Women’s Roles in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction:

Literature Review and Institutional Analysis

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Summary

At the request of the Directorate of Coordination Emancipation Policy at the Dutch Ministry of Social Affairs and Employment, the Conflict Research Unit (CRU) of the Netherlands Institute of International Relations ‘Clingendael’ - in cooperation with International Alert London, Utrecht University, Wageningen Disaster Studies and various individual consultants - commissioned a research study into the roles of women in conflict prevention, conflict resolution and post-conflict reconstruction. With this purpose the CRU undertook a review of selected literature on the roles and positions of women before, during and after armed conflict.

In addition, the CRU embarked on an institutional analysis of sixteen (inter)national organizations that aim to improve the position of women in armed conflicts through peacekeeping missions, peace negotiation, peacebuilding, humanitarian aid, development assistance, and international tribunals and courts. The organizations included: 1) United Nations Security Council (SC); 2) United Nations Department for Peacekeeping Operations (DPKO); 3) United Nations Development Programme (UNDP); 4) United Nations High Commissioner for Refugees (UNCHR); 5) World Food Programme (WFP); 6) International Labour Organization (ILO); 7) International Committee of the Red Cross (ICRC); 8) North Atlantic Treaty Organization (NATO); 9) Organization for Security and Cooperation in Europe (OSCE); 10) Council of Europe (CoE); 11) Gender Task Force (GTF) of the Stability Pact for South-Eastern Europe; 12) International Criminal Tribunal for the Former Yugoslavia (ICTY); 13) International Criminal Tribunal for Rwanda (ICTR); 14) International Criminal Court (ICC); 15) Netherlands Ministry of Foreign Affairs (MoFA); and 16) Netherlands Ministry of Defence (MoD).

The CRU analysed each organization’s mandate, policy, structure, expertise, activities and budget from the perspective of women and armed conflict. The individual profile of each organization is added in an appendix to this report. Each appendix includes recommendations for the Dutch government to support the work of these organizations in the field of women and armed conflict. The appendices also articulate how the Dutch government could strengthen its own performance on this topic.

A Review Panel consisting of representatives from the Ministries of Foreign Affairs, Defence, and Social Affairs and Employment monitored the research process. All organizations under study have had the opportunity to comment on the research findings, and their comments have been incorporated in the final report. The outcomes of the study have also been discussed at a round-table conference with academics, policy-makers and practitioners, whose observations have also been added to the report.

1 For the sake of brevity, the basic focus of this study, namely ‘women in conflict prevention, conflict resolution and post-conflict reconstruction’, will be referred to as ‘women in armed conflict’. Whenever the latter is used it should be realized that this encapsulates the activities mentioned in the longer formulation.
Literature Review

Policies
The Fourth World Conference on Women in Beijing (1995) brought the topic of women and armed conflict to international attention. Another milestone is the acceptance of Security Council Resolution 1325 on Women, Peace and Security. Various other departments within the United Nations, the Organization for Economic Cooperation and Development (OECD), the Organization for Security and Cooperation in Europe (OSCE), the European Commission, the European Parliament and the Council of Europe have increasingly developed statements and policies on this topic, of which the report provides a short overview.

Roles and Positions of Women in Armed Conflict
Conflict and gender analyses must not only pay attention to the so-called gender characteristics of women and men respectively, but should also take into account the diversity among women and their different roles and positions in armed conflict. Women are a heterogeneous group of social actors, who on the one hand are determined to take on certain positions and roles in conflicts, but on the other hand deliberately choose to fulfil certain roles based on their strategies and goals. Women must thus not only be seen as passive victims of armed conflict, but as capable actors as well. They have even benefited from the windows of opportunity that conflict situations offer them. Although women do suffer in conflict, there are examples of women whose positions have improved during conflict, for instance through the expansion of women’s economic and political responsibilities.

On the basis of selected literature, the CRU has developed a framework for analysis that analytically identifies seven major roles of women before, during and after armed conflict. In practice these roles could overlap or coincide, and obviously differ in place and time. Individual women could also take on various roles at the same time. The report analyses each role in depth and discusses the implications and challenges for policy-makers addressing these roles.

Women as Victims
Contemporary conflicts increasingly target the civilian population, whereby women often suffer from systematic rape and other forms of sexual violence. Since women are usually regarded as symbolic bearers of caste, ethnic or national identity, sexual violence against women is a deliberate strategy to humiliate an entire community. Sexual violence often continues in the post-conflict phase, shifting from the public to the private space of homes.

Women as Combatants
Women have actively participated in numerous wars. Their motives for becoming combatants appear to be as diverse as those for men, including enforced recruitment, agreement with the goals of war, patriotism, religious or ideological motives, and economic necessity. After conflict, female (ex-)combatants regularly encounter difficulties while reintegrating into society. Demobilization and reintegration programmes scarcely take into account their specific needs and
interests. Neither does family. Female ex-combatants are often not accepted, despised, and traumatized socially.

**Women as Peace Activists**
Conflict situations often force women to organize themselves in order to safeguard their basic necessities and to carry out activities related to education, health care, food distribution and care for family, internally displaced persons and refugees. Due to the (temporary) absence of men, women also assume political responsibilities. In spite of the difficulties encountered, many of these peace activities do have an emancipating function and should therefore also be continued in the post-conflict phase.

**Women in ‘Formal Peace Politics’**
Only a small number of women actually participate in formal peace negotiations. Usually their contribution to conflict resolution and peacebuilding is regarded as positive. Women bring diverse conflict experiences, they represent different interest groups and set other priorities than men. On the basis of women’s interests, they are able to form coalitions bridging deep political, ethnic and religious divides. Their participation in the actual peace talks often fosters a wider popular mandate for peace, making it more sustainable. It is of the essence that women participate in (re)writing the constitution and other legislation in a post-conflict phase in order to guarantee their long-term interests and rights.

**Women as Coping and Surviving Actors**
Women have shown the capacity to survive in extremely difficult circumstances such as conflict by developing ways of coping with life. They have thereby displayed a remarkable resilience in adapting to their new living conditions.

**Women as Household Heads**
Many conflicts have forced women to become household heads and breadwinners, taking over responsibility for various activities traditionally carried out by men. Women are often not equipped for this and lack access to education, training, land, credit, waged labour and other resources. The most common obstacle for female-headed households and widows is their limited land and property rights. They are usually prohibited from owning, renting and inheriting land and property in their own names. In the post-conflict phase, when husbands and male relatives return home, the traditional division of roles and tasks tends to be restored again.

**Women and (In)formal Employment Opportunities**
A substantial number of women are driven into badly remunerated work in the informal sector, which tends to expand rapidly in conflict situations as formal structures cease to function. Because of the great need for human resources in post-conflict rehabilitation activities, formal employment opportunities for women initially increase, although later they often decrease because of the return of men and the reintroduction of traditional labour divisions. In some post-conflict situations, neo-liberal economic policies imposed by the IMF and World Bank have negatively influenced women’s working conditions.
Challenges in Policy and Practice

Intervening agencies that aim to address women’s roles and positions in armed conflict face numerous challenges. One such challenge, for instance, is to employ more women as civil and military professionals in Multidimensional Peace Operations and also to sensitize these operations’ male professionals for gender. Another challenge would be increasingly to adapt external interventions to the needs and interests of local women in armed conflict (‘gender-sensitizing’ policies). One condition for this is to formulate policies on the basis of a sound gender analysis, clarifying the interrelationship between women and men, the specific conflict situation and the potential differential impact of external interventions of women and men. The starting point for all such policies must be to aim for gender equality. In striving for gender equality in conflict situations, it is of the essence that international agencies develop instruments and methodologies that combine gender and conflict analysis. Another condition is that intervening agencies should already address women’s needs and interests in the pre-conflict phase and not just in the post-conflict phase so that women’s exposure to insecurity and violence is limited. Agencies must not only aim to reduce women’s suffering in the short term, but must also intend supporting women’s long-term strategic interests. They should support to the utmost women’s changing roles, positions and identities in conflict situations, as long as these have an emancipating effect.

There are numerous interventions possible to target women increasingly and explicitly before, during and after armed conflict. For instance, agencies could involve more women in early-warning and response processes in order to protect them from an increased exposure to insecurity and violence. Programmes to restore civilian security, such as security sector reforms, greater representation of women in police forces and judicial processes, de-mining and the non-proliferation of small arms programmes, form a unique opportunity to render the prevailing security actors and systems more gender-sensitive. Trauma counselling during and after the conflict could recognize the different ways in which women and men deal with traumas. Truth Commissions and National Reconciliation Processes should pay more attention to female-based violence and should equally consider women’s and men’s specific needs and interests in the formulation of reparation and rehabilitation policies. International Tribunals and Courts should continue and perhaps expand their special legal and social support to female witnesses and female victims of sexual violence. Agencies could prevent women from becoming combatants in conflict by for instance providing a safe space for non-war action and creating alternative economic sources to the military. They could make demobilization and reintegration programmes more equally accessible to female and male combatants and may possibly take women’s and men’s different experiences and interests into account. More intervention, particularly in the pre-conflict and actual conflict phases, could support the strengthening and formation of sustainable women’s organizations that play an active and constructive role in the peace process. It is of the essence that interventions increase women’s political participation through training, awareness-raising campaigns and quota systems ensuring a minimum participation of female politicians. Intervention might provide more female breadwinners, households with productive assets and legal assistance in the fields of housing, property and labour rights. They could simultaneously
address women’s needs for employment and income generation in the informal and formal sector, thereby avoiding gender-stereotyped activities. Instead they could preferably facilitate women’s employment in ‘non-traditional’ sectors and skills, for instance through quick-impact but sustainable micro-credit schemes and initiatives to create women-friendly employment conditions.

The steps and interventions mentioned here to address women’s roles and positions in armed conflict must not only be undertaken in the post-conflict phase, which many international agencies tend to do, but also in the pre-conflict and actual conflict phase. The practical challenge now is to translate these steps and interventions into concrete guidelines and procedures, and to stimulate intervening agencies to act in the field accordingly.

**Institutional Analysis**

**Background**

The sixteen organizations analysed vary substantially in their mandates, target groups, areas of competence and geographical coverage. Hence, the overall aim of the institutional analysis is not to compare the different organizations or to measure their performance, but instead to learn from their mutual experiences and to identify how lessons derived from one organization’s practice can be of relevance to the others in strengthening the roles and positions of women in armed conflict. The aim of the institutional analysis is also to ascertain what pertinent components, both at policy and practical level, require further attention to reinforce the prevailing structures and practices of the organizations engaged in the field of women in armed conflict. Ultimately, this institutional analysis must facilitate the organizations under study, as well as the Dutch Ministries of Defence, Foreign Affairs, and Social Affairs and Employment, to improve their performance on the roles and positions of women in armed conflict.

The main consideration of the institutional analysis has been to what degree and how women and/or gender mainstreaming have taken place in the policy practice of the organizations under study. *In concreto*, the analysis has scrutinized how the topic of women in armed conflict is incorporated in the organizations’ mandate, policy, structure, expertise, engagement, activities, instruments, and budget.

**Organizations and Women in Armed Conflict**

Some organizations are evidently working in conflict but seem to lack a particular focus on women in conflict situations, while others put a heavy emphasis on the issue of women but tend to have a less articulated approach towards armed conflict. Other organizations explicitly focus on women in crisis situations, trying to emphasize particular women’s roles or problems. It can be observed that the more explicitly and articulately the organizations relate to the topic of women in armed conflict, the more chance there is that they actually take it into account in their policies and concrete activities. Lack of explicitness may lead to ‘women or gender blindness’. Particularly in multilateral organizations, a clear division of responsibility is sometimes lacking, which causes
confusion about whether the organization or its member states should take up the issue of women in armed conflict. In some organizations there are different perceptions on the topic, whereby gender units or gender specialists often have a more comprehensive perception about women in armed conflict than the rest of the organization, which could be regarded as due to lack of mainstreaming of the issue. Most organizations do not address all women’s roles and positions in armed conflict and usually encounter difficulties in linking women’s short-term needs with women’s strategic, long-term interests. Few organizations actually link relief, rehabilitation and development efforts. Equally, they do not address women in all conflict phases, but concentrate their efforts in the post-conflict phase. All in all, it can be concluded that most organizations address a few women’s roles largely in the post-conflict phase.

**Policy**

In recent years a dynamic movement towards a more explicit and specific reference to women in armed conflict can be noticed in the organizations’ policies. As shown in this report, the overall number of policy initiatives regarding women in armed conflict is huge and consequently there exists a considerable potential for fruitful exchange and mutual learning. It is acknowledged that there is no uniform path regarding the development of women and armed conflict policies. However, an important lesson learned is that to develop an effective and transparent policy on women in armed conflict, women and gender policies have to be translated into concrete plans of actions and qualitative/quantitative targets and benchmarks, which are continuously monitored and evaluated. It is also of the essence to develop mechanisms to hold states accountable for not taking on internationally agreed gender policies and objectives, such as the Security Council Resolution 1325. Moreover, sustainable gender policies, particularly of multilateral agencies, can only be achieved through steady (financial) contributions and coherent policy positions by member states.

**Structure, Expertise and Engagement**

Each organization analysed does have a gender structure and has to varying degrees developed in-house expertise on women, gender and armed conflict. Only one organization has mainstreamed gender into its structure in a nearly complete fashion by making all employees responsible for taking up gender in their activities. Typical gender structures are usually characterized by a combination of an intra-organizational and external gender policy, the employment of gender experts at headquarters and field level, and by the appointment of specialized gender experts, units and networks throughout the organization. A continuous challenge is to share the expertise on women/gender issues throughout the organizational structure, not only among the gender experts but among all staff. Another is to combat the lack of gender experts that are specialized in both gender and conflict. More specialized gender experts in the field of women and armed conflict, particularly males, should be educated and recruited. To create commitment to gender and particularly to the topic of women in armed conflict has been shown to be hard. Involvement of the top management has, however, given a strong impetus in various organizations. Some organizations have enhanced the commitment by upgrading the status, position and influence of gender units, experts and networks. Other organizations have created commitment by ensuring that gender experts can spend enough time and resources on the topic, for example by limiting
their portfolios and expanding the number of gender experts. Making gender-related achievements part of the organization’s personnel recruitment and appraisal systems may also enhance the staff’s commitment.

Activities and Instruments

The report discerns two sorts of gender-related activities and instruments: a) those that relate to women and gender in general; and b) those that the organization has specifically developed with respect to women in armed conflict. In the report, general gender-related instruments and activities include normative instruments, training and capacity-building, implementation of programmes and (pilot) projects, monitoring and evaluation, internal reporting and management, and consultation/research/communication. The report gives various concrete examples per type of instrument. Specific activities and instruments for women in armed conflict comprise inter alia special guidelines to enhance the protection and assistance of women affected by conflict, provision of material and psychological support to female victims of sexual assault by tribunals, and pre-deployment courses for peacekeepers and military observers. For a full overview of specific initiatives, refer to chapter 5 of part II.

A complete and wholehearted implementation of the available instruments and activities has rarely taken place. According to various organizations this has mainly to do with the relative novelty of the theme of women in armed conflict and misconceptions about the notion of gender. Proper information is needed to avoid such a situation. Furthermore, little information is available on the medium- and longer-term impact of gender-related initiatives, a condition that organizations could counter by developing a more coherent gender system, ranging from agenda-setting, policy development, implementation, and effective monitoring and evaluation. Moreover, the idea of ‘the more activities on women in armed conflict the better’ seems not to be valid. Gender-related information too often overloads staff. The challenge discerned here is to divide into doses the organization’s women/gender guidelines and instruments.

