groups often lack access to education, employment, health and housing and have no awareness of their rights. Due to the conflict, the breakaway region of Nagorno-Karabakh is isolated from many development initiatives, including those that aim to strengthen women's rights.¹²

Before the conflict, Armenians and Azerbaijanis lived intermingled and both republics housed a large minority of the other ethnic group. Due to rising tensions between the groups in the late 1980s, an exchange of populations began, sanctioned by the Soviet authorities. When the war erupted and violence flared, refugees moved back and forth. Many IDPs and refugees still live in temporary housing and in harsh conditions. Women's organizations strive to integrate IDP and refugee women in the local community, provide training to give them a better footing on the job market and monitor and represent their rights. For example, in the border villages, opportunities are created for women to develop their skills on handicrafts and small business initiatives to give them the opportunity to be economically independent and able to take care of their families and become decision-makers in the community. They also work to counteract bitterness and vindictiveness, and post-traumatic stress. In this area, many cross-border dialogue meetings are organized where women from both sides meet regularly in a neutral space to develop relationships among them and a safe space to counter their stereotypes of enemy images and intolerance. Most recently, the EPNK¹³ project (European Partnership for the Peaceful Settlement of the Conflict over Nagorno-Karabakh), through the Kvinna till Kvinna foundation, has been supporting four organizations from Armenia and Azerbaijan to develop a platform for young women directly affected by the conflict to meet and jointly conduct peace initiatives in the region.

The impact of the conflict on the economic situation in Armenia has been devastating, even if the situation has improved during the last years. The Armenian economy is strained due to the closed borders with Turkey and Azerbaijan. The situation is particularly harsh in rural areas and many, predominately men, work abroad.

Because of this, many women in the region have multiple jobs in order to be able to support their families and their work is mainly concentrated in the non-formal-sector, with low pay and limited benefits (house cleaning, babysitting, farming, service industry, etc). Often these types of works are stable and do not include a work contract. Women employed under these conditions are not officially registered and not eligible for maternity or sick leave, and later on pension benefits.

A common view of women in conflict regions is that they should stay at home and there is little or no tolerance for women's activity. The work to improve women's rights is mainly focused on provision of safe places for women and to increase women's awareness of their rights.

The conflict has also brought about problems such as trafficking of women for sexual exploitation. Both Armenia and Azerbaijan are target countries for the recruitment of girls, or are used as areas for transit.

A clear evidence of women's low status in the region is the increasing numbers of sex selective abortions of female foetuses. This escalated to such a degree that it in 2011, a resolution was adopted by the Parliamentary Assembly of the Council of Europe that condemned selective abortions and called on Armenia and Azerbaijan (and Albania) to investigate and monitor the situation, and provide support to awareness-raising initiatives.¹⁴

C. Relevant legal and policy framework

Armenia has ratified various international treaties on women's rights including Convention on the Elimination of all forms of Discrimination (CEDAW), Optional Protocol to CEDAW, Convention on the Political Rights of Women, United Nations Convention against Transnational Organized Crime and its Protocols, Equal Remuneration Convention, Discrimination (Employment and Occupation) Convention, Convention on the Nationality of Married Women, Convention against Discrimination in Education, etc). Additionally, the Constitution of Armenia is gender sensitive and women's rights in Armenia are protected by the national legislation, but de facto those rights are not protected. Recently, the RA government adopted a law ensuring gender equality. The bill is entitled, "Ensuring Equal Rights and Equal Opportunities for Women and Men," and underscores, among other issues, the need for protection under the law against gender-based discrimination. It is worth mentioning that this law had a significant public resonance in the republic as some extremist groups under hidden political context were holding huge campaigns through media against the above mentioned law.

However, the Gender Equality Bill is the beginning of a formal gender policy in Armenia, which aims to support civil society development, increase gender awareness and ensure the fundamental rights of men and women.¹⁵

¹² <http://www.equalpowerlastingpeace.org/five-conflicts/nagorno-karabakh/>

¹³ http://ceas.europa.eu/delegations/georgia/documents/projects/epnk_phase_1_-_project_summary.pdf

¹⁴ <http://assembly.coe.int/Main.asp?link=/Documents/AdoptedText/ta11/ERES1829.htm>

¹⁵ <http://ecca.unfpa.org/public/lang/en/pid/9891>

Furthermore, the Women's Council was established by the order of the Prime Minister in 2000. The Council coordinates the implementation of the national gender policy at all levels of political and public life. The main purpose of the council is to enhance women's status and to insure gender equality in our society.¹⁶

The National Plan for the Improvement of the Situation of Women and Enhancement of their Role in the Society has been enacted since 2004. The National Plan defines the principles, priorities and main directions of the state policy towards the solution of women's problems, and aims to ensure equal rights and opportunities for men and women. Armenia also chaired the UN Commission on the Status of Women in 2010 and 2011.

II. Data presentation and analysis

A. Participation

Indicator 1 – Index of women's participation in governance

At present, significant obstacles prevent Armenia's transition to a fully functional representative democracy. There are big gaps in women and men's abilities to engage in democratic processes, to raise issues of their concern and to access justice to redress violations of their rights. Due to lack of representation in decision-making positions, women have very little influence over policy decisions. Gender equality has not been a priority for the country and most women-oriented policies have focused on reproductive and maternal health and not civil and political rights. Women are better represented in civil society, but women's NGOs lack the capacity to advocate for their inclusion on governmental policy decision level.¹⁷

Women in political life

Women's participation in politics and governance such as national assemblies, diplomatic services, regional and local municipalities and the judiciary is very low in the South Caucasus region. The political sphere is dominated by small power elites. Instead many women work with non-governmental organizations (NGOs). The 2010 Gender Assessment by USAID confirmed that Armenian women have a more significant role as leaders of non-governmental organizations. There are about 700 active organizations, 60 of which are women's NGOs. A survey of civil society in Armenia shows that women's NGOs work in four main areas: "socio-political issues and protection of women's rights and interests; promotion of women's business and professional activities; provision of social services and charity and elimination of violence against women."¹⁸

	Number of women	Number of men	Percentage of women
National government (total)	20	201	9.0%
Executive			
Ministers	2	16	11.1%
Deputy Ministers	6	66	8.3%
Legislative–Parliament–National Assembly			
Deputies	12	119	9.2%
Local government (total)	1	81	1.2%
Governors – Marzes/provincial	0	10	0%
Mayors	0	21	0%
Deputy Mayors	1	50	2%
Legislative branch	Not available	Not available	
Total	20	282	6.3%

Year	1999	2003	2007	2012
National government	3.1%	5.3%	9.2%	10.1%
Local government	-	-	-	
Total				

Although more than 52 percent of the population in Armenia are women, the number of women occupying seats in the parliament; in senior level positions in the government and in decision-making levels is relatively low. Conditions are not in place to afford gender-balanced participation in society - women remain disadvantaged in comparison to their male counterparts in most areas of society. Some progress has been made, however it is still clear that gender equality requires attention and support.

The 2012 parliamentary elections of the Republic of Armenia took place after amendments in the Electoral Code increased the gender quota from 15 percent to 20 percent. Women's representation in the 5th Convocation of the Parliament currently comprises 10.1 percent as compared to 9.2 percent in the 2007 elections, so the quota increase ensured only slight progress.

Moreover, the 20 percent quota, which was stipulated in the Electoral Code to ensure women's appropriate representation, was devalued. The mechanism for promoting the increase of the number of female representatives did not work due to inter-party reshuffling processes in their party lists for proportional electoral system. Thus parliamentary parties did not have any progress in ensuring gender quota stipulated by law.

Only 2 out of 14 women were elected in 2012. The number of women elected as MPs under the majoritarian electoral system

¹⁶ <http://gov.am/en/councils/>

¹⁷ Gender Assessment USAID/Armenia, 2010

¹⁸ Gender Assessment, USAID/Armenia, 2010

revealed a decreasing trend beginning in 1995. As a result of the amendments of the Electoral Code, the number of single-mandate (majoritarian) candidates decreased twice from the 2nd Convocation of the Parliament (1999) to the 4th Convocation (2007), and the number of women nominated under the majoritarian electoral system decreased significantly.

The number of votes for women under the majoritarian system running by self-nomination principle increased. In 2007, all 5 women were nominated by their party's initiative, and in the 2012 elections, 6 out of 11 women were non-partisan, and only 2 were nominated by parties.

Some positive changes have taken place in leadership and in Standing Committees of the Republic of Armenia Parliament. Hermine Naghdalyan was elected as vice-speaker of the Parliament in 2012, Naira Zohrabyan was elected as chair of the Standing Committee on European Integration for the period of June 2009 – May 2012, and Elinar Vardanyan was elected as chair of the Standing Committee on Protection of Human Rights and Public Affairs in 2012.

It can be predicted that at least 25 years will be necessary for achieving the 20 percent quota.

Thus, during the past 20 years, the number of women in Armenian parliament increased by only 7 percent. Moreover there was a slight increase through the use of the gender quota in the proportional system. Taking into account such dynamics of women's representation, it can be predicted that at least 25 years will be necessary for achieving the 20 percent quota at this same pace. The representation of women in politics in Armenia still remains one of the important challenges faced by women today and it has a direct effect on the lack of gender sensitive legislation and the absence of women's needs and concerns in official, national decision-making processes and public policies of the country.

In the Executive branch of Government, out of 18 Ministers only 2 are women. The situation is even more challenging in provincial governmental bodies. Below are the numbers following the 2012 elections:

- ▶ Out of 10 provincial governors, none are female and only one is a woman among deputy governors;
- ▶ There are no women among the 21 city mayors and there is only 1 woman deputy mayor out of the 51 deputy mayors;
- ▶ 43 candidates were women among 1237 candidates (3.47 percent) running for community leader posts (city/town and village councillors), among them, 10 women were elected;
- ▶ 580 out of the 6698 candidates running for local government councillors (city/town or village council) were women (505 women in village communities and 75 women in town

communities), 396 women have been elected, which comprises 8.3 percent of all elected local government councillors;

- ▶ 68.3 percent of all women candidates running for local government councillors were elected;
- ▶ Women compose 51.1 percent of civil servants as of 2013 – in junior posts women make up 56.1 percent, in senior posts 48.6 percent and in leadership posts 37.1 percent.

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

In 2012, there was a negotiation between Armenia and Azerbaijan over Nagorno-Karabakh. The Ministers of Foreign Affairs of Armenia and Azerbaijan respectively were the principal negotiators. They were joined by the Co-chairs of the OSCE Minsk Group, which spearheads the OSCE's efforts to find a political solution to the conflict in and around Nagorno-Karabakh. The representation of women in this peace negotiation is limited to the level of technical experts, and observers. Women's organizations also participated in informal meetings on conflict resolution as well as in parliamentary assemblies organized by OSCE and COE. However, there is no conflict resolution statement yet on the issue of Nagorno-Karabakh.

In this context it is important to mention that Larisa Alaverdyan¹⁹ has a notable role in respect to Nagorno-Karabakh issues. She has participated in numerous international and regional conferences and has prepared a number of expert assessments on conflict resolution issues. Accordingly Ms. Alaverdyan participated indirectly in peace building processes at formal and informal level from 1988 up to date.

Indicator 3 – Index of women participation in the justice, security sector, and peacekeeping missions

The Security Sector

National Security Service

The National Security Service is one of the seven adjunct bodies of the government, in addition to the eighteen ministries of the RoA. The National Security Service is "a republican body of executive authority, which elaborates and implements the policies of the Armenian Government in the national security sector and manages national security bodies."²⁰

The table below indicates the female-male ratio of the six most senior-level functions of this service. As it can be seen from the table, all positions are occupied by men.

¹⁹ Mrs. Alaverdyan participated indirectly in peacebuilding processes at both formal and non-formal level being founder member and responsible secretary of Artsakh compatriot union (1988-1991), chief expert of the Special Committee of the Supreme Council of the Republic of Armenia on Artsakh (1991-1995), a member of the Council on Foreign Relations and Human Rights adjunct to RA President (2000-2003), continuing cooperation as a deputy in the National Assembly of the Republic of Armenia (2007-2012), being as executive director of the NGO Against Illegal Arbitrariness (1995-2004). At present, during a year, Larisa Alaverdyan fosters contacts among Armenian and Azerbaijani youth as a director of Institute of Politics and Law at Russian-Armenian (Slavonic) University.

²⁰ <http://www.gov.am/en/adjunct-bodies/18/>, accessed on July 16, 2013

Table 3.1: Sex-Disaggregated Data, Top Six Senior-Level Functions, Armenian National Security Serviceⁱ

Function	Male	Female
Director of National Security Service	1	0
First Deputy Minister	1	0
Deputy	4	0

The Ministry of Defense

The Ministry of Defense of the Republic of Armenia (MoD) is a “republican body of executive authority, which elaborates and implements the policies of the Government of the Republic of Armenia in the defense sector.”²¹

The MoD and the Armenian Armed Forces have begun reforms in order to ensure civic control and create a better defense system corresponding to the basic principles of democratic governance and present military demands.²²

The NGO Society Without Violence tried to monitor the mainstreaming of gender in MoD personnel and operational policies and practices. The organization requested official data on women’s involvement level in MoD departments. However, in his 538/GH/20.05.2013 letter following the organization’s official request, the chief of general headquarter of the RA Armed Forces responded that such information is secret and cannot be publicized. Thus, the secrecy of the MoD blocks the access to any kind of information and data about women’s participation. The only reliable source of information remains the official website of the MoD where gender sensitive information is limited. Thus, the information presented below is retrieved from this source. It is also important to notice that the MoD does not take part in the Inter-Agency Working Group on Gender.

Table 3.2: (See Footnote 35): Sex-Disaggregated Information of Defense Minister, MoD staff, Chief of the ARM AF GS, Deputy Ministers and Chief of Departmentsⁱⁱ

Function	Male	Female
ARM Defence Minister	1	0
ARM MoD Staff	1	0
Chief of the ARM AF GS	1	0
ARM First Deputy Minister, MoD	1	0
ARM Deputy Minister, MoD	2	0
Chief of Department of Defense Policy	1	0
Head of Secretariat	1	0
Chief of Department of Financial Budgeting and Planning	1	0
Chief of Supervisory Department	1	0
Chief of Military police	1	0
Chief of Investigation services	1	0

21 <http://www.gov.am/en/structure/17/>, accessed on July 16, 2013

22 <http://www.mil.am/1298096650>, accessed on July 16, 2013

Chief of Department of Capital Construction and Housing	1	0
Chief of Department of Financial Inspection	1	0
Chief of Administrative Support Department	1	0
Chief of Central Military-medical Committee	1	0
Head of Branch of Information Analysing	1	0
Chief of Department of Information and Public Affairs	1	0
Head of Collegiums' work organization branch	1	0
Chief of Personnel and Military Education Department	1	0
Chief of Department of Law	1	0
Head of Heraldry Branch	1	0
Chief of Department of Social Protection of Servicemen	1	0
Chief of Defense-Industry department	1	0
Chief of Economic analysis and procurement documentation department	--	0

As can be inferred from the table, the top 26 positions in the MoD are all occupied by men except for two functions, which were vacant at the time of the assessment.

The Police Service

The Republic of Armenia Police has the right to use compulsion within the boundaries prescribed by law. The police organize the operational-intelligence and forensic-criminological activities of internal affairs bodies in the Republic, and directly supervises the investigative units of internal affairs bodies in accordance with the RoA legislation.”²³

As indicated in the table presented below, men occupy the seven most senior-level functions of the Armenian Police.

Table 3.3: (See footnote 37): Sex-Disaggregated Data, Top Seven Senior-Level Functions, Armenian Policeⁱⁱⁱ

Function	Male	Female
Chief of Republic of Armenia police	1	0
First Deputies	1	0
Deputy	3	0
Deputy – Head of General Investigation Department	1	0
Commander of RA Police Troops – Deputy Head of RA Police	1	0

23 <http://www.gov.am/en/adjunct-bodies/11/>, accessed on July 16, 2013

The findings revealed that decision-making processes involve only men. The vast majority of the Police employees are also men, while in the upper positions there are no women involved.²⁴

The researchers tried to get information on the level of women involvement in the police system from the RA Police, but the organization's request was denied based on the regulation No: 626 of the RA Government on 30.12.1997 and on the order of RA Police Chief of 18.02.2005 "on the formation of the extended departmental list of secret information." As a result, no other official sex-disaggregated data are available on the police force in Armenia, including with respect to the different departments, functions and distribution across the marzes.

The Armed Forces

"Armenia has compulsory military service for men who are 18 years of age lasting for a period of two years. The Law on Alternative Military Service derived from Armenian commitments to the Council of Europe and it has been in effect since 1 July 2004. This law emerged after several discussions concerning the readiness and efficiency of the Armed Forces. However, no more than 20 recruits have participated in alternative military service. The law defines two types of alternative service: non-armed service in the military system for the duration of three years and service in social institutions for the period of 48 months."²⁵

The Armed Forces of RoA has four training institutes, namely the military institute, the military aviation institute, the military medicine faculty, and the military training school. In principle and practice only men can apply to these training institutes. However, based on Paragraph 3 of Article 4 of Chapter 1 of the RoA law on "Passing to military service", in June 2013 Armenia's Defense Ministry has announced the start of admission of women in military educational establishments in the republic for the academic year of 2013/2014. As Defense Ministry spokesman announced, "The Defense Ministry continues to carry out its consistent reforms and innovative policy that will contribute to the raising of the combat efficiency of the armed forces and public confidence."²⁶

Now, "women having attained the age of 18, who are citizens of Armenia, are physically strong and with health assessed as satisfactory for training and service in military education establishments, with certificates of the passage of single mathematics and physics exams will be considered for enrolment."²⁷

As seen from the table below, all senior staff members in the armed forces are men, including the 26 departments chiefs and branches heads.

Table 3.4: Sex-Disaggregated Data of the Functions of the Defence Minister, (Deputy) Chiefs of the ARM AF GS, Chiefs of Departments, Heads of Branches of the Armed Forces of RoA^{iv}

Function	Male	Female
ARM Minister of Defence	1	0
Chief of the ARM AF GS	1	0
First Deputy Chief of the ARM AF GS	1	0
Deputy Chief of the ARM AF GS	1	0
Deputy Chief of the ARM AF GS	1	0
Deputy Chief of the ARM AF GS	--	0
Deputy Chief of the ARM AF GS	1	0
Administrative Apparatus	1	0
Head of the Department of Intelligence	1	0
Chief of Department of Rocket Forces and Artillery	1	0
Chief of Administrative Apparatus	1	0
Chief of Department of Aviation	1	0
Chief of Department of Ensuring Service for the Troops and Military Service Security	1	0
Chief of Department of Air Defence Forces	1	0
Chief of Department of Strategic Planning	1	0
Chief of Department of Military preparedness	1	0
General Commissar of ARM Military Commissariat	1	0
Chief of Department of the Rear	1	0
Chief of Department of Communications and ACS	1	0
Chief of Department of Engineering Forces	1	0
Chief of Department of Armament	1	0
Chief of Department of Radiation, Chemical and Biological Defence	1	0
Chief of Organization and Mobilization Department	1	0
Chief of Military Medical Department	1	0
Chief of Operative Department	1	0
Chief of Moral and Welfare Department	1	0
Chief of Financial Department	1	0
Head of Radio-electronics Struggle Section	1	0
Head of Military Communication Branch	1	0
Chief of Department of Personnel	1	0
Head of Military Topography Branch	1	0
Head of Eighth Branch	1	0
Head of Standardization and Metrology Branch	1	0
Head of Military Orchestra Branch	1	0

²⁴ <http://www.police.am/structure/leadership.html>

²⁵ Defence Institution Building: Country Profiles and Needs Assessments for Armenia, Azerbaijan, Georgia and Moldova Background Materials, Geneva Centre for the Democratic Control of Armed Forces

²⁶ http://www.armenianow.com/news/46674/armenia_defense_ministry_educational_establishments_women, accessed on July 16, 2013

²⁷ http://www.armenianow.com/news/46674/armenia_defense_ministry_educational_establishments_women, accessed on July 16, 2013

Women in Peacekeeping Missions

According to the July 2013 data from the UN Department of Peacekeeping Operations (DPKO), Armenia has sent one male peacekeeper as part of the Contingent Troop in the United Nations Interim Force in Lebanon (UNIFIL).²⁸

Justice Sector

The Ministry of Justice is a “republican body of executive authority, which elaborates and implements policies of the Republic of Armenia Government in sectors which belong to the authority of the Ministry in accordance with laws, other legal acts, and its by-laws.”²⁹

In RoA judiciary system, the Minister of Justice, its deputies, RoA Chief Prosecutor, the heads of Supreme Court, Appellate Court, Administrative Court, First Instance Court of General Jurisdiction, Chief of the Staff of the Council of Justice, the Head of Department are all responsible for decision-making. For the most part, only men are involved in decision-making processes, except for the Chief of the Staff of the Council of Justice. But the number of female judges is relatively high, which is a great progress for Armenia.

Table 3.5: Percentage of women in the judiciary sector of RoA^v

Court	Position	Male	Female	Total	Percentage of Women
Supreme court	Chief Judge	1	0	1	0%
	Chief Justice	2	0	2	0%
	Judge	11	3	14	21.4%
Subtotal		14	3	17	17.6%
Appellate Court	Court Chairman	1	0	1	
	Judge	8	6	14	42.85%
Subtotal		9	6	15	40%
Administrative Court	Court Chairman	1	0	1	0%
	Judge	13	5	18	27.78%
Subtotal		14	5	19	26.3%
First Instance Court of General Jurisdiction	Court Chairman	16	0	16	
	Judge	99	30	129	23.26%
Subtotal		115	30	145	20.6%
Council of Court Chairmen The Judicial Council	Court Chairman	16	0	16	0%
	Chairman of the Council of Administration of Justice	0	1	1	100%
	Council members (judges)	9	2	11	18.2%
Subtotal		9	3	12	25%
Judicial Department	The chairman of the judicial Department	1	0	1	0%
	The first deputy of the chairman of the judicial Department	1	0	1	0%
	The deputy of the chairman of the judicial Department, The chief finansist	1	0	1	0%
	The deputy of the chairman of the judicial Department, Head of Service of Judicial Bailiffs	1	0	1	0%
	Head of the department	7	3	10	30%
Subtotal		11	3	14	21.4%

28 Country contributions detailed by mission. UN DPKO. Accessed on October 6, 2013. http://www.un.org/en/peacekeeping/contributors/2013/jul13_3.pdf

29 <http://www.gov.am/en/structure/3/>, accessed on October 11, 2013

Board of the Prosecutor's Office

According to article 22 of the Law of RA "On Prosecutor's Office", under the chairmanship of the Prosecutor General, in the prosecutor's office there is a Board for the discussion of fundamental issues related to the arrangement of activities of the prosecutor's office.³⁰ The Board consists of the Prosecutor General and 12 members. The members of the Board are the deputies of the Prosecutor General, the Heads of the General Prosecutor's Office Departments and other Prosecutors appointed according to the order of the Prosecutor General.³¹

Table 3.6: Board of the Prosecutor's Office^{vi}

Function	Male	Female
RA Prosecutor General, Chairman of the Board	1	0
Deputy Prosecutor General of RA	1	0
Deputy Prosecutor General of RA	1	0
Deputy Prosecutor General of RA	1	0
Deputy Prosecutor General of RA	1	0
Head of RA Prosecutor General Office's State Interests Protection Department	1	0
Head of the RA Prosecutor General Office's Corruption and Organized Crime Department	1	0
Head of RA Prosecutor General Office's Department for Logistical Supervision	1	0
Head of Property and Economic Crimes Department of RA Prosecutor General's Office	1	0
Head of General Crime Department of RA Prosecutor General's Office	1	0
Head of the Prosecutor General Office's Department for Investigation by National Security Agencies and on Cyber Crimes	1	0
Yerevan City Prosecutor	1	0
The Prosecutor of Shirak region	1	0

Table 3.7: The Ministry of Justice of RA^{vii}

Position	Male	Female	Total
Minister	1	0	1
The first deputy	1	0	1
Deputy	3	0	3

The Constitutional Court of RoA

The Constitutional Court is the highest body of the constitutional justice, which assures the priority and the direct implementation of the Constitution in the Republic of Armenia. There is only one woman out of the 15 employees of the RA Constitutional

Court who is not on the top of the hierarchy but is involved as Constitutional Court member.³²

Table 3.8: Percentage of women in the constitutional court of RoA^{viii}

Position	Male	Female	Total	Percentage of women
The chief of the Constitutional Court	1	0	1	0%
The Constitutional Court members	7	1	8	12.5%
Chief of the staff	1	0	1	0%
The Constitutional Court Adviser	5	0	5	0%
TOTAL	14	1	15	6.67%

As presented above, women's participation in this sector depends on the occupied position. In recent years women's representation in the justice sector has significantly increased in the lower positions, while mostly men occupy the higher positions. This is a result of inequality and stigma in our society where women encounter more challenges in regards to achieving higher positions.

There are also attempts in providing equal conditions for women's professional growth in Ministry of Defense and Armed Forces of the Republic of Armenia. Women working in Ministry of Defense and Armed Forces of RA participate in both bilateral and multilateral initiatives of peacekeeping and territorial security provision in the framework of Ministry of Defense jurisdiction including CSTO³³, NATO, ICRC, OSCE and under the aegis of other structures' activities.

Indicator 4 – Number and percentage of women participating in each type of constitutional or legislative review (including security sector review)

The researchers have sent official letters to a number of institutions in order to get information on number of women participating in each type of constitutional legislative review. However, the institutions provided no information, stating that there is no relevant data in the database.

32 <http://www.concourt.am/armenian/structure/index.htm>

33 The Collective Security Treaty (Treaty) was signed on May 15, 1992 in Tashkent (Uzbekistan), Armenia being among the signatories.

At present, the CSTO members are the Republic of Armenia, the Republic of Belarus, the Russian Federation, the Republic of Kazakhstan, the Kyrgyz Republic, the Republic of Tajikistan, and the Republic of Uzbekistan.

According to the Treaty, the Participating States, collectively confront and eliminate a military threat against their sovereignty and territorial integrity. This fundamental provision of the Treaty is defined by the Article 4, according to which in case of an act of aggression against a Member State, all other Participating States would provide all necessary assistance, including that of military.

In 1999, Armenia also signed the Protocol on Prolongation of the Treaty.

In 2002, The Treaty was transformed into the Collective Security Treaty Organization (the Organization, CSTO) whose basic functional elements include close military and military-technical cooperation among the Member States, foreign policy coordination on issues of mutual interest and, more recently, countering new threats and challenges, such as international terrorism and organized crime.

Armenia's membership to CSTO is a major component of the country's security architecture.

30 <http://www.genproc.am/en/29/>, accessed on July 16, 2013

31 <http://www.genproc.am/en/29/>, accessed on July 16, 2013

Indicator 5 – CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

There are no Task Forces on UNSCR 1325 and 1820 in Armenia at present, since there is no National Action Plan adopted.

B. Prevention and protection

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized

SGBV is a widespread phenomenon throughout the world.³⁴ Armenia is not an exception. Because of cultural stigma this issue still remains a taboo in Armenia and women are not encouraged to talk about it openly, which makes it difficult to conduct research on this issue. In the post-conflict period no attempt has been made to calculate the relevant number of SGBV cases, which have occurred during the conflict over Nagorno-Karabakh. There is also a lack of professionals in the field and no official statistics. Hence, the lack of data quite often creates an illusion that SGBV does not exist.

The level of awareness of SGBV is very low; moreover, people prefer to reject the existence of this issue. There are certain myths about the abuser and the victim that are deeply rooted in the society. At the same time, those myths mislead the society and justify the abuser. Combatants are considered the most vulnerable during and after the war. But there have been no initiatives at the state level to address the protection of women's rights during armed conflicts.

In spite of the critical situation up until 2008 there was no specific organization that dealt with sexual violence. Today, there is only one Sexual Crisis Center, which was founded in October of 2008 by Women's Resource Center. However there are many other organizations that work with the victims of Domestic Violence (DV) and in the field of women's rights protection. About 60 women's NGOs are presently registered at the RA Ministry of Justice. However, there are some organizations, which are significantly active in fighting against SGBV. Chart 1 illustrates the number of SGBV cases, with which many organizations have dealt with in 2012.

Table 6.1: number of SGBV cases reported to NGOs³⁴

Organization	Location	2012
Ajakits	Gyumri	60
Bridge of Hope	Yerevan	8
Family & Community	Medzamor	72
Helsinki Ass.	Spitak	4
Helsinki Ass.	Vanadzor	5
Martuni Women Assembly	Martuni	15
Paros light house	Yerevan	25
Sexual Assault Crisis Center	Yerevan	95

³⁴ [http://unstats.un.org/unsd/demographic/products/Worldswomen/WW2010%20Report_by%20chapter\(pdf\)/violence%20against%20women.pdf](http://unstats.un.org/unsd/demographic/products/Worldswomen/WW2010%20Report_by%20chapter(pdf)/violence%20against%20women.pdf)

Society without violence	Yerevan	12
Women's Resource center	Berd	10
Women's Rsource Center	Goris	3
Women's Rights Center	Yerevan	2832
Women's Support Center	Yerevan	154

The fear of being stigmatized, ignored and neglected by their relatives and neighbours, losing families, especially children, being blamed for their situation, persecuted by the abuser, and the lack of resources pressure women to not talk of the issue publicly.

With the help of the Helsinki Association (Vanadzor) we were able to receive official data of SGBV cases against women, which occurred in Vanadzor in the post conflict period from 2009 to 2012 (see Table 6.2).³⁵

Table 6.2: Number of SGBV cases reported in Vanadzor from 2009 to 2012.^x

Name and Number of the Article ^{xi}	2009	2010	2011	2012
Assassination (art. 104)	7	9	5	4
Intentional health damage ^{xii} (art. 112)	17	13	11	13
Rape (art. 138)	3	0	2	1
Violent sexual acts/sexual abuse (art. 139)	0	0	1	0
Sexual acts with a person under 16 years (art. 141)	3	1	2	0
Immoral actions (hug, touching the genitals and etc.) (art. 142)	1	0	1	0

Even though no research was conducted to find out wheather the conflict influenced the growth of DV cases, our practical experience has already proven that the war had a negative impact on this issue. After the war combatants left the war with serious physical and psychological problems. Because of the lack of special measures women had to deal with all these problems. Moreover, in the post conflict period Armenia faced a harsh socioeconomic situation. In such circumstances women and their problems were of secondary importance for the government. That is why no official research was conducted to investigate the existing situation. Although, women coming to the Women's Resource Center and participating in its regular discussions often mentioned that there were cases of sexual violence and rape during the war, no serious research was conducted due to lack of resources and capacities for women's rights defenders to initiate that. DV is an important issue, specifically in the conflict area where combatant men returned and reintegrated their families without proper rehabilitation process, which made the families and specifically women responsible for dealing with the psychological consequences of the war on their spouses,

³⁵ Note that in its official letter Police did not classify DV cases and other types of violence in terms of assassination

often involving aggression and violence towards the other members of the family.³⁶ Until now DV is one of the most urgent issues in Armenia. According to the statistics provided by the Criminal Investigation Department of the Police in 2012 within 6 months 352 cases occurred. In 2013 the number of DV cases within the same period is 339. In 2012 alone, five women were killed because of DV, leaving behind 12 children. On the legal side of the problem, Armenia still does not have a law on DV. The government recently has rejected the draft of the law that organizations were lobbying for it for the past 7 years. During the interview for the website "Human Rights in Armenia", Deputy Ministry of Labor and Social Affairs mentioned that the Government had not rejected the draft law; merely the country was not ready to adopt such a law with the formulation, which it had at the time.³⁷ When drafting a National Action Plan for implementing the terms of the Resolution 1325, this issue should be seriously taken into consideration by the government of RA.

In order to illustrate women's low status in the country, the increasing numbers of sex-biased selective abortions can be highlighted. This problem was to a large extent a result of the war. People prefer to have male children who can become soldiers for the country. On the other hand, because of the loss of human resources due to the armed conflict male preference is seen as a normal phenomenon following the collapse of the Soviet Union and the conflict when all social infrastructures crumbled leaving the family and children (male) the only security for the aging parents. In the post-conflict period over Nagorno-Karabakh the situation was even worse. For a long period of time this issue did not receive proper attention by many stakeholders and the government. In 2012 in the frames of the UNFPA, a study was conducted by one of the world's leading experts in this sphere, Mr. Christophe Z. Guilmoto. The study was completed in 2013 by June. The study does not only illustrate the current situation, but also makes predictions for the future³⁸ impact of the problem. This study shows that many Armenian families do not let female children be born; instead, they prefer to have male children. As a result, since 1990s the sex-at-birth ratio has deviated and comprised 114 boys to 100 girls in 2012, whereas the biologically accepted normal ratio is 102-106 boys to 100 girls.

The situation in Armenia is quite alarming in terms of LGBT rights. LGBT people are faced with discriminative attitudes in all spheres of their life. In 2004 an internal defence ministry decree effectively bans gay men from serving in the armed forces. In practice, gays are marked as mentally ill and sent to a psychiatrist. Nvard Margaryan, who works at "Public information and Need for Knowledge" NGO (this NGO deals with LGBT rights) as a Project Coordinator, during an interview mentioned that the post conflict situation has a direct influence on LGBT people. She also emphasized another problem; there is a stereotype that LGBT people do not have children and will never have an 'input' in armed forces. At the end of the interview N. Margaryan added that no research has been conducted on this issue and all the observations are considered to be the result of her personal

experience. It is worth to mention that on the 8th of May, 2012, DIY pub was exploded by a group of nationalistic youth, since the pub was attended by LGBT people as well.

The Office of Ombudsman has promoted the drafting of anti-discriminatory legislation. In the preliminary version of the draft law, the discrimination based on sexual orientation and gender was prohibited; however, afterwards this point was brought out of the definition of discrimination. The Office of the Ombudsman refuses to provide any explanation on this issue.³⁹

The issues of sexual abuse and sexual assault are introduced in the 18th Chapter in the Criminal Code of RA. The terminology used in this chapter has an offensive character in terms of LGBT rights; homosexuality is described as a type of mental illness. Besides, the existing legislation has a very mild system of sanctions and does not have aggravating circumstances. In 2011 Women's Resource Center proposed amendments to the Criminal Code of RA. The reasons for the changes are the following;

- ▶ Protection of child rights
- ▶ Making the punishment for sexual harassment realistic and severe
- ▶ Extending the aggravating circumstances
- ▶ Defining sex with children less than 12 years as a rape.

The predictions about the draft law are positive, since the majority of the National Assembly realizes the necessity of the proposed changes and amendments.

As mentioned there is no research done on SGBV in conflict times, but women often speak up during closed meetings at the women's center of cases that occurred and women who committed suicide after being raped during the massacres. But all this is not documented because of the local mentality and lack of expert, as well as pressure from the community to silence women in order to preserve the dignity of the families and the nation.

Since the media along with the NGOs started to raise the issue of SGBV along with DV quite often, there is a tendency to consider that the numbers of SGBV and DV cases have increased in Armenia. But in reality people have just started to speak about it. Moreover, the changes, which have occurred during recent years, have positive characteristics. The emergence and further activity of many NGOs, which deal with women's rights, have had an indispensable role in this respect. Thus, there is a slight progress in terms of SGBV. But the dynamics of the changes are slow. Some accelerating methods should be applied; otherwise there is a risk of loss of new lives.

Indicator 7 – Number and quality of gender-responsive laws and policies

UN Conventions, ratified by Armenian National Assembly

- ▶ **UN Convention on the Nationality of Married Women**
Adopted by the GA of the United Nations on 29 January, 1957
Ratified by the National Assembly of RA on 16 August, 1994

³⁶ Discussions on effect of war with women living in conflict area of NK, WRCA, 2010

³⁷ <http://www.hra.am/hy/interview/2013/04/05/domestic>

³⁸ United Nations Population Fund, Sex imbalances at Birth in Armenia: Demographic Evidence and Analysis, Christophe Z. Guilmoto, Yerevan 2013

³⁹ PINK Armenia, LGBT Rights in Armenia, Monitoring, 2012.

► **UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)**

Adopted by the GA of the United Nations in 1979

Ratified by the National Assembly of RA on 9 June, 1993

► **UN Optional Protocol to CEDAW**

Adopted by the GA of the United Nations on 6 October, 1999

Ratified by the National Assembly of RA on 14 September, 2006

► **Convention of Equal Remuneration for Men and Women Workers Pay for work of equal value**

Adopted on 29 June, 1951 by the General Conference of the International Labor Organization at its thirty-fourth session

Ratified by the National Assembly of RA on 29 July, 1995

► **Beijing Declaration and Platform for Action**

Adopted by the Fourth World Conference on Women in 1995

Came into force in Armenia in 1995

► **UN Convention against Transnational Organized Crime and The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children**

Adopted by the GA resolution 55/25 on 15 November, 2000,

Ratified by the National Assembly of RA in 2003

► **Convention on Discrimination in Respect of Employment and Occupation**

Adopted on 4 June, 1958 by the General Conference of the International Labor Organization

Ratified by the National Assembly of RA in 1993

Local gender-responsive laws and policies

RA Constitution, Article 14.1

Everyone shall be equal before the law. Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or other personal or social circumstances shall be prohibited."⁴⁰

RA Government approved the Gender Policy Concept Paper in 2010 and obliged the concerned Ministries to submit Action Plan on Gender Policy for 2010-2015 years to be implemented in appropriate spheres to the Ministry of Labor and Social Affairs.

The Gender Policy Concept Paper defines the state policy priority areas and general strategy for men and women with respect to provision the equal rights and equal opportunities for all citizens in all areas of public life regardless of gender. The Concept is based on RA Constitution and legal acts, international conventions ratified by RA, as well as other international legal documents.

The draft of the Law "Ensuring equal rights and equal opportunities for women and men" was adopted by the RA National Assembly on May 20, 2013. The Law was signed by the President of RA

on 11 June, 2013. The Law aims to ensure gender equality in all spheres of public life, legal protection for women and men, gender discrimination, promotion of civil society and democratic society relations.

According to the Decree N 213-A of RA Prime Minister on March 30, Commission on Combating Gender-based Violence" was established. The aim of the Committee is to increase the efficiency of prevention of gender-based violence, of information, collection and sharing mechanisms, as well as development of the "National Action Plan to Combat Gender-based Violence."

Women's Rights Center NGO in 2007 started to develop the draft of RA Law on Domestic Violence. The developed law was reviewed by a large number of international and local experts and in May of 2009 presented to the Minister of Labor and Social Affairs for further steps. On November 28, 2012 the Law was introduced to the Prime Minister for approval. But on February 11, 2013 the Ministry of Labor and Social Affairs of RA received the Government conclusion according to which the adoption of the draft of the RA Law on Domestic Violence was not found appropriate. The Government gave recommendations to include provisions of Draft Law in other legal acts.

► According to the Action Plan on Gender Policy for 2010-2015 the Standing Commissions were established in Regional Administrations and in Yerevan Municipality in 2012. The aim of the Commissions is to support the implementation of state policy and strategic programs on gender issues in Armenia. The Commissions are working based on their Charters. The Charters define that Standing Commission on Gender Issues is an advisory body.

► According to the Ministry of Labor and Social Affairs 93-A/1 instruction ⁴¹ the "Gender-sensitive and detached indicators" manual was published on October 19, 2012.

► At first, Regional Focal Points of Children's Rights Protection at governors' offices were responsible for the implementation of the Gender Policy in the regions, later they were renamed Gender Focal Points, and started to work under the guidance of the Division of Women Issues of the Family, Women and Children Department of the Ministry of Labour and Social Issues. Afterwards, Regional Committees on Promoting Gender Equality have been established in all the regions of Armenia, which are composed of also civil society representatives and are mainly chaired by deputy governors. Some capacity development has been undertaken for the Committees, but it still remains an issue and more needs to be done.

► Based on the adoption of RoA Gender Policy Concept Paper in February 2010, several new documents have been approved by the Government, i.e. 2011-2015 Gender Policy Strategic Program and 2011, 2012, 2013 Action Plans, 2011-2015 Strategic Action Plan to Combat Gender-Based Violence and corresponding Action Plans. Two draft laws have also

⁴¹ October 19, 2012, Ministry of Labor and Social Affairs 93-A / 1 command <http://www.mss.am/up/93A.pdf>

⁴⁰ The Constitution of the RA, Human and civil rights and freedoms, Part 2 <http://parliament.am/parliament.php?id=constitution>

been developed on Equal Rights and Equal Opportunities of Men and Women in Armenia which has already passed the 3rd hearing at the Parliament and is currently pending for the President's approval and on Domestic Violence which was rejected by the Government recently.

Indicator 8 – Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

Currently there is no Truth Reconciliation Commission (TRC) or other transition justice in Armenia.

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

The conflict between Armenia and Azerbaijan is still unresolved. There is no conflict resolution or reconstructive process yet.

The absence of an action plan on UNSCR 1325 makes it difficult to lobby for any kind of funding and resources for women, peace and security programs.

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

The education program for the RoA Armed Forces peacekeeping brigade includes a course on international humanitarian law. During this course, the soldiers study the general norms and principles of international law and all the legal documents—including the peculiarities concerning the rights and fundamental freedoms of women and girls—necessary for carrying out peacekeeping missions. Besides that, before being deployed on a peacekeeping mission, the command of the RA Armed Forces peacekeeping brigade carries out proper trainings, which again raise the aforementioned topics.

According to the international agreement regulations, before being deployed on a peacekeeping mission the soldiers serving in the peacekeeping brigade go through proper trainings in the Federal Republic of Germany. During the trainings, the soldiers' knowledge is put into practice through so-called "simulated scenarios." Also, the soldiers share experience with foreign soldiers who also carry out peacekeeping missions.

The Ministry of Defense draws attention to the fact that, through the whole history of the RoA Armed Forces peacekeeping mission, there has never been any violation of the norms of international humanitarian law by any soldier of the RA Armed Forces.

They also mention that in accordance with UNSCR 1325 there are women serving in the peacekeeping brigade of the RA Armed Forces.

However, it is still not clear from their response what specific role UNSCR 1325 has in the activities mentioned by the Ministry of Defense. There is no answer concerning the question whether any activities are being carried out related to the same topic after the soldiers return from a peacekeeping mission trip. It is essential to carry out further actions to receive answers to the questions mentioned above.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

Armenia does not have a conflict resolution statement yet, and the absence of an action plan on UNSCR 1325 makes it difficult to lobby for any kind of funding and resources for women, peace and security programs.

Optional Indicator A - Extend to Which Gender and Peace Education are Integrated in the Curriculum of Formal and Informal Education

"Students' awareness on gender issues is still at the lowest level. They do not receive any information on women's rights and gender equality. Young girls remain in a passive role, deprived of reliable sources of information on their rights. And this lack of awareness leads to insecurity, discrimination, unhealthy relationships, and future violence."⁴²

In the frames of its "Integration of Gender Studies into high school curriculum of Armenia" project Society Without Violence NGO did a research which showed that gender education is not integrated in any of formal education subjects. In 2010 RoA adopted "Gender policy concept" to reveal the challenges in educational sphere from gender perspectives and come up with a strategy for the elimination and solution of these problems. According to this document gender education should be integrated in all spheres of formal education, however so far nothing has been done by the government and the strategy still remains on the paper. Moreover, according to the standards of the Social Sciences subject taught from grade 8th to 12th of secondary school, gender education should be incorporated in the textbooks but the analysis of their content clearly shows that women's rights are slightly touched upon in the materials while the term "gender" in itself is totally absent.

⁴² <http://www.armenianweekly.com/2012/03/16/she-is-his-equal-pushing-gender-studies-in-armenian-classrooms/>, accessed on July 18, 2013

III. Conclusion and recommendations

Conclusion

Armenia is presently in a frozen conflict with Azerbaijan, and the stalemate situation of more than 20 years is particularly affecting the situation of women living both in the conflict area of Nagorno-Karabakh and, as well as the bordering regions. Extreme nationalism is on the rise because of the conflict situation and women's rights are directly affected by it. Women's roles are restricted specifically in the public sector, they are expected to bring up children, especially sons to become future soldiers and defend the country. Everything related to gender equality, women's increased presence in politics and their discrimination in other fields is classified as a non-urgent matter, since the leaders of the country, mainly men, are concerned first of the territorial gain that they can secure for their side rather than the well-being of its inhabitants, mainly women and children. Armenia has open borders with only two bordering countries: Georgia and the Islamic Republic of Iran. Closed borders with Turkey and Azerbaijan and ongoing conflict with the latter are obstacles for further economic development and has forced the country into poverty. Women are disproportionately affected by the situation. The high level of migration, lack of job opportunities and the atmosphere of distrust, which exists in the country toward the leading Republican Party and the Government has destabilized the country internally. The negative atmosphere during the elections, lack of the enforcement of the law and the positive tools to empower women during campaigns are the main reasons for the low political participation of women. Such kind of internal and external political situation makes women much more vulnerable and completely excluded.

Low political participation of women has direct influence on their involvement in peace negotiation initiatives. In various negotiation teams women are mostly represented solely as technical experts and observers with no real power to influence the process. Women are underrepresented in negotiation processes and their voices are not heard properly at the international level as well. The best example of aforementioned is the gender distribution within the OSCE Minsk Group. This Group is one of the most important actors in conflict reconciliation processes, but, nevertheless, there is no woman in the team. Taking into account the fact that the conflict has not yet ended and continues to have a negative impact on women this report notes that the Government of RA should take positive steps to increase women's involvement in decision-making and peace negotiation initiatives and respect the responsibilities imposed by the UNSCR 1325.

Women's participation within the Justice and Security sectors continues to be at the lowest level. The lack of available information disables us to show gender distribution at the various levels of Security Sector and armed forces, however, it is more than obvious that these two sectors are "male dominated."

The recent changes of Armenia's Defense Ministry give women an opportunity to be admitted in military educational establishments. Still, it is noteworthy that this amendment is essential, but not satisfactory. This report concludes that in order to promote women's representation and participation in Security and Justice Sectors, there is an urgent need of restructuring the staff in these two sectors.

The relevant policies, which were implemented by the Government and CSOs to reduce SGBV cases, have had a positive impact on the overall situation. A clear proof of it is the increased number of reported SGBV cases. But the lack of resources for further assistance deprives many SGBV survivors from reporting violent acts. Another negative factor is the large number of males in the personnel of police and health sectors. The stereotypical attitude of the public toward SGBV survivors has an aggravating character on their situation. The lack of data on sexual violence in conflict is very obvious and is an important area to work with both on a national level as well as among civil society and women's group working with refugees and IDPs. The monitoring report notes that there is a need to raise gender sensitivity and increase the number of female staff members in all institutions, which deal with SGBV survivors. A number of measures should be implemented by the Police and Government to amend the processes of reporting, investigation and prosecution of SGBV cases.

The issues of sexual abuse and sexual assault are introduced in the 18th Chapter of the Criminal Code of RA. Because of the offensive character of the terminology and the lack of aggravating circumstances it should be noted that proposed amendments introduced in the 6th indicator must be applied in order to have much efficient prosecuting system.

The legal mechanisms of RA are in a sufficient condition. But the lack of implementation and enforcement of the laws undermine the significance of the law. Armenia does not have a law on Domestic Violence, which deprives from addressing this issue more specifically. The Government of RA should take all necessary steps to promote the acceptance of the law on DV.

After all, the monitoring report concludes that the creation of the National Action Plan to implement the provisions of the UN Resolution 1325 is more than required and essential to start a genuine peace process in the region. All the problems highlighted in the report along with their solutions must be properly presented in the NAP. The Government of RA, CSOs and international organizations should take all necessary steps to increase gender sensitiveness at the legal and social levels to ensure the protection of women and enhance their security in the region.

Recommendations

To the Government of the Republic of Armenia:

- ▶ Create a taskforce composed of the representatives from the Government, Civil Society Organizations and International Organizations to implement the resolution UNSCR 1325 and 1820 and draft a NAP for the country
- ▶ Create opportunities to increase women's representation in public office, governance and official negotiation teams.
- ▶ Develop strategies to promote and foster women's participation in all aspects of governance – executive, judiciary and legislative bodies.
- ▶ Allocate funding for WPS and resources for women directly affected by the conflict
- ▶ Make appropriate amendments to the 18th Chapter of the Criminal Code of RA.
- ▶ Raise awareness about SGBV together in partnership with civil society representatives and conduct surveys to have official statistics regarding this issue
- ▶ Provide women's representation in official negotiation processes.
- ▶ Provide an on-going gender-sensitive training on all level of governance and governmental bodies, including the army and police
- ▶ Adopt the comprehensive law on domestic violence to ensure the efficient protection of women and prevention of the issue in society

To International Organizations:

- ▶ Hold RoA accountable for its responsibilities towards the implementation of the UNSCR 1325 and support the taskforce to develop a NAP
- ▶ Cooperate and support in the creation of the taskforce to draft a NAP on UNSCR 1325
- ▶ Urge official negotiations groups and most specifically the Mink group to respect a gender balance and approach in its own representation
- ▶ Create an official platform for women peace builders from the region to provide consultations to official negotiators and mediators in the region.
- ▶ Support civil society and women's groups directly in the conflict region of Nagorno-Karabakh and bordering villages to empower women directly affected by the conflict and include them in the peace processes.

- ▶ Support women's groups and CSOs monitoring the government on the implementation of UNSCR 1325
- ▶ Support Government and CSOs in developing official data on sexual violence during and after conflict as well as results related to the implementation of UNSCR 1325
- ▶ Provide capacity building for women's groups to monitor UNSCR 1325 and its components
- ▶ Provide capacity building for women's groups to collect data and research on the effects of war on women and the situation of gender-based violence and sexual violence related to the conflict situation.

To Civil Society and NGOs:

- ▶ Advocate for creating Task Forces on UNSCR 1325 and 1820 in Armenia consisting of both members from governance and civil society organizations in order to develop the national action plan.
- ▶ Develop capacities for women to take on decision-making roles or positions of governance.
- ▶ Research among the IDP and refugee population the state of SGBV related to conflict by Women's NGOs
- ▶ Focus on qualitative rather than quantitative both male and female politicians' involvement in governance.
- ▶ Develop coalition among women's groups and other human rights groups to monitor and advocate for the implementation of UNSCR 1325

Table Footnotes:

- i <http://www.gov.am/en/adjunct-bodies/18/>, accessed on July 20, 2013
- ii <http://www.mil.am/1298531724>, accessed on July 16, 2013
- iii <http://www.gov.am/en/adjunct-bodies/11/>, accessed on July 16, 2013
- iv <http://www.mil.am/1296904283>, accessed on July 16, 2013
- v <http://www.court.am>, accessed 10 July 2013
- vi <http://www.genproc.am/en/29/>, accessed on July 16, 2013
- vii <http://www.genproc.am/en/29/>, accessed on July 16, 2013
- viii <http://www.genproc.am/en/29/>, accessed on July 16, 2013
- ix Figures were provided by Women's Support Center.
- x Figures were provided the Police in Vanadzor.
- xi Criminal Code of RA, <http://www.arlis.am/>
- xii Infliction of willful bodily damage which is dangerous for life or caused loss of eye-sight, speech, hearing or any organ, loss of functions of the organ, or was manifested in irreversible ugliness on face, as well as caused other damage dangerous for life or caused disorder, accompanied with the stable loss of no less than one third of the capacity for work, or with complete loss of the professional capacity for work obvious for the perpetrator, or caused disruption of pregnancy, mental illness, drug or toxic addiction, is punished with imprisonment for the term of 3 to 7 years. <http://www.parliament.am/legislation.php?sel=show&ID=1349&lang=eng#7>

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The Netherlands

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List of acronyms

ABD	Algemene Bestuurdienst (Senior civil service)
ACOTA	African Contingency Operations Training and Assistance
USAFRICOM	United States Africa Command
ARTF	Afghanistan Reconstruction Trust Fund
CSO	Civil society organization
DRC	Democratic Republic of Congo
DVN	Defensie Vrouwen Netwerk (Defense Women's Network)
EEAS	European External Action Service
ESDC	European Security and Defense College
EU	European Union
EUPOL	European Union Police Mission
FLOW	Funding Leadership Opportunities for Women
GNWP	Global Network of Women Peacebuilders
HR	Human Resources
HQ	Headquarters
ISAF	International Security Assistance Force
M&E	Monitoring and evaluation
MENA	Middle East and North Africa
MoD	(Dutch) Ministry of Defense
MFA	(Dutch) Ministry of Foreign Affairs
NAP	National Action Plan
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
NIMD	Netherlands Institute for Multiparty Democracy
NL	The Netherlands
OECD	Organization for Economic Cooperation and Development
OSCE	Organization for Security Cooperation in Europe
PvdA	Partij van de Arbeid (Labor Party)
PVV	Partij voor de Vrijheid (Freedom Party)
SGBV	Sexual and gender based violence
SRHR	Sexual and reproductive health and rights
SSR or SSD	Security Sector Reform or Security Sector Development
TOT	Training of Trainers
UN	United Nations
UNAMA	United Nations Assistance Mission in Afghanistan
UNAMID	United Nations Mission in Darfur
UNMIS	United Nations Missions in Sudan
UNSCR	United Nations Security Council Resolution
UNTSO	United Nations Truce Supervision Organization
US	United States
VVD	Volkspartij voor Vrijheid en Democratie (People's Party for Freedom and Democracy)
WPS	Women, Peace and Security

I. Women, peace and security profile

A. Nature of the conflict

The Netherlands is not a country in conflict, but it is actively involved in supporting and stimulating peace and democratization processes in conflict-affected countries. The main actors in such settings are most commonly, Dutch civil society organizations (CSOs), the Ministry of Defense (MoD), and the Ministry of Foreign Affairs (MFA). The range of CSOs include peace organizations, development non-governmental organizations (NGOs), women's and diaspora organizations, and political and democracy organizations. The government employs its 3-D approach (a three-pronged approach encompassing Diplomacy, Development and Defense),¹ and civil society undertakes an array of grassroots' lobby, advocacy, development, peacemaking, and policymaking activities.

