



## Gender and Conflict: Making Elite Bargaining Processes More Inclusive

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### Executive Summary

The UK Government's Stabilisation Unit's Elite Bargains and Political Deals (herein, EBPD) project provides a political economy-informed analysis that suggests peace will fail unless elite politics and the power relations underlying inter-group conflict are sufficiently understood and taken into account in efforts to broker an end to violent conflict. The EBPD project is set against the failure of the liberal peacebuilding model to use the ruptures caused by war to push for reformed political, legal and economic systems and resolve conflict.

**Gender-sensitive analysis identifies four main challenges to – and gaps in – the EBPD project's analysis:** 1) the neglect of invisible gendered violence that incites or exacerbates conflict; 2) the connection between micro gender dynamics in the private sphere and their effects on macro dynamics of political power 3) women's agency in sustaining peace; and 4) discriminatory gender norms as underlying causes of violence and conflict. In particular, the neglect of the gender dynamics of conflict across the public-private boundary in the EBPD project renders invisible both gender-based violence (GBV) and women's agency. By contrast with the EBPD project, the paper analyses gender-based violence not merely as an embedded and permissive form of violence in conflict transitions but part of the dynamics of political violence. Failure to end impunity for gender-based violence may fuel broader conflict.

Gender-sensitive analysis *challenges* the EBPD framework and its limited recognition of the highly masculine and male-dominated elite bargaining processes. The paper highlights the significant evidence that women's agency as elite negotiators, mediators and external actors in bargaining or peace processes can be influential in brokering and sustaining peace in combination with the role of other elite actors in bringing in a gender perspective. Both types of agency are bolstered by women's collective action outside elite processes. The paper scrutinises the apparent *trade-offs* between elite bargains that may reduce large scale conflict and more inclusive peace outcomes. It argues that ***it is possible to challenge underlying gender power structures and gendered forms of violence within elite bargaining processes.*** In an initial transition from conflict, women may be completely excluded from participating in elite bargains; their presence may be 'a red line' for at least one of the conflict parties. However, even in this situation, there are entry points that can facilitate the inclusion and influence of a gender perspective reflecting the different experiences and impacts of conflict on women and men. These entry points suggest ways to navigate the 'red line' agendas that cannot be directly negotiated; indirectly through the role of the mediator, elite women negotiators and/or shaming or rewarding strategies to shift elite positions.

Strategic elite and non-elite *entry points* are suggested to strengthen the UK's approach to tackling conflict overseas. The paper argues ***that inclusion cannot be left until after stabilisation.*** The reality is that systemic gender discrimination and sexualized or gendered violence persist and even increase after a formal cessation to conflict. There are ways to pursue inclusive processes even within fragile, elite bargaining processes, and as they stabilise, consolidate and transform. Where elite bargains are ineffective, alternative strategies can be supported by external actors. Engaging with and supporting civil society organisations, especially women's organisations that build on a common framework, for instance, can drive conflict resolution from below. ***The focus on elite bargaining processes may obscure the importance and the influence of these non-elite spaces, where women are also more likely to present and influential.*** Transformation in a conflict transition can and has been accomplished by the mobilisation of non-elites alongside – and with opportunities to shape – elite bargains and formal peace processes.



# Stabilisation Unit

## Introduction

The UK Government's Stabilisation Unit recently published the final report from its Elite Bargains and Political Deals (EBPD) project, which was based on twenty-one case studies and a synthesis paper analysing the relationships between elite bargains, political settlements and peace agreements. The EBPD project provides a political economy-informed analysis that suggests peace will fail unless elite politics and the power relations underlying inter-group conflict are sufficiently understood and taken into account in efforts to broker an end to violent conflict. The project explores under what conditions and in what contexts elite bargains lead to a reduction in levels of large-scale armed conflict. The EBPD project is critical of the liberal peacebuilding model, through which external actors use the ruptures caused by war to push for reformed political, legal and economic systems on conflict-affected states. Donors, external actors, and international organisations often use sanctions and aid to pressure state and non-state actors to adopt such liberal models. However, the analysis of elite bargains suggests that international actors need to work within the existing political settlement when attempting to support conflict transitions. Crucially, the EBPD project aims to negotiate the difficult tensions and trade-offs between short-term stabilisation of conflict and long-term pursuance of inclusive peace. The project provides an evidence base for the UK's approach to stabilisation, assisting policymakers as they look to shape more effective interventions in conflict contexts.

This paper was commissioned by the SU to bring a gender-sensitive analysis to the EBPD project based on the broad literature on gender, peace processes and post-conflict transitions. It addresses four key research questions:

1. Would applying a gender-sensitive analysis lead to more, altered or entirely different conclusions or recommended approaches to reducing violence and enabling sustainable transitions in conflict-affected countries, than those set out in the EBPD analysis?
2. How does the literature on gender, peace processes and post-conflict transitions and transitional justice challenge, support, or augment the EBPD analysis and conclusions?
3. What are the implications for HMG gender equality policy and legal commitments, and the UK's aim to support women's meaningful participation in peace processes and post-conflict transitions?
4. Does the gender analysis of EBPD work highlight any additional/ alternative HMG policy responses or ways of working in such contexts, or suggest additional considerations?

Overall, the paper aims to identify *challenges to – and gaps in –* the EBPD analysis of power relations. It examines *trade-offs* between elite bargains that may reduce large scale conflict and more inclusive peace outcomes; and suggests *entry points* from a gender perspective that could strengthen the UK's approach to reducing violence and enabling sustainable transitions in conflict-affected countries. The paper adopts the following definitions of elites, political settlements, elite bargains, and peace process used in the EBPD project:

- **Elites:** those within society that control a disproportionate amount of political power, wealth and/or privilege and are thus able to make or influence decisions and implement policies that affect wider populations.
- **Political settlements:** the distribution of power on which a polity and society is based, which results from conflict and negotiation between contending elites.
- **Elite bargains:** a discrete agreement, or series of agreements, that explicitly sets out to renegotiate the distribution of power and allocation of resources between elites.



## Stabilisation Unit

- **Peace agreements:** arrangements entered into by warring parties to explicitly regulate or resolve their basic incompatibility.

The paper is guided by and aims to apply the following definitions of gender, gender analysis and gender-sensitive conflict analysis and gender-responsiveness:<sup>1</sup>

- **Gender:** Masculine and feminine identities, attributes, constraints and opportunities associated with being male and female. These attributes, opportunities and relationships are socially constructed and learned through socialization within social structures, institutions, and cultural symbolism. They are context/ time-specific and changeable. Gender relations are integral to power relations within and across societies; they determine what is expected, allowed and valued in a woman or a man in any given context.
- **Gender analysis:** A framework and methodology to guide the gathering of information and data and its analysis to better understand the relationships between men and women, boys and girls, and sexual and gender minorities, their access to resources, decision-making, rights and the constraints and opportunities they experience relative to these and each other.
- **Gender-sensitive conflict analysis:** The systematic study of gendered power relations including systems, structures and institutions, and cultural, political, social, economic and security dynamics that contribute to violence, instability and perpetuate gender inequalities within and across groups. Such analysis needs to be an integral part of political economy analysis, context or conflict analysis.
- **Gender-responsive approach:** Informed by gender-sensitive analysis and/or agreement, gender-responsiveness as a concept and a practice seeks to enable operational and practical capacity to address gender inequalities, exclusions and differences through action or implementation efforts that are feasible, monitored and evaluated.

The paper consists of four main sections. The *first section* outlines the gender analysis of the EBPD project with the similar aim of improving “understanding of, and support for, efforts to reduce levels of armed conflict and build sustainable post-war transitions”.<sup>2</sup> In the *second section*, the paper challenges and extends three of the core concepts in the elite bargains approach to armed conflict and post-war transitions based on gender-sensitive conflict analysis. In the *third section*, the paper suggests empirical entry points for engaging with elites and non-elites in conflict contexts drawing on the literature on gender, peace processes and (post) conflict transitions. Recognising the tensions between securing short term stability and long-term development peace, these entry points for gender-responsive offer opportunities to open up the discussion around elite bargaining processes that could increase the chances that a post-conflict transition will be sustainable and promote gender equality.

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<sup>1</sup> The definitions of gender, gender analysis and gender-sensitive conflict analysis were developed by Cate Buchanan and Jacqui True with inputs from Sophia Close and are published in UN Women, *Report on the Expert Group Meeting on Women’s Meaningful Participation in Negotiating Peace and the Implementation of Peace Agreements*, (New York: UN Women, 2018), pp.44-45. Developed by Cate Buchanan and Jacqui True, August 2018 with inputs from Sophia Close. Conflict analysis, as typically undertaken by peace and security actors, is gender-blind, largely because it fails to differentiate between how violence and abuse of power is used, predominantly by men against women, in non-warring contexts especially in the private sphere, versus how violence affects women, men, girls and boys when it escalates and gains public visibility as “conflict-related”. The practice of gender-sensitive conflict analysis has been developed to remedy this exclusion and to avoid repeated reliance on partial and therefore inadequate and problematic analysis to inform policies and practice. See e.g. UN Women (2012), *Policy Briefing Paper Gender and Conflict Analysis*, New York: UN Women; Conciliation Resources, *Gender and Conflict Analysis Toolkit* (London, 2015).

<sup>2</sup> Christine Cheng, Jonathan Goodhand and Patrick Meehan. “Synthesis Paper: Securing and Sustaining Elite Bargains that Reduce Violent Conflict”, *Elite Bargains and Political Deals* (London: UK Stabilisation Unit, April 2018) p. 8.



## Stabilisation Unit

In the *fourth and final section*, the paper considers the implications of the EBPD project for the UK government's gender equality policy and legal commitments, and support for women's meaningful participation in peace and security under UNSCR 1325, and as the penholder for the UN Security Council Women, Peace and Security (WPS) agenda. Based on gender analysis, the paper suggests some principles and approaches to inform UK government strategy and way of understanding how elite bargaining processes can be engaged with to advance gender equality and women's participation in post-conflict transitions.

### Elite Bargains: A Gender Critique

Armed conflict is experienced differently by women and men because conflict takes place within political economies and cultures that are fundamentally structured by gender, assigning different roles and values to men and women with distinct consequences for their lives.<sup>3</sup> These gender structures in a society frequently get reinforced during war and conflict transitions often take men's security as the baseline for measuring implementation and success.<sup>4</sup> Men and women experience the impacts of conflict differently, however. Thus, efforts to end war and conflict must be sensitive to gender inequalities and differences if they are to be effective and sustainable.

Gender-sensitive analysis of the Elite Bargains and Political Deals (EBPD) framework highlights four important gaps in the framework and challenges to it based on neglected social and political dynamics. These are: 1) invisible gendered violence; 2) the connection between micro gender dynamics in the private sphere and their effects on macro dynamics of public power; 3) women's meaningful participation in sustaining peace; and 4) discriminatory gender norms as causes of violence and conflict.

#### *Invisible gendered violence*

Conflict-related gender-based violence is not limited to acts of rape and sexual violence but includes increased intimate partner violence and a wide range of forms linked to an economy of gender-based violence including enslavement, trafficking, forced marriage and pregnancy, detention and torture, kidnapping and forced disappearance of women activists and female members of male activists and families, denial of basic services related to reproductive health, early marriage in refugee camps, and so on.<sup>5</sup> New forms of gendered violence emerge and existing patterns of violence are often exacerbated and intensified in conflict. The experience of conflict is profoundly gendered. Young men, for example, are at risk of being recruited to armed groups or expected to fight. At the same time, young women are seen as property to be protected, with violation of their bodies bringing shame to their families and communities. Gender-based violence against women and girls, men and boys as well as gender-diverse groups invokes and fuels conflict

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<sup>3</sup> This key insight that women and men experience war and conflict differently is acknowledged in – and the foundation of – UN Security Resolution 1325 (2000) on women, peace and security (WPS), and the subsequent eight resolutions that make up the WPS agenda, a thematic agenda at the Security Council and institutionalised in other UN agencies, inter-governmental institutions and in National Action Plans adopted by over 80 UN member states (see Sara E. Davies and Jacqui True eds. *The Oxford Handbook on Women, Peace and Security* (Oxford: Oxford University Press, 2019).