Budget

In most organizations under study the gender budget is integrated into the overall budget. Although gender is then fully mainstreamed, the downside is that the gender budget is often no longer quantifiable and visible. To partly compensate for this, some organizations have in addition established separate gender trust funds. Recently some organizations have also taken the initiative of gender-sensitizing their budgets, aiming to combine the potentially broad coverage and effectiveness of mainstreaming, while promoting the visibility and transparency that is normally associated with gender-specific budgets.

Suggestions for the Dutch Government to Strengthen the Organizations’ Performance on Women’s Roles in Conflict Prevention, Conflict Resolution and Post-conflict Reconstruction

The institutional analysis identifies various suggestions and measures for the Dutch government - in concreto for the Ministries of Defence, Foreign Affairs and Social Affairs and Employment - to facilitate the organizations under study to strengthen the roles and positions of women in conflict prevention, conflict resolution and post-conflict reconstruction. These include to: 1) gather
additional data on the exact roles of women in conflict prevention, conflict resolution and post-conflict resolution; 2) collect more best practices of how women’s roles in the field have been addressed so far; 3) further translate (existing) policies into practice by setting specific objectives and developing concrete guidelines; 4) monitor/evaluate/review the activities undertaken and outputs achieved so far in order to ‘measure’ whether and how women’s roles have been strengthened; 5) increase the number of women and gender-sensitive men at all levels of the organization and particularly in the field of conflict-related interventions; 6) increase the participation of local women in the preparation, implementation and monitoring and evaluation of all field activities focusing on women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction; 7) enhance the commitment among all staff that deal with the issue of women in armed conflict; 8) enhance expertise in this field by providing staff training, but also training for local women and women’s organizations. Training must be adapted to the specific mandate and activities of each organization, to the specific conflict situation, and to the specific traumas and vulnerabilities of the local women and men addressed in the field. Training should also include models for *inter alia* gender issues in general, women’s roles in conflict situations in particular, cultural and historical backgrounds of the mission areas, and the scope and contents of International Humanitarian Law, which is of specific importance for all interventions in conflict-related situations; 9) increasingly incorporate gender and conflict issues into the organization’s activities, instruments and tools, e.g. needs assessments, community participatory approaches, mapping of vulnerabilities and so on; 10) further link the fields of, experts in, and information on women, gender and armed conflict.

In chapter 7 of part II the suggestions and measures mentioned here are further elaborated by connecting them to specific conflict-related fields or themes, and to concrete intra-ministerial responsibilities. These fields or themes include peace-support operations, humanitarian or emergency assistance and development cooperation, international courts and tribunals, and the fields of democratization, human rights and (peace) politics. Intra-ministerial responsibilities concern the tasks and activities to be taken up by the Dutch ministries’ different directorates and units.

*Suggestions for the Dutch Government to Strengthen its own Performance on Women’s Roles in Conflict Prevention, Conflict Resolution and Post-conflict Reconstruction*

Relevant Dutch Ministries such as the Ministries of Defence, Foreign Affairs and Social Affairs and Employment could further improve their own policies and practices on the topic of women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction. The institutional analysis in chapter 8 of part II outlines specific measures that each Ministry could take in this regard.

The Ministry of Defence is strongly encouraged to start addressing the topics of women in peace-support missions and local women in armed conflict in its overall gender policy for 2002-2006. It should provide its new and existing emancipation coordinators and promoters with a concrete mandate, time and incentives to go deeply into these issues. It is of the essence that the Ministry starts thinking about increasing the number of gender-sensitive female, but also male, military
and civilians in peace-support operations. Initiatives in this respect may include gathering more disaggregated gender data about women’s participation in peace-support operations and assessing what characteristics peacekeepers in peace-support operations should preferably have. The findings may be used for selecting gender-sensitive female and male participants, and for gender training that might become a prerequisite for participation in peace-support operations. Current training courses may well pay more attention to the various roles of women in armed conflict. For this purpose, adding a gender specialist to the present training staff and increasing the exchange of information between the training staff and the board of the ‘Defensie Vrouwen Netwerk’ could be considered.

The Ministry of Foreign Affairs recently appointed the Deputy Secretary-General (DSG) as its Gender Coordinator. This positive development requires follow-up in the form of allocating a specific budget and staff, a clear job description, proper delineation of responsibilities with other gender experts within the Ministry, and a review of his functioning after one or two years. The Ministry may well broaden interest for the topic of women in armed conflict. Apart from the temporary specialist located at DSI/VR, the topic has not yet ‘sunk in’ at the other directorates or units dealing with armed conflict, a situation that could be tackled by including the topic in planning, recruitment and appraisal, and internal monitoring and evaluation systems. The Ministry might guarantee that existing gender experts, who are frequently called upon to combine their gender portfolio with other tasks or ‘sectors’, maintain enough time and incentives to deal specifically with the topic of women in armed conflict. The Ministry is furthermore encouraged to clarify to its own staff and outsiders the contents of its policy on women in armed conflict and to present a fairly complete overview of what are seen as its main policy goals and priorities and what activities are carried out in support of these. In this respect, the matrix drafted by the Interdepartmental Working Group on Resolution 1325, which identifies priorities for further implementation of Resolution 1325, could be a useful starting point. The Ministry could also consider how the interaction between the fields of gender and conflict could be intensified, for instance through common inter- and intra-ministerial dialogues, seminars or training sessions.

The Directorate of Coordination Emancipation Policy (DCE) of the Ministry of Social Affairs and Employment could innovatively contribute to the topic of women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction. It is important that DCE considers taking a leading role in the development of gender-sensitive budgeting systems, ensuring both the mainstreaming and the visibility of funds for women or gender in the organization’s overall budgets. Moreover, DCE may well become an (inter)national forerunner in the cross-fertilization between policy-makers, developers of tools and instruments, and practitioners in the fields of conflict and gender. Only through more interaction and exchange of information between these two fields will it become possible to address all aspects of the topic of women in conflict prevention, conflict resolution and post-conflict reconstruction. The report outlines various concrete options for doing so. Finally, in close cooperation with the organizations under study, DCE is invited to assess the actual impact, ex ante and ex post, of interventions on the role and position of women in armed conflict. Information, however, is scarce, particularly on the middle-term and long-term impacts.
Part I  *Women’s Multifaceted Roles in Armed Conflict: Review of Selected Literature*
Chapter 1 Introduction

Objectives

Women’s vulnerabilities in times of conflict have long dominated the policy agenda. More recently their positive contributions to the reduction of violence and to peacebuilding have been highlighted, while lately some attention has also been paid to women’s role as protagonists of violence. It now seems the time to reach a more comprehensive, balanced picture of the impact of conflict on both women and men, and of the changing gender relations throughout conflict in both positive and negative terms. Although conflict in relation to gender may refer to both interstate and intrastate conflict, most conflicts nowadays are internal, and internal conflict poses a number of specific and additional problems to women in particular, as elaborated throughout this report.

This review is part of a larger study on strengthening the gender perspective in conflict policy, commissioned to the Conflict Research Unit (CRU) of the Netherlands Institute of International Relations ‘Clingendael’ by the ‘Coordination Emancipation Policy’ Directorate of the Netherlands Ministry of Social Affairs and Employment. The study consists of three phases. The first phase comprises a study of relevant literature on the dynamic role and position of ‘local’ women in conflict situations and on the ways in which gender relations are impacted by internal conflict. The second phase examines how a number of selected agencies working in conflict integrate a gender perspective in their policy practice, by looking at, among others, their mandates, structures, policies, operational procedures and policy implementation as well as assessing the available gender expertise. The third phase will suggest means and instruments to strengthen the gender perspective of organizations in order actually to improve the position of women in conflict situations. It will also formulate suggestions and measures as to how the Dutch government could support organizations to strengthen their gender perspective and to improve the Dutch government’s own programmes in this field.

Organization of the Review

This review contains the findings of the first study phase. Chapter 2 describes the policy setting in which the discussion on changing gender relations in conflict situations is situated. Chapter 3 shortly elaborates on the notion of gender analysis. Based on a review of the literature, Chapter 4 proposes an analytical framework that distinguishes seven, different ideal-typical ‘roles’ or positions of women before, during and after conflict. Chapter 5 identifies the challenges in policy and practice that emerge from these seven women’s roles to influence positively gender relations before, during and after conflict. Chapter 6 summarizes the main findings of this review.

Methodology

This review has been prepared largely on the basis of existing written material, including both selected academic sources and documents prepared by relevant (inter)national conflict-related organizations. In studying the material a certain pragmatic selectivity was applied, while keeping
the ultimate policy goal of the study in mind. In particular, the authors have limited themselves to only one area of concern as identified by the Beijing Platform for Action, that is, the area of women and armed conflict\textsuperscript{2}. We believe that the number of documents reviewed (over sixty sources), as well as the nature and contents of these documents, coincide with this approach.

\textsuperscript{2} For the sake of brevity the basic focus of this study, namely ‘women in conflict prevention, conflict resolution and post-conflict reconstruction’, will be referred to as ‘women in armed conflict’. Whenever the latter is used it should be realized that this encapsulates the activities as mentioned in the longer formulation.
Chapter 2 Policy Background

The interrelationship between gender and conflict has been a topic of discussion for some time now. It was probably the Beijing Conference, ‘the Fourth World Conference on Women: Action for Equality, Development and Peace’, of 1995 that explicitly brought the issue of gender and internal conflict to international attention. Since then the importance of the theme has been acknowledged by various institutions at global, European and national levels.

International Level

At the international level, the UN has played a leading role in promoting the subject of ‘gender equality in conflict situations’ by organizing the UN World Women Conferences, of which the first took place in Mexico in 1975, followed by a second one in Copenhagen in 1980, a third in Nairobi in 1985 and the fourth in Beijing in 1995.

At the end of the Beijing conference the participants formulated an agenda, identifying twelve critical areas of concern for follow-up, the so-called Beijing Platform for Action (PfA) (Figure 1). The agenda aims at attaining women’s empowerment by national and international commitments for action by governments and the international community, through, among other things, formulating laws, policies, programmes and development priorities.³

For each area of concern a number of strategic objectives has been formulated as well as actions to be taken by governmental, international, intergovernmental, regional organizations and non-governmental organizations respectively.

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The Platform identifies 12 critical areas of concern:
1. Women and Poverty
2. Education and Training of Women
3. Women and Health
4. Violence against Women
5. Women and Armed Conflict
6. Women and the Economy
7. Institutional Mechanisms for the Advancement of Women
8. Women in Power and Decision-making Structures and Processes
9. Human Rights of Women
10. Women and the Media
11. Women and the Environment
12. The Girl Child
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Figure 1: Critical Areas of Concern of Beijing Platform for Action

One of these twelve areas of concern was called women and armed conflict. The recommended strategic objectives to be achieved in this regard are summarized in Figure 2.

| a) Increase the participation of women in conflict resolution at decision-making levels and protect women living in situations of armed and other conflicts or under foreign occupation |
| b) Reduce excessive military expenditures and control the availability of armaments |
| c) Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations |
| d) Promote women's contribution to fostering a culture of peace |
| e) Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women |
| f) Provide assistance to the women of the colonies and non-self governing bodies. |

Figure 2: Strategic Objectives in the field of Women and Armed Conflict, Beijing Platform for Action

Accompanying these six strategic objectives is a list of over fifty actions to be taken by different relevant institutions. These recommendations form in fact a very heterogeneous set of measures, varying from general principles of action to detailed, very concrete measures to be implemented at the micro-level. Some actions amount to little more than verbal reaffirmations of existing laws, conventions and principles, while others require the development of specific activities and the generation of funds for their implementation.⁴

Since 1995 the UN, development organizations and member governments have closely monitored the implementation of the Beijing Platform for Action. In order to assess the overall progress in the five years following the Beijing Conference, the UN General Assembly, in resolution 52/100, decided to convene a special session, the so-called Women 2000, Beijing plus Five session. At this session, entitled ‘Women 2000: Gender Equality, Development and Peace for the Twenty-first Century’, the General Assembly adopted a Political Declaration and an Outcome Document entitled ‘Further Actions and Initiatives to Implement the Beijing Declaration and Platform for Action’. The Outcome Document indicated, among other things, that there is a wider recognition of the fact that the destructive impact of armed conflict is different for women and men, and hence there is a need to integrate a gender perspective in the planning, design and implementation of development aid and humanitarian assistance. On the other hand, the document also discerned some major obstacles, such as the lack of adequate policy response to the high proportion of female-headed households in internal conflict and the under-representation of women in decision-making positions. Moreover, the personnel dealing with the needs of women in situations of armed conflict were not properly trained in the field of gender.⁵

In the same year, the UN Security Council adopted another resolution (no. 1325) on Women, Peace and Security, reaffirming the important role of women in the prevention and resolution of conflicts and in peacebuilding. The Council stressed the importance of their equal participation

and full involvement in all efforts for the maintenance and promotion of peace and security, and the need to increase their role in decision-making with regard to conflict prevention and resolution. This resolution is generally regarded as one of the most influential recent documents in setting the policy framework for women and armed conflict.

On 31 May 2000, the United Nations Transitional Assistance Group brought out the Windhoek Declaration and the Namibia Plan of Action on ‘Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations’. Together with a publication from the Lessons Learned Unit at the United Nations Department for Peacekeeping Operations, they probably form the most important publications at this moment for the implementation of gender mainstreaming in peace operations, especially in the field.\(^7\)

In addition, the UN Department for Disarmament Affairs published a series of Briefing Notes on Gender and Disarmament in 2001, elaborating on gender in, among others, programmes for demining, small arms collection, and demobilization and reintegration.\(^8\)

A second,\(^9\) major international actor is the Organization for Economic Cooperation and Development (OECD), in particular its Development Assistance Committee (DAC). Both the issue of gender and that of violent conflict have been longstanding topics of interest to the OECD/DAC. The OECD/DAC had already established in the 1980s an Expert Group on Women in Development, which in 1998 was renamed the DAC Working Group on Gender Equality, publishing, \textit{inter alia}, two influential publications: the \textit{DAC Guidelines for Gender Equality and Women’s Empowerment in Development Cooperation}\(^10\) and the \textit{DAC Resource Book on Concepts and Approaches linked to Gender Equality}\(^11\). These build on the Beijing Declaration and the Platform for Action and also describe how DAC members’ interventions can promote gender equality in situations of conflict.

The Task Force on Conflict published a first set of \textit{DAC Guidelines on Conflict, Peace and Development Cooperation} in 1997,\(^12\) which have been updated and expanded into the publication \textit{Security Issues and Development Cooperation: A Conceptual Framework for Enhancing Policy Coherence}.\(^13\) Whereas the publication mainly deals with security sector reform, it also elaborates on the interrelationship between gender and conflict by addressing the need for female military

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\(^9\) In the second phase of this project a third international actor, the North Atlantic Treaty Organization (NATO), will be analysed on its gender sensitivity and gender expertise, particularly regarding peace enforcement operations.


\(^12\) OECD/DAC, 1997.

and police in newly established police and military structures, and the importance of properly addressing gender issues throughout the peace process.\textsuperscript{14}

**European Level**

At the European level\textsuperscript{15} various institutions, such as the European Commission, the European Council, the Council of Europe, and the OSCE have put the topic of gender and armed conflict on the policy agenda. The European Council’s resolution of 20 December 1995, for instance, stressed that a gender perspective must be paramount in emergency operations and crisis prevention. The European Council’s Conclusions of 22 November 1996 and those of 18 May 1998 explained how this can be achieved in practice, suggesting, among other things, to train staff of relief and development organizations in gender analysis and encourage the reinforcement of gender focal points within development and relief organizations.\textsuperscript{16} The European Parliament’s *Report on the Participation of Women in Peaceful Conflict Resolution* of 20 October 2000 links gender to conflict situations more explicitly than the foregoing reports, specifically suggesting how to take women’s needs and priorities into account, for instance, through access to formal peace negotiations and the use of demobilization and reconstruction funds.\textsuperscript{17} However, the European Commission’s *Communication from the Commission on Conflict Prevention* of 11 April 2000 only marginally refers to the interrelationship between gender and conflict,\textsuperscript{18} showing that there is still a long way to go before a gender perspective is fully incorporated in its conflict analyses.