As in 2011, Dutch military personnel continue to take part in a variety of "combat and non-combat missions in, among other places: Afghanistan, Bosnia-Herzegovina, Iraq, the Middle East, Somalia, Kosovo, the Democratic Republic of Congo, Burundi, Kenya and Darfur."² Many of the Dutch missions focus on security sector reform (SSR), such as through providing military and police training. Nearly all Dutch missions occur within an international, bilateral or multilateral coalition, and often under the auspices of the United Nations (UN), European Union (EU), or North Atlantic Treaty Organization (NATO).³

B. Impact of conflict on women

As change agents, women are critical to transforming conflict through inclusion and participation in peacemaking and political processes. Recognizing this important notion, the core ambition of the Dutch civil society and government is to support women as leaders for social change and peace – both domestically and abroad.

The repercussions of conflict are well documented and the Netherlands' government and civil society recognize them and take efforts to alleviate the impact. Dutch CSOs persistently stress the importance of full and effective implementation of United Nations Security Council Resolution (UNSCR) 1325 with the MoD, MFA and other ministries through its advocacy and programs. The impact of conflicts on women, following from the Dutch involvement in military and peacekeeping missions abroad, is two-fold. There is the impact on the Dutch women being deployed in missions (and the residual impact on their families), and there is the impact on the women and their families in the local populations where the missions take place.

To safeguard the security of both men and women in mission areas, the Netherlands' Ministry of Defense (MoD) is committed

to applying a gender perspective in its operations, both in its international (human resource) policies, as well as in its approach in the field. The MoD's operational gender adviser is responsible for ensuring gender is integrated in mission planning. For part of 2012 and until now, however, this very gender adviser position in the MoD is vacant, so current missions, such as the one in Mali (2013), have not operationally integrated gender as much as in prior missions.⁴ This missing aspect in mission strategy and execution potentially affects Dutch personnel, as well as the women and populations in the countries of mission. It remains uncertain to what extent the troops are professionally enabled to seriously listen to women as a source of intelligence and understand and act upon their security needs and perspectives.

The Netherlands' Ministry of Foreign Affairs (MFA) supports civilians, with a special focus on the women, in conflict-affected settings, through funding aid and development projects, in accordance with its foreign and trade and development policies, around the world. The MFA also provides support through its bilateral and multilateral diplomatic efforts via its embassies, such as through organizing meetings between stakeholders, supporting the development of country National Action Plans (NAPs) on UNSCR 1325, and through other financial and non-financial assistance to national governments and CSOs in-country.⁵

The government's priority countries

- 1) The Ministry of Foreign Affairs' 15 partner countries are: Benin, Ethiopia, Mali, Mozambique, Uganda, Rwanda, Afghanistan, Burundi, Yemen, Palestinian Territories, South Sudan, Bangladesh, Ghana, Indonesia and Kenya.⁶ These countries were selected according to the identified priority themes, Dutch expertise on the priority themes and in the partner countries, and where there is potential for impact as a result of assistance. The Ministry of Foreign Affairs works on 4 priority themes i.e. water; food security; women's rights and sexual and reproductive health and rights (SRHR); and security and the legal order in these selected countries.
- 2) The priority countries in the second Dutch National Action Plan (NAP) on UNSCR 1325 are: Afghanistan, Burundi, Colombia, the Democratic Republic of Congo (DRC), Sudan, South Sudan, and the Middle East and North Africa (MENA) region. These countries were jointly chosen by the ministries and civil society primarily because most of the governmental and CSO signatories already had a presence in these countries. They were also existing priority countries of the government where embassies were present, and both entities recognized opportunities in these countries

⁴ Ibid.

⁵ Feedback from NAP country group members obtained via e-mail in June and July 2013. Further details could not be attained.

⁶ Ministry of Foreign Affairs, Development partner countries, Den Haag, accessed 27 June 2013. <http://www.rijksoverheid.nl/onderwerpen/ontwikkelingssamenwerking/partnerlanden-ontwikkelingssamenwerking>.

¹ Not necessarily in this order.

² Ministry of Defense, Netherlands' military missions, Den Haag, accessed 24 July 2013, <http://www.government.nl/issues/international-peace-and-security/the-netherlands-military-missions>.

³ Interview with MoD gender expert on 27 June 2013.

to employ a dedicated NAP approach. Nonetheless, the UNSCR 1325 NAP maintains a flexible country approach in order to be able to respond to unpredictable developments. **Refer to Box 1** for developments on NAP projects from end of 2012 to present.

- 3) Also, in the general, international development planning of the Dutch government, equality of women is a priority. Within this focus area, the MENA region is prioritized. In addition to the NAP funds, the government supports women in this thematic area through funding under the Funding Leadership Opportunities for Women (FLOW) program, and the Women on the Frontline and UN Women programs, which take place in a variety of countries.⁷ The MENA region is selected given the Arab Spring movements in the region, giving rise to female voices and women's socio-political movements.

C. Relevant legal and policy framework

The relevant legal and policy frameworks for the implementation of UNSCR 1325 by the Netherlands include the: Ministry of Defense's action plan and operational guidelines on UNSCR 1325, and its diversity policy. For the Ministry of Foreign Affairs, there is the human rights policy and trade and development cooperation policy. The final framework that will be addressed is the second Dutch National Action Plan on UNSCR 1325.

For analysis of these policies, **see Indicator 7**.

II. Data presentation and analysis

The Dutch government collapsed in April 2012 following disagreements over drastic budget austerity measures between the minority coalition government, led by Prime Minister Mark Rutte, and the coalition's (supporting) partner party, the Partij voor de Vrijheid (PVV) or 'Freedom Party', led by Geert Wilders. There were new elections on 12 September 2012. The ruling coalition now comprises the People's Party for Freedom and Democracy (VVD) and the Labor Party (PvdA), with Mr. Rutte as Prime Minister.

The new government has continued to cut budgets and programs, thereby affecting every governmental branch and the recipients of its funding, including civil society. Domestic programs, such as subsidies for childcare have been reduced, possibly influencing some women's decisions to stay home with their kids rather than seek employment or operate businesses outside the home. In terms of foreign policies and programs, the government's move to include a strong focus on trade and economic relations raises

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questions as to the structural implementation of gender and a human rights approach.⁸ The uncertainty about the government's financing model for civil society after 2015 also adds to the complexities and lack of clarity regarding the Netherlands' future development agenda.

This report will focus on those indicators most relevant to the Dutch implementation of UNSCR 1325, namely its focus on promoting women's increased participation and leadership. Since the Netherlands should be implementing UNSCR 1325 in both its domestic and foreign policies, the indicators most relevant to these areas are responded to. Indicator 1 is exclusively domestic in nature, but it demonstrates the basis from which the Netherlands can claim any credibility in promoting UNSCR 1325 and its NAP aims abroad. The remaining responses to indicators focus on the Netherlands' implementation of UNSCR 1325 in its foreign policies and actions. Some indicators, such as 3, 5, 7, 10 demonstrate clear linkages between the implementation of UNSCR 1325 in domestic and foreign policies.

A. Participation

Indicator 1 – Index of women's participation in governance⁹

Table 1.1: Index of women's participation in governance in 2012

	Number of women	Number of men	Percentage of women
National government (total)			
Executive			
Minister-President, Ministers, State Secretaries	8	12	40
Total women in national government leadership (ABD) ⁱ	-	-	25
Legislative			
Eerste Kamer (First Chamber) parliament members ⁱⁱ	27	48	36

⁸ Roos van Os and Martje Theeuws (Stichting Onderzoek Multinationale Ondernemingen (SOMO)), Gender in MVO en handelsbeleid van de Nederlandse Overheid, (Amsterdam, The Netherlands: SOMO, January 2012), 23, accessed 8 August 2013, http://somo.nl/publications-nl/Publication_3765-nl.

⁹ The politics of the Netherlands takes place within the framework of a parliamentary representative democracy, a constitutional monarchy and a decentralized unitary state. The Netherlands has three tiers of government. Apart from the central government, there are two levels of local government in the Netherlands - the provinces and the municipalities. The Netherlands is divided into twelve provinces. They form the tier of administration between the central government and the municipalities. Municipalities form the lowest tier of government in the Netherlands. The municipal council (Gemeenteraad) is the highest authority in each municipality.

⁷ Ministry of Foreign Affairs, Equality for Women Worldwide, Den Haag, accessed 14 July 2013. <http://www.rijksoverheid.nl/onderwerpen/ontwikkelingssamenwerking/gelijkheid-voor-vrouwen-wereldwijd>.

Tweede Kamer (Second Chamber) parliament members ⁱⁱⁱ	56	95	37
Local government (total)			
Executive			
Women in top of local governance structures – provinces ^{iv}	-	-	27 ^v
Women in senior positions in local governance structures – municipalities	-	-	30.8

Table 1.2: Percentage of women's participation in governance from 2009-2012

	2009	2010	2011	2012
National government				
Women in senior positions in cabinet/ministries ^{vi}	-	20	25	40
Women in Parliament	38.4	37.7	39.1	36.5 ^{vii}
Total women in national government leadership (ABD) ^{viii}	24.9	25.9	25.7	25.7 ^{ix}
Local government				
Women in top of local governance structures – provinces	28 ^x	25 ^{xi}	24 ^{xii}	27
Women in senior positions in local governance structures - municipalities	27.4 ^{xiii}	30.4 ^{xiv}	30.5	30.8 ^{xv}

In the Netherlands, women do participate at all levels of government. The biggest increase of women from 2011-2012 is actually in the highest level of government – within the ministerial and state secretariat positions – with an increase from 2 percent in 2011 to 40 percent in 2012. Notably, the Minister of Defense is a woman for the first time. Furthermore, the chairpersons of the two houses of parliament are both women.

In the Algemene Bestuursdienst (ABD) – the level of governance under the ministers and state secretaries – the number of women is still below the 30 percent threshold, which it has agreed to work towards. The ABD has stated that they would like to achieve 30 percent women by 2017 and is developing a plan to achieve the goal.¹⁰ Other increases in the women-to-men ratio can be seen in the local government structures; however, both levels of local governance should continue focusing on increasing female participation in their leadership.

The Dutch non-profit organization, Talent to the Top, is actively promoting private and public sector organizations to enhance the diversity of their organizations with more women, especially

10 Rianne Waterval, "Diversiteitsindex legt stagnatie bloot," Public Mission, 04 May 2012, accessed 29 June 2013, <http://www.pm.nl/artikel/2795/taakstelling-belet-vrouwen-toegang-tot-ambtelijke-top>.

Looking at the overall changes in percentages from 2009-2012, only the cabinet level and municipalities have witnessed continuous increases in the number of women.

at the middle and top tiers.¹¹ Fortunately, an increasing number of organizations see the value of having women at all levels and have signed the charter of Talent to the Top. The Dutch government as a whole has confirmed its commitment to the 30 percent minimum threshold of women – taking on the same commitment made by the ABD itself.

The level of female representation in government is slowly increasing and shows promise, yet the relatively slow progress may affect the credibility of the Netherlands in its NAP 1325 efforts and weakens the position and efforts of NAP 1325 signatories, particularly that of the Dutch government to stimulate female leadership and political participation in conflict-affected countries. Looking at the overall changes in percentages from 2009-2012, only the cabinet level and municipalities have witnessed continuous increases in the number of women.

While the cabinet level increases are notable, the overall changes across the levels of governance presented in the table are very limited.

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

While the Dutch government does support the participation of women in peace negotiations, a detailed overview in terms of specific numbers or percentages is not available. Thus, a narrative response about the Dutch government's support is provided below.

In its questionnaire response to the EU on the implementation of UNSCRs 1325 and 1820, the Dutch Ministry of Foreign Affairs stated that it "considers the participation of female mediators essential in building sustainable peace and provides non-restricted core funding to several NGOs and intergovernmental organizations active in mediation." The MFA notes here that, in relation to confidentiality, the "Netherlands does not monitor in such detail."¹² It is peculiar that funding is referred to here as being non-restricted, since this kind of funding is unusual, but this cannot be confirmed one way or another due to insufficient monitoring and reporting.

The MFA further explains that between May 2011 and December 2012, "it supported women mediators, negotiators or women's

11 Ministry of Foreign Affairs, Emancipation policy 2013-2016, Den Haag, 10 May 2013, accessed 24 July 2013. <http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2013/05/10/bijlage-bij-hoofdpijnenbrief-emancipatiebeleid-2013-2016.html>.

12 Netherlands response to the EU Questionnaire for EU Member States on the Indicators for the Comprehensive Approach to the Implementation of the UNSCRs 1325 and 1820 on Women, Peace and Security. Not publicly available.

civil society groups in peace negotiations in other ways than financially (e.g. facilitating, supporting parallel meetings, political support, demarches, bilateral talks, public speeches, press releases) in Sudan, South Sudan, Libya and Colombia.¹³ Such support is positive and welcome, but no further examples were provided.

Additionally, in Minister Ploumen's responses to questions on the trade and development policies and the attention to gender and women issues, she notes that the Netherlands also supports the inclusion of women in negotiation through its participation in forums of the EU and UN. Specifically, the Netherlands supports the plans of the European External Action Service (EEAS) to increase its support to UNSCR 1325, e.g. by active involvement of EU Special Representatives.¹⁴ Minister Ploumen further stated that the Netherlands believes that the UN has a leading role in conflict prevention and mediation and it thus supports the priority given by the Secretary-General through its membership in the UN's Group of Friends of Mediation. This group has worked on new guidelines for conflict mediation, and has set a goal for the future to give the issue of the role of women in conflict resolution more attention.¹⁵

The Ministry of Foreign Affairs itself recognizes that a lack of monitoring and reporting related to this indicator is partly to blame, "as well as a need to maintain a level of confidentiality."¹⁶ Despite the priority of the government to support women's leadership and participation, the MFA's reference to maintaining confidentiality is extremely vague. As part of the larger 1325 accountability process, it is urged that more detailed information be provided on this in the future. For example, how specifically the women are supported, how much funding is provided and how many women, in general, have been supported.

Indicator 3 – Index of women participation in the justice, security sector, and peacekeeping missions

Table 3.1: Index of women participating in the justice sector in 2012^{xvi}

	Number of women	Number of men	Total	Percentage of women
Judges	1,305	1,098	2,403	54.3%

Table 3.2: Index of women participating in military and police in 2012

	Number of women	Number of men	Percentage of women
Police (total)	21,754	39,989	35.2
Officers	-	-	37

13 Ibid.

14 Responses from Minister Ploumen on attention to women and gender in trade and development policy. Not publicly available.

15 Ibid.

16 Direct quote from Netherlands response to the EU Questionnaire for EU Member States on the Indicators for the Comprehensive Approach to the Implementation of the UNSCRs 1325 and 1820 on Women, Peace and Security. Not publicly available.

Military (non-civilian) (total) ^{xvii}	4,252	41,177	9.36
Up to Major/LTZ1 ^{xviii}	-	-	9.5
From Major/LTZ1 and higher ^{xix}	-	-	7.6
From Colonel/KTZ and higher ^{xx}	-	-	4.0
Military and police total	26,006	81,116	24.3

Table 3.3: Index of women participating in UN peacekeeping missions (TROOP CONTRIBUTING) in 2012^{xxi}

	Total	Number of women	Number of men	Percentage of women
Peacekeeping missions (total)	40	10	30	25%
Military experts	15	1	14	6.6%
Troops	8	3	5	37.5%
Individual police	19	6	13	31.6%
Formed police units	-	-	-	-
Countries/Missions where peacekeepers were deployed in 2012				
UNAMA	2	1	1	50%
UNAMID (until May 2012)	1	0	1	0%
UNMISS (from March onwards)	27	9	18	33.3%
UNSMIS (June-July 2012)	1	0	1	0%
UNTSO	11	0	11	0%

Table 3.4: Percentage of women participation in the justice, security sector, and peacekeeping missions from 2009-2012

	2009	2010	2011	2012
Justice sector	51.2^{xxii}	52.3^{xxiii}	53.4	54
Security sector				
Women in Military	9.00 ^{xxiv}	9.00 ^{xxv}	9.35	9.36 ^{xxvi}
Up to Major/LTZ1	9.5	9.6	9.6	9.5
From Major/LTZ1 and higher	6.6	6.8	7.4	7.6
From Colonel/KTZ and higher	2.4	2.6	3.7	4.0
Women in Police	34.9 ^{xxvii}	35.2 ^{xxviii}	35.0	35.2
Peacekeeping missions (troops contributing) ^{xxix}	17.5	5.00	4.76	25

Justice and Police

For 2012, the breakdown of police by ranking is not available in the same manner as it was in 2011, but the overall percentage of women in the police remains one of the highest in the justice and security sector at just over 35 percent. According to an article on women in the police, 37 percent of the officer positions are filled by female officers, and 3 out of the 10 regional chiefs is a woman. In 2011, the percentage of officers was drastically lower at 20.7 percent.¹⁷ As stated in the article, the increase in the amount of women in these posts was due to explicit positive discrimination against men to enable qualified women to take on more positions.¹⁸ This positive discrimination is not further discussed here, but is included, since it is a likely reason for the increase and is a direct quote from a government official.

Meanwhile in the justice sector, the female-to-male ratio among judges remains high at 54 percent and is thus the most gender balanced of the sectors reviewed under this indicator. Increases over the years have been small, but the percentage has remained close to 50 percent since 2009.

Military

As the Defense minister, Mrs. Hennis-Plasschaert, recently stated, "a diverse composition of a military unit in missions is crucial. In Iraq and Afghanistan, it is crucial to have contact with the women, but often difficult. Our female soldiers make the difference."¹⁹ Military women, in contexts like Afghanistan, are able to connect more easily with the women in the traditional and local populations. In light of the benefit of having women in such missions, the military has been implementing a few practices over the years to recruit and retain more women.

Measures such as part-time employment, lesser obligations for deployment in the first years after child birth, policies on parental leave, child care (the fact that women can take six years unpaid leave) and family policy were designed to enhance female recruitment.²⁰ Even in current budget cuts and restructuring of the military in 2012-2013, many of these flexible personnel measures will also be extended to men to improve the gender balance.²¹ While the recruitment and retention practices are favorable, they have not yet resulted in a demonstrable increase in the number of women in the short-term. Furthermore, the 2009-2012 Diversity Action Plan has expired and the setting of precise quantitative targets specifically for the influx and retention of women and ethnic minorities will not be continued.²²

According to a Ministry of Defense gender expert, women are indeed working at all levels within the military throughout the

lowest and highest ranks. Most women are found in the medical and logistical units, as well as in the engineering unit. The number of women in the military and the diversity of roles they fulfill have increased over the last 15 years.²³ Women are actively encouraged to apply and participate in the secondary or higher level career training for officers.²⁴ A steady increase of women in the Major (LTZ 1 and higher) and Colonel rankings (KTZ and higher) can be observed, for instance.²⁵ To encourage the flow of women into higher military functions, a minimum of 2 women are selected from the Higher Defense Training and promoted into those functions. In addition, women are also able to undertake the Mid-level Defense Training part-time, if needed.²⁶

Peacekeeping

The year 2012 saw a sharp increase in the number of Dutch women in UN peacekeeping operations. However, 9 of the 10 women deployed in 2012 were assigned to the mission in South Sudan, primarily as police trainers. While not proven, a possible explanation for the increase may be the fact that women are effective in recruiting and training of South Sudanese women for the country's police forces, because they can better relate to the women than the male officers can and are therefore recruited for this mission in higher numbers. This high number of women might also indicate that women are more interested to serve as police officers, than as experts or troops.

Indicator 4 – Number and percentage of women participating in each type of constitutional legislative review (including security sector review)

According to a representative from the Netherlands Institute for Multiparty Democracy (NIMD), the MFA provides funds to its organization and other similar Dutch and international political and democracy organizations. These funds are aimed at supporting the participation of women in constitutional and legislative reviews and to change constitutional laws to promote greater opportunities for women to participate in parliament and political processes around the world. For example, in 2012, NIMD received funds from the MFA to support women's increased participation in politics in both Kenya and Tunisia. Further details on the amount of funding disbursed and whether the Dutch government, also via its embassies, provided other non-financial support could not be confirmed.²⁷

Indicator 5 – Percentage of CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

As in 2011, there are numerous Netherlands-based working groups dedicated to UNSCR 1325, including: NGO working

17 "Meer vrouwen in politietop," NRC, 1 January 2013, accessed 2 July 2013, <http://www.nrc.nl/carriere/2013/01/03/meer-vrouwen-in-politietop/>.

18 Ibid.

19 Ministry of Defense, Hennis: Vrouwen vaak cruciaal bij militaire, Den Haag, 27 June 2013, accessed 1 July 2013, http://www.defensie.nl/actueel/nieuws/2013/06/27/46206832/Hennis_Vrouwen_vak_cruciaal_bij_militaire_missie.

20 North Atlantic Treaty Organization (NATO), NATO Committee on Women in NATO Forces, The Netherlands, 26 March 2002, accessed 26 August 2012, <http://www.nato.int/ims/2001/win/netherlands.htm>.

21 Interview with MoD gender focal point on 28 June 2013.

22 Parliament, Kamerbrief: Diversiteit in Defensie (BS2013020003), Den Haag, 5 July 2013, accessed 23 July 2013, http://www.defensie.nl/_system/handlers/generaldownloadHandler.ashx?filename=/media/diversiteit_tcm46-207045.pdf.

23 Interview with MoD gender expert on 27 June 2013.

24 Information originates from a DRAFT document obtained from a representative at the Netherlands Ministry of Defense by e-mail on 1 August 2012. Not publicly available.

25 Ministry of Defense, Kernegevens Defensie Feiten en Cijfers, Den Haag, 19 January 2013, accessed 11 July 2013, <http://www.rijksoverheid.nl/ministeries/def/documenten-en-publicaties/brochures/2012/04/20/kerngegevens-defensie.html>.

26 Parliament, Kamerbrief: Diversiteit in Defensie (BS2013020003), Den Haag, 5 July 2013, accessed 23 July 2013, http://www.defensie.nl/_system/handlers/generaldownloadHandler.ashx?filename=/media/diversiteit_tcm46-207045.pdf.

27 Phone interview with NIMD representative on 25 July 2013.

groups, the Dutch NAP 1325 with its several working groups, and a government working group. See Table 5.1.

Many of the working group members consult with country and regional organizations, as well as diaspora organizations in the Netherlands to be able to stay connected to and representative of women, peacemaking organizations, women's organizations, and other CSOs.

There are two related, independent NGO working groups, outside of the NAP 1325, consisting of only CSO members. These two groups existed prior to the Dutch NAPs and have played an important role in advocating for the creation of the NAP, and throughout the drafting processes of the NAPs. One of the groups is the NGO 1325 working group of the WO=MEN Dutch Gender Platform, and the other is its subgroup that focuses on lobby and advocacy. These WO=MEN's working groups focus on the broader gender, peace and security agenda of the Netherlands and are foremost engaged in agenda-setting, lobby and advocacy, and policy influencing, including also in countries where the NAP or the Dutch government do not focus. Moreover, the platform creates a safe space for NGO signatories to strategize and align their positions in relation to the government, as well as to their involvement in the NAP.

Other working groups have been created within the confines of the National Action Plan and, therefore, both civil society and the government participate side-by-side. The joint general coordination on the second NAP happens at a few different levels. There are signatory meetings 3 times a year where the state of affairs is discussed. For the specific focus countries, region, and themes, collaboration occurs via the country working groups and subgroups. The NAP groups define and execute joint government-funded projects in six focus countries and 1 region. The decisions in the subgroups work on a basis of 'no object'. Where possible, the Dutch organizations implementing the Dutch NAP 1325 projects are linking their activities with the (NAP) 1325 national processes in the country, and seek alignment with each other and other donors.

Table 5.1: Number and percentage of CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

Name	Number of CSOs	Total number of task force members	Percentage of CSOs
WO=MEN Gender Platform NGO working group 1325	25	35+	70% CSO/ 30% individuals
WO=MEN's Lobby Sub Group on 1325	6	6	100
NAP 1325 general signatory/ ies working group (NAP II signatories)	41 ^{xxx}	44	93.2
NAP II Public Support Subgroup	8	10	80

NAP II Monitoring & Evaluation	7	8	87.5
NAP II Research & Knowledge	5	6	83.3
NAP II Afghanistan working group	7	9	77.7
NAP II Burundi working group	4	6	66.6
NAP II Colombia working group	9	10	90
NAP II DRC working group	7	8	87.5
NAP II Sudan working group	2	3	66.6
NAP II South Sudan working group	8	9	88
NAP II MENA region working group	18	19	94.7
Governmental working group on Gender, Peace and Security	0	5	0
Total	14 working groups		

Joint collaboration in NAP 1325

Dutch civil society and the government jointly signed the Dutch NAP on UNSCR 1325. As joint signatories of the NAP, CSOs share accountability for the level of progress achieved – both within the NAP process and within the wider women, peace and security agenda. The unique joint collaboration and coordination between CSOs and the government is good and innovative. However, there is room for improvement. Improving the level of transparent communication, and clarifying the divisions of roles, responsibilities and accountabilities of both the government and CSOs, may further facilitate the NAP collaboration amongst all parties.

Within the action plan, the Dutch CSO community currently seeks enhanced collaboration with the Dutch government and its embassies with regard to forming more in-country working groups/task forces on women, peace and security. While some in-country working groups exist, such as in South Sudan and Afghanistan, working groups can be initiated in other focus countries as well.

There are also a number of specific areas where Dutch CSOs can also become stronger. The biggest weaknesses for civil society organizations stem from funding and collaboration, both with the government as well as internally amongst one another. For instance, personnel of Netherlands-based CSOs are intensely focused on fundraising activities, buying-in-systems,²⁸ and repositioning of their organizations. With budget cuts, there is less funding for positions as well as an increase in decentralization of staff to field offices (i.e. less staff in the Netherlands), thus there is less staff available to work on gender/WPS related topics. Furthermore, the existing staff who can devote time to 1325 must juggle many coordination meetings between the 13 working groups where CSOs are involved.

The construction of the Dutch NAP inherently brings together a multitude of actors, thus collaboration is a complex and time-

28 The obligation for individual staff-members of larger NGOs to seek financing to contribute to and secure their own position and of that of their organizations' as such.

consuming process. Cooperation is further complicated by the differences in the sizes of CSOs, their differing levels of access to funding, and varying perspectives, priorities and experiences.

Collaboration beyond NAP programs

Extending beyond the NAP programs in country alone, Dutch civil society also seeks more participation in policy dialogue and development with the Dutch ministries on peace and security matters. Interaction and involvement with departments other than the MFA's gender unit are of crucial importance to ensure gender just security policies and interventions. While the Dutch government and embassies do sometimes seek the input of CSOs, either Dutch or in-country, the active involvement of civil society in strategic dialogues can be even greater, particularly in the areas of security and trade policy development.

CSOs are not only watchdogs, but can also be constructive partners of the Dutch government. CSOs seek more space to fulfill their watchdog role – to be involved in and to be able to feedback on governmental strategies and issues, for example when planning a mission, or prior to NATO summits. CSOs should actively negotiate this space with the government.

The added value of Dutch CSOs for NAP 1325 implementation includes:

- ▶ A **broad network and outreach**, due to the fact that many organizations bring in their partners and foster collaboration on the ground between a multitude of different organizations and thus its voice for policy advocacy is strong.
- ▶ As a **large consortium and watchdog**, civil society can push for processes/action when needed (through lobby and advocacy), whereas government representatives are limited in this regard.
- ▶ The CSO community has a **wide range of grassroots' experience and expertise** on women, peace and security. CSOs can share knowledge and valuable lessons learned with the Dutch ministries on the WPS resolutions, in addition to the NAP.

In sum, the collaboration between government and CSOs in terms of project-based collaboration in the focus countries has improved. Also, now that the majority of the NAP 1325 proposals have been approved, signatories (both CSOs and governmental)

Interaction and involvement with departments other than the MFA's gender unit are of crucial importance to ensure gender just security policies and interventions.

can allocate more time back to joint policy strategizing, and increasing lobby and advocacy efforts both inside the Netherlands as well as in the respective focus countries.

The percentage of CSO members in working groups remains high, as in the previous year.

B. Prevention and protection

Indicator 6 – Number and percentage of Sexual and Gender Based Violence (SGBV) cases reported, investigated, prosecuted and penalized

While policies and complaints mechanisms exist within the Ministry of Defense for internal and external conduct, the precise policies and mechanisms could not be traced, and the data on SGBV cases reported, investigated, prosecuted and penalized are not retrievable.

Indicator 7 – Number and quality of gender-responsive laws and policies

The Dutch government positively demonstrates a commitment to incorporating UNSCR 1325 in some of its policies, as outlined in Table 8 and in the analysis thereunder. While the policies are in place, there are a number of points to be worked on – three major ones being the: 1) monitoring and reporting of progress on the policies; 2) a lack of an intergovernmental strategy on UNSCR 1325; and 3) deep engagement with civil society on structurally strategizing and implementing the policies, as already highlighted. The Dutch government itself recognizes the lack of monitoring on implementation, which is a positive step in the direction of change.²⁹ CSOs will continue to push on these three points, and others, to ensure 1325 is incorporated, monitored, and reported on.

Table 7.1: Number and quality of gender-responsive laws and policies			
Law name & year	Purpose	Result of the law	Outcome
MoD policies:			
Defense Action Plan 1325 2012-2015	Integration of 1325 & gender perspective in MoD		Monitoring and reporting are still lacking and gender and 1325 are not structurally embedded, thus efforts depend on MoD individuals' will
CDS-instruction A-104 on gender-policy (2005)	To give gender issues due consideration at the various stages of an assignment (during the formation, preparatory phase and during and after the mission)		Monitoring and reporting are still lacking and gender and 1325 are not structurally embedded, thus efforts depend on MoD individuals' will

29 Netherlands response to the EU Questionnaire for EU Member States on the Indicators for the Comprehensive Approach to the Implementation of the UNSCRs 1325 and 1820 on Women, Peace and Security. Not publicly available.

Table 7.1: Number and quality of gender-responsive laws and policies

Law name & year	Purpose	Result of the law	Outcome
NATO Bi-SC directive 40-1 (updated in 2012)	Integrating UNSCR 1325 and gender-perspective into NATO command structure, tasking the NATO HQ and subordinate commands to integrate a gender perspective throughout planning, execution and evaluation of NATO's tasks.	<ul style="list-style-type: none"> The work with UNSCR 1325 and Gender Perspectives in Operations should be planned, executed and evaluated as anything else. The work should be structured, systematic and fully integrated in "everyday business." Build on and strengthen existing structures rather than creating new "projects."^{xxxii} 	
Diversity Policy (July 2013)	Sets out diversity policy for ministry and military forces	To increase ethnic, cultural and gender diversity	
MFA Policies:			
2013 Human Rights Policy	Sets out HR policy for the Netherlands and for its foreign policy	Gender and 1325 is a main priority	HR policy needs to be adhered to and incorporated
2013 Development Cooperation and Trade Policy Brief	Development and trade policy strategy with 1325 addressed as a crucial element of its "Security & Rule of Law" program	Gender and 1325 given high emphasis in policy strategy + no budget cuts on women's rights until 2016	Reconciling trade and development, with integrated 1325 and gender perspective remains to be seen
Overarching:			
Dutch NAP 1325 II 2012-2015	See NAP goals ^{xxxiii} Jointly creating an enabling environment for 1325 implementation in NAP focus countries, especially supporting women's leadership and political participation	Collaboration amongst 44 signatories (Government and CSO) on 1325 in 6 focus countries and the MENA region	In 2012, the first projects were proposed and implementation was started. There are a number of issues related to the collaboration.

UNSCR 1325 is broadly incorporated in Dutch foreign policies, through human rights, development cooperation policies, as well as in the defense's action plan and diversity policy. However, the implementation of the policies varies or is not clear, as they are not monitored or reported on. An intergovernmental strategy, and country-specific strategies, on UNSCR 1325 are missing and could help in guiding implementation at the national and partner country levels in a more cohesive manner.

Ministry of Defense

The Ministry of Defense used to have an explicit policy on gender, but their action plan on UNSCR 1325 seems to be the foremost guiding principle on integrating a gender perspective.³⁰

a) Ministry of Defense Action Plan on UNSCR 1325 and Operationalization

The Ministry of Defense has an internal action plan on 1325. It focuses on:

- ▷ the inclusion of local women in missions;
- ▷ the incorporation of a gender component into all operations;

- ▷ the incorporation of a gender component into military training;
- ▷ sufficient female personnel;
- ▷ more visible results of gender policies.³¹

Commandant der Strijdkrachten³² (CDS) Guideline A-104

In 2005, the Dutch Chief of Staff of the Armed Forces issued a policy guideline to direct gender policy in the Ministry of Defense, and is included within the MoD's action plan on UNSCR 1325. The guideline specifies "that gender issues should be given due consideration at the various stages of an assignment: during the formation phase, the preparatory phase as well as during and after the mission."³³ The Netherlands Ministry of Defense has since taken the CDS Guideline further with the second NAP

31 Global Network of Women Peacebuilders, Dutch National Action Plan 1325 (2012-2015), 30, New York, accessed 11 July 2013, <http://www.gnwp.org/wp-content/uploads/2012/01/Netherlands2.pdf>.

32 Translated as Chief of Staff of the Armed Forces.

33 Birgith Andreassen, et. al., "Operational Effectiveness and UN Resolution 1325 – Practices and Lessons from Afghanistan," ed. Louise Olsson and Johan Tejpar. Report number: FOI-R-2760-SE. (Stockholm, 14 May 2009), 36, accessed 25 July 2013, http://www.foi.se/ReportFiles/foir_2760.pdf, page 36, <http://www2.foi.se/rapp/foir2760.pdf>, accessed 22 August 2012.

30 Interview with MoD gender expert on 16 July 2013.

1325 and attempts to operationalize gender awareness and 1325 principles in its policy and strategy.

Gender Checklist

In theory, a gender checklist intended for use in designing operations exists, however it seems that it has never actually been used.³⁴ The checklist forms part of the defense action plan and should inform the inclusion of gender aspects in operational design.

b) North Atlantic Treaty Organization (NATO) Bi-SC directive 40-1

The NATO directive is not specifically part of the MoD's action plan, but is relevant to mention because, as a member of NATO and when operating under its auspices, the missions must operate according to NATO's Bi-SC directive 40-1. This directive was updated in 2012. It integrates UNSCRs 1325, 1820, 1888 and 1960, and a gender perspective into the NATO command structure, tasking the NATO Headquarters and subordinate commands to integrate a gender perspective throughout planning, execution and evaluation of NATO's tasks.³⁵ In 2012, the directive was updated to include, among others, a clarification on the role of gender (field) advisors and gender focal points in missions. Furthermore, clear definitions on concepts such as gender, gender mainstreaming, gender perspective, gender analysis and gender equality, and reporting were also provided.³⁶

The Ministry of Defense acknowledges UNSCR 1325 and a gender perspective in its internal and external operations. Gender experts are trained and deployed in NATO and other missions, and gender focal points exist internally within the ministry. Furthermore, the Ministry of Defense is currently planning to further define the action plan with clearer commitments, targets and assign specific responsible persons.³⁷ However, despite the clear guidelines from NATO on 1325, the internal action plan, and the directive of the Commander-in-Chief of the Dutch Armed Forces, the structural implementation of UNSCR 1325 still lacks to a great extent.

Implementation largely depends on the will and efforts of motivated individuals to push UNSCR 1325 and gender perspectives in the defense ministry's work.³⁸ Integration of these principles has suffered over the last year (2012-present), in particular, due to the vacant position of the central gender advisor in the operational department of the MoD. This position is seen as the key position to install and monitor the defense's policies regarding 1325, and should also be the point of reference of the various gender focal points throughout the department in line with NATO policy. The lacking implementation during the vacancy clearly demonstrates that 1325 is not structurally integrated. The Dutch CSO community working on 1325 and gender, together with the MFA, are urging the MoD to fill the full-

time gender advisor position as soon as possible.

c) Diversity policy (July 2013)

In the MoD's diversity policy, the commitment to the NAP and implementation of UNSCR 1325, particularly with attention to the role of women in conflict and post-conflict areas, is confirmed. The policy is also designed to reinforce the importance of diversity, culturally, ethnically and gender-wise, in the ministry itself and in the military forces. According to the Minister's policy brief, an ethno-culturally and gender diverse MoD and military force improves "employee interactions and has a positive influence on the broader organizational culture."³⁹ Specifically, having women in operational forces "promotes mutual understanding, access to women [residing in the location of operations] and due respect for the local people, traditions and customs."⁴⁰ The diversity policy is promising and hopefully its effects will be closely monitored and reported on.

Ministry of Foreign Affairs

a) Human Rights Policy (June 2013)

Women's rights and gender equality have been given high priority in the new human rights policy, issued in June. This policy employs two focus areas for ensuring that women's rights are integrated into foreign policies for the attainment of gender equality. The first focus is on women's participation and leadership, and monitoring of UNSCR 1325 and the elimination of violence against women. Secondly, this policy focuses on the systematic integration of gender issues in foreign policy and in core areas of development cooperation and trade policy.

Equal rights of women, specifically with regard to political participation and UNSCR 1325, violence against women, and sexual and reproductive health rights, are highlighted as main priority areas within the new human rights policy. Important questions, in light of the new policy include: Who is responsible for the systematic integration of the resolution across departments? How will this be monitored? Will the Minister of Foreign Affairs report on progress made more broadly on UNSCR 1325, and not just on the NAP alone?

b) Trade and Development Cooperation – Minister Ploumen's Policy Brief (April 2013)

The new cabinet formation in late 2012 came with the combining of trade and development into one ministerial position and department of the Ministry of Foreign Affairs. This signifies an important shift in foreign political strategies, where development cooperation must now share a policy seat and funds with foreign trade. The ministerial position is filled by a woman, Minister Lilianne Ploumen.⁴¹

Trade and Development Cooperation Minister, Lilianne Ploumen, outlined the main focus for trade and development cooperation

³⁴ Interview with MoD gender expert on 16 July 2013.

³⁵ North Atlantic Treaty Organization (NATO), Bi-SC Directive 40-1, accessed 14 July 2013, http://www.nato.int/issues/women_nato/meeting-records/2012/pdf/NCGP_Annual_Meeting_2012_BiSC_40-2.pdf.

³⁶ Ibid.

³⁷ Interviews with MoD gender expert and gender focal point on 27 and 29 June 2013, respectively.

³⁸ Ibid.

³⁹ Parliament, Kamerbrief: Diversiteit in Defensie (BS2013020003), Den Haag, 5 July 2013, accessed 23 July 2013. http://www.defensie.nl/_system/handlers/generaldownloadHandler.ashx?filename=/media/diversiteit_tcm46-207045.pdf.

⁴⁰ Ibid.

⁴¹ The MFA is headed by two ministers, the Minister of Foreign Affairs and the Minister of Trade and Development Cooperation.

in a policy brief. The larger focuses for the Ministry of Foreign Affairs also apply to the Netherlands' trade and development, a sub-department of the MFA. In addition to those foreign policy spearheads and trade, Minister Ploumen's policy agenda includes attention to women's rights and SRHR, climate, food security, migration, and a special developmental focus on security and rule of law in fragile states.

In this special developmental focus is the 'New Deal for Engagement in Fragile States,' which is a coalition of conflict countries, donors, CSOs and other international organizations who agree on an agenda to invest in political reform, restoration of rule of law, and strengthening of police and militaries. Within the New Deal coalition's agenda, a key focus is on women and the critical role they can play in conflict resolution, reconstruction and peacekeeping.⁴² For instance, Minister Ploumen has discussed linking the new deal with UNSCR 1325 with the South Sudanese government, also by supporting the development of South Sudan's NAP on UNSCR 1325. CSOs were also involved in this new deal process – engaging with both governments and South Sudanese CSOs in the development of the South Sudanese NAP and the establishment of a 1325 working group in South Sudan.

Minister Ploumen is faced with the challenge of supporting the implementation of UNSCR 1325 and supporting women's rights and SRHR in a number of selected conflict-affected partner countries, while also addressing UNSCR 1325 and a gender approach in trade cooperation. She has rightfully indicated that it is important to have a gender analysis as part of the preparation and design of trade and investment activities, and that the progress on this be monitored.⁴³

While the new trade and development policy and minister are promising, some critical remarks can be made:

- ▶ Under the spearhead "Security and Rule of Law," the focus seems to be shifting increasingly more to security sector and police reform, crisis management operations and the justice sector, and away from so-called human security with a gender perspective; that is, inclusive political processes, good governance, legitimate institutions, political participation, etc. For example, there is no more funding for the cross-cutting theme of good governance. Equally, the political participation and inclusion of women in fragile, conflict-affected contexts receives little attention in the policy brief. Hence, it remains to be seen how this new policy emphasis can be reconciled to meet UNSCR 1325 commitments. Particularly, regarding UNSCR 1325's transformative potential – opening up a security concept that is closer to human security (with "gendered" peace and security as a holistic concept) is currently missing in the policy.
- ▶ The policy is especially interesting with regards to the fact that its focus seems to be on the controversial interrelationship

between development and trade, e.g. a stronger economy of a conflict, post-conflict or transition country, in turn, could be something the Netherlands could profit from. The policy takes an instrumentalist economic approach, rather than a human rights approach, which is critical for combining development policy with trade policy. The instrumentalist approach raises questions of accountability for implementing UNSCR 1325 and human rights, and the potential negative side effects of trade, for example causing or fueling armed conflict in countries such as in Democratic Republic of Congo (DRC) and Colombia, with its devastating impact on local women's lives. Women civil society leaders and activists in these countries have been at the forefront of highlighting how neoliberal globalization is impacting on local communities and generating (gendered) conflict.

These are issues that deserve more critical discussion between government and CSOs, through the course of several strategy meetings (an ongoing dialogue), including with concerned stakeholders on the ground.

In addition to its human rights policy and trade and development cooperation policy, the MFA is also committed to UNSCR 1325 in international forums such as the European Union, United Nations, Organization for Economic Cooperation and Development (OECD), Organization for Security and Cooperation in Europe (OSCE) and NATO. The Netherlands is an active player within the informal EU Task Force on UNSCR 1325 and other EU committees that contribute to the operationalization of the "EU Comprehensive Approach on the implementation of UNSCRs 1325 & 1820."⁴⁴ Yet, ascertaining the extent to which the Netherlands actually contributes to these forums has proven difficult. The contributions could be revealed through regular monitoring and reporting on UNSCR 1325.

On a general note, the MFA maintains a gender department and clearly recognizes UNSCR 1325 as observed in its proclaimed commitments in policy documents which are referenced throughout this report. The current Minister of Foreign Affairs, Minister Timmermans, has recently strongly advocated on UNSCR 1325 in Libya and Tunisia, and more positive stories on security sector reform and training of women are reported in Afghanistan, South Sudan and Burundi. Minister Ploumen's trade and development brief echoes the MFA commitment to UNSCR 1325.

The existing gender department can play a pivotal role in pushing the incorporation in all policies, both in The Hague and abroad in its embassies. To achieve this, though, the gender department must be aware of what is actually happening on the ground with regard to UNSCR 1325 and due to lacking monitoring and evaluation mechanisms, specific details are difficult for them to attain. In fact, much information available come from individuals' personal accounts of what is happening and are not well substantiated in ministerial reports. This is a key issue to resolve. It will benefit the ministry itself in its strategic planning and reporting, as well as civil society, and the mutual cooperation between the two groups.

⁴² Parliament, Ministry of Foreign Affairs' Trade and Development Cooperation Agenda: "Wat de wereld verdient: Een nieuwe agenda voor hulp, handel en investeringen," Den Haag, April 2013, accessed 15 July 2013, http://www.eerstekamer.nl/id/vj8wdhui3ysn/document_extern/w33400vbrieffminploumenbijl130405/f=/vj8wdil3cedb.pdf.

⁴³ Responses from Minister Ploumen on attention to women and gender in trade and development policy. Not publicly available.

⁴⁴ Parliament, Kamerbrief Stand van zaken Nederlands Nationaal Actieplan 1325, Den Haag, 13 February 2013, accessed 14 July 2013. <http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2013/02/13/kamerbrief-over-het-nederlands-nationaal-actieplan.html>.

On a related note, when the MFA does report on its efforts, it usually does so within the confines of the NAP alone. Moreover, it reports on activities and programs that are largely carried out by CSOs, whereas the MFA itself is mostly involved in the provision of grants for the activities. Dutch CSOs are eager and hopeful for more active involvement and monitoring of the ministry, given the encouraging leadership within the ministry.

Dutch National Action Plan II on UNSCR 1325 (2012-2015)

The second National Action Plan (2012-2015) was signed by the Ministers of Foreign Affairs, Defense, and Education, and by representatives of 4 research and 32 other civil society organizations on 19 December 2011. On 11 December 2012, another 5 CSOs signed the NAP. Thus, there are currently 44 signatories. The NAP 1325 is a declaration of intention to implement UNSCR 1325 within signatories' own policies and practices, as well as to cooperate with other signatories to jointly conduct activities to strengthen the implementation of the resolution. The thematic focus of the NAP 1325 is female leadership and political participation of women in conflict and post-conflict countries, and countries in democratic transition.

The Dutch NAP is ambitious and is regarded as unique given that government and civil society are joint signatories sharing mutual responsibility and accountability. The second NAP's focus is on equal participation of women in peace and reconstruction processes, integration of UNSCR 1325 and gender in policies, and increased national, EU and global awareness and implementation of UNSCR 1325.

2012 was the first full year of the implementation of the second NAP; great things have been set in motion. However, it has not been without stumbling blocks, which naturally come with this new approach. As addressed under Indicator 5, currently various CSOs and government have different interests but are generally committed to negotiate grounds for compromise to maintain progress on the NAP. Accountability for the activities is skewed, since it is the CSOs who are carrying out most of the activities. Relationships and responsibility are still being ironed out as the first projects are just getting underway. Specific projects funded through the NAP are enumerated under indicators 10 and 11.

In addition to the above enumerated policies which do incorporate UNSCR 1325 and a gender perspective, there are also important budgets and policies which do not. Namely, the budget and policy on international security and the defense's main policy framework on the future of the armed forces clearly miss the incorporation of UNSCR 1325 and a gender perspective.⁴⁵

Policies and action plans are in place, but structural implementation of UNSCR 1325 and a gender perspective is lacking, as well as monitoring and reporting on any related progress and an intergovernmental strategy on UNSCR 1325.

⁴⁵ Ministry of Foreign Affairs, Budget Internationale Veiligheid, Den Haag, 12 July 2013, accessed 25 July 2013, <http://www.rijksoverheid.nl/ministeries/bz/documenten-en-publicaties/kamerstukken/2013/07/12/kamerbrief-over-budget-internationale-veiligheid.html>; AND Ministry of Foreign Affairs, Internationale Veiligheidsstrategie, Den Haag, 21 June 2013, accessed 25 July 2013, <http://www.rijksoverheid.nl/documenten-en-publicaties/rapporten/2013/06/21/veilige-wereld-veilig-nederland-internationale-veiligheidsstrategie.html>; AND Ministry of Defense, Defensie beleid op Hoofdpijnen, Den Haag, 25 June 2013, accessed 25 July 2013, http://www.defensie.nl/actueel/nieuws/2013/06/25/46206746/Hoofdpijnen_toekomstnota_naar_Kamer.

Most implementation that does occur is based on the will and efforts of motivated individuals within both ministries to push UNSCR 1325 and gender perspectives.

Indicator 8 – Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

Specific information has not been retrievable, but on a general note, as found in the Netherlands' responses to the EU questionnaire on 1325 and 1820 implementation, "the Netherlands stresses the importance of promoting the women, peace and security agenda in the disarmament field."⁴⁶ There is likely more information on this topic, but it has been difficult to obtain any more specific information on this indicator. The Ministry of Foreign Affairs and its embassies should be able to make this information more widely (easily) accessible.

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Table 10.1: Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Type of training	Pre-deployment	Post-deployment	Percentage of all troops receiving training	Percentage of all trainings
Pre-deployment training at School for Peace Missions	Yes	-	100%	Data not available
A Comprehensive Approach to Gender in Operations	No, not necessarily. Occurs every 6 months.	-	Data not available	Data not available
3 week training on 1325 for Gender Advisors that will be deployed	Yes	-	16 persons per year	Data not available
Total				

⁴⁶ Netherlands response to the EU Questionnaire for EU Member States on the Indicators for the Comprehensive Approach to the Implementation of the UNSCRs 1325 and 1820 on Women, Peace and Security. Not publicly available.

In general, the number of trainings on UNSCR 1325 and gender within the military are increasing, including at the NATO, EU and UN levels where the courses are also being accredited.⁴⁷

Yet, UNSCR 1325 is not yet embedded in the military's basic education. To revitalize the discussion, the Netherlands' Defense Women's Network (DVN), together with the WO=MEN Dutch Gender Platform and the Ministry of Defense, organizes interactive kick-off sessions on the importance of a gender perspective and UNSCR 1325 for all four branches of the armed forces (the Royal Netherlands Navy, the Royal Netherlands Army, the Royal Netherlands Air Force and the Royal Military and Border Police). In the Training of Trainers (TOT) workshop's sessions, the trainers of the armed forces were briefed on the incorporation of a gender perspective and UNSCR 1325 in order to stimulate the review and adaptation of the training curriculum used to train the military.

The training at the School for Peace Missions is required for all Dutch personnel before deployment. The training includes 2 hours (of 14 hours of general training total) on UNSCR 1325 and Women, Peace and Security issues, at a basic level. Human rights and international humanitarian law are also covered within the 14 hour training. It is unclear whether UNSCR 1820 is specifically addressed. One issue highlighted by a gender expert in the MoD is that there is a shortage of instructors for the courses and that currently all of the instructors on 1325 are female. It would be positive to increase diversity and to have men provide instruction on 1325 as well.⁴⁸

However, sometimes proper pre-deployment gender training is still being missed by some units. For example, the last Police Training Group that was sent to Kunduz, Afghanistan, only two Marine officers 'responsible for integration gender issues in the mission' received a briefing in the last weeks before deployment. This happened at the last moment, only through the pushing of the 1325 officer within the MFA, so the level of proper gender briefings can be questioned.

Trainings are also provided by NATO, the EU or UN; depending on who is leading the mission. These also address UNSCR 1325, UNSCR 1820, human rights instruments and humanitarian law, but the data on number of Dutch military or other personnel attending is not available.