<sup>4</sup> See Mary Caprioli, 'Democracy and Human Rights versus Women's Security: A Contradiction,' *Security Dialogue* 35.4 (2004): 411; Carol Cohn ed. *Women and Wars* (Oxford: Polity, 2014).

<sup>5</sup> Thus, the concept of gender based-violence does not only refer to violence occurring in the home although paradoxically the relegation of women to the home with their status defined by family ties and religion increases women and girl's vulnerability to gender-based violence in both private and public spheres. Gender-based violence against (GBV) men and boys is also a problem. Gender-based violence is defined by the UN General Assembly, "Declaration on the Elimination of Violence against Women," A/RES/48/104, 85th plenary meeting, December 20, 1993 and includes physical, psychological, and sexual violence, including rape, forced prostitution and trafficking, dowry-related violence and other traditional practices harmful to women, female genital mutilation, marital rape, spousal violence, sexual harassment and intimidation at work, and economic abuse and violence. Other forms of violence are also considered under the UN's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), such as "early and forced marriage, and online sexual abuse." the UN's Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), General Recommendation No. 19, as 'violence that is directed against a woman because she is a woman or that affects women disproportionately.' It was updated in General Recommendation No. 35 (2017) as "gender-based violence against women and girls".



## Stabilisation Unit

and acts of revenge, perpetuating cycles of violence and conflict.<sup>6</sup> Much of this violence is rendered invisible to the broader public, however, by pervasive gendered stigma. That stigma reinforces the culture of impunity (in the state and internationally) for this violence, which in particular restricts women's access to the public sphere and men's alternative to fighting. In addition, western analytical frameworks for understanding conflict tends to take a very gendered view of conflict, taking men's experience in the public realm as the norm. Thus, the Elite Bargains and Political Deals (EBPD) body of research hardly mentions these types of violence or of the gender dimensions of violence in general.<sup>7</sup>

It is precisely the gendered 'stigmatisation,' of violence against women and girls as well as sexualised violence against men and boys, however, that makes them effective conflict tactics to politically repress populations. These tactics are effective in that repression because of gender norms, that compel women and men to keep silent about the violence to prevent dishonour to their families and communities.

### *Connections between micro gender dynamics in the private sphere and their effects on macro dynamics of public power*

Understanding the political economy of gendered violence and conflict requires a methodology that explicitly connects micro-aggression, gender identities and power relations in the household and public realm to macro-structural processes in the state and globalised war economy.<sup>8</sup> The focus on elite bargains seems to mitigate against this kind of micro-macro analysis even though it is derived from political economy analysis of 'informal institutions'. These bargains reflect underlying political and economic interests but the analysis is limited to the interests of groups in the public realm. It excludes the interests in the private sphere of religion and the family household, which may also feature in formal and informal justice systems with respect to family status and civil laws, land and property rights, and laws and norms accepting or condoning gender-based violence.<sup>9</sup> If the EBPD project had considered the micro-macro aggressions then it would have allowed for a broader understanding of the influential factors that could either constrain or incentivize agreement to end the conflict.

### *Women's meaningful participation in sustaining peace*

The application of the EBPD framework suggests that there tensions and trade-offs between supporting an elite bargain that may reduce the major fighting and supporting more inclusive, progressive peace outcomes for all of society. An elite bargain may be necessary as a way of finding compromise between armed actors, however, as the EBPD case studies show, these bargains may not lead to the necessary conditions for sustainable peace. Elite bargains may not address the underlying causes of the conflict (as opposed to the *interests* driving the conflict) and may further embed the drivers of conflict to the extent that elites capture the benefits of peace.

Elite bargains may prove short-lived and the understanding of them as reducing violence is not gender-neutral as it does not take into account the gendered dimensions or experiences of violence. Conflict endings are typically not the same for women as for men.<sup>10</sup> A major insight from political science, however, is that societal gender equality including the decision-making participation of women contributes to political

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<sup>6</sup> Khuloud Alsaba, and Anuj Kapilashrami, "Understanding women's experiences of violence and the political economy of gender in conflict: the case of Syria." *Reproductive Health Matters* 24 (May, 2016): 5–17; Sara E. Davies, , Jacqui True and Maria Tanyag. 2016. "How Women's Silence Secures the Peace: Analysing Sexual and Gender-Based Violence in a Low Intensity Conflict." *Gender and Development* 24, 3: 459-473.

<sup>7</sup> Christine Cheng, Jonathan Goodhand and Patrick Meehan. "Synthesis Paper: Securing and Sustaining Elite Bargains that Reduce Violent Conflict", *Elite Bargains and Political Deals* (London: UK Stabilisation Unit, April 2018).

<sup>8</sup> Jacqui True, *The Political Economy of Violence against Women* (New York: Oxford, 2012); Sara Meger, *Rape, Loot, Pillage: The Political Economy of Sexual Violence in the Congo* (New York: Oxford University Press, 2016).

<sup>9</sup> Carole Pateman, *The Sexual Contract* (Stanford, CA: Stanford University Press, 1988); Susan Moller Okin, *Gender, Family and the Law*.

<sup>10</sup> Naomi Cahn, Dina Francesca Haynes and Fionnuala Ní Aoláin, *On the Frontlines: Gender, War, and the Post-conflict Process*. (Oxford: Oxford University Press, 2011).





## Stabilisation Unit

stability and state security.<sup>11</sup> Equally, the significant evidence that women's participation in elite peace processes as witnesses, signatories, mediators or negotiators makes a peace agreement more likely to be concluded and sustained does not appear to have any purchase in the analysis of elite bargains.<sup>12</sup> It is possible that women's participation has a significant – albeit often undocumented or unseen – impact on making an elite bargain stick as well as sustaining a peace agreement.

### *Discriminatory gender norms as causes of violence and conflict*

Discriminatory gender norms, as discussed, are root causes of violence promoting the acceptance and spread of violence by encouraging militarised masculinities and silent femininities. If these gender norms are not addressed as causal factors in conflict, in part, by including women and ensuring support for women's rights within elite bargains, then the conditions will be ever present for the recurrence of violence and resumption of conflict. Ways must be found within elite bargaining processes to address systemic gender discrimination and the reality that gendered violence persists and even increases after a formal cessation to conflict, potentially contributing to its recurrence.<sup>13</sup> **If some degree of inclusion is not achieved or sought, the stability elite bargains achieve will be limited and may only apply to certain spaces, some types of violence and not others, and particular groups; men more than women, groups with access to arms and political representation rather than those without them.**

## SECTION ONE: GENDER ANALYSIS AND EBPD CONCEPTUAL FRAMEWORK

### *Elite Bargains explained*

The EBPB project's analysis is based on **conceptions of power, elites and violence**. Most international interventions in fragile and conflict affected states are "focused on brokering peace agreements and strengthening the formal institutions of government ... to 'tam[e]' political behaviours and manag[e] violent conflict". The project's analysis of elite bargains and political deals runs counter to this approach. In many contexts, power and violence are not contested or managed through such formal mechanisms. The concept of political settlements contends that informal institutions operate with as much – if not more – power than the formal institutions and organisation of the state. The project's authors argue that "an understanding of underlying power relations is an essential starting point for effective policy and practice" to end conflict.<sup>14</sup> What matters most then in analysing conflict transitions is not the formal design of institutions, as set out in peace agreements, but rather how those institutions are effected by negotiations between elites over access to power and resources.

Elite bargains aim to "re-negotiate the distribution of power and allocation of resources between elites". The project's analysis of elite bargains is based on the 'limited access order' model proposed by the economist, Douglass North. That model understands violence as being managed by political and economic elites who are able to manipulate access to privileges and opportunities.<sup>15</sup> These 'rents' are used to manage violence and pursue a post-war transition by maintaining the existing distribution of power on which a polity and society is based, as a result of both the conflict and the negotiations between contending (armed) elites. Where a formal peace agreement does not reflect this informal structure of power, the potential for violence is high. Therefore, Cheng, Goodhand and Meehan recommend that external interveners understand

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<sup>11</sup> For a review of this literature see Valerie M. Hudson, Mary Caprioli, Bonnie Ballif-Spanvill, Rose McDermott and Chad F. Emmett, "The Heart of the Matter: The Security of Women and the Security of States." *International Security* 33, 3 (2009), 7-45. Of particular note, is the research connecting domestic gender equality with more peaceful state responses to conflict, see Mary Caprioli, "Gendered Conflict," *Journal of Peace Research*, Vol. 37, No. 1 (January 2000), 51–68; Erik Melander, "Gender Equality and Interstate Armed Conflict," *International Studies Quarterly*, Vol. 49, No. 4 (December 2005), 695–714.

<sup>12</sup> When women participate in peace processes they are 20 per cent more likely to be concluded and last at least two years, and the probability of a peace agreement enduring at least 15 years is increased by 35 per cent (Laurel Stone 2015); also UN Women 2012.

<sup>13</sup> Cahn et al, *On the Frontlines*, 7

<sup>14</sup> Cheng et al, *Synthesis Paper*, 2018.

<sup>15</sup> Douglass C. North, John Joseph Wallis and Barry R. Weingast *Violence and Social Orders: A Conceptual Framework for Interpreting Recorded Human History* (Cambridge: Cambridge University Press, 2009).



## Stabilisation Unit

and work within the political settlement because stabilisation efforts are likely to be ineffective, or harmful if the interests of powerful elites are ignored.

### *Gender analysis of power*

A gender perspective opens up and challenges further the understanding of power, elites, and violence within this analysis of elite bargaining processes, with a focus in particular on constructs of violent masculinity. Like the project's approach to elite bargains, gender analysis interrogates the system of power underlying informal power relations and formal, institutionalised power. Unequal gendered power relations are often taken for granted as part of the natural social order. Gender analysis reveals how these, often hidden, power relations affect tacit power among elites, state institutions and visible political violence. It makes explicit the linkages between the economic and the social and political to "reveal the workings of power not only through visible coercion that is direct in its effects but also in the material basis of relationships that govern the distribution and use of resources, benefits, privileges, and authority within the home and society at large".<sup>16</sup>

### *Power of gender as an informal institution*

Both the project's analysis and the gender analysis of elite bargains are concerned with how incremental change in informal institutions might facilitate peaceful conflict transitions. Informal institutions are the tacit rules of the game reflected in social habits, traditions, customs, trust and social capital, and codes of behaviour, sometimes referred to as "culture" or cultural values. They change much more slowly than formal institutions because they are constituted by intersubjective beliefs either reinforced or altered in everyday social interactions.<sup>17</sup> Gender norms are informal institutions that provide tacit rules for social interaction, that – amongst other things – regulate violent conduct. For example, male honour codes are informal rules that shape men and women's behaviour in gendered ways. Male family members are expected to protect female family members to uphold their honour and the honour of the family unit. They are empowered to retaliate with violence against any person (read: male) who threatens the piety of the female member, including the female member herself if she transgresses social codes of conduct by, for example, leaving the home without a male guardian or interacting with a male who is not a family member (outside of marriage). In one study men who subscribe to such an honour code and oppose gender equality were found to be four times more likely to use violence in political uprisings than those not embracing that informal institution.<sup>18</sup>

While the honour code has historically enabled men's violence, the gender norm of women's seclusion in some societies constrains women's direct participation in violence.<sup>19</sup> However, in today's changing world, women's frustrations with an unequal, discriminatory gendered social order may mobilise them into roles in perpetrating violence (through online and social media recruitment and logistical support for violent extremism) and roles in opposing violence (such as, through social movement mass mobilisation). Above all, if conflicts are to be resolved peacefully then, pathways must be found to shift these gender norms.

### *Getting the informal institutions right*

As with the EBPDP project, gender analysis is thus not only focused on getting the formal institutions right. Formal mechanisms, such as, gender quotas, microfinance loans, gender provisions in peace agreements, National Action Plans on women, peace and security are no guarantee of women's meaningful participation

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<sup>16</sup> True, *The Political Economy of Violence Against Women*, 7.