The Council of Europe, through its Steering Committee for the Equality between Women and Men (CDEG), has generated substantial information on various gender issues with the aim to stimulate action at both the Council of Europe’s and the national level. Throughout the 1990s the CDEG published documents under such titles as *Men and Violence against Women*,\textsuperscript{19} *Domestic Violence*, and *Participation of Women in the Prevention and Resolution of Conflicts*.\textsuperscript{20} This latter document specifically stressed women’s important role as active players in reconciliation and post-conflict reconstruction processes.

Finally, the OSCE is also developing a gender perspective in its conflict-related interventions, supported by, *inter alia*, the Netherlands Ministry of Foreign Affairs. In 1998 a Gender Focal Point was attached to the OSCE secretariat with the responsibility of mainstreaming gender into the work of the Secretariat. In 1999 Switzerland seconded a Gender Adviser to the Secretariat. In 1998, the United Kingdom had already seconded a Gender Adviser to the Office for Democratic Institutions and Human Rights (ODIHR), with the task of implementing specific gender projects and ensuring that the work of other OSCE units would consider women’s situations and the need

\textsuperscript{14} OECD/DAC, 2001, pp. 29-30.

\textsuperscript{15} For a useful overview of organizations mainly based in Europe dealing with gender and armed conflict, see the inventory made by International Alert for the Council of Europe, Council of Europe (2001).

\textsuperscript{16} European Council, 1996; and European Council, 1998.

\textsuperscript{17} European Parliament, 2000.

\textsuperscript{18} European Commission, 2000, pp. 13-14.

\textsuperscript{19} Council of Europe, 2000.

\textsuperscript{20} Council of Europe, 2001b.
for greater equality between women and men. At present, ODIHR has an official Gender Unit, mandated to deal with the issue of gender for the entire OSCE. ODIHR stresses the necessity for a gender-sensitive approach in OSCE conflict prevention and resolution efforts, and to address the needs of women in post-conflict issues.

**Dutch Government Level**

After Beijing, the Netherlands introduced changes to its national emancipation policy, among others, by changing the focus from gender mainstreaming to gender equality. This new emancipation policy increasingly encouraged all the Netherlands ministries, which together are responsible for the implementation of Dutch emancipation policy, to set three practical emancipation goals to be achieved within a Cabinet period of four years, and to be monitored and measured. Each ministry could set its own objectives as long as these would fit the Dutch emancipation policy in general. This evidently caused great variability between the ministries. Out of all Dutch ministries only the Ministry of Foreign Affairs has set goals that are somehow related to gender relations in conflict situations, namely to strengthen women’s positions in post-conflict situations in OSCE countries and to safeguard the reproductive rights of refugee women. This is not to say that no other actions are carried out, but that the issue is still underemphasized in formal policy.
Chapter 3 Approach to Gender

Since there are multiple understandings of gender, this chapter will elaborate on how the topic of women and men in conflict situations is approached in this review paper. Although gender is about women and men, this review will nevertheless particularly highlight the role and position of women in conflict situations. Where possible these will be compared to those of men. This is not to imply that the particular needs of men and men’s suffering in wartime are negated or to infer that women hors de combat suffer more than their male counterparts.23

In most societies, men and women differ in the activities they undertake, in access to and control over resources, and in participation in decision-making. Realizing these differences enhances the awareness of possible inequalities between women and men, which can form a constraint to development because they may limit the ability of men, but more often of women, to develop and exercise their full capabilities, for their own benefit and for that of society as a whole.24

Besides differences in position between women and men, positions and roles among women differ. Although in conflict situations the victim role and the vulnerable positions of women are often emphasized, the multifaceted role of women is increasingly recognized. Women can be mothers, breadwinners, combatants, peace activists, etc., at the same time. Women’s roles are not given by nature, but are negotiable. The underlying notions of femininity and masculinity are negotiable interpretations of what it means to be a man or a woman. Masculinity is often linked to aspects of aggression, militarization, dominance, hierarchy and competition, feeding into the organization of war. Femininity is regularly associated with motherhood, care, non-violence and potential capacities for peace. The interpretations of masculinity and femininity, shaped by the gender culture in which women and men live and by the nature of the conflict, in the end determine male and female actions, behaviour, perceptions, rationality, positions and roles.25

Finally, women are a highly differentiated group of social actors, who possess valuable resources and capacities. While on the one hand women are forced by the conditions of conflict into certain positions and roles, they may on the other hand also deliberately change their positions and roles throughout conflict according to their own agendas and strategies. A case study on Bosnia-Herzegovina, for example, shows how women in the pre-war phase mainly tended to identify with nationalism and sectarianism, thus in a sense supporting the conflict. However, during the conflict they came to regard themselves more as victims, because of lack of security, housing and unemployment, and after the conflict many women became more actively involved in the non-governmental sector, working for human rights and peace movements.26

25 See, for instance, Skjelsbaek and Smith, 2001, p. 47.
26 International Alert, 2000, p. 41.
Women as actors actively create room for manoeuvre in conflict situations and utilize the windows of opportunity offered by conflicts to improve their position. For instance, various conflicts offer women new opportunities for political participation, exposure to the concept of women’s rights, the chance to establish women groups, skills training and organizational capacity building. Various studies have shown how women as actors actively utilized these numerous windows of opportunity to improve their position. For this reason, reference is made to an ‘empowerment’ perspective vis-à-vis women’s positions in conflict, in contrast to a ‘victim’ discourse.

27 USAID/CDIE, 2001, p. 35.
Chapter 4 Framework for Analysis

Explaining the Framework

To understand better the multifaceted nature of women’s realities in conflict situations, this chapter presents a framework that analytically distinguishes different ‘roles’ or positions of ‘local’ women before, during and after conflict. The framework is based on an analysis of relevant literature. The literature uses the notions of women’s roles and positions loosely and interchangeably. Some of the literature seems to depart from the idea that social structures and relationships, including those manifested during conflict, largely determine what women do or are able to do in reality. On the other hand, there is some literature in which the negotiated dimension of women’s behaviour and their room for manoeuvre are accentuated and in which the notion of human agency and that of social actor play a predominant role. This study takes the position that women may face serious constraints resulting from the existing social structure and relationships, but that at the same time women always have some room for choice and negotiation. Our usage of the words ‘roles’ and ‘positions’ therefore reflects both the negotiated and dynamic aspects of women’s realities in conflict as well as the operation of structural conditions shaping women’s situations in conflict. The framework discusses women’s multifaceted roles, but we want to stress that these roles should be regarded from a situational and agency perspective, as explained above.

The proposed framework discerns seven major women’s roles in internal conflict: a) women as victims of (sexual) abuse, b) women as combatants, c) women for peace in the non-governmental sector, d) women in formal peace politics, e) women as coping and surviving actors, f) women as household heads, and g) women and (in)formal employment opportunities. It is recognized here that these roles are not ‘isolated empirical realities’, but rather ideal-typical constructs. Women’s situations may in practice combine characteristics of these different roles or partially coincide. Empirical analysis has to indicate which combinations of roles will prevail at a certain place and a certain time and how these are subject to change. In this connection, some observers have called for a so-called time, space and agency perspective. The framework also attempts to link the discerned women’s roles to the pre-conflict, open conflict and post-conflict phase. It is, however, acknowledged that splitting a conflict in three phases is an oversimplification of reality. Case studies have indeed shown that conflict phases neither necessarily follow upon each other time-wise nor that each conflict includes all phases, or that women’s roles are restricted to one single conflict phase. Sometimes the different phases coexist at one particular moment or place. Yet in organizational mandates, institutional responsibilities and budgeting categories, these distinctions still play an important role, unnecessarily hampering the operational flexibility that is required in

28 These two perspectives are linked to two different sociological traditions, i.e. structural functionalism and actor analysis. In this study we cannot do justice to the further implications of this distinction, also because the literature itself operates from implicit positions in this regard.
the field. To argue for a more comprehensive and flexible approach compared to the prevailing institutional emphasis on the post-conflict phase, these different conflict phases have been included in the framework for analysis as well as in the figure specifying related options for interventions in chapter 5. It has also been suggested that instead of focusing on the different phases of conflict, it may be more useful to concentrate on transitions and on how situations change. Such transitions offer new opportunities and allow actors to undertake new activities. References are also made in this connection to the ongoing debate linking relief and development.

Although the authors of this paper admit that both men and women fulfil these seven roles before, during and after conflict, they nevertheless focus on women dealing with these roles. Firstly, because women tend to perform certain roles in conflict situations significantly more often than men. For example, it is generally acknowledged that more women than men in conflict situations are victims of (sexual) violence, because of women’s special position and roles. Similarly, conflict situations often lead to an increasing number of female-headed households. Secondly, conflicts may open up certain roles for women, which have already been open for men. For instance, more women than men seem to become active in the non-governmental sector, particularly in peace activism. Moreover, partially due to the absence of males in a conflict situation and to the resulting changing division of labour, women increasingly become active as politicians. Thirdly, without explicitly highlighting certain roles of women in conflict situations, women are often overlooked. For instance, the idea of women as combatants is relatively new in policy circles, and without particularly stressing the role of women as female combatants, their needs and interests may not be taken into account. The same counts for women in the informal, but especially the formal employment sector. Their (long-term) interests are liable to be neglected.

**Role 1: Women as Victims of (Sexual) Violence**

It becomes clear when reviewing the literature that most literature focuses on women as victims during conflict. However, detailed information on women as victims in the pre-conflict phase is generally not systematically scrutinized, as this body of anthropological and feminist literature is outside the purview of most policymakers dealing with women and armed conflict. We advise that these fields of literature be linked to the present debate on women and (sexual) violence.

During conflict, it can obviously be assumed that violence against women increases. Whereas during the First World War only 5 per cent of the casualties were civilians, in most contemporary conflicts *civilian casualties* are about 80 per cent, most of them being women and children. Moreover, more women compared to men remain unarmed and unprotected at a time when traditional forms of moral, community and institutional safeguards have disintegrated, and weapons have proliferated, making them particularly vulnerable to all kinds of violations. Since women normally have to bear greater responsibility for their children and elderly relatives than men, they are less mobile to flee eventually from fighting and indiscriminate violence. Forced

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29 ICRC, 2001, p. 43.
displacement may also subject women to violations of their physical integrity and safety.\textsuperscript{30} A lack of gender sensitivity in refugee camps, which for instance results in inappropriate sanitary facilities, contributes to women’s exposure to risk and violence.

During conflict, probably the most important sexual threats to women are systematic rape and other forms of sexual abuse against women that have become means of contemporary warfare in themselves. Sexual violence against women appears to be a result of both a general breakdown in law and order and a policy to demoralize the enemy.\textsuperscript{31} It is simultaneously a crime against the individual and an act of aggression against the entire community or nation. Women - as symbolic bearers of caste, ethnic or national identity - are systematically violated. From a cultural perspective, the entire community is polluted as a consequence of these acts of sexual violence.\textsuperscript{32} The effects for women themselves can range from psychological problems and traumas to social exclusion and even ostracism of the respective women and children born out of this sexual violence.

In the post-conflict phase sexual violence often continues. Findings of the UN Rapporteur on Violence against Women, for instance, reveal a continuum of violence from the public to the private space of homes. As male ex-combatants return home, their traumas and frustrations are often projected onto their wives and families.\textsuperscript{33} Moreover, the lack of an effective security system in the post-conflict phase adds to women’s continuous exposure to violence.

\textbf{Role 2: Women as Combatants}

Before the conflict, it seems important to consider women’s motives for becoming combatants. These appear to be as diverse as those of men, including enforced recruitment, agreement with the goals of war, patriotism, religious or ideological motives, and economic necessity, pointing to both political and socioeconomic motives.\textsuperscript{34}

Women’s active participation during conflict is thus often their own, free decision. Women actively took part in the hostilities during the Second World War and the Gulf War, in liberation wars, but also in intrastate conflicts, such as in Sri Lanka where one-third of the fighting forces consists of women.\textsuperscript{35} In Bosnia-Herzegovina and in Rwanda, women participated in ethnic cleansing. Since it is increasingly difficult to make the distinction between combatants and non-combatants in contemporary conflicts, it seems that an increasing number of civilians, both women and men, actively and voluntarily participate in war activities. Women are also involved in conflict in an indirect way, by supporting their men folk in military operations, and by providing them with the moral and physical support needed to wage war.\textsuperscript{36} An anecdote in this regard comes from Che Guevara. In his book on guerrilla warfare, he writes that ‘among the

\textsuperscript{30} Vickers, 1993, p. 28.
\textsuperscript{31} Byrne, 1996, p. 25.
\textsuperscript{32} Adapted from AIV, 2001, p. 30.
\textsuperscript{33} Naraghi-Anderlini, 2001, p. 37.
\textsuperscript{34} Sörensen, 1998, p. 10.
\textsuperscript{35} Filkins in Lindsey, 2000, p. 562.
worst things during the Cuban war was the fact that guerrillas were forced to eat the tasteless and sticky food that, in absence of women, they had prepared themselves. 37

After conflict, female ex-combatants regularly encounter difficulties while reintegrating into society. Often they are more traumatized than male combatants, because most of them have been subject to sexual violence. They tend to receive less support from their families, because they were often seen as having participated in ‘unsuitable’ activities. When they entered the military, many of them had not finished even their primary education, resulting in a lack of required education after the conflict is over. Out of fear of being mocked and ostracized by relatives or new colleagues, female ex-combatants regularly choose not to share their traumatic conflict experiences. This makes it difficult for organizations to recognize their problems and to address their needs properly. 38 Particularly worse off are single mothers who, apart from demobilization funds, rarely have other sources of income.

Role 3: Women for Peace in the Non-Governmental Sector 39

Conflict offers windows of opportunities for women’s emancipation and for the establishment and flourishing of women groups. It gives women the opportunity to enter the public and political areas, where they traditionally had no or only limited access. Their work for peace has been identified as a unique opportunity by many women living in conflict situations to become organized at all levels of society, particularly in the non-governmental sector, which in various countries did not even exist before the conflict.

In the pre-conflict phase it is often the threat of conflict that catalyses peace activism among small and dispersed women’s groups, such as in Bosnia-Herzegovina. 40 On the other hand, war fatigue also creates opportunities for women’s peace movements, while ongoing conflict also opens space for peace activism, as women whose sons have left to fight or have been lost in conflict, tend to get organized in order to protect their children. Examples include the Russian Committee of Soldiers’ Mothers, which during the Chechyn war demanded that their sons be sent home, or Yugoslav women protesting for the return of their sons in front of the National Army barracks in 1991. 41

During conflict women’s organizations in particular have often assumed the roles and tasks of public institutions. Studies show how women’s organizations were continuing and rebuilding the core institutions of society, often defining their daily life as ‘resisting conflict itself’. Women have tried to keep the memory and idea of a ‘normal situation’ alive through activities, such as

36 Lindsey, 2000, p. 563.
39 ‘Peace’ activities in this review refer to a very broad range of activities, including charity, channelling aid, psychosocial support, political lobbying, etc. For further reading, see, for example, Kumar, 1997, 2000 and 2001; and Sörensen, 1998.
40 Kvinn till Kvinn, 2000, p. 18.
41 ICRC, 2001, p. 27.
opening new health centres, managing day-care facilities, organizing summer camps for children, providing home schooling for children, and distributing food or clothes to elderly people. In Serbia, for instance, women’s organizations took responsibility for caring for refugee women, for the pacifists’ politics, dealing with the worsening of women’s position in Serbia and the hiding of conscientious objectors to and deserters from the army. Moreover, intervening humanitarian and developmental agencies incidentally encouraged women to establish formal and informal women’s organizations to channel international assistance to recipients in need, often other women.