As in 2011, "the Dutch and Spanish Ministries of Foreign Affairs and Ministries of Defense are [still] working together in the area of capacity-building for gender in operations. A training course, entitled 'A Comprehensive Approach to Gender in Operations,' is given on a six-monthly basis."⁴⁹ The goal of the course is to train mid-level diplomats and military personnel how gender and human rights positively affect the effectiveness of peace

missions and crisis management.⁵⁰ The course is accredited by the European Security and Defense College (ESDC). Moreover, NATO, the African Contingency Operations Training and Assistance (ACOTA), and the United States Africa Command (USAFRICOM) have expressed interest in working together to further build on this Dutch-Spanish training.

The 3-week intensive training on UNSCR 1325 is for gender advisors who will be deployed as gender experts to missions. It consists of one week in the Comprehensive Approach to Gender in Operations course, one week in Sweden in the Gender Field advisor course and one week in Poland in a course on planning and gender.

In addition, civil society is supporting the military in improving gender perspectives in civil military exercises, such as in the large exercises of the German-Netherlands Corps that took place in Munster. WO=MEN, IKV/Pax Christi, and Multicultural Women Peacemakers Program, worked together to carry out scenario exercises on how to mainstream gender issues and how to work with local women towards the objectives of missions. For example, during an exercise in September 2012 in Germany, 6,500 military personnel and Dutch CSO staff participated. Even though majority of the participants were mainly from the Netherlands and Germany, there were also some from France, the US and Norway. Civil society will participate next year again in multiple civil-military exercises.

The collaborations between CSOs and the MoD seem to be increasing and indicate a positive trend for the future if they continue to develop combined trainings for military personnel. There is slight progress given the fact that the number of trainings is slowly increasing and the trainings are garnering more attention in the EU and elsewhere. However, the issue of insufficient number of instructors and lacking structural embedding of UNSCR 1325 and a gender perspective needs to be addressed from the earliest phase of military education.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

Table 10 demonstrates the major budget lines of funds disbursed in 2012. According to the MFA's 2012 annual report; the amounts are similar to what was detailed for allocation in the 2011/2012 monitoring report.⁵¹ Activities relevant to WPS and UNSCR 1325 are also carried out under other funding categories (e.g. in addition to the budget line for equal rights and opportunities for women) and all budget lines of the MFA should be gender-sensitive. Unfortunately, a detailed breakdown of these funds could not be attained for this report.

⁴⁷ Interview with gender focal point of MoD on 29 June 2013.

⁴⁸ Interview with MoD gender expert and gender focal point on 27 and 29 June 2013, respectively.

⁴⁹ Ministry of Foreign Affairs, International Peace and Security – Women, peace and security – UNSCR 1325, Den Haag, accessed 25 July 2013, <http://www.government.nl/issues/international-peace-and-security/women-peace-and-security--un-security-council-resolution-1325>.

⁵⁰ Ibid.

⁵¹ €17.5 million is for the FLOW fund ; €4 million for the MDG3 fund ; €4 million on UNSCR 1325, of which €2 million for the Dutch National Action Plan (2012-2015) and €2 million for the MENA region (not earmarked for NAP activities); and €6 million to UN WOMEN, of which €2 million for the UN Women Trust Fund.

Table 11.1: 2012 Disbursed funding marked for women, peace and security programs (WPS) to CSOs

CSO	Donor country/ entity	Purpose	Amount actually disbursed	Percentage of total CSO budget dedicated to WPS
-	MFA	Equal rights and opportunities for women	€43.5 million	-

2012 NAP funding

In 2012 to present, four projects in four of the NAP 1325 priority countries started (Afghanistan, Burundi, DRC and South Sudan), with the remaining two countries (Colombia and Sudan) and the MENA region in the last stages of proposal approval. For the four countries where projects began in 2012, nearly € 886,000 was disbursed. Refer to Box 1 below for a brief description of the projects. A further € 89,000 was disbursed for the Sudan and Darfur projects, which started in the first half of 2013. Lastly, an additional € 860,000 is in the pipeline for projects in Colombia and the MENA region beginning later in 2013.⁵²

Box 1: NAP funding in priority countries

Afghanistan

Oxfam Novib, Cordaid and Gender Concerns International, in cooperation with local women's organizations and telephone and internet services providers launched a one-year pilot project in January 2013. The project, called Bayan ("Speak Out"), wishes to stimulate dialogue and discussion on (more active) roles of women in society through an SMS-based blogging platform. The combination of SMS and social media makes it very accessible for men and women (especially young people) in villages and deprived areas of cities. The participating Afghan organizations will be trained by Dutch NGOs in the use of these media. Next to this, the Dutch government supported other activities Afghanistan, such as the participation and leadership of women in the police (training mission) in Kunduz.

Burundi

In early 2013, the international NGO, Search for Common Ground, began a 3-year project with local partners focusing on promoting active and passive voting rights of women for the elections in 2015. National and provincial (provinces Kirundo, Muyinga, Cankuzo and Ruygi) women leaders will be trained. Radio and film will be used to raise awareness and interest among the public on the roles of women. Also, the Dutch ministries of Defense and Foreign Affairs, together with the Burundian Ministry of Defense, Public Safety and Foreign Affairs, and local civil society organizations, will work together to establish 1325 within the Burundian security sector. Activities include building necessary facilities for female security personnel, training programs for

women within the police and the army, and a military code of conduct in line with UNSCR 1325. Furthermore, Cordaid is discussing possible collaboration with the Netherlands Embassy on Capacity Building support for Burundi's NAP 1325 stakeholders.

Colombia

The organizations working in Colombia are currently formulating a program to increase participation of women in peace negotiations and promote reconstruction between the government and the FARC. The proposal and approval process is still ongoing.

DRC

In early 2013, the international NGO, Search for Common Ground, started a three-year project with local partners working on building a network of potential women politicians and to train and guide them before, during and after elections. Also, media campaigns (radio, TV, press) will be used to increase support in the population of women in politics.

Sudan

The organizations working in Sudan are formulating a project proposal similar to that of the NAP project partners in South Sudan (see next). There is also a project planned in Darfur, which will support existing women political leaders.

South Sudan

ICCO and IKV/Pax Christi and their local partners started a three-year project in early 2013. Within this project, potential women leaders will be supported to effectively operate in the political decision-making processes at the provincial and local levels. In addition, women leaders working at the various levels (village, town, province to national) will be stimulated to cooperate with one another. Also, the South Sudanese women's organizations will receive training and coaching to strengthen their organizations' management capacities (including financial management). The South Sudan NAP working group and the Ministry of Foreign Affairs are also working together with the South Sudan government on developing a NAP 1325 by end of 2014. This process is being linked to the New Deal, which is addressed in the Trade and Development policy section of this report.

MENA region

In 2012, funding for the region group was limited, partly due to quick and non-transparent spending of the MENA 1325 budget by the MFA. In 2013, the region working group asked for clear(er) guidelines as to proposal writing and has now formulated two joint proposals, which have been handed in for approval. One proposed project focuses on improving human security with active participation of the local population, especially women and youth, and also includes policy influencing on issues of security with the goal of strengthening women's voices in policymaking. Women's networks, political and religious leaders and police will be engaged in the project. The second project focuses on strengthening women's voices and their increased participation in peace and security processes, at the regional and

⁵² Based on overview provided by e-mail from MFA representative on 6 August 2013. Not publicly available.

national levels. Enhancing women and men's understanding of 1325 and the value of women in peace and security, and building capacities of women and peace organizations, will be included as well. The two programs are expected to start by late 2013.

NAP 1325 pilot grassroots fund

Within the NAP funding mechanism, a pilot fund for NAP 1325 signatories and their partner organizations working for the grassroots is to likely launch in the Autumn of 2013. WO=MEN pleaded for a different, external pilot fund to finance innovative, smaller and rapid action activities and pilot projects related to Women, Peace and Security. This fund is being created so that the smaller grant request amounts from smaller or even middle-range Dutch CSOs can be processed.⁵³ The fund might also have a capacity building and coaching component for smaller organizations that wish to grow their funding base. This fund will be available for NAP 1325 signatories and their partners in the six focus countries and MENA region.

Fund for Small NGOs (Fonds Kleine Organisaties 1325)

In addition to the major NAP programs, the MFA has made a small amount of funding available to NAP 1325 signatories working on a voluntary basis. This Fund is intended to only cover basic expenses of several small NGOs in order to enable their active participation in the NAP 1325. In 2012, the maximum was revised from €1,500 to a maximum of €1,000. The money is to compensate some of the unpaid participants (volunteers) of small organizations, staffs' travel to NAP meetings, some office costs and other related small running expenses.⁵⁴ In 2013, a total of €24,500 will be made available to voluntary organizations.

Dutch expenditure on international development has decreased significantly over the past few years. In 2013, with continuing budget cuts, the budget for development cooperation will drop to below the 0.7 percent threshold for the first time in history. However, it is noteworthy that the budget spent on women's rights and SRHR is the only budget line not undergoing cuts in the coming years.⁵⁵ For 2013, €53 million is made available for gender-related projects. Of this amount, €38 million will be allocated to Funding for Leadership Opportunities of Women (FLOW), close to €5 million to NAP II 1325 projects, €4 million to UN Women, €2 million to UN Women Trust Fund for combating violence against women, and about €5.8 million for the Women on the Frontline program strengthen the position of women in the MENA region.⁵⁶ This latter fund is organized together with two

CSOs, Hivos and Oxfam Novib, and the private sector company, PwC.⁵⁷

This increase in funding for gender-related projects and specifically for 1325 activities is very positive and will help to ensure that focused, multi-year projects that really enable women in their participation in peace building and leadership may be undertaken and likely achieved.

However, while more funding has been made available in 2012-2013, the conditions for funding tend to favor large projects (meaning a limited number of Dutch large CSOs). This is due to the diminishing budget of the Dutch embassies to fund (smaller) local organizations and the limited capacities of the central government to manage numerous projects. The criteria to propose multi-hundred thousand euro project proposals exclude or limit the access of smaller and mid-range CSOs, many of which are women (peace) and gender-focused activist organizations. Smaller or mid-sized CSOs are thus sometimes compelled to partner with other organizations in a coalition, which presents challenges both for smaller and larger CSOs. This dilemma in turn negates the crucial role that these, including voluntary-based, CSOs have played in pushing the Dutch 1325 agenda as well as the important, often innovative activist and grassroots work done by smaller to mid-range organizations. The diversity of Dutch civil society has been one of the strengths of the much-praised Dutch international collaboration efforts in the past, as it encouraged pioneering work on a wide array of development and human/women rights issues worldwide.

Additional specific NAP funding issues, based on feedback from some of the country groups and the diaspora organizations, include the fact that the criteria for NAP funding regularly change and are not clear, and the use of funds in the focus countries is not transparent. The role of embassies in disbursing the funding is also not clear. Moreover, the MFA sometimes imposes thematic preferences for projects, causing CSOs in the working groups to feel restricted in what kinds of projects they can develop. Defining the roles and expectations of government and CSOs will help to rectify several of these issues.

To Governments

"The Netherlands provides support through bilateral and multilateral channels to a number of ministries, UN agencies, international and national NGOs and the private sector."⁵⁸ However, similar to the previous year, the amount of money that the Dutch government has allocated and disbursed to government bodies in the focus countries cannot be easily traced. This is also true regarding whether and how much funding goes to foreign governments for WPS/1325 specifically. Often, if funding reaches the national government bodies in the focus countries, it is sometimes via a CSO in the form of budget support or through a bilateral partnership between the Dutch government and the government of the given country. If and when the Dutch

⁵³ Current funding criteria include a minimum amount to be requested; as well as an assessment of organization's annual expenditure; the amount requested by the organization cannot exceed its annual expenditure.

⁵⁴ Information provided by a working group member in an e-mail on 7 September 2012.

⁵⁵ "The Netherlands spent €4.34 billion on development cooperation in 2012. In 2010, the government agreed to lower the Dutch contribution in stages from 0.8% of GNP to 0.7%; in 2011 it was 0.75%. The country will spend €114 million more on its priorities in 2012 than in 2011: €181 million on water, €219 million on food security, over €385 million on security and the legal order, and €335 million on SRHR." See <http://www.government.nl/ministries/bz/policy-and-budget/foreign-affairs-budget-2011-2012>.

⁵⁶ Parlement, Kamerbrief on Verdeling fondsen voor het genderbeleid (Ref. DSO/EM-103/2013), Den Haag, 11 July 2013, accessed 15 July 2013, <http://www.rijksoverheid.nl/documenten-en-publicaties/kamerstukken/2013/07/11/kamerbrief-over-verdeling-fondsen-voor-het-genderbeleid.html>.

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⁵⁸ Ministry of Foreign Affairs, Key topics in Development Cooperation – Partner Countries, Den Haag, accessed 15 July 2013, <http://www.minbuza.nl/en/key-topics/development-cooperation/partner-countries/countries-alphabetically/a>.

government supports governments directly with funding, the likelihood that it is earmarked for Women, Peace and Security is very low.

Many of the challenges stated here were also present in 2011. While funding (for gender/ women's rights) has increased for 2013, the challenges for smaller and mid-range CSOs to access the funding and the continuing lack of transparency remain problematic. The small fund for voluntary organizations and the new pilot grassroots NAP-fund for UNSCR 1325 are positive developments. Nevertheless, a debate with the funders is essential to ensure a full incorporation of the added value of a diverse Dutch civil society and the role of smaller/ mid-range (activist) organizations in the criteria for funding. In addition, CSO and government collaboration must go beyond the funding relationship to become a more substantive policy and strategic partnership as well.

III. Conclusion and recommendations

Conclusion

The Netherlands remains a pioneer example in terms of its National Action Plan 1325, with both government and civil society as signatories. It is promising that the new cabinet, installed in late 2012, has more women ministers and is on board with incorporating UNSCR 1325 into its foreign, trade and development policies, backed with some earmarked funding. The Netherlands also seems to be increasing its advocacy and participation within the EU and UN on UNSCR 1325 and the women, peace and security agenda in general. Together with Spain and Sweden, it is a leader in its provision of trainings on gender and UNSCR 1325, which are continuing to increase and are being accredited.

Overall, the progress ratings on the indicators reflect a mixed level of progress on UNSCR 1325 implementation by the Netherlands' government. Indeed, while there is slow progress in the increasing number of women in various levels of government and in the different governmental branches, recruitment and retention of women must remain a high point on the agenda, especially for the military.

One major setback for 2012 for the Ministry of Defense has been the vacant position of the senior level gender advisor in the operational section. As a result, structural integration of gender and UNSCR 1325 has fallen aside, both internally as well as in mission strategy planning. It is vital to fill the role as soon as possible, but to also strongly prioritize structural change. The latter also applies to the Ministry of Foreign Affairs. While both the MoD and MFA have policies in place, structural implementation suffers. Moreover, implementation often relies on the will of individual staff members in the ministries to include UNSCR 1325 and gender perspectives in practice. The development of specific

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internal strategies to implement the existing action plans and the creation of an overarching governmental strategy on UNSCR 1325 would facilitate structural implementation.

As part of implementing UNSCR 1325 and a gender perspective, a monitoring and reporting mechanism needs to be instituted as well. Both ministries, as well as civil society, recognize the lacking M&E as a crucial problem. M&E will increase transparency and highlight what the government is achieving, and not. Not only will the M&E benefit the government itself, it will also better enable civil society to perform its watchdog role and allow it to serve as a stronger partner to the government ministries in policy strategizing and on projects.

Joint coordination and the innovative project-based collaborations between the government and civil society organizations that come out of the second NAP are generally unique and fruitful. However, CSOs are still sometimes left out from other important policy dialogues with government. This is especially relevant to foreign, security and trade policies, where the incorporation of gender, UNSCRs 1325 & 1820 and the human rights policy, need to be critically evaluated and reconciled. It is critical that the government listens to the voice and leverages the expertise of the CSO community, given its combined wealth of field experience in conflict and transitioning countries, direct experience with populations in the various focus countries, and on women, peace and security. The CSO community, including small and mid-level CSOs, can be of great value here, as elsewhere, in assisting the government to meet its own goals of incorporating gender and 1325 internally and externally.

Civil society must also continue to persevere in engaging one another and with the government on projects, policymaking, advocacy and lobby. Improved, transparent communication between both parties, and government-wide monitoring and reporting on UNSCR 1325 and gender, will already help address many of the challenges and recommendations enumerated in this report.

For the purposes of improving collaboration, accountability and processes, the 1325 NGO working group proposes the following recommendations.

Recommendations

To the National Government

- ▶ All government ministries and branches should **continue to prioritize female leadership and embedding of 1325 and gendered policy perspectives** internally and externally.
- ▶ Civil society urges the **senior and mid-level military leaders and diplomats to take responsibility for the active and qualitative incorporation of UNSCR 1325 and a gender perspective** into policies and practices, including through clear instruction to all staff members.
- ▶ The government, with active involvement of Dutch civil society, should **develop an intergovernmental strategy on UNSCR 1325**. They should ensure synergy of its support to gender and women, peace and security and of their strategies in trade, security and development. They should be aligned and linked with implementation of 1325 and gender budgeting in the focus countries. The Dutch embassies in the countries can and should also play a pivotal role here, together with Dutch CSOs and CSOs in country.
- ▶ **Structurally integrate civil society as a key strategic partner in all important policy dialogues** on hard security issues, trade, and elsewhere to ensure women, peace and security is addressed accordingly.
- ▶ The government ministries should include **monitoring and reporting on implementing a gender perspective and UNSCR 1325 in the annual planning**, especially in terms of increased women's leadership and participation in decision-making (as the focus of NAP 1325 focus). Dutch CSOs can be leveraged to work with the Dutch government in creating a comprehensive M&E system. This benefits the government itself to note its achievements, as well as civil society in its watchdog and partner roles with the government.
- ▶ The Dutch embassies in countries where peace negotiations are happening should be able to **provide more detailed information regarding its support to women and CSOs in peacemaking and political processes**, including without compromising the women or organizations themselves or the peace processes. This would be rectified through regular monitoring and reporting, which was suggested in 2011/2012.
- ▶ Provide an annual report to the parliament and the general public on the results of its implementation of UNSCR 1325 (not only attention to the joint efforts via NAP II) in the Netherlands, as well as in countries where the Netherlands are represented.
- ▶ Institute a comprehensive M&E system on 1325.
- ▶ Embassies should include a specific chapter on Gender and Implementation of 1325 in their Multi-Annual Plans, particularly those Embassies working in conflict-affected countries and especially in the Dutch NAP focus countries and region.
- ▶ Embassies, together with CSOs, should facilitate or join working groups or task forces where they do not exist in the focus countries, together with local CSOs, to support local

CSOs (working in human rights, peace building, democracy, etc.) and women's movements.

To the Ministry of Defense

- ▶ **Prioritize the filling of the vacant gender advisor position.**
- ▶ Continue to **emphasize recruitment and retention of women**, and more widely **broadcast the message about the added value of women in military operations**. Additional measures suggested to attract female police officers or military to go on missions include having short mission pools or more visiting experts.
- ▶ Address the **shortage of 1325 instructors for pre-deployment trainings** and increase efforts to hire some male instructors.
- ▶ Substantially **embed holistic content on 1325 and gender perspectives to the basic trainings** of military personnel, and ensure all trainings on UNSCR 1325 are of high-level, in-depth quality.
- ▶ Institute **clear monitoring and reporting procedures on sexual and gender based violence**, both for internal as external incidents, including the registration of incidents and reporting on taken measures for prevention.
- ▶ **Address the non-application of the gender checklist** that should form part of the MoD's action plan on UNSCR 1325.
- ▶ With input from civil society and together with embassies, also **develop country-specific strategies on 1325** for NAP focus countries and other governmental partner countries.
- ▶ **For the NAP, develop clearer, transparent, unchanging criteria**, keeping in mind possibilities for smaller CSOs as well.
- ▶ **Within the NAP, define clearer roles and responsibilities** for government and civil society organizations.
- ▶ Create and implement a clear protocol on the protection of females in its armed forces, both from sexual harassment and violence from within, as well as from external parties encountered when deployed on missions. Trainings on these issues should also be made mandatory and complaint mechanisms strengthened.
- ▶ Continue to keep recruitment and retention of women a high priority.

To Civil Society

- ▶ CSOs should seek ways **to overcome weaknesses by streamlining processes where possible**, together with the government as needed, as well as through prioritizing the numerous meetings and priorities. Establishing inter-organizational mutual respect and points of compromise are key to ensuring a strong basis from which to monitor and work alongside one another, the government, as well as for the beneficiaries in the fragile and conflict countries.
- ▶ Civil society should **revive its lobby and advocacy activities** in the Netherlands, including through organizing more systematically and efficiently on influencing policy (extending beyond existing project collaboration) to fulfill its watchdog role and to serve as a strategic partner.

- ▶ Consider **developing (together with the ministries' staff) and carrying out similar trainings for the ministries internally on 1325 and gender**, as is currently being done together with the MoD for its military personnel for missions.
- ▶ Within the NAP, **define clearer roles and responsibilities** for government and civil society organizations.
- ▶ Push for the creation and development of **more in-country task forces (working groups) on UNSCR 1325**.
- ▶ Mandate WPS/1325 a priority, including dedicating personnel where possible, despite the recent decrease in funding and other challenges.
- ▶ Strengthen cooperation to advocate on 1325, overcoming differences and competition, also to collaborate on the local level in country.
- ▶ See above recommendation for embassies on working groups.

In addition, there was some progress achieved on some of the recommendations made in the 2011/2012 report, namely:

- ▶ Some progress has been achieved with regard to the increase of women in the cabinet and in peacekeeping missions. The recommendation to continue to prioritize female participation and leadership remains relevant, however, because the percentages of women represented can be higher in each of the governmental branches, particularly the military.
- ▶ Some progress has been achieved in regards to the government leveraging the unique Dutch NAP II 1325 to provide greater support to the development and effective implementation of the National Action Plans 1325 in Afghanistan, Burundi and, most recently, South Sudan. The Dutch government and its embassies, together with Dutch and local CSOs, have been involved in the 3 countries' NAP development.
- ▶ The Netherlands is active in the advocacy of 1325 with the EEAS and supports its women, peace and security activities.
- ▶ Review of the cooperative set-up of the Dutch NAP II and its working groups is currently underway.
- ▶ In most organizations, 1325 remains a priority despite budget cuts. However, organizations are changing their way of working: more decentralized and regionalized, so less personnel is working in the Netherlands, and those who remain are foremost advocacy officers and lobbyists.

Table Footnotes:

- i Ministry of Interior, 2012 Algemene Bestuursdienst Jaarverslag, *Den Haag*, accessed 29 June 2013. <http://www.algemenebestuursdienst.nl/binaries/hst%3Aht/hst%3Asites/abdinternet/hst%3Acontent/actueel/publicaties/items/jaarverslag-abd-2012/jaarverslag-abd-2012/abdinternet%3Aresource>.
- ii Parliament, Eerste Kamer members, *Den Haag*, accessed 24 July 2013. http://www.eerstekamer.nl/alle_leden?sorteer=geslacht.
- iii Parliament, Tweede Kamer members, *Den Haag*, accessed 24 July 2013. http://www.tweedekamer.nl/kamerleden/alle_kamerleden/index.jsp.
- iv In the previous years' reports, the figure provided was the total number of women (FTEs) working at the provincial level, not senior leadership.
- v The Netherlands' provinces, 2012 Personeelsmonitor provincies, *The Netherlands*, accessed 29 June 2013. <http://www.aenoprovincies.nl/images/stories/emiel/personeelsmonitor2012.pdf>.

- vi Totals include Ministers and State Secretaries only.
- vii Average of total number of women in Eerste and Tweede Kamers.
- viii Ministry of Interior, 2012 Rijksoverheid jaarverslag, *Den Haag*, accessed 24 July 2013. <http://www.rijksoverheid.nl/ministeries/bzk/documenten-en-publicaties/jaarverslagen/2012/05/16/vii-binnenlandse-zaken.html>.
- ix Ministry of Interior, 2012 Algemene Bestuursdienst Jaarverslag, *Den Haag*, accessed 29 June 2013. <http://www.algemenebestuursdienst.nl/binaries/hst%3Aht/hst%3Asites/abdinternet/hst%3Acontent/actueel/publicaties/items/jaarverslag-abd-2012/jaarverslag-abd-2012/abdinternet%3Aresource>.
- x The Netherlands' provinces, 2011 Personeelsmonitor provincies, *The Netherlands*, accessed 29 June 2013. http://www.ipo.nl/files/6613/5722/9550/ipo_personeelsmonitor_2011.pdf.
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The Republic of Serbia

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List of acronyms

BCSP	Belgrade Centre for Security Policy
CMO	Centre for Peacekeeping Operations of the Serbian Armed Forces
CSO	Civil Society Organization
CSW	Center for Social Work
DDR	Demobilization, disarmament, reintegration
EU	European Union
FRY	Federal Republic of Yugoslavia
ICTY	International Criminal Tribunal for the former Yugoslavia
MA	Military Academy
MCB	Multi-sector Coordination Body
MIA	Military Intelligence Agency
MNO	Multinational operations
MoD	Ministry of Defence
Mol	Ministry of Interior
MP	Member of Parliament
MSA	Military Security Agency
NAP	National action plan for the implementation of UNSCR1325
OSCE	Organization for Security and Co-operation in Europe
RECOM	Regional Commission for Establishing the Facts about War Crimes and Other Gross Violations of Human Rights Committed on the Territory of the Former Yugoslavia
SAF	Serbian Armed Forces
SC	Security Council
SFRY	Socialist Federative Republic of Yugoslavia
SGBV	Sexual and Gender Based Violence
UN	United Nations

I. Women, peace and security profile

A. Nature of the conflict

The fall of the Socialist Federative Republic of Yugoslavia (SFRY) started after the death of Josip Broz Tito, leader of the Yugoslav Communist Party and president of Yugoslavia in 1980. Immediately following Tito's death, nationalism began rising in the states of Yugoslavia (Serbia, Slovenia, Bosnia and Herzegovina, Croatia, Montenegro, and Macedonia). On the 25th of June 1991 Slovenia and Croatia declared independence from SFRY followed by Macedonia and Bosnia and Herzegovina. Initially, war started in Slovenia, followed by Croatia. Whilst the conflict in Slovenia lasted 10 days, in Croatia the war continued and spilled over into Bosnia and Herzegovina lasting until 1995.

In this period a "war of low intensity" was also occurring in Kosovo, against Kosovo Albanians.¹ However it was not perceived as such until NATO began bombing the Federal Republic of Yugoslavia (today Republic of Serbia), in April 1999. The bombing lasted three months and ceased after troops of the FRY left the territory of Kosovo to the UN and EU peace forces.² Slobodan Milošević, president of the Federal Republic of Yugoslavia³ (today Republic of Serbia), who died while on trial at the International Criminal Tribunal for the former Yugoslavia (ICTY), and his nationalist regime are considered most responsible for the wars and mass atrocities that took place in the republics of ex-SFRY. The Serbian regime headed by Slobodan Milošević led the Yugoslav People's Army and Serbian paramilitary and police units fighting the war for the Serbian side in Croatia, Bosnia and Herzegovina and Kosovo.

The wars were followed by mass human rights abuses, mass war crimes against civilians, mass SGBV against women and the robbery of national treasures. The conflict had serious consequences on the lives of all nationalities that lived in SFRY and changed International Humanitarian Law forever regarding cases of crimes against women.

Officially, the Republic of Serbia does not recognize that these wars happened. According to the state of the Republic of Serbia, it was not involved in the wars during the period 1991 – 1995. However, facts point to a different reality.

B. Impact of conflict on women

The impact of the wars in former Yugoslavia on human and particularly women's lives has not been calculated even today, 13 years after the last war (in Kosovo) and 22 years after the first wars (in Slovenia, Croatia, and Bosnia and Herzegovina). There are no official numbers provided by the state of the Republic of Serbia, due to its failure to acknowledge that these wars occurred. There are no exact figures on state involvement and responsibility.

1 Zajović, S. In: Subotić G. Miladinović D. (2013) Independent monitoring of the Resolution 1325, Women in black, Belgrade

2 According to the Kumanovo technical-military agreement

3 Federal Republic of Yugoslavia was proclaimed in April 1992 and consisted of two states of Serbia and Montenegro.

Likewise, there is no information on the number of women who were volunteers of the Yugoslav People's Army; the number of women in the process of rehabilitation and reintegration (as ex combatants or family members of ex combatants); the status and the needs of women refugees and internally displaced (IDPs); the number and status of women victims of sexual and gender based violence and other war crimes committed against women in the region of ex-Yugoslavia. Women in black sent an official letter to the government of the Republic of Serbia raising questions on these issues on the 10th Anniversary of the Resolution 1325, 31st of October 2010. Women in black did not receive any reply.

According to Roy Gutman it is estimated that 20,000 – 50,000 women were raped during the war in Bosnia and Herzegovina.⁴ The last report of the Council of Europe's Human Rights Commissioner (2012) estimated that 20,000 women are claiming reparations from their states, including rehabilitation for women survivors of sexual violence.⁵

C. Relevant legal and policy framework

While the Republic of Serbia has ratified most of the international documents important to improving women's human rights and gender equality, implementation remains a problem. This was also one of the comments from the CEDAW Committee to the Republic of Serbia in Geneva during the 55th CEDAW session in July 2013.⁶

The Republic of Serbia is party to the Beijing Declaration and Platform for Action (1995), UN Millennium Declaration (2000); the Convention on the Elimination of All Forms of Discrimination against Women⁷; Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women⁸; UNSCR 1325 (2000); UNSCR 1820 (2008); UNSCR 1888 (2009); UNSCR 1889 (2009); UN General Assembly Resolution, A/64/L.56 (2010),⁹ and the International Convention for the Protection of All Persons from Enforced Disappearance (2011).

At the national level, since 2000 the Republic of Serbia adopted 109 strategies, some of them dealing with women human rights and gender equality (see indicator 7).

4 More on rape in Bosnia and Herzegovina: Gutman, R., Rieff, D. In: Edman, A. Crimes of Sexual Violence in the War Crimes Chamber of the State Court of Bosnia and Herzegovina: Successes and Challenges, p.1, <http://www.wcl.american.edu/hrbrief/16/1edman.pdf>, 30.05.2013

5 Council of Europe, Commissioner for Human Rights (2012) Post-war Justice and Lasting Peace in Former Yugoslavia, p.6-7, http://www.coe.int/t/commissioner/source/prems/Prem45112_SER_1700_PostwarJustice.pdf, 30.05.2013

6 United Nations, Committee on the Elimination of Discrimination against Women, Concluding observations on the combined second and third periodic reports of Serbia- Adopted by the Committee at its 55th session (g-26 July 2013), CEDAWC/SRB/CO/2-3, Distr.: General 25 July 2013

7 Official Journal of SFRY – International Treaties No. 11/81

8 Official Journal of FRY – International Treaties" No. 13/02

9 More on the international law framework in: Government of the Republic of Serbia, National Action Plan to Implement United Nations Security Council Resolution 1325 – Women, Peace and Security in the Republic of Serbia (2010–2015), December 2010, p. 11

II. Data presentation and analysis

A. Participation

Indicator 1 – Index of women's participation in governance

Table 1.1: Index of women's participation in governance in 2012

	Number of women	Number of men	Percentage of women
National government (total)			
Executive			
Women are Minister of Energy, Development and Environmental Protection; Minister of Youth and Sport; Minister of Health; and Deputy Prime Minister for European Integration	4	19	17.4%
Legislative			
National Assembly of the Republic of Serbia	83	167	33.2% ⁱ
Local government (total)			
Executive branch			
Municipal councils	Not available	Not available	15.8%
Community councils	Not available	Not available	13.2%
Legislative branch			
Municipal assembly (women councillors)	Not available	Not available	23.9%

Deputies,¹⁰ but also of raising awareness of women politicians and the general public on the importance of women's participation in the public sphere. After parliamentary elections in May 2012, there are 81 (32.4 percent) women out of 250 members of the National Assembly of the Republic of Serbia. With a third of women in parliament Serbia places at 23rd out of 190 countries on the list of Inter Parliamentary Union. However, as there is no obligation to replace resigned MPs with MPs of the same sex, this number may decrease.

Out of five Deputy Speakers two are women, and the General Secretary of the National Assembly is also a woman. In the parliamentary committees, representation of women ranges from 0 percent (e.g. Committee on Kosovo and Metohija, Defence and Internal Affairs Committee) to 76 percent (e.g. Culture and Information Committee). More women than men are represented in the Committee on Human and Minority Rights and Gender Equality, European Integration Committee, Committee on the Rights of the Child and the Committee on Labour, Social Affairs, and Social Inclusion and Poverty Reduction. Women are presidents of seven Committees: European Integration Committee; Environmental Protection Committee; Security Services Control Committee; Culture and Information Committee, Committee on the Economy, Regional Development, Trade, Tourism and Energy; Committee on Labour, Social Affairs, Social Inclusion and Poverty Reduction; and Committee on Finance, State Budget and Control of Public Spending. Traditionally, the parliamentary committees whose competences cover security issues (Defence Committee, Security Services Control Committee) are run by men or composed solely of male members. Women are represented in the budget and finance committees but they still are stereotyped in committees on gender and minority issues; child care and social issues.

Table 1.2: Percentage of women's participation in governance

	2012	2008-2012	2007	2003	2000
National Assembly	32.4%	21.6%	20.4%	12.4%	10.8%
Provincial Assembly	16.7%	13.3%			
Local government	15.8%				
Total					

Collective data for 2012 shows that women are participating at all levels of Government, but also indicates that the representation of women as ministers/directors, state secretaries, advisors in security sector state bodies (e.g. Ministry of Defence, Ministry of Interior, Security Intelligence Agency) is lower than the average for all other ministries. Nevertheless, the level of participation of women has increased from the previous Government with more women occupying higher positions than before.

Serbia for the first time has more than 30 percent women in Parliament. This is the result of the new Law on Election of

At the provincial level, following the parliamentary elections in May 2012, there are now 20 women MPs in the Assembly of AP Vojvodina or 16.7 percent, which is 3.4 percent more than the previous composition of Parliament in which 13.3 percent were women. The total percentage of women in all parliamentary committees is currently 18.4 percent compared to 16.4 percent in the past. 20 percent of women are presidents of the committees, a 5 percent increase. However, both the Speaker and Deputy Speaker of the Parliament are men.

¹⁰ In line with the 2011 electoral reform, MPs were for the first time appointed in the order in which they appeared on the electoral lists and the practice of 'blank resignations', by which MPs tendered resignation letters to their parties at the beginning of their term of office is now prohibited.

Serbia for the first time has more than 30 percent women in Parliament. This is the result of the new Law on Election of Deputies, but also of raising awareness of women politicians and the general public on the importance of women's participation in the public sphere.

Data shows that women are under-represented in elected bodies of local self-government (23.9 percent), especially in the executive branch with 15.8 percent women in municipal councils and 13.2 percent women local community councils. Research conducted by Gender Equality Directorate in 2012 has shown that higher representation of women in elected bodies could be found in Belgrade municipalities and municipalities in Vojvodina. More women were represented in municipal bodies in local self-governments run by women. However, comprehensive research on women's participation has been conducted only in 65 out of 168 municipalities.

In conclusion, more women are participating in the legislative and the executive branch of power at the national than provincial and local level. Overall, compared to previous years and election cycles, women's participation in governance is increasing. This increase is mostly the result of the new Law on the Elections, but also of raising the awareness of women politicians and the general public on the importance of participation of women in the public sphere.

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

Despite the fact that women were very active in peace protests against the war in the former Yugoslavia and very connected through the region synchronizing peace protests in all republics (Croatia, Bosnia and Herzegovina, Serbia, Montenegro, Macedonia, Slovenia, Kosovo) and helping refugees from all sides, they were not included in official peace negotiations and technical agreements that brought peace to the region.

Publicly available data on official peace negotiations that ended the wars in the former Yugoslavia (1991 – 1999):

1) Dayton peace accords¹¹ (1995) on Bosnia and Herzegovina and Croatia

There is no data on the representation of women in these peace processes. Women's organizations were not consulted. All official signatories of the agreement were men. The agreement was signed by Slobodan Milošević

(ex-president of Federal Republic of Yugoslavia), Alija Izetbegović (ex-president of Bosnia and Herzegovina) and Franjo Tuđman (ex-president of Republic of Croatia). None of the points in the agreement referred to women specifically.

2) Kumanovo military-technical agreement (1999) on Kosovo

Signed by Slobodan Milošević and International Security Force ("KFOR"). There is no data on representation of women in these peace process, women's organizations were not consulted. None of the points in the agreement referred to women specifically.

The Dayton peace accords and the Kumanovo military-technical agreement were both fully implemented. There were no gender responsive policies in either agreement.

Other official agreements (since 2000); parallel CSO initiatives; and requests for inclusion of the women and CSOs in official peace talks:

The *Vienna negotiations* on the final status for Kosovo began in 2005. The process was initiated and approved by the United Nations Security Council. The talks focused on the practical issues of governance in Kosovo, such as decentralization, community rights and cultural heritage but the parties did not manage to agree on all or most of these problems. The failure of the negotiations were obvious when the Parliament of Serbia adopted a new Constitution, which stated that Kosovo and Metohija are part of Serbia and their status and independence cannot be negotiated. All the propositions made by the UN special envoy regarding the political process to determine Kosovo's future status were ignored. The *Vienna negotiations* unsuccessfully concluded in February 2008 when Kosovo finally declared independence from Serbia. There is no publicly available data on the representation of women in this peace process. Women's organizations were not consulted.

Kosovo Women's Network and the *Network of Women in Black* in 2006 established the *Women's Peace Coalition*, which campaigned to improve women's representation in and influence over the negotiations. The *Women's Peace Coalition* gathered together a large number of activists from the region. Furthermore, they established the *Regional Women's Lobby for Peace, Security and Justice in South-East Europe*. The lobby connected women from civil society, female activists and politicians from all the republics of the former Yugoslavia so that they were able to make a united front when representing issues of common interest. Both the *Women's Peace Coalition* and the *Regional Women's Lobby* advocated the idea of greater involvement and influence of women in the negotiations.¹² The Republic of Serbia never took into account the initiatives.

In 2010 the EU initiated Technical Negotiations, a form of discourse relating to technical unsolved issues making the lives of civilians from both sides more difficult. This included mutual

11 Whole document accessible at: <http://www1.umn.edu/humanrts/icty/dayton/daytonaccord.html>, 15.06.2013.

12 More information at official site of Women in black, Belgrade: http://www.zeneucnom.org/index.php?option=com_content&task=view&id=173&Itemid=55&lang=en, 15.06.2013.

recognition of faculty diplomas, the economy, exchange of the records with birth certificates, etc. In the first half of 2012 the elections in the Republic of Serbia halted the negotiations. Following the elections, negotiations continued until April 2013 when an agreement was reached. This agreement, known as the Brussels Agreement, has 15 points related to the problems of the rights of the Serbian majority in North Kosovo (North Kosovska Mitrovica).¹³ None of the 15 points refer to women specifically.¹⁴ The plan to implement the Agreement was put in place in May 2013.

The NAP for the implementation of UNSCR 1325 (2010) contains an activity, "providing institutional mechanisms for equal participation of women in conflict resolution, by ensuring the participation of at least 30 percent of women in negotiating teams and multinational operations."¹⁵ Unfortunately it is unclear whether this activity of the NAP was implemented in the last negotiations. To questions regarding the negotiations, Women in black never got a response from relevant institutions.

The final rounds of the technical negotiations in 2012/13 that resulted reaching the *Brussels Agreement* were led by the former members of the Serbian Radical Party (now Serbian Peoples Party) whose present leader Vojislav Seselj¹⁶ has been indicted by the International Criminal Tribunal for the former Yugoslavia (ICTY) for war crimes. The *Brussels Agreement* was paraphrased by the present Prime Minister Ivica Dačić (a member of the Serbian Socialist Party whose former president, Slobodan Milošević died in ICTY during the trial for genocide, crimes against humanity, violations of the laws or customs of war and grave breaches of the 1949 Geneva Conventions.

It is important to emphasize that both the Prime Minister and his first deputy are from the parties whose leaders were indicted by the ICTY for war crimes committed during 1990s.¹⁷

In 2012 Women in black, Helsinki Committee for Human rights (both members of the Regional Women's Lobby) and a number of other CSOs issued a Declaration emphasizing that negotiations between Kosovo and Serbia were occurring without any consultations of peace networks and CSOs. Due to that Declaration other CSOs put out additional requests and propositions regarding the negotiations. The Republic of Serbia never acknowledged these initiatives of the CSOs.¹⁸

13 More on negotiations between Kosovo and Serbia and the pressure of women's movement of Kosovo and Serbia to be consulted for negotiations in: Subotic, G., Rankovic, A. (2012) Independent Monitoring of the Implementation of Resolution 1325 in Serbia, Women in black, 2012, p. p. 32-35

14 Full text available at: <http://www.rferl.org/content/text-leaked-copy-serbia-kosovo-agreement-brussels/24963542.html>, 15.06.2013.

15 Government of the Republic of Serbia, National Action Plan to Implement United Nations Security

Council Resolution 1325 – Women, Peace and Security in the Republic of Serbia (2010–2015), December 2010, p. 47

16 More information on The Hague Justice Portal site: <http://www.haguejusticeportal.net/index.php?id=6039>, 15.06.2013.

17 Due to the fact that Law on responsibility for violations of human rights (Law on lustration) was adopted in 2003 but never implemented - it is possible that people whose involvement in mass human rights violations in the wars of the 1990s was never investigated are still on power and signing the peace agreements in the Republic of Serbia.

Lustration – the fact finding on the involvement of the politicians in grave violations of the human rights in the past conflict and removing of these politicians from the public and political life.

18 More information on E-News: <http://www.e-novine.com/drustvo/74116-Kosovu-pregovara-bez-ena.html>, 15.06.2013.

From 2011 to 2013 Women in black attempted to obtain official information from the institutions of the Republic of Serbia on the structure of the negotiation team, the representation and role of women in the negotiation team, the number of consultations with women's organizations in the process, and whether the agreement referred to gender issues, etc. Women in black never received replies to its requests.

Despite the fact that negotiations were monitored and mediated by the EU and the EU implements policies that "promote the role of women as actors in peace building through their participation in peace negotiations"¹⁹ (*Comprehensive EU Approach to the implementation of UNSCR 1325 and 1820²⁰ and Implementation of SCR 1325 as reinforced by 1820 in the context of European Security and Defence Policy²¹*) participation of Kosova and Serbian women in the negotiations were not requested by the EU.

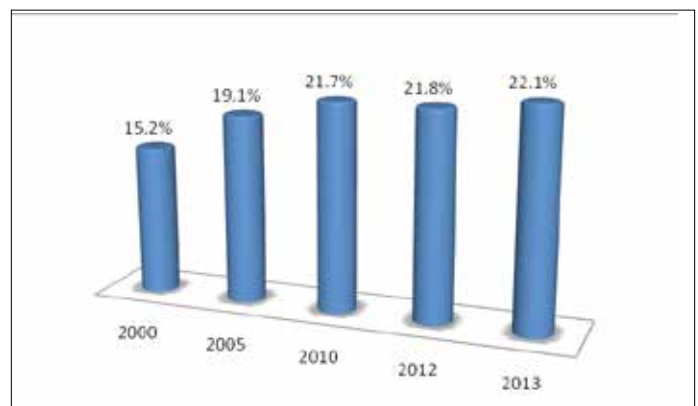
Indicator 3 – Index of women participation in the justice, security sector, and peacekeeping missions

Although data on number of employees in the justice sector is available and present in the Information Booklet of the Ministry of Justice, there is no gender-segregated data available. However, different researches indicate that the majority working in justice sector are women, and men are under-represented.²²

Participation of women in the security sector

Statistical data from July 2013 indicates that the percentage of women in the Ministry of Interior (Mol) has increased over the last ten years (see Figure 3.1). However, if we consider the period of the last four years, there is evident stagnation in increase. This is best illustrated by the fact that the percentage of women since 2010 until July 2013 has increased only by 0.4 percent.

Figure 3.1: Representation of women in Mol in the total number of employees²³



19 COUNCIL OF THE EUROPEAN UNION, Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP, Brussels, 15782/3/08, 3 December 2008 <http://register.consilium.europa.eu/pdf/en/08/st15/st15782-re03.en08.pdf>, 15.06.2013.

20 COUNCIL OF THE EUROPEAN UNION, Comprehensive approach to the EU implementation of the United Nations, Brussels, 15671/1/08, 1 December 2008, http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news187.pdf, 15.06.2013. Security Council Resolutions 1325 and 1820 on women, peace and security

21 COUNCIL OF THE EUROPEAN UNION, Implementation of UNSCR 1325 as reinforced by UNSCR 1820 in the context of ESDP, Brussels, 15782/3/08, 3 December 2008 <http://register.consilium.europa.eu/pdf/en/08/st15/st15782-re03.en08.pdf>, 15.06.2013.

22 http://www.bezbednost.org/upload/document/1011081511_gender_eng_final_we.pdf.

23 Source: Response of Ministry of Interior to the BCSP questionnaire, June 2013

Table: 3.1 Index of women participating in military and police in 2012

	Percentage of women
Ministry of Interior (total)	21.8%
Operational posts (status of uniformed police officers)	11.6%
Ministry of Defence (total)	19.28%
Military Intelligence Agency	18.15%
Military Security Agency	11.1%
Armed Forces (total)	8.79%
Officers	1.69%
NCOs	0.55%
Soldiers	10%

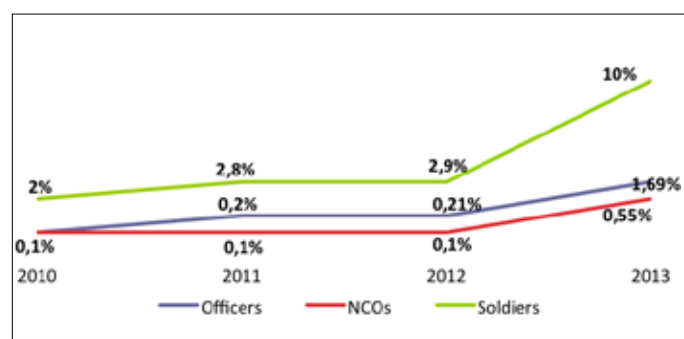
Available data show that in 2013 the percentage of women in the Ministry of Defence (MoD) and the Serbian Armed Forces (SAF) is almost the same as in 2012. The percentage of women in the MoD increased by 0.08 percent and now is 19.28 percent. The proportion of women in the Army is 8.79 percent, which is 0.39 percent more than in 2012.²⁴ Slight increase in the representation of women was observed in the Military Intelligence Agency (MIA) in which women constitute 18.15 percent of total employees. The number of women in the Military Security Agency (MSA) remained unchanged compared to the previous year (11.1 percent).

The security sector is still considered to be dominated by men since more men hold operational positions. Women on the other hand are engaged in administrative work and lower ranking positions. This reason for this is that women got opportunity only recently to finish education and trainings necessary to perform operational duties. Also, there is informal segregation of jobs on male and female duties. The police and the military profession is still burdened with prejudices that for performing police and military duties physical strength is essential, rather than intellectual capacities, possession of communication skills, etc. Women are perceived as being physically weaker than men and, in accordance with the dominant opinion, they cannot perform police and military duties as well as men. Because of the prevailing perception that women are more sensitive, meticulous, analytical, better suited for medical jobs, helping others, interpersonal relationships, performing duties that do not require physical strength, women have for generations been represented in jobs that are considered as "women's." They are now, with difficulty paving the way to "male jobs" - jobs in the special forces, troops, etc.

Women in the MoD are most prevalent in the Department of Finance, Department of material resources, legal administration of the Secretariat of the Ministry, the Military Medical Academy, the Military Health Administration and the Institute for Strategic Studies of MoD.²⁵ A similar trend is observed in the MSA and the MIA where women mostly perform administrative tasks. Women

still do not perform the duty of military attaché. In the Army women in all units also work on administrative posts. The majority of women working in the MoD are civilians. Of the total number of civilians in the MoD in 2013, women constitute 56.95 percent. The percentage of women in the category of professional soldiers has tripled compared to the previous year and is 10 percent, while the percentage of female non-commissioned officers saw a slight increase, now at 1.69 percent. The explanation for this increase can be found in the fact that in 2012 the second generation of cadets graduated from Military Academy (MA) so this trend should continue to increase.

Figure 3.2: Rank distribution of military women in SAF – percentage within rank category



Source: Response of Ministry of Defence to the BCSP questionnaire, June 2013

The highest rank that women have in the Serbian Armed Forces is that of Colonel, but the MoD announced that that the SAF will promote the first female to General in 2014. According to available data, the highest percentage of women hold the rank of second lieutenant, with a very small percentage of women holding the rank of major.

Figure 3.3: Percentage of women within rank categories

Rank	Representation of women
Second lieutenant	15.70 %
Lieutenant	3.38 %
Captain	0,33 %
Major	0,07 %
Lieutenant colonel	0,33 %
Colonel	0,22 %

Source: Response of Ministry of Defence to the BCSP questionnaire, June 2013

According to data obtained from the Mol, most women work in the Secretariat of the Mol, Internal Audit Department, Department of Human Resources, Administration Department, Department for Management of the projects financed from EU funds, and in the Department of Statistics. 11.6 percent of the uniformed police are women. Of these, 8.3 percent of women work in police patrol. Duties of safeguarding of state officials and state property has a female representation of 11 percent, while the percentage of women in the border police is 18 percent. Very

²⁴ Response of Ministry of Defence to the BCSP questionnaire, June 2013

²⁵ Ibid.

few women perform duties in the traffic police (5.5 percent). 19 percent of the operational staff in positions of crime prevention are women. Women represent 25 percent of the sector in charge of emergency situations. Women are also represented in special units: 5.3 percent of the special anti-terrorist unit are women (SAJ), 4.8 percent of the anti-terrorist unit (PTJ) are women, 16.4 percent of helicopter unit are women and 4.9 percent of the gendarmerie are women.

Women continue to be under-represented in managerial and leadership positions in the security sector in comparison to their male counterparts in the same positions. Representation of women in these positions in MoD is 10.4 percent and in MoI 10.9 percent. The percentage of female commanders of police stations is 1.5 percent.

Considering the low number of women out of the total number of employees in the security sector, and the fact that the majority of women joined police and military forces only recently, it cannot be expected that the percentage of women occupying leadership positions would be large in such a short period of time. Additionally, other factors, such as prejudice, stereotyping, and difficulty to balance private and professional life, influence career development of women in the security sector.

Participation of women in peacekeeping missions

From 2002, the year that marked the beginning of MoD and SAF international involvement with their participation in a mission in Eastern Timor, until 2012, a total of 296 members of these forces were engaged in multinational operations. Women accounted for 13 percent i.e. 23 members of the MoD and SAF: 1 physician and 22 nurses in 29 mandates.²⁶ Aside from medical work, women were not engaged in military observer missions as professional soldiers. In 2012 the Republic of Serbia participated in five multinational operations under the auspices of the UN.²⁷ Serbian participation in peacekeeping operations has increased in 2013, which led to an increase in the number of military and police officers involved in UN and EU missions.²⁸ Out of eleven peacekeeping missions (current and completed) in which Serbia has been involved, women participated in four operations: Congo and Cyprus (current), Central African Republic, and Chad (completion of the mission). By May 2013, 42 women participated in 54 mandates, an increase of 19 from the previous year. In DR Congo, women are involved in the medical rescue teams (doctors and nurses) while in the Central African Republic and Chad they are part of the Norwegian light field hospital and independent medical team as medical and dental technicians. The only significant improvement in comparison to the previous period is that since March 2012 women do not take part in operations as only medical staff, but are engaged as professional soldiers on other military duties in operations. By May 2013 eight women

²⁶ Data obtained from the answer of the Serbian MoD to the questionnaire of Belgrade Centre for Security Policy (BCSP), June 2012.

²⁷ Representatives of the Ministry of Defence (MoD) and the Serbian Armed Forces (SAF) participated in PCO in Liberia (UNMIL), Ivory Coast (UNOCI), DR Congo (MONUSCO), Cyprus (UNFICYP) and Lebanon (UNIFIL).