<sup>17</sup> See Douglass C. North, *Institutions, Institutional Change and Economic Performance* (Cambridge: Cambridge University Press, 1990), 3-4.

<sup>18</sup> These findings are reporting from a large scale survey of male political activists in Thailand. See Elin Bjarnegard and Erik Melander. 2017. "Pacific men: How the feminist gap explains hostility." *The Pacific Review* 30, 4: 478-493. <http://politicalviolenceataglance.org/2017/11/08/beliefs-about-male-superiority-help-explain-why-more-gender-equal-societies-are-more-peaceful/> accessed March 27, 2019.

<sup>19</sup> For instance, women may support patriarchal roles within the family household wherein men can legitimately wield violence against them to the extent that that type of household provides the only prospect of a livelihood in their society and social class Lisa Blaydes and Drew A. Linzer, "The Political Economy of Women's Support for Fundamentalist Islam." *World Politics*, 60, 4 (2008), 576-609.



## Stabilisation Unit

or of gender justice and equality. In some cases, research has found that these top-down measures have generated tokenism and further entrenched discriminatory gender norms of behaviour rather than transforming them.<sup>20</sup> There may also be resistance from particular groups of women and men including elites to formal institutions/peace agreements that institutionalise gender equality and threaten their vested interests. Gender analysis of informal institutions, such as the gender division of labour within the household and society, expects women to be concerned with the practical needs, livelihoods and survival of their families and communities, and with formal institutions and processes only to the extent that they reflect and address these material concerns of everyday life.

### *Negotiating gender within elite bargains*

Paying attention to the gendered power within elite bargains is crucial if external interventions are to effectively support social and ideological shifts and mitigate the likelihood that such bargains will reinforce the informal gendered structure of power, while being mindful of the potential to destabilise fragile bargains.<sup>21</sup> This is important for two reasons. First, challenging gender norms within an elite bargain with respect to both the players and the issues at stake also challenges the acceptance of violence rooted in these norms. Second, pushing for the distribution of rents in an elite bargain as far as possible to empower women, will enable non-elites (because women are mostly non-elites) to participate in the limited access order, providing material incentives for non-violence and legitimacy to sustain the settlement.

The following parts of section 1 examine the conceptions of power, elites and violence in detail to establish the parameters of a gender-sensitive analysis before examining the entry-points to influencing them.

### **Concept of power**

#### *Power as relational and context-specific*

Expressions of power as understood in the EBPD project tend to be public or masculine so that they are not effective in uncovering the gendered nature of power in the political settlement or elite bargain. Power is a relationship not only a tangible possession or position.<sup>22</sup> It is a feature of social identities as much as institutions, such that power accrues in any given space or context to those with certain identities. This explains how, for instance, the identity of the mother may be powerful in the realm of the family especially where it is supported by cultural norms and religious teachings, while that identity may be absent and/or silenced in other contexts such as the workplace or the legislature. Adopting a gender-sensitive concept of power in assessing elite bargains highlights the role of elite women in their influencing on political processes and the role of private sphere family-households and kin networks as sites of power where violence may take place and be organised.

#### *Female elite power may be more inclusive*

Research shows that in elite bargaining in relatively stable contexts, female leaders are more likely to engage in more inclusive decision-making processes.<sup>23</sup> Much of the empirical evidence of this phenomena comes from the US where the study of leadership is most developed across disciplines. However, some evidence on

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<sup>20</sup> For example, in Iraq the adoption of a National Action Plan (NAP) to implement UNSCR 1325 led to women activists becoming targets of a violent backlash because the NAP was associated with a lack of local adaptation and excessive international intervention and donor pressure, see Nadjie Al-Ali and Nicola Pratt, *What kind of liberation? Women and the occupation of Iraq* (Berkeley: University of California Press, 2009).

<sup>21</sup> The concept of political settlement emphasises the role of power relations, over that of institutional design, in determining outcomes. The usefulness of this concept is that it accepts that transitions from war to peace are dynamics processes. The concept also highlights the political nature of actors, including development actors, which is central to the literature on political settlements

<sup>22</sup> S. Laurel Weldon, "Power, exclusion and empowerment: Feminist innovation in political science." *Women's Studies International Forum* 72 (2019), 127-136.

<sup>23</sup> World Bank, *The World Development Report: Governance and the Law*, Washington DC, 2017, 211, cites three studies based in the United States where: female city managers are more likely to take citizens' inputs into account in decision making; female mayors tend to favor cooperation rather than a hierarchical approach to governing; and female chairs of state legislature committees act more as facilitators in committee hearings than do male chairs, who instead use their power to control the direction of the hearings.





## Stabilisation Unit

more inclusive policy outcomes from women's political representation points to similar trends in developing countries. For example, evidence from India demonstrates that women taking part in village councils vote for public goods that are more aligned with their preferences and that improve health, such as investments in safe drinking water.<sup>24</sup> Increased presence of women in decision-making positions is associated with higher shares of local investment in infrastructure and related public goods valued by women;<sup>25</sup> improved perceptions of women by men when they are exposed to women in leadership roles; greater aspirations for younger women;<sup>26</sup> and more reporting of violent crimes against women.<sup>27</sup>

### *Changing elite power through networks*

Moreover, some elite women constitute women-only networks to 'empower' other women and increase their collective influence and visibility. New networks of women leaders have emerged over the past two decades to provide mutual support and to mitigate the pressure on women leaders to adopt traditionally masculine repertoires and policy agendas, including involving the use of force. At the international level, Madeleine Albright began this trend when she created a caucus of female UN ambassadors and network of female foreign ministers.<sup>28</sup> Most recently, a group of women leaders have formed to defend multilateral institutions from the rise of populism and nationalism.<sup>29</sup> Within countries, women's caucuses, which are more informal bodies found in many countries including across Africa providing support to women members through capacity-building on policy issues and policymaking as well as mentoring and networking. Elite women have also established networks to engage men to become champions of change and gender equality avoiding the chance that they will react negatively to women's rights and equality advocacy?<sup>30</sup>

### *Collective action to shift informal power*

Elite women have also engaged in collective actions to shift the informal way power operates. For example, women staffers in US President Obama's first term, male-dominated cabinet established an informal rule to support one another in order to influence key political discussions and policy decisions.<sup>31</sup> They adopted a meeting strategy they called "amplification": when a woman made a key point, other women would repeat it, giving credit to its author. This forced the men in the room to recognize the contribution — and denied them the chance to claim the idea as their own. The President began calling more often on women and junior aides; his cabinet in the second term of office was also more gender-balanced.

### *Value of gendered concept of power*

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<sup>24</sup> R. Chattopadhyay and E. Duflo, "Women as Policy Makers: Evidence from a Randomized Policy Experiment in India." *Econometrica* 72: 5, (2004), 1409–1443.

<sup>25</sup> E. Ghani, W. Kerr and S. D. O'Connell, "Political Reservations and Women's Entrepreneurship in India". *Journal of Development Economics* 108 (2014), 138–153.

<sup>26</sup> Lori Beaman, Esther Duflo, Rohini Pande, and Petia Topalova, *Political Reservation and Substantive Representation: Evidence from Indian Village Councils*. Mimeo. (Washington DC: World Bank, 2010).

<http://projects.iq.harvard.edu/files/wapp/files/politicalreservationandsubstantiverepresentation.pdf> (accessed 3 October 2014).

<sup>27</sup> L. Iyer, A. Mani, P. Mishra, and P. Topalova, "The Power of Political Voice: Women's Political Representation and Crime in India." *American Economic Review*. *Applied Economics* 4, 4 (2012), 165-193.

<sup>28</sup> Jacqui True, "Mainstreaming Gender in Global Public Policy." *International Feminist Journal of Politics* 5, 3 (2003), 368-396.

<sup>29</sup> Dulcie Leimbach, "Three Ex-UN Leaders Form a Women's Group to Save Multilateralism." *Pass Blue*, February 21, 2019, see

[https://www.passblue.com/2019/02/21/three-ex-un-leaders-form-a-womens-group-to-save-multilateralism/?utm\\_source=PassBlue+List&utm\\_campaign=4c385a2dfc-PassBlue\\_Fordham\\_Nov18&utm\\_medium=email&utm\\_term=0\\_4795f55662-4c385a2dfc-54985161](https://www.passblue.com/2019/02/21/three-ex-un-leaders-form-a-womens-group-to-save-multilateralism/?utm_source=PassBlue+List&utm_campaign=4c385a2dfc-PassBlue_Fordham_Nov18&utm_medium=email&utm_term=0_4795f55662-4c385a2dfc-54985161)

accessed February 25, 2019.

<sup>30</sup> For example, former Australian sex discrimination commissioner, Elizabeth Broderick's 'Male Champions of Change' network aim to instigate concrete commitments and actions to support gender equality by individual male leaders in public and private sectors in a way similar to that of individual corporations under the UN's Women's Empowerment Principles program. See also Anne-Marie Goetz and Rachel Dore-Weeks "What about the men? Frankly, it depends why you're asking." *The Guardian*, March 7, 2018.

<https://www.theguardian.com/global-development/2018/mar/08/what-about-the-men-depends-why-youre-asking>

<sup>31</sup> Claire Landsbaum, "Obama's Female Staffers Came Up With a Genius Strategy to Make Sure Their Voices Were Heard," *The Cut*, September 13, 2016, see <https://www.thecut.com/2016/09/heres-how-obamas-female-staffers-made-their-voices-heard.html> accessed April 27, 2019.



## Stabilisation Unit

Current mechanisms for conflict resolution (mediation, negotiation) are often ineffective as the EBPD analysis recognises. They have maintained, to a large degree, the same state-centric structures as they have in the past despite the prevalence of civil wars often with multiple parties to the conflict rather than inter-state wars. Thus, even when women are present in formal elite peace processes, the relational aspect of power wherein masculine attributes, ways of governing, and values are ascendant may not change.<sup>32</sup> The peace process, based on state structures and the public sphere, means that bringing (elite) women to the negotiating table, while valuable, is not sufficient to cut across the public/private divide to address broader issues of conflict resolution, such as gendered violence. A gender-sensitive analysis thus uncovers how power works within and across public and private spaces, formal and informal institutions, affecting the rights, resources and opportunities available to women and men.

### Concept of elites

#### *Elites are mostly men but not a fixed group*

*Elites* are defined as those within society that control a disproportionate amount of political power, wealth and/or privilege and are thus able to make or influence decisions and implement policies that affect wider populations.<sup>33</sup> *Elite bargains* are defined as a discrete agreement, or series of agreements that explicitly set out to renegotiate the distribution of power and allocation of resources between elites.<sup>34</sup> As defined, in most conflict-affected societies, access to elite power is preserved for men and expressions of elite power are highly masculine typically involving the support of militaries and/or arms. Very few peace processes have involved women combatants or women from the political wings of armed groups and/or governments. As such, women tend to be largely excluded in both elite bargains and formal peace processes. (In all major peace agreements signed between 1990 and 2017, women were only 2 per cent of mediators, 8 per cent of negotiators, and 5 per cent of witnesses and signatories).<sup>35</sup> Elites are not a fixed group, however. In external interventions, often driven by colonial legacies, assumed women's rights were cultural matters that could be left to local elites, with those elites assumed to be men. A 'hands off' approach to the rights and freedoms of women reflected a static understanding of elites and culture that served to reinforce patriarchal gender norms.<sup>36</sup>

#### *Women elites can symbolically empower non-elites*

Elites are often not representative of non-elites, and that may be the case regardless of gender. Women do not exist as a homogenous constituency and so it should not be assumed that all women can be represented by one representative inside the elite bargain. Women come from diverse political affiliations, ethnic and socio-economic backgrounds, ages, sexual orientations and gender identity and gender inclusion should reflect this diversity. Nor should it be assumed that women elites will be peaceful whereas men will be violent.<sup>37</sup> However, gendered stereotypes and norms are deeply entrenched in our societies: as such, male elites are often barriers to women's participation and inclusion and the presence of one woman can be significant.<sup>38</sup> A woman in a position of direct participation in an elite bargain or peace processes may be able

<sup>32</sup> Jacqui True, "Bringing Gendered States Back In." Swati Parashar, J. Ann Tickner and Jacqui True eds. *Revisiting Gendered States* (New York: Oxford University Press, 2018).