After the conflict, existing and newly established NGOs tend to get involved in a broad range of activities, varying from charity work and the protection of human rights to the design of development projects and the distribution of natural, material and financial resources. Most NGOs have been able to change their activities quickly, reorienting towards newly emerging needs and opportunities. In Georgia, for instance, most NGOs after the conflict started with charity work, but gradually focused on encouraging women to take part in parliamentary elections, strengthening women’s participation in local governance, and transitioning from humanitarian assistance, through self-reliance to development approaches. In Bosnia-Herzegovina women’s organizations, partly under pressure from donors, made a transition from non-commercial projects to those with a potential commercial viability, such as the production of paper bags and toilet paper, and a taxi service.

**Role 4: Women in ‘Formal Peace Politics’**

Whereas many women in conflict situations have been engaged with ‘informal’ peace activism, only few women have managed to gain access to formal peace politics, which span the entire process of negotiations, often beginning in the midst of conflict, and continuing through the various phases of the transition to peace. Women are typically left out of the official peace negotiations and the formal work for the reconstruction of society, and only a limited number of women have managed to participate in peace talks and in signing peace accords.

An important question that has to be answered first is why women’s (increased) political participation is desired. From a ‘gender equity’ point of view the short answer is that women and men have equal rights and chances on political participation. From a ‘utility’ point of view the quantitative argument is that human resources in times of conflict are scarce, and thus both male and female politicians are urgently needed. The qualitative argument is that female politicians (can) make a positive difference in conflict management, conflict resolution, peace negotiations and peacebuilding. Several studies have shown that female politicians often introduce other experiences with conflict, set other priorities for peacebuilding and rehabilitation, are the sole

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43 Kumar, 2000, p.25.  
45 Kumar, 2000, p. 31.  
46 Kumar, 2001, p. 150.  
47 Kumar, 2001, p. 170.  
48 Naraghi-Anderlini, 2000, p. 4.
voices speaking out for women’s rights and concerns, manage to form coalitions bridging deep political, ethnic and religious divides on the basis of women’s shared interests, are regarded as less threatening to the established order, thus having more freedom of action, and bring a better understanding of social justice and existing gender inequality to peace negotiations. Women’s participation in the actual peace talks can also foster a wider popular mandate for peace, making it more sustainable. And finally, women’s involvement at the peace table has already yielded some concrete results. These include, among others, more equal access to land and credit, separate units for women’s issues within newly established ministries, equal rights to vote and changed attitudes to women’s leadership and decision-making capacities. The question nevertheless remains of how women are then involved in the formal, political (peace) process before, during and after conflict?

It is difficult to describe women’s political participation in the pre-conflict phase, because there is almost no literature on this topic. More studies are surely needed about women’s political roles in the period before a violent conflict erupts. On the one hand, women’s access to political life at all levels of society on the one hand may increase during conflict, because of a decrease in stereotypical gender divisions of labour, the absence of males and women’s frustrations with male politicians. On the other hand, the existing traditional structures are often still too strong in the early phases of conflict to encourage women’s political participation. Moreover, in various conflict situations there is hardly any representative government or parliament in which women could be politically active.

At the end of conflict, relatively few women manage to get involved in the formal, national peace negotiations. These negotiations tend to remain male, high-level activities, in which women are typically underrepresented in the involved international authorities, in negotiation teams representing the warring parties, and in any other institution invited to the negotiation table. Reasons for this, inter alia, are that only parties to the conflict tend to be involved in peace negotiations, and that traditional international law and diplomacy with its emphasis on the abstract entity of the state is insensitive to gender concerns. For instance, in the Dayton Peace Accords for Bosnia-Herzegovina, and the Rambouillet Agreement for Kosovo, women were underrepresented, resulting in a lack of gender sensitivity in the final accords and their consequent implementation. More positive examples come, for instance, from Burundi, where UNIFEM and international agencies helped women to participate in the Arusha peace process. In West Africa (Guinea, Sierra Leone and Liberia) women from various countries formed the Mano River Women’s Peace Network to engender the peace process, among other things, by making presentations to the Heads of State emphasizing the importance of involving women in

49 Kvinna till Kvinna, 2000, p. 11.
50 Naraghí-Anderlini, 2000, p. 6.
51 Naraghí-Anderlini, 2000, pp. 39-42.
52 Sörensen, 1998, p. 9; Byrne, 1996.
53 Byrne, 1996, p. 28.
the attainment of durable peace in the region. More recently, women were also represented at the peace talks on Afghanistan in Bonn, among others, by Ms Sima Samar, who is currently the Minister of ‘Women’s Affairs’ and Vice-President in the interim government of Afghanistan.

In the post-conflict phase, it is a well-known fact that women who have been politically active during conflict encounter difficulties in politics after the conflict. There is obviously no immediate connection between women’s political agency in the actual conflict phase and their participation in the political decision-making processes at the national level in the post-conflict phase. In various cases, women had to retreat from public and political life once the hostilities ceased. Reasons for this tendency include the reintroduction of the traditional social and political order existing before the conflict, war fatigue that grips some women leaders, or men seeking to reassert their authority. On the other hand, the presence of numerous international organizations in the post-conflict phase offers women various (new) opportunities to get politically involved. Various examples (see Annex A) illustrate how intervening agencies helped women to become involved in the implementation of the peace accords, enabling them to incorporate specific women’s needs and interests. They also supported women to participate in post-conflict elections and politics, and in drafting new legislation (or even a new constitution), which is particularly important, because the lack of recognition of women’s rights in a new constitution will have a long-term impact on their recovery and options for development.

Role 5: Women as Coping and Surviving Actors

Women use coping mechanisms, which enable them to survive in times of crises. They operate as capable and knowledgeable actors that, even under the most extreme circumstances, have the capacity to process social experiences and develop ways of coping with life.

A first coping or survival mechanism that women might display is to make adaptations to their existing roles and activities within their immediate environment. They often have to cope simultaneously with a breakdown in basic services such as health and school systems, and decreasing availability of and access to resources such as food and water, but also to information and support networks. Consequently, women may have to walk over increasing distances to collect water, as was the case in Kosovo, provide health care to ill, old and wounded family and community members under circumstances of increasing communicable diseases and higher risks of epidemics, and, in the absence of schools, to provide childcare and home-schooling to their children, limiting their time to carry out other tasks and eventually to earn an income.

A second coping mechanism is migration. It is estimated that 80 per cent of internally displaced persons and refugees are women. Migration often involves numerous disadvantages, such as

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56 Femmes Africa Solidarité, 2000, p. 7.
57 Karame, in Council of Europe, 2001b, p. 51.
58 Naraghi-Anderlini, 2000, p .22.
59 Kumar, 2000, p. 15.
61 Byrne, 1996.
separation from sources of income such as land and family, departure from community networks for protection and support, adapting to a new lifestyle, building up new skills and expertise to generate income, and complicating daily activities such as collecting firewood, cooking, and medical care. However, it could be observed that many women have shown a remarkable resilience in adapting to these new surroundings and livelihoods. In fact, some studies indicate that they fare better in their new environments than men, who tend to be lost and disoriented without their usual employment and public roles to play. Women, in contrast, experience a level of continuity in their household chores, while relying on familiar forms of informal networking.

Thirdly, women take over tasks previously carried out by men, as will be illustrated under role 6: ‘women as household heads’.

A fourth coping mechanism used by women in conflicts is to take up activities that are not only new but may be socially unacceptable, such as working outside home, petty crime, illegal trade or engagement in prostitution, which, due to the absence of other sources of income and the concentration of potential clients such as male combatants or international peacekeepers, becomes a viable method of income-generation. These latter forms of coping are correctly categorized as ‘distress coping mechanisms’.

It is hard to link specific coping mechanisms to the pre-conflict, actual conflict or post-conflict phase. However, women tend to continue their ‘normal’ life as long as possible. As conflict and its consequences continue, they increasingly have to adopt coping mechanisms, starting with relatively simple forms of coping but gradually tending to forms of distress coping. Once the conflict is declining, women are among the first to contribute to rehabilitation efforts, often particularly paying attention to the rehabilitation of effective health and education services, in order to take up their normal daily activities again.

**Role 6: Women as Household Heads**

Conflict can completely change the role of women in their family, the community and in the ‘public’ domain. It regularly forces women to become households heads and breadwinners, taking over the responsibility for earning a livelihood, caring for farms and animals, trading and being active outside the home – activities traditionally carried out by men. Particular attention is required for specific groups of women, such as female-headed households and widows, because they are likely to be poorer as they often have to carry all the household responsibilities alone.

The literature on women as household heads before conflict has not been scrutinized in the sources studied for this literature review. Most studies focus on the actual conflict phase, in which a relatively large number of women become household heads, taking up alternative livelihood activities for which they are under-equipped and untrained. They lack access to wage labour, as

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63 See, for example, Jiggins in Frerks, 2000; and Meertens in Moser and Clark, 2001, pp. 133-149.
65 Kumar, 2000, p. ix.
they can no longer count on traditional work groups, which are dismantled due to displacement, divorce or death.\textsuperscript{66} They are often taken away from their traditional environment, exposing them to larger risks.\textsuperscript{67} Women also encounter difficulties in accessing relevant training programmes, which can provide them with the expertise and knowledge to take up their new tasks. However, the most common obstacle is their limited land and property rights.\textsuperscript{68} Private or communal land may simply not be accessible because it is destroyed by combatants as a means of warfare or because mines have made it too dangerous to enter. However the major cause is that under most systems of customary law, women are prohibited from owning, renting or inheriting land, property and housing in their own names, and that access to and control over these rests completely with male relatives.\textsuperscript{69} On a more positive note, it has been observed that during conflict, traditional systems and the traditional division of tasks break down and that women are regularly granted access to land to ensure their own survival and that of their family.\textsuperscript{70} Yet access to land and property does not give the same title and safeguard as ownership.

After conflict, husbands and male relatives return home and are often inclined to restore the traditional divisions of tasks and roles. They take over activities outside the home, which during conflict were undertaken by women. When men also start generating income anew, women are increasingly forced to take up their role in the household again. The restoration of traditional divisions of tasks and (inheritance) systems in the post-conflict phase particularly has a negative impact on female-headed households and widows. Whereas they may have been allowed access to land and property during conflict, this may change after conflict. In many societies, women’s legally recognized rights to inherit land from deceased male relatives are lacking or ignored.\textsuperscript{71} In Bosnia-Herzegovina, women returnees and widows in particular were disadvantaged by gender-blind domestic laws and property rights, in which men are considered the primary owners of land.\textsuperscript{72}

**Role 7: ** **Women and (In)formal Employment Opportunities**

In conflict situations, women often become the only remaining breadwinners, because their men and sons are either involved in fighting or have been killed, displaced or wounded. Some men remain (temporarily) away in search of income and employment.\textsuperscript{73} Others are ashamed to return home not being able to provide for their families, sometimes feeling so much guilt that they even tend to shun income-generating or employment activities and retraining opportunities, as was for instance the case with men in Georgia.\textsuperscript{74}

\textsuperscript{67} ICRC, 2001, p. 74. 
\textsuperscript{68} See, \textit{inter alia}, UNIFEM, 1998. 
\textsuperscript{69} ICRC, 2001, p. 94. 
\textsuperscript{70} ICRC, 2001, p. 94. 
\textsuperscript{71} UNIFEM, 1998, p. 15. 
\textsuperscript{72} Kvinna till Kvinna, 2000, p. 43. 
\textsuperscript{73} Access to (in)formal employment is obviously not only a matter of gender. Byrne, for instance, shows how ethnicity plays an important role in Kosovo in gaining access to employment, showing that 70 per cent of the employed Albanians had been dismissed from their jobs at the beginning of the conflict (Byrne, 1996, p. 36). 
\textsuperscript{74} Kumar, 2001, p. 152.
Informal Employment

Because of prevailing social-cultural norms and socioeconomic situations, women are often less inclined to look for income-generating activities outside the home before conflict, because (their) men take care of this. Obviously, this differs per conflict situation.

During conflict, however, many women are forced to accept badly remunerated work in the informal sector, which tends to expand rapidly in conflict situations as formal structures cease to function. In former Yugoslavia, women became the main travellers and traders between the different regions, since it was easier for them to cross borders. Because of women’s increased mobility and because they are perceived as less threatening, a spontaneous kind of women’s market of information and services appeared, including networks for transferring money and goods, exchanging homes, providing jobs and medicaments, etc.75

In the post-conflict situation women also mainly find employment in the informal sector, because this sector resumes almost immediately, whereas investments in formal and larger enterprises are delayed as investors wait for political stability before they become active. After the conflict in Georgia, for instance, internally displaced women became increasingly involved in small-scale trading in markets and bazaars throughout the country.76

Formal Employment

In contrast to informal employment opportunities, it is hard to assess whether conflict broadens or limits women’s chances of formal employment. Basic data on women in formal employment positions in the pre-conflict phase are not reported in the analysed literature.

On the one hand, state collapse, the closure of private companies and so on may lead to a general loss of employment during conflict. On the other hand, the loosening of traditional labour relations and the increase in war-related sectors, such as arms manufacture and trade, may broaden women’s involvement in the formal employment sector. Detailed information, however, is again lacking.

Regarding the post-conflict phase, some studies indicate that where combatants returned to civilian life during the early phases of post-conflict transition, female workers in the organized sector, regardless of their education,77 were generally first to lose their jobs.78 However, other studies state that in some countries the post-conflict need for human resource development was apparently so strong that women were encouraged to take up employment even when it contradicted existing gender roles. Although the post-conflict phase may provide an opening to build on the progress made by women in the labour market during conflict, the recurrence of traditional divisions of labour tends to limit women’s chances for (formal) employment again. For instance, in Bosnia-Herzegovina, labour laws do not protect women’s full and equal access to

77 Sörensen, 1998, p. 36.
78 Kumar, 2000, p. ix.
employment, while women’s wages are sometimes only half of their male counterparts and problems regarding maternity leave allowance and forced early retirement have been encountered in most parts of the country, specifically frustrating those women that became the sole providers of income after the conflict. Some of these impediments are the result of neo-liberal economic policies imposed by the IMF and World Bank.

**Summarizing Women’s Seven Major Roles**

As shown in the first column of Figure 3, the framework described in this chapter has discerned seven major roles of women in conflict situations. Depending on each conflict phase (pre-conflict, actual conflict and post-conflict), each role exhibits some major characteristics. These are shown in column 2. Since the reviewed literature tends to focus on the actual conflict phase and on the post-conflict phase in particular, the description of the main characteristics per role in the pre-conflict phase is somehow limited. Finally, the list of considerations presented here is obviously not comprehensive, but is meant as merely indicative. Other topics that are not described here may also be relevant.