²⁸ Members of the MoD and the Republic of Serbia are currently participating in eight multinational operations and in Congo (MONUC/MONUSCO), Liberia (UNMIL), Côte d'Ivoire (UNOCI), Cyprus (UNFICYP), Lebanon (UNIFIL), Middle East (UNTSO) Somalia (Operation Atalanta) and Uganda (EUTM Somalia).

were engaged as soldiers in multinational operations in Cyprus and six women are deployed in Lebanon.²⁹

The Ministry of Interior sent its officers for the first time to a mission in Liberia in 2004. So far police officers were deployed to Liberia, Haiti and Cyprus. However, in all of these missions, the share of Serbian women in the police contingents is very modest. Only 10 women police officers have participated in multinational operations. They were engaged in consulting police forces and in supervising the work and training of police officers in the three countries they were deployed. A female police officer headed the police contingent of the Republic of Serbia in Haiti in 2010, and in 2012 Serbia's representative in the police mission in Cyprus was a woman.

In spite of increased participation of women in peacekeeping operations, they still represent a small proportion in the total number of military and police forces deployed in the operations. In order to increase the number of women in multinational operations military and police should increase number of women working in police and military at the national level, motivate more women to apply for missions, provide institutional support to family for those who decide to join a peacekeeping mission.

Indicator 4 – Number and percentage of women participating in each type of constitutional legislative review (including security sector review)

Information is not available on this indicator since the most laws regarding security sector were adopted in 2009.

Indicator 5 – CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

Table 5.1: Number and percentage of CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

	Year	Number of CSOs	Total number of task force members	Percentage of CSOs
Political Council ⁱⁱ	2011	0	11	0%
Multi-sector Coordination Body ⁱⁱⁱ	2011 - 2013	0	14	0%
Supervisory Body ^{iv}	2013	0	6	0%
Analytical groups ^v	2011-2013	0	37	0%
Political Council	2013	0	13	0%
Total		0	70	0%

As evidenced in a research survey undertaken by Women in Black in 2010³⁰ the drafting of the NAP for the implementation

²⁹ All data presented in this paragraph are obtained on the basis of the answer of the Serbian MoD to the questionnaire of Belgrade Centre for Security Policy (BCSP), June 2013.

³⁰ More in: Zajovic, S. (2010) Women, peace, security Resolution 1325 – 10 years, Women in black, Belgrade, pp. 155 – 158

of UNSCR 1325 in Serbia was non-transparent, undemocratic and non-inclusive process from which women's organizations were completely absent. The state representatives did not acknowledge lasting efforts and initiatives of civil society organizations to educate, promote, and lobby for UNSCR 1325.

Two CSOs that work on security issues took part in the NAP drafting process, but neither are women's organizations. The leader of one of these organizations, Belgrade Fund for Political Excellence (BFPE) was appointed to the NAP's Political Council, not as a representative of the CSO, but as President of the Political Council of the Ministry of Foreign Affairs.³¹ The fact that she represented civil society and government simultaneously is indicative of the lack of autonomy of CSOs in the whole process of drafting of the NAP.

On two occasions in 2010 (February/March and November) Women in black and a number of other women CSOs, mainly from the Network of Women in black provided comments and suggestions on the official content of the NAP. However, the drafters considered none of the comments and suggestions, and the final NAP did not reflect any of the input from women's CSOs.³² According to publicly available data, representatives of autonomous and women's CSOs are not represented in any of the any institutional mechanisms proposed to be formed by the NAP. NAP (2010)³³ under the chapter *Institutions – Establishment and Functioning of Institutional Mechanisms for the Implementation of the National Action Plan* proposes forming of new bodies to help implementation of the NAP: Political Council; Multi-sector Coordination Body; Supervisory Body; and Analytical groups in the institutions of the security sector.

From 2011 till 2013 there was no progress regarding the membership of the autonomous CSOs in any institutional mechanisms planned by the NAP. Membership in these bodies is a privilege exclusively given to state officials and civil servants despite pressure from Women in black, Women in black Network and Women against violence Network to be consulted by these bodies on the implementation of their areas of expertise (women, peace and security).

The **Political Council** is a political body composed of high political officials – state secretaries in ministries, chairmen of parliamentary committees and gender equality mechanism leaders.³⁴

31 Answers from Ministry of defense to the questions of Women in black, Number 1-65, 19.06.2012, p. 2

32 More on comments and suggestions made by autonomous women's and other CSOs in 2010 in: Zajovic, S. Women, peace, security Resolution 1325 – 10 years, Women in black, 2010, pp. 13-30

33 Government of the Republic of Serbia, National Action Plan to Implement United Nations Security Council Resolution 1325 – Women, Peace and Security in the Republic of Serbia (2010–2015), December 2010, p.p. 18-19

34 The Council has a Chairman (state secretary in the Ministry of Defence) and Deputy Chairman (Assistant Minister of Interior Affairs) and 8 members from seven state institutions, in particular: state secretaries in the Ministry of Labour and Social Policy, Ministry of Human and Minority Rights, State Administration and Local Government, and Ministry for Kosovo and Metohija. Also the assistants of the minister of foreign affairs, finance, justice education and science and the president of the Political Council of the Ministry of Foreign Affairs (Source: Odanović G., Bjeloš M., INDEPENDENT REPORT ON THE IMPLEMENTATION OF NAP 1325 IN SERBIA, Belgrade, p.p. 14-15, http://www.bezbednost.org/upload/document/independent_report_on_nap_1325_implementation.pdf, 18.07.2013)

From 2011 till 2013 there was no progress regarding the membership of the autonomous CSOs in any institutional mechanisms planned by the NAP.

The first Political Council was formed in 2011, with 11 members appointed by the ministries. In 2011 the Council held only one meeting and was dismantled in 2012 due to the elections. Political Council was formed again in 2013 but no information was available on who are the members. According to the *Rules of Procedures of the Political Council*, "it is not planned for women organizations to participate in the implementation of the NAP."³⁵ Political council is the most important body responsible for "creating political conditions for the realization of the NAP objectives."³⁶

The **Multi-sector Coordination Body** (MCB) is an inter-ministerial Government body composed of representatives of ministries and institutions involved in NAP implementation.³⁷ It was formed in 2011 and consists of 13 members and the President (from the Ministry of Interior).³⁸ According to a statement by the President of the Multi-sector Coordination Body (July 2013)³⁹ the membership of the body was changed in 2013 because some members retired and were replaced. None of the new members are representatives of CSOs.

The **Supervisory Body** should democratically supervise NAP implementation. It is made up of representatives of competent parliamentary committees and national gender equality mechanisms.⁴⁰ It was formed in 2013, after a delay of 3 years. It has six members, members of the parliament and parliamentary councils. Until now it has met with CSOs only once. There are signs that this body will open its doors to CSOs, but it is too early to know.

To the additional questions of the CEDAW Committee during

35 Answers from Ministry of defense to the questions of Women in black, Number 1-65, 19.06.2012, p. 4

36 Ibid, p.18

37 The members of MSCB are: Assistant Minister for Kosovo and Metohija, Director of the Gender Equality Directorate of the Ministry of Labour and Social Policy, Director of the Strategic Research Institute of the Ministry of Defence, Head of BIA Human Resources Department, Head of Department for the Protection and Achievement of Rights of Detainees of the Administration for the Execution of Penitentiary Sanctions of the Justice Ministry, Head of Strategy and Development Department of the Ministry of Education and Science, Chief Advisor in the MUP Administration for Professional Training, Specialization and Science, a Military Academy professor, a representative of the Department for Social Indices, Judicial and Gender Statistics of the Statistical Office of Serbia, an inspector for supervisory customs affairs of the Customs Administration of the Ministry of Finance, advisors in the Ministry of Foreign Affairs, Ministry of Human and Minority Rights, State Administration and Local Government, a psychologist in the Military Intelligence Agency (Source: Odanović G., Bjeloš M., INDEPENDENT REPORT ON THE IMPLEMENTATION OF NAP 1325 IN SERBIA, Belgrade, p.p. 14-15, http://www.bezbednost.org/upload/document/independent_report_on_nap_1325_implementation.pdf, 18.07.2013)

38 More on members of the Multi-sector Coordination Body at: Bjeloš, M., Odanović, G. Nezavisni izveštaj o sprovođenju Rezolucije 1325 u Srbiji, Beogradski centar za bezbednosnu politiku, januar – jun 2012, p. 18

39 Statement of the Multi-sector Coordination Body president at the Public meeting with CSOs, organized by Office for cooperation with civil society, 22.07.2013

40 Odanović G., Bjeloš M., INDEPENDENT REPORT ON THE IMPLEMENTATION OF NAP 1325 IN SERBIA, Belgrade, p.p. 14-15, http://www.bezbednost.org/upload/document/independent_report_on_nap_1325_implementation.pdf, 18.07.2013

the 53rd CEDAW Session the Republic of Serbia responded that, "citizen's associations were specified as collaborators in the execution of 17 NAP activities."⁴¹ In the response to Women in black's question on what are these 17 activities, the state referred to other strategies and regular activities (human rights, discrimination) - not particular *women, peace and security* agenda activities.⁴² This indicates that the state institutions do not have clear picture on what is considered women, peace security agenda.

There have been efforts made by the CSO Belgrade Centre for Security Policy (BCSP) to link women and other CSOs and institutions in implementation of UNSCR 1325 in Serbia. In 2012, BCSP initiated and organised three consultative meetings with representatives of CSOs dealing with security and protection of human rights, including women's organisations, in order to discuss what are the best ways to establish regular channels of communication between civil society organizations, particularly women's CSOs and the government bodies in security sector in charge of the implementation of the NAP on implementation of UNSCR 1325. The requirements from these consultations⁴³ were presented to the state bodies at the conference "Dialogue between Multi-sectoral Coordinating Body and CSOs" initiated by BCSP with the support of MCS itself and the Government Office for Cooperation with Civil Society that was held in December 2012. The conference was to be the first step towards the establishment of a platform for communication and cooperation between public authorities and civil society in the implementation of the NAP.⁴⁴

Despite good intentions to establish a dialogue between CSOs and the government, the cooperation between the security sector and civil society in Serbia is carried out without clearly defined rules and criteria for exchange of information, consultation and dialogue with CSOs. Sustainable mechanism for greater inclusion of CSOs in the implementation of the NAP, both at central and local level, has not been yet established. As a result, the process of implementation of the NAP is not sufficiently inclusive and open to all interested members of civil society.⁴⁵

In July 2013, the second official meeting of the CSOs and institutions implementers of the NAP was organized by the Government Office for Cooperation with Civil Society and the Supervisory Body. The occasion was forming of the Supervisory Body. The conclusions of this meeting were: a) Supervisory Body will call CSOs to participate at public hearings on the implementation of the NAP in the Parliament; b) CSOs can propose a topic for the Public hearings through formal request sent to the Supervisory

body; c) MCS will consider to incorporate indicators of the women's CSOs in the indicators of the MCB. This is important for the monitoring process. Likewise, it was emphasized that revision of the NAP will be done in October 2013 – and the role of the CSOs in this process was highlighted.

B. Prevention and protection

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized⁴⁶

Table 6.1: Percentage of SGBV cases reported and penalized from					
	2009	2010	2011	2012	2013
Percentage of SGBV cases reported	No data	No data	1	1	1
Percentage of SGBV cases penalized	No data	No data	0	2	1

The wars in ex-Yugoslavia and the verdicts by the ICTY for the SGBV committed against women, particularly in Bosnia and Herzegovina changed international characterization of SGBV forever. The war in Bosnia and Herzegovina showed that SGBV was used as a "tactic of war" and as "systematic contribution to ethnic cleansing."⁴⁷ Two women from Bosnia and Herzegovina, Nusreta Sivic and Jadranka Cigelj were the first to collect data on these crimes and submit them to the ICTY for prosecution.⁴⁸ The Statute of the ICTY,⁴⁹ characterizes rape as a crime against humanity.⁵⁰ The verdicts of ICTY are important because it was the first time that international law defined SGBV as a crime against humanity. Some of the types of SGBV mentioned are:

- Rape as torture and a violation of the rights and customs of war (case Čelebić)
- Rape as a crime against humanity (cases Foča and Furundžija)
- Sexual slavery, rape camps – crime against humanity (case Karaman's house)
- SGBV against women – tactic of war.

It is estimated that 20,000 – 50,000 women were raped during the war in Bosnia and Herzegovina.⁵¹ Data on SGBV committed in Croatia and Kosovo cannot be cited with accuracy due to the

46 SGBV cases committed during the war

47 More on use of SGBV during the wars in ex-Yugoslavia in: United Nations General Assembly, Rape and abuse of women in the areas of armed conflict in the former Yugoslavia, A/RES/48/143, Point 2, 20 December 1993, <http://www.un.org/documents/ga/res/48/a48r143.htm>, 30.05.2013

48 More on these brave women and their achievements in: Renee G., Thank Woman Who Helped Make Rape an International War Crime, <http://forcechange.com/61507/thank-woman-who-helped-make-rape-an-international-war-crime/>, 30.05.2013

49 The Resolution 827 adopted on the 25th of March 1993, after the war in ex-Yugoslavia started.

50 More on the international characterization of SGBV in: Green, J., Copelon, R., Cotter, P., Stephens, B., *171 Affecting the rules for the prosecution of rape and other gender/based violence before the international criminal tribunal for the former Yugoslavia: A feminist proposal and critique, Hastings Women's Law Journal, Hastings College of the Law, 1994, p. 2

51 More on rape in Bosnia and Herzegovina: Gutman, R., Rieff, D. In: Edman, A. Crimes of Sexual Violence in the War Crimes Chamber of the State Court of Bosnia and Herzegovina: Successes and Challenges, p.1, <http://www.wcl.american.edu/hrbrief/16/edman.pdf>, 30.05.2013

41 Replies of Serbia to the list of issues to be taken up in connection with the consideration of its combined second and third periodic reports (CEDAW/C/SRB/2-3), Republic of Serbia for the Fifty-third session 1 – 19 October 2012, 27th of July 2012, p. 18

42 Answer of the Office for human and minority rights to the questions of Women in black, Number 000-03-00005/2012-02, 08.05.2013, p.2

43 The outcome of the first consultations (June 2012) was the formulation of common minimum requirements: 1. All state bodies responsible for implementation of the NAP should make publicly available annual plans and reports on the implementation of the objectives and activities provided by NAP; 2. Multi-sectoral coordinating body or the Political Council should, at least once a year, organize a meeting with civil society representatives in order to discuss the implementation of the NAP.

44 Belgrade Centre for Security Policy

45 Ibid

In addition, experience showed that the state often discriminates and humiliates victims of SGBV by not providing the same level of access to justice as to other victims of war, such as war veterans, and requiring high standards of evidence to be provided during the trials.

lack of information and responsibility of the states to investigate and punish all the perpetrators of SGBV in the wars of the 1990s. There are data provided by international organizations such as Human Rights Watch, Medica and women's CSOs in Croatia and Kosovo,⁵² but states are neither investigating nor punishing perpetrators.

In addition, experience showed that the state often discriminates and humiliates victims of SGBV by not providing the same level of access to justice as to other victims of war, such as war veterans,⁵³ and requiring high standards of evidence to be provided during the trials (such as 50 percent of the body has to have been damaged etc.).

Rape was committed by all sides but overwhelmingly by Serbs against Muslim (Bosniak) women.⁵⁴ During the period of 1991 to 1995 in Croatia and Bosnia and Herzegovina, and 1999 in Kosovo, courts in the Republic of Serbia brought down only four verdicts for war crimes of rape. Only two of them are verdicts of the court of second instance⁵⁵ (cases Lekaj and Bijeljina).

In 2006, Anton Lekaj, was charged for war crimes against civilians committed during 1999 in Kosovo, including raping one under aged woman and "fornication against nature" committed against one man.⁵⁶ The *Belgrade District Court* sentenced him to 13 years in prison.⁵⁷ In 2011 *The Office for the war crimes* filed an indictment for war crimes committed in Bijeljina, Bosnia and Herzegovina. In 2012 three members of the volunteer units of Serbian armed forces were found guilty of rapes. The crimes were committed on June 14, 1992 in Bijeljina. Jović Dragan, Đurđević Zoran, and Ristić Alen were sentenced to 15, 13, and 12 years respectively.⁵⁸

In 2012 *The Higher Court in Belgrade, Department for War*

52 Human Rights Watch, <http://www.hrw.org/news/2000/03/20/serb-gang-rapes-kosovo-exposed>, 30.05.2013

53 War veterans are considered privileged according to the Republic of Serbia

54 Hirsch, M.L. (2012), Conflict profile Bosnia, <http://www.womenundersiegeproject.org/conflicts/profile/bosnia>, 30.05.2013

55 Only the second instance verdicts are final. First instance verdicts go to Court of Appeals and there is possibility for perpetrators to be freed or get weaker sentences after Court of Appeals bring the verdict. Court of Appeals does not have to confirm the verdict of the first court.

56 It is interesting, despite the proofs that this man was raped - the verdict is naming this act as "fornication against nature" not rape. In the case of raping a woman the sentences clearly state rape.

57 The explanation of the verdict to Anton Lekaj in: [http://www.tuzilastvorz.org.rs/html_trz/\(CASOPIS\)/SRP/SRP06/1385.pdf](http://www.tuzilastvorz.org.rs/html_trz/(CASOPIS)/SRP/SRP06/1385.pdf), 30.05.2013

58 More information on this case at the official site of The Office for the war crimes of the Republic of Serbia: http://www.tuzilastvorz.org.rs/html_trz/predmeti_lat.htm, 30.05.2013

Crimes, a court of first instance sentenced 11 men for the abuse and rape of two women. The court found that the women were abducted and detained in a school in Gnjilane, Kosovo on the 17th of June 1999, raped and abused until the 26th of June when they were released. This case is now in front of the Court of Appeal. In 2013 *The Higher Court in Belgrade, Department for War Crimes* sentenced seven men to jail for raping and killing an under-aged woman. The men were also found guilty of enslaving three other women - two of them under aged - in the village of Malesic in Zvornik, Bosnia and Herzegovina. This case is now in the Court of Appeal.

Impunity for crimes against women and girls committed by Serbian forces during the war in ex-Yugoslavia is very high. This is evidenced by comparing the estimated number of women that were raped, to the number of prosecuted cases in the Republic of Serbia.

By 2013, only 22 men had been sentenced for sexual violence as crime against humanity. They were sentenced for raping eight women and one man in the territories of Bosnia and Herzegovina and Kosovo during the wars of the 1990s.

Despite all these facts, the NAP for the implementation of UNSCR 1325 mentions sexual violence in only three out of 107 activities.

Reparations⁵⁹

There is no mechanism in Serbia for reparations to victims of sexual and gender-based violence crimes associated with the war. Applicable laws provide administrative compensation for a limited number of victims. Former detainees of prison camps, victims of SGBV and victims of torture cannot pursue administrative compensation, unless the result of the abuse that they suffered was physical injury beyond a certain limit. The victims can seek pecuniary and non-pecuniary compensation through the courts. In practice, national courts apply a high standard of evidence, and in many cases the statute of limitations has prevented the victims from seeking and obtaining compensation for physical and psychological pain. In 2004, the Supreme Court of Serbia ruled that, in connection with an event that caused alleged damage a claim against the state must be initiated within five years. The five-year period has expired for victims of grave human rights violations committed during the nineties.⁶⁰ Despite this, provisions have not been changed in order for SGBV victims to receive justice (regardless of their nationality and country of origin) even as the NAP is being implemented. NAP does not include any reparations for SGBV victims. No SGBV victim has so far claimed any form of damages (judicial reparations) from Serbia.

There are certain mechanisms of reparations for civilian victims and ex-combatants in Serbia but the mechanisms offer more benefits to ex-combatants. Victims of SGBV are not protected by any mechanism of reparations.

The system of reparations can be divided into two categories:

59 Humanitarian Law Center

60 For more information on reparations for SGBV in: Council of Europe, Commissioner for Human Rights (2012) *Post-war Justice and Lasting Peace in Former Yugoslavia*, p.27

1) judicial reparations; 2) administrative reparations. The first one requires the victim to initiate a judicial proceeding in which the responsibility of the state will have to be proven. In order to prevent the court from applying statute of limitations to the victim's claim the victim will have to prove that the suffering or the medical condition caused by sufferings are ongoing.

Administrative reparations are regulated by two laws:

- 1) Law on the rights of civilian invalids of war⁶¹
- 2) Law on the basic rights of combatants and their families⁶²

Law on the rights of civilian invalids of war regulates the basic rights of the victims and gives a legal definition of a victim. Victims of SGBV, victims with less than 50 percent bodily damage⁶³ and victims who were subject to rape, sexual or other forms of abuse by Serbian armed forces do not meet the definition and are manifestly precluded from enjoying the rights set forth in the law. The law prescribes that the injury must have been the inflicted during the war or a war related incident. This excludes all the victims from 1991 till 1995, since Serbia was not officially in a state of war at that time. Besides the fact that the law itself is of highly discriminative character when prescribing conditions in regards to who can be considered a victim and enjoys the rights set forth in the law, the practice of the administrative organs in charge of enforcement of this law has increased the discriminative character by formulating a strict territorial application of the law. Victims or their families, who are citizens of Serbia and suffered an injury outside of Serbia, cannot enjoy rights set in this law. *Humanitarian law center* has initiated the change of discriminative legislation regarding administrative reparations working together with independent institutions in the Republic of Serbia – *Ombudsperson* and *Office for human and minority rights of the Government of Serbia*. These institutions have formed an expert/task group that will work on a proposal for the new law, which is to be assembled by October 2013.

***SGBV in post-conflict (domestic violence, femicide, sexual offenses)*⁶⁴**

In the post-conflict period, prevalent types of SGBV are domestic violence, and the number of women killed in the family context (femicide) is growing.

In the period from 2007 to 2010, the proportion of women in the total number of victims of serious homicides increased from 28 percent to 43 percent.⁶⁵ Data of the Network *Women Against Violence* shows that in 2010, 26 women were killed; in 2011, 29 women were killed; and in 2012, 32 women were killed, by their family members or partners.⁶⁶ There is no official data, since state

statistics do not disaggregate the data by the type of relationship (family ties) between victims and their murderers.

In the Criminal Code harassment or stalking (by a family member, current or former partner) are not considered criminal offences, despite the fact that this phenomenon is very widespread (18.6 percent of polled women).⁶⁷ There are also cases of women who have never been in an emotional or sexual relationship with the stalker, and end up being killed by their stalker.

There is a great disparity between the total number of police interventions, number of filed criminal charges and number of convictions.⁶⁸ From 2004 to 2006 a total of 4,597 criminal charges were filed against adults suspected to be perpetrators of domestic violence. The total number of convicted perpetrators was 2007 (the majority sentenced with probation).⁶⁹ Only 421 perpetrators were given a prison sentence. Approximately in the same period,⁷⁰ police intervened in 50,127 cases of reported domestic violence: in 31,724 cases police issued verbal warnings (63 percent of interventions) and in 15,894 cases filed misdemeanor charges (breach of public peace and order). Studies shows that almost one third (28.6 percent) of criminal charges that come before the Public Prosecutor's office end up suspended or rejected by the public prosecutor. Criminal sanctions imposed in the first instance trials show a tendency of lenient penal policy: 66.6 percent of sanctions were suspended sentences; 3.3 percent were fines; 21.6 percent were prison sentences; 6.9 percent were security measures; and 1.6 percent were court warnings. Prison sentences are usually four months. The period from filing a criminal charge to first instance decision is unacceptably long – from 7 months to one year.⁷¹ Definition of members of the family who should be granted protection from domestic violence is much narrower in the Criminal Code than the Family Law, which reduces the possibility of criminal law protection of the victims.

Sexual violence against women is still a taboo in Serbia. There are no representative surveys conducted by the state institutions. The only available data come from the researches of women's NGOs. According to the results of the 2003 survey of Autonomous Women's Centre,⁷² six percent of women from the Belgrade territory (the capital city) reported sexual violence by their partners. In 2009, there were 448 criminal charges for criminal acts against sexual freedom,⁷³ but only 238 persons in Serbia were convicted, out of which 77 were convicted for the crime of rape and 86 for prohibited sexual acts.⁷⁴ In 2010, there were 387 criminal charges for criminal acts against sexual freedom, but only 164 persons were convicted, out of which 62 were convicted

67 Research of Victimology Society of Serbia, 2010 http://www.hocudaznas.org/publikacije/nasilje_u_porodici_u_vojvodini/index.html

68 Research of Magistrate Association of Serbia, 2006 <http://www.usudprek.org.rs/catalog/projekti/?Page=4>

69 Source: Statistical Office of the Republic of Serbia

70 From the 1st of January 2004 to the 31st of July 2006

71 Konstatinović-Vilić, S. and Petrušić, N. (2007), *Autonomous Women's Centre*, pages 51-53

72 In: WHO Multi-Country Study on Women's Health and Domestic Violence Against http://www.who.int/gender/violence/who_multicountry_study/en/

73 Chapter Eighteen: Criminal Offences Against Sexual Freedom, in: Criminal Code of the Republic of Serbia, (Official Gazette of the RS, Nos. 85/2005, 88/2005 - corr., 107/2005 - corr., 72/2009 and 111/2009)

74 Prohibited Sexual Acts, Article 182; in: Criminal Code of the Republic of Serbia, (Official Gazette of the RS, Nos. 85/2005, 88/2005 - corr., 107/2005 - corr., 72/2009 and 111/2009)

61 Official gazette of the Republic of Serbia No. 52/96.

62 Official gazette of the Federal Republic of Yugoslavia No.24 of May 15 1998, 29/98, 25/2000 and Official gazette of the Republic of Serbia No. 101/2005.

63 Damage, loss or disablement of some parts of the body or organs which hampers normal activity of the organism and requires greater effort in performing normal life activities over 50%. For victims of SGBV is rather hard to prove this kind of damage.

64 SGBV cases in post-conflict

65 More on the statistics in: Statistical office of the Republic of Serbia, Women and men in the Republic of Serbia, 2011, p. 91, <http://webzr.stat.gov.rs/WebSite/repository/documents/00/00/52/50/ZenelMuskarci.pdf>, 15.05.2013

66 More about femicide in: http://www.zeneprotivnasilja.net/images/stories/pdf/femicid/FEMICID_Godisnji_kvantitativno-narativni_izvestaj-2011.godina.pdf, 15.05.2013

for the crime of rape and 47 for prohibited sexual acts.⁷⁵ All convicted persons were men.

A criminal offence is categorized as rape only if it included a use of force or a threat of use of force, which implicates that victim should physically resist (even though a number of women will not physically resist out of fear of being hurt or killed).⁷⁶ Also, for the crime of rape or other forms of forced sexual acts, the theory and judicial practice require penetration by male sexual organ, even in cases against children. All other cases of penetration by hand or foreign objects, or forcing someone to an oral sexual act, are not considered rape or forced sexual acts, but prohibited sexual acts.

The proscribed penalty for prohibited sexual act⁷⁷ (is monetary fine or three years imprisonment, even in cases where children are the victims. In 2009, out of 86 convicted persons for a prohibited sexual act, 26 were sentenced to suspended sentence and 13 to monetary fines. In 2010, out of 47 convicted persons for a prohibited sexual act, 14 were sentenced to suspended sentence and 3 to monetary fines. In 2009, there were 71 cases of the criminal act of prohibited sexual act that reached a verdict. Forty-three of these cases were offenses against children (23 younger than 14 years, and 20 children aged 14 to 18 years).

Centers for social work registered 156 victims of sexual violence in 2012; in 2011, 119 victims; and in 2010, 122 victims of sexual violence. There is no data on interventions of the Center.⁷⁸

Table 6.2: Registered victims of sexual violence by Centers for social work in 2012:

	Children	Youth (Age 18-26)	Adults	Elderly	Total
M	24	0	1	2	27
F	94	10	21	4	129
Total	118	10	22	6	156

Source: Annual report on the work of Centers for Social Work in Serbia for 2012, Republic Institute for Social Protection

Minority groups are not specifically protected by laws that prohibit domestic violence (the Criminal Code and the Family Law). Minority groups are protected through the Anti-discrimination Law.

Indicator 7 – Number and quality of gender-responsive laws and policies

As mentioned, the Republic of Serbia has ratified most of the international documents important for improvement of women's human rights and gender equality.

Strategic documents in the Republic of Serbia and action plans

75 Source: Statistical Office of the Republic of Serbia

76 Rape, Article 178: (1) Whoever by using of force or a threat of direct attack against at person's body or the body of another forces that person to copulation or an equivalent act, shall be punished with imprisonment of from three to twelve years. (Official Gazette of the RS, Nos. 85/2005, 88/2005 - corr., 107/2005 - corr., 72/2009 and 111/2009)

77 Par. 1 of the article 182 of the Criminal Code (Official Gazette of the RS, Nos. 85/2005, 88/2005 - corr., 107/2005 - corr., 72/2009 and 111/2009)

78 Annual report on the work of Centers for Social Work in Serbia for 2010, 2011 and 2012, Republic Institute for Social Protection

An action plan is rather a wish list than a document clearly directing the implementation of the strategy. We will discuss some examples provided by women's CSOs that monitor implementation.

for their implementation are not harmonized enough. There is a hyper-production of such documents and plans but lack of precise distribution of responsibilities and competence as well as an absence of coherent frameworks for implementation and reporting on the results of planned measures and activities.⁷⁹ An action plan is rather a wish list than a document clearly directing the implementation of the strategy. We will discuss some examples provided by women's CSOs that monitor implementation.

The Constitution of the Republic of Serbia (2006) (Article 15) stipulates that the state shall guarantee the equality of women and men and shall develop an equal opportunity policy. It also establishes the principles of rule of law, social justice, gender equality, civil democracy, freedom of assembly and human and minority rights and freedoms.

The *Family law* (2005) contains general provisions regarding equality between men and women, the equality of respect for family life, equality, regardless of marital or family status and equality of spouses in rights and obligations. Although it contains important clauses that should ensure equality between women and men, in practice, this is only *de jure* but not *de facto*. There is a need to introduce a series of measures to stimulate men to take family responsibilities. Protection against domestic violence is still not efficient enough.⁸⁰ The NGO Report for the 55th CEDAW Committee Session reported that the *Family law* is currently one the most advanced and progressive laws in Serbia. The implementation is showing improved results each year.⁸¹

Anti-Discrimination Law (2009) regulates general prohibition of discrimination, forms and incidents of discrimination, and actions against discrimination. It also institutes the *Commissioner for the Protection of Equality*. After two years of implementation of the *Anti-Discrimination Law* (2009), it has had no effects on the actual equality of men and women. There is no data (reports) on implementation.⁸²

Gender Equality Law (2009) regulates creation of conditions for

79 Prohibited Sexual Acts, Article 182; in: Criminal Code of the Republic of Serbia, (Official Gazette of the RS, Nos. 85/2005, 88/2005 - corr., 107/2005 - corr., 72/2009 and 111/2009)

80 More on the implementation of the Family law in: Vlada Republike Srbije, Kancelarija za ljudska i manjinska prava, Strategija prevencije i zaštite od diskriminacije za period 2013 – 2018. godine, p.36, http://www.praxis.org.rs/images/praxis_downloads/Strategija_prevencije_i_zastite_od_diskriminacije%202.pdf, 21.07. 2013

81 ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center , Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. 6

82 More on implementation of the laws and strategies in: ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center , Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. p. 6-9

conducting the policy of equal opportunities of women and men in all spheres of social life, prevention and elimination of sex and gender based discrimination and legal protection of persons from discrimination. There is no data (reports) on implementation of the *Gender Equality Law*. For most measures prescribed by the law, there are no sanctions provided, meaning that the law has the character of recommendations and there are no consequences for failure to apply the law.⁸³

The section of *Criminal Code* (2005) related to crimes against humanity and other assets protected by international law incriminate all crimes falling within the so-called International Crimes. Despite the cooperation between ICTY the cases of SGBV related to wars in ex-Yugoslavia are prosecuted in small scale. There is no equal reparation for all victims of war in the Republic of Serbia. There is also no legal protection of women victims of SGBV related to war in the Republic of Serbia.⁸⁴

The Law on Employment and Insurance in Case of Unemployment (2009) provides for gender equality and protection against discrimination.⁸⁵

The Law on Professional Rehabilitation and Employment of Disabled Persons (2009) includes provisions on gender equality of persons with disabilities.⁸⁶

The Law on Gender Equality prescribes equal availability of jobs and positions, and if the presence of the less represented sex in each organizational unit, at management positions and in management and supervision bodies amounts to less than 30 percent, the authorities are obliged to apply affirmative measures in accordance with *the Law on Civil Servants*⁸⁷ and *the Law on State Administration*.^{88,89}

Law on Amendments to the Law on Election of Deputies (2011) also states that among every three candidates must be at least one member of the underrepresented sex.⁹⁰

The Law on Fundamentals of Education (2009) contains provisions against discrimination, including discrimination based

on gender.⁹¹

Law on Civil Servants (2005) contains affirmative measures for the equal opportunities for employment in government institutions.

Law on State Administration (2007) contains affirmative measures for the equal opportunities for employment in government institutions.

The National Strategy to Improve the Status of Women and Upgrade Gender Equality 2009 to 2015 (2009) and Action Plan (2010) defines state policy to eliminate discrimination against women, improve status of women and integrate a gender perspective into all areas of activity of government institutions. There is no data (reports) on implementation of the *National Strategy to Improve the Status of Women and Upgrade Gender Equality 2009 to 2015* (2009).⁹²

National Millennium Development Goals in the Republic of Serbia, based on the UN Millennium Goals (2006) promotes gender equality, advancement of the status of women, development the human security concept. The human security concept however, is mentioned in only one other strategy – *National security strategy* (2009). According to the research of Women in black, the concept of human security in the Republic of Serbia has not been implemented.⁹³

Commitments stated in the *National Program for Integration of the Republic of Serbia into the European Union* (2008):

4. Cooperation with the ICTY;
6. Improvement of access to justice, protection of women and children's rights, and improvement of institutional support to victims of discrimination, etc.

Despite the cooperation between ICTY the cases of SGBV related to wars in ex-Yugoslavia are prosecuted in small scale. There is no equal reparation for all victims of wars in the Republic of Serbia. Also, there is no legal protection of women victims of SGBV related to war in the Republic of Serbia.⁹⁴

Strategy for Combating Human Trafficking in the Republic of Serbia (2006) contributes to improving the institutional framework, prevention, and assistance, protection of women from trafficking and violence, and also the reintegration of victims into the social system. The strategy expired in 2011 along with *NAP for Combating Human Trafficking*. Since May 2013 Serbia does not have new strategy or a NAP. CSOs were marginalized in the process of drafting the new Strategy and NAP in 2012/13.⁹⁵

91 Ibid

92 ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center, Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. 7

93 For more on the implementation of the human security concept in: Subotic, G. "Human security in the National security Strategy" in: Miladinovic, D. Subotic, G. Independent Monitoring of the Implementation of Resolution 1325 in Serbia, Women in black, 2013

94 Detailed on the proceedings and legal position of women and girls victims of SGBV related to war in ex-Yugoslavia under indicator 6 or in: Jovanovic, J. "Transitional justice in the Republic of Serbia", in: Miladinovic, D. Subotic, G. Independent Monitoring of the Implementation of Resolution 1325 in Serbia, Women in black, 2013

95 ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center, Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. 17, <http://www.womenngo.org.rs/images/>

83 Ibid, p.6

84 Detailed on the proceedings and legal position of women and girls victims of SGBV related to war in ex-Yugoslavia under indicator 6 or in: Jovanovic, J. "Transitional justice in the Republic of Serbia", in: Miladinovic, D. Subotic, G. Independent Monitoring of the Implementation of Resolution 1325 in Serbia, Women in black, 2013

85 United Nations, Committee on the Elimination of Discrimination against Women, Concluding observations on the combined second and third periodic reports of Serbia*, CEDAW/C/SRB/CO/2-3, 25 July 2013, p. 2

86 Ibid

87 Official Gazette of RS, No. 79/05

88 Official Gazette 79/2005, 101/2007 and 95/2010

89 The Law on Local Elections (The Official Gazette of RS, nos. 129/07 and 34/10- Decision of the Constitutional Court), The Law on Election of National Deputies (The Official Gazette of RS, nos. 35/00; 57/03- Decision of the Constitutional Court of RS; 72/03- other law; 75/03- cor. of other law; 18/04; 85/05-other law; 101/05-other law and 104/09), The Law on the National Councils of National Minorities (The Official Gazette of RS, no. 72/09.) (For more on quotas and political participation in: United Nations, Convention on the Elimination of All Forms of Discrimination against Women, Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women; Combined second and third periodic reports of States parties Serbia, CEDAW/C/SRB/2-3, p.31, http://www.womenngo.org.rs/images/CEDAW/2013/Report_RS.pdf, 20.07. 2013).

90 Vlada Republike Srbije, Kancelarija za ljudska i manjinska prava, Strategija prevencije i zaštite od diskriminacije za period 2013 – 2018. godine, p.31, http://www.praxis.org.rs/images/praxis_downloads/Strategija_prevencije_i_zastite_od_diskriminacije%202013.pdf, 21.07. 2013

Strategy for the Development of Free Legal Aid System (2010) lays out guidelines and crucial principles for the future legal and institutional framework of the free legal aid system in order to meet the needs of citizens and adopt the *Law on Free Legal Aid*.⁹⁶ Women and girl victims of gender-based violence (as well as other marginalized groups) are not mentioned in the *Strategy for the Development of Free Legal Aid System* (2010). It can be concluded that the strategy does not recognize them as potential beneficiaries of free legal aid.⁹⁷ Three years after the adoption of the strategy the Republic of Serbia still does not have a *Law on free legal aid*. A draft law is still in the process of consultations with all potential providers. Free legal aid was, since the 1990s provided solely by women's groups and other CSOs.⁹⁸ There is no report on the implementation of the *Strategy for the Development of Free Legal Aid System*.⁹⁹

Strategy for Combating Illegal Migration in the Republic of Serbia from 2009 to 2014 (2009) contributes to upgrading the control of trans boundary movement of people and reducing security risks due to uncontrolled movement of migrants and human trafficking.

Strategy on prevention and protection of discrimination for period 2013 - 2018 (2013) – stipulates reduction of all forms and types of discrimination, especially towards marginalized and vulnerable social group. The drafting included CSOs.¹⁰⁰ It is too early to comment on the implementation as the Strategy was adopted in June 2013.

The *National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons for the period 2011 – 2014* does not provide gender sensitive information on the status and number of women among refugees and IDPs. It does state that a "great number of refugees are in the category for which is very difficult to find employment (women, people older than 40 and people with low education)."¹⁰¹ The Strategy also notes that the Republic of Serbia is, according to the UN Refugee Agency (UNHCR), the fifth country in the world with long-term refugee problems with a total of 300, 000 refugees and 210,146 IDPs from Kosovo.

The National Action Plan to Implement United Nations Security Council Resolution 1325 – Women, Peace and Security in

CEDAW/2013/Shadow_over_Serbia.pdf, 20.07. 2013

96 Law on free legal aid - regulates the exercise of the right to free legal aid, the concept, types and forms of the right to legal assistance, legal aid providers, free legal aid beneficiaries, the conditions and procedure for the right to free legal aid, organization and management of legal aid, quality control of legal aid, financing legal aid system, as well as other issues of importance for the functioning of the legal aid system (Draft of the Law on free legal aid, Overa, <http://www.overa.rs/2786.html>, 17.09.2013)

97 More on free legal aid in: Miladinović, D. "Free legal Aid in the Republic of Serbia" in: Miladinović, D. Subotić, G. Independent Monitoring of the Implementation of Resolution 1325 in Serbia, Women in black, 2013

98 More in: ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center, Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. 17, http://www.womenngo.org.rs/images/CEDAW/2013/Shadow_over_Serbia.pdf, 20.07. 2013

99 ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center, Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. 7, http://www.womenngo.org.rs/images/CEDAW/2013/Shadow_over_Serbia.pdf, 20.07. 2013

100 Official site of the CSO Praxis, <http://www.praxis.org.rs/index.php/sr/praxis-watch/item/593-usvojena-strategija-prevenicije-i-zaštite-od-diskriminacije>, 21.07.2013.

101 Republic of Serbia (2011) National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons for the period 2011 – 2014 ("Official Gazette of the RS" 17/2011), page 14

*the Republic of Serbia (2010—2015)*¹⁰² contains operational guidelines for implementation of UNSCR 1325. Three years after its adoption, the NAP is being implemented with no funds, and it has been an "additional activity" instead of priority to the Government as stated in the NAP. According to the monitoring of Women in black, done in 2011, 2012 and 2013, ways to address post-conflict problems from which women would benefit the most - e.g. creating special programs to address needs of women and girl refugees and IDPs – is not a priority of the government. Women CSOs had no influence on the process of creation of NAP, and year long efforts of the civil society organizations in the field of education, promotion and lobbying for the adoption of UNSCR 1325 were not acknowledged at all. Post-conflict problems such as implementation of the transitional justice mechanisms that would stop impunity for the crimes against women and girls committed by the Serbian state in ex-Yugoslavia and legal, social and economic support and reparations to women victims of war and consultations with these women are not being addressed in the content of the NAP.¹⁰³

Moreover, implementation of other activities of the NAP from which women will benefit the most (education about war crimes; programs of reintegration and rehabilitation of ex combatants; involvement of women in the processes of disarmament; programs for improvement of the status of women and girls among refugees and IDPs; support to local initiatives of women for peace and reconciliation) had not been implemented by mid 2013.

The Republic of Serbia has established legislative and strategic frameworks related to gender-based violence. In 2009, penalty for domestic violence increased and monetary fine was abolished¹⁰⁴ and relevant documents related to violence against women were adopted.¹⁰⁵

- The *National Strategy for Prevention and Elimination of Violence against Women in the Family and in Intimate Partner Relationship* was adopted in April 2011, but the action plan for its implementation is still lacking.
- The *General Protocol on procedures and cooperation of institutions, agencies and organizations in situations of domestic and partner relationship violence* was adopted in November 2011
- The Ministry of Interior, adopted the *Special protocol on procedures of Police Officers in situations of violence against women in the family and in intimate partner relationships* in February 2013.¹⁰⁶ The Protocol has controversial provisions (article 3.7 – False reporting).
- The Ministry of Labour, Employment and Social Policy adopted the *Special protocol on procedures of Centers for*

102 Government of the Republic of Serbia, National Action Plan to Implement United Nations Security Council Resolution 1325 – Women, Peace and Security in the Republic of Serbia (2010—2015), December 2010, p. 49

103 Zajović S. (2010) Women, peace, security Resolution 1325 – 10 years, Women in black, Belgrade, p.155

104 Initiative of Autonomous Women's Centre, submitted by ombudsperson.

105 Autonomous Women Center

106 Based on the *General Protocol on procedures and cooperation of institutions, agencies and organizations in situations of domestic and partner relationship violence* was adopted on November 2011

Social Work in cases of domestic violence and violence against women in intimate partner relationships in March 2013. The Protocol does not include specific information relevant for recognition and reaction of the social system in situations of violence against women and children, but repeats standard procedures of work foreseen by the Law.

- ▶ *Council of Europe Convention on preventing and combating violence against women and domestic violence* was signed in April 2012 but it is still not ratified.
- ▶ A law for protection of children against sexual violence (Maria's Law) was adopted in 2013.¹⁰⁷

Legal frameworks seem to be at the center of the state's gender equality efforts, but insufficient attention is paid to its implementation in practice. Out of 12 strategic policies relevant for women and particularly vulnerable groups of women, four do not recognize women as legal subjects: Social Welfare Development Strategy for the period 2005-2010; Strategy for the Development of Vocational Education (adopted in 2007); National Judicial Reform Strategy, and Strategy for the Development of Free Legal Aid System (2010). Furthermore, eight documents have no reports on realization: Strategy for Combating Human Trafficking in the Republic of Serbia (2006); Social Welfare Development Strategy; Strategy for the Development of Vocational education; Adult Education Development Strategy (2007); National Judicial Reform Strategy; Strategy for the Development of Free Legal Aid System; Strategy for the Improving of Position of Persons with Disabilities; and National Aging Strategy).¹⁰⁸ An overview of local strategies shows that the presence and the role of women is considered solely at the level of statistical data (overview of facts and numbers), and not through measures and activities for the development and stimulation of advancement of women.¹⁰⁹

Indicator 8 – Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

In the Republic of Serbia there is no state initiated (institutionalized) Truth and Reconciliation Commission (TRC).

The discussion on truth-seeking and truth-telling mechanisms about the recent past was initiated in September 2005 as a CSO initiative by three human rights organizations, the *Humanitarian Law Center* (Serbia), *Documenta* (Croatia) and the *Research and Documentation Center* (Bosnia and Herzegovina), and with participation of experts from the *International Center for Transitional Justice*. In 2008 the initiative developed into a proposal to establish a regional commission for truth seeking and truth telling about war crimes and other serious violations of human rights in the former Yugoslavia.

¹⁰⁷ Autonomous Women Center

¹⁰⁸ More in: ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center, Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. 7, http://www.womenngo.org.rs/images/CEDAW/2013/Shadow_over_Serbia.pdf, 20.07. 2013

¹⁰⁹ More in: ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center, Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. 8, http://www.womenngo.org.rs/images/CEDAW/2013/Shadow_over_Serbia.pdf, 20.07. 2013

RECOM is the *Regional Commission for Establishing the Facts about War Crimes and Other Gross Violations of Human Rights Committed on the Territory of the Former Yugoslavia* during the period 1991-2001. It is an extrajudicial body mandated to establish the facts about the genocide, war crimes and other gross human rights violations committed during the wars that followed the break-up of the former Yugoslavia. It is not designed to make any legal assessments. So far, RECOM did not send any official provisions/recommendations to the Government of the Republic of Serbia. The *Coalition for RECOM* is a regional civil society network advocating for a regional commission to be established. It consists of 1900 organizations and individual members (human rights organizations, victims' associations, associations of families of the victims, youth organizations, and veterans associations, the media, religious communities, victims' family members, and individuals). The main objective of the *Coalition for RECOM* is to foster public, media and civil society support for the establishment of RECOM. The Coalition for RECOM held 129 regional, national and local consultations on the Initiative for RECOM. At the consultations for the first time in a very long while, people from all parts of the war-torn former Yugoslav republics sat at the same table. Families of victims, former detention camp inmates, veterans from the recent wars and many others were able to recognize a shared interest in advocating for RECOM, and at the same time overcome the animosity between each other. The proposed RECOM Statute was adopted at the Fourth Assembly of the Coalition for RECOM in March 2011. Many international institutions have supported establishing the RECOM.¹¹⁰

The campaign to collect signatures for establishing RECOM lasted from April 26th until June 30th, 2011. A total of 542,660 signatures of support were entered in the Campaign Data Base. The petition and the proposed RECOM Statute were delivered to the presidents in the region with the main goal to transfer the whole process from civil society to the state level. In order to accomplish this goal, the team of Public Advocates was formed in October 2011, tasked with persuading politicians in the region to jointly establish RECOM, thereby demonstrating their resolve to build regional cooperation on the foundations of facts and on dialogue about the events of the past. Artist and intellectuals from the region sent a Letter of Support to the Initiative for RECOM on October 2011 and citizens of former Yugoslavia signed post cards to all the presidents of former Yugoslav states asking them to take concrete steps towards establishing the RECOM, in September 2012. Despite the fantastic public support that the idea gained, public advocates needed almost year and a half to achieve the first concrete results.

One of the main reasons for the delay is the fact that 2012 was an election year in almost all ex- Yugoslav countries, and none of the governments wanted to make any decisions that could have influenced the election results. Additionally, dealing with the past, especially with the war crimes and human rights abuses are

¹¹⁰ Spearheaded by the EU, and including the European Parliament Sub-committee for Human Rights, the European Parliament, the Parliamentary Assembly of the Council of Europe, The European Commission, the High Commissioner for Human Rights, the Regional Bureau of the UNDP for Europe and the Commonwealth of Independent States, the Council of Europe Commissioner for Human Rights, Chief Prosecutor of the ICTY, PEN and many others.

not very popular topics among politicians, and are barely on the social and political agenda in the states of ex-Yugoslavia. Due to the strong feeling of nationalism that followed fall of Yugoslavia, it gets complicated when states have to take responsibility and deal with their past and prosecute its own citizens and leaders for war crimes. Lack of political will, denial of what happened, and presenting one's own nation as the biggest victim are the main reasons why the RECOM Initiative has not become part of a political agenda. The Proposed Statute of RECOM must be supported and adopted by the seven Parliaments in the countries collaborating, which means that it has to be in accordance with the seven different legislative systems. This again makes the situation more complicated.

In early 2013 presidents/representatives of six republics of ex-Yugoslavia (now states) appointed their personal envoys to RECOM. By appointing their personal envoys, the presidents/representatives of the post-Yugoslav countries have ushered in a new phase of the RECOM Process involving the transference of the RECOM Initiative from a civil to a political level. Slovenian President and Serbian member of BiH Presidency still have not appointed their envoys. The envoys will take part in the work of the Regional Expert Group tasked with considering the Draft Statute put forward by the Coalition for RECOM and examining the constitutional and legal grounds for establishing RECOM. The first meeting of RECOM's Regional Expert Group will take place in September 2013.

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

Peace processes that ended the wars in ex-Yugoslavia (*Dayton peace accords* and *Kumanovo military-technical agreement*) did not contain any provisions related to the implementation of DDR programs and economic packages in the territory of the Republic of Serbia. In the *Brussels agreement* signed in April 2013 there were likewise no DDR programs and economic packages to women or any other similar activity.

According to the data obtained by Women in black, until now there are no systematic disarmament programs in the Republic of Serbia.

The Ministry of Interior issued few public calls for disarmament and collection of illegal small arms and light weapons (SALW). After the NATO bombing in 1999, the Republic of Serbia organized three disarmament amnesties to collect illegal SALW from its citizens (2001, 2002 and 2003). The first two amnesties were voluntary. The third amnesty was conducted during the assassination of the Prime Minister Zoran Dindić and implied forced disarmament.^{111,112}

According to the data obtained by Women in black, the state

111 Forced disarmament is considered forcible seizure, police raids carried out in the period of social unrest and increased political instability.

112 More on amnesties and disarmament in: Bogosavljević S., „Živeti sa nasleđem – Republika Srbija SALW istraživanje“, Centar za kontrolu malokalibarskog i lakog naoružanja u jugoistočnoj i istočnoj Evropi (SEESAC), Beograd, 2005, p. 65

never took responsibility for the consequences of the wars of the 1990s. To date, there have been no state organized reintegration and rehabilitation programs. Existing programs and activities are conducted by associations of victims of the wars (veteran associations). There are 61 veteran associations that provide reintegration and rehabilitation programs to ex-combatants. They depend on yearly financing from the *Ministry of work employment and social affairs*, and as funding is never guaranteed they are not sustainable. In 2011, the *Ministry of work employment and social affairs* gave RDS59 million to veteran associations to perform programs of reintegration and rehabilitation of ex-combatants and their families. There is a high competition for the limited funds given by the state. The number of associations is increasing and the funds are decreasing. There are also no clear criteria for receiving the funds and scandals related to the allocation of funds are regular.¹¹³ Moreover, the content of the programs performed by these associations are not known to the public. The *Ministry of work employment and social affairs* does not publish the projects, and it is impossible to obtain reports on implementation. The *Ministry for Kosovo and Metohija* also allocates funds for these purposes but there are no publicly available data on how this money is spent. The NAP for the implementation of UNSCR 1325 contains an activity: "Encouraging and financing the programs of reintegration and rehabilitation of men and women who took part in armed conflicts."¹¹⁴ From the data obtained by Women in black, the Republic of Serbia has not implemented this activity.¹¹⁵

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Topics of gender equality have been integrated into educational plans and the curricula of military educational institutions at all levels (Military Grammar School, Military Academy, Defence College). Thus, the protection of girls from all forms of violence in armed conflict and emergency situations is one of the lecture topics within the scope of the International Humanitarian Law course taught in the first year of the Military Academy (VA). In addition, in the 2011/2012 academic year, one module on gender equality was introduced in each of the Sociology, Ethics and Human Resources Management courses.