<sup>33</sup> See Putzel, James and Di John, Jonathan (2012) "Meeting the challenges of crisis states." *Crisis States Research Centre report*. The London School of Economics and Political Science. London, United Kingdom, ISBN 9780853284772

<sup>34</sup> Putzel and Di John, "Meeting the challenges of crisis states."

<sup>35</sup> Report of the Secretary-General on women and peace and security, S/2018/900, 9 October 2018, para 25, citing figure from Council on Foreign Relations, "Women's participation in peace processes"

<sup>36</sup> Monica McWilliams and Fionuala Ní Aoláin, 'There is a War Going on You Know': Addressing the Complexity of Transitional Justice Review 1 [2013], Art. 2; Arati Rao, "Gender and Culture in International Human Rights Discourse" in Julie S. Peters and Andrea Wolper eds. *Women's Rights, Human Rights: International Feminist Perspectives* (New York: Routledge, 1994), 167-177.

<sup>37</sup> Carol Cohn, *Women and Wars: Contested Histories, Uncertain Futures* (Cambridge, UK: Polity Press, 2014), 8..

<sup>38</sup> Judy El-Busha, *Gender in Peacebuilding: Taking Stock* (London: International Alert, 2012), 16. The binary conception of male and female sex, underlying the gender perspective and at the heart of UNSCR 1325 has been challenged. Women, Peace and Security resolutions over nearly two decades have progressively recognising greater diversity and intersectionality in the category of woman (girls/youth, minority status/ethnicity, disability) as well as recognising the category of men and boys (gender rather than sex) particularly as victims of sexual and gender-based violence for example.



## Stabilisation Unit

to symbolically and cumulatively empower women non-elites as a group. For example, as Miriam Coronel-Ferrer experienced as the lead negotiator in the Bangsamoro agreement in the Philippines when initially there were no women at the table on the MLFN side: “It indicates a breaking of one ceiling, a crossing of the great gender divide. It challenges the status quo...When men and women see women doing a good job, their biases about women’s capabilities are challenged.”<sup>39</sup>

### *Elite focus obfuscates women’s agency in securing peace*

Lastly, a focus on elites in conflict transitions, among which there are few women, may obfuscate women’s agency, in particular, in securing peace. For instance, the political settlement literature introduced the category of the ‘resilient state’, considering indicators of ‘resilience’ to be economic strength and cooperation between identity-based groups. Sources of resilience during many conflicts should include women’s leadership and organising to maintain livelihoods and public services. Non-elite women in many conflict situations, for example Northern Ireland, Liberia and the former Yugoslavia, have demonstrated a particular capacity to negotiate and overcome ethnic divisions.<sup>40</sup> Transformation in a conflict transition can be accomplished by the mobilisation of non-elites alongside – and with opportunities to shape – elite bargains.

## Concept of violence

### *Gendered violence is interconnected with and may fuel political violence and conflict*

The project’s analysis of EBPD understands gender-based violence (GBV) to be ‘embedded’ and ‘permissive’ within conflict-affected societies and conflict transitions but without further examining how GBV may actually fuel political violence and conflict.<sup>41</sup> There are different types of GBV in situations of conflict and transition although they are inter-connected. For example, sexual violence perpetrated against civilian women by uniformed men is highly controversial and socially more contested than incidents of intimate-partner or domestic violence, which are often seen as “normal” or acceptable and therefore are not reported. “The categorization of certain kinds of acts as ‘private’ and not ‘public’ is a fundamentally gendered process” and “ignores the linkages between the violence generated by (generally male) combatants in the public sphere, and the violence perpetrated by combatants (and other men) in the private sphere.”<sup>42</sup>

GBV intends to denigrate and silence the victims and, by association, their families or communities. It both exploits and reinforces stereotypes and oppression based on gender, ethnicity, class, caste, sexuality, or other identities. As such, GBV may fuel and/or exacerbate inter-group political violence and conflict. The symbolism and stigma of GBV can have a specific, catalytic effect on intrastate conflict. To take one example from a current conflict transition: in Myanmar, Tatmadaw soldiers have immunity from civil prosecution, and can perpetrate GBV with impunity. That threat is very real to the Kachin people in northern Myanmar,<sup>43</sup> and threats of sexualized GBV against Kachin women and girls, which aim to oppress and shame the entire ethnic group, have been used to mobilize group members to fight in the subnational conflict with the Burmese

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<sup>39</sup> Miriam Coronel-Ferrer, “WPS in Peace Processes and Agreements: Insights from the Peace Talks in the Philippines.” In True, Jacqui, et. al., *Mapping Women’s Participation in Peace Processes Conference Report*, Monash Gender, Peace and Security Centre, Bangkok, Thailand, 5 October 2018, [http://mappingpeace.monashgps.org/wp-content/uploads/2018/12/MONASH\\_Policy\\_Brief\\_MappingWomen\\_v6-6.pdf](http://mappingpeace.monashgps.org/wp-content/uploads/2018/12/MONASH_Policy_Brief_MappingWomen_v6-6.pdf)

<sup>40</sup> Cynthia Cockburn, *The space between us: negotiating gender and national identities in conflict* (London: Zed, 1998).

<sup>41</sup> Jacqui True, “Conflict in Asia and the Role of Gender-Based Violence.” In *The State of Conflict and Violence in Asia*. (San Francisco: Asia Foundation, 2017).

<sup>42</sup> Andrea Durbach, Andrea and Louise Chappell, “Leaving Behind the Age of Impunity: Victims of Gender Violence and the Promise of Reparations”. *International Feminist Journal of Politics* 16 (2014).

<sup>43</sup> Rumors of the threat of gendered violence by other ethnic groups are prevalent in Myanmar, inciting fear and violence on many sides of the conflict. See Gerard McCarthy and Jaqueline Menager, “Gendered Rumours and the Muslim Scapegoat in Myanmar’s Transition,” *Journal of Contemporary Asia* 47, no. 3 (2017): 396–412.



## Stabilisation Unit

state.<sup>44</sup> Understanding patterns of sexual and gender-based violence within conflict transitions, therefore can thus enhance implementation of ceasefires and peace deals as well as and support transitional justice processes.

### *Violence against women increases in conflict transitions*

Violence may increase during the negotiation of an elite bargain either as actors react against the possible end of the conflict or as parties fight towards a mutually hurting stalemate and that violence is gendered. For instance, violence targeting women and girls specifically tends to increase after the formal cessation of hostilities. Some hypotheses for why this is the case suggest that violence becomes diffused when armed groups break up and soldiers go home, the presence of politically-active women represents a threat to the patriarchal orders of many militant groups and violence against women is effective in repressing whole communities. In Afghanistan during the transition of power in 2014 substantial increases in femicide, “honor killings,” and family and intimate partner violence were recorded.<sup>45</sup> In Colombia, violence against women human rights defenders has substantially increased since the signing of the Final Peace Accord.<sup>46</sup> In Syria, women’s silent endurance of different types of gender-based violence has come to be seen as form of ‘national resistance’; they keep silent to avoid family shame but this silence and impunity ensures that women and girls continue to be targets of violence as a tactic of political oppression.<sup>47</sup> The failure to address impunity as well as equality in access to social and economic resources in a post conflict transition will accentuate women’s material insecurity relative to men and, consequently, their vulnerability to violence, especially when displaced and in woman-headed households.<sup>48</sup>

### *Elites bargains may perpetuate culture of impunity*

To summarise, elite bargains that address only the vested interests of (male) elites may perpetuate a culture of impunity for violence against women not only exacerbating wider forms of criminal and gendered violence but inciting overtly political violence.<sup>49</sup> External actors therefore need to push for and/or incentivise eliminating impunity for conflict-related GBV. The limited scope of an elite bargain “can have substantial effects on the reorganization of political and legal power, and their institutional manifestations”.<sup>50</sup> A post-conflict transition that maintains the gendered hierarchies present before and during conflict will prevent women from speaking openly about their experiences of violence, and from escaping continued violence. This gendered violence is then excluded from transitional justice mechanisms, and neglected as a form of violence that needs to be addressed in post-conflict societies.<sup>51</sup>

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<sup>44</sup>Jenny Hedström, “The political economy of the Kachin revolutionary household,” *Pacific Review* 30, no. 4 (2017): 581–595.

<sup>45</sup> The Report of the Secretary General to the UN Security Council on the Protection of Civilians in Armed Conflict, S/2013/689 notes that “[t]he first half of 2013 saw the number of women killed and injured increase by 61 percent compared with the same period in 2012” (paragraph 9).

See reports of killing, hanging, beating to death and shooting reported by the Revolutionary Association of the Women of Afghanistan, <http://www.rawa.org/women.php> <sup>[11]</sup><sub>[56]</sub>

<sup>46</sup> The ‘No’ campaign for the 2016 Colombia plebiscite adopted a strong rhetoric against the ‘gender ideology’ of the Peace Accord. In the year following, the number of WHRD killed annually doubled, with attacks becoming more brutal and gendered as “threats containing sexist content, allusions to the female body and sexual insinuations, differ from threats received by their male counterparts. See ABColombia, *Towards Transformative Change: Women and the Implementation of the Colombian Peace Accord*, Bogota, 2019. The 2018 Report of the Secretary-General on conflict-related sexual violence, S/2018/250, 23 March 2018, highlighted that in 2017, “the space for civil society continued to shrink, and the work of defending human rights became ever more dangerous, with activists being raped for denouncing sexual violence, witnesses intimidated for testifying at trials for war crimes and prominent women silenced by the threat of rape” (operative paragraph 10).

<sup>47</sup> Alsaba and Kaplashrami, “Understanding Women’s Experiences of Violence.”

<sup>48</sup> True, *The Political Economy of Violence Against Women*, 139

<sup>49</sup> Monica McWilliams and Fionnuala Ní Aoláin, *Transitional Justice Review*, Vol. 1 [2013], Iss. 2, Art. 2.

<sup>50</sup> Fionnuala Ní Aoláin, “Political Violence and Gender in Times of Transition.” *Columbia Journal of Gender and Law* 15 (2006), 829, 831.

<sup>51</sup> True, *The Political Economy of Violence against Women*, 149. Even in states where women have made significant gains during the post-conflict transition period, gender hierarchies remain, and women continue to experience high levels of violence. Rwanda currently has one of the highest proportions of women political representative globally, however, in the period 1998-2003, nine out of ten women reported that their husbands had forced them to have sexual intercourse.



## Stabilisation Unit

The next section builds on this gender analysis of the core concepts of elite bargains – power, violence and elites. It considers the elite and non-elite entry points for addressing the gendered dynamics of conflict and violence.

### SECTION TWO: ENTRY POINTS: ELITE AND NON-ELITES

Most peace processes involve mainly armed actors and therefore, remain a masculine space. One of the greatest obstacles to the inclusion of women in peace processes is the fact that the main negotiating parties are the armed actors in the conflict, who are almost always men. The prevailing thinking is that the ‘guns need to be silenced’ before advocating for substantive changes or greater inclusion. Miriam Coronel Ferrer observed this de-prioritisation of women’s inclusion when taking part in a workshop on ceasefires. As she states: “[t]he concern for mediators around the room was that prioritising gender inclusion at the onset of the talks risks delay, if not derailing, the ceasefire negotiation or even the whole political process”.<sup>52</sup> Coronel Ferrer also noted that it was assumed that “since men led and did most of the fighting...that they would also do the talking at the formal peace table”.