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<table>
<thead>
<tr>
<th>‘Role’</th>
<th>Characteristics of Women’s Roles in the Phase of:</th>
<th>Pre-Conflict</th>
<th>Actual Conflict</th>
<th>Post-Conflict</th>
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<tbody>
<tr>
<td>Women as Victims of (Sexual) Violence</td>
<td></td>
<td>• Increasing number of civilian casualties</td>
<td>• Increasing domestic violence</td>
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<td></td>
<td></td>
<td>• Increased exposure to violence</td>
<td>• Continuing exposure to insecurity</td>
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<td></td>
<td></td>
<td>• Sexual abuse as systematic method of warfare</td>
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<tr>
<td>Women as Combatants</td>
<td></td>
<td>• Direct involvement in fighting</td>
<td></td>
<td>• Reintegration of female ex-combatants</td>
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<td></td>
<td></td>
<td>• Indirect support of conflict</td>
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<tr>
<td>Women for Peace in the Non-Governmental Sector</td>
<td></td>
<td>• Small and even non-existing NGO sector</td>
<td>• Anti-conflict campaigns</td>
<td>• Active involvement in broad range of topics, ranging from charity work to political activism</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>• Taking over public roles</td>
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<td></td>
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<td></td>
<td>• Maintaining the ‘normal situation’</td>
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<td></td>
<td></td>
<td></td>
<td>• Providing Relief and Humanitarian Assistance</td>
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<tr>
<td>Women in ‘Formal Peace Politics’</td>
<td></td>
<td>• Limited access to political life</td>
<td>• Increasing access to political positions at various levels of society</td>
<td>• Hard to maintain political position</td>
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<td></td>
<td></td>
<td></td>
<td>• Limited access to formal peace process</td>
<td>• Participation in rewriting laws and constitution; post-conflict elections; and rehabilitation efforts</td>
</tr>
<tr>
<td>Women as Coping and Surviving Actors</td>
<td></td>
<td>• Minimum of survival mechanisms</td>
<td>• Use of coping mechanisms; adapting existing roles; migration</td>
<td>• Change to more sustainable ways of living</td>
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<td></td>
<td></td>
<td></td>
<td>• Sub-optimal results and forms of distress coping</td>
<td></td>
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<tr>
<td>Women as Household Heads</td>
<td></td>
<td>• Traditional division of tasks</td>
<td>• Decline in traditional labour relations</td>
<td>• Difficulties maintaining activities outside the home</td>
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<td></td>
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<td>• High number of female-headed households and widows</td>
<td>• Continuing struggle for access to land and property</td>
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<td></td>
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<td>• Need for new skills</td>
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<td></td>
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<td></td>
<td>• Lack of access to land and other properties</td>
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<tr>
<td>Women and (In)formal Employment</td>
<td></td>
<td>• Increasing informal sector employment</td>
<td>• Continuing informal sector employment</td>
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<tr>
<td></td>
<td></td>
<td>• Limited formal sector employment</td>
<td>• Recurrence of traditional division of labour</td>
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</tbody>
</table>
Chapter 5 Challenges in Policy and Practice

This chapter address two groups of women: women who are professionals in conflict management; and ‘local’ women who are affected by the conflict every day. These groups play different, but complementary, roles in conflict situations. Their relationship is not unidirectional, but interactive.\(^\text{80}\) Therefore both groups of women should participate in conflict-related interventions in order to improve ‘local’ women’s position in conflict situations. This chapter will argue that in order to address the seven roles of ‘local’ women in conflict situations better, as discerned in chapter 4, intervening agencies must a) employ more women as professionals in conflict management, b) adapt their interventions to the needs of ‘local’ women in conflict, and c) consider implementing concrete options for intervention, as suggested in the third part of this chapter.

**Women, Conflict Management and Peacekeeping**

The main elements of conflict management are preventive diplomacy, peacemaking, peacekeeping, and peacebuilding. Whereas it is increasingly acknowledged that the participation of ‘women as professionals’ in conflict management is of paramount importance for the development of a war-torn society, women until now have largely been excluded from military and civilian roles in this field. Intervening agencies should therefore continue to promote the increase of women in all elements and levels of conflict management, not only because gender mainstreaming in conflict management is only fair, but in the end also beneficial to ‘local’ women living in conflict situations. For instance, various studies support the employment of women as political staff, civilian police observers, sanction monitors and humanitarian personnel in Multidimensional Peace Operations. They state that women’s presence in peace operations improves access and support for local women, particularly for medical and psychological treatment; it makes male peacekeepers more reflective and responsible, it broadens the repertoire of skills and styles within the mission, often reducing conflict and confrontation; it results in lower rates of complaints from the local population, improper use of force, or inappropriate use of weapons; and it simultaneously contributes to a reduction of prostitution among local women and a better protection of peacekeepers against HIV/Aids.\(^\text{81}\)

**Gender-Sensitizing Interventions to ‘Local’ Women in Conflict Situations**

A first issue here is that intervening agencies should gender-sensitize their policies in order to support ‘local’ women in improving their situation\(^\text{82}\). Quick-impact projects that address women’s direct needs must simultaneously take place with activities that contribute to women’s social, economic and political empowerment in the long term. Gender-sensitizing policies require a thorough gender analysis that clarifies the interrelationship between gender, the specific conflict

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\(^{80}\) United Nations Department for Peacekeeping Operations, 2000, p. 21.  
\(^{81}\) See, for example, Ogunsanya and Mngqibisa, 2000; and International Alert, 2001.  
\(^{82}\) See for suggestions, inter alia, UNDP, 2001.
situation and the potential different impact of external interventions on women and men. And it demands the promotion of gender equality, because without a clear focus on gender equality, intervening agencies will most likely fail to capitalize on opportunities to ameliorate the negative conditions that women endure in conflict and perpetuate disparities between women and men. Intervening agencies could also increasingly conflict-sensitize their interventions. It is of the essence to develop instruments and methodologies that combine gender and conflict analysis. Whereas agencies either gender-sensitize or conflict-sensitize ‘standard’ policy-planning methods such as impact and needs assessments, they do not simultaneously sensitize them to both gender and conflict. Also in the more academic field, little attention has been paid until now to gender-sensitizing specific conflict tools and instruments, such as early-warning systems or peace and conflict impact assessment methodologies.\(^{83}\)

A second point is that most intervening agencies start addressing women’s needs and interests in the post-conflict phase, and not already in the pre-conflict phase. Hence, numerous women in conflict situations suffer unnecessarily. More disaggregated gender data on the pre-conflict phase need to be gathered in order to facilitate proactive and preventive interventions in conflict situations, which limit women’s exposure to violence and insecurity.

Lastly, there are numerous practical possibilities for intervening agencies to address women’s needs and interests in conflicts better. Firstly, women often face important obstacles in gaining access to those who provide help.\(^{84}\) Intervening agencies could attempt to overcome obstacles such as security problems, childcare needs, lack of resources, limited mobility and freedom of movement, etc. Secondly, intervening agencies should take into account the specific capacities and vulnerabilities of particular groups of women, such as refugee women, displaced women, female hostages, female ex-combatants, widows and female-headed households. Thirdly, intervening agencies must recognize women as actors and anticipate women’s changing roles, positions and identities in conflict situations.\(^{85}\) They must shift from welfare-oriented projects that aim to reduce the women’s suffering here and now, to projects that support women’s own long-term strategic interests.\(^{86}\) For example, during the rehabilitation process in Rwanda, ‘women’s committees’, elected in ‘women-only elections’, were established at the level of government administration in order to encourage women to express themselves freely. The government had given these committees the authority to set up communal funds for women to help start economic activities at the community and sector level, thus allowing women at grassroots to participate in funding decisions affecting their lives.\(^{87}\)

\(^{83}\) The Swiss Peace Foundation in collaboration with International Alert is currently developing a framework for gender-sensitive early-warning models, aiming at both women’s and men’s participation in local early-warning committees.
\(^{84}\) ICRC, 2001, p. 40.
\(^{85}\) AIV, 2001, p. 30.
\(^{86}\) Sörensen, 1998, p. 66
\(^{87}\) International Alert, 1999, p. 45.
These practical efforts will only be successful when intervening agencies not only ‘add women to projects and programmes’, but truly incorporate women in the institutional process to ensure that their visions, interests and needs are reflected in the definition of policies and strategies.

**Options for Interventions related to ‘Local’ Women’s Roles Before, During and After Conflict**

It is of the utmost importance that intervening agencies through ‘multi-track diplomacy’ concretely deal with ‘local’ women’s needs and interests in all aspects and levels of conflict situations. Whereas the options for interventions are numerous, those mentioned here below are explicitly related to the seven major roles of women before, during and after conflict as discerned in chapter 4. Each women’s role can be addressed by different options for intervention, where certain interventions may impact on more than one women’s role at the same time. A summary of the interrelationship between the seven major women’s roles and the options for intervention in the pre-conflict, actual conflict and post-conflict phase is shown in Figure 4 at the end of this chapter.

**Maximize Women’s Security throughout Conflict**

A pertinent issue is to prevent women from an increased exposure to insecurity and violence. This requires enhancing women’s physical security, including material security such as food, water, housing, etc., and protection from violence.

Since prevention is better than cure, intervening agencies need to develop effective early-warning and response processes to prevent gender-based violence. Women could be involved in early-warning processes by collecting information, analysing the conflict, assessing the risks, and developing adequate responses. It is assumed that with the active participation of women, early-warning systems better utilize the untapped potentials of women’s networks and organizations, and facilitate potential conflict responses at a political and humanitarian level to address the specific vulnerabilities of women and men alike.\(^{88}\)

During conflict it is not always easy to protect women from insecure and violent situations. However, even when safety measures are available, they are not always implemented. For instance, agencies still fail to employ female security officers in patrolling camps or to build sanitary facilities in appropriate locations so as to minimize women’s exposure to violence in refugee camps.\(^{89}\)

Also after the hostilities have ceased, women continue to need protection. The presence of demobilized soldiers and unemployed militias, and the lack of rules and sanctioning mechanisms, often lead to a serious threat for women in both the public domain and the domestic sphere.

**Women Restoring Civilians’ Security**

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\(^{88}\) After Pisa-Lopez and Schmeidl, 2002.

\(^{89}\) ICRC, 2001, p. 65.
Programmes before, during and after conflict to restore civilian security, such as security sector reforms, greater representation of women in police forces and judicial processes, training security staff and international peacekeepers about women’s issues, de-mining and the non-proliferation of small arms programmes, form a unique opportunity to render the prevailing security actors and systems more gender-sensitive. Women, who have often experienced the negative consequences of women-unfriendly security systems, may very well be able to improve the systems, if they are actively involved in their planning, set-up and implementation.

Regarding the post-conflict phase, a good example of a conscious gender-sensitive effort in this regard comes from a Police School in Kosovo run by the OSCE. The planners deliberately planned to recruit women for the new Kosovo police force. Some 20 per cent of all newly recruited personnel must be female. An example of women’s contribution to de-mining programmes is Cambodia, where women tended to set different priorities for mine clearance and mine awareness education programmes. In small arms programmes in Mali, women acted as ‘watchwomen’ that reported about illicit arms transfers among community members and influenced their children’s decisions not to take up weapons. In Albania, UNIFEM (UN Development Fund for Women), in close collaboration with UNDP and the Albanian government, has also been very successful in promoting women’s active role in the disarmament process of the population through a voluntary Weapons Collection and Destruction Programme.

**Trauma Counselling**

Trauma counselling, particularly during and after conflict, is important because conflict often traumatizes both women and men. Many people living in conflict situations argue that their trauma is not over with the last bullet, indicating the need for continuing assistance to traumatized victims of conflict well into the post-conflict trajectory, by including, for example, counselling and psycho-social rehabilitation projects. In various post-conflict situations victims show typical signs of trauma: depression, psychological disabilities, chronic fatigue and recurrent recollections of traumatic incidents. Several studies have pointed to differences between women and men in the ways in which they deal with trauma.

**Truth Processes and National Reconciliation**

In the post-conflict phase, Truth and Reconciliation Commissions have substantially contributed to processing women’s and men’s negative conflict experiences, but they have tended to omit specific considerations of violence against women or have handled these considerations in an ineffective manner. This practice can be changed. For example, the Truth and Reconciliation Commission in South Africa has, sometimes to the obvious detriment of women, only modestly

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90 See, among others, Kumar, 2000, p. 52.
92 UN Department for Disarmament Affairs, 2001, Briefing Note 5.
93 See, for example, Mansaray, 2000.
94 UNIFEM, 2001, p. 3.
95 Kvinna till Kvinna, 2000, p. 40.
96 Kumar, 2000, p. viii.
utilized several practical opportunities to incorporate a gender perspective, such as considering
women’s specific needs and interests in the formulation of reparations and rehabilitation policies,
the equal (in)material compensation of women and men for the human rights violations
committed against them, and sensitively treating issues such as rape and other forms of sexual
violence.99

Tribunals and Legal Advice
Also in the post-conflict phase, the work of war tribunals and associated legal advisers needs to
keep gender issues in mind, especially when addressing the violations committed against women.
A special approach is required to assist women to speak up about their traumatic conflict
experiences, often related to sexual violence and abuse. Special legal and social support structures
need to be established, which are geared to women in order to aid their reporting and the
prosecuting of perpetrators of war crimes and human rights abuses against them.100

Disengage Women from Conflict
Since in contemporary conflicts an increasing number of women actively and voluntarily
participate in war activities, the challenge for intervening agencies is to disengage women from
all phases of conflict, by continuously providing a safe space for non-war action and a safe voice
for non-war ideas.101 Particularly regarding female combatants, intervening agencies could
develop activities to prevent women from entering the military, for instance by creating
alternative sources of income besides the military, raising awareness about the negative
consequences of actively joining the army, and discussing other means than fighting to prevent or
resolve conflicts.

Reintegration of Female ex-Combatants
Whereas intervening agencies should already attempt to support female combatants while they are
in active service, they should pay particular attention to them in demobilization and reintegration
programmes in the post-conflict phase. Female ex-combatants often cannot participate in these
programmes, because they are tied to their homes and families, or because these programmes tend
to be based on the so-called trade-in concept, which means handing in weapons in exchange for
assistance, and thus tending to overlook (female) ex-combatants without guns or other weapons
that fulfil support roles. Therefore intervening agencies could, inter alia, explicitly target women
in demobilization and reintegration programmes, ascertain what skills and education women have
managed to obtain while in the military and, if needed, offer different forms and levels of training
to female and male combatants, address specific female soldiers’ physical needs, establish
support groups of female soldiers that have been in similar positions in order to share traumatic
experiences, and assist female soldiers in gaining access to property after they have returned
home.

Create Sustainable Women’s Organizations

100 Pankhurst, 1999, p. 32.
The earlier that intervening agencies start supporting women’s organizations, the more chance they have that these organizations will play an important and positive peace role in conflict situations. Studies have shown that strong women’s civil society organizations, dating from before the conflict, have cultivated skills and broadened opportunities for women to gain entry to the peace process and to occupy various public and political positions. In all conflict phases, they should support the formation and strengthening of (new) women’s organizations, the articulation of women’s groups’ agendas, and women candidates for public and political functions. In addition, they should assist women’s organizations to overcome obstacles and limitations such as lack of status in the eyes of male counterparts, a disabling conflict environment and internal management and leadership problems, and they should provide training in the field of management, leadership, lobbying and advocacy, legal issues and other relevant topics.

However, it is not enough only to support women’s organizations on an ad hoc or short-term basis. A long-term commitment from intervening agencies is required to render women’s organizations sustainable. Once the conflict is over, the level of international funding and humanitarian assistance usually declines fairly rapidly. In order to promote sustainability, intervening agencies could help women’s organizations to change mandates, goals and activities, and to explore the possibilities for their own income-generating activities. Moreover, they could recruit these women’s organizations in their assistance programmes related to health, income generation, social work, democracy and human rights and advocacy. In such a way, women’s organizations could increasingly be involved like other NGOs in larger-scale development initiatives in the long term.

Promote Women’s Formal Political Participation

Women’s role as active players in conflict prevention, conflict resolution, reconciliation and post-conflict reconstruction processes is of paramount importance for the development of society. Therefore, increasing the number of women in decision-making at all levels of society remains a major task. Intervening agencies must ensure that women get involved in conflict prevention and resolution initiatives, peacekeeping programmes, peace negotiation processes, post-conflict elections, rewriting laws and the constitution, and the planning and implementation of reconstruction efforts.