Regarding pre-deployment training there has been some progress achieved. Progress in training security sector staff members is

113 More on the issue of funding the veteran associations in: <http://www.politika.rs/rubrike/Drustvo/Bitka-za-podelu-novca-medju-veteranima.lt.html>, 19.06.2013.

114 Government of the Republic of Serbia, National Action Plan to Implement *United Nations Security Council Resolution 1325 – Women, Peace and Security in the Republic of Serbia (2010–2015)*, December 2010, p. 48

115 Answers of the institutions named in the NAP as implementers of this activity to the questions of Women in black: The Ministry of Defence, Number 16-126, 18.03.2013, the Ministry of Interior, Number 4766/13-2, 10.06.2013, the Ministry of Human and Minority Rights, Number 000-03-00005/2013-02, 08.05. 2013, the *Ministry of work employment and social affairs*, 2013-064, 25.04.2013, the *Ministry of Finances*, Number 148-III-650-03-19/2/2013, 22.05.2013, the *Ministry for Kosovo and Metohija* never answered to the questions of Women in black. Due to that Women in black filed a complaint to the Administrative Court for silence of this institution.

primarily reflected in raising the awareness and education level of military and police personnel concerning the importance of gender equality in multinational operations. The previous period saw the introduction of educational programs on gender aspects of conflicts. The military, as well as police officers attended a series of seminars and roundtables on this topic. Trainings were equally carried out on topics, such as women's human rights, gender equality and the special needs of women in post-conflict situations.

Two years in a row (2012 and 2013) the Ministry of Defence in cooperation with Ministry of Interior organized a training five-day course "Gender advisors of the commanders of national contingents in peacekeeping missions" and a course on gender in multinational operations.¹¹⁶ The aim of the first course was to train military and police personnel to perform duties of gender advisors of commanders at headquarters of the missions or field commanders in multinational operations. The courses are aimed at the provision of gender mainstreaming in the planning and implementation of the tasks and activities in multinational operations and a better understanding of gender needs and concerns of local people in the countries where operations are carried out. 58 persons including 35 military and 16 police officers completed both courses. Since the course was open to representatives of the academic community, the training was also completed by two members of the Police Academy, four students of the Faculty of Security and a student of the Faculty of Political Sciences in Belgrade. Both courses are unique because numerous teachers and trainers at the course were experts from civil society,

which is not the case in training of military and police officers for peacekeeping missions. In addition, members of the security sector have also participated as speakers at both courses. These specialized courses are not yet included in the annual training plan and training of MoD and SAF staff, but the procedure for their admission has started.

In addition to these two specialized courses, the application of international humanitarian law regarding the protection of women and girls from violence in conflict and post-conflict situations forms an integral part of the pre-deployment training of military personnel preparation. In training courses delivered at the Centre for Peacekeeping Operations of the Serbian Armed Forces (CMO), gender sensitive issues are the subject of additional studies in accordance with the UN Standardized Generic Training Module for multinational operations. The topics studied are: "Prevention of sexual exploitation and abuse", "Gender equality in the MNO" and "Gender issues". As part of the immediate preparations for a concrete mission, the CMO delivers training on "Gender issues" of two lecturing classes of 45 minutes each, as well as training in "Rules of conduct and relations in the multinational environment" of one lecturing hour.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

To CSOs

Table 11.1: Allocated and disbursed funding marked for women, peace and security programs (WPS) to CSOs in 2012

CSO	Donor country/ entity	Purpose	Amount received for WPS	Percentage of total CSO budget dedicated to WPS
Women in black	UN Women ^{vi}	Monitoring of the implementation of the UNSCR 1325	SUSD16,742	10.7%
Belgrade Center for Security Policy	UN Women ^{vii}	Monitoring of the implementation of the UNSCR 1325	SUSD5,529	2.4%
Belgrade Fund for Political Excellence	UN Women ^{viii}	Building capacities of MPs, particularly women in parliament, CSOs	SUSD4,719	No data
Total			36,990	

Table 11.2: Amount and percentage of funding marked for women, peace and security programs (WPS) of CSOs from 2009 to 2012

	2009	2010	2011	2012
Amount Received for WPS	No data	SUSD 52,782	No data	SUSD 16,742
Percentage of total CSO budget dedicated to WPS	No data	51.64% (SUSD 102,208)	No data	10% (SUSD 156,530)

In 2010 Women in black initiated the project *“From the traditional to the feminist concept of security.”* Under the project, Women in black carried out four educative seminars consisting of workshops, lectures, video-presentations and documentary films. This program of educational seminars envisioned legislative campaigns/lobbying for amendment of laws in order to pressure institutions regarding implementation of international policies connected to human rights defenders'; supervision of the implementation of UNSCR 1325 at the institutional level, research-activist creation of a feminist-antimilitarist concept of security, etc. The program was carried out with the financial support of *Global Fund for Women*.

UN Women is the biggest donor of women, peace and security programs in the Republic of Serbia. In 2011/12 UN Women supported eight, and in 2012/13 four CSOs that work under Women in black Network in monitoring the implementation of UNSCR 1325. UN Women also supports a think-tank – BCSP – that also monitors the implementation of UNSCR 1325 but from different perspective than Women in black. Additional funds for grass roots organizations are available mostly from international donors. Grass root organizations by and large do not receive (nor accept) funds from the state because of their independent critical position. State institutions are also not keen on giving funds to women grass root organizations.

of Finance of the Republic of Serbia, based on the annual plans and expressed needs of the relevant ministries / directorates / agencies in the security sector.”¹¹⁷ According to the *Law on budget of the Republic of Serbia* for 2011, 2012 and 2013 there were no allocations for the NAP for the implementation of UNSCR 1325. According to the data obtained by Women in black, the same *Ministry of finance* mentioned above “does not have the requested data”¹¹⁸ on funding of the activities planned by the NAP from 2010 to 2013 (women, peace and security programs).

Funding for activities related to gender in the Republic of Serbia is very low. For example, in 2010, the biggest part of funds from international donors to government institutions (87.6 percent) was spent on hiring additional personnel for organizing the activities and paying consultants. Funds are often not directed where needed.¹¹⁹

Budget money (at all levels) allocated to women's NGOs is very minimal, and does not provide continuity of their work. Additionally, the conditions of distributing budget money are non-transparent.¹²⁰ Funds to women CSOs by state institutions are mostly small and given according to other plans, programs and strategies (not particularly women, peace and security agenda). According to publicly available data, women CSOs are mostly funded by international projects and donors.

To Government

Table 11.3: Allocated and disbursed funding marked for women, peace and security programs (WPS) to government in 2012

Government body in charge of project and/ or programs	Funds from national budget: Yes/No? Amount?	Donor country/entity Amount?	Purpose	Total Amount
NAP 1325 Multi-sector Coordination Body	No	UN Women ^x \$USD 23,143	NAP 1325 (2010 – 2015) Implementation	\$USD 23,143
Ministry of Defense, Serbian Armed Forces	No	UN Women \$USD 9,837	NAP 1325 (2010 – 2015) Implementation	\$USD 9,837
Total				\$USD 32,980

Table 11.4: Amount and percentage of funding marked for women, peace and security programs (WPS) of Government from 2009 to 2012

	2009 - 2010	2012
Amount Received for WPS	No data	\$USD 32,980
Percentage of total government budget dedicated to WPS	No data	No data

Some of the activities of the Government related to women, peace and security (drafting of the NAP) were financed by the Organization for Security and Co-operation in Europe (OSCE), but due to the lack of the transparency of the state we could not provide information on the amount and how it was spent.

The NAP for the implementation of UNSCR1325 states that “the funds for the implementation of activities identified by the NAP to UNSCR 1325 (2010—2015) will be provided by the *Ministry*

116 Info on the first course available at http://www.vs.rs/index.php?news_article=c4c0475c-ce10-102f-8d2f-000c29270931, info on the second course available at http://www.vs.rs/index.php?news_article=3c852caa-9ac0-11e2-a05a-00163e135009.

117 Government of the Republic of Serbia, National Action Plan to Implement United Nations Security Council Resolution 1325 – Women, Peace and Security in the Republic of Serbia (2010—2015), December 2010, p. 21

118 Answer of the Ministry of finance to Women in black, Number 148-III- 650-03-19/2/2013, 22.05.2013

119 More on the issue of financing women's CSOs in: ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center, Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. 8, http://www.womenngo.org.rs/images/CEDAW/2013/Shadow_over_Serbia.pdf, 20.07. 2013

120 Ibid, p.9

Another concern is that the Government of Serbia treats sports associations, religious communities, political parties and "other NGOs" the same.¹²¹ Every year in the draft budget approved by Parliament all groups are presented collectively under budget line 481. Therefore it is not possible to see how much funding the Government of Serbia sets aside for each group (especially women's organizations). According to the Center for Development of the Nonprofit Sector, an independent CSO that investigates budget line for funding CSOs (481), most funds aimed to CSOs go to the Serbian Orthodox Church.¹²²

The initiative of CSOs for the diversification of budget line 481 signed by 188 CSOs was sent to the Ministry of Finance in 2010. Diversification would mean a more transparent allocation of funds given to the CSOs, sports associations, religious communities and political parties. Unfortunately, as of yet, the Ministry of Finance has not changed its practice and we are not able to determine what amount is allocated to women's CSOs.

III. Conclusion and recommendations

Conclusion

The Republic of Serbia has ratified most of the international policies relevant for improvement of women's human rights and gender equality but there is a huge gap between law adoption and implementation. Strategic documents and action plans for implementation are not harmonized enough. Statistical data on participation of women in security sector show that women are under-represented in security sector institutions. The security sector is still considered a male profession and women continue to be under-represented, especially in managerial and leadership positions. In spite of increased participation of women in peacekeeping operations, women still represent small proportion of the total number of military and police forces deployed in the operations.

Despite the fact that women were very active in peace protests against the war in ex-Yugoslavia and very connected through the region through synchronized peace protests in all republics, and helping refugees from all sides they were not included in official peace negotiations and technical agreements that brought peace to the region. Women's organizations were completely

absent in the drafting of the NAP for the implementation of the UNSCR 1325 in the Republic of Serbia. The state representatives did not acknowledge lasting efforts and initiatives of civil society organizations to educate, promote, and lobby for the implementation of UNSCR 1325 in Serbia.¹²³ Despite the grave numbers of SGBV crimes committed against women and girls during the wars of the 1990s, by 2013 only 22 men had been sentenced for sexual violence as crime against humanity.

So far, there is no state-based/or initiated (institutionalized) *Truth and reconciliation commission (TRC)*. The initiative to establish a regional commission for truth seeking and truth-telling about war crimes and other serious violations of human rights in the ex-Yugoslavia has been entirely a CSO initiative from Serbia, Croatia and Bosnia and Herzegovina. We are expecting that Commission will be appointed soon. Reparations in the Republic of Serbia favor ex-combatants. Victims of SGBV are not protected by any mechanism of reparations.¹²⁴ The existent laws exclude all the victims from 1991 till 1995, since Serbia was not officially in a state of war at that time. Peace processes that ended the wars in ex-Yugoslavia did not contain any provisions related to the implementation of DDR programs and economic packages in the territory of the Republic of Serbia. Until today there have been no systematic disarmament programs in the Republic of Serbia. The State never took responsibility for the consequences of the wars of the 1990s. From the end of the wars until today there have been no state organized reintegration and rehabilitation programs for ex combatants.

The application of international humanitarian law regarding the protection of women and girls from violence in conflict and post-conflict situations, including UNSCR 1325 and 1820, have been incorporated in the pre-deployment and post-deployment programs for military and police. However, the scope of trainings in terms of the number of trainings and participants is still small. Certain training courses are now open to civil society experts who take part in delivering lectures.

Funding for activities on gender is very low. When they exist, funds are often not directed where needed.¹²⁵ Budget money (at all levels) allocated to women's CSOs is very minimal, and does not provide continuity of their work. Additionally, the conditions of distributing budget money are non-transparent.¹²⁶ Funds to women CSOs by state institutions are mostly small and not allocated particularly for women, peace and security. Women's CSOs seem to be primarily funded by international donors.

Contribution of women's CSOs to the protection and improvement of women's human rights in the Republic of Serbia so far has

121 The general legal framework for the funding "NGOs" from budget line economic classification is 481 RULES ON Standard Classification Framework and Chart of accounts for budget system (Off. Gazette of RS, no. 20/2007, 37/2007, 50/2007 - corr., 63/2007, 25/2008, 50/2008 3/2009, 26/2009, 37/2009 64/2009, 110/2009 11/2010, 31/2010, 40/2010, 53/2010, 101/2010 and 10/2011). Under this legislation budgetary grants on this line are defined as follows: 481100 - Grants to nonprofit organizations that provide assistance households; and 481900 - Grants to other non-profit institutions. (Stevanović, I., Marković, Z. *Pravni osnov za finansiranje NVO u budžetu Republike Srbije: Finansiranje NVO iz budžeta u Srbiji*, Centar za razvoj neprofitnog sektora, 2011, p.9)

122 More on funding in: Center for development of the nonprofit sector, <http://www.crnps.org.rs/2010/najvise-iz-budžeta-dobija-srpska-pravoslavna-crkva>, 22.05.2013

123 More on the absence of women's CSOs from the process of drafting the NAP for the implementation of the UN SC Resolution 1325 in: Zajović S. (2010) Women, peace, security Resolution 1325 – 10 years, Women in black, Belgrade, pp. 155 - 158

124 Law on the rights of civilian invalids of war regulates the basic rights of the victims and gives a legal definition of a victim.

125 More on the issue of financing women's CSOs in: ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center, Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. 8, http://www.womenngo.org.rs/images/CEDAW/2013/Shadow_over_Serbia.pdf, 20.07. 2013

126 Ibid

been enormous. Two networks of women CSOs (Women against violence Network led by Autonomous Women's Center and Women in black Network led by Women in black) are present in every public hearing on laws in regards to women's rights or human rights in the Republic of Serbia. The recommendations are however, rarely accepted by the state institutions. Despite decades of experience, expertise and autonomy of women's organizations, the state often marginalizes and excludes them from key government policy-making processes. An *Open Letter to Gender Equality Directorate* (2009),¹²⁷ signed by 44 women's organizations, identified key areas of exclusion: 1) Neglect of long-standing work and expertise of women's organizations on issues of improvement of the status of women and gender equality; 2) Insincere participative processes with no real possibility to make an influence; 3) Disempowerment of women's organizations in regards to the state structures.

Recommendations

To Government

- ▶ Include recommendations made by *Women peace coalition* in the implementation of the most recent agreement between Kosovo and Serbia.
- ▶ Include women CSOs in the implementation and revision processes of the NAP for the UNSCR 1325 and dedicate a specific budget for the NAP both at the national and local levels.
- ▶ Ensure greater transparency on budget allocations for civil society organizations, especially women organizations as suggested by CSOs in the *Initiative for the diversification of budget line 481* and introduce a special budget line for local municipalities to support such CSOs including those which provide legal aid.
- ▶ Institutionalize programs of reintegration and rehabilitation for men and women ex-combatants and conduct continuous programs that include women CSOs on disarmament to regulate the flow of small arms in the population.
- ▶ Establish a sex-disaggregated database that includes women/girls refugees as a separate category and mandates data collection on gender based violence against women.
- ▶ Establish programs of psychosocial support for women and girl refugees and IDPs, as well as educational programs on health and violence against women under the existing system of social and health services.
- ▶ Empower unemployed women and girls among refugees and IDPs through programs of the National Employment Service and programs of other institutions and organizations, paying special attention to the employment of Roma women.
- ▶ Adopt the latest Bill on Amendments to the Law on Firearms and Ammunition (2013), which foresees strict requirements for issuing permits to obtain and carry firearms.
- ▶ Update and keep record statistics on proceedings of the cases of SGBV committed during the wars of the 1990s through all institutions of the security sector mentioned in the NAP.
- ▶ Revise and reform definitions of criminal act and protection of women from all forms of violence, in accordance with the international standards by:
 - ▷ Changing the definition of rape to non-consensual act (removing the condition of force or threat of use of force); and equalize conditions for rape indictments, regardless of the type of relationship of the victim and the perpetrator (rape within and outside marriage).
 - ▷ Amending the Criminal Procedure Code, so that vulnerable groups are guaranteed greater protection rights within criminal proceedings, in accordance with international standards.
 - ▷ Creating general and special Protocols on institutional proceedings in cases of sexual violence, delete monetary fine for all criminal acts against sexual freedoms and increase proscribed minimal sanctions.
- ▶ Support the establishment of RECOM.
- ▶ Make publicly available activities of the institutions of the security sector undertaken to stop impunity for the crimes committed against women and girls during the wars of the 1990s.
- ▶ Nullify the decision of the Supreme Court of Serbia from 2004 that proclaims limitation of five years for claiming reparations for damages related to wars of the 1990s.
- ▶ Create mechanisms for reparations to victims of crimes associated with the war giving equal access to all victims of wars and all nationalities (former detainees of prison camps, victims of SGBV and victims of torture) and Create special programs for legal, economical, psycho-social rehabilitation of victims of SGBV committed during the wars of the 1990s.
- ▶ Change the legal definition of the victim given by the *Law on the rights of civilian invalids of war* in order to provide equal redress of all victims to justice.
- ▶ Increase participation of women in the security sector institutions, especially on operational posts and leadership positions by applying affirmative temporary measures
- ▶ Carry out research in the military and the police in order to examine reasons why women do not apply to go on peacekeeping missions.
- ▶ Increase the amount of hours dedicated to topics in the field of gender equality at all levels of education in the security sector.

¹²⁷ ASTRA, Voice of Difference, Women in Black, Labris and Autonomous Women's Center, Shadow over Serbia - NGO Report for the 55th CEDAW Committee Session 2013, 2013, Autonomous Women's Center, Belgrade, p. 4, http://www.womenngo.org.rs/images/CEDAW/2013/Shadow_over_Serbia.pdf, 21.07.2013.

- Include more experts on gender and security issues from CSOs and women CSOs as speakers or lecturers at the pre-deployment and post-deployment trainings.

To the UN

- Ensure full participation of women's organizations in all activities, funded by the UN, regarding the implementation of the NAP for UNSCR1325 in the Republic of Serbia.
- Continue to support women CSOs for monitoring the implementation of the NAP for UNSCR 1325 in the Republic of Serbia.
- Support the process of revision of the NAP for UNSCR 1325 and full participation of women CSOs in the revision.

Table Footnotes:

- i <http://www.parlament.gov.rs/national-assembly/national-assembly-in-numbers/gender-structure.1745.html>
- ii The first Political Council was formed in 2011, with 11 members appointed by the ministries. In 2011 the Council held only one meeting and was dismantled in 2012 due to the elections.
- iii It was formed in 2011 and consists of 13 members and the President. According to a statement by the President of the Multi-sector Coordination Body (July 2013) the membership of the body was changed in 2013 because some members retired and were replaced. None of the new members are representatives of CSOs.
- iv It was formed in 2013, after a delay of 3 years. It has 6 members, members of the parliament and parliamentary councils.
- v Analytical groups were created in 2011 and 2012 in: Ministry of defense (22 members), Ministry of interior, Customs Administration (3 members), Security Information Agency (7 members), Administration for the Execution of Penitentiary Sanctions (4+1) (Source: Odanović G., Bjeloš M., INDEPENDENT REPORT ON THE IMPLEMENTATION OF NAP 1325 IN SERBIA, Belgrade, p.p. 14-15, http://www.bezbednost.org/upload/document/independent_report_on_nap_1325_implementation.pdf, 18.07.2013)
- vi Funds from UN Women given to the CSOs and the Government of the Republic of Serbia for the activities related to the UN SC Resolution 1325 implementation are from the project *Advancing Implementation of UN SCR 1325 on Women, Peace and Security in Western Balkans (2011-2013)*, funded by the Government of Norway
- vii Ibid
- viii Ibid
- ix Funds from UN Women given to the CSOs and the Government of the Republic of Serbia for the activities related to the UN SC Resolution 1325 implementation are from the project *Advancing Implementation of UN SCR 1325 on Women, Peace and Security in Western Balkans (2011-2013)*, funded by the Government of Norway

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Sweden

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List of acronyms

CSO	Civil Society Organization
DPKO	Department for Peacekeeping Operations
EU	European Union
FBA	Folke Bernadotte Academy
GNI	Gross National Income
ISAF	International Security Assistance Force
KFOR	Kosovo Force
MSB	Civil Contingencies Agency
NAP	National Action Plan
NATO	North Atlantic Treaty Organization
NORDEFCO	Nordic Defense Cooperation
OSCE	Organizations for Security and Co-operation in Europe
PPS	Prison and Probation Service
SIDA	Swedish International Development Cooperation Agency
SWAT-team	Special Weapons and Tactics Team
UN	United Nations
UNSCR	United Nations Security Council Resolution

I. Women, peace and security profile

A. The Swedish context

Sweden has a history of being an international actor for peace. By adopting the principle of neutrality, Sweden has been an active supporter of multilateralism, respect for international agreements, and global disarmament. Nevertheless, as part of the International Security Assistance Force in Afghanistan (ISAF), Sweden is currently at war. Civil and military staff are deployed to a number of international operations under the mandate of the United Nations (UN), North Atlantic Treaty Organization (NATO), Organizations for Security and Co-operation in Europe (OSCE), and the European Union (EU).

Sweden is a member of several multilateral bodies that deal with international security, such as the OSCE, UN agencies, the Nordic Council, and the Common Foreign and Security Policy of the EU. Moreover, various Swedish government agencies second their staff to international missions and take part in bilateral development cooperation.

Sweden has a policy goal to allocate one percent of its Gross National Income (GNI) to international development cooperation. Conflict and post-conflict cooperation make up one of several thematic areas of work. Mainstreaming gender analysis throughout the agencies' work as well as supporting projects for gender equality has been identified as a priority.

In short, as a small country with marginal influence on its own, Sweden is an active partner in international cooperation in peacekeeping, military interventions, diplomacy, and development cooperation, and with multilateral bodies on peace and security.

The Swedish Armed Forces second soldiers to missions in Afghanistan, Bosnia-Herzegovina, DR Congo, India and Pakistan, Korea, Kosovo, Mali, the Middle East, Somalia, South Sudan, and Uganda.¹ Swedish Police are currently present in Afghanistan, DR Congo, Georgia, Guatemala, Iraq, Kirgizstan, Kosovo, Liberia, Moldova/Ukraine, Montenegro, Palestine, Sahel Niger, Serbia, South Sudan, and Tajikistan.²

Sweden has bilateral development cooperation with Afghanistan, Burundi, Colombia, DR Congo, Guatemala, Iraq, Liberia, Sierra Leone, Somalia, Sudan, Timor-Leste, and the West bank- Gaza, as part of programmes for countries in conflict or post-conflict phases.³

In 2012, the Minister for Foreign Affairs and the Minister for Gender Equality both stated that UNSCR 1325 is a priority in Swedish international military and development cooperation.

B. Relevant legal and policy framework⁴

Among political leaders, the implementation of UN Security Council Resolution (UNSCR) 1325 is broadly recognized as an objective for Swedish international contributions to peacebuilding and development. It is also regarded as a strategy for increasing operational effectiveness in peacekeeping missions and conflict management.

The Swedish Military-Strategic Doctrine states that integrating gender, with each unique situation, refers to acknowledging and responding to the reality that women and men, in many ways, often have different experiences and needs according to their varying contexts. It also states that UNSCRs 1325 and 1820, serve as both objectives and means for increasing the overall effectiveness of military operations.⁵

In short, the political will and the existing strategic documents indicate that Sweden considers itself a main actor in ameliorating the struggle for women's participation in conflict management and peacebuilding. In 2012, the Minister for Foreign Affairs and the Minister for Gender Equality both stated that UNSCR 1325 is a priority in Swedish international military and development cooperation.⁶

The Swedish National Action Plan (NAP) for implementation of UNSCR 1325 is a key document that offers guidance to governmental agencies and ministries on how to implement UNSCR 1325 in their work. The responsibility to coordinate implementation efforts is held by the Ministry for Foreign Affairs. The NAP was extended in 2012 without revision, and is now valid until 2015. In addition, some agencies⁷ are instructed by letters of appropriation, which are annual Government instructions that

¹ Swedish Armed Forces, list of international missions, accessed July 8, 2013, <http://www.forsvarsmakten.se/sv/Internationella-insatser/>

² Swedish Police, list of international missions, May 2013, http://www.polisen.se/PageFiles/366234/Missionskarta_maj_2013.pdf

³ Swedish International Development Cooperation Agency, list of partner countries for development cooperation, accessed July 8, 2013, <http://www.sida.se/Svenska/Bistand--utveckling/Detta-ar-svenskt-bistand/Sveriges-bistandslander/>

⁴ All sources that are solely available in Swedish will be referred to by their English translation. In the bibliography they are listed by their English title, with their original Swedish title.

⁵ The Swedish Armed Forces. "Swedish Military-Strategic Doctrine", 2011, pp.114-115, accessed June 6, 2013, <http://www.forsvarsmakten.se/upload/dokumentfiler/Doktriner/militarstrategisk-doktrin-2011.pdf>

⁶ The Swedish Parliament, question to the former Minister for Gender Equality, Nyamko Sabouni, December 13, 2012, <http://www.riksdagen.se/sv/Debatter--beslut/Ovriga-debatter/Ovrigt/Ovrig-debatt/?did=H0C120121213fs&doctype=fs#pos=1797>; The Government Offices of Sweden, press release comment by the Minister for Foreign Affairs, Carl Bildt, September 27, 2012, <http://www.regeringen.se/sb/d/16445/a/200392>

⁷ The list of relevant agencies and ministries and their respective responsibilities with regard to implementing resolution 1325 can be found in table 1.

guide the agencies' work to implement UNSCR 1325. However, the letters of appropriation do not generally specify budget allocations for work related to UNSCR 1325.

Since 2012, some of the agencies have been required to report on their efforts to implement the resolution, in an Interagency Report.⁸ The Interagency Report is a compilation of reporting from agencies regarding the progress of their work, according to a set of indicators, including a self-grading system.

Furthermore, the European Union's Action Plan, which is a "comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security",⁹ is a guiding document for the implementation of UNSCR 1325 for all EU member states.

several multilateral security organizations. The set of indicators chosen for the report therefore mainly measure the quality of Swedish efforts to implement UNSCR 1325 in its external activities: through its military, diplomatic and development cooperation efforts.

Moreover, the report analyses the coordination around implementing UNSCR 1325, including reporting mechanisms, the NAP and the Government instructions to the relevant agencies. Recognizing that such efforts are determined by attitudes towards women in Swedish national politics, the report also includes relevant measurement of women's involvement in decision making on security and peacebuilding, as well as women's participation in the judiciary and security sectors, and the representation of women in national media.

<i>Index of responsible governmental agencies</i>			
Government agency or department	Level of Responsibility According to the NAP	Does the Letter of Appropriation instruct work on UNSCR 1325?	Does the Letter of Appropriation Mention the Need to Raise Women's Participation?
The Police	Primary	Yes	No
The Armed Forces	Primary	No	Yes
Swedish International Development Cooperation Agency (SIDA)	Primary	No	No
Prison and Probation Services (PPS)	Primary	Yes	No
International Secretariat (part of the PPS)	Primary	No	No
Civil Contingencies Agency (MSB)	Primary	No	No
Folke Bernadotte Academy (FBA)	Primary	Yes	No
National Defense College	Secondary	No	No
National Courts Administration	Secondary	Yes	No
Swedish Prosecution Authority	Secondary	Yes	No
Swedish Defense Research Agency (FOI)	Secondary	No	No
Ministry For Foreign Affairs	Primary	N/A	N/A
Ministry of Defense	Primary	N/A	N/A
Ministry of Justice	Secondary	N/A	N/A

II. Data presentation and analysis

The indicators chosen for this report were selected on the basis of their relevance to the Swedish context. While there is no armed conflict or troop presence in Swedish territory, Sweden is a contributor to international peacekeeping operations, and is therefore a troop-contributing country. Sweden is also a contributor to international development aid and a member of

The data for this report is based on official statistics, annual reporting from the agencies, their websites, as well as journalistic and academic articles and reports. Moreover, interviews have been conducted with relevant government representatives, all of which have been listed in the end of this report.

A. Participation

Indicator 1 – Index of women's participation in governance

For years, women have held around half of the ministerial positions in the Swedish Government. Women are also equally represented

⁸ "The Interagency Report 2012" refers to the report "Svenska Myndigheters Genomförande av FN:s Säkerhetsrådsresolution 1325" Last modified Feb. 27, 2013, accessed May 12 2013. <http://www.folkebernadotteacademy.se/PageFiles/15318/Indikatorsrapport%20gemensam%202012.pdf>.

⁹ Council of the European Union, Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security, December 2008. http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news187.pdf

in the parliament, following the adoption of a voluntary quota system. Female politicians, however, still tend to be underrepresented in the field of defense and security policy.

Table 1.1: Index of women's participation in governance in 2012

	Number of women	Number of men	Percentage of women
National			
Ministers	13	11	54 %
Secretaries of State	14	16	47 %
Ministry for Foreign Affairs			
Chiefs in the Foreign Service	38	66	37 %
Chiefs based in Stockholm	14	17	45 %
Vice Chiefs	7	12	37 %
Group Managers	23	26	47 %
Ministry of Defense			
Chiefs	N/A	N/A	45 %
Experts	N/A	N/A	39 %
Administrative staff	N/A	N/A	86 %
Parliament	157	192	45 %
Parliamentary Committees			
Defense	4	13	24 %
Foreign Affairs	8	9	47 %
Defense Commissionⁱ			
Members	3	9	25 %
Experts	3	4	43 %
Internationalⁱⁱ			
European Union Parliament			
Foreign Affairs Committee	21	55	28 %
Security and Defense Committee	7	23	23 %
Women's Rights and Gender Equality Committee	30	4	88 %
The Nordic Council			
The Swedish Delegation	21	19	53 %
Secretariat to the Swedish Delegation	3	2	60 %
The Council of Europe			
Committee on Equality and Non-Discrimination	45	39	54 %
Committee on Political Affairs and Democracy	19	70	21 %
Committee on Legal Affairs and Human Rights	26	58	31 %
Committee on Migration, Refugees, and Displaced Persons	28	56	33 %

Table 1.2: Percentage of women's participation in governance from 2009-2012ⁱⁱⁱ

	2009	2010	2011	2012
Parliament	47 %	46 %	45 %	45 %

Following the adoption of a voluntary quota system by all political parties in 1994, women's representation in the Swedish parliament increased.¹⁰ Since then, the percentage of female members of parliament has been around the range of 45-50 percent. Stereotypical portfolios have gradually disappeared and female politicians are just as likely to handle foreign policy issues, as are men. However, the field of defense policy remains an exception. Only 4 out of 17 of the members of the parliamentary committee on defense are women, whereas their representation is stronger in other policy fields. In the Defense Commission¹¹, tasked to process and entrench security and defense policy among the political parties, 3 out of 12 members are female. This indicates that Swedish policy-making on defense and security policy still is male-dominated. However, it is noteworthy that Sweden has a female Minister for Defense, Karin Enström.

In international forums for security and defense cooperation, such as the European Parliament and the Nordic Council, women's participation is generally lower than within the Swedish political system. There is no available data on Swedish efforts to promote a more equal gender distribution in the international bodies in which it is a member. There is, in fact, no reporting mechanism on Swedish commitments to increase women's participation in international decision making. Such efforts should be reported in order for the government to be held accountable to its commitments to promote gender equality internationally.

"[I]t worries me that women continuously are marginalized in these [peace] processes, despite the fact that twelve years have passed since the Security Council adopted resolution 1325."

-Carl Bildt, Swedish Minister for Foreign Affairs, on women's participation in the peace process in DRC, answering a question in the Parliament

A case study on Swedish commitment to UNSCR 1325 in Afghanistan indicates that the Swedish political dialogue on the matter is rather weak, although Sweden still enjoys a good reputation on the score. According to the study, Swedish political engagement for UNSCR 1325 has been based on individual initiatives. Engagement for women's participation in political processes should figure higher on the agenda in international dialogue and international declarations.¹²

Sweden enjoys a reputation of being at the forefront of gender equality. Therefore it should lead by example and include women equally at all levels of decision making, including in expert positions and in international delegations and representations. Among experts employed by the Ministry for Foreign Affairs and the Ministry for Defense, women are still facing exclusion from higher positions as experts and chiefs.

Table 1.1 shows that women are not recruited to leadership

¹⁰ Following lobbying efforts, political parties unanimously adopted a party list system which required every other name on the list to be a female party member.

¹¹ In Swedish: Försvarsberedningen

¹² Wilkens, Ann. Missing the Target November 2012; A Report on the Swedish Commitment to Women, Peace, and Security in Afghanistan, p.27. (Stockholm, 2012).

Following the adoption of a voluntary quota system by all political parties in 1994, women's representation in the Swedish parliament increased.

positions in the Foreign Service to the same extent that men are. To increase the participation of women at all levels of decision making is a commitment especially relevant to the Foreign Service as it represents Sweden internationally. One incentive to take action to promote gender equality both at the ministry in Stockholm, and in the Foreign Service would be to include the Ministry for Foreign Affairs in the annual Interagency Report from the governmental agencies, on their implementation of UNSCR 1325.

Indicator 3 – Index of women's participation in the justice, security sector, and peacekeeping missions

Women's participation in the security sector and peacekeeping missions is constrained by gender stereotypical attitudes within the agencies as well as a lack of women in leadership positions. Despite wide recognition of the need for more women in international peacekeeping missions there is a lack of systematic efforts to increase women's participation. Within the judiciary however, the gender distribution is more equal.

The efforts to mainstream a gender perspective range from offering voluntary courses on UNSCR 1325, to improving equality work internally. Interviews with representatives of the security sector revealed frustration with the lack of high-level commitment to the implementation of UNSCR 1325 as well as lack of capacity and knowledge to implement the resolution in everyday work.

Table 3.1: Index of women participating in military and police in 2012

	Number of women	Number of men	Percentage of women
The Police (total)	11622	16725	41%
Police officers in core positions	5046	11231	31 %
Civilian employees in core positions	2762	1241	69 %
Police officers at management level	471	2007	19 %
Civilian employees at management level	228	139	62 %
The Armed Forces (total)	3639	23984	13 %
Regular officers	511	9029	5 %
Civilian employees	2479	4088	38 %
Soldiers, sailors (Navy/Marines), and squad leaders	489	3998	11 %
Reserve officers	160	6766	2 %
Military and police total	15261	40709	22 %

The Swedish Police

Despite an increase in the number of female police officers, police departments are still divided by gender in the sense that women tend to be more engaged in certain types of crime investigations than others. For instance, according to interviewees from different departments within the agency, women are active in domestic violence cases, whereas they tend to be excluded from cases involving rapid intervention units.

In the past, male leaders chose to nominate and promote other men that they knew for leader positions, according to a representative of the Police.¹³ Since 2008, the recruitment of higher leadership positions has been reformed in order to promote the most adept candidates. In the reformed system, a person's sex is not revealed until the later stages of the recruitment process, which has increased the promotion of women to higher positions. In 2013, 33 percent of the promoted groups were women.¹⁴ For the past 5 years, women in leadership positions have grown from 22 percent in 2008, to 25 percent in 2013, as a result of efforts to recruit female chiefs. However, the gender distribution is still more equal among civil positions than among police positions.¹⁵

"Officially we say that we want women in all parts of the agency, but there is a barrier and an attitude that women do not belong in the SWAT-team (Special Weapons and Tactics)",¹⁶ says the same representative. This shows that more systematic measures are needed in order to dismantle the dominant male presence within the Police; to simply recruit more women may not be a sufficient answer to the problem.

The Swedish Armed Forces

Historically, the Armed Forces have been heavily male-dominated. For several years, the annual letter of appropriation by the Government to the Armed Forces has instructed the agency to work with increasing the percentage of women at all levels of the agency, in order to level out the uneven gender distribution. Contrary to this directive, the attempt to fill the agency with women has never really been prioritized, according to an Armed Forces representative working with human resources at the armed forces headquarters.¹⁷

However, some positive developments can be noted. Since the end of mandatory conscription for men, in 2010, voluntary recruitment of men and women to basic military training in the armed forces has increased the proportion of women among new recruitments. This has reached up to 20 percent in 2012 in some groups.¹⁸ The shorter basic training¹⁹ of three months is believed

to encourage women to take a break from their regular studies and try a career in the army.²⁰

Interviews show, however, that equality work within the agency may require more systematic efforts. Negative attitudes toward women exist at all levels of the organization, according to a representative working with recruitment.²¹ According to the representative, when women enter basic military training they are met with the attitude that women do not belong in the armed forces. Women therefore face lower expectations than their male counterparts. This makes them feel as though they have to earn their respect and prove themselves to their peers and leaders three times as much as the male soldiers do. However, despite these circumstances, in the fall of 2013, the first female general will assume office.²²

While the civilian section of the agency has more equal gender distribution, a civilian representative stated in an interview that she often encounters the attitude that she is under-qualified to speak on security issues because of her civilian position.²³ This illustrates the lingering attitudes that undermine the idea of human security requiring both civilian and military expertise. A new gender-neutral recruitment system has been adopted in order to attract both men and women. However, a representative working with recruitment is critical of its effectiveness: "If you have a majority of men choosing the leaders, you would have to work against these structures to see a woman at the top, but often there is no such effort."²⁴

As within the Swedish Police, an increase in the number of women in the military does not address the need to dissolve the strong male-domination and prevailing attitudes that still exist throughout the agency. "Let us say that women make up 20 percent of all soldiers; the way things are now, none of them will reach a higher official position during their entire service", the same representative says. The Armed Forces should take on the challenge of looking over internal structures and attitudes to make sure that woman and men have equal career opportunities.

Although Swedish political leaders have made numerous commitments to implement UNSCR 1325, women's equal participation has yet to be fully realized within the Swedish security sector.

The Judiciary

Table 3.2: Index of women participating in the justice sector in 2012			
	Number of women	Number of men	Percentage of women
Judges	452	480	49 %
Chiefs	89	151	37 %
Attorneys	494	420	54 %
Total	1035	1051	47 %

20 Up to 40 percent of those who participated in a basic military training during the summer of 2012, placed between the two regular university semesters, were women.

21 Interview April 2, 2013.

22 Swedish Armed Forces, press release on May 27, 2013, accessed June 12, 2013. <http://www.forsvarsmakten.se/sv/Aktuellt/centralanyheter/Ny-ledningssystemchef-utsedd/>

23 Interview April 2, 2013

24 Interview April 4, 2013.

13 Interview, April 26, 2013

14 Ibid.

15 The Police, website article, "Increase in women in leadership positions in the Police," published May 22, 2013, accessed: May 23, 2013, <http://www.polisen.se/Aktuellt/Nyheter/Gemensam/jan-mars/Kvinnor-pa-chefsposter-okar-inom-Polisen/>

16 S.W.A.T team is a group of police specially trained to deal with unusually dangerous and violent situations.

17 Interview April 4, 2013.

18 Interagency Report 2012, (Svenska Myndigheters Genomförande av FN:s Säkerhetsrådsresolution 1325.) Last modified Feb. 27, 2013, accessed May 12 2013. <http://www.folkebernadotteacademy.se/PageFiles/15318/Indikatorsrapport%20gemensam%202012.pdf>; Swedish Armed Forces, Annual Report 2012, p.29, accessed March 25, 2013. <http://www.forsvarsmakten.se/upload/dokumentfiler/%C3%85rsredovisningar/%C3%85rsredovisning%202012/HKV%202013-02-22%2023%20386%2050878%20FM%20+%C3%A0rsredovisning%202012%20Huvuddok.pdf>

19 In Swedish called "Grundläggande Militär Utbildning"

The data from the Swedish National Courts Administration shows high levels of female participation throughout the agency. This includes a significant percentage of women holding positions as chiefs, judges, and attorneys. In addition, since 2009, there has been a gradual increase in women's representation.

More women than men are accepted to law school, and they tend to have better grades.²⁵ Women make up a majority among trainees at the law firms, but they still only make up around 17 percent of the owners of the firms.²⁶ At large, women are more equally represented in the judiciary, than within the Police or Armed Forces. However, the justice sector should strive to enhance career opportunities for women, in order for the gender distribution in higher positions to reflect the high number of graduated female students.

In general, since the 1970s, more female students enroll to universities and higher education and they tend to have better grades than their male peers.²⁷ This has yet to influence the gender gap in salaries as well as the recruitment to higher professional positions in society at large.

Peacekeeping missions

Several Swedish agencies send staff for deployment to international military and civil peacekeeping missions, led by the UN, NATO, and the EU. The armed forces, the police, the Folke Bernadotte Academy (FBA), the Civil Contingencies Agency (MSB), and the Prison and Probation Service (PPS) are mandated by the NAP to integrate and implement UNSCR 1325 in their international work. While some agencies have a higher percentage of women in the international missions than in the agencies at home, the number of women participating in peacekeeping missions is generally low.

Table 3.3: Index of women participating in peacekeeping missions (Troop-contributing) in 2012^v

	Number of women	Number of men	Percentage of women	Recruitments to higher positions (women/men)
The Armed Forces	119	1487	9 %	0/18
The Police	64	161	28 %	0/1
Civil Contingencies Agency	32	137	23 %	0/0
Folke Bernadotte Academy	36	41	47 %	0/0
Prison and Probation Service	5	18	22 %	0/0
All Government Agencies (Total)	256	1844	12 %	0/19

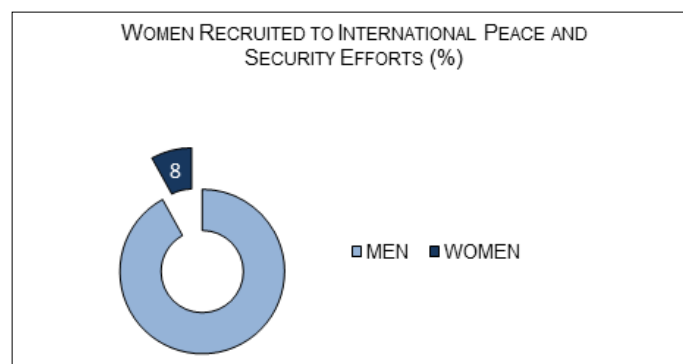
25 The Hilda network of female lawyers and female employees in the judiciary. Accessed July 8, 2013 <http://www.advokatsamfundet.se/Hilda/Hilda/Kvinnor-i-rattsvasendet-och-advokatkaren/>

26 The Hilda network of female lawyers and female employees in the judiciary. Accessed June 12, 2013 <http://www.advokatsamfundet.se/Hilda/Hilda/Kvinnor-i-rattsvasendet-och-advokatkaren/Advokatkaren/>

27 Swedish National Agency for Higher Education, Report Kvinnor och män i högskolan, 2008 <http://www.hsv.se/download/18.6923699711a25cb275a8000278/>

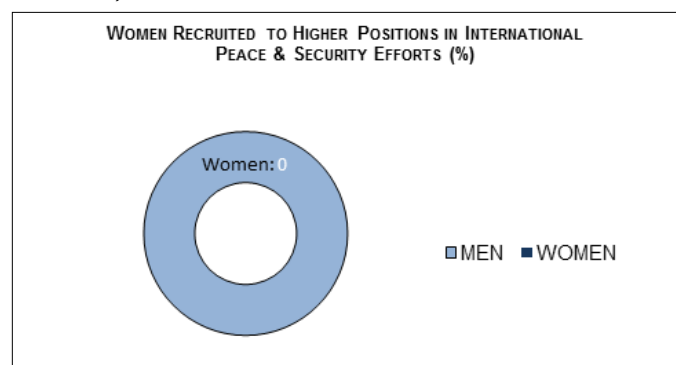
The Armed Forces make up the largest share of Swedish personnel in international missions, but it employs the lowest percentage of women. Nevertheless, it employs a larger percentage of women internationally than in Sweden. There has been a steady one percentage point decrease in the number of women recruited to international peace and security efforts since 2009-2010. In 2012 only 8 percent women were recruited to international peace and security efforts.²⁸

Figure 3.1: Percentage of women recruited to international peace and security efforts of the Armed Forces in a military capacity, 2012²⁹



As shown in figure 3.2 below, no woman was recruited to higher positions in the international peace and security efforts. While the recruitment of female officers to international missions is hindered by the low levels of female officers within the agency at large, research shows that the level of achievement on this score varies substantially between missions. A study from 2008 concluded that the design of the recruitment process itself affects the level of women's participation. This may indicate that measures could be taken relatively easily to increase the percentage of women recruited. In addition, 70 percent of the women in military service, compared to 56 percent of the men, showed a positive attitude towards international duty, presenting a considerable opportunity to increase recruitment of women.³⁰

Figure 3.2: Percentage of women recruited to higher positions in peace and security efforts of the Armed Forces, 2012³¹



28 There is a discrepancy between the numbers in table 8 and 9 because 8 percent of those recruited were women, while 9 percent were deployed.

29 Interagency Report 2012, p. 31, accessed May 12, 2013. <http://www.folkebernadotteacademy.se/PageFiles/15318/Indikatorrapport%20gemensam%202012.pdf>

30 Hofmann von Baltenau, Martina, "Kvinnor och internationell tjänst" 2008, p.14, examensarbete, Försvarshögskolan. <http://urn.kb.se/resolve?urn=urn:nbn:se:fhs:diva-75>

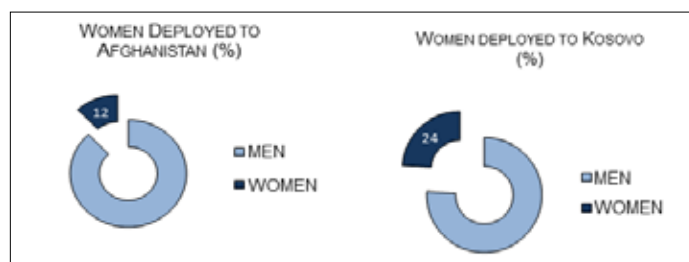
31 Interagency Report 2012, p. 33

According to experience from the police, shorter international deployment, or a geographical closeness that enables homeward journeys, may increase the number of applications from female soldiers. If that is an accurate assessment, it may help to explain why the mission in Kosovo has a larger proportion of women, compared to the mission in Afghanistan.³² In general, the lack of investigation of the motivations and obstacles to women's recruitment to international missions is a shortcoming of the agencies' recruitment efforts.

According to reporting by the Swedish Armed Forces in Afghanistan, there is a critical need to recruit more female Afghan police officers. The low presence of local female police officers in the country is recognized as a problem that may manifest as a threat to security. Female officers are needed for equality purposes as well as for practical reasons, such as their ability to do body searches and questionings of women.³³ Despite Swedish concern for local gender distribution in the Afghan security forces, the low number of Swedish female soldiers in the mission represents a failure to prioritize women's representation at large.

The Swedish NAP stipulates that measures to considerably increase the proportion of female participation in international peace support and security-building operations should be prioritized.³⁴

Figure 3.3: Percentage of women deployed to ISAF (Afghanistan) and to KFOR (Kosovo), 2012^v



In the Swedish Police, the international missions have more women in higher positions than the rest of the Police Agency. As a result, it is generally easier for women to be recruited to international missions than to national operations. In 2012, 64 female police officers out of 225 total participated in 19 international peacekeeping missions, making up 28 percent.

³² The mission to Afghanistan is larger. Although the percentage is smaller compared to the Kosovo mission, the total number of female soldiers is greater.

³³ Swedish Armed Forces, website article, April 26, 2013, accessed June 10, 2013. <http://www.forsvarsmakten.se/sv/Internationella-insatser/Afghanistan--Isaf/Nyheter/Mannens-hem--kvinnans-fangelse/>

³⁴ Government Offices of Sweden, "The Swedish Government's action plan for 2009–2012 to implement Security Council Resolution 1325 (2000) on women, peace and security". p.12.

Figure 3.4: Percentage of women among the deployed to international missions by the police, in 2012³⁵



The recruitment of women to international missions is contingent on the national pool of police officers. The NAP instructs the police to take measures to achieve a considerably larger proportion of women in international peacekeeping missions. Some efforts have been made in response to this, and the experiences have been listed below.

Some of the achievements to increase the number of female recruits in the police force and in the military are the results of reformed recruitment processes or shorter missions. These effects are indeed positive but have not come as a result of systematic efforts to raise the participation of women. If the Swedish security sector takes seriously its objective to increase the proportion of women in international missions, it needs to thoroughly investigate the motives driving female police officers and soldiers as well as the obstacles that they face, in order to incorporate their experiences in planning for mission preparations and recruitment.

While the cost of changing recruitment procedures or disseminating information could be relatively low, the human resources need to be in place to analyze the needs of women and change procedures accordingly. According to the agency representatives interviewed, too few positions are dedicated to work with UNSCR 1325 as a substantial share of working hours, both in the Police and in the Armed Forces.

Among the agencies that send civilian and military personnel to international peacekeeping missions, the percentage of women participants ranges from 9 percent within the Armed Forces to 47 percent in the Folke Bernadotte Academy. In general, Swedish contributions to international missions contain a percentage of women that is too low, and there is a lack of systematic effort to improve the low scores.

³⁵ Interagency Report 2012, p.33

Table 3.4: Percentage of women participation in the justice, security sector, and peacekeeping missions from (2009-2012)

	2009	2010	2011	2012
Justice sector	42 %	43 %	44 %	47 %
Security sector	N/A ⁵	N/A	18 %	22 %
Peacekeeping missions (troops contributing)	N/A ⁶	N/A	14 %	12 %
Total	N/A	N/A	25 %	27 %

Indicator 5 – CSOs in task force/committees on UNSCRs 1325 and 1820 (out of total task force members)

There is currently no active task force on UNSCRs 1325 and 1820 in Sweden. The Swedish National Action Plan for the implementation of UNSCR 1325, which was extended to 2015 without revision in 2012, was developed with little consultation from civil society.³⁶ In fact, the NAP process has been marked by a lack of transparency and inclusivity from its inception. Civil society has not been involved in the extension, the Interagency Reporting process, or in the formulation of the indicators in the Interagency Report.³⁷

The project 'GenderForce' is a collaborative effort between agencies, to coordinate and improve their work with gender mainstreaming and implementation of UNSCR 1325. The project was originally funded by the EU and involved extensive efforts to mainstream a gender perspective into the member agencies. Since 2008, however, the EU funding has been cut, and the project has taken on a much smaller scale of coordinated efforts.³⁸ The sole civil society representative stated that the more recent forum "has been dead for years."³⁹ Notably, she mentioned that it took the first three years for representatives from government and civil society to understand each other's roles. This highlights the challenging nature of cooperation between civil society and government. In order for such efforts to succeed, there must be clarity of purpose and a solid structure.

Since the end of the original 'GenderForce' there has been no task force on UNSCRs 1325 and 1820. However, the government agencies still coordinate their work informally. For instance, they work together to produce the Interagency Report and to develop indicators to measure progress. Civil society however, is not invited to the meetings and thus misses opportunities for making a meaningful impact. Civil society organizations are invited at a late stage when decisions are already made and when it is too late for them to come in with their input and revisions. Consequently, there are significant shortcomings with regards to transparency and inclusivity.

³⁶ The current NAP, effective between 2009 and 2015 and was extended without revision in 2012, is a sequel to the first NAP that was valid 2006-2008.

³⁷ The Ministry for Foreign Affairs, the agency responsible for the NAP, confirms that there is currently no task force. The Ministry also states that a process to draft a new action plan will start at some point, but no official decision has been made on that yet and there is no scheduled starting date for such work.

³⁸ The GenderForce project today coordinates the courses for the Gender Field Advisor and the Gender Coach programmes. One representative from the CSO Kvinna till Kvinna participates in the meetings as an expert on resolution 1325.

³⁹ Interview, April 24, 2013

The only inclusive dialogues have been consultative meetings, or as they are known in Swedish: Nationellt Samverkansforum, by which civil society has been able to exchange information with government agencies roughly three times per year. The purpose of the meetings has been unclear, and CSO representatives perceive them to be superficial partly because of the low level of substance in the information sharing and the low level of representation from agencies. In some cases interns are sent to attend as representatives. In 2012, CSOs jointly requested that the consultative meetings would focus on evaluating the NAP and the indicators of the Interagency Report. There is now an ongoing discussion, but the coordinators have not yet confirmed the future nature of the meetings.