Given the difficult tensions and trade-offs between short-term stabilisation (brokering of an end to conflict) and long-term pursuance of inclusive peace – what are the entry points for a gender-responsive approach to elite bargaining processes? How can external actors work towards achieving normative and legal commitments to gender equality and the WPS agenda? This section draws on case study examples from the literature on gender and political participation and post-conflict transitions that provide entry points for how gender-responsive interventions might be introduced at different stages of a transition from conflict.

#### Elite Entry Points at different stages of conflict transition

##### *Initial Transition from Conflict*

In an initial transition from conflict women may be completely excluded from participating in elite bargaining processes. Indeed, their presence may be ‘a red line’ for at least one of the conflict parties. However, there are entry points relevant in the initial phase that can facilitate the inclusion of women and the influence of a gender perspective that reflects the different experiences and impacts of conflict on women and men. These entry points also suggest ways to a navigate ‘red line’ issues. For instance, the role of the mediator in bringing in other actors, such as women, and assisting them to devise a common platform can influence an elite bargaining process. Elite women in negotiating teams, often pushed for by mass social mobilization and/or external actors, can also be symbolically important and enable gendered issues to be discussed. The shaming of both international sanctions and of local cultural practices (often involving women’s collection action) have also proven to be influential in shifting elites political positions.

*Mediator role:* The role of the mediator can be key to building a process that represents and empowers women’s voices even when they are excluded from direct participation. In Kenya, Graça Machel, a member of the African Union Panel of Eminent African Personalities led by Kofi Annan,<sup>53</sup> used her position to request that each party to the mediation include a women representative. Machel was a critical advocate for non-elite women’s participation, and as a member of the mediation team, chose to directly engage with non-elite women and suggested a process where women came together to find common ground and overcome their ethnic and party affiliation. These became known as ‘spitting sessions’.<sup>54</sup> As a product of these sessions, the

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<sup>52</sup> Miriam Coronel-Ferrer “Women’s New Role in Peacebuilding.” Speech of GPH Panel Chair, Hiroshima, Japan, 24 June published in *Junctures: Selected Speeches and Statements GPH-MILF Peace Process 2012-2016*, pp. 80-84, (Manila: OPAPP, 2016).

<sup>53</sup> The Panel was formed by then President of Ghana John Kufuor, as Chairman of the African Union to facilitate a resolution to the crisis in Kenya following post-election violence in 2008.

<sup>54</sup> Monash Gender, Peace and Security Centre, Situational Analysis, 2018. <http://mappingpeace.monashgps.org/situational-analysis/>





## Stabilisation Unit

women's groups drafted a memorandum of demands that were presented to the mediation team, which then shaped the subsequent dialogue.<sup>55</sup>

In cases where there have been no women members of the mediation team, male mediators have also been able to advocate for women's perspectives and presence. For example, the chief mediator to the Burundi peace process (1996-2013), Julius Nyerere, negotiated for a women's group to hold observer status, having been unable to secure their direct participation. In the contemporary case of negotiations in Syria former UN Special Envoy for Syria, Staffan de Mistura, established a Women's Advisory Board as a way to bring women into the peace process. The board is composed of twelve women civil society representatives, who advised the Special Envoy when formal talks were in session. The current UN Special Envoy, Geir O. Pedersen sought to ensure the constitutional conference included one third women participants.<sup>56</sup>

*Participation of elite women in elite bargaining processes as part of negotiating teams:* Peace agreements are more likely to be signed, implemented and sustained when women have some form of influence on the process, rather than simply being present.<sup>57</sup> When women are included in the peace process as part of negotiating parties, the deal is more durable and includes a greater number of provisions related to political reform, such as, constitutional, electoral/political aparty, decentralization/federation, civil service, judiciary reforms. One explanation for this is that “[c]ollaboration between women delegates and women civil society groups broadens the civilian support base for peace and results in networks that can persistently advocate for the adoption of policies that empower women”.<sup>58</sup> For example, one of the two female delegates in the Guatemalan peace process, Luz Mendez, a member of the rebel group Unidad Revolucionaria Nacional Guatemalteca (URNG), engaged with women's civil society organisations who were not allowed direct access to the process, with the outcome that the final agreement included “unprecedented commitments to gender equality” and helped to establish networks between a diverse range of women activists, which supported provision implementation with regard to women's security and their political, social, and economic rights.<sup>59</sup>

The experience of Coronel-Ferrer demonstrates the symbolic importance of women's participation in elite negotiations – especially where conservative, patriarchal norms characterise at least one of the parties to conflict – as well as its impact on the negotiation outcomes. Coronel Ferrer described the impact of her presence, as a woman, on the negotiation process with the MILF. In the initial talks the MILF representatives refused to sit beside her. In time, using various methods, two women from the Government were able to sit alongside MILF representatives, which in turn had a symbolic as well material impact, with women's rights became integral to the Bangsamoro agreement.<sup>60</sup>

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<sup>55</sup> Kenya National Dialogue and Reconciliation, Annotated Agenda and Timetable, 1 February 2008 and [http://www.hdcentre.org/wp-content/uploads/2016/08/18KWOATreportmodified220211\\_0-March-2011.pdf](http://www.hdcentre.org/wp-content/uploads/2016/08/18KWOATreportmodified220211_0-March-2011.pdf). Aili M. Tripp, *Women and Power in Post-Conflict Africa*. (Cambridge: Cambridge University Press, 2015).

(2015: 37) discusses how during the 2007–2008 Kenyan election violence, women's civil society groups persisted in their calls for dialogue, monitoring the violence, and attempting to de-escalate tensions. It was that grassroots mobilisation process that influenced the African Union to appoint a woman mediator, Graca Machel from Mozambique, in the three-person conflict mediation team. The mediation team liaised with the Women's Consultation Group, one of four civil society organisations active during the negotiations, and supported the Group's advocacy for key gender equality provisions in the 2008 National Dialogue and Reconciliation Accord.

<sup>56</sup> Abby Sewell, “Syria Envoy cites progress on constitution talks.” *Daily Star, Lebanon* March 22, 2019.

<sup>57</sup> T Paffenholz, N Ross, S Dixon, AL Schluchter, J True, *Making women count-not just counting women: Assessing Women's Inclusion and Influence on Peace Negotiations*. (New York: United Nations Women, 2016).

<sup>58</sup> Jana Krause, et. al. “Women's Participation in Peace Negotiations and the Durability of Peace.” *International Interactions* 44, 6 (2018): 985-1016.

The authors find that agreements with female signatories show more provisions with regard to political, social and economic reform but less provisions with regard to military reform (ceasefires; integration of rebel groups into the army).

<sup>59</sup> Krause et al, “Women's Participation in Peace Negotiations.” In the Liberian peace process, women observers were also able to effect some influence because of their cooperation with women's organisations demonstrating outside of the negotiations.

<sup>60</sup> UN Women, *Women's Participation in Peace Negotiations: Connections between Presence and Influence* (New York: UN Women, 2012), 8.



## Stabilisation Unit

However, the inclusion of women as participants in formal peace processes does not guarantee that women's rights will be incorporated into the final agreement or that those women will act as advocates for women and gender as we have argued. Empirical evidence suggests that women are more influential when they are represented through a women's only delegation, or have built cross party women's coalitions to influence women in negotiating teams. In the peace negotiations in El Salvador, women civil society groups with ties to the rebel group, the Farabundo Martí National Liberation Front (FMLN), publicly advocated for the parties to address their concerns. There was a comparatively high number of women present at the negotiations, 12 per cent of the signatories and 13 per cent of the negotiating teams. However, the women participants from the FMLN did not advocate for women's rights.<sup>61</sup> The final accord (Chapultepec Peace Agreement) contains only one reference to women.<sup>62</sup> Further dialogue between civil society and women negotiators during the implementation phase did result though in the inclusion of female ex-combatants and women civilians in the reintegration process.<sup>63</sup>

*International norms:* There is now an international protocol that calls on states to not supply arms to countries where sexual and gender based violence is widespread, and that introduces sanctions against militaries that do not investigate crimes (at a minimum) committed by their forces.<sup>64</sup> Cases of sexual and gender-based violence have yet to be considered on the UN Security Council Sanctions Committee. However, in elite bargaining process these are 'sticks' that could be used to ensure legal redress for these crimes in the post-conflict period and to prevent impunity or immunity for them. Advocating for no impunity and protection of women's rights will be more persuasive when the external actors (i.e. mediators, external experts, donors) display that same level of equality in their representation. International actors are in no position to advocate for women's participation and protection of rights if delegations are all male.

*Local practices to put pressure on elites:* The evidence on women's participation and sustainable peace processes highlights the power of women outside of elite processes to shame elite men using informal, cultural practices into ending the fighting and agreeing to a peaceful transition of power. These dynamics can be readily gleaned from gender analysis that pays attention to women's collective action. There are different examples of these practices across Africa and Asia. In Liberia and Somaliland women demonstrators made threats to undress as a way to put pressure on negotiators and parties to the peace process.<sup>65</sup> In another example from the Sri Lankan conflict, Sinhalese women used their identities as mothers of missing Sri Lankan army soldiers in 2000 to build trust and press for a ceasefire with Tamil commanders. Their informal negotiations on neutral territory set in motion a process for an eventual ceasefire brokered by Norway in 2002 (which did not hold).<sup>66</sup> Other examples from the Philippines show the effectiveness of all

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<sup>61</sup> Three high-ranking commanders from the FMLN participated in the negotiations, Nidia Díaz, Lorena Peña, and Ana Guadalupe Martínez. Díaz, an advocate for women's rights in the FMLN, maintained a low profile at the talks. Martínez pushed for women's inclusion in party activities, but considered the women's movement to be radical. At the time of the negotiations, Peña was not a strong advocate for feminism. She later adopted a gendered approach. She is quoted as saying: 'I believe that the principal problem that we have experienced is that the reintegration of the female combatant into civilian life has taken place under the classical sexist concepts that have predominated in all political forces of the country, including the FMLN.' Ilja A. Luciak, *After the Revolution: Gender and Democracy in el Salvador, Nicaragua, and Guatemala* (Johns Hopkins University Press, 2001), 39.

<sup>62</sup> Kara Ellerby, "A Seat at the Table is Not Enough: Understanding Women's Substantive Representation in Peace Processes." *Peacebuilding* 4: 2 (2016), 136-150, 137. The provision from the agreement: 'A publicity campaign to promote the recruitment of new personnel for the National Civil Police shall be designed and implemented as soon as possible. Special consideration shall be given to the recruitment of women' (Chapter II, Article 7.D.b)

<sup>63</sup> Krause et. al. 'Women's Participation in Peace Negotiations.'

<sup>64</sup> Sophie Huve, "The Use of UN Sanctions to Address Conflict-Related Sexual Violence." Georgetown Institute for Women, Peace and Security. Washington DC, 2018; G. Ostby, M. Leiby and R. Noras. 2019. Legacy of Wartime Violence on Intimate Partner Violence: Microlevel Evidence for Peru 1980-2009." *International Studies Quarterly* <https://academic.oup.com/isq/advance-article-abstract/doi/10.1093/isq/sqy043/5290058?redirectedFrom=fulltext>.

<sup>65</sup> Monash Gender, Peace and Security Centre, Situational Analysis, 2018. <http://mappingpeace.monashgps.org/situational-analysis/>

<sup>66</sup> Olivia Holt-Ivry, "Women make peace stick." *Foreign Policy*, August 24, 2010, <https://foreignpolicy.com/2018/08/24/women-make-peace-stick/> accessed March 27, 2019.



## Stabilisation Unit

female voluntary civilian monitoring of ceasefires, which increased reporting of incidents, due to the perceived legitimacy and neutrality of the women monitors.