On a practical level, intervening agencies could train ‘local’ female politicians. The sooner that they receive training, the more chance they have to reach decision-making positions. Most women have had little political experience or training in the pre-conflict phase, but during conflict most of them gain some experience in political activities related to warfare or

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102 Naraghi-Anderlini, 2000, p. 12.
104 Kumar, 2000, pp. 48-55.
105 Kumar, 2000, p. 56.
106 Council of Europe, 2001b, pp. 57-69.
peacemaking. While acknowledging that it remains important to look at the specific job requirements and women’s capacity to match those, quota systems that ensure a minimum participation of female politicians can have their benefits as well. Quota systems should preferably be combined with public awareness campaigns, networking between political women, education and training.

Helping Women Survive Conflict
The options for intervening agencies to help women to survive conflict are well known and effectively put in practice. Numerous activities have been undertaken by humanitarian agencies to provide women with food and water, shelter and clothes, health-care and training on actual health issues, assistance to maintain and restore their networks with family and relatives, clean and safe sanitation facilities in refugee camps and so on. The overall lesson learned is probably that targeting women’s direct needs does not go automatically, but that each time women’s specific circumstances and priorities need to be specifically assessed again, and anticipated and acted upon.

Provision of (non-)Physical Assets
The main challenge to help women that have become the main breadwinners in the course of conflict would be to provide them with sufficient productive assets in order to ensure their survival. The provision of productive assets in both cases not only covers physical assets such as tools and seeds, but also needs to include technical skills and knowledge. Practical ways of increasing the access to productive assets may encompass the provision of food, seeds, pesticides, agricultural tools and livestock, the funding of micro-credit programmes, for instance to stimulate private sector development in remote areas and with neglected groups, and the restoration of communal assets and improving people’s access to them. Projects in this connection are mine-clearing, cleaning the environment, and constructing and repairing roads, houses or bridges. In addition, the provision of resources to a community may present an opportunity to initiate a process of rebuilding trust and reciprocity in the post-conflict phase.

Legal Assistance and Land Reform
Especially in the post-conflict phase, female-headed households, widows and other women need the support of intervening agencies for legal reforms to enable them to inherit and own productive assets, especially land. Women’s rights to land and other property could be realized by land reforms, and by ensuring that property rights, ownership and entitlements by women are enshrined in constitutional and statutory laws, which are an important defence against practices

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109 Although this option would be particularly effective in certain African conflict situations, it can in principle be applied to other parts of the world as well.
110 Date-Bah, 1998, p. 43.
111 See, for example, Baden, 1997; Kumar, 2000.
that marginalize women and deprive them of sustenance and the means of livelihood.\textsuperscript{113} Examples from the field show that women are in need of support and legal advice. In Bosnia-Herzegovina the Centre for Legal Assistance for Women, for example, provided legal aid free of charge in the field of property, housing and labour rights to women, mainly refugees and returnees, self-supporting women and women soldiers.\textsuperscript{114}

**Enhance Women’s (Formal) Employment Opportunities**

Intervening agencies, mainly in the post-conflict phase, should simultaneously address women’s direct needs for employment and income generation, and their long-term interests in the labour market. To anticipate these direct employment needs, they could provide training and employment programmes in various fields such as agriculture and the urban formal sector, which at the same time strengthens local institutions such as women’s organizations and labour unions.\textsuperscript{115} There should be explicit avoidance of women again receiving training in gender-stereotyped micro-business promotion, such as sewing and knitting, because this only contributes to the oversaturation on the market of gender-stereotyped goods, to insufficient income, and to a lack of local input and ownership.\textsuperscript{116} Intervening agencies could also introduce quick-impact micro-business schemes that help women to buy land, property or other assets to rehabilitate their sources of income. In order to ensure the sustainable impact of micro-credit programmes, these should be combined where possible with larger economic assistance schemes that promote equal economic opportunities for both women and men.\textsuperscript{117}

To change structurally and improve the work of women, intervening agencies must find ways to combat the recurrence of traditional divisions of labour after the hostilities have ceased, support women in maintaining the jobs they employed during conflict, and facilitate women’s employment in ‘non-traditional’ sectors and skills. Finally, recognizing that labour markets differ among countries and that women’s chances of formal employment under certain circumstances can be relatively low, they may assess to what extent they can also contribute to the improvement of basic employment issues, which include gender-sensitizing labour and other relevant laws, raising awareness among employers and state officials to improve women’s access to employment, downsizing gender-stereotypical labour roles, decreasing discrimination and sexual harassment on the work floor, length of working days, opportunities for part-time labour, equalling salaries between women and men, aiming for women’s rights and protection in jobs, ensuring childcare facilities and maternal/parental leave and so on.\textsuperscript{118} In this connection, the potentially contra-productive effects of World Bank and IMF requirements and regulations should be taken into account.

**Summarizing Options for Intervention linked to Women’s Roles**

\textsuperscript{113} Machel, 2000.
\textsuperscript{114} Kvinna till Kvinna, 2000, p. 43.
\textsuperscript{115} Kumar, 2000, p. 34.
\textsuperscript{116} Date-Bah, 1998, p. 42
\textsuperscript{117} USAID/CDIE, 2001, p. 36.
\textsuperscript{118} See, for example, Loutfi, 2001.
This chapter shows that there are concrete options for intervening agencies to address women’s needs before, during and after conflict. Each of the options for intervention is linked to one of the seven major roles of women as summarized in Figure 4. The list of options for intervention presented in this chapter is indicative of the major issues, but could be adapted according to the needs and characteristics of the local situation. Since the reviewed literature tends to focus on possibilities for intervention in the post-conflict phase, the suggested options for interventions that can be applied in the pre-conflict and actual conflict phase are somewhat limited. More studies and relevant data would be welcome.
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<th>‘Role’</th>
<th>Related Options for Intervention:</th>
<th>Actual Conflict</th>
<th>Post-Conflict</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Women as Victims of (Sexual) Violence</strong></td>
<td>• Women’s active participation in, for example, early-warning systems</td>
<td>• Practical safety measures, for instance in refugee camps • Trauma counselling</td>
<td>• Reducing domestic violence • Involve women in security sector reform, de-mining, small arms, and DDR programmes • Trauma counselling • Truth and reconciliation • Persecution of perpetrators, for example for crimes of rape and sexual abuse</td>
</tr>
<tr>
<td><strong>Women as Combatants</strong></td>
<td>• Support non-war activities • Awareness-raising among potential female combatants</td>
<td>• Support non-war activities • Start addressing specific needs of female combatants</td>
<td>• Support non-war activities • Gender-sensitise demobilization and reintegration programmes</td>
</tr>
<tr>
<td><strong>Women for Peace in the Non-Governmental Sector</strong></td>
<td>• Support establishment of women’s organizations • Train women activists and women’s organizations</td>
<td>• Support women’s organizations • Train women activists and women’s organizations</td>
<td>• Make women’s organizations sustainable • Train women activists and women’s organizations • Redirect goals, priorities and sources of income towards women’s organizations • Long-term financial commitment</td>
</tr>
<tr>
<td><strong>Women in ‘Formal Peace Politics’</strong></td>
<td>• Encourage women’s participation in preventive diplomacy, through, for example, training and quota systems</td>
<td>• Encourage women’s participation in peacekeeping and peace negotiation processes, through, for example, training and quota systems</td>
<td>• Encourage women’s participation in post-conflict elections, drafting constitutions, rehabilitation efforts, etc., through, for example, training and quota systems</td>
</tr>
<tr>
<td><strong>Women as Coping and Surviving Actors</strong></td>
<td></td>
<td>• Actively involve women in humanitarian assistance</td>
<td>• Actively involve women in humanitarian assistance</td>
</tr>
<tr>
<td><strong>Women as Household Heads</strong></td>
<td>• Provision of assets, skills and information • Micro-credit schemes</td>
<td>• Provision of assets, skills and information • Micro-credit schemes</td>
<td>• Provision of assets, skills and information • Micro-credit schemes • Legal assistance and legal reform</td>
</tr>
<tr>
<td><strong>Women and (In)formal Employment</strong></td>
<td>• Micro-credit schemes</td>
<td></td>
<td>• Non-traditional vocational training and employment programmes • Micro-credit schemes • Structurally improve women’s employment possibilities</td>
</tr>
</tbody>
</table>

Figure 4: The Interrelationship between Women's Roles in Conflict and Options for Interventions Before, During and After Conflict
Chapter 6 Conclusions

The area of gender and internal conflict has recently been extensively highlighted in (inter)national policy documents, providing numerous guidelines and principles to improve the position of local women in conflict-related situations. The policies are thus in place. What is now required is performance. Intervening agencies should now start directing attention and resources at the implementation and institutionalization of a gender perspective in concrete conflict analyses and policies.

In order to incorporate local women’s needs and interests in conflict-related interventions, it is important to approach local women in a realistic way. Women’s positions, roles and activities in conflict obviously differ from those of men. But there are also differences among women, in the way that they fulfil a multifaceted role: they can be mothers, breadwinners and combatants, etc., at the same time. It is increasingly acknowledged, still more in the literature than in actual policies, that intervening agencies should not regard women as passive victims of conflict, but social actors who can strategically change their different positions and roles in order to anticipate conflict and to utilize optimally the windows of opportunity offered by conflict. Differences among women are not only related to their multiple gender roles and positions as analysed in this study, but also obviously reflect the issues of ethnicity, religion, social class, etc. The influence of these should be taken into account in conflict-related interventions, but goes beyond the topic of this study.

This review presents a framework to guide intervening agencies in the analysis of the multifaceted role of women in conflict-related situations and in the formulation of pertinent policies, addressing these roles. The seven major roles of women in the pre-conflict, actual conflict and post-conflict phase discerned are: women as victims of (sexual) abuse, women as combatants, women for peace in the non-governmental sector, women in formal peace politics, women as coping and surviving actors, women as household heads, and women and (in)formal employment opportunities. Intervening agencies must see this framework in a dynamic way, realizing that women’s roles, gender identities and relationships constantly change in conflict situations.

To respond to these seven roles of women in conflict, this review has discerned three major challenges for intervening agencies in policy and practice. The first challenge is to employ more ‘women as professionals’ in conflict-related interventions such as preventive diplomacy, peacemaking and peacebuilding, and post-conflict rehabilitation, because this is beneficial to local women who are affected by the conflict every day. Various studies have shown how the incorporation of ‘women as professionals’, inter alia, has improved local women’s access to conflict-related interventions and how local women benefit from these interventions.

The second challenge is to adapt conflict-related interventions increasingly to the interests and needs of local women in conflict. Intervening agencies should simultaneously apply a conflict and
gender analysis in order to gain insight into the constantly changing roles of women in conflict, to assess whether conflict policies and interventions affect women and men differently, and if so to explore what then can be done to prevent or correct women’s or men’s disadvantage. They could openly promote gender equality in order not to perpetuate inequalities between women and men in conflict situations. Moreover, it is important that intervening agencies, and academics as well, gather more disaggregated gender data on the pre-conflict phase in order to facilitate proactive and preventive interventions in conflict situations, which limit women’s exposure to violence and insecurity. Intervening agencies still mainly tend to focus on women’s roles in the post-conflict phase, leading to unnecessary suffering of women before and during conflict. Lastly, intervening agencies should ensure that they, through actively involving local women in the design and implementation of conflict-related interventions, support women’s long-term strategic interests.

The third challenge for intervening agencies is to anticipate the seven major roles of women concretely in their policies and interventions, mitigating the negative impact of conflict on women and at the same time supporting and sustaining women’s newly acquired public and political positions, and their organizations. This review has outlined a number of options for such interventions in the pre-conflict, actual conflict, and post-conflict phase. The suggested options are meant as indicative and can be further complemented over time.

The overall challenge that now remains is to integrate the suggestions and options mentioned in the review paper into conflict policies, translating them into operational guidelines and procedures, and to stimulate intervening agencies in conflict situations to make their concrete field activities more conflict- and gender-sensitive.
Part II  Organizations Dealing with Women’s Multifaceted Roles in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction: An Institutional Analysis
Chapter 1 Introduction

Objectives

This report is the second part of a larger study on ‘Women in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction’, commissioned to the Conflict Research Unit (CRU) of the Netherlands Institute of International Relations ‘Clingendael’ by the Coordination Emancipation Policy Directorate (DCE) of the Netherlands Ministry of Social Affairs and Employment. This report has not yet officially been endorsed and consequently does not yet reflect the official opinion or position of the Dutch government. The study consists of three phases. The first phase comprised a study of relevant literature on the dynamic role and position of ‘local’ women in conflict situations and on the way that internal conflict impacts on women. The findings have been brought together under the title Women’s Multifaceted Role in Armed Conflict: Review of Selected Literature. The second phase examined how a number of selected agencies deal with women in armed conflict in their policy practice, by looking at, among other things, their mandates, structures, policies, operational procedures and policy implementation as well as analysing the available gender expertise. The third phase aimed at suggesting means and instruments to the Dutch government to facilitate the organizations under study in strengthening their policies and practices for women in conflict situations. It also aimed at formulating recommendations as to how the Dutch government could strengthen its own performance in this field, including by internally incorporating lessons learnt and best practices derived from the organizations under study.

Review Panel

During the implementation of the study a Review Panel guided the research process. The Panel was installed by DCE and consisted of Mr H.G. van der Stelt (chairman), Department of Analysis and Research (SZW/AO), Ministry of Social Affairs and Employment; Mrs R. Herweijer (member), Women and Development Unit (DSI/VR), Ministry of Foreign Affairs; Mrs C.M.L. Hille, Coordination Emancipation Policy Directorate (DCE), Ministry of Social Affairs and Employment; Mr F.J. Marcus (member), Head of Personnel Policy Development, Ministry of Defence; and Mr S. Messerschmidt (member), Conflict Prevention, Peace Operations and Military and Civil Cooperation Unit (DVB/CV), Ministry of Foreign Affairs. The Panel commented upon drafts and final reports in all phases of the research project in an advisory role, and the authors thank the Panel for their valuable observations and support.

119 For the sake of brevity the basic focus of this study, namely ‘women in conflict prevention, conflict resolution and post-conflict reconstruction’, will be referred to as ‘women in armed conflict’. Whenever the latter is used it should be realized that this encapsulates the activities as mentioned in the longer formulation.

120 The detailed Terms of Reference for the study have been formulated in a) the ‘Start Notitie’ Versterking van de positie van vrouwen en integratie van genderdeskundigheid in conflictpreventie en -oplossing en post-conflictsituaties, 31 August 2001, by the Dutch Ministry of Social Affairs and Employment, and b) the research proposal Versterking van het genderperspectief binnen conflictbeleid: Een vertaalslag van conceptuele inzichten naar de beleidspraktijk, 20 September 2001, by the Clingendael Institute.
Methodology

Apart from the CRU, three other organizations and an independent consultant have been involved in gathering data and report writing: the Centre for Conflict Studies at Utrecht University; Disaster Studies in Wageningen; International Alert in London; and independent consultant Mrs C. Cisse-van den Muijsenberg. A total of nine researchers have participated in the second and third phases of the research, and their particulars are mentioned in the respective annexes.