The NAP was extended in 2012 without revision, despite apparent shortcomings.

Indicator 7 – Number and quality of gender-responsive laws and policies

The laws and policies guiding Swedish efforts to implement UNSCR 1325 include the comprehensive approach to the EU implementation of the United Nations Security Council UNSCRs 1325 and 1820 on women, peace and security, and the Swedish Government's action plan for the implementation of UNSCR 1325. Moreover, as previously mentioned, a number of agencies are instructed by their letter of appropriation to work to implement the resolution. Furthermore, for the first time, in 2012, some of the agencies were required to report their progress in an annual Interagency Report.

The Swedish National Action Plan 2009-2015

The Swedish NAP for implementation of UNSCR 1325 reflects a high level of commitment in terms of objectives. The NAP instructs relevant agencies to work on national, regional, and international levels to prioritize the achievement of the following aims:⁴⁰

1. A considerably larger proportion of women to participate in international peace-support and security-building operations, within the framework of regional and international organizations, and operations to be implemented with a gender perspective in order to increase their effectiveness.
2. The protection of women and girls in conflict situations to be strengthened and based on analysis in which women actively participate.
3. Women in conflict areas to participate fully and on equal terms with men at all levels in mechanisms and institutions for conflict prevention, crisis management, peacebuilding,

⁴⁰ Government Offices of Sweden "The Swedish Government's action plan for 2009–2012 to implement Security Council Resolution 1325 (2000) on women, peace and security" Last modified February 10, 2009. http://www.un.org/womenwatch/ianwge/taskforces/wps/nap/HP1325_202009-2012_fina_engelsk_version.pdf

humanitarian operations and other initiatives during a post-conflict phase.

The NAP was extended in 2012 without revision, despite apparent shortcomings. A recurring comment among government agencies is that the NAP is vague, and does not provide tangible direction or guidance. Representatives from the Civil Contingencies Agency (MSB) said that they encountered problems with defining what the NAP was asking them to do.⁴¹ Simply, the NAP, which is meant to be a guiding document for all relevant agencies, provides no guidance for their work with UNSCR 1325. The measures that have been taken to speed up implementation are not because of the direct instruction in the NAP, but because of commitment to the principles of UNSCR 1325. Several agencies state that their work to implement UNSCR 1325 depends on individual initiatives rather than on systematic and comprehensive efforts within the agency. A representative for the Armed Forces stated that while the NAP potentially could be an important tool for her to forward the agenda in her agency, it is today completely irrelevant to her work.⁴²

Thus, the Swedish NAP must be revised through a process that includes civil society and applies lessons from other international experiences in that regard. NAPs that lack timeframes, clear objectives, provisions on reporting mechanisms, and earmarked funding are difficult to implement for obvious reasons. Therefore, the Swedish NAP must be revised to include all of these standards, as well as a clear outline of the activities that the agencies are expected to carry out. Considering the political will and assurances by Swedish policy-makers on Swedish dedication to implement UNSCR 1325, there should also be political will to transform the commitment of UNSCR 1325 to operational guidelines and clear instructions for the government agencies. Swedish commitment to women's participation and contribution to international peace and security must be reflected in a revised, more ambitious NAP.

Other instructions to the government agencies

The division of roles and responsibilities for implementing UNSCR 1325 among several agencies depict the government's recognition that UNSCR 1325 is not just a gender issue, but also a matter of human security and an essential element in building sustainable peace. Internal documents, such as policies, strategies or guidelines on gender and/or UNSCR 1325 are in place for most relevant agencies.⁴³ Moreover, internal action plans, specifications and breakdowns of the policies into measureable objectives are also in place for most agencies.⁴⁴ In short, while policies have been developed, implementation is still insufficient.

"All agencies are instructed to work systematically to improve our work and become better at gender analysis and women's participation in peacekeeping missions"

*Former Minister for Gender Equality,
Nyamko Sabouni*

As shown by the Index of responsible government agencies (found on page four of this report), some agencies are instructed by letters of appropriation while others are instructed only by the NAP. In the case of the Prison and Probation Service, quite remarkably, its sub-agency tasked with working on international matters, the International Secretariat, does not have a reference to UNSCR 1325 in its letter for appropriation, while the PPS does. For the government's commitment to implement UNSCR 1325 to be clear, such inconsistencies should be modified.

Recognizing that gender mainstreaming and transformation of male-dominated services take time, interviewees confirm that clearer instructions to the agencies could provide a support to those who have been appointed focal points or coordinators within each agency. More detailed provisions in the NAP or letters of appropriation could provide support for those individuals who are trying to speed up implementation. While all sustainable efforts are gradual, some agencies have been instructed by the Government to take measures to increase women's participation for years, without displaying tangible results or systemization of efforts. Therefore, the Government should consider employing stronger language and clearer operational guidelines for the benefit of the relevant agencies.

Annual reporting

Internal documents, such as policies, strategies or guidelines on gender and/or UNSCR 1325 are in place for most relevant agencies. Since 2012, some agencies are required to report the progress of their work annually, in the Interagency Report.⁴⁵

The annual Interagency Report serves as a basic reporting mechanism for national UNSCR 1325 implementation efforts. However, not all agencies are included in the report. All agencies included in the Swedish NAP should report their work, including relevant ministries. The reporting from the Ministry for Foreign Affairs is especially relevant, in order to follow-up on how Sweden has worked to implement UNSCR 1325 through diplomatic work, such as requesting female peace negotiators, nominating women to higher positions in international organs and requesting that women take part in international meetings and committees. However, today there are no reporting mechanisms regarding its internal coordination or its work to improve their implementation of UNSCR 1325.

"Resolution 1325 is a priority in Swedish international commitment in peacekeeping and support to peacebuilding."

***Former Minister for Gender Equality,
Nyamko Sabouni***

It is worth noting that the Interagency Report is predicated on a limited set of indicators that was created by the agencies themselves with no input from or consultation with civil society. As a result, the indicators have tangible shortcomings. For example,

⁴⁵ Interagency Report 2012, (Svenska Myndigheters Genomförande av FN:s Säkerhetsrådsresolution 1325.) Last modified Feb. 27, 2013, accessed May 12 2013. <http://www.folkebernadotteacademy.se/PageFiles/15318/Indikatorsrapport%20gemensam%202012.pdf>.

⁴¹ Interview, April 23, 2012

⁴² Interview, April 2, 2013

⁴³ Agencies instructed to work on resolution 1325, by the letter of appropriation or the national action plan, are listed in table 1.

⁴⁴ This is according to the agencies' reporting in the Interagency Report 2012.

the second of the three priorities for Swedish implementation of UNSCR 1325 (the strengthening of protection of women and girls in conflict situations) only has two indicators. Both focus on measuring allocated budgeting to projects that strengthen women's security. These indicators neither offer sufficient measurement of the Swedish efforts to protect women and girls in conflict, nor measure the result of the activities listed in the NAP.

In addition, the internal grading system used to measure the agencies' progress is inadequate. A low score could provide an incentive to expedite and improve existing efforts or encourage agencies to dedicate more human or financial resources to UNSCR 1325 work. However, after the coordinators had access to each other's self-given scores, some felt pressured to report better results than they initially planned to. While an internal grading system wherein each actor is responsible for grading its own work may be inappropriate altogether, it is important for the reporting to be sincere in order to motivate improvement. A higher level of transparency is needed in the agencies' planning, evaluation and reporting of activities, and dialogue between agencies and civil society actors on how to improve implementation of UNSCR 1325 must be strengthened.

International documents

The EU Action Plan "Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security"⁴⁶ includes provisions for its member states to take measures to speed up implementation of UNSCR 1325. The EU plan for implementation is generally considered to be a strong document although civil society organizations in Europe jointly have expressed concern for its slow implementation.⁴⁷ Thus, in order to accelerate efforts in its implementation, Sweden should do its part and put pressure on EU-led missions to officially report in order to increase transparency and accountability.

"Structures and policies can be in place, and there can still be low institutional knowledge in peace missions"

Expert on Gender and Human Rights at the EUPOL Afghanistan mission

According to the agencies' reporting in 2012, a seminar on how the international missions have worked with gender and UNSCR 1325 concluded that the general level of knowledge in the missions is still low, and that further efforts are needed. Many pointed out the need for steering and pressure from Brussels.⁴⁸ Against this background, to include of the Ministry for Foreign Affairs in the annual Interagency Report would increase transparency on Swedish efforts to promote UNSCR 1325 in

Brussels, among other international forums.

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Measuring the extent of 1325-training covered as part of pre-deployment training is methodologically challenging due to several factors. The time and quality of trainings vary substantially, especially because pre-deployment trainings take place in small groups led by different instructors. The information below is based on the agencies' own reporting and interviews that Operation 1325 has conducted. The limited scope of this report does not allow an examination of de facto training hours or the quality of the trainings. While the curriculum may include a minimum of hours devoted to subjects of UNSCR 1325, in reality, the trainings may be shorter, or simply optional.⁴⁹

Table 10.1: Extent and quality of pre-deployment trainings

Government agency	Provides some degree of training on gender	UNSCR 1325 is mentioned in training	The training has interactive discussions	Percentage of those deployed who completed the trainings
The Swedish Police	Yes	Yes	Yes	96 %
The Swedish Armed Forces	Yes	Yes	Yes, to some extent	87- 95% (depending on the mission)
The Swedish Prison and Probation Service	Yes	Yes	No	100 %
The Civil Contingencies Agency	Yes	Yes	No	100 %
Folke Bernadotte Academy	Yes	Yes	Yes	56%

The table above has qualified the trainings by identifying whether or not there was interaction and/or mention of UNSCR 1325. While a lecture-based training provides no space for group interaction, a discussion-based training provides an opportunity for participants to reflect on how a gender-perspective can be integrated into their work. In addition, it allows them to discuss the challenges of implementing and translating the provisions into daily practice. Although, this is a rough distinction that may not include all qualities of the training, a discussion-based training is assumed to be a better preparation for deployment.

46 Council of the European Union, Comprehensive approach to the EU implementation of the United Nations Security Council Resolutions 1325 and 1820 on women, peace and security. Brussels: GSC/Commission, December 1, 2008 http://www.consilium.europa.eu/ueDocs/cms_Data/docs/hr/news187.pdf

47 See for example "Civil Society Recommendations on Implementation of UNSCR 1325 in Europe" European Peacebuilding Liaison Office, 2009 http://operation1325.se/images/stories/recommendations_final.pdf

48 The Interagency Report 2012, p.16

49 An interview with a Gender Field Advisor at the Armed Forces, for Women Count 2012, showed that in reality trainings were shorter than the curriculum said. Operation 1325, Women Count- Civil Society Monitoring Report 2012- Sweden's Implementation of UNSCR 1325, Stockholm 2012, p. 16.

The Armed Forces

In the basic mandatory pre-deployment training, lecture-based presentations are combined with group discussions. The focus of the trainings is how to incorporate gender perspectives relevant to the specific mission, and understanding the role of the Gender Field Advisors in the mission. The participatory exercises include discussions on trafficking and domestic violence cases, among others. Most deployed personnel took part in the trainings, reflecting that gender mainstreaming is valued in pre-deployment trainings. However, it is not clear how much time was dedicated to the discussion and explanation of UNSCR 1325. Many soldiers learn about UNSCR 1325 and related resolutions for the first time in their pre-deployment trainings. It is questionable whether the material covered provides the soldiers with enough time to gain a useful understanding of the resolutions that will allow them to put the content learned into concrete operational practice.

The Police

The Police aim to provide the International Police Officer Course to all staff sent out, as basic pre-deployment training. Both the course and the examination cover gender perspectives and women's security needs. In a course wherein 4 hours are devoted to gender, women's security needs and women's right to participation, 111 out of the 120 police officers passed. In this course, the class entitled "Women, Peace and Security" is 1.5 hours long.

In addition, 40 police officers were briefed for one hour as part of their mission-specific training on their responsibilities to implement UNSCR 1325. Twenty-one police officers had a briefing that was 4 hours in length. The material given to all police officers going on international missions included a handbook on implementing UNSCR 1325 on the ground, the Swedish NAP, and UNSCR 1325 in a pocket size brochure.

In an interview, a police officer stated that the pre-deployment training involved UNSCR 1325 on a surface level, but there was no interactive discussion about it.⁵⁰ This experience shows the need to make the pre-deployment useful for the participants, by including discussions and instructions on how to use concepts from the resolution in the field.

Other agencies

In the FBA, the pre-deployment training is in the process of revision. Only half of the personnel sent out in 2012 received training on UNSCR 1325, partly due to the restructuring of the training. After returning home, some staff members have stated that their knowledge was too limited to mainstream gender perspectives in a mission where there was little or no general understanding of UNSCR 1325. As a result, they requested a more comprehensive training with practical tools and methods.⁵¹ The FBA does, however, offer comprehensive optional courses on gender for specialists and experts, which sometimes serve as pre-deployment training for positions requiring gender expertise. Thus, for such an agency, providing a basic gender component to

the pre-deployment training for all staff deployed should be the very minimum.

The PPS pre-deployment training, which is based on guidelines from the UN Department for Peacekeeping Operations (DPKO), devotes a mere two hours to UNSCR 1325 and related resolutions out of its two-week-long programme. According to an interviewee, human rights and security, as separate issues from gender mainstreaming concepts, are discussed more at length and take up a larger proportion of the training. Representatives from the PPS do not prioritize the extension of the training to cover gender or UNSCR 1325 at the moment.

All personnel deployed by the Civil Contingencies Agency received a 30-minute briefing on gender and UNSCR 1325 related to their mission. Around 69 percent of those deployed have received an additional 4 hours of training that included discussions.

The post-deployment programmes have not been included in this study, but the interviews conducted for this report show very different approaches to the importance of post-deployment programming; ranging from a short debrief to comprehensive programs, including collecting experiences and lessons learned with regards to UNSCR 1325. The post-deployment programmes have the potential to collect success stories, to raise the capacity of the agency for future missions, and to accumulate data on gender-based harassment or discriminatory attitudes within the mission in order to pressure the mission leadership to improve. Operation 1325 recommends more systematic post-deployment trainings that include a gender perspective.

Integrating gender in peacekeeping operations

There are some positive developments with regard to promotion of and capacity building on UNSCR 1325 in addition to pre-deployment trainings. Initiatives that address the need to promote gender work are important compliments to efforts to recruit more women.

The Armed Forces' initiatives to mainstream a gender perspective into military operations have intensified during the past years through the project Genderforce, the establishment of the Gender Advisors and Gender Field Advisors, and the establishment of the Nordic Centre for Gender in Military Operations.

As part of the Nordic Defense Cooperation (NORDEFCO), the Nordic Center for Gender in Military Operations was opened in 2012 to strengthen work that integrates gender perspectives into the planning, execution and evaluation phases of military operations. The center aims to be a hub of knowledge and expertise when it comes to the application of gender perspectives in military operations. The center provides capacity building, training and education for various defense organizations.⁵²

Moreover, Gender Field Advisors have been deployed as a resource to the commanders or the heads of mission in the

50 Interview, April 26, 2013

51 The Interagency Report 2012, p.23.

52 Swedish Armed Forces, Nordic Center for Gender in Military Operations website, accessed May 27, 2013. <http://www.forsvarsmakten.se/en/swedish-armed-forces-international-centre/centre-for-gender/>.

implementation of gender perspectives into the planning, execution and evaluation of an operation. The two-week Gender Field Advisor Course is offered to military personnel before deployment as Gender Field Advisors. The course provides an overview of the operational and tactical levels for all kinds of military and/or Security Sector Reform operations.⁵³

A comprehensive evaluation of the Armed Force's efforts to implement gender perspectives in military operations was released in 2012, showing some positive results.⁵⁴ While these initiatives represent a positive development, an employee at the Armed Forces requests a more comprehensive approach to gender mainstreaming. She says that the project-based approach fails to establish and anchor a unified vision.⁵⁵

The Folke Bernadotte Academy and the Police have developed reporting systems to systematically gather information from the personnel's field experiences. The reporting system of the Police has been designed to collect success stories and experiences from their work to implement UNSCR 1325 in the field.⁵⁶ The improvement of the reporting system signals that the agencies are taking steps to build capacity to work with UNSCR 1325 in the field.

Moreover, the Police have developed new guidelines for field visits by the head quarter. According to the new guidelines, delegations are instructed to ask questions about women's and girls' security needs, and their participation in justice sector reform.⁵⁷

Efforts to promote gender sensitivity and UNSCR 1325 trainings are difficult to evaluate and assess on an annual basis; particularly, their impact on women's participation. The process of identifying the need for these types of efforts has begun in the form of a number of significant initiatives. However, interviews reveal that gender awareness is still limited to certain departments. It is far from being mainstreamed by the leaders in the respective agencies. The full implementation of UNSCR 1325 will require both efforts to recruit more women and substantial reworking of methods, attitudes and gender-roles within the agencies themselves.

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

Swedish governmental agencies do not have allocated funding for their work related to UNSCR 1325. Such efforts are meant to be mainstreamed in the agencies' regular operations. Efforts

to build capacity for gender analysis or operationalization of UNSCR 1325 take place within the regular budget frames.

Table 11.1: Index of earmarked funding for UNSCR 1325

Government Agency	Earmarked funding for UNSCR 1325?	Specified funding to CSOs?
National Police Board	No	N/A
Armed Forces	No	N/A
Swedish International Development Agency	No	No
Prison and Probation Service	No	N/A
Civil Contingencies Agency	No	N/A
Folke Bernadotte Academy	Yes	No

Sweden's development aid budget for 2011 totaled about SEK 35.2 billion. About SEK 17.5 billion of this is allocated to the Swedish International Development Cooperation Agency (SIDA). The remainder principally goes through the Swedish Ministry for Foreign Affairs. About half of the Swedish development cooperation budget is allocated to SIDA. The remainder is distributed by the Ministry for Foreign Affairs, partly through multilateral organizations.⁵⁸

Existent budgets for Swedish development cooperation do not specify allocated and disbursed funding for projects related to UNSCR 1325. In contrast, development strategies with conflict countries reiterate Swedish commitment to UNSCR 1325 as an all-encompassing priority for the development cooperation, making actual disbursed funding difficult to track.

A significant portion of the countries that SIDA cooperates with are in conflict or post-conflict situations. The promotion of gender equality is one out of three general priorities. In 2011, the budget post "Conflict, Peace and Security" received 675 million SEK, making up 4.1 percent of the budget for bilateral development cooperation. There are no earmarked funds for women, peace and security programs, but that is not to say that UNSCR 1325 is not a part of the development cooperation efforts in conflict and post-conflict regions. SIDA states that women's and girl's security is central to development cooperation in conflict and post-conflict countries.⁵⁹ In particular, with regard to aid given to African countries, UNSCR 1325 has been prioritized in the strategy document.

For 2013, the Folke Bernadotte Academy has allocated 7.9 million SEK to diverse projects with a focus on women's participation.⁶⁰ While these funds are earmarked, there is no specification with regard to how much (if anything) is to be dispersed to CSOs.

⁵³ Swedish Armed Forces, Gender Field Advisor Course website, accessed May 27, 2013 <http://www.forsvarsmakten.se/sv/Swedish-Armed-Forces-International-Centre/Courses-at-SWEDINT/Gender-Field-Advisor-Course/>

⁵⁴ Egnell, R., P. Hojem & H. Berts 2012. Implementing a Gender Perspective in Military Organisations and Operations: The Swedish Armed Forces Model. Report / Department of Peace and Conflict Research 98. 123 pp. Uppsala. ISBN 978-91-506-2319-2. Department of Peace and Conflict Research 2012.

⁵⁵ Interview with Armed Forces representative, 2013.

⁵⁶ The Interagency Report, p.16, The Police Annual Report 2012, pp.55-56, and interview with representative from the Police.

⁵⁷ The Police Annual Report 2012, pp.55-56

⁵⁸ SIDA website, accessed May 17, 2013 <http://www.sida.se/English/About-us/How-we-are-governed/>

⁵⁹ The Interagency Report 2012, p.85

⁶⁰ The Interagency Report 2012, p.25

The absence of earmarked funding, in some cases, may in fact reflect a part of a strategy to mainstream the women, peace, and security agenda. By refraining from limiting the work to specific projects, agencies may strive to incorporate the ideals of the resolution throughout their work. While such efforts certainly could be successful without an earmarked budget, experience shows that women's rights and gender equality tend to be less prioritized unless they are consistently and actively promoted. To ensure that it remains high on the agenda, earmarked funding should be considered. Furthermore, earmarked funding may guarantee longer-term commitment and can make the agenda less sensitive to changes due to personal preferences.

D. Optional Indicators

Optional Indicator B – Percentage of women's representation as peacebuilders and decision-makers in media content

There is currently no comprehensive and reliable data on women's representation as decisions makers and peace builders in media content with the exception of the Global Media Monitoring Project⁶¹ from 2010. When looking at qualitative studies through a broader understanding of gender issues in Sweden, patterns that show how women and men are portrayed differently in the media emerge.

According to the Global Monitoring Project, 81 percent of politicians in Sweden who appear in the largest media channels are men.⁶² Looking at media content as a whole, women constitute roughly one third of the subjects portrayed. This means that the share of women in media coverage of politicians is lower than in articles covering other subjects. As pointed out in the report, this is particularly noteworthy because men and women are nearly equally represented in government and parliament (see Indicator 1). Had women been underrepresented in the political sphere, this data would have made sense. The numbers show that even as women are elected to parliament, they do not have the same opportunities to make their voices heard in media. The result in the 2010 report is fairly similar to the one conducted in 2005, although one should be aware of the small sample size.

However, a doctoral thesis from 2013 looking at media coverage of political scandals in Sweden between 1997 and 2010 revealed an interesting exception. While political scandals featuring men are being put on the agenda to a larger extent, the political scandals featuring women tend to stay on the agenda for longer periods of time. Typical scandals featuring a male politician render 35 published articles, while the scandals featuring female politicians render almost twice as many articles - 68 on average. Looking at the biggest scandals between 1997 and 2010, 73

percent included a woman as the central character.⁶³

According to the Global Media Monitoring Project report, 80 percent of experts portrayed in media in Sweden are men. To get a better picture of the extent that women are portrayed in media content in the context of peace and security, Operation 1325 conducted a small case study examining online media content that was published following the news of a Russian military exercise taking place close to Swedish borders in April 2013.⁶⁴

This incident was covered extensively and 76 percent of the individuals featured in articles covering it were men. In addition, among the politicians that made statements, 68 percent were men. The share of men when it came to experts, debaters and columnists was as high as 88 percent. A number of factors could help explain why there were so few female experts, e.g. the fact that the security and defense sector is still male dominated (see Indicators 1 and 3). Nevertheless, the case study does not reveal to what extent the media outlets studied reached out to female vs. male experts and there is no available data on the percentage of experts on issues related to peace and security who are women.

To conclude, women as experts on peace and security are underrepresented in the media. This means less visibility for women as professionals in the field that could act as role models for other women. Women's underrepresentation in the media also serves to maintain stereotypical attitudes that peace and security is a male domain. The lack of media coverage is a threat to the proper representation of women as experts in the field of peace and security.

III. Conclusion and recommendations

Conclusion

Sweden has come a long way with regards to women's equal participation in political decision making, although the fields of defense and security policy stand out as an exception where women are still underrepresented as decision-makers.

In the security sector, minor reforms on recruitment processes have led to a gradual increase in women's participation in the national police force and military. However, there is an urgent need to

63 Bromander, Tomas, "Politiska skandaler: Behandlas kvinnor och män olika i masmedia?" 2012, Växjö Universitet, p.129

64 On April 22 the Swedish newspaper, Svenska Dagbladet, revealed that Russian military planes simulated an attack on Swedish targets during an exercise close to the Swedish borders. As a consequence, national security and defense policy was high on the news agenda and it was covered by media to an extent not often seen in Sweden. In order to analyze the gender balance among experts and analysts appearing in this media coverage we examined the same online news sites used in 'Who Makes the News', (Aftonbladet.se, Expressen.se, DN.se, SVD.se, D1.se, GP.se, and Sydsvenskan.se) during the period April 22 to 27, 2013. We counted the number of women and men appearing in the articles and categorized their appearance in four sub-categories depending on the nature of their role in the article. If they were allowed to make a statement and/or express an opinion we divided their appearance depending on whether they did it as an 1) expert, debater and/or columnist, 2) an official authority, or 3) as a politician. Finally we counted people who were 4) mentioned without making any comments or statements of their own about the military exercise.

61 The Global Media Monitoring Project is the largest and longest longitudinal study on gender representations in the world's media. The report "Who Makes the News?" has been published in turn in 1995, 2000, 2005, and 2010. The latest report monitored 1281 newspapers, television and radio stations in 108 countries on one day: November 10, 2009. In Sweden, the monitoring was conducted by Allt är möjligt, a local media watch group. The data collected was eventually used in the global report, "Who Makes the News?", as well as in the Swedish report "Räkna med kvinnor", focusing only on the Swedish context. Both were published in 2010. <http://whomakesthenews.org/>, <http://www.alltarmojligt.com/>

62 "Räkna med kvinnor", p.12

increase the recruitment base for international mission staff. This has been stated in the Government's letter of appropriation to the Armed Forces, but this report shows that there is a lack of systematic efforts to improve recruitment efforts, in the Armed Forces as well as in the other agencies. The motivations and obstacles for women's participation in peacekeeping missions, both as military and civilian staff, must be identified in order for the agencies to take systematic measures to increase the level of female employees.

At the same time, a number of important measures are taken to build capacity on gender awareness in the security sector, for example through the appointment of gender field advisors, the establishment of the Nordic Center for Gender in Military Operations, and incorporation of UNSCR 1325 in pre-deployment trainings. These are important steps to break down masculinity norms within the security sector and to truly operationalize the call of UNSCR 1325 in the everyday work of international missions. Nevertheless, Sweden still has a long way to go to dismantle negative stereotypes against women, not least within the agencies themselves. Gender and UNSCR 1325 coordinators within the agencies need more resources and high-level support for their important work.

Furthermore, there is no active task force on UNSCR 1325 involving civil society. The Swedish National Action Plan was extended without revision or consultation with civil society in 2012. Civil society organizations have expressed their dissatisfaction with the lack of consultation. As a result of the lack of inclusivity, the current NAP has severe shortcomings, which is confirmed by representatives from the agencies that are mandated to work according to the NAP. The NAP could potentially be a guiding document to speed up implementation of UNSCR 1325. Instead, it is deemed irrelevant to the agencies' everyday work. Thus, the NAP needs to be revised in a process that includes civil society with clear objectives for government agencies, timeframes, a system for evaluation, and allocated funding to achieve the objectives.

Starting from 2012, the agencies report their work in an official Interagency Report to measure progress in the agencies' work. The Interagency Report is welcomed as an important motivation to speed up implementation and document lessons learned. However, the indicators for measuring progress are flawed and do not measure the success of activities listed in the NAP, hence they should be revised in cooperation with civil society. Moreover, all relevant agencies should report on their work, including the relevant ministries (e.g. the Ministry of Foreign Affairs). There is currently no reporting on Swedish diplomatic efforts to push for the women, peace and security agenda. This limits transparency in an area that Swedish officials claim is a priority.

All relevant agencies strive to include a gender perspective in pre-deployment training for international missions. The extent and quality of such trainings, however, remains difficult to assess. There is a tendency in reporting to lump together non-1325 relevant preparations with relevant training on how to take into consideration gender awareness as an integral part of

operational effectiveness. There is a need to continue to evaluate and improve trainings to make them relevant to mission staff on the ground. Moreover, post-deployment trainings appear to be underexplored as a means to collect experiences and best practice.

There is almost no allocated funding (with the exception of the FBA) for agencies' work related to UNSCR 1325. Efforts to build capacity for gender analysis or operationalization of UNSCR 1325 are meant to take place within the regular budget frames. While such efforts certainly could be successful without an earmarked budget, experience shows that women's rights and gender equality tend to be less prioritized unless they are consistently and actively promoted. To ensure that these priorities remain high on the agenda, earmarked funding should be considered.

As Swedish contribution to gender equality is a priority in Swedish development cooperation, it is troublesome that disbursed funding to projects related to women, peace and security by SIDA cannot be tracked.

Recommendations

To the Government

- ▶ Revise the Swedish NAP in a transparent process that includes civil society and outlines clear objectives and activities for government agencies, timeframes, a system for evaluation, and allocated funding to achieve the objectives.
- ▶ Require all relevant agencies, including ministries, to annually report their efforts to implement UNSCR 1325 and set up a civil society-government task force to review the indicators and the reporting mechanisms.
- ▶ Appoint an ambassador for UNSCR 1325 within the Ministry for Foreign Affairs, responsible for coordinating the implementation of the Swedish NAP.
- ▶ Stipulate within the NAP that Sweden encourages and supports other UN and EU member states in developing national action plans for UNSCR 1325.
- ▶ Consider including clearer instructions in the annual letters of appropriation to the agencies on how to implement UNSCR 1325 and allocate and stipulate sufficient funding to all relevant government agencies for their 1325 work.
- ▶ Include in the letter of appropriation to the Folke Bernadotte Academy a specified amount designated to the funding of civil society organizations that work on UNSCR 1325.
- ▶ The Diplomacy and Development Cooperation should demand representation of women in all peace negotiations and peace processes that it supports and utilize Sweden's role as a donor and partner for development cooperation to push for women's participation. Swedish dedication to increase women's participation in peace processes and transitional justice mechanisms should be mirrored in the strategies for development cooperation with countries in conflict and post conflict.

- The Diplomacy and Development Cooperation should lead by example and ensure women's equal representation at all levels of Swedish diplomatic and peacekeeping missions. The Government should also, especially through the EU, promote the elaboration of an international Gender Code of Conduct in the international community, which demands the presence and input from women at international meetings and conferences.

To Governmental Agencies

- All relevant agencies should intensify efforts to recruit and train women for international peacekeeping missions, so that women are equally represented at all levels, including at the senior and management level.
- The Swedish Armed Forces and the Swedish Police should develop a strategy with operational guidelines for how to mainstream existing knowledge about gender and UNSCR 1325 in the agencies' work, including in police and military trainings.
- The Ministry for Foreign Affairs should adopt a strategy for how to actively raise the importance of UNSCR 1325 in conflict and post conflict countries, through all its diplomatic relations, including within the UN and the EU.

To the UN

- Consider appointing a special representative for the implementation of UNSCR 1325, ensuring that the need for women's participation in peace and security is emphasized alongside the important work of the UN special representative on sexual violence in conflict.

Table Footnotes:

- i Swedish Defense Commission, accessed June 11, 2013, <http://www.regeringen.se/sb/d/495/a/203076>
- ii This portion of the table shows the total number of men and women in the decision-making body, not only the Swedish delegates. The Nordic Council is the exception, showing the Swedish delegation.
- iii "Women in National Parliaments, World Classification," Inter-Parliamentary Union, published Apr. 1, 2013, accessed May 1, 2013, <http://www.ipu.org/wmn-e/classif.htm>.
- iv This table is based on respective Annual Reports from each agency and does not list data from the DPKO because agencies, such as the FBA, do not report their information to the UN.
- v no disaggregated data available
- vi no disaggregated data available

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The Kvinna till Kvinna Foundation, April 24, 2013

The Folke Bernadotte Academy (FBA), March 26, 2013

Swedish International Development Cooperation Agency (SIDA), March 20, 2013.

Latin America

The Republic of Colombia

Authors(s): Coalición 1325. Coalición 1325 is made up of the following organizations: Red Nacional de Mujeres (RNM); Corporación de Investigación y Acción Social y Económica (CIASE); Alianza Iniciativa Colombiana de Mujeres por la Paz (IMP); Liga Internacional de Mujeres por la Paz y la Libertad (LIMPAL); Dejusticia; Liga de Mujeres Desplazadas; Observatorio de Género, Democracia y Derechos Humanos (OGDDH); Conferencia Nacional de Organizaciones Afrocolombianas (CNOA); Afrolider; and Red de Mujeres Indígenas Piemsikupanayaf.

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List of acronyms

ACPEM	High Presidential Council on Women Equality (Alta Consejería Presidencial para la Equidad de la Mujer)
ACR	Colombian Agency for Reintegration (Agencia Colombiana para la Reintegración)
AUC	United Self-Defenders of Colombia (Autodefensas Unidas de Colombia)
CNRR	National Commission on Reparation and Reconciliation (Comisión Nacional de Reparación y Reconciliación)
CONPES	The National Council on Economic and Social Politics (Consejo Nacional de Política Económica y Social)
CSJ/SA	Superior Council of Judiciary, Administrative Chamber (Consejo Superior de la Judicatura, Sala Administrativa)
DDR	Disarmament, Demobilization and Reintegration
DPS	Department of Social Prosperity (Departamento para la Prosperidad Social)
ELN	National Liberation Army (Ejército de Liberación Nacional)
EPL	Popular Liberation Army (Ejército Popular de Liberación)
FARC-EP	Revolutionary Armed Forces of Colombia – Army of the People (Fuerzas Armadas Revolucionarias de Colombia - Ejército del Pueblo)
M-19	19th of April Movement
MAPP-OEA Colombia)	Peace process support mission (Misión de Apoyo al Proceso de Paz en Colombia)
NODEFIC	Norwegian Defense College International Center
ONIC	National Indigenous Organization of Colombia (Organización Nacional Indígena de Colombia)
PRSE	National Policy on Social and Economic Reintegration
RUV	Victims' Record (Registro Único de Víctimas)
SIERJU	Statistical Information System of the Judicial Branch
UC-ELN	National Liberation Army–Camilist Union (Unión Camilista-Ejército de Liberación Nacional)

I. Women, peace and security profile

A. Nature of the conflict

Colombia has been a country in conflict for over 50 years. During this period, the country's military forces have been fighting a number of guerilla groups, primarily the *Fuerzas Armadas Revolucionarias de Colombia* (Revolutionary Armed Forces of Colombia, FARC), and the *Ejército de Liberación Nacional* (National Liberation Army, ELN).¹ Paramilitary groups, organized as the *Autodefensas Unidas de Colombia* (United Self-Defenders of Colombia, AUC), became key actors in the conflict and have been competing with guerrilla groups over territorial control since the 1980s.²

Although paramilitary groups were part of the demobilization process that followed the 2005 Justice and Peace Law (Law 975), several paramilitary groups continued to operate under different names as recently as 2012.³ New groups made up of previously demobilized paramilitaries have also surfaced; they are known as "Post-Demobilization Groups," as well as *Bacrim* or criminal gangs.⁴ These groups continue to affect the civilian population through threats, homicides, kidnappings, and sexual violence.

After a number of failed peace negotiations, in September 2012, the Government of Colombia and FARC reached an initial agreement, with the objective to permanently demobilize FARC.⁵ The agreement came as a result of an exploratory phase of peace negotiation, which led to the second phase of peace negotiation that is currently unfolding in Havana, Cuba. This event was an important step toward the end of the conflict and the construction of peace.

The ongoing peace process has also been characterized by strong social mobilization as well as the emergence of new social movements led by indigenous groups, peasants, and workers, many of whom are based in the regions. This is significant because it shows the emergence of new social actors that have the capacities to address the current social conflicts that have been

exacerbated by decades of war. Furthermore, it shows that civil society actors are able to play an important role as peacebuilders during the transition period and, presumably, during the ensuing post-conflict context.

B. Impact of conflict on women

Even though the civilian population as a whole has felt the impact of the violence perpetrated by the various armed groups in Colombia, women and rural, indigenous, and Afro-Colombian communities have been more severely affected.⁶ The armed conflict has had a disproportionate and differential impact on women, as women in conflict are subjected to particular kinds of violence. Furthermore, women's demands of the enforcement and fulfillment of their rights in accordance to national laws and policies have made them the targets of additional threats and violations.

According to the *Unidad Administrativa Especial para la Atención y Reparación Integral a las Víctimas* (Special Administrative Unit for the Care and Reparation for Victims, UNARIV), as of August of 2012, there have been 123,066 cases of forced disappearances documented, of which 46.8 percent were women. Of the 846,853 cases of conflict-related homicides, 47 percent of the victims were women. Of the 1,497 indigenous persons who were assassinated, 76 percent were women; of the 3,445 Afro-Colombians who were assassinated, 65.6 percent were women; and of the 4,662,600 internally displaced peoples, 51 percent were women. If the number of women and children are added, they make up approximately 70 percent of the total displaced population.

The armed conflict has led to the following:

- i) women's economic insecurity, including lack of gainful employment and increasing poverty, exacerbated by societal expectations that women must care and provide for their families;
- ii) lack of opportunities (lack of access to economic, social, and cultural rights) for young women and men, which increases the risk of gang activity, drug consumption and prostitution;
- iii) women's increased vulnerability to violence both in the public and private spheres as a result of displacement; and
- iv) women's abandonment of leadership roles due to threats against women who assume key positions and serve as representatives of social movements and political initiatives. This situation considerably limits women's empowerment and political participation.

Indigenous and Afro-Colombian women are even more

1 The Revolutionary Armed Forces of Colombia – Army of the People (FARC-EP) is an armed group with Marxist-Leninist ideology and Maoist influences in its military strategy. This group has participated in three peace processes since the 1980s. The ELN, or the National Liberation Army – Camilist Union (UC-ELN) is a military organization with Marxist – Leninist orientation. The organization was born in 1964, following two armed attacks. This guerilla group has had ties to the peace processes, covert or public, with the last four national governments of Ernesto Samper, Andrés Pastrana, Álvaro Uribe and Juan Manuel Santos. In addition to these groups, other guerilla groups have intervened in the Colombian conflict, such as the Popular Liberation Army (EPL), and the 19th of April Movement (M-19) that demobilized at the end of the 1980s and beginning of the 1990s.

2 Documented and recognized by international petitions for human rights protection, these groups acted with the acquiescence of the State. In this respect, see: the Interamerican Commission on Human Rights Report on the demobilization process in Colombia. December 13, 2004. <http://www.cidh.org/countryrep/colombia04sp/informe3.htm>

3 Annual Report by the High Commission of the United Nations on Human Rights. Addendum. Report by the High Commission for Human Rights on the human rights situation in Colombia, January 2013, A/HRC/22/17/Add.3. Accessible on: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-17-Add3_English.pdf

4 The criminal gangs, although located throughout many regions of Colombia, are associated with drug trafficking, and exercise control of micro trafficking in the urban areas of Colombian cities.

5 The agreed upon themes of the discussion were: agrarian reforms, political participation, termination of the armed conflict, illicit drugs, and the rights of victims. The agreement included an additional point on the mechanisms of application, verification, and solution to controversies.

6 Alta Consejería Nacional para la Equidad de las Mujeres: Lineamientos de la Política Pública Nacional de Equidad de Género para las Mujeres, (High Presidential Council on Women Equality: Guidelines of the National Policy for Gender Equality for Women), September 2012.

In her report after her visit to Colombia in May 2012, the United Nations Special Representative of the Secretary General on Sexual Violence in Conflict, Ms. Margot Wallström, emphasized the necessity for the Ministry of Defense to revise its zero tolerance policy on sexual violence.

vulnerable to conflict-related violence, such as sexual and gender-based violence, domestic violence, and homicide. Even though the differential impact of conflict on minority ethnic groups such as Afro-Colombians and indigenous women is taken into account in recent policies on reparation and restitution for victims (such as the 2012 National Council on Economic and Social Politics (CONPES) for victims), the existing policy and institutional frameworks are still lacking to properly address the situation. This is due to a lack of coordination among lead implementing agencies, as well as limited capacity and effort duplication, among other factors.⁷

Even though women suffer disproportionately as a result of the armed conflict, they are also agents of peace. Despite the threats directed at women's and victims' organizations, women persevere in the defense of their rights. They continue to develop and implement community actions for reparation and reconciliation, and lead initiatives throughout the territories.

In 2012, threats against women leaders continued. Specifically targeted women included: women who work in communities for displaced persons; women who represent survivors of sexual violence related to the conflict; and women who demand the return of their land. The United Nations High Commission on Human Rights report on Colombia, released in January 2013, reveals that there continues to be reports of new cases of sexual violence committed by members of the army. The report cites the case of a young *emberachami*⁸ girl in Bogota who was a victim of sexual abuses committed by four members of the army as well as the case of a woman repeatedly raped by members of the army in Chaparral, Tolima.⁹ In her report after her visit to Colombia in May 2012, the United Nations Special Representative of the Secretary General on Sexual Violence in Conflict, Ms. Margot Wallström, emphasized the necessity for the Ministry of Defense to revise its zero tolerance policy on sexual violence.¹⁰

7 General Accounting Office of the Republic, Legal Council of the Town, Attorney General's Office. First tracking and monitoring report of the implementation of the decrees of the law of victims, indigenous, afro-colombians, palenqueras and room communities, Bogotá 2013.

8 Emberachami is an indigenous community.

9 Annual Report by the High Commission of the United Nations on Human Rights. Addendum. Report by the High Commission for Human Rights on the human rights situation in Colombia, January 2013, A/HRC/22/17/Add.3. http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session22/A-HRC-22-17-Add3_English.pdf

10 Ibid.

Even though Colombia has adopted laws to support victims, such as the Victims and Land Restitution law (Law 1448) that came into force in 2012,¹¹ their implementation has been difficult due to institutional weakness, the continuation of conflict, and the presence of armed actors in the regions.¹² It is clear that although normative legal and political advances have been developed in Colombia to guarantee victims' rights, women continue to be denied of their rights.

C. Relevant legal and policy framework

In 2012, a number of laws and policies were adopted that could potentially have a significant effect on women, peace and security in Colombia. However, important obstacles persist that limit the impact of these laws and policies on the lives of women, such as the lack of the necessary political will for implementation.

1. In 2012, Congress passed Law 1542, promoted by the *Bancada de Mujeres* (women legislators), which modified the classification of the crime of *violencia interfamiliar* or domestic violence. Although this is not directly related to women, peace and security, recognizing violence against women as a public interest issue promotes a favorable environment for upholding, defending and protecting women's rights in times of war and peace.
2. As a result of the lobbying and activities of the women's movement, the national government promised—in the *"National Action Plan – Prosperity for All"*—to adopt a national public policy on gender equality. This policy will guarantee integral and interdependent human rights to women as well as gender equality, addressing the particularities of urban populations, the rural Afro-Colombians, indigenous groups, farmers, and *room* (gypsy communities). On September 12, 2012 president Santos presented the National Public Policy for Women's Equality. It must be highlighted that the government and the women's movement were in dialogue during the formulation of the policy, particularly on the topic of protection against threats and human rights violations.
3. In relation to Law 1257 of 2008, on ending violence against women, four legislative decrees were issued in 2012 for the justice, health, education, and labor sector, in order to enhance the implementation of its general provisions by clearly defining accountability, procedures and implementation mechanisms.
4. On July 25, 2012, a draft law was presented in Congress *"to guarantee access to justice for victims of sexual violence, especially sexual violence during armed conflict."* This proposed law seeks to incorporate international standardized norms on sexual violence related to conflict as war crimes and/or crimes against humanity. Another

11 Law 1448 of 2011 "which dictated methods of attention, assistance, and integral reparation to the victims of the internal armed conflict and other dictated dispositions."

12 Programa Somos Defensores: el efecto placebo (Program We are defenders, the Placebo Effect), 2012 annual report, Information system on attacks on women and men human rights defenders in Colombia, Bogotá 2013.

proposed law was presented by Congress, which seeks to classify femicide as an autonomous crime. This proposed law is known as “*Rosa Elvira Cely*” (No. 49 in 2012), named after a woman who was raped, tortured and assassinated in Bogota on May 24, 2012.

II. Data presentation and analysis

Information on the situation of women, particularly violence against women, is difficult to access. Information on the legal process by which such cases are tried is even more difficult to obtain. In many cases, the information is not disaggregated by sex, and is not reliable due to relative difficulties of coverage and accessibility as well as limitations in monitoring variables and trends over time. In Colombia, a central database that uses standardized data collection methods on violence against women does not exist. The contradicting data presented by different State entities is symptomatic of the low level of coordination between the diverse entities that are responsible for addressing the issue of violence against women. The persistence of the internal armed conflict further limits the collection and dissemination of information throughout the country.

It should also be highlighted that there are serious gaps and shortcomings in the way in which male and female officers and civil servants report and share information. Often times, the information provided is not the information requested or it is not complete, which made the collection of data for the indicators below particularly challenging. This obstacle in data gathering shows that the state does not fulfill its obligation to guarantee the right to information for its citizens.

A. Participation

Indicator 1 – Index of women’s participation in governance

Colombia has had a quota law (Law 581) since 2000,¹³ which requires 30 percent women representation in public administration. As of June 2013, this quota has been met only in ministerial positions and in the Presidential High Counsels (bodies in charge of formulating public policies).

There are no women Superintendents, and only 14 percent of Administrative Departments consist of women representatives. Women’s low participation shows that Law 581 is still not consistently implemented. This is largely due to a lack of political will.

To address the consistently low representation of women in high-level positions, in 2012, the civil society organizations Red Nacional de Mujeres, Sisma, and Dejusticia presented various demands to the State Council, meant to be carried out by the National Government.¹⁴

13 This law is intended to regulate the adequate and effective participation of women in decision-making levels of the different branches and organs of government, in conformity with articles 13, 40, and 43 of the National Constitution.

14 See Press Communications from April 23, 2013 published by Sisma Mujer, De Justicia and the Red Nacional de Mujeres.

The low level of women’s participation at local levels is due to the endurance of a patriarchal culture and the lack of recognition of women’s ability to make decisions.

Table 1.1: Index of women’s participation in national governanceⁱ

	Number of women	Number of men	Percentage of women
Ministries	5	11	31 %
Superintendents	0	9	0 %
Administrative Departments	1	6	14 %
High Councils	5	7	42 %

With respect to elected positions, women’s participation continues to be very low. For example, in Congress, which is composed of 102 senators and 168 representatives, women do not exceed 16 percent. As a result, women continue to be largely underrepresented in Congress.

Table 1.2: Women’s participation in congress, 2002-2014ⁱⁱ

Congressional Term	Number of women	Percentage of women
2002-2006	34	12.69 %
2006-2010	28	10.45 %
2010-2014	38	14.18 %

According to the women’s organization Sisma Mujer’s analysis of the data from the National Registrar’s Office, women’s participation in Congress decreased slightly between 2002 and 2010 from 12.69 to 10.45 percent. In the 2010-2014 congressional term, the percentage of women increased to 14.18 percent.¹⁵ One of the possible reasons for this increase is the fact that a number of congressmen were found to have connections with paramilitary groups and were ousted from Congress and jailed. As a result, women who had the second highest number of votes took over the congressional positions.¹⁶

At the local level, women’s participation is equally precarious. Relatively speaking, women’s participation in the popular elections of governors and mayors continues to be very small. In the most recent local elections, women only won 9.7 and 9.4 percent of mayoral and governor races respectively. The low level of women’s participation at local levels is due to the endurance of a patriarchal culture and the lack of recognition of women’s ability to make decisions.

15 Corporación Sisma Mujer, Red Nacional de Mujeres, Towards a real road to equality, Fourth Report of the human rights of women, 2010, 2012, Bogotá, 2013.

16 In recent years, the Supreme Court in Colombia has investigated and sanctioned a high number of congressmen for their involvement with illegal armed groups in the country.

Table 1.3: Women's participation in local governanceⁱⁱⁱ

		Women	Men	Percentage
Executive	Mayors	107	993	9.7%
	Governors	3	29	9.4%
Legislative	Departmental Assemblies	1,875	9,162	17%

In 2011, Law 1475 on political parties was adopted.¹⁷ This law contained affirmative action measures to force parties and political movements to include women in their electoral lists or, for those subject to inquiry, to conform through a 30 percent minimum of either gender. In addition to laws, it is necessary for political parties to gain a better understanding of the importance for women's political participation within their parties.

Although no national public elections have taken place since the adoption of Law 1475, the most recent local elections in October 2011 did. The results from these local elections did not show any significant impact of the law on the number of women elected. The hope is that, prior to the upcoming local elections, strong awareness-raising of political parties and of society at large will take place, thus resulting in an increase of women's representation in local governance.

Although women's participation in governance has yet to reach the 30 percent minimum across all positions in the national and local government, there has been slight to moderate progress in women's participation in decision-making positions.

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

During this reporting period, it is premature to assess the ongoing peace talks between the Colombian government and the FARC, given that it only started in October 2012. Initially, the peace talks agenda and procedures of the negotiations were all confidential. In the words of the spokespersons for both parties, one of the basic rule rules of the game is that: "nothing is agreed upon until everything is agreed upon."¹⁸

Table 2.1: Women's participation in peace negotiation between the Colombian government and the FARC (as of October 2013)

	Number of Men	Number of Women
Government	8	2
	(5 chief negotiators, 3 alternates)	(0 chief negotiator, 2 alternates)
FARC	10	0
	(5 chief negotiators, 5 alternates)	(0 chief negotiators, 0 alternates)

¹⁷ With this law, regulations have been adopted for the organization and functioning of political parties and movements, in the electoral processes and in other dispositions.

¹⁸ First joint report on the negotiation table between the government of the Republic of Colombia and the Revolutionary Armed Forces of Colombia—the People's Army, FARC-EP, June 21, 2013, accessible on <https://www.mesadeconversaciones.com.co/comunicados/primer-informe-conjunto-de-la-mesa-de-conversaciones-entre-el-gobierno-de-la-rep%C3%BAblica>

Similar to peace negotiations in other countries, women are not the principal negotiators in the peace talks between the Colombian government and the FARC. In the Colombian government's team, there are five chief negotiators,¹⁹ and five are alternate negotiators, two of which are women: Lucía Jaramillo and Elena Ambrosi.²⁰ On the side of FARC, the five principal negotiators and the five alternate negotiators are all men. Two women, Tanja Nijmeijeralto and Shirley Méndez, serve as media liaison officers of the FARC.

The lack of a gender perspective and the absence of issues faced by marginalized groups such as indigenous and Afro-descendant communities are evident in the peace talks. Because of this, one of the first agenda items in the discussions in Havana was to create spaces for consultation with civil society in order to amplify the voices of the marginalized and under-represented groups on specific topics such as agrarian reform, political participation, and drug trafficking.²¹ The Colombian congress also promoted regional consultations with civil society. So far, 18 Regional Peace Consultations have been held: 9 in 2012, and 9 in 2013. Women from civil society from all social sectors participate in these forums and consultations.

While this report was being written, President Santos announced that exploratory discussions with the ELN are also taking place.

Indicator 3 – Index of women's participation in the justice sector, security sector, and peacekeeping missions

The Justice Sector

The data presented below is on women's participation in the High Courts. Data on women's participation in tribunals and women judges are not included, due to the lack of gender-disaggregated information available in official databases.

From its creation in 1991 to 2012, the Constitutional Court has not had more than one woman magistrate. There is a slight improvement in women's representation in the Supreme Court since 2001, as the number of women magistrates increased from 3 in 2011 to 4 in 2012. The number of women in the State Board and the Superior Judiciary Council remains the same as in 2011: 9 and 2, respectively. These figures show a stable and unsatisfactory tendency, as the percentage of women does not go above 22 percent in the High Courts.

¹⁹ Table 2.1 and the analysis provided in the narrative reflect the situation in October 2013. As of November 29, 2013, two female chief negotiators have been nominated to join the Government's team of negotiators: <http://www.un.org/apps/news/story.asp?www.sealtheDeal2009.org/petition/realfile/story.asp?NewsID=46628&Cr=Colombia&Cr1=#.Upz4fmSxNyc>

²⁰ Elena Ambrosi is the Coordinator of the thematic group from the Office of the High Commissioner for Peace. According to information by the Peace Commission in August, of 47 people that work for the negotiation process for the government, 28 are women, representing 60 percent. It is important to recognize that this is progress in relation to other negotiation processes, however there continue to be issues with women on the frontlines. This also signals the conformation of four commissions: thematic, communications, judicial, and Public Force link. Of these, three are directed by women. In addition, 6 support groups were created, of which 4 were directed by women. In agreement with the same official information, of the 30 people reported as consultants of FARC, 12 are women.