*Educating elites:* Training and gender-sensitive information, research and analysis that connects gender dynamics to key conflict dynamics can be provided to elites engaged in negotiations, that can reveal new issues that could affect their bargaining positions and legitimacy. In a past example, female delegates to the 2001-2003 Inter-Congolese Dialogue for the Democratic Republic of Congo were provided with training in a pre-negotiation workshop. An expert group of women advised these delegates to the negotiations on constitutional law and security sector reform. As a result, the final agreement (the Global and Inclusive Agreement, reached in Pretoria in late 2002) include gender-related recommendations.<sup>67</sup>

*Decision rules matter:* In elite group deliberations women hold less authority than men, as they are less likely to speak and to influence others. Mendelberg and Karpowitz term this an “authority deficit” which means that unless something proactive is done to equalise authority for women, women will speak less and be listened to less than men. To correct for this imbalance and promote elite women’s influence, other *decision rules* can be used to shift these unequal dynamics, enabling women’s voice(s) and/or gender perspectives to be heard.<sup>68</sup> These could include formal turn-taking, a set allocation of equal floor time to each person, the strategy of amplification referenced above and the requirement that each member speak at least once.

### **Consolidating Post-Conflict Transition**

The consolidating stage of a conflict transition is characterised by relative political stability, within which there may be further mechanisms to influence elites to increase their legitimacy and ensure a more inclusive peace dividend.

*Economic incentives:* Participation of women in fragile and conflict-affected economies is crucial if these economies are to fully recover from conflict. Gender-sensitive protection of human rights and gender-inclusive economic reforms and recovery are a necessary foundation for that participation. The role of international financial institutions (IFIs) in fragile and conflict-affected contexts is thus a security as well as a development imperative, critical for building peaceful and inclusive societies.<sup>69</sup> Through their lending and development programs IFIs have significant, gender-specific impacts on post-conflict societies.<sup>70</sup> One way to influence a consolidating post-conflict transition and make it more inclusive is via loans and investments by IFIs, their conditions and supporting country strategies. Financing priorities as part of elite bargaining processes could include incentives for additional lending/investment tagged to women’s economic participation and even to transitional justice mechanisms. Women’s participation in peacebuilding could be explicitly targeted, for instance, as an loan indicator of stability and peace.<sup>71</sup>

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<sup>67</sup> These included: the creation of rehabilitation centres for war-affected women and girls; the introduction of a 30 per cent participation quota in all national-level decision-making bodies; amendments to law on the discrimination against women; and increased of marriageable age of girls to 18 years. In the Inter-Congolese Dialogue negotiations, decisions were reached in each of the five thematic subcommittees and plenary. The women’s delegation also successfully lobbied for the establishment of a Ministry of Women and Family Affairs in the transitional administration.

<https://www.inclusivepeace.org/sites/default/files/IPTI-Case-Study-Women-DRC-2001-2003.pdf>

<sup>68</sup> Tali Mendelberg and Christopher F. Karpowitz, “Women’s authority in political decision-making groups”. The Leadership Quarterly 27 (2016), 487–503; and *The Silent Sex: Gender, Deliberation, and Institutions* (Princeton, NJ: Princeton University Press, 2014). In order to achieve meaningful engagement of women and girls in development initiatives, Mansbridge argues that a ‘volume of voice’ that is proportional in representation and reflecting diversity among women and girls is required. This is to enable a reflective range of views within the group to be expressed and to have influence on decisions that would otherwise be subsumed by the dominance of males in deliberation processes.

<sup>69</sup> Jacqui True and Barbro Svedberg, “International Financial Institutions and Women, Peace and Security.” In *The Oxford Handbook on Women, Peace and Security* eds. Sara E. Davies and Jacqui True (New York, Oxford University Press, 2019).

<sup>70</sup> True, Jacqui Christine Chinkin, Madeleine Rees, Nela Porobić Isaković, Gorana Mlinarević & Barbro Svedberg *A Feminist Perspective On Post-Conflict Restructuring And Recovery – The Study Of Bosnia and Herzegovina* (Geneva: Women’s International League for Peace and Freedom (WILPF), 2017).

<sup>71</sup> The gender mainstreaming approach of the Asian Development Bank (ADB) enables the use of a gender marker across all its loans and investments, which is not yet the case for the African Development Bank (AfDB).



*Male champions:* Third-party elites such as mediators or international observers may be able to persuade certain elites to become champions of inclusive peace by rewarding them with status and a positive international reputation. This is the counterpoint to the local and global practices of shaming and being placed on sanctions lists. Elites are often very mindful of their broader reputation, especially given the exposure and criticism they may receive in the wider international media. Thus, there may be opportunities to include elites in a conflict situation within an international initiative that normatively binds them to certain commitments in the bargain. While there is no clear-cut example of this, the UK's PSVI campaign is a good example of how traction can be gained with recalcitrant countries through the prestige of an international campaign and personal network with a powerful third-party elite.

*Participation of women through associated mechanisms:* When a post-conflict transition is in a consolidating phase there may be venues through which to influence negotiated outcomes. Commissions may be established to set reform agendas and have been a successful mechanism for women's participation in past post-conflict transitions. For example, the Belfast Agreement for Northern Ireland established several temporary commissions, including the Independent Commission on Policing (Patten Commission) and the Independent International Commission on Decommissioning. Two of the eight members of the Patten Commission were women and the process itself was inclusive.<sup>72</sup> Women advocates and gender experts may be able to influence elite bargaining processes when they present a joint position to the elite parties as part of such Commissions. For example, in the Colombian peace process, a Gender Sub-Commission (GSC) was established in 2013 to review the agreement being negotiated to ensure it incorporated a gender focus. But this was only after a joint platform was forged through two National Summits by diverse women's movements. These movements engaged both the government and FARC through their women members.<sup>73</sup> Their mobilisation ultimately led to the strong representation of women inside the peace process, including rural, indigenous, Afro-descendent women.<sup>74</sup>

*Targeted international training/support:* International or non-governmental organisations can educate elite parties on approaches to protecting and promoting women's rights by advocating and gaining the support of the mediator. In the Burundian peace process, UNIFEM convened a Gender Experts Team, which included three women and one man who had participated in peace processes in South Africa, Uganda, Eritrea and Guatemala.<sup>75</sup> The parties responded to this advocacy by establishing an All-Party Burundi Women's Peace Conference for the next round of negotiations, which presented a common platform to the lead mediator, Nelson Mandela. The final accord included all but one of the demands included in the platform.<sup>76</sup> The New Zealand government played a key role in facilitating local women's peacebuilders to influence an end to the conflict in Bougainville. That gender-sensitive external intervention led to the successful 2002 Papua New Guinea — Bougainville Peace Agreement.<sup>77</sup> During that process and over a number of years, New Zealand funded gender-inclusive peacebuilding initiatives in Bougainville including convening several talks

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<sup>72</sup> The Agreement also set up several permanent commissions, including the Human Rights Commission and the Equality Commission, which both held inclusive consultation processes. Monica McWilliams was Chief Commissioner of the Human Rights Commission from 2005-2011.

<sup>73</sup> AB Colombia, "Transforming the Peace," 11.

<sup>74</sup> Nylander, Dag and Hilda Salvesen, "Toward an Inclusive Peace: Women and the Gender Approach in the Colombian Peace Process." *NOREF briefing*, 10 July (2017).

<sup>75</sup> There are cases where forums have been established to bring together women from different peace processes to share their experiences of conflict with other women civil society members. For example, the VitalVoices Women's Group in Kenya partnered with Burundian women to share their experiences. The Women's International League for Peace and Freedom (WILPF) organized an alternative peace process alongside formal negotiations for the Syrian peace process in Geneva that brought together Syrian women civil society representative, international non-governmental organizations, and women from other peace processes.

<sup>76</sup> See Luz Méndes, 'Women's Role in Peacemaking: Personal Experiences' in Helen Durham and Tracey Gurd (eds.) *Listening to the Silences: Women and War* (Leiden: Martinus Nijhoff Publishers, 2005).

<sup>77</sup> See J. Hayes, "Bringing peace to Bougainville." In *Securing a Peaceful Pacific*, J Henderson and G Watson (eds.), pp. 140–149. (Christchurch: Canterbury University Press, 2005). John Henderson, "Bougainville: The uncertain road to peace." *New Zealand International Review*, 24L 3, (1999), 10–13.



## Stabilisation Unit

where official delegations of leaders from women's organisations travelled to New Zealand.<sup>78</sup> The objective was to forge a united voice and to enable their greater inclusion in peace processes at home.<sup>79</sup> Bougainville is a matriarchal culture but despite having important roles in that society, women had struggled to participate in the male dominated elite peace process. With New Zealand as a strong facilitator and advocate for women's political influence, women's groups and individual women leaders emerged as an important influence on the peace agreement.

### ***Transforming Post-Conflict Transition***

A transforming post-conflict transition in which stability has been achieved should be able to enable more inclusive bargaining processes and access to political and economic resources. There is usually greater space to introduce gender justice and equality measures at this stage.

*Transitional Justice:* Transitional justice mechanisms can shift the balance of power by representing groups previously marginalized by conflict. The Colombian agreement includes several strong transitional justice mechanisms such as a Truth Commission (CEV) with a dedicated thematic area on gender-based violence. The agreement provides that no amnesty can be granted to those accused of conflict-based sexual violence. A Special Investigation Team on Sexual Violence was also set up within the Investigation and Accusation Unit of the Special Jurisdiction for Peace (JEP). Since the signing of the peace agreement in 2016, however, there has nonetheless been an increase in reporting of gender-based violence, which may not be a sign of the increase in actual violence but a sign rather of the breaking of silence on these crimes and of improved institutional response.<sup>80</sup>

Gender analysis suggests that transformative justice mechanisms such as collective reparations should be considered at this stage of transition because they address the underlying root causes of a conflict in particular group oppressions, and normalisation and dispersal of violence at the micro-level of society. Reparations "shift attention away from the perpetrators towards the victims and survivors of violence and the opportunities through gender-just development interventions to reclaim their lives and capabilities".<sup>81</sup> To make transitional justice mechanisms effective for women, and to work towards achieving greater gender equality, reparations should be awarded to collective groups. Allocated as part of a widespread and systematic program for all victims of violence, reparations have greater potential for reaching women. In this way some of the major barriers to reporting and providing sufficient evidence for the occurrence of sexual and gender-based violence are removed. Recent programs in Guatemala, Peru, Sierra Leone and Timor Leste included sexual violence in the list of violations that trigger reparations, showing modest progress in this area.<sup>82</sup>

### **Non-elite entry points at different stages of conflict transition**

<sup>78</sup> See Jacqui True and Maria Tanyag. "The Globalisation of the Human Security Norm: New Zealand/Aotearoa Leadership and Followership in the World." In Robert Patman ed. *New Zealand and the World* (Singapore: World Scientific Publishing, 2018).

<sup>79</sup> Garasu, L, " Weaving consensus: The Papua New Guinea — Bougainville peace process Conciliation Resources, (2002), [http://www.cr.org/downloads/Accord%2012\\_7 The%20role%20of%20women%20in%20promoting%20peace%20and%20reconciliation\\_2002\\_ENG.pdf](http://www.cr.org/downloads/Accord%2012_7%20The%20role%20of%20women%20in%20promoting%20peace%20and%20reconciliation_2002_ENG.pdf).

<sup>80</sup> The investigation, prosecution and punishment of conflict-based sexual violence has been advanced at the international level through the adoption of UN Security Council Resolution 1325 (and subsequent resolutions ? ? on sexual violence), the UK-led Declaration of Commitment to End Sexual Violence in Conflict (which has been signed by Colombia and 121 other states), and the Rome Statute of the International Criminal Court, which lists 'rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity' as crimes against humanity (Article 7(1)(g)).

<sup>81</sup> Sara E. Davies and Jacqui True, 'When There is No Justice: Gendered Violence and Harm in Post-conflict Sri Lanka.' *The International Journal of Human Rights* 21 (2017), 1320-1336.

<sup>82</sup> Ruth Rubio-Marín and Pablo de Greiff, 'Women and Reparations' (2007) *International Journal of Transitional Justice* 318, 327. This inclusion can be taken as a victory, but also a limitation; for example, in Peru the definition of sexual violence explicitly mentions rape, and which therefore, has the impact of excluding other forms of sexual violence that are common to women's experiences. Whereas Sierra Leone and East Timor have adopted a broad interpretation. See also, Political Settlement Programme, University of Edinburgh.