The researchers together have analysed sixteen organizations: 1) United Nations Security Council (SC); 2) United Nations Department for Peacekeeping Operations (DPKO); 3) United Nations Development Programme (UNDP); 4) United Nations High Commissioner for Refugees (UNCHR); 5) World Food Programme (WFP); 6) International Labour Organization (ILO); 7) International Committee of the Red Cross (ICRC); 8) North Atlantic Treaty Organization (NATO); 9) Organization for Security and Cooperation in Europe (OSCE); 10) Council of Europe (CoE); 11) Gender Task Force (GTF) of the Stability Pact for South-Eastern Europe; 12) International Criminal Tribunal for the Former Yugoslavia (ICTY); 13) International Criminal Tribunal for Rwanda (ICTR); 14) International Criminal Court (ICC); 15) Netherlands Ministry of Foreign Affairs (MoFA); and 16) Netherlands Ministry of Defence (MoD). The organizations were selected on the recommendation of DCE in consultation with the CRU.

There are three main reasons for selecting these organizations: 1) almost all of the organizations are active in the geographical territory of the Council of Europe, as was desired by DCE; 2) the organizations together cover major fields linked to the topic of women in armed conflict, including international politics, humanitarian assistance, development cooperation, judiciary, and security and defence; and 3) the Netherlands is (in)directly represented in all the selected organizations. This offers the possibility for the Dutch government to contribute constructively to these organizations’ perspectives, policies and practices.

The researchers’ analyses are largely based on existing documents and semi-structured interviews with key informants of these organizations. The analyses comprise both results focusing on the broader gender approach of the agencies concerned and information related to women in armed conflict specifically. The balance between these components varies per organization. The authors have also included recommendations for each organization, and the individual organizational reports that are attached as annexes have been submitted to the respective organizations. Comments received have been taken into account in the final versions of these reports.

Organizational Characteristics

The sixteen organizations analysed vary substantially, as can be derived from their descriptions in the annexes. No justice can be done in this synthesis report to the richness of detail found in the individual institutional analyses. For an exhaustive and full report, readers are advised to consult the material in the annexes. The differences between the organizations evidently refer to basic features, such as mandates, target groups, areas of competence and geographical coverage. A number of organizations have a single and fairly specific mandate, for example with a
humanitarian, military or judicial focus. Others operate on the basis of a dual or multiple mandate; typical examples are organizations with a broader political or development focus. The organizations’ target groups vary from specific vulnerable groups in conditions of conflict to the civilian population at large in both crisis and non-crisis areas. Some organizations also address their member states or the governments of countries in conflict. In addition, the organizations follow different methodologies and employ different tools and instruments to reach their objectives in general and those on gender mainstreaming and women in armed conflict in particular. There is a plethora of detailed tools at the organizational and field levels of almost every organization studied. Such tools may include advocacy, awareness raising, training and educational programmes. They may also relate to a whole series of guidelines, conventions, agreements, resolutions and procedures with both an internal and external function. With regard to achieving their targets in relation to their overall mandates and gender programming, or with respect to women in armed conflict, agencies have developed a multitude of mechanisms relating to staff, policy formulation, implementation and evaluation, funding and budgeting procedures, as well as operational guidelines and procedures for working at field level. A special category of measures is devoted to attaining a gender balance within their own staff. Obviously, there are more differences between the organizations than described here. For instance, the organizations vary considerably in their institutional set-up and differ in whom they represent. Some are part of the UN structure representing UN members. Others represent various European member states. Yet others are independent international organizations that more or less act independently, or are national Ministries. Finally, the organizations may operate in different phases of a conflict, being active before, during or after the conflict.

Analysis

In order to structure the findings of the sixteen organizational analyses, the CRU developed the following guidance questions to be used as an analytical framework by the individual researchers: a) In what way is the position of women in armed conflict incorporated into the mandates, structures, procedures, and policy formulation and implementation of the organizations under research?; and b) To what extent and in what form is adequate gender expertise present in the selected organizations? The two questions were further subdivided so as to provide a general description of the organization; clarify its link to the topic of women and armed conflict; give an overall impression of its current organizational structure and culture; provide an analysis of the financial means and other facilities that support the available gender expertise; identify the strengths and weaknesses, and assess the organization’s lessons learned regarding the topic of women in armed conflict. A final question asked what suggestions can be formulated for the Dutch government to facilitate the organizations under study in strengthening their performance on the topic of women in armed conflict and what measures can the Dutch government take to strengthen its internal functioning in this field?

In order to strengthen the role of women in armed conflict, a first consideration should be to what degree and how women and/or gender are mainstreamed in the policy practice of the organizations under study. To focus the debate, the definition and basic requirements of gender mainstreaming are recapitulated. Gender mainstreaming is here defined as ‘the (re)organization,
strengthening, development and evaluation of policy processes, in such a way that a gender equality perspective will be integrated in all policy practice by the usual policy actors.\textsuperscript{121} The Economic and Social Council of the United Nations defines gender mainstreaming as ‘the process of assessing the implications for women and men of any planned action, including legislations, policies or programmes in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality’.\textsuperscript{122} Gender equality refers to the equal rights, responsibilities and opportunities of women, men, girls and boys. It is a human rights issue and a precondition for, and indication of, sustainable people-centred development. Finally, gender balance is the degree to which women and men hold the full range of positions in a society or organization. The United Nations, for example, has a goal of achieving a gender balance of 50:50 in all professional posts.\textsuperscript{123}

In order to mainstream gender, organizations normally have to comply with basic requirements, including:

- Commitment of staff, particularly of the top management: commitment of the top management will broaden support for gender mainstreaming within the rest of the organization;
- Explicit gender policy with clear objectives: organizations should aim for concrete objectives;
- Delineation of responsibilities: it should be made clear who is responsible for gender mainstreaming in the organization;
- Availability of gender expertise: up-to-date information on and expertise in gender-related issues is a requirement for successful gender mainstreaming;
- Presence of means (personnel and budget) and instruments: gender mainstreaming implies investing in policy strengthening. Gender-related costs are thus part of the organization’s overall costs. In addition, it is of the essence for each organization to have instruments for gender mainstreaming at their disposal.\textsuperscript{124}

The basic requirements to mainstream gender are referred to in the respective chapters below.

Analysing how the sixteen organizations address the roles of women in conflict prevention, conflict resolution and post-conflict reconstruction has for various reasons been a sensitive process. First, some organizations felt that the researchers aimed to evaluate their performance rather than to gather best practices and lessons learned. Second, mainstreaming a topic into an organization is a precarious effort in itself, irrespective of what topic needs to be mainstreamed. Third, the themes of conflict and gender are sensitive in and of themselves, and so is the topic of women in armed conflict. Moreover, policies are still in the process of articulation and not always

\textsuperscript{121} Ministerie van Sociale Zaken en Werkgelegenheid [Netherlands Ministry of Social Affairs and Employment], 2001, p. 6.
\textsuperscript{122} Economic and Social Council of the United Nations, 1997.
\textsuperscript{123} Economic and Social Council of the United Nations, 1997.
\textsuperscript{124} Ministerie van Sociale Zaken en Werkgelegenheid, 2001, p. 2.
available on paper. Fourth, it was questioned whether a frank and open external report would help gender units in their ongoing efforts or whether a more supportive tone would be more useful. Fifth, certain organizations feared that the study would have negative repercussions for their sources of funding. Sixth, some information was confidential. In practice, all these issues were resolved and the cooperation of the organizations involved has greatly facilitated this study’s outcome.

Organization of the Report

The main body of this report includes a synthesis that tries to summarize the main findings of the sixteen individual reports and to develop recommendations. The aim of the synthesis is not to compare the different organizations or to measure their performance according to a common yardstick, but instead to learn from their mutual experiences and to identify what lessons derived from one organization’s practice can be of relevance to the others. The study should not be regarded as an evaluation study, but as an inventory, or at most a lessons learned exercise. The aim of the synthesis is also to ascertain what pertinent components, both at policy and practical level, require further attention in order to reinforce the prevailing structures and practices of the organizations engaged in the field of women in armed conflict.

Chapter 2 highlights the roles of women before, during and after armed conflict and indicates how these roles are addressed by the various organizations under study. Chapter 3 describes their specific gender objectives and policies, therefore covering the second basic requirement for gender mainstreaming. Chapter 4 pays attention to the organizations’ structures in relation to gender issues in general and with respect to women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction specifically, their gender expertise and expertise on women in armed conflict, and to their staff’s commitment to the topic. This coincides with the first, third and fourth requirements for gender mainstreaming. Chapter 5 provides an overview of activities and instruments with regard to the topic, and chapter 6 deals with the organizations’ budgets for gender. Consequently, the last two chapters deal with the fifth requirement for gender mainstreaming: chapter 7 sums up the major suggestions and measures identified for the Dutch government to help strengthen the organizations’ performance on the topic of women in armed conflict; and chapter 8 outlines how the Dutch government can internally take various measures to strengthen its own performance on this topic. Moreover, it identifies niches in the field of women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction into which the Dutch government could play a more active role in the future. Most chapters are divided into a section called ‘facts’ in which some major findings are indicated and a section called ‘observations’, where the authors present their analysis and views on these facts. These sections do not pretend to give a full summary or synthesis of the sixteen organizational analyses, but proceed on the basis of examples or notable contrasts. The annexes include the sixteen organizational analyses. As observed earlier, the synthesis and the annexes are fully interrelated.
Chapter 2 Organizations and Women in Armed Conflict

The organizations in this study have been selected because their work is connected to the topic of this study in one way or another. Yet the manner in which they relate to either women per se, armed conflict per se, or women’s roles before, during or after armed conflict respectively varies considerably. Some organizations are evidently working in conflict but seem to lack a particular focus on women in conflict situations, while others put a heavy emphasis on the issue of women but tend to have a less articulated approach towards armed conflict. This is because they normally operate under non-crisis conditions. Other organizations explicitly focus on women in crises situations, trying to emphasize particular women’s roles or problems.

This chapter aims to specify the nature of the organizations’ specific link to the roles of women in conflict prevention, resolution and post-conflict reconstruction. The report on the first research phase of this study, *Women’s Multi-faceted Roles in Armed Conflict: Review of Selected Literature*, identified seven major roles of women in armed conflict, namely women as combatants, women for peace in the non-governmental sector, women in formal peace politics, women as coping and surviving actors, women as household heads, women and (in)formal employment opportunities, and women as victims of (sexual) abuse. Table 1 at the end of this chapter summarizes how the organizations in the study address these women’s roles in the different conflict phases. No further clarification is needed that attention should be paid to women’s challenges throughout the so-called life cycle of conflict.

Facts

- The UN system in general has become aware of gender mainstreaming and its importance in conflict policy and peace and security issues. Both the Charter, the Universal Declaration for Human Rights, the Mexico Declaration, and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) are early milestones in stipulating gender equality. Successive UN conferences and more recent resolutions have been promoting women’s advancement and increased awareness of the gender dimensions of development, peace and conflict. The need for women’s equal participation in decision-making on peace and security issues has been highlighted. In this connection, it must be realized that the Security Council (SC) is an organ of the UN with a rotating membership. Its gender balance and interest in gender mainstreaming issues or in women in armed conflict vary with the membership and their political agendas.

- NATO nowadays plays an active role in conflict prevention and crisis management. However, within its policies and operations the position and role of local women has so far not been an issue. There appears to be no discussion at NATO in general with regard to the (possible) impact of its operations on (local) women.

- Until recently, the Dutch MoD’s focus on women was largely limited to employing more women through a variety of personnel management measures. This increased the chance that more female civilians (e.g. female doctors, technicians and translators) and female military
would participate in peace support operations, but did not affect the role and position of local women in conflict areas. Following the adoption of Resolution 1325 and the Namibia Plan of Action, the MoD is gradually considering focusing on local women in armed conflict and developing policies and instruments in this regard.

- Within the Stability Pact, the Gender Task Force (GTF) works on ‘women in (formal peace) politics’. Women are considered stakeholders in ensuring stable, democratic and prosperous development of the entire region. The GTF encourages both women’s participation in the political arena and the reform of crucial laws and state institutions, which can foster future gender equality policies. Only very recently has there also been some attention for the specific position of women in situations of armed conflict. The GTF has undertaken two explorative missions on women’s roles in conflict resolution to Kosovo and Macedonia.

- The CoE aims to promote equality between women and men. Areas of attention are democracy, rule of law and human rights. Recently, trafficking of women has been included as a topic and the CoE organized a seminar on the participation of women in conflict prevention and resolution as a precursor to the Fifth Ministerial Conference at Skopje, which focused on the roles and perceptions of women on democracy, conflict prevention and peacebuilding. The emphasis on women in the field of conflict resolution will probably be further elaborated in the near future.

- The OSCE particularly works in countries in transition from a communist system to a democratic system. As a rule it is much more active in pre- and post-conflict stages than during armed confrontation. Accordingly, if a link is to be established between the work of the organization and the issue of gender and armed conflict, it has to be found either before the outbreak of hostilities or after a peace agreement is signed. In fact, the OSCE has mainly been engaged with the topic of women in armed conflict in its post-conflict activities in the Balkans. Regarding gender, the OSCE’s Gender Action Plan states that it aims at the protection and promotion of human rights, including those of women. This Gender Action Plan mentions women in armed conflict in a reference to the Office for Democratic Institutions and Human Rights’ (ODIHR). Two of the nine areas of activity that ODIHR is expected to explore directly refer to women in armed conflict: ‘enabling women to participate actively in conflict resolution and conflict management’; and ‘assisting persons affected by gender-related violence in conflict and post-conflict situations’. The OSCE thus focuses mainly on women as victims of violence and women as political actors either in the non-governmental sector or in formal politics.

- The WFP aims to address the needs of the most vulnerable groups in times of crisis. In principle it focuses on vulnerable groups, which among others include women. Regarding women in particular, the WFP believes that women hold the key to solving hunger problems in conflict and other crisis situations, because: 1) they control food in the household and know best how to use it; 2) women form the majority of farmers in Africa and Asia and are the sole breadwinners in one-third of the world’s households; and 3) income in the hands of women contributes more to household food security and child nutrition than income controlled by men. The WFP focuses on women as coping and surviving actors, women as household heads,
but also on women and their (in)formal employment. It is increasingly focusing on gender, including both women and men, in emergency operations.

- UNHCR’s focus on women is primarily related to their (specific) protection needs. This implies an emphasis on their role as victims, usually of (sexual) violence, poverty, or legal injustice regarding their refugee status. Some women are also addressed in their role as mothers and household heads. A number of UNHCR programmes specifically deal with women’s informal income opportunities. Some documents also refer to women’s roles as peacemakers, and as forced recruits. Whereas UNHCR recognizes these various roles of women in theory, not all of these roles seem to be systematically addressed in UNHCR’s policy strategy and practice towards refugee women.

- The ICC, ICTY and ICTR have in common that they were established in order to prosecute crimes committed during armed conflicts and to provide judicial recourse to the victims. They particularly focus on women as victims of (sexual) violence. The ICTY pays attention to the situation of women both from a legal and moral perspective. It carries out investigations, prosecutions and judgments of gender-based crimes, especially sexual violence. Whereas the ICTR initially took modest action to address the massive rapes and sexual violence that occurred during the conflict in Rwanda, some of the accused have in the meantime been found guilty of sexual violence. The ICC could also have a strong impact on women in armed conflicts, especially for female victims. Whether the issue will actually be addressed largely depends on whether the judges utilize the scope within the ICC’s mandate to deal with gender issues and whether the prosecutors actually decide to prosecute perpetrators of (sexual) violence against women in conflict situations. The ICC, unlike the ICTY and ICTR, aims to give victims a central role by granting them the right to participate and to be legally represented at all stages of the proceedings. The issue of reparation payments is still under debate.

- The ILO’s InFocus Programme on Crisis and Reconstruction (IFP Crisis) acknowledges that: conflicts impact on women and men differently; women are often among the most vulnerable in armed conflict but they can also be the engines of recovery; and gender roles and thus women’s and men’s positions change throughout conflict. Being part of the ILO, IFP Crisis obviously addresses the role of women and (in)formal employment, as well as working on projects that target women as victims of (sexual) violence, women as combatants, and women as household heads.