²¹ The first forum on the theme of agrarian reform took place in December of 2012. 1,314 people participated from different regional and national organizations. 1,600 people and 139 women's organizations participated in the political participation forum. See [mesadeconversaciones.com.co](https://www.mesadeconversaciones.com.co).

Table 3.1: Index of women's participation in the justice sector

Year	2011			2012		
	Number of Women	Number of Men	Percentage of Women	Number of Women	Number of Men	Percentage of Women
Constitutional Court	1	8	11%	1	8	11%
Supreme Court Justice	3	20	13%	4	17	19%
Council of State	9	20	31%	9	22	29%
Superior Council of the Judiciary	2	11	15%	2	11	15%
Total	15	59	20%	16	58	22%

Source: www.ramajudicial.gov.co

Information on the General Attorney's Office is included below, taking into consideration its role in criminal investigation and its fundamental influence regarding the existing impunity for crimes that affect women in particular. Women's participation in high-level posts in the General Attorney's Office remains low, following the same trend as other branches of the judiciary and other government positions.

Women generally make up 42 percent of those working in the General Attorney's Office. However, when looking at data disaggregated by post, it is possible to detect that the greatest number of women is found in the lowest ranks. The number of women decreases at the highest levels, with the exception of the Assistant Attorneys before the Supreme Court. The index of women's participation in high positions continues to be unsatisfactory, as can be seen in Table 3.2.²²

Table 3.2: Number of women in the Attorney General's Office, by position from highest to lowest rank

Office	Number of Women	Number of Men	Percent of Women
National Attorney General's Office	0	1	0%
National Vice Attorney General's Office	0	1	0%
Attorney General	1	0	100%
District Attorneys before the Supreme Court Justice	4	7	36%
Assistant District Attorneys before the Supreme Court	6	5	55%
District Attorneys before the District Tribunal	44	97	31%
District Attorneys before the District Tribunal (Justice and Peace)	17	22	44%
Sectional <i>Direcciones</i> of the District Attorney's Office	7	12	37%

22 The information in this table is presented by hierarchial levels, from highest to lowest.

District Attorneys before specialized judges	272	337	45%
District Attorneys before specialized judges (Justice and Peace)	18	14	56%
District Attorneys before circuit judges	787	776	51%
District Attorneys before circuit judges (Justice and Peace)	43	47	48%
District Attorneys before municipal and general trial court judges	909	588	61%
Total in the country	2,108	1,909	52%

Source: District Attorney's Office, in response to the Right to Petition presented by Coalition 1325.

Security Sector

Table 3.3: Index of women's participation in the military forces

Military Forces	Number of men	Number of women	Percentage of women
Army	216,234	1,483	0.68%
Navy	31,436	689	2.14%
Air Force	10,901	850	7.23%
Total in the military forces^{iv}	258,751	3,022	1.15%

Source: Data from the National Ministry of Defense 2012, in response to the Right to Petition presented by the Red Nacional de Mujeres in June of 2012, updated July 31, 2012.

The low percentage of women's participation in the armed forces accounts for a public force that continues to be predominantly masculine. This is due to the endurance of a patriarchal culture and the prevalent perception that the armed forces should be a male domain.

Peacekeeping Missions

Colombia's only participation in peacekeeping missions took place in Haiti, from 2011-2012. As seen in the table below, in 2011, only 12 percent of those who participated in the United Nations Stabilization Mission in Haiti (MINUSTAH) were women. In 2012, this percentage decreased slightly to 9.5 percent. This shows that participation of women in MINUSTAH was very low.

Table 3.4: Index of women who participated in the United Nations Stabilization Mission in Haiti (MINUSTAH)^a

Year	2011			2012		
	Number of women	Number of men	Percentage of women	Number of women	Number of men	Percentage of women
Participants	3	22	12%	2	19	9.5%

We consider it necessary to rigorously evaluate the role of peacekeeping missions, especially the role that women play as part of these missions, when considering the reported acts of sexual violence committed by male peacekeepers in Haitian refugee camps. Although evaluations of MINUSTAH missions are unfortunately not yet available, we recommend that both the troop contributing country and the troop receiving country address the high risk of sexual violence and develop preventative measures.

Indicator 4 – Number and percentage of women participating in each type of constitutional or legislative review (including security sector review)

In Colombia, there are two principal bodies that undertake constitutional or legislative reviews: the Constitutional Court, which performs the revision of the constitutionality of laws; and the State Council, which makes revisions regarding the legality of the decrees and other norms of the inferior hierarchy. As seen under Indicator 1, there is currently only one woman in the Constitutional Court, magistrate María Victoria Calle, who was the speaker in 22 constitutionality studies and in 114 custody revisions in 2012. Like in 2011, women make up 29 percent of the State Council in 2012. These percentages indicate that women in Colombia have little participation in constitutional and legislative reviews.

Table 4.1: Number and percentage of women who participate in constitutional and legal revisions^a

	Number of women	Number of men	Percentage of women
Constitutional Court Review	1	8	11 %
State Council Review	9	22	29 %

Indicator 5 – CSOs in task force/committees on UNSCRs 1325 and 1820 (out of total task force members)

Since Colombia does not have a National Action Plan for the implementation of Resolution 1325, there is no official task force on UNSCR 1325 and 1820.

However, nationally, there are two coalitions made up of women's and human rights' organizations whose main objective is to monitor the implementation of Resolution 1325: Coalición 1325 and the program Fokus 1325 in Colombia.

Coalición 1325 is composed of civil society organizations that have either national or regional presence. Since 2011, Coalición 1325 has been working on annual monitoring reports of the implementation of UNSCR 1325. Each year, the monitoring report's findings and recommendations are used by civil society organizations (CSOs) to conduct advocacy at national and international levels, towards the full implementation of Resolution 1325 and the promotion and protection of women's rights.²³ The coalition also works at the regional level with local organizations that are part of the different networks that make up Coalición 1325. These local organizations are important allies in UNSCR 1325 advocacy and implementation.

The program Fokus 1325²⁴ in Colombia was created “...with the objective to support local and national organizations that work from the perspective of women, peace and security, in order to reinforce and increase the use of Resolution 1325 and the subsequent UN resolutions as tools to bring attention to the effects of the Colombian armed conflict on the lives of women.”²⁵

B. Prevention and protection

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted, and penalized

Sexual violence in Colombia is a widespread phenomenon that is rendered invisible as much by the prevailing attitudes as by the inadequate reporting mechanisms of the official information systems. Despite the limitations in data collection for this indicator, the available data shows that sexual violence is rampant and that impunity for sexual and gender-based violence persists.

Since the second half of 2013, the National Institute of Legal Medicine (INML) has been extremely delayed in making public statistical information on legal and forensic medical examinations. Even 2012 reports have not yet been presented. Data made

²³ Coalición 1325 is made up of the following organizations: Red Nacional de Mujeres (RNM); Corporación de Investigación y Acción Social y Económica (CIASE); Alianza Inicialista Colombiana de Mujeres por la Paz (IMP); Liga Internacional de Mujeres por la Paz y la Libertad (LIMPAL); Dejusticia; Liga de Mujeres Desplazadas; Observatorio de Género, Democracia y Derechos Humanos (OGDDH); Conferencia Nacional de Organizaciones Afrocolombianas (CNOA); Afrolider; and Red de Mujeres Indígenas Piemsiakupanya.

²⁴ The groups that make up the Programa Fokus 1325 Colombia are: Humanas con el Observatorio Mujeres, Paz y Seguridad, Asociación Colectivo de Mujeres al Derecho (Colemad) with their headquarters in Barranquilla; Centro de Promoción y Cultura (CPC) who work in Bogotá, particularly in Kennedy locality; Colectivo de Mujeres Excombatientes with their headquarters in Bogotá; Corporación Colombiana de Teatro (CCT) with their Casa de Úrsula No 13-25 “La casa suya de usted” in Barranquilla, Bogotá, Cali, Cartagena y Riohacha; Liga Internacional de Mujeres por la Paz y la Libertad (LIMPAL Colombia) who work in Cartagena and San Jacinto (Bolívar); and Sütüün Jieyuu Wayúu (Fuerza de Mujeres Wayúu), who are active in the Guajira department.

²⁵ Ten years after Resolution 1325. Corporación Humanas – Colombia, FOKUS Regional Human Rights and Gender Justice Center, page 5, accessible at <http://www.humanas.org.co/archivos/diezanosresoluciontreceeresumenejecutivo.pdf>

public on cases of violence against women only exist for years 2011 and prior. In spite of known underreporting of SGBV cases, INML data from 2009 to 2011 shows a steady increase of cases in recent years. As INML reports:

In 2011, the number of forensic exams for sexual assault in the country reflects a progressive annual increase of reports of sexual violence since 2003, with the exception of 2010. In the entire national territory, there were 22,597 exams given, 6 percent more than in 2009 and 11 percent more than in 2010 (when excluding cases of testing virginity).

For 2011, INML calculated that 49 cases of SGBV were reported for every 100,000 individuals, the highest rate in the last decade.

Regarding sexual crimes committed against women by armed actors, INML reported 77 cases in 2011. In all these cases, the armed actor who was the suspected perpetrator was a member of the public forces, or another state entity.

According to research on SGBV cases related to the internal armed conflict, the National Attorney General's Office reports that "from 2010 to 2013, no cases of violent carnal penetration (rape), acts of sexual violence, prostitution and sexual slavery against protected persons have been assigned to the National Human Rights and International Human Rights Law Unit. In relation to violent carnal entry when the victim is not a protected person, this Unit is carrying out two investigations that are in the inquiry stage and in which the victims are women."

In February of this year, the National Attorney General's Office handed over official data on the cases of sexual violence to the organization Sisma Mujer. According to this information, on

December 31, 2011, the National Human Rights and International Human Rights Law Unit of the Attorney General's Office knew of 89 cases of sexual violence, of which 24 corresponded to cases included in Order 092 of 2008.

Regarding the investigations of these 89 cases, the National Attorney General's Office says that there have been 73 people connected to the cases, 21 accused, 11 detained, and 5 convicted. In addition, in these 89 cases, 130 victims have been identified, of which 35 were minors. Of all the victims, 80 were subjected to violent rape, 19 were victims of diverse sexual violations, and 9 did not identify the specific violation. The National Attorney General's Office did not share information on the remaining 22 victims.

As for investigations undertaken by the Justice and Peace Unit, the National Attorney General's Office did not provide useful information with respect to the number of cases of sexual crimes reported to this Unit in 2012. The information provided was not disaggregated by sex, and it was therefore impossible to determine the percentage of women victims of sexual violence.

The scarce data that was accessible shows that cases of sexual and gender-based violence are prevalent and continue to increase. However, it is important to note that this increase in cases reported may be due to increased awareness of SGBV and to greater consciousness and efforts of women to denounce their perpetrators and seek justice.

Indicator 7 – Number and quality of gender-responsive laws and policies

Table 7.1: Legislative developments

Regulations	Contents
Decrees 2733 and 2734 of 2012 – Regulations of law 1257 of 2008 regarding work and health	These health law decrees specifically cover regulations ordered by Law 1257, in relation to the right to transportation, nutrition, and housing services for women victims of SGBV, for a period of time of up to six months that can be extended for another six months (based on the situation), under the responsibility of the health and social protection system. However, instead of facilitating access to these important services, the two decrees present a series of requirements that have become obstacles to access for victims. Victims' emergency needs are not met, as obtaining access to services takes several days, following compliance with a number of requirements. Furthermore, in 2012, the Ministry of Health did not allocate a budget to fulfill its obligation.
Ratification of the International Convention for the Protection of All Persons in Forced Disappearances (Ratification)	In July 2012, Colombia ratified the International Convention for the Protection of All Persons in Forced Disappearances. Nevertheless, it did not recognize the competence of the Committee against Forced Disappearances to receive and study statements from victims, their representatives or other State parties. According to Amnesty International, "this will leave the victims and their families, including survivors of sexual violence related to the conflict, without a means to access justice."
Law 1592 of 2012 to introduce modifications to the law 975 of 2005⁷	This law was adopted to correct deficiencies of previous laws (Law 975 of 2005) and to accelerate alternative legal processes brought forth by Law 975, Legislative Acts 1 and 2 of 2012, and the judicial framework for peace and legal military jurisdiction. The first of these Legislative Acts establishes methods of prioritization of crimes to be investigated and sanctioned, which can have an important impact on women, regarding the prioritization of gender-based violence, and specifically of sexual violence in conflict.

In spite of the adoption and formulation of important gender-responsive laws, it is still difficult to measure their impact. Furthermore, while the adoption of gender-responsive laws indicate some degree of political will, the laws and decrees themselves at times have unforeseen consequences, as is the case for Decrees 2733 and 2734.

Body, and Politics in the Colombian Caribbean" (2011), and "Pleasure. Women, coca, and war in the Bajo Putomayo" (2012). These reports have undoubtedly contributed to the visibility of the impact of armed conflict on women in Colombia, as well as the characterization of diverse regional events and time periods.

Table 7.2: Developments in public policy

Directive 06 of 2012 of the National General Prosecutor's Office	Give instructions to public officials on procedures related to cases of sexual violence in armed conflict.
Developments and issues discussed^{viii}	
Supreme Judicial Council	The formulation of an Agreement by the General Commission of the Judicial Branch redefined the policy of equality and nondiscrimination, with a differential and gendered focus in the Judicial Branch and in the Integrated System of Quality Management on October 24, 2012. ^x
National Attorney General's Office	<p>Resolution 00450 of 2012: Policy of equality and nondiscrimination. The National Attorney General's Office reports the implementation of an integral action plan for the defense of the fundamental rights of women victims of sexual violence during armed conflict.</p> <p>A taskforce, the Gender Committee, was formed in 2009 and has met twice since. It is made up of a district attorney, several research psychologists and members of the judicial police. Through Resolution 0368 of 2012, the Attorney General's Office adopted the "Policy on Equality and Nondiscrimination." The "Model [Procedures] of attention to violent gender-based acts for forensic clinics" is used as a conceptual, normative, and strategic structure.^x</p>

With respect to the reported developments in public policies, despite the formulation of a series of guidelines and programs, it is still not possible to show their real impact on women's lives. Nevertheless, we hope that the resolutions, routes, work plans, and other tools developed by the Attorney General's office to benefit women will lead to tangible results, beginning with a curbing of the high level of impunity in relation to violence against women. It is especially disheartening that the Gender Committee created three years ago has only been in session on two occasions.

Indicator 8 – Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transnational justice reports on women's rights

During the previous presidential mandate, a research group called "Grupo de Memoria Histórica" was created with the objective of elaborating and divulging in a narrative on the armed conflict in Colombia. The group tries to identify the reasons for the emergence and the evolution of the illegal armed groups (law 975 of 2005), as well as for the distinct truths and memories of the violence, with a focus on the voices of the victims that have been suppressed and silenced.²⁶

Between 2008 and 2012, the group published a series of reports that will be compiled and presented publicly in 2013. So far, two reports have been dedicated to the impact of the armed conflict on women: "Women and War. Victims and Resisters in the Colombian Caribbean. Women that Make History. Land,

Another measurement of transitional justice adopted by the State in recent years is Law 1448 of 2011, targeted to advance the recognition and guarantee of the rights of victims, in particular the rights to reparation measures and land restitution. Even though this law is not focused exclusively on women, it contains some provisions that recognize and confront the differential and disproportionate impact that the conflict has had on the lives and the rights of women.

With this law, its decrees and the CONPES for indigenous, Afro-Colombian, and *room* victims²⁷, the State has begun a monitoring process and has made concrete recommendations, intended to better the implementation of the law. These recommendations include recommendations on situations faced by women in general,²⁸ as well as recommendations specific to indigenous, Afro-Colombian, and *room* women. As they are implemented, the law and recommendations will presumably lead to more focused attention on women and victims, enhanced capacity of civil servants, and overall institutional strengthening.

27 These include Law 975 of 2005 (known as the Law of Justice and Peace), the Decree 1290 of 2008 on administrative reparations, Law 1448 of 2011 (Law 8 for Victims), and the decrees for indigenous communities (Decree 4633 of 2011), Afro-Colombian communities (Decree 4635 of 2011) and the *Room* and gypsy communities (Decree 4634 of 2011).

28 Among the recommendations, the following must be highlighted: 1) Education for the prevention, attention, protection, and sanction of sexual violence and abuse; 2) Dissemination and formation of the public force, District Attorneys for human rights and international humanitarian rights and specific charges for women; 3) Dissemination and formation of women, prioritizing those under 18 for women's rights and routes of attention; 4) Formation of a gender perspective directed to the health sector; 5) Institutional strengthening of the justice sector; 6) Legal assistance and accompaniment to victims including in relation to assets; 7) Implementation of gender indicators by the Early Alert System by Sistema de Alertas Tempranas – SAT – by the Public Attorney's Office; 8) Strengthening of women's participation in the National System of Attention to Displaced Persons; 9) Incorporation of protection criteria with a gender focus; and 10) Strengthening and protecting community networks of women.

26 <http://www.centrodememoriahistorica.gov.co/>

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

Colombia is still a country in conflict; therefore, it is not possible to characterize the present moment as post-conflict or to speak of a reconstruction process. Nonetheless, in 2012, a number of regulations were developed and implemented to award reparations to victims of the armed conflict through jurisdictional and administrative channels. To carry out this process, institutions with very specific responsibilities have been created: the Land Restitution Unit and the Attention and Integral Reparations Unit for Victims.

As a jurisdictional channel, the Land Restitution Unit manages the Registry of Dispossessed and Forcibly Abandoned Lands. Registration of dispossessed and forcibly abandoned lands can only begin once the parcels of land to be restituted have been determined.²⁹ In 2012, the Land Restitution Unit processed 6,708 applications for land restitution from its administrative offices. According to the Land Restitution Unit, each application for land restitution can contain one or more recipient(s). In some cases, the same person can present more than one application. In 2012, the aforementioned 6,708 applications to the Land Restitution Unit were presented by 4,913 people, of whom 1,663 were women and 3,250 were men.

To implement the Victims' Law and the Land Restitution Law (Law 1448 of June 2011), a special jurisdiction was created. In 2012, this jurisdiction initiated six processes, in which there are 63 female applicants. So far, there have been no rulings or processes of land restitution carried out.

Table 9.1: Rulings by civil courts for land restitution in 2012

No. of trials	Department	Municipality	Sex of applicants		Total applicants
			Women	Men	
6					
	Bolívar	María la Baja	41	18	59
	Bolívar	María la Baja	4	73	77
	Bolívar	María la Baja	4	20	24
	Norte de Santander	Tibú	8		8
	Norte de Santander	Cúcuta	6		6
	Tolima	Ataco		12	12
Total			63	123	186

Source: Superior Council on the Judiciary, answer to Right to Petition presented by Coalición 1325. Filed as: 29 de mayo y 20 de junio de 2013 UDAEOF13-1373

As for administrative channels for reparations, the Attention and Integral Reparations Unit for Victims was created following Law 1448 of 2011. The Unit aims to coordinate the national system of attention and reparation to victims, and to implement public policy on attention, assistance, and integral reparations to victims.

In 2012, a number of regulations were developed and implemented to award reparations to victims of the armed conflict through jurisdictional and administrative channels.

For this monitoring report, it was not possible to access official information on the beneficiaries of this Unit disaggregated by gender and year. It must be noted that by legal mandate, the President must present an annual report on the compliance of Law 1448 of 2011. The data that was obtained for this report is from June 2012 to May 2013.³⁰ The presidential annual report emphasizes the adoption of reparation methods, such as the construction of an individual route of reparation that has permitted the elaboration of 126,543 Individual Reparation Plans,³¹ compensation for 165,131 victims (including 7,052 children and adolescents), and support to projects of symbolic reparations, among others.

In summary, restitution and reparation processes are still in their initial stages. More time for implementation is needed to comprehensively monitor progress.

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments, and international humanitarian law

Since 2010, the Ministry of Defense has been carrying out its program "Strengthening of sexual and reproductive health, sexual and reproductive rights, and gender equity." Just as in 2011, the Ministry of Defense did not report on the impact or effectiveness of its programs and actions.

With respect to the "Protocol for the Public Force in the Management of Sexual Violence, with Emphasis on Sexual Violence During Armed Conflict" of the Ministry of Defense, even though the said instrument acknowledges the importance of addressing sexual violence in conflict; the Protocol's contents must be revised, in particular because the restrictive notion of sexual violence in internal armed conflict in the protocol ignores international and national advances related to these crimes. The procedures outlined in the Protocol must also be revised, because they contain unnecessary requirements for women victims of acts of violence in need of immediate attention. These requirements have become obstacles to access to justice.

30 Informe anual del Presidente de la República sobre los avances en la ejecución y cumplimiento de la Ley 1448. Disponible en: http://www.unidadvictimas.gov.co/images/docs/rendicion/informe_presidente.pdf

31 Op. Cit, pag. 13

The persistence of cases of sexual violence committed by members of the Colombian armed forces reveals the need for the Colombian state to address the situation through prevention, attention, and sanctions for the perpetrators. In this respect, the formulation of policies focused on guaranteeing sexual and reproductive rights to women and girls is an important first step. However, these policies must be effectively implemented, with actions that demonstrate the armed force's intentions to eradicate SGBV perpetrated by the forces armed. The armed forces are required to refer all allegations of crimes of sexual violence committed by members of the security forces to civilian courts.³²

Indicator 11 – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

According to the Presidential Agency of Cooperation, 31 projects from international corporations were registered for a grand total of USD 13,071,972, with a focus on women in 2012. Out of these 31 projects, 17 projects were directly related to WPS, as can be seen in the two tables below. Table 11.1 includes projects assigned to organizations, and the Table 11.2, outlines projects assigned to state entities.

Table 11.1: Projects registered in 2012 on women and/or with a gender focus

	Name of the Project	Total International Contribution in USD	Beneficiaries	Theme	Responsible Organization
1	Promoting advocacy and practices of women in the Caribbean region for restitution, peacebuilding, justice, and protection	28,000	Women	Peace and Regional development	Asoc. Colectivo mujeres al derecho
2	Defense and promotion of human rights in Sonson, Antioquia	128,564	Victims of violence, and women	Human rights	Undefined
3	Swiss program for the promotion of peace (SUIPPCOL)	1,326,000	Social organizations	Peace and regional development	Caritas suiza
4	Strengthening of the persecution of sexual crimes against women	108,371	Women	Human rights	Red de justicia
5	Gender Program in Development – Phase I	650,000	Institutions, and women	Human rights	Regional human rights and gender justice center – humanas
6	Generation of a stabilization and socio-economic inclusion model for internally displaced women in Suba, Santa Fe, and Bogotá	129,809	Women, and displaced persons	Social development	Corp. Cultiba
7	Bio – development fund – locfund mundo mujer – Colombia	84,357	Women	Peace and regional development	Undefined
8	Strengthening of indigenous women's political participation in the north of Cauca for a democratic and peaceful culture	155,507	Indigenous women	Democracy	Almaciga
9	Women's political school in Medellín-Colombia focused on citizenship, electoral participation and influence on popular elections at the state level	160,546	Women	Democracy	Undefined
10	Improve the quality of life for women in Soacha affected by the armed conflict	92,227	Victims of violence	Social development	Undefined
11	Strengthening of the judicial processes of sexual crimes committed against women	111,544	Women	Human rights	Corp. Excelencia en la justicia
12	Strengthening of sexual, reproductive, and gender equity rights in the interior of the public force	1,036,453	Women, and men	Human rights	United Nations Population Fund (UNFPA)

32 This applies unless the cases are related to military service.

13	Program for the eradication of all forms of violence against women affected by human rights violations and infractions on the International Humanitarian Law in the context of the Colombian armed conflict: Truth, Justice, and Reparation for the women in Colombia	329,466	Victims of violence, social organizations, women, and institutions	Human rights	UN Women
14	Strengthening of the local capacities for the construction of peace in Nariño	276,543	Social organizations, institutions, victims of violence, and women	Human rights	UN Women
15	Demands by the women in local development as a peace strategy in Soacha	112,735	Women	Peace and regional development	UN Women

Source: Response from the Presidential Agency of Cooperation to the Right to Petition presented by Coalición 1325. Filed as: 29 de mayo y 20 de junio de 2013 UDAEOF13-1373.

Table 11.2: Government projects registered in 2012 on women and/or with a gender focus

Name of the Project	Total International Contribution in USD	Beneficiaries	Theme	Responsible Entity
Support to the Peace Process in Colombia in the name of the Law of Justice and Peace; an example of transitional justice - ProFis Fase III	2,113,580	Institutions	Justice	National District Attorney General's Office – (FGN)
Familias con Bienestar 2012	1,749,699	General population	Social development	F. Plan internacional Colombia

As previously stated, 31 projects with a focus on women were funded by international corporations in 2012, with a grand total of USD 13,071,972. For 2012, the Official Support for Development (AOD) in Colombia registered USD 548 million. In this regard, AOD directed projects for women and/or with a gender focus, which represent 2.37 percent of the total AOD support.

The small percentage of funds for projects on women and gender reported by AOD demonstrates that women and gender are not considered priority issues for the Colombian government's agency of cooperation. Of the international cooperation projects that do focus on women and gender, gender-based violence against women is a prevalent theme, and some programs aim to empower and strengthen women's organizations. In relation to indigenous and/or Afro-Colombian populations, although some initiatives do exist, there needs to be more substantial funding for initiatives that take into consideration particular vulnerabilities of these populations. In addition, it is imperative that there be more initiatives to strengthen the differential focus.

III. Conclusion and recommendations

Conclusion

Women's participation in decision making positions continues to be very low at both national and local levels. The 30 percent quota law, adopted more than a decade ago, has yet to be effectively implemented. Also, very few women have been elected. The hope is that upcoming elections will bring about positive changes in terms of women in elections, as political parties comply with affirmative action measures from Law 1475 of 2011.

In terms of peace negotiations, 2012 is an important year, as it marks the beginning of peace negotiations between the government and the armed group FARC. The evolving context has shaped the conclusions and recommendations formulated in this report. The report seeks to advance the inclusion of Colombian women's necessities and interests in the agreements reached

on all five points of the agenda of the peace negotiation. Even though women's representation in the peace talks has increased in recent developments (November 2013), it was consistently minimal until then. The number of women representatives and negotiators is still far from the number of men.

Regarding sexual and gender-based violence as part of the Colombian armed conflict, the following three findings must be highlighted, which are consistent with trends reported in the 2012 Monitoring Report: 1) SGBV continues to be committed by members of the armed forces; 2) the number of cases are increasing; and 3) little progress has been made in the fight against impunity for these crimes. Moreover, it is necessary to stress the increase in attacks and threats against women leaders and human rights defenders, who are facing sexual attacks.

In recent years, Colombia has adopted a number of laws and policies on women, peace and security. However, effective implementation requires more political will, effective monitoring mechanisms, and active civil society participation in implementation. However, to date, these laws and policies have not been fully implemented and have not allowed women to enjoy their rights as women and as victims. Hence, we want to stress the gap that exists between the numerous laws and policies that exist in Colombia and their effective implementation on the ground.

The drafting of guidelines for a National Public Policy on Gender Equality must be highlighted as a positive development, especially since women from civil society organizations participated in its formulation. As a result of the participation of organizations from different regions of the country, topics from the provisions of UNSCR 1325 have been integrated. In contrast to noted progress in gender-responsive policy development, there continues to be very little international cooperation resources directed towards projects on women and/or with a gender focus.

State-run official information systems must significantly improve their coordination and build their capacities in data-collection, so that they can share information on the realization of women's human rights in the country. The public entities consulted to gather data for this monitoring were far from having the necessary capacities to provide reliable and timely information. Reliable and timely information is essential in writing monitoring reports on specific events and concrete realities. Monitoring reports, in turn, make concrete contributions to the formulation and revisions of public policies, programs, and plans; they can shape actions such as budgeting, so that budgeting accounts for regional differences and the differential impact of conflict on women in Colombia.

Recommendations

To the National Government

- Formulate, adopt, and implement a National Action Plan on UNSCR 1325 and the supporting women, peace and security resolutions.

The drafting of guidelines for a National Public Policy on Gender Equality must be highlighted as a positive development, especially since women from civil society organizations participated in its formulation.

- Comply with the commitments put forth in the guidelines of the National Public Policy for Gender Equality by converting commitments into action plans and programs at the national and local levels, with adequate budget allocation.
- Incorporate questions on the guarantee of truth, justice and reparation for women victims of the armed actors, especially FARC and the armed forces, into the negotiation agenda with FARC.
- Recommend the Ministry of Defense to reformulate the contents of the protocol on sexual violence, with the intention of guaranteeing due diligence to the human rights of women and their protection in conformity with international and constitutional regulations, as well as to monitoring and evaluation. Make public the extent of implementation.
- Take into account, while formulating and applying transitional justice mechanisms, all the international instruments related to violence against women and their participation in the construction of peace, such as the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), the Convention to prevent taking care of and eradicating violence against women (Belém do Pará), and UNSCR 1325 and 1820 in relation to the preclusion of amnesty or pardon for sexual violence as part of negotiation processes.
- Include provisions specific to women and their particular truth, reconciliation and reparations needs in the laws and government initiatives being developed in relation to the conflict.
- Create a single/centralized information system on violence against women that not only allows for action and prevention of femicide, but also identifies the actors committed to strengthening prevention, protection, and access to justice for SGBV. In addition, it is important to strengthen the existing information systems and mechanisms used to provide information to civil society.
- Promote the creation of an observatory on human rights with a differential focus that grants access to relevant, timely and objective information, and be more efficient in responding to information requests by civilians exercising their right to information.
- Comply with Law 1475 of 2011 for political parties, in order to guarantee the inclusion of women in electoral lists and increase the number of women in political, decision-making positions.

To Congress

- Advance and adopt draft gender-responsive laws, particularly those related to guaranteed access to justice for victims of sexual violence, especially sexual violence during armed conflict, so as to harmonize the national legislations with the international instruments on WPS.

To the International Community

- Support national civil society organizations in order to give continuity to the actions of dissemination and advocacy for the implementation of the UNSCRs on women, peace and security, with an emphasis on women's empowerment and organizations in post-conflict settings.

To Civil Society

- Strengthen coordination among national networks, in order to implement UNSCR 1325 and to promote the formulation of the National Action Plan as a necessary instrument for monitoring women's participation, prevention and protection from SGBV and the promotion of a gender-perspective in the upcoming post-agreement period in Colombia.
- Continue to build alliances and strengthen partnership with international organizations to implement Resolution 1325 and to publicize the situation of women in Colombia at the global level.

Table Footnotes:

- i The information on women's representation in the Ministries, Superintendents, Administrative Departments, and High Councils was taken from the web page of each entity and was compiled for this report in June 2013.
- ii Corporación Sisma Mujer, Red Nacional de Mujeres, Towards a real road to equality, Fourth Report of the human rights of women, 2010, 2012, Bogotá, 2013.
- iii The information about mayors' offices and governors' offices was taken from the Observatory on Gender Issues in the High Presidential Office for Women's Equality <http://www.equidadmujer.gov.co/OAG/Paginas/Estadisticas.aspx><http://www.equidadmujer.gov.co/OAG/Paginas/Estadisticas.aspx>
- iv This data has been updated through July 31, 2012.
- v Date from DPKO, accessed on Sept 24, 2013, accessed on Sept 24, 2013 http://www.un.org/en/peacekeeping/contributors/2013/jul13_3.pdf
- vi Data from the Constitutional Court and State Council: www.ramajudicial.com<http://www.ramajudicial.com>
- vii "By the said dispositions for the reincorporation of members of the armed groups organized at the margin of the law, that could contribute in an effect manner to the national peace achievement and for other said dispositions for humanitarian agreements"
- viii The institutions consulted for this monitoring report reported on these issues.
- ix See Response from the Superior Judiciary Council on the Right to Petition presented by Coalición 1325. Filed: May 29 and June 20, 2013 UDAEOF13-1373
- x This information was provided by the National Attorney General's Office, in response to the right to petition presented by Coalición 1325. Oficios No. 002508, May 29, 2013, No. 15503 July 2, 2013 and No. 004989 de June 2, 2013.

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North America

Canada

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List of acronyms

AANDC	Department of Aboriginal Affairs and Northern Development Canada
ACPD	Action Canada on Population and Development
Bi-SC	Bi-Strategic Command
\$CAD	Canadian dollars - all amounts in this report for Canada are in \$CAD, unless otherwise noted
CAHWCA	The Crimes Against Humanity and War Crimes Act
CHRA	Canadian Human Rights Act
CIC	Citizenship and Immigration Canada
CIDA	Canadian International Development Agency
DFAIT	Department of Foreign Affairs, Trade and Development
DFATD	Department of Foreign Affairs, Trade and Development (as of March 21, 2013)
DND	Department of National Defence
GBA	Gender-Based Analysis
GNWP	Global Network of Women Peacebuilders
ICAN	International Civil Society Action Network
IDRC	International Development Research Centre
IIWR	Institute for International Women's Rights, University of Winnipeg, Canada
IWRP	International Women's Rights Project, University of Victoria, Canada
MDGs	UN Millennium Development Goals
NWAC	Native Women's Association of Canada
RCMP	Royal Canadian Mounted Police
SIS	Sisters in Spirit Campaign
TRCC	Truth and Reconciliation Commission of Canada
VOW	Canadian Voice of Women for Peace
WPSN-C	Women, Peace & Security Network-Canada

I. Women, peace and security profile

A. Nature of the conflict

Canada does not have a recent history of internal armed conflict. Matters of peace and security are dealt with as matters of foreign affairs, development assistance and defence, requiring a federal whole-of-government response coordinated by the Department of Foreign Affairs, Trade and Development (DFATD), formerly titled Department of Foreign Affairs and International Trade (DFAIT).¹

On March 21, 2013, the federal government announced, "To enhance coordination of international assistance with broader Canadian values and objectives, and to put development on equal footing with trade and diplomacy, the Canadian International Development Agency will amalgamate with the Department of Foreign Affairs and International Trade. The new Department of Foreign Affairs, Trade and Development will maintain the mandate of poverty alleviation and humanitarian support. This decision will have no impact on Canada's international assistance budget."² At the time of writing this report, there was insufficient evidence to determine whether this assurance is supported by the facts.

Canada's Commitment to Peacekeeping

In describing the pattern in Canadian peacekeeping since 2001, Prof. Walter Dorn observed, "Instead of peacekeeping, Canada turned to war-fighting, spending billions on Afghanistan in an unsuccessful bid to defeat the Taliban and bring stability. The Canadian Forces became a single-mission military with Afghanistan as the sole focus of attention."³ Canada's military role in Afghanistan has shifted from counter-insurgency warfare in Kandahar province, to progressive reduction of troops. For 2013, Canadian military presence in Afghanistan remained at the same level as in 2012 (950 troops) compared to 2,100 in 2011 and 2,800 troops in 2010, as part of the International Security Assistance Force (ISAF).⁴

In 2012, in the *Fourteenth and Final Report to Parliament on Canada's Engagement in Afghanistan*, Prime Minister Harper stated: "Between 2011 and 2014, Canada's engagement is focused on making investments in the future of Afghan children and youth through ongoing development programming in education and health; and advancing security, the rule of law and human rights, including through the provision of military and

police trainers; promoting regional diplomacy; and helping to deliver humanitarian assistance to those in need."⁵

Truth and Reconciliation in Canada

Conflicts and weapons can take many forms. Currently, Canada is in the process of addressing the impact of various forms of conflict between descendants of settler societies in Canada and First Nations, Inuit, and Métis – Aboriginal (Indigenous) peoples of Canada. From the 1920s until the 1990s, the Government of Canada funded mostly church-run schools and residences set up to assimilate Aboriginal people forcibly into the Canadian mainstream by eliminating parental and community involvement in the intellectual, cultural, and spiritual development of Aboriginal children. More than 150,000 First Nations, Inuit, and Métis children were placed in what were known as Indian residential schools. As a matter of policy, the children commonly were forbidden to speak their own language or engage in their own cultural and spiritual practices. The 1996 Canadian Royal Commission on Aboriginal Peoples documented the emotional, physical and sexual abuse that many children experienced during their school years. Beginning in the mid-1990s, thousands of former students took legal action. They were the basis of several large class-action suits that were resolved in 2007 with the implementation of the Indian Residential Schools Settlement Agreement (Agreement), the largest class-action settlement (\$CAD 1.9 billion) in Canadian history. In addition to providing compensation to former students, the Agreement established the Truth and Reconciliation Commission of Canada with a budget of \$60-million and a five-year term, which is set to end in 2014.⁶

The mandate of the TRCC states: "The Truth and Reconciliation Commission will build upon the "Statement of Reconciliation" dated January 7, 1998 and the principles developed by the Working Group on Truth and Reconciliation and of the Exploratory Dialogues (1998-1999). These principles are as follows: accessible; victim-centered; confidentiality (if required by the former student); do no harm; health and safety of participants; representative; public/transparent; accountable; open and honourable process; comprehensive; inclusive, educational, holistic, just and fair; respectful; voluntary; flexible; and forward looking in terms of rebuilding and renewing Aboriginal relationships and the relationship between Aboriginal and non-Aboriginal Canadians."

There is no reference to gender, women or girls in the TRCC mandate, which is part of Schedule N of the Indian Residential

¹ Requests to departments of the Government of Canada for updated information (on the public record, but not posted online) relevant to this report, which had been made available by federal government officials for previous reports, were not answered or were declined for this report.

² Statement on March 21, 2013 by the Hon. Julian Fantino, minister for international cooperation, following the release of Economic Action Plan 2013 by the Government of Canada, accessed September 23, 2013, <http://www.acdi-cida.gc.ca/acdi-cida/acdi-cida.nsf/eng/ANN-321154018-R3R>.

³ Walter Dorn, Unprepared for peace: A decade of decline in Canadian peacekeeping, in John E. Trent, ed., *The United Nations and Canada: What Canada has done and should be doing at the UN* (Ottawa: World Federalist Movement – Canada), 2013, pgs. 14-15.

⁴ ISAF Report, as of August 1, 2013, accessed September 23, 2013, <http://www.isaf.nato.int/images/stories/File/Placemats/2013-08-01%20ISAF%20Placemat-final.pdf>.

⁵ Canada's Engagement in Afghanistan - Fourteenth and Final Report to Parliament (Ottawa: Her Majesty the Queen in Right of Canada, 2012), Foreword by Prime Minister Stephen Harper, accessed September 25, 2013, http://www.afghanistan.gc.ca/canada-afghanistan/assets/pdfs/docs/r06_12-eng.pdf.

⁶ Truth and Reconciliation Commission of Canada, "Truth and Reconciliation Commission of Canada: Interim Report" (Ottawa: Truth and Reconciliation Commission of Canada, 2012), p.1, accessed August 31, 2013, http://www.attendancemarketing.com/~atmk/TRC_jd/Interim_report_English_electronic_copy.pdf.

Schools Settlement Agreement.⁷ Further discussion of the TRCC is found under Indicator 8 in this report.

B. Impact of conflict on women

Since the theatres of operation of the Canadian Forces are geographically far from Canada, the conflict has minimal impact on Canadian women other than the individuals deployed and their families. The main impact is one of national budgets, where funding allocated to overseas military operations and to greater security-spending at home to combat threats arising indirectly from our overseas engagement is not available for health, education, and other services. Arguably, involvement in the "war on terror" has also resulted in a shift in culture towards more national security-focused ways of thinking and prioritizing, to the detriment of democratic and human rights values.

Women have been involved in peacebuilding as part of numerous organizations for peace, mediation, and non-violence at the national level, as well as internationally-oriented development and advocacy non-governmental organizations (NGOs). The longest running women's peace NGO is the Canadian Voice of Women for Peace (VOW), founded more than 50 years ago. Many peacebuilding NGOs are members of Peacebuild, the Canadian peacebuilding network.⁸ More focussed work on promoting the implementation of UNSCR 1325 and related resolutions is shared among a number of organizations that are now largely volunteer-driven, due to funding cuts – including the Gender and Peacebuilding Working Group (GPWG) of Peacebuild and the Women, Peace and Security Network-Canada (WPSN-C). Many development NGOs are members of the Canadian Council for International Co-operation (CCIC), which has been active on peacebuilding and humanitarian responses to development challenges in conflict countries (especially Afghanistan, Haiti, and the Democratic Republic of Congo). However, the recent de-funding by the federal government of the CCIC and of numerous women's organizations will make their continued engagement in conflict and peace issues more difficult.

On September 26, 2013 it was announced that the Pearson Centre, which, over the past two decades, has trained over 18,000 participants from police, military and civilian communities from over 150 countries as part of its mission to support establishment of conditions for a more peaceful world, is closing.⁹ In 2012, the Pearson Centre, with DFAIT (DFATD) funding, supported the police and gendarmerie services in Burkina Faso and Benin to develop gender policies to guide deployments in peace and security operations, and supported Sierra Leone's police in conducting a review of their policy on peace and security operations from a gender perspective.¹⁰ In her testimony invited by the Standing Senate Committee on Human Rights on

May 6, 2013, Dr. Anne Livingstone of the Pearson Centre, while endorsing Canada's commitment to spend \$CAD 5 million to address sexual and gender based violence (SGBV) in conflict in 2013, urged the senators to consider what is required to end a culture of impunity:

Ending impunity cannot be achieved if police are not trained in proper response techniques, such as securing a crime scene, taking witness statements, keeping notes, and knowing how to respond to the victim's and survivor's emotional state. If investigators are not fully trained in the art and science of forensics and investigative techniques, they will not be successful in having evidence to give to courts. If courts do not have legal codes at the domestic level that articulate sexual violence as a crime, it is difficult to prosecute. If corrections facilities are lacking and if detention for sexual violence crimes is not a punishment available to the courts, then the perpetrator is freed, and the victim and survivor often confront their attacker on a daily basis. How do we end a culture of impunity when the justice chain is broken or, at the very least, poorly trained?¹¹

Conflict sequelae within Canada

In a domestic context, the conflicts in Canada related to the residential school system have given rise to sequelae damaging to individuals, families and communities of Aboriginal peoples, including sexual gender-based violence targeting Aboriginal women and girls. The Native Women's Association of Canada (NWAC) documented over 582 occurrences of missing or murdered Aboriginal women and girls. NWAC has declared, "We know that there are more cases that have not been documented. We also know that this epidemic of violence is continuing to claim more lives and irreparably harm more families every month."¹²

NWAC has called for a national inquiry as a crucial step in implementing a comprehensive and coordinated national action plan to address the scale and severity of violence faced by Aboriginal women and girls in Canada.¹³ United Nations Special Rapporteur on the rights of indigenous peoples, James Anaya, recently stated, "Another aspect of the long shadow of residential schools, combined with other historical acts of oppression, is the disturbing phenomenon of Aboriginal women missing and murdered at the hands of both Aboriginal and non-Aboriginal assailants, whose cases have a much higher tendency to remain unresolved than those involving non-Aboriginal victims. ...I concur that a comprehensive and nation-wide inquiry into the issue could help ensure a coordinated response and the opportunity for the loved ones of victims to be heard, and would demonstrate a responsiveness to the concerns raised by the families and communities affected by this epidemic."¹⁴

7 Truth and Reconciliation Commission of Canada, Mandate, accessed October 2, 2013, <http://www.trc.ca/websites/trcinstitution/index.php?p=7>.

8 Peacebuild, accessed October 16, 2013, <http://www.peacebuild.ca/en/>.

9 Statement by Kevin McGarr, President and CEO, Pearson Centre, accessed September 30, 2013, <http://www.pearsoncentre.org/article254#.UIO-vsfD-M->.

10 Testimony of Dr. Anne Livingstone invited by the Standing Senate Committee on Human Rights on May 6, 2013, Issue 26, pg. 61, accessed September 30, 2013, <http://www.parl.gc.ca/Content/SEN/Committee/411/ridr/pdf/26issue.pdf>.

11 Ibid.

12 Native Women's Association of Canada, NWAC Petition - A National Inquiry is needed!, accessed September 30, 2013, <http://www.nwac.ca/nwac-petition-national-inquiry-needed>.

13 Ibid.

14 James Anaya, United Nations Special Rapporteur on the rights of indigenous peoples, Statement upon conclusion of the visit to Canada, 15 October 2013. <http://unsr.jamesanaya.org/statements/statement-upon-conclusion-of-the-visit-to-canada> accessed Oct. 16, 2013

C. Relevant legal and policy framework

Canada has adopted a number of laws to protect and promote gender equality, principally sections 7, 15, and 28 generally and s. 25 with regard to Aboriginal women in Canada of the *Canadian Charter of Rights and Freedoms*, entrenched within the Constitution of Canada (*Canada Act*, 1982), as well as ratifying the major UN human rights treaties. Canada has also recognized UNSCR 1325 and the suite of related resolutions such as UNSCR 1820, and created a National Action Plan (NAP) on 1325.

Canada's NAP on 1325 is intended to improve "the experiences of women and girls in conflict and post-conflict situations, and to improve Canada's capacity to safeguard and support affected populations during all phases of peace operations (peacekeeping, peacebuilding, peacemaking, peace enforcement, conflict prevention, mediation, and stabilization and reconstruction), and in fragile states and conflict-affected situations."¹⁵ Foreign Affairs and International Trade Canada (DFAIT), the Department of National Defence (DND), the Canadian International Development Agency (CIDA), the Royal Canadian Mounted Police (RCMP) and other federal government departments, including Public Safety Canada, Status of Women Canada, Justice Canada, as well as civil society organizations, all contribute to the realization of the NAP. With the key pillars of prevention, participation, protection, and relief and recovery, Canada's NAP, set to run to March 31, 2016, targets long-term sustainable changes and development in post-conflict situations.¹⁶

A superficial analysis would suggest that the Government of Canada has taken all the correct steps to promote gender equality in the country. However, in-depth analysis reveals that these measures are either being under-utilized, or insufficient information has been made available to determine the usefulness and effectiveness of the legal measures in place or of the Canadian government's specific programs. This unfortunate situation means that, despite appearances to the contrary, investment by the Canadian Government in the national gender equality architecture for protecting or promoting equality rights in Canada has been significantly reduced over the past decade. For almost six months prior to September 27, 2013, Canadian foreign service officers went on work-to-rule and strike over issues of working conditions and rates of pay, greatly reducing availability and capacity for cooperation in the time period for gathering data for this report. This is one of the reasons why information on the implementation of Canada's National Action Plan on UNSCR 1325 was unavailable during the monitoring period. As well, the annual report on its NAP 1325, promised by the Canadian government, was completed but not released. Thus, Canada's ratings in this monitoring report were negatively affected. It must be noted that unavailability of data is not just a research concern; it impacts on the capability of civil society, government and all other stakeholders to contribute effectively to the implementation of Canada's NAP 1325.

¹⁵ Foreign Affairs, Trade and Development Canada, Canada's Action Plan for the Implementation of United Nations Security Council Resolutions on Women, Peace and Security, accessed October 4, 2013, http://www.international.gc.ca/START-GTSR/women_canada_action_plan-plan_action_femme.aspx.

¹⁶ Ibid.

II. Data presentation and analysis

A. Participation

Indicator 1 – Index of women's participation in governance

The most recent statistics, as of March 2013, reveal that women consist of 27.8 percent of the National Government, and 24.1 percent of the Provincial governments. This averages out to 25.2 percent in total, slightly down from the 26.8 percent of women (overall) in Canadian Government in 2011.

Table 1.1: Women's participation in governance in Canada as of March 2013

	Number of women	Number of men	% of women
National government (total)	125	325	27.8
Executive			
Cabinet	10	28	26.3
Legislative			
House of Commons	77	230	25.1
Senate	38	67	36.2 ⁱ
Local government (total)	248	782	24.1
Alberta			
Legislature	23	64	26.4
Cabinet	3	16	15.8
British Columbia			
Legislature	27	58	31.8
Cabinet	8	11	42.1
Manitoba			
Legislature	16	41	28.1
Cabinet	7	12	36.8
New Brunswick			
Legislature	7	48	12.7
Cabinet	4	14	22.2
Newfoundland			
Legislature	8	40	16.7
Cabinet	4	12	25.0
Nova Scotia			
Legislature	12	40	23.1
Cabinet	4	10	28.6
Ontario			
Legislature	31	76	29.0
Cabinet	8	19	29.6
Prince Edward Island			
Legislature	6	21	22.2
Cabinet	2	9	18.2
Quebec			
Legislature	41	84	32.8
Cabinet	9	17	34.6
Saskatchewan			
Legislature	11	47	19.0
Cabinet	4	14	22.2
North West Territories			
Legislature	2	17	10.5
Cabinet	0	7	0

Nunavut			
Legislature	3	19	13.6
Cabinet	1	6	14.2
Yukon			
Legislature	6	19	24.0
Cabinet	1	9	10.0 ⁱⁱ
Total	373	1,107	25.2

Overall, women's participation in governance has increased incrementally, rising to the current level after hovering at about 20 percent for most of the past decade. Contributing factors to this trend may include changes in party rules and specific recruitment of women candidates by some of the party leaders.

According to the 2013 statistics provided by the Inter-Parliamentary Union, Canada ranks 45th out of a total of 189 countries with regards to the number of women participating in National Parliament. Out of the 307 seats available in the House of Commons, 77 or 25.1 percent are occupied by women. In the Senate, out of the 105 available seats, 38 or 36.2 percent are occupied by women.¹⁷

The types of seats and ministerial posts held by women range greatly from province to territory. It should be noted that for the first time since Canada was founded in 1867, six premiers are women. The provinces and territories with women premiers are as follows: Alberta; British Columbia; Newfoundland; Ontario; Quebec; and Nunavut.

British Columbia, Prince Edward Island, North West Territories, and Yukon have all had female premiers in the past. Recent gains have also been noted for women participating in local elections at the municipal level.¹⁸

Overall, women's participation in governance has increased incrementally, rising to the current level after hovering at about 20 percent for most of the past decade. Contributing factors to this trend may include changes in party rules and specific recruitment of women candidates by some of the party leaders. With the unprecedented number of women premiers in Canada,

17 Inter-Parliamentary Union, Women in national parliaments, (2013), accessed June 27, 2013, <http://www.ipu.org/wmn-e/classif.htm>.

18 Canada's municipal leaders celebrate International Women's Day (08/03/2013), Federation of Canadian Municipalities, (2013), accessed August 04, 2013, <http://www.fcm.ca/home/media/news-releases/2013/canadas-municipal-leaders-celebrate-international-womens-day.htm>.

this indicates slight progress for women in Canadian governance overall. Greater encouragement of young women to join Canadian political parties might ensure that the next generation of leaders in Canada comes closer to gender parity.

Indicator 2 – Percentage of women in peace negotiating teams and detailed breakdown of gender issues addressed in peace agreements

As Canada is not a country experiencing armed conflict, there are no ongoing internal peace negotiations.

Unfortunately, our request for updated data on the number of women, as advisors, envoys or experts, in Canada's various diplomatic missions abroad was declined and no comprehensive public report has been made in recent years to provide details regarding Canada's overall diplomatic efforts to promote the women, peace and security agenda. It is worth noting however that Her Excellency Ms. Elissa Golberg is Canada's permanent representative in the Permanent Mission of Canada to the United Nations in Geneva. Ambassador Golberg, in her previous capacity as Director-General for the Stabilization and Reconstruction Task Force was responsible for providing leadership on conflict prevention and peacebuilding, serving in Afghanistan.

Indicator 3 – Index of women's participation in the justice, security sector, and peacekeeping missions

The number of women currently working in Canada's judiciary, both federally and provincially, averages out to 33.1 percent. The number of participating women differs greatly from province to province, as well as federally and provincially. The following table provides data on the number of women participating in Canada's justice sector, as of August 2013, following new appointments by the Canadian Federal Government to the Federal courts.