While there is empirical evidence that having women participate in peace deals as negotiators and mediators increases the likelihood of an enduring peace settlement, elite women are more likely to advocate for gender equality and women's rights, and peace is more likely to be sustainable, when non-elite women influence bargaining processes from the outside. Unintentionally, a focus on elite bargaining processes may obscure the importance of the influence of these non-elite spaces, where women are also more likely to present and influential. As key actors in civil society movements, "women often provide the grassroots networking and social support structures that are relied upon by local and international elites to embed peace processes".<sup>83</sup>

Civil society often provides women the first opportunity to (safely) campaign and participate in post-conflict institutions that can collectively represent women in spheres of power. Women's civil society groups may have a substantive informal influence because their organizing around common issues is not dependent on party affiliation, patronage, ethnicity, familial ties, which may be the case in other political networks. In conflict-affected environments, the opportunity to safely participate in peace processes and represent women's security concerns may only be possible and viable through ensuring civil society organizations are able to flourish and advocate for women's human rights. This finding concurs with other significant research on women's organizing.<sup>84</sup>

### **Initial Conflict Transition**

In an initial transition from conflict or a fragmented political settlement where formal peace talks are stalemated, such as in Syria and in Yemen, women's civil society organisations continue to operate and organise. Even when elite bargaining processes have become ineffective, engaging with and supporting civil society organisations, especially women's networks that build on a common framework, can drive conflict resolution informally from below.

As an alternative when direct access to elite negotiations is barred, women have organised through mass action campaigns. Women in Peacebuilding Network in Liberia held mass action demonstrations outside the negotiations in Accra, preventing the elite delegates from exiting the venue until an accord had been reached.<sup>85</sup> Women peace activists organised a Women's Peace Caravan in November 2006 that ended in Juba, Sudan where talks were being held between the Lord Resistance Army and the government. Women's political rights organisations also demanded inclusion in the process in Juba.<sup>86</sup> In 1995 the Sierra Leone Women's Movement for Peace organised a demonstration in central Freetown which gave greater legitimacy to existing peace groups. Women took on a leadership role among civil society actors advocating for peace, as it was believed that the military would be more tolerant towards them because of their gender.<sup>87</sup> Mass action campaigns can also be organised as a way of opposing a peace process. For example, demonstrations against negotiations led by women were organised in 2000 in Sri Lanka. These mass actions register the non-elite voice in a way that can resonate across a society and beyond its borders influencing the pressure on elites to broker peace.

*Women's Situation Room (WSR)*: this is a localised violence and conflict prevention initiative supported but not driven by external actors. It has been successfully used across Africa to monitor and report violence pre, during and post-elections but also in Nigeria in the context of civil conflict and violent extremism. By paying attention to all forms of violence including that directed against women and girls the intention is to preempt and warn about impending broader violence and conflict. The first WSR was established in 2011 in Liberia.

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<sup>83</sup> Cahn et al, *On the Frontlines*, 6.

<sup>84</sup> See Mala Htun and S. Laurel Weldon, "The Civic Origins of Progressive Policy Change: Combating Violence Against Women in Global Perspective." *American Political Science Review* 106, 3 (2012), 548-56<sup>SEP</sup>.

<sup>85</sup> Monash Gender, Peace and Security Centre, Situational Analysis, 2018. <http://mappingpeace.monashgps.org/situational-analysis/>

<sup>86</sup> Aili A. Tripp, *Women and Power in Post-Conflict Africa*, p. 202.

<sup>87</sup> Women were central, as mediators and civil society members, in the Bintumani I and II processes (1995 and 1996) which called for elections. Women were excluded from the talks in Abidjan, but eventually represented in Lomé (1999). Tripp, p. 205.



## Stabilisation Unit

Since then WSRs have set up in Senegal and Sierra Leone in 2012 and 2018, Kenya in 2013, Nigeria in 2015, Uganda and Ghana in 2016 and in Liberia again in 2017. In each context the WSR has taken different forms depending on the local situation. Women who are trained in peace advocacy are involved in a range of actions including the promotion of peaceful and fair elections, mediating to stop actual violence or prevent future violence, provide political and polling observation.<sup>88</sup> A desk is also established for security sector actors in the physical space of the WSR to speed up the responses to the incident reports. In some cases, such as in Uganda and more recently in Sierra Leone, the Eminent Women involved in the WSRs continue to engage political leaders after the elections, to prevent the escalation of election results disputes into conflict. One of the challenges of the WSR is that is an ad-hoc intervention only, typically linked to elections where funding can be mobilized to support women's political participation.<sup>89</sup> However, WSR rooms could be used in the initial phase of a conflict transition to provide information to elite parties and international actors on the range and location of violence being perpetrated that may not otherwise be visible but should inform the conditions for ceasefires and ending conflict.

### **Consolidating Post-Conflict Transition**

As the post-conflict transition is consolidated there is still the possibility that civil society actors can influence its terms, especially where the mediation team supported by international actors is determined to enable the access of other actors. Because the inclusion of women in peace processes is an emerging international norms there is significant pressure on international actors to facilitate women's participation and often, as in the case of Syria, this may only be possible for women as civil society observers, advisers and delegates.

In the course of the Syrian peace process, for example, the UN Office for the Special Envoy to Syria organised the Civil Society Support Room (CSSR) in January 2016 for civil society organisations to sit alongside the formal peace negotiations. The CSSR provided a space for Syrian civil society to engage with the UN Envoy, his team, the Women's Advisory Board and international NGOs, in the same location and time as formal negotiations are taking place.<sup>90</sup>

### **Transforming Post-Conflict Transition**

There is often a small window of opportunity to progress developmental peace in conflict transitions. As a conflict transition moves toward a peacebuilding phase, the role of non-elite actors in civil society becomes vital in advocating to address the root causes of the conflict.

*PeaceHuts:* Prior to the Liberian civil war (1989-2003), traditional community conflict resolutions involving male village elders were conducted in Palava Huts, built in the form of a circle with low walls and a thatched roof. After the war, Liberian women peace activists adapted this concept into women-led Peace Huts. They mediated local disputes, monitored police and justice services, referred victims of violence to services, and raised awareness within communities regarding peacebuilding priorities, such as elections, decentralization, and natural resource concessions. Peace Huts are a cost-effective way of reducing and even preventing violence in the community because they defuse tensions and alert police to potential violent outbreaks. They provide a space for women's voices to be heard on priorities for peacebuilding, security, rule of law, and other issues. They have promoted women's economic empowerment by organizing savings and loans groups and supporting the political aspirations of women.<sup>91</sup>

At the later stage of a conflict transition, land and property rights, access to justice and redistribution programme are vital to redress in order to build women's rights and gender justice. International actors

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<sup>88</sup> UN Women. 2018. *Report of the Expert Group Meeting on Women's Meaningful Participation in Negotiating Peace and the Implementation of Peace Agreements*. October (New York: UN, 2018), 26; Paula Drummond, 'Prioritising Democracy in Preventing Electoral Violence: The Women's Situation Room.' *UN SDSN Issue Brief 1*, June (2015).

<sup>89</sup> Joy Oneysoh, "WPS and Transnational Networks." In *The Oxford Handbook on Women, Peace and Security* (Oxford: Oxford University Press, 2019), 446.

<sup>90</sup> [https://www.ipinst.org/wp-content/uploads/2018/03/1803\\_Against-the-Odds.pdf](https://www.ipinst.org/wp-content/uploads/2018/03/1803_Against-the-Odds.pdf)

<sup>91</sup> Expert Group Meeting, "Women's meaningful participation in peace process," 27-28.



## Stabilisation Unit

must be able support a broader shift in gendered power relations, to enable opportunities for both women and men for livelihoods and for citizenship. The 2016 Colombian *Final Peace Agreement*, for example, has prioritised land rights and ownership, which included the establishment of the Land Fund to facilitate land redistribution. Rural women, female-headed households and displaced persons are given priority under the framework; and their participation in the governance of land redistribution programme was also assured. The implementation of these land reform provisions are at an early stage. But this is the stage when financial and technical support is most needed from international actors. The commitment of some donor countries and the UN Peace Support Fund to ensure that 15 per cent of all their development aid to conflict and fragile countries be earmarked for gender equality and justice initiatives is crucial, given it can help address women's vulnerability to conflict-related violence by bolstering their economic rights and access.

*Universal social protection and public provisioning to support gender-inclusive education and health:* the health and wellbeing of citizens are generally depleted as a result of conflict and human development should be a priority in the later, transforming stage of post-conflict. With the UN-World Bank updated mandate on conflict prevention, international organisations and donors have a unique opportunity to lessen the impact of the legacy of conflict on (global) economic development by aligning its strategies promoting inclusive economic participation with the rights-based principles of the Women, Peace and Security agenda.<sup>92</sup> Women's labour is integral to the recovery of communities from conflict, especially in displacement, and women's organizing is known to be one of the societal contributors to sustainable peace. However, without investment in social as well as physical infrastructure their capacities to contribute to recovery and to peace processes beyond the household at the community and national level will be severely constrained.

### SECTION THREE: GUIDING PRINCIPLES AND RECOMMENDED ACTIONS

An important component of the EBPD project is its acknowledgement that external actors must also be understood as actors within a peace process; actors that have the agency and the capacity to positively or negatively effect the outcome of the conflict. This section provides key guiding principles and recommended actions for promoting a gender-sensitive and responsive approach in understanding how external interventions can effect elite bargaining processes and effect war to peace transitions:

1. **Recognise discriminatory gender norms**, which condone violence and promote violent masculinities and seek to **break down the boundary between private and public violence** in order to make visible all forms of gender-based violence.
2. **Elite bargains dominated by men and involving no or few women will do harm**; symbolically, to the perception of women's public participation and materially, because conflict issues and the need for political and economic reforms most affecting women are less likely to be put on the table by elite men. **Mitigating harm may be more realistic than doing no harm.** As the EBPD study holds, the assumption made by international actors, that they can adopt a policy of 'do no harm' may not be realistic in practice. But accepting a conflict party's red line, with regard to excluding women's participation and negotiating or reducing women's rights will undermine a major source of resilience in society, a trajectory for more peaceful social relations as well as the future economic viability of the post-conflict society. The Afghanistan case brings this reality into relief – much has been gained by liberal peacebuilding for women and girls in that country and much could be lost in bargaining with the Taliban. External actors must work to ensure that major trade-offs with women's rights are not made in the desire to end a conflict. Mediators who can point out the gains and benefits of women's participation and rights in locally-sensitive terms (for example, based on Quranic teachings) to the parties may shift their positions and enabling them to further develop their approaches to gender equity.

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<sup>92</sup> UN and World Bank 2018. *Pathways for Peace; Inclusive Approaches to Preventing Conflict*. (Washington Dc and Ne York, 2018).



## Stabilisation Unit

- 3. Identify all the risks of continued violence and strengthen the mechanisms for reporting violence (and propose plans to reduce it):** Reporting embedded or permissive violence in conflict, such as gender-based violence, can be difficult and dangerous given the political sensitivities and institutional and cultural barriers (restricted media and humanitarian access, hidden networks as in the case of violent extremist groups, victim stigma, the type of violence committed). A low number of reports does not indicate a low prevalence of violence.<sup>93</sup> International actors must help to break down the boundary between public and private violence by supporting and enhancing the protection and reporting functions of civil society, government, and international organisations. Reports of all types of violence should inform international diplomacy to end gender-exclusionary practices in conflict-situations, the enforcement of the protection of civilians under international humanitarian law, and UN Security Council sanctions and mission mandates.
- 4. Support (alternate) spaces for women’s participation in conflict transitions and pathways for influencing elite processes.** The evidence base on women’s meaningful participation as a critical factor in sustaining peace must be taken seriously. When women are excluded from elite bargaining and peace talks, it is imperative that other locally-meaningful spaces for women’s influence in transitions are made available. This will allow connections between micro (household/community) and macro (societal, global) gendered dynamics of power. There are many examples of such spaces (discussed in section two) in conflict-affected countries that have been effective and can be built upon and/or adapted in consultation with women’s networks. There are also examples where women have been active participants in the peace process, but have been pushed aside in the post-conflict transition and where continued support will be imperative for future conflict prevention and protection of rights (and human rights defenders).<sup>94</sup>
- 5. Do not pick winners – given that women operate in different elite groups, engage with diverse women leaders and women’s groups to build their leadership capacities and professional skills.** International actors need to be sensitive to the local conflict dynamics that affect women and women’s organisations and not inadvertently reinforce or play into them. *Gender-sensitivity should also be conflict-sensitive.* Supporting a range of women’s networks and groups will enable different entry points for change and greater inclusion of diverse women with respect to age, ethnicity, regional location, ability and so on. External actors must not align with any one set of actors/organisation to promote women’s meaningful participation as a pathway to transforming elite bargaining. The Iraq case provides an example of where international actors aligned their support too narrowly to a set of actors around the WPS National Action Plan in Baghdad. This fuelled opposition to the NAP among women’s groups in other regions of Iraq and led to the missed opportunity of engaging with these other actors who were responding to the rise of Islamic State.<sup>95</sup>
- 6. Provide economic incentives for long-term gender-inclusive peacebuilding:** International lending and development programs have major, gender-specific impacts on post-conflict societies. To make good on commitments to fragile, conflict-affected states and to ensure progress towards gender equality (in addition to supporting women’s economic empowerment) targeted investment should be provided to governments based on their support for women’s participation in peacebuilding and a pathway to transforming peace. This should be justified as a conflict prevention, cost-saving investment factoring in

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<sup>93</sup> Tia Palermo and Amber Peterman. “Undercounting, overcounting and the longevity of flawed estimates: statistics on sexual violence in conflict,” *Bulletin of the World Health Organization* 89 (2011), 924–925.

<sup>94</sup> For example, this has been the case in Kenya where the 2010 constitution, drafted as part of the reconstruction and reconciliation efforts after wide-spread electoral violence, required that the state to take “legislative and other measures to implement the principle that not more than two thirds of the members of elective or appointive bodies shall be of the same gender” (Article 81b). However, the parliament has been unable to pass the required constitutional amendment bill to prevent either gender from holding more than two-thirds of elected positions.

<sup>95</sup> See J. Parry & Aymerich, O. “Navigating Peace and Security: Women and Social Capital in Iraq”, *International Migration* 2018.



## Stabilisation Unit

the likelihood of a resumption of conflict if discriminatory gender norms persist in the society and the economy and women's peacebuilding is not supported.

### 7. Support the education and health rights of the next generation, using human rights and gender equality as guiding principles:

There needs to be balance between accepting the constraints of elite bargaining and promoting inclusive processes and outcomes. Rights to health and education are fundamental; they are even more fundamental when exiting a conflict situation where education and health infrastructure have generally been depleted. The depletion of this 'social infrastructure' disproportionately affects women and girls both directly and indirectly, as they may sacrifice their own education and health in order to provide and/or care for that of men and boys.

#### *Recommended Actions*

Practically, what can external actors like the UK government do to advance women's meaningful participation and gender equality in light of the conclusion of the EBPD project findings? Summarised here are key actions discussed in section two for supporting inclusive processes, women's meaningful participation and enabling gender equality within the stages of stabilisation and post-conflict transition.

*In the context of an initial conflict transition it will be vital to ensure gender-responsive protection by:*

**Identifying at (high) risk populations.** International actors need to assess which populations are likely to be targeted for gender-based violence and to enhance preventative interventions to protect them. They should also support the reporting function and human rights investigations of international organizations. They should ensure that immunity for gender-based violence, sexual violence crimes is not used to 'entice' combatants to sign ceasefire arrangements; or that immunity clauses for types of gender-based violence are granted to 'protect' peace accords or that the identity of perpetrators goes unreported in order to maintain humanitarian access, for example.<sup>96</sup>

**Targeting security/protection for women's human rights defenders.** Women human rights defenders are at risk in the conflict to post-conflict transitional space as they fight against entrenched patriarchal hierarchies. In the immediate aftermath of the 2016 Colombian peace agreement, for example, there was a marked increase in attacks against women human rights defenders that employed gendered language and threats.<sup>97</sup> The danger to professional women is pervasive, as the Secretary General acknowledged in his 2016 Report on Conflict-Related Sexual Violence: "[H]igh-profile women across a range of professions have been subjected to sexual harassment and humiliation aimed at silencing them. In this way, sexual violence serves as a tool of social and moral control to relegate women to the private sphere and to punish perceived "countercultural" behaviour" in a war to peace transition.<sup>98</sup>

**Promoting women mediators locally and globally, and providing gender-sensitive mediation training:** In response to the small number of women mediators who have participated in major peace processes over the past three decades, several regional women's mediator networks have been formed: FemWise Africa,<sup>99</sup> Nordic Women Mediators, Mediterranean Women Mediators Network and Women Mediators across the Commonwealth. The presence of women on a negotiating team can alter the dynamics of a peace process as discussed in this paper. Equally, gender sensitive training provided to both male and female mediators on the gender inequality issues and particular concerns for women's protection, participation and peacebuilding

<sup>96</sup> Pearl Karuhanga Atuhaire, Nicole Gerring, Laura Huber, Mirgul Kuhns, *The Elusive Peace: Ending Sexual Violence during and after Conflict*, Special Report 437. (Washington: United States Institute of Peace, 2018).

<sup>97</sup> AB Colombia Report, "Towards Transformative Change."

<sup>98</sup> UN Secretary-General Annual Report on Conflict-Related Sexual Violence, 2016, para. 13

<sup>99</sup> <http://www.peaceau.org/uploads/final-concept-note-femwise-sept-15-short-version-clean-4-flyer.pdf>





## Stabilisation Unit

could influence the bargaining outcomes. Support for targeted research as well as training may be needed to accurately brief mediators in a timely way.

*In the context of a **consolidating post-conflict transition** it will be vital to ensure there are spaces for women's participation by:*

**Supporting local-based initiatives and provide rapid-response funding for them.** Approaches using Women's Situation Rooms and Peace Huts have enabled women's knowledge building and community immediate responses to violence. Women's civil society organisations in many conflicts have promoted inter-group dialogue which has endured. For example, the Association of Mozambican Women for Peace (MWFP) pushed for a peaceful election in 1994, following the negotiation of a ceasefire between the government and rebel party, by negotiating with ex-combatant organisations to prevent violence, organising a rally in Maputo, and appealing to parties to stop threatening the other.

*In the **transforming stage of a post-conflict transition** it will be vital to enable peacebuilding capacities by:*

**Providing economic incentives for governments that support women's peacebuilding.** International financial institutions, regional development banks and donors can invest in a country based on demonstrable support for women's peacebuilding as a key indicator of stability/the prospect of a stable environment for investment. In addition, with respect to World Bank IDA loans and country strategy programmes, women's organisations could be included and involved in the local consultations prior to Bank programming and early in diagnostic analysis providing input on infrastructure, macroeconomic reform, governance and not merely 'women's issues'.

**Providing education resources on the Women, Peace and Security agenda and women's rights issues to elite parties.** Female delegates to the 2001-2003 Inter-Congolese Dialogue for the Democratic Republic of Congo were provided training in a pre-negotiation workshop and as a result, the final agreement (the Global and Inclusive Agreement, reached in Pretoria in late 2002) include gender-related recommendations reached in each of the five thematic subcommittees and plenary.<sup>100</sup> The women's delegation also successfully lobbied for the establishment of a Ministry of Women and Family Affairs in the transitional administration.

**Making available training and gender expertise on substantive policy issues.** In Nepal, following the Comprehensive Peace Accord (CPA) in 2006, Local Peace Committees (LPCs) were organised at district, municipal and village level. By mandate, at least one-third of its members were women. The LPCs were intended to facilitate peacebuilding through the implementation of the CPA. However, the LPCs were not properly implemented, in part from a lack of external support.<sup>101</sup> Support for substantive gender analysis could help facilitate the drafting of National Action Plans on Women, Peace and Security. NAPs are important because they can help to facilitate and support the continued adoption of women's rights and because they provide an opportunity for cooperation between elites and civil society.

**Establishing targeted budgets to implement gender equality commitments.** Commitments in an elite bargain need to be supported with adequate and dedicated resources, but also ones that ensure that over time they do not 'freeze' gender inequality. Resources need to be directed to building social infrastructure

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<sup>100</sup> These included: the creation of rehabilitation centres for war-affected women and girls; the introduction of a 30% participation quota in all national-level decision-making bodies; amendments to law on the discrimination against women; and increased of marriageable age of girls to 18 years. <https://www.inclusivepeace.org/sites/default/files/IPTI-Case-Study-Women-DRC-2001-2003.pdf>. A high-level problem workshop for women delegates was held in Nairobi in advance of the Sun City negotiations (2002) of the Inter-Congolese Dialogue for the Democratic Republic of Congo. The workshop was supported by Women as Partners for Peace in Africa-DRC, Femmes Africa Solidarité, the Nairobi Peace Initiative, and UNIFEM.<sup>100</sup>

<sup>101</sup> These processes in Nepal were also hampered by political party politics, and the frequent rotation of the minister in charge of the portfolio. While LPCs were each intended to have access to a skilled facilitator, in practice, one part-time facilitator was allocated for every three LPCs. ([http://www.un.org/en/land-natural-resources-conflict/pdfs/UNDP\\_Local%20Peace%20Committees\\_2011.pdf](http://www.un.org/en/land-natural-resources-conflict/pdfs/UNDP_Local%20Peace%20Committees_2011.pdf))



## Stabilisation Unit

that will benefit women and advance gender equality. External actors can assist by incentivising the use of resources for this purpose.

### CONCLUSION

This paper has set out how and why elite bargaining processes are highly gendered, dominated by men with commanding authority over power and resources, and how the gendered dynamics of power affect conflict transitions.

The paper highlights the private-public boundary that characterises policy and analytical approaches to conflict and conflict resolution. The neglect of the gender dynamics of conflict across this boundary renders invisible both gender-based violence (GBV) and women's agency. By contrast, gender-sensitive analysis connects gendered power relations in the private sphere with gendered dynamics in public, elite and transnational spaces. It shows that GBV is not merely an embedded and permissive form of violence in conflict transitions but part of the dynamics of political violence such that continued impunity for this violence may fuel and incite broader conflict. The paper also reveals how women's agency as elite negotiators, mediators and external actors can be influential in combination with and bolstered by women's collective action outside elite bargaining or formal peace processes.

The authors of the EBPD studies reveal the difficult trade-offs that are present in negotiating an end to conflict, and the trade-offs when engaging in external intervention. A gender lens brings into sharper focus these trade-offs. Trading off inclusion for a cessation of conflict appears to be the more pragmatic approach to conflict resolution, but it is in tension with a gender-sensitive analysis. For instance, there are often 'red lines' for masculine political elites that are parties to conflict. While these cannot be negotiated directly, there are ways to navigate them indirectly to promote and uphold women's participation and rights. A gender-sensitive approach calls on external actors to understand the true impact of "trade-offs" by ensuring that analysis accounts for the layers of invisible violence and the private sphere where conflict impacts most profoundly on women.

Gender-sensitive analysis highlights entry points for assisting a state in its transition towards peace. Like the EBPD project, the literature on gender and post-conflict transitions is critical of liberal peacebuilding; however, gender analysis also reveals the transformative potential of post-conflict transitions. This space must be carefully navigated, however, in order to build the trust of local actors, and avoid causing greater rupture. Elite bargains and subsequent peace agreements have limitations in their capacity to (re)shape social structures but they lay the groundwork for the post conflict political, economic, and social order. This paper argues that when groups are excluded from these bargains, they will continue to be marginalized in post-conflict politics and society. This marginalisation has implications for the possibility of renewed violence, as societies with greater gender inequality are more likely to engage in continued armed conflict.



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