Table 3.1: Index of women participating in the justice sector as of August 2013

	Number of women	Number of men	% of women
Supreme Court	3	6	33.3
Federal Court of Appeal	4	9	30.7
Federal Court	12	25	32.4
Tax Court of Canada	7	18	28.0
Alberta			
Court of Appeal	8	9	47.1
Queen's Bench	30	47	39.0
British Columbia			
Court of Appeal	11	11	50.0
Supreme Court	32	72	30.8
Manitoba			
Court of Appeal	4	5	44.4
Queen's Bench Trial	7	19	26.9
Queen's Bench Family	7	9	44.0

New Brunswick			
Court of Appeal	2	6	25.0
Queen's Bench Trial	3	17	15.0
Queen's Bench Family	7	4	63.6
Newfoundland			
Appeal Division	2	6	25.0
Trial Division	8	20	28.6
Northwest Territories			
Supreme Court	4	0	100
Nova Scotia			
Court of Appeal	2	6	25.0
Supreme Court	8	23	25.8
Family Division	5	5	50.0
Nunavut			
Court of Justice	2	4	33.3
Ontario			
Court of Appeal	9	16	36.0
Superior Court of Justice	88	191	31.5
Family Court	18	18	50.0
Prince Edward Island			
Appeal Division	1	2	33.3
Trial Division	1	4	20.0
Quebec			
Court of Appeal	7	19	26.9
Superior Court	60	131	31.4
Saskatchewan			
Court of Appeal	1	7	12.5
Queen's Bench	12	26	31.6
Yukon Territory			
Supreme Court	0	2	0
Total	364	737	33.1

Source: Office of the Commissioner for Judicial Affairs Canada, Number of Federal Judges in Canada, Number of Judges on the Bench as of August 1, 2013, (2013), accessed August 4, 2013, <http://www.fja-cmf.gc.ca/appointments-nominations/judges-juges-eng.html>.

The number of women participating in Canada's military and police is considerably lower, sitting at 16 percent overall.

Table 3.2: Index of women participating in military and police in 2012

	Number of women	Number of men	% of women
Police (total in Canada)	13,908	55,631	20
Senior or Non-Commissioned Officers			16
Constables			21.5 ⁱⁱⁱ
Army (total)	8,160	59,840	12
Above rank of Lieutenant-Colonel			8 ^{iv}
Total	22,068	115,471	16

In 2010, Status of Women Canada summarized gender audits conducted by the Toronto Police Service, Atlantic Women in Law Enforcement, and the Fredericton Police Force, two different RCMP divisions and the Royal Newfoundland Constabulary. More recent reporting or gender audits were not identified.

As of July 31, 2013, Canada was listed by the UN as contributing modestly to United Nations Peacekeeping Operations (PKO): 157 police, military experts and Canadian Forces personnel out of a total of 97,602 from all contributing countries.¹⁹ The World Federalist Movement of Canada launched a campaign in 2013 to increase Canada's contribution to UN peacekeeping, noting, "With approximately 113,000 military and police now serving in 16 UN-led peacekeeping missions, the UN currently deploys and supports more troops in the field than any actor in the world other than the U.S. Department of Defense – more than the UK, France, China and Russia put together. Yet while demand for United Nations peacekeepers has never been higher, Canadian contributions of personnel remain low, moving Canada from its number 1 [1994] spot to 54th [2013]."²⁰

19 Contributors to United Nations peacekeeping operations, Monthly Summary of Contributions (Police, UN Military Experts on Mission and Troops) As of 31 July, 2013. http://www.un.org/en/peacekeeping/contributors/2013/jul13_1.pdf accessed August 30, 2013

20 Monique Cuillerier, Canada & UN Peacekeeping Fact Sheet, Updated (Ottawa: World Federalist Movement-Canada, July 31, 2013) <http://www.worldfederalistscanada.org/program1-peacekeeping.html> accessed August 26, 2013

Table 3.3: Index of women's participation in peacekeeping missions from 2010-2013 (troops contributing)

2010			2011			2012			June 2013		
Total	No. of females	% females	Total	No. of females	% females	Total	No. of females	% females	Total	No. of females	% females
198 ^v	23	11.6	190 ^{vi}	18	9.5	150 ^{vii}	18	12	160 ^{viii}	14	8.75

The breakdown of women in Canada's peacekeeping forces reveals that the number of female peacekeepers has fallen in recent years, a statistic that sits beside Canada's significantly decreased peacekeeping overall.²¹ It is worth noting however that there were no recorded reports of sexual violence amongst Canadian peacekeepers during the reporting period, though there is evidence of sexual harassment against females within the Canadian peacekeeping forces in past years, raising questions about the possibility of complainants being discouraged from reporting.²²

Table 3.4: Percentage of women's participation in peacekeeping missions as of July 2013

Mission/ Country	Post	Number of men	Number of women	% of women
MINUSTAH (Haiti)	Individual Police	78	9	10.3
	Contingent Troop	38	0	0
MONUSCO (DR Congo)	Contingent Troop	8	1	12.5
UNFYCP	Contingent Troop	1	0	0
UNMISS (South Sudan)	Military Experts	4	1	25
	Contingent Troop	5	0	0
UNOCI	Individual Police	3	2	40
UNTSO	Military Experts	5	2	28.5
Total		142	15	9.5

Source: Monthly Summary of Troop Contribution to UN Operations, accessed September 30, 2013, http://www.un.org/en/peacekeeping/contributors/2013/jul13_4.pdf.

Without an official report from the Royal Canadian Mounted Police (RCMP) or Canadian Department of Defence released, and with our request for updated information unanswered (as

21 World Federalist Movement – Canada, “On Peacekeepers’ Day in Canada (August 9): Canada should contribute more to UN peacekeeping operations,” 9 August 2013; John E. Trent, ed., *The United Nations and Canada: What Canada has done and should be doing at the UN* (Ottawa: World Federalist Movement – Canada), 2013, pgs. 14-15; World Federalist Movement – Canada, “Canada & UN Peacekeeping,” July 2013.

22 Tamara Lorincz, “CANADA’S INVISIBLE WAR: Violence against Women in the Canadian Armed Forces,” Canadian Voice of Women for Peace, March 2013.

of October 2013), it is difficult to analyze gender equality or comment on trends in Canada's police, army or peacekeeping troops.

In testimony on May 6, 2013, before the Standing Senate Committee on Human Rights (which was conducting an update on the implementation UNSCR 1325 and its successor resolutions in May 2013) Marie Gervais-Vidricaire, Director General, Stabilization and Reconstruction Task Force of DFATD answered questions posed by senators. She informed the senators,

The government will table in Parliament, before the House rises this spring, the Canadian National Action Plan's annual report for the fiscal year 2011-12. This will be the first annual Canadian National Action Plan report and, as such, has required a considerable effort by departments and agencies to produce a comprehensive account of the government's WPS activities. We believe that this will be of interest to Canadians and to the international community. The report is in its final stages, and we would be happy to provide the committee with a copy once it has been tabled.²³

As of October 2013, no such report had been released or tabled.

Ms. Gervais-Vidricaire advised the senators on May 6, 2013 that,

since the 2010-11 fiscal year, the global peace and security fund has disbursed more than \$CAD 18.6 million for projects where WPS issues were addressed in whole or in part. Among other results, this work has allowed us to increase the participation of women in political processes and in conflict prevention initiatives in Nepal, Sierra Leone and Tunisia; to promote and protect the human rights of women and girls by assisting in the development of host country laws and institutions, supporting education on women's and girls' rights, increased access to legal and recovery services for women and girls who are victims of sexual violence, and support for advocacy on protection and prevention issues in countries such as Afghanistan; to strengthen the capacity of women's organizations, lawyers, human rights defenders, and state prosecutors to investigate and litigate cases of sexual violent crimes committed against women who are victims of armed conflicts, such as in Colombia. It has also allowed us to deploy police and other civilian experts to investigate crimes of sexual violence in such countries of concern as Libya and Syria.²⁴

23 Issue 26 – page 45 of transcript of testimony of witnesses invited by the Standing Senate Committee on Human Rights for May 6, 2013 <http://www.parl.gc.ca/Content/SEN/Committee/411/ridr/pdf/26issue.pdf>, accessed July 20, 2013

24 Issue 26 – page 46 of transcript of testimony of witnesses invited by the Standing Senate Committee on Human Rights for May 6, 2013 <http://www.parl.gc.ca/Content/SEN/Committee/411/ridr/pdf/26issue.pdf>, accessed July 20, 2013

In his testimony to the Standing Senate Committee on Human Rights, Major-General Michael Day, Director General, International Security Policy for the Department of National Defence used the figure of 14 percent of women in the Canadian armed forces and when questioned further, replied that he could not provide a breakdown at that time of women in leadership roles within that percentage.²⁵ The chair of the Committee, Senator Mobina Jaffer, asked Maj.-Gen. Day: "...how does the female training battalion further Canada's implementation of Canada's National Action Plan for the Implementation of the UN Security Council Resolutions?" To which Maj.-Gen. Day replied:

I ran the training of Afghan security forces for 13 months. We have a series of specific courses targeted towards different levels of leadership, starting at the recruit level and going all the way to senior staff college. It deals with those courses and has adopted a female recruitment program where we run specific schools designed physically and in terms of the curriculum to increase not only the participation but also the effectiveness of women in the Afghan security forces. Right from the start, you are taking young Afghan men, because predominantly their forces are men, and explaining to them the different procedures they are supposed to follow, so they have actions on a daily basis that are reinforced. ... In terms of the specific activities we take with regard to women, we have identified relatively early on that you need to run segregated courses...²⁶

Indicator 4 – Number and percentage of women participating in each type of constitutional legislative review (including security sector review)

For the time period covered by this report, no major constitutional or legislative review outside of parliamentary procedure or the courts occurred. Additionally, no security sector review has been conducted in Canada.

Nonetheless, there are activities currently being undertaken by both civil society and the Canadian government that are designed to monitor and encourage the participation of women in constitutional legislative review. One example from civil society is the Women's Legal Education and Action Fund (LEAF) - a Canadian NGO created to ensure equality for women and girls under Canadian law, through legal reform, litigation and educational programming.²⁷

A governmental initiative called Gender-Based Analysis+ (GBA+) is intended to be "an analytical tool the federal government uses to advance gender equality in Canada. The "plus" in the name highlights that gender-based analysis goes beyond gender, and includes the examination of a range of other intersecting identify factors (such as age, education, language, geography, culture and income)... GBA+ is used to assess the potential impacts of policies,

There are activities currently being undertaken by both civil society and the Canadian government that are designed to monitor and encourage the participation of women in constitutional legislative review. One example from civil society is the Women's Legal Education and Action Fund (LEAF) - a Canadian NGO created to ensure equality for women and girls under Canadian law, through legal reform, litigation and educational programming.

programs or initiatives on diverse groups of women and men, girls and boys, taking into account gender and other identify factors. GBA+ helps recognize and respond to the different situations and needs of the Canadian population."²⁸ Unfortunately, no reports could be found to assist with our analysis of this program after 2010.

Indicator 5 – CSOs in task force/committees on UNSCR 1325 and 1820 (out of total task force members)

Within the former DFAIT, the office for leading and coordinating women, peace, and security issues is located within START, the Stabilization and Reconstruction Task Force. Created in 2005 to respond to the increasing international demand for Canadian support and involvement in complex crises- conflicts or natural disasters, START aims to serve as the Government of Canada's ability to respond to crisis situations. START receives funding from the DFAIT Global Peace and Security Fund (GPSF) with one of its focal points being women, peace and security, especially in contributing to the implementation of Canada's NAP pertaining to the UN Security Council Resolutions on Women, Peace, and Security.²⁹

During the May 6, 2013 session of the Standing Senate Committee on Human Rights, Sen. Nancy Ruth asked Maj.-Gen. Day, "when you are working with the Afghan soldiers, are they aware of the Afghani laws in respect of violence against women and women's security?" To which he replied,

With regard to the Afghan awareness of laws, I would say that at the senior leadership level, there is complete understanding, 100 per cent, of the laws that apply to their country and a sensitivity to the specific laws as they apply to women, quite

²⁵ Issue 26 – page 55 of transcript of testimony of witnesses invited by the Standing Senate Committee on Human Rights for May 6, 2013 <http://www.parl.gc.ca/Content/SEN/Committee/411/ridr/pdf/26issue.pdf>, accessed July 20, 2013

²⁶ Issue 26, page 57 of transcript of testimony of witnesses invited by the Standing Senate Committee on Human Rights for May 6, 2013 <http://www.parl.gc.ca/Content/SEN/Committee/411/ridr/pdf/26issue.pdf>, accessed July 20, 2013

²⁷ Women's Legal Education and Action Fund (LEAF, 2013), accessed July 14, 2013, <http://leaf.ca/>.

²⁸ Status of Women Canada, Gender-Based Analysis, (2013), accessed July 14, 2013, <http://www.swc-cfc.gc.ca/pol/gba-ac/index-eng.html#tab1>.

²⁹ Canadian Senate, Proceedings of the Standing Senate Committee on Human Rights, First Session, Forty-first Parliament, 2011-12-13, April 29, 2013.

frankly because it is a central pillar of NATO's approach there. In fact, many of the ministerial advisers in both the Ministry of Defence and the Ministry of Interior Affairs—the two main security departments—are senior female officers from Great Britain, Canada and the U.S.³⁰

Senator Ataullahjan noted that Canadian police are training local police in Afghanistan and asked, "...if any female officers are helping to train. Do you have a number?" To which Maj.-Gen. Day replied, "I do not have a number, but when I was there, they had quite a few female officers not only from Canada but also from a number of other nations."

Women, Peace & Security initiatives within the Government of Canada

Before the merger of DFAIT and Canadian International Development Agency (CIDA) into DFATD in the spring of 2013, START regularly chaired and convened two working groups on women, peace and security: one composed of divisions of DFAIT; and the other was an inter-departmental working group bringing together DFAIT, the RCMP, the Department of National Defense (DND), CIDA and Status of Women Canada. There are no CSOs belonging to either of these groups.

Members of the WPSN-C met once with these inter-departmental working groups in 2012. During this meeting, the Network introduced itself to the working group and outlined what it hoped to see in the first report on the Government's NAP. Members of the Working Group provided information on recent Canadian actions on the WPS file.

In February 2013, the WPSN-C also coordinated a letter to the Hon. John Baird, Minister of Foreign Affairs asking for information on the promised Government report on progress on NAP implementation. As of July 2013, no response had been received and WPSN-C followed up on July 29, 2013 with another letter to Minister Baird, unacknowledged as of October 15, 2013. This follow-up letter is reproduced in the conclusion of this report.

B. Prevention and protection

Indicator 6 – Number and percentage of SGBV cases reported, investigated, prosecuted and penalized

Although Canada is not a conflict country, SGBV, in the most common forms of sexual harassment and assault, does occur within Canada's police and military forces. A recent report entitled, 'Gender and respect — The RCMP Action Plan' looked at why more women do not join the RCMP. While the report did not look at the amount of harassment women face in the RCMP, it did reveal that women, who make up approximately 20 percent of the 20,000 RCMP employees, face harassment within the organization, though the type and amount of harassment was not specified.³¹

30 Issue 26, page 58

31 Parliament of Canada, The Standing Senate Committee on National Security and Defence (18 March 2013), accessed July 13, 2013, <http://www.parl.gc.ca/content/sen/committee/411%5CSECD/50022-e.HTM>.

Due to the lack of reporting on the implementation of these laws and policies, it is difficult to determine their effectiveness or make assessments as to their suitability at effecting change on WSP issues in Canada and abroad.

However, a recent appearance at the Canadian House of Commons by a representative of the Ontario Provincial Police (OPP) did reveal the following statistics on SGBV in the OPP:

In 2012 we had 118 WDHP (workplace discrimination and harassment prevention) complaints in the OPP. The largest single reason cited for the complaints was sex or gender, at 20 percent, or 24, of the complaints. I should make it clear here that the majority of these cases, 13 in total, cited gender as the reason for discrimination rather than sexual harassment. Of the 118 complaints in 2012, 11 alleged sexual harassment. Ten of those 11 were substantiated and actions were taken to correct the problem. Of the 13 cases that alleged discrimination based on gender, four were substantiated and action was taken. In 2012, 96 percent of our WDHP complaints based on gender, for a total of 23 out of 24, were made by female employees.³²

At this time, no updated statistics could be found on SGBV in Canada's military. A survey on the subject is currently in progress however, and the results are expected to be released in late 2013.³³ It is also worth noting that independent investigations into SGBV in Canada's military have raised a number of red flags, including, but not limited to, accusations of SGBV not being investigated. However, due to blocks encountered during these investigations, no conclusions can be made other than a concern about the lack of transparency and possible concerns about a lack of investigation into potential incidents of SGBV.³⁴

Indicator 7 – Number and quality of gender-responsive laws and policies

The Canadian Government has implemented a number of gender-responsive laws and policies, which will be outlined in turn. Due to the lack of reporting on the implementation of these laws and policies, it is difficult to determine their effectiveness or make assessments as to their suitability at effecting change on WSP issues in Canada and abroad. Where possible, such assessments are made, however significant gaps in updated reporting greatly affected the analysis in this Indicator.

32 Canadian House of Commons, 41st Parliament, 1st Session, Standing Committee on the Status of Women (18 April 2013), accessed June 29, 2013, <http://www.parl.gc.ca/HousePublications/Publication.aspx?DocId=6088099&Language=E&Mode=1&Parl=41&Ses=1>.

33 The Record, Canadian Forces survey asks troops to shed light on sexual assault, harassment (09 June 2013), accessed July 11, 2013, <http://www.therecord.com/news-story/3832419-canadian-forces-survey-asks-troops-to-shed-light-on-sexual-assault-harassment/>.

34 Canada's Invisible War, supra note 11.

*The Crimes Against Humanity and War Crimes Act (CAHWCA)*³⁵ was enacted for the purpose of having national laws in place to fulfill Canada's international obligations. The CAHWCA was adopted on June 24, 2000, and Canada ratified the Rome Statute of the International Criminal Court on July 9, 2000. Under the CAHWCA, Désiré Munyaneza was found guilty of genocide, crimes against humanity and war crimes for actions committed during the 1994 Rwandan genocide. This was the first conviction under the CAHWCA and is currently under appeal.³⁶ While the aim of the Act is not gender specific, it highlights Canada's commitment to the Rome Statute, which criminalizes a number of gender based crimes.³⁷

Canada's Action Plan for the Implementation of United Nations Security Council Resolutions on Women, Peace and Security³⁸ was enacted to provide guidance for the Government of Canada in implementing UNSCR 1325 and its supporting resolutions. The last publication of Canada's civil society monitoring report on the implementation of UNSCR 1325 was in 2011, when accomplishments included the NAP covering all phases of peace operations, fragile states, and conflict-affected situations, as well as outlining indicators and departments/ministries in charge of their implementation.³⁹ Without an updated report, it is difficult to determine the effectiveness of Canada's NAP.

The NATO Overarching Policy⁴⁰ is another example, the purpose of which is for member countries, including Canada, to implement UNSCR 1325, specifically in the following areas:

1. mainstreaming UNSCR 1325 in policies, programmes and documentation;
2. cooperating with international organizations, non-governmental organizations, and civil society;
3. operations;
4. education and training;
5. public diplomacy; and
6. national initiatives.

Through this initiative, the Bi-Strategic Command (Bi-SC) directive has been developed. Its purpose is to ensure that, "NATO led missions and operations [have] the advantage of including female perspectives, encouraging policy of gender mainstreaming, and protecting women and girls during armed conflict."⁴¹ As a result, the Bi-SC led to the creation of Gender Advisor roles in Peace

35 "Crimes Against Humanity and War Crimes Act," accessed June 10, 2013, <http://laws-lois.justice.gc.ca/eng/acts/c-45.9/>.

36 "Criminal Prosecutions. Munyaneza, Désiré," accessed June 20, 2013, <http://www.justice.gc.ca/eng/cj-jp/wc-cdg/succ-real.html>.

37 "Gender and the International Criminal Court," accessed June 21, 2013, http://www.international.gc.ca/court-court/gender-hommes_femmes.aspx?lang=eng.

38 "Building Security for All: Canada's Action Plan for the Implementation of United Nations Security Council Resolutions on Women, Peace and Security," accessed June 11, 2013, http://www.international.gc.ca/START-GTSR/women_canada_action_plan-plan_action_femme.aspx?lang=eng.

39 "Canada - Security Council Resolution 1325: Civil Society Monitoring Report 2011," accessed June 23, 2013, <http://www.gnwp.org/wp-content/uploads/2012/02/canada1.pdf>.

40 "NATO's Overarching Policy," accessed June 11, 2013, http://www.nato.int/cps/en/SID-96A6FCFF-FB69EA3F/natolive/topics_91091.htm.

41 North Atlantic Treaty Organization, Bi.Sc Directive 40-1, Integrating SCR 1325 and Gender Perspectives in the NATO Command Structure Including Measures For Protection During Armed Conflict. (Belgium, Europe and Virginia, U.S.A., September 2009), pgs. 1-1 (Bi.Sc Directive 40-1).

Time and Crisis Establishment posts "to provide expertise on UNSCR 1325, women and gender perspectives and cultural awareness."⁴² It also outlines Measures for the Protection of Women and Girls in Armed Conflict which includes reporting on "when allegations are made or incidents occur that breach NATO standards of behaviour...or involve harm to civilians with specific consideration given to females from violence, rape and other forms of sexual abuse."⁴³ Information available to the public from the Canadian government does not include how it is implementing the Bi-Strategic Command.

The Status of Women Strategic Policy⁴⁴ advises other federal departments and agencies on issues related to establishing equality for women and girls. It has three priority areas: increasing women's economic security and prosperity; encouraging women's leadership and democratic participation; and ending violence against women. The policy states that this body promotes the Canadian government's objective to achieve equality for women both domestically and internationally with the aim of boosting Canada's international reputation and ensuring global women's human rights. Status of Women Canada has also created a tool to study potential impacts of gender policies, specifically the GBA+ program. Through the use of this tool, "officials across all sectors and functions and decision-makers at all levels are enabled to develop policies and programs that are more responsive to specific needs and circumstances, towards the overall goal of achieving better results for Canadians." Funding from Status of Women of Canada appears to be offered to organizations/groups within Canada to meet its objectives, however it is unclear if funds are provided for activities related to implementing the NAP.

The Canadian Government has also created the 'Introduction to the Gender-Based Analysis (GBA) Working Guide,' which is posted on the Department of Aboriginal Affairs and Northern Development Canada (AANDC) website. The guide is comprehensive and includes requirements for quantitative and qualitative data for gender-based analysis. In the 'Introduction to the GBA Working Guide' it states that Canada's international and national commitments do not include reference to the NAP for UNSCR 1325.

The No Exclusion Policy⁴⁵ ensures that women have the ability to apply for any job offered in the Canadian Forces. The Canadian Forces website lists milestones as a result of the no exclusion policy and their gender equality approach. In the 2000s, it lists firsts for women in the Canadian Forces as including women filling the following roles in the military: Rear-Admiral; Chief of Reserves and Cadets; Commanding Officer of the Snowbirds; Commander of a major warship; Wing Commander; Commander of Naval Reserves (the first female naval officer to command a Formation); Joint Task Force Commander (Joint Task Force North); Commander of a combat arms sub-unit; captain of a Canadian warship; and appointed to Command Chief Position

42 Bi.Sc Directive 40-1, pgs. 1-3.

43 Bi.Sc Directive 40-1, pgs. 3-2.

44 "Strategic Policy," accessed June 12, 2013, <http://www.swc-cfc.gc.ca/abu-ans/index-eng.html#policy>.

45 "Women in the Forces," accessed June 12, 2013, <http://www.forces.ca/en/page/women-92>.

as Assistant Deputy Minister (Human Resources – Military) Chief Warrant Officer. No more specific or updated statistics have been made available.

The Department of National Defence and Canadian Forces' Harassment Prevention and Resolution Policy⁴⁶ was developed based on the Treasury Board Policy and the *Canadian Human Rights Act* (CHRA). This policy requires all civilian employees to take a one-day harassment awareness course and Harassment Prevention and Resolution for Supervisors course for new supervisors of civilians. For Canadian Forces staff, they receive training on harassment prevention and resolution throughout the duration of their career. For Commanding Officers, Commanders, and civilian equivalents, there is an expectation that they lead by example, modelling appropriate workplace behaviour and implementing training's on harassment awareness and prevention. It is worth noting that these policy addressing issues relate to UNSCR 1325 and the NAP. There is however, no information readily available under the Action and Education section on how it intends to monitor and evaluate the implementation of the policy.

The Military Administrative Law on Harassment⁴⁷ was first declared in 1988, then reviewed and revised in 2000. It states that both the DND and Canadian Forces define harassment as "any improper conduct by an individual that is directed at and offensive to another person or persons in the workplace and which the individual knew or ought reasonably to have known would cause offence or harm." It also appoints responsibility to the Canadian Forces to "ensure that leaders do not harass their subordinates." Further, the law outlines potential Canadian Forces' liability when superiors harass their subordinates. Two areas not noted in the law though are sexual harassment and harassment when deployed to peace operations, fragile states, or conflict-affected situations.

Canada is also a party to the UN *Convention on the Elimination of All Forms of Discrimination against Women*,⁴⁸ which safeguards the rights of women and girls. This is referred to in UNSCR 1325, where it requests parties in armed conflicts to respect international obligations. Canada ratified the Convention on December 10, 1981. Under the section for International Cooperation of the Combined sixth and seventh periodic reports submitted by Canada in 2007 to the CEDAW Committee, the Government of Canada notes its leadership role on women, peace and security issues.⁴⁹ It also states that an assessment to be conducted by the Government of Canada on gender equality training for Peace Support Operations personnel would be included in the NAP.

46 "Department of National Defense and Canadian Forces Harassment Prevention and Resolution Policy," accessed June 12, 2013, <http://www.forces.gc.ca/site/mobil/news-nouvelles-eng.asp?id=4337>.

47 "Military Administrative Law Manual. Chapter 22 – Harassment," accessed June 12, 2013, <http://www.forces.gc.ca/jag/publications/mal-dam/miladminlaw-droitadminmil/chap22-eng.asp>.

48 "Convention on the Elimination of All Forms of Discrimination against Women," accessed September 25, 2013, <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>.

49 United Nations, Committee on the Elimination of Discrimination Against Women, "Combined sixth and seventh periodic reports: Canada," 2004, p. 21 (Combined sixth and seventh periodic reports: Canada).

In Appendix 1 of said report, the Government of Canada lists public consultations with NGOs and academics it has conducted for peacebuilding and human security since 1997, including a discussion on Gender, Peace and Security in May 2006.⁵⁰ Additionally, the Canadian government reported having undertaken annual consultations on international engagement in human rights so that NGOs have a chance to provide their insight on issues including eliminating violence against women.⁵¹ The report also links to Canada's 2004 response to the Secretary General's request for information on the implementation of UNSCR 1325, which identifies key stakeholders for implementing the resolution, including: the Department of Foreign Affairs and International Trade Canada (DFAIT, now DFATD); the Canadian International Development Agency (CIDA); the Department of National Defence (DND); the Royal Canadian Mounted Police (RCMP); Citizenship and Immigration Canada (CIC); and the International Development Research Centre (IDRC).⁵² The response lists many actions taken by the Government to address issues identified in UNSCR 1325. Updates to this 2004 report could not be found.

The DFATD website states that part of Canada's foreign policy priorities includes the "elimination of violence against women, the full and equal participation of women in decision-making, and the mainstreaming of a gender perspective."⁵³ It states that these priorities are pursued abroad through the UN, bilateral discussions, and CIDA while domestically these aims are complemented by efforts undertaken by the Status of Women Canada department.⁵⁴ No examples of this priority being implemented by the Canadian Government were found.

The Canadian International Development Agency (CIDA) policy statement on Promotion of Gender Equality and Empowerment of Women via the Millennium Development Goals (MDGs)⁵⁵ includes MDG 3, Promoting Gender Equality and the Empowerment of Women, as well as Improved Maternal Health. Canada is committed to the implementation of the MDGs and lists many actions taken to address them. One major action is Canada's support of an initiative that came out of the G8 meeting in 2010, the Muskoka Initiative on Maternal, Newborn and Child Health.⁵⁶ Canada committed to SCAD 1.1 billion in funding over the next five years, in addition to the SCAD 1.75 billion dollars already committed, to this particular project.⁵⁷ A civil society critique of the Muskoka Initiative is that it hinders a woman's right to reproductive health by limiting access to a full range of services

50 Ibid, p. 160.

51 Ibid.

52 Government of Canada, "Government of Canada Response to request for information by UN Secretary-General concerning full implementation of Security Council Resolution 1325 on women, peace and security," accessed July 15, 2013, http://www.international.gc.ca/foreign_policy/human-rights/resolution-1325-response-en.asp.

53 Department of Foreign Affairs, "Canada's commitment to gender equality and the advancement of women's rights internationally," accessed July 16, 2013, [http://www.international.gc.ca/rights-droits/women-femmes/equality-egalite.aspx\(Canada's commitment to gender equality\)](http://www.international.gc.ca/rights-droits/women-femmes/equality-egalite.aspx(Canada's commitment to gender equality)).

54 Ibid.

55 "Promote Gender Equality and Empower Women (MDG 3)," accessed June 13, 2013, [http://www.acdi-cida.gc.ca/acdi-cida/acdi-cida.nsf/eng/JUD-131841-HC7; 'Improve Maternal Health \(MDG 5\),' accessed June 13, 2013, http://www.acdi-cida.gc.ca/acdi-cida/acdi-cida.nsf/eng/JUD-41183252-2NL \(Improve Maternal Health \(MDG 5\)\)](http://www.acdi-cida.gc.ca/acdi-cida/acdi-cida.nsf/eng/JUD-131841-HC7; 'Improve Maternal Health (MDG 5),' accessed June 13, 2013, http://www.acdi-cida.gc.ca/acdi-cida/acdi-cida.nsf/eng/JUD-41183252-2NL (Improve Maternal Health (MDG 5))).

56 Improve Maternal Health (MDG 5).

57 Ibid.

for sexual health, including safe abortion.⁵⁸

In October 2013, the international development minister, Christian Paradis, referred back to Prime Minister Stephen Harper's announcement of the Muskoka Initiative in 2010 of almost SCAD 3 billion. Asked if Canada would make an exception to the policy of no-abortion funding, in cases of pregnancies resulting from rape as a weapon of war, Mr. Paradis reinforced the 2010 proviso made during the G8 meeting in Muskoka, "We've been clear in Muskoka, so you can think that the same logic will apply here," he said.⁵⁹

Indicator 8 – Number and nature of provisions/recommendations in the truth and reconciliation commission (TRC) and other transitional justice reports on women's rights

This indicator is applicable to Canada, even though the country is not currently in armed conflict and does not have a recent history of internal armed conflict. As explained in the Introduction to this report, the Truth and Reconciliation Commission of Canada (TRCC) is operating to address the aftermath of repression and abuse of Aboriginal children in federally funded 'Indian residential schools' funded from the 1920s until the 1990s, by the Government of Canada, to assimilate Aboriginal people forcibly into the Canadian mainstream by eliminating parental and community involvement in the intellectual, cultural, and spiritual development of Aboriginal children. More than 150,000 First Nations, Inuit, and Métis children were placed in what were known as Indian residential schools. As a matter of policy, the children commonly were forbidden to speak their own language or engage in their own cultural and spiritual practices. The Indian Residential Schools Settlement Agreement (Agreement), the largest class-action settlement in Canadian history, established the Truth and Reconciliation Commission of Canada and set out mechanisms for reparations to residential school survivors, as summarised below.

Reparations for victims / residential school survivors

The Agreement includes the following measures to address the devastating legacy of the Indian Residential School system in Canada:

- ▶ Common Experience Payment (CEP) paid to all eligible former students who resided at a recognized Indian Residential School;⁶⁰
- ▶ Independent Assessment Process (IAP), a claimant-centered, non-adversarial, out of court process for the resolution of claims of sexual abuse, serious physical abuse and other wrongful acts suffered at Indian Residential Schools;⁶¹

58 Oxfam Canada, "Canadian women demand action on Muskoka Health Initiative," accessed July 17, 2013, <http://oxfam.ca/news-and-publications/news/canadian-women-demand-action-muskoka-health-initiative>; Marilou McPhedran, "Canada has lost its strong women's rights stance at the UN," Embassy News, September 25, 2013.

59 <http://www.theglobeandmail.com/news/politics/foreign-aid-funds-for-maternal-health-initiative-will-not-cover-abortions-says-paradis/article14705523/> accessed October 10, 2013

60 Aboriginal Affairs and Northern Development Canada, Government of Canada, <http://www.aadnc-aandc.gc.ca/eng/1100100015594/1100100015595> accessed October 8, 2013

61 Aboriginal Affairs and Northern Development Canada, Government of Canada, <http://www.aadnc-aandc.gc.ca/eng/1100100015632/1100100015633> accessed October 8, 2013

- ▶ Commemoration, a SCAD 20 million initiative which supports local, regional and national activities that honor, educate, remember, memorialize and/or pay tribute to former Indian Residential School students, their families, and their communities;⁶² and
- ▶ Measures to support healing such as the Indian Residential Schools Resolution Health Support Program and an endowment to the Aboriginal Healing Foundation.⁶³

The Government of Canada reported in an Update on the Common Experience Payment (covering the period from September 19, 2007 to March 31, 2013) that, "99% of the 80,000 estimated former students eligible for the Common Experience Payment (CEP) under the Indian Residential Schools Settlement Agreement (IRSSA) have received payment. A number of applications for the CEP are still under review."⁶⁴

Indicator 9 – Percentage of women (versus men) who receive economic packages in conflict resolution and reconstruction processes

Canada funds a number of international programs. Most of these programs take place in Africa, though the funding is certainly not limited to this continent. At this time, it does not appear that Canada funds any Disarmament, Demobilization and Reintegration (DDR) programs. However, it does fund a number of programs that appear designed to benefit women in troubled regions. Details could not be found on the exact number of female recipients for these programs and a request to the federal government (DFATD) for this information was declined.

C. Promotion of a gender perspective

Indicator 10 – Number and percentage of pre-deployment training and post-deployment programs for military and police incorporating UNSCR 1325, UNSCR 1820, international human rights instruments and international humanitarian law

Little information, beyond that supplied in the 2011 Report, was available on the relevant websites of the Government of Canada, and the request to DFATD for updated information was declined.

As stated previously, the Pearson Centre has reported supporting the police and gendarmerie services in Burkina Faso and Benin, in addition to supporting the Sierra Leone's police in conducting a review of their policy on peace and security operations from a gender perspective.⁶⁵

However, on September 26, 2013 the Pearson Centre announced its imminent closing.⁶⁶

62 Aboriginal Affairs and Northern Development Canada, Government of Canada, <http://www.aadnc-aandc.gc.ca/eng/1100100015635/1100100015636>, accessed October 8, 2013

63 <http://www.ahf.ca> accessed October 8, 2013

64 Aboriginal Affairs and Northern Development Canada, Government of Canada, <http://www.aadnc-aandc.gc.ca/eng/1315320539682/1315320692192>

65 Testimony of Dr. Anne Livingstone invited by the Standing Senate Committee on Human Rights on May 6, 2013, Issue 26, pg. 61, accessed September 30, 2013, <http://www.parl.gc.ca/Content/SEN/Committee/411/ridr/pdf/26issue.pdf>

66 Statement by Kevin McGarr, President and CEO, Pearson Centre, accessed September 30, 2013, <http://www.pearsoncentre.org/article254#.UIO-vsfD-M->

Table 11.1: Allocated and dispersed funding marked for women, peace and security programs (WPS) to government

Government body in charge of project and/or programs	Funds from national budget: Yes/No? Amount (\$CAD)	Donor country/entity	Purpose
CIDA Start: 2013/03/15 End: 2018/03/29	Yes Maximum Contribution: 18,000,000	UNDP (Executing Agency-Partner)	To ensure that women and girls are better protected from violence, exploitation, and abuse in the eastern provinces of the Democratic Republic of the Congo by fighting impunity for perpetrators.
CIDA Start: 2011/03/29 End: 2014/03/31	Yes Maximum Contribution: 4,300,000	World Bank (Executing Agency-Partner)	"Learning on Gender and Conflict in Africa": Integrating issues related to the specific needs of young ex-combatants and child soldiers in implementation of programming in the Great Lakes region (Uganda, Burundi, Rwanda, Congo). There is to be a special focus on the needs of women, girls and other vulnerable groups such as child soldiers and their experiences in the context of conflict and post-conflict to ensure equitable access to benefits and delivery.
CIDA Start: 2011/01/12 End: 2015/06/30	Yes Maximum Contribution: 10,937, 502	UNODC (UN Office on Drugs and Crime- Executing Agency and Partner)	To build the forensic capacity of the Palestinian justice system. A key feature of the project is the expansion of clinical forensic medicine services to deal with sexual assault, child abuse and domestic violence cases.

Source: All information in the above chart was taken from: Government of Canada, "2013–14 Estimates Parts I and II The Government Expenditure Plan and Main Estimates," 2013, pgs. 11–151.

Indicator 11 a & b – Allocated and disbursed funding marked for women, peace and security (WPS) programs to CSOs and government

No updated information could be identified regarding the Canadian Government's contribution to CSOs for WPS projects. But several projects were identified showing such funding to other groups.

The Crimes Against Humanity and War Crimes Act established a Crimes Against Humanity Fund, which holds all proceeds obtained from the disposal of forfeited assets and the enforcement of fines and ICC reparation orders in Canada. The Attorney General of Canada may then use the Fund to make payments to the ICC, the ICC's Trust Fund established under the Rome Statute, or directly to victims.⁶⁷

Additional governmental initiatives are outlined in the table above.

Fewer programs are listed in the above chart than those listed in the 2011 Report on Canada. In addition, Canada has been supporting programs that implement the 2009 *Law on the Elimination of Violence against Women*, and Canada committed \$CAD 5 million to preventing sexual violence in conflict. Unfortunately, no indications were given on how and where these funds will be used.⁶⁸ This may be a follow-up on indications in 2012 from the current Canadian government that reducing

violence against women in conflict is one of the key themes of Canadian foreign policy.⁶⁹

In the previous sections, de-funding of civil society groups working on WPS has been discussed. This was a component in the rating of this indicator.

Optional Indicator A – Extent to which gender and peace education are integrated in the curriculum of formal and informal education

The theme of 'Gender and Peace' is integrated into a number of educational programs in Canada, though primarily at the post-secondary level, through classwork that teaches and encourages gender rights and the attainment of peace. The Canadian Peacebuilding Initiative of the Canadian government, "is a set of principles and actions intended to coordinate Canadian peacebuilding activities, both government and NGO, and to strengthen Canada's contribution to international peacebuilding."⁷⁰

Two secondary school projects that integrate gender and peace have been identified in Canada. The Ontario Human Rights Commission is the first of these programs, which consists of an educational package called *Teaching Human Rights in Ontario* (THRIO). The education package is intended to be used

67 Department of Foreign Affairs and Trade, "Canada's Crime Against Humanity Act," accessed June 10, 2013, <http://www.international.gc.ca/court-cour/war-crimes-guerres.aspx>.

68 Department of Foreign Affairs and International Trade Canada, Canada News Centre, Standing Up for Victims of Sexual Violence in Conflict Areas, accessed August 4, 2013, <http://news.gc.ca/web/article-eng.do?nid=731589>.

69 Department of Foreign Affairs and International Trade Canada, Address by Minister Baird at Montreal Council on Foreign Relations Luncheon, September 14, 2012, accessed August 4, 2013, <http://www.international.gc.ca/media/aff/speeches-discours/2012/09/14a.aspx?view=d>.

70 The Council of Ministers of Education, "Education for Peace, Human Rights, Democracy, International Understanding and Tolerance: Report of Canada," (Ottawa: South House Exchange), October 2001, pgs. 33.

by “teachers in Ontario schools to teach students about the provisions of the Ontario Human Rights Code and the work of the Commission. Released in 1995, the package was reviewed for use in Ontario schools and has been endorsed by the Ministry of Education and Training. It complements current Ministry objectives related to equal opportunity and anti-discrimination.”⁷¹ A similar program also runs in Alberta, through the Alberta Civil Liberties Research Centre’s Human Rights Education Project, which provides human rights education throughout Alberta at the secondary level.⁷²

Canada has an excellent reputation for providing opportunities to study gender and peace at the post-secondary level. Eleven universities have been identified where programs are offered that focus on gender and peace:

- ▶ Acadia University - Peace Studies
- ▶ Mount Saint Vincent University - Peace and Conflict Studies (PAX)
- ▶ University of Prince Edward Island - Conflict Resolution and Mediation courses
- ▶ St Paul’s University - Canadian Institute for Conflict Resolution
- ▶ University of Toronto - Peace and Conflict Studies
- ▶ McMaster University - Centre for Peace Studies
- ▶ University of Waterloo - Institute of Peace and Conflict Studies
- ▶ University of Winnipeg – Institute for International Women’s Rights; Human Rights and Global Studies at Global College; International Development Studies and Conflict Resolution Studies with Menno Simons College of the Canadian Mennonite University
- ▶ Lester B. Pearson College of the Pacific
- ▶ Royal Roads University - Master of Arts Program in Conflict Analysis and Management
- ▶ University of Victoria – International Women’s Rights Project at the Centre for Global Studies; Institute for Dispute Resolution⁷³

While there are post-secondary programs in Canada that offer students the opportunity to explore gender and peace education, there is a clear lack of such an opportunity at the secondary level. As secondary curricula are a provincial responsibility, the Canadian provincial governments could be encouraged to make it mandatory to integrate such information into secondary education, at both the elementary and high school levels.

Canada has a tradition of peacekeeping, and of funding education for peacekeeping though this reputation has diminished in recent years. For example, the Pearson Centre – a recipient of crucial funding from the Canadian government for training since its founding, is an educational facility at which peacekeepers from around the world have come to be trained to fight for and maintain access to gender rights and peace - in September 2013 announced its imminent closure.

⁷¹ Ibid, pg. 43.

⁷² Ibid, pg. 40.

⁷³ Ibid, pgs. 34-37.

III. Conclusion and recommendations

Conclusion

The gaps in the Canadian NAP on the implementation of UNSCR 1325 include:

- ▶ a lack of specific expected results;
- ▶ no timeline to realize outcomes expected from indicators;
- ▶ no specified actors (government bodies) to implement the NAP;
- ▶ no list of budget allocations to ensure the plan can be achieved within a specified timeline; and
- ▶ insufficient requirements for qualitative analysis on the systemic challenges that require addressing.

These gaps produce vagueness on who is accountable for implementation of the NAP and what resources have actually been dedicated to implementing the NAP. The coordinator of the NAP is identified as the START. It is also stated that “(d) epartments and agencies will implement the Action Plan as part of their accountability to Canadians for human and financial resources allocated by Government for realization of their mandates.” Yet there is no language on exactly how these federal bodies will implement the NAP or on what financial resources are available to these departments. The importance of the need for specified budget allocations is clear in light of the recent release of information that there will be “a decrease of \$132 million due to the sun setting of funds for the Global Peace and Security Fund and its related Subprograms.”⁷⁴ It is understood, although it is not confirmed, that some funding for the NAP came from this fund. There is a lack of clarity on where funding is coming from, how much is available, for which indicators, and implemented by whom.

As well, due to the vagueness of the NAP it is unclear when Canadians can expect information on its implementation. The plan covers the period ending March 31, 2016 and notes that there will be a mid-term review but gives no specific deadline as to when that review will be released to the public. There has also been no government report on the implementation of the NAP since its adoption in 2010. Such a report was expected to be delivered in 2012 and then the Senate Standing Committee on Human Rights in May 2013 was promised by the START spokeswoman that the Report would be tabled later in the Spring of 2013, but it was not.

Although inquiries were made to the government, including letters sent to Minister Baird’s office by the WPSN-Canada in February and July 2013; no response had been received as of October 2013. The text of the follow-up letter sent by WPSN-C on July 29, 2013 is reproduced in full below.

In addition, collection of qualitative analysis is not mentioned in the NAP. As such, critical information on methods, other than

⁷⁴ Government of Canada. 2013–14 Estimates Parts I and II The Government Expenditure Plan and Main Estimates. (Ottawa, 2013). p.19.

those outlined by quantitative indicators, employed by women in conflict resolution and peace-building are not documented or analyzed for their impact to such processes and in addressing sexual and gender based violence.

While the NAP confirms its international commitments there is a lack of accessible information on specific measures which have been taken to implement the Bi-SC, and assess what the results have been, where gaps lie, and what achievements have been

July 29, 2013

*The Honourable John Baird, P.C., M.P.
Minister of Foreign Affairs
125 Sussex Drive
Ottawa, ON K1A 0G2*

RE: Open letter on reporting on Canada's National Action Plan on Women, Peace and Security

Dear Minister:

We are writing as members of the Women, Peace & Security Network-Canada (WPSN-C) and other concerned organizations and individuals regarding Canada's reporting on its National Action Plan on Women, Peace, and Security.

In October 2010, Canada approved a National Action Plan on Women, Peace and Security entitled: Building Peace and Security for All. The plan covers the period April 2011 until March 2016 and sets out the Government of Canada's commitments to a wide range of initiatives and outcomes to support the implementation of the United Nations Security Council Resolutions on women, peace and security. It includes a commitment to annual reporting and a mid-term review. It also welcomes the contributions of Canadian civil society to the implementation and monitoring of the Action Plan.

As organizations and individuals who work daily to uphold the rights of women and girls at home and abroad, we write to request an update on the status of the annual reports and the mid-term review of the National Action Plan. Many of us work with civil society partners in countries and regions of conflict such as Democratic Republic of Congo (DRC), Colombia, and the Middle East, partners who are facing violence against women in conflict first hand. These groups are also looking to Canada for leadership and action on these issues.

We recognize that annual reporting on the National Action Plan is important to assess and document progress and challenges. We are concerned that there has been no reporting to date. We are additionally concerned that we have heard no news of the promised mid-term review, which presumably would take place sometime in 2013. We urge you to support an open and participatory mid-term review process that includes civil society participation and input.

On May 13, 2013, Marie Gervais-Vidricaire, Director-General of DFAIT's START Program, noted to the Senate Standing Committee on Human Rights that the first annual report would be tabled in Parliament, "before the House rises this spring," and that the report was, "in its final stages, and we would be happy to provide the committee with a copy once it has been tabled." To our knowledge, the report was not tabled before the House rose. Given that over two months have passed since the end of the second year, we are now also looking forward to receiving the report on the second year.

Thank you in advance for providing an update on reporting on the National Action Plan, and for your commitment to working together to ensure that all efforts are made to address issues related to women, peace, and security. We look forward to working with the Government of Canada to end violence against women in all its forms, and to strengthening Canada's actions in support of the women, peace and security agenda.

*Sincerely,
Amnesty International Canada
Gillian Barth, President and CEO, CARE Canada
Anne Bernard
Doris Buss, Associate Professor Law and Legal Studies, Carleton University
Canadian Association of Social Workers (CASW)
Canadian Federation of University Women
Canadian Voice of Women for Peace*

The Ven. Dr. Ellen Clark-King
Canadian Union of Postal Workers (CUPW)
Carol Drinkwater
Heather Gibb
Carol P. Greene, Past President, Montreal Branch, World Federalist Movement-Canada (WFM-C)
Debbie Grisdale
Harmony House
The Institute for International Women's Rights - Manitoba
KAIROS: Canadian Ecumenical Justice Initiatives
Laura Macdonald, Professor, Political Science, Carleton University
Leslie MacLeod, St. John's Status of Women Council/Women's Centre
MATCH International
Christine McDowell, on behalf of Remember Our Sisters Everywhere
Kate McInturff
The McLeod Group
The National Council of Women of Canada
Dr. Christiane Nkolo
Megan Nobert
Christine Ouellette
Oxfam Canada
Oxfam Quebec
Kristine St. Pierre
Liam Swiss, Assistant Professor, Sociology, Memorial University
Jo-Ann Rodrigues
Susan Russell
Sophie Toupin
Sandra Whitworth, Professor, Political Science, York University
Women Against Violence Against Women (WAVAW) Rape Crisis Centre
World Federalist Movement - Canada
Beth Woroniuk
YWCA Canada

CC:

The Honourable Rob Nicholson, Minister of National Defence
The Honourable Christian Paradis, Minister of International Development
The Honourable Kellie Leitch, Minister Responsible for the Status of Women

Ms. Niki Ashton, NDP Status of Women Critic
Mr. Paul Dewar, NDP Foreign Affairs Critic

Mr. Jean-François Fortin, BQ Critic for Foreign Affairs (and International Cooperation)
The Honourable Dominic LeBlanc, Liberal Foreign Affairs Critic
Ms. Maria Mourani, BQ Status of Women Critic
Ms. Judy Sgro, Liberal Status of Women Critic
Senator Mobina Jaffer, Chair of the Standing Senate Committee on Human Rights

made upon which the government is basing further steps to address and promote women's and girls' rights through women's inclusion in decision-making processes for deployments and peace operations.

Information is not readily available on indicators in the NAP like those listed under the sections of Participation, Representation, and Protection. Information on indicator 10-3 on the "number and percentage of female Canadian Forces personnel, police

officers and civilian Government of Canada personnel deployed to peace operations" or on indicator 10-5 on "number and proportion of women in executive-level roles in Government of Canada departments and agencies involved in peace operations, fragile states and conflict-affected situations" could not be readily found/accessed for this report.

There is no information on how to address instances of abuse, what the ramifications are if there is evidence of abuse perpetrated by

Canadian military personnel or specific guidelines on addressing the protection and promotion of women's and girls' human rights, including what measures may be taken to prevent sexual violence. Such actions would speak to Indicators 16-2 and 19-1 from the NAP.

The NAP, as well, does not show results of the assessment on the gender equality training for personnel involved in Peace Support Operations. Instead it has indicators related to the number and percentage of Government of Canada personnel deployed to peace operations who receive training on elements of UNSCR 1325.

There are many concerns about how the NAP is being implemented, including how much funding is available to implement actions, and who is responsible for deliverables. The closure of CIDA only raises more questions on how Canada intends to implement the NAP. For 2012, the Global Gender Gap Index ranked Canada as 21st out of 135 countries. This is down from its ranking in 2006 (the last year listed for comparison in the 2012 Index report) which was fourteen.

Recommendations

To Government

1. Retake leadership on the rights of women to full political participation - promised as far back as *the Convention on the Political Rights of Women* in 1952, reinforced by CEDAW article 7 on women's right to full political participation, and article 8 on the equal right of women to represent their countries internationally. As long as women are not key participants in decision-making, they will be vulnerable and marginalized by sexual and other forms of violence.
2. Release overdue annual reports on the NAP on UNSCR 1325 and successor resolutions, detailing Canada's progress in implementing the UN Security Council's resolutions on women, peace and security.
3. Take specific action on implementing commitments in its NAP, including measures suggested in 2010 by the Standing Senate Committee on Human Rights, such as:
 - clear targets that each specific action in the plan is intended to reach and time-bound indicators corresponding to the realization of these targets;
 - allocation of clear, dedicated and multi-year budgetary resources toward the implementation of the Canadian NAP.
4. Careful consideration of how changes in economic and trade policies will impact women and girls in fragile societies. With the recent merger of CIDA and DFAIT into the Department of Foreign Affairs, Trade and Development, the government should guarantee that women and girls will have access to the economic opportunities that are created by trade and economic policies and that the creation of opportunities for economic development do not impede or create additional barriers for women and girls. Access to economic

opportunity is critical in advancing democracy, and women's leadership is vital, so the government should continue to ensure that its collaboration with Canadian companies abroad does not inadvertently result in insecurity or conflict that disproportionately affects women and girls.⁷⁵

The lack of response of the federal government to information requests and other attempts by women's civil society organizations to participate in implementation of the NAP is a symptom of a more pervasive loss of opportunity.

Ensure serious attention on the part of the federal government to the benefits of greater integration and inclusion of civil society to boost synergies in filling gaps in implementation of effective measures - not only to provide services to survivors of SGBV in conflict or post-conflict - but also to prevent violence against women in conflicts and to end impunity for perpetrators. The modern rule of law includes women's human rights. To implement women's 'lived rights' free of violence, we need to see Canadian leadership in promoting greater coherence in 'global governance as a whole' through greater engagement in the UN system on women's human rights and human security through a more robust Women, Peace and Security agenda in Canada, as well as internationally.

⁷⁵ With appreciation to Dr. Anne Livingstone of the Pearson Centre, for raising recommendations on economic inclusion before the Standing Senate Committee on Human Rights on May 6, 2013, Issue 26, page 63, accessed October 15, 2013, <http://www.parl.gc.ca/Content/SEN/Committee/411/ridr/pdf/26issue.pdf>.

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