- ICRC has an all-victims approach, rather than an approach focused exclusively on women. It addresses women’s (direct) needs, rather than gender-related (or strategic) needs. It does not solely regard women in armed conflicts as ‘victims’ in need of assistance and protection, but also acknowledges that women take part in armed violence as members or supporters of armed groups. ICRC also recognizes that women act as politicians, leaders of NGOs, social and political groups, and as peace campaigners, although in practice it primarily focuses on women as victims of (sexual) violence, or on women as coping and surviving actors and household heads.

- MoFA has a broad strategic and political focus. Besides addressing women’s direct needs in armed conflict like, for example, the ICRC, WFP or UNHCR, it actively encourages women’s
participation in peace processes and society at large, promoting women’s long-term strategic needs.

- UNDP has become increasingly active in conflict situations, estimating that more than half of its 45 programme countries are experiencing some form of political or civil crisis. In these situations, it explicitly aims at women’s empowerment. Various UNDP programme documents refer to women’s access to governance structures, women’s participation in conflict resolution and peacebuilding, and involving women as planners and benefactors in short-term humanitarian efforts and longer-term reconstruction initiatives.

- In addition to the above organizational foci, certain themes are emphasized in policy debates that may have a particular relevance to women in armed conflict. Such themes may have a sector- or system-wide relevance, including HIV/AIDS, sexual exploitation, the proliferation of small arms and disarmament, DDR etc.

**Observations**

Taking as a starting point women’s multi-faceted role in armed conflict as discerned in the first research phase’s report, *Women’s Multi-faceted Role in Armed Conflict: Review of Selected Literature*, the following observations can be made regarding the organizations’ link to the various roles of women in armed conflict:

- The more explicitly and articulately that the organizations relate to the topic of women in armed conflict, the more chance there is that they actually take it into account in their policies and concrete activities. Lack of explicitness may lead to ‘women or gender blindness’.

- As indicated, NATO does not link its policies to women in armed conflict. NATO regards this as the responsibility of the member countries. During interviews at the MoD the same remark was made, but then the other way around: ‘MoD so far has not developed an elaborate perspective on local women in armed conflict or on women in peace enforcement operations, because it has never been an explicit issue while preparing for peacekeeping operations’. This same confusion about who has the responsibility for taking up the issue of women in armed conflict may be a general problem of organizations dealing with various member states. Moreover, at the intra-institutional level it also does not always seem clear which unit or department has responsibility for taking on the topic of women in armed conflict. It is evident that responsibilities for the formulation and implementation of policy should be clarified in cases where multilateral agencies are concerned or where there are different responsible units within one organization.

- Sometimes, more than one perception is developed within the same organization about women and armed conflict. The organization’s gender unit or gender specialists may have a different, and often more comprehensive, perception about women in armed conflict than the rest of the organization. Another possibility is that different parts of the organization respond only partially to different roles of women in armed conflict. This could perhaps be regarded as lack of mainstreaming the perspective on women in armed conflict within the organizations. To a certain extent, this seems to be the case at, for instance, the ILO, MoFA and ICRC, in which units dealing with women in armed conflict, respectively IFP Crisis, DSI/VR and
Women and War Project, have a more sophisticated perspective on women in armed conflict than seems to prevail in some other parts of the organization.

Reviewing the above facts and observations a number of options seems to present themselves in defining organizational policies and practices. The first option is between a focus on the direct, short-term needs of women in armed conflict or an emphasis on women’s strategic and long-term needs. Although it may not be easy to formulate policies that encompass both options, some organizations seem to have been able to work along both lines, if not integrating them. A second choice concerns following a broader approach for all vulnerable groups, or a more limited ‘women only’ approach. The first approach in principle facilitates the mainstreaming and integration of women’s issues into the entirety of the organization’s activities, but carries the risk of becoming women-blind. Meanwhile, a third choice is between a women or a gender approach. Although there is broad consensus that male and female-male relationships are relevant to the study’s subject, many organizations find difficulties in operationalizing a gender perspective and prefer to focus for the time being on women. There is also a fear that the notion of gender is difficult to explain in other cultural settings. The experiences of the organizations studied show that there is no standard or preferential way of dealing with these choices.

Finally, Table 1 provides a schematic overview of how the various organizations address women’s multi-faceted roles in different conflict phases. Although the Table admittedly forms an abstraction from reality, it permits a few observations. It shows in the first place that only a few organizations are active in the pre-conflict phase. This suggests that there is little proactive or conflict-preventive activity despite the fact that conflict prevention figures highly on international ‘donor’ agendas. This raises the question of whether and in what way organizations could be stimulated to take a more proactive stance. Although less saliently, it can also be concluded that only relatively few organizations address women’s roles in actual conflict comprehensively and systematically. In fact, most activities are undertaken from either a military or a humanitarian point of departure. Despite such notions as ‘development for peace’ or the prevailing debate on the linkages among relief, rehabilitation and development, it seems that only few organizations apply this in practice. Strikingly, the Table reveals that there is a heavy concentration of effort in the post-conflict phase. This is true in the sense that all the organizations studied are engaged in post-conflict activity, but also that there is fuller coverage of the multi-faceted roles that women have or undergo during this phase. Again, it may be questioned here whether a more inclusive approach comprising the pre- and actual conflict phases could also be recommended.
<table>
<thead>
<tr>
<th>Role</th>
<th>Organizations addressing Women’s Roles in the Phase of:</th>
<th>Pre-Conflict</th>
<th>Actual Conflict</th>
<th>Post-Conflict</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women in general, not specified per role</td>
<td><em>NATO, MoD, MoFA</em></td>
<td>SC, DPKO</td>
<td>SC, DPKO</td>
<td>SC, DPKO</td>
</tr>
<tr>
<td>Women as victims of (sexual) violence (psychological counselling, offering defence and protection)</td>
<td>CoE</td>
<td>ICRC, DPKO, SC, <em>NATO, MoD</em></td>
<td>ISCE, ICTY, ICC, ICTR, ICRC, CoE, ICRC, DPKO, SC, <em>NATO, MoD</em></td>
<td></td>
</tr>
<tr>
<td>Women as combatants</td>
<td></td>
<td></td>
<td>ILO, MoFA, UNDP</td>
<td></td>
</tr>
<tr>
<td>Women for peace in the non-governmental sector</td>
<td></td>
<td>MoFA, SC, DPKO</td>
<td>MoFA, OSCE, Stability Pact, SC, DPKO</td>
<td></td>
</tr>
<tr>
<td>Women in ‘formal peace politics’</td>
<td>OSCE, Stability Pact</td>
<td>MoFA, SC, DPKO</td>
<td>OSCE, Stability Pact, CoE, MoFA, SC, DPKO</td>
<td></td>
</tr>
<tr>
<td>Women as household heads</td>
<td></td>
<td>WFP, ICRC, UNCHR</td>
<td>ILO, WFP, UNDP, ICRC, UNCHR</td>
<td></td>
</tr>
<tr>
<td>Women and (in)formal employment</td>
<td></td>
<td>WFP</td>
<td>ILO, WFP, UNDP, MoFA</td>
<td></td>
</tr>
</tbody>
</table>

Table 1   Organizations addressing Various Women’s Roles in Different Conflict Phases

125 Those organizations that are indicated in *italics* relate to the role of women mentioned at a practical level, but apparently lack their own policies or points of view on the matter.
Chapter 3 Policy Formulation

This chapter describes how the issue of women in armed conflict is incorporated into the organizations’ policies and objectives. At the risk of repeating earlier remarks, also here the organizations show considerable diversity in the degree to which women have been considered within their mandate and policy formulation, and as to how women’s issues have been operationalized in practice. Over the last couple of years a dynamic movement towards a more explicit and specific reference with regard to women and/or gender has been noticed in most of the organizations in the study sample.

Facts

During the Cold War NATO’s primary political and military goal was to defend its members against the possible use of military force against them. This is still NATO’s first task, but since the early 1990s, NATO has taken a broader view of security in which ‘building up trust and developing cooperation with non-member nations and international organizations plays an equally important role’. Within these broader tasks, NATO has not articulated a link to women in armed conflict. According to a spokeswoman at NATO’s Office on Women ‘NATO so far does not have a perspective and policy on gender in the different operations’, because ‘that is the nations’ individual responsibility’. This obviously is not to say that NATO does not undertake gender-related activities in practice, but that there is no explicit framework at policy level:

- The Stability Pact’s (SP) primary objective is related to post-war (or post-conflict) peacebuilding and the prevention of conflict, as it aims to foster peace, democracy, respect for human rights and economic prosperity in order to achieve stability in South-Eastern Europe. Within the SP, the Gender Task Force (GTF) is charged with advancing gender-balanced sustainable development in South-Eastern Europe, among other things by increasing public awareness of women’s political participation in elections and political processes. GTF also contributes to the reform of existing electoral systems and to the introduction of female-friendly, gender-sensitive legislation, quota and targets to promote women’s political participation. It further helps to establish governmental institutions to promote gender equality, and to improve and strengthen existing mechanisms. The GTF’s strategy for achieving this objective has been to work through projects (e.g. media campaigns, awareness-raising projects, and the ‘Women Can Do It’ grassroots women’s pre-election political empowerment project).

- One of the CoE’s overall objectives is to protect human rights, pluralist democracy and the rule of law. Since 1989 CoE’s main function has become to act as a political anchor and human rights watchdog for Europe’s post-communist democracies. Within this overall framework of democracy and human rights, the CoE’s Council of Ministers, Parliamentary Assembly and European Court of Human Rights, etc., address various women-related issues, especially through treaties, declarations, judgments and recommendations. Whereas these documents are often of particular importance for equality between women and men, there are also an increasing number of documents that explicitly refer to women or gender issues under

- The OSCE’s priorities are to consolidate the participating states’ common values and to help build fully democratic civil societies based on the rule of law, to prevent local conflicts, restore stability and bring peace to war-torn areas, and to overcome real and perceived security deficits by promoting a cooperative system of security. It started to incorporate a gender perspective in its general working processes from 1998 onwards. The gender dimension was given a much stronger impetus after the Permanent Council adopted the OSCE Action Plan For Gender Issues on 1 June 2000, which must ensure that OSCE commitments concerning gender equality are taken into account by the participating states and in the practical work of OSCE institutions and field missions. As indicated in chapter two the plan explicitly refers to the topic of women in armed conflict, albeit it in a modest way.

- The MoD’s overall mandate consists of: a) defending the territory of the Kingdom of the Netherlands and Allied territory; b) protecting and promoting the international rule of law, for example by participation in peace operations; and c) supporting and assisting in the execution of civilian government tasks, and in the provision of international assistance together with the Ministry for Development Cooperation. Within this framework, MoD’s ‘emancipation policy’ foremost aims at increasing the percentage of female military in the armed forces to 8 per cent in 2002 through a variety of personnel, career and ergonomic measures. Apart from this general measure, the MoD has not developed a policy specifically aiming at an increase of women in peacekeeping operations, or focusing on the position of women in armed conflict. It appreciates, however, the beneficial effects of a high number of female participants in peace support operations and is addressing this issue through a recently established Interdepartmental Working Group on Resolution 1325. The position of local women in armed conflict is dealt with whenever pertinent during operations in the field and is discussed in pre-deployment training.

- The ICRC’s primary responsibility is to ensure respect for international humanitarian law and to protect people in conflict against violations of their basic rights by addressing the relevant authorities and providing direct assistance to the victims. Related to this overall objective, the ICRC has over the last decade shown an increasing concern in its policies for the topic of women in conflict. The International Red Cross and Red Crescent Movement, to which ICRC belongs, in 1996 adopted a resolution on the ‘Protection of the civilian population in periods of armed conflict’, which encouraged ICRC to develop preventive measures, assess existing programmes and set up new programmes to ensure that women victims of conflict receive medical, psychological and social assistance, provided by qualified personnel aware of the specific issues involved. In 1999, the Movement adopted a Plan of Action with specific references to the protection of women in armed conflict. In response, the ICRC made a pledge ‘to ensure that the specific protection, health and assistance needs of women and girl children
affected by armed conflicts are appropriately assessed in its operations with the aim to alleviate the plight of the most vulnerable’, and that the ICRC would have reviewed all its activities and assured that women’s needs are properly addressed by the end of 2003.

- The Inter-Agency Standing Committee (IASC) Working Group of the United Nations published a statement in 1999 advocating the integration of a gender perspective into humanitarian assistance and asking its member organizations for commitment for action. The IASC realized that complex emergencies have different impacts on men and women and that the needs of women are often overlooked. It argued that gender-sensitive humanitarian programmes could better mitigate the negative, differential impact of complex emergencies on women and men.

- As early as 1991 UNHCR developed guidelines for the protection of refugee women, emphasizing the intrinsic relationship between protection and assistance. In June 2001, UNHCR made five concrete commitments to refugee women: 50 per cent of all management committees for refugees will be women; refugee women will be registered individually; distribution of goods should be under the control of women; integrated country-level strategies will be developed to address violence against refugee women; and provision of sanitary materials will be standard practice. These very practical gender-related objectives target women in conflict and other crisis situations directly.

- The core policies and strategies that govern WFP activities are: to provide food aid to save lives in refugee and other emergency situations; to improve the nutrition and quality of life of the most vulnerable people at critical times in their lives; and to help build assets and promote the self-reliance of poor people and communities, particularly through labour-intensive work programmes. As early as 1989, the WFP had formulated guidelines for integrating women into its core activities better, aiming at including women more fully in productive, income-generating activities and not just as beneficiaries of feeding projects. By 1995 WFP had an agenda for women, the so-called ‘Commitments to Women in Emergency Situations’ and also formulated corresponding statistical targets for gender equality. The Commitments aimed at direct access to appropriate and adequate food; full participation in power structures and decision-making; equal access to resources, employment, markets and trade; generation of gender-disaggregated data and information for planning and evaluation; and improved accountability on actions taken. By the end of 2001 WFP was aiming for 80 per cent of its food relief to be directly distributed to women; 50 per cent of its educational resources in a given country to go to girls; 60 per cent of its resources in a country with a significant gender gap to go to women and girls; and for 25 per cent of the results of food-for-work projects to benefit women directly.

- By developing concrete strategies, the WFP has shown impressive progress towards these objectives. For instance, it introduced sanctions for officers that have been performing below expectations and Gender Action Plans for the individual country offices, including earmarked budgets. Moreover, to strengthen understanding of gender-related issues, intensive capacity-building programmes were started for staff and counterparts and information material was disseminated to field officers. The WFP also actively sought collaboration with other international organizations, such as the FAO and UNICEF. At the time of writing, a new
gender strategy is being prepared, particularly focusing on women’s and men’s needs in emergency situations and conflict.

- Both the WFP and UNHCR aim for 50 per cent representation by women at all professional levels within their organizations. For UNHCR, the relative absence of female staff is a serious obstacle both to obtaining information from refugee women and girls and to dealing with the protection issues that they face.

- The ICTY’s mandate and competence is to prosecute and try four clusters of offences, namely 1) grave breaches of the 1949 Geneva Conventions; 2) violations of the laws or customs of war; 3) genocide; and 4) crimes against humanity. As of 4 April 2002, 78 persons have been indicted by the ICTY, of whom 40 are currently detained, 8 have been provisionally released and 30 remain at large. Within this general scope, the Office of the Prosecutor (OTP), the Registry and the Chambers have adopted gender policies and objectives to ensure that the perpetrators of *inter alia* sexual violence are to be tried before the Tribunal. The Prosecutor has adopted an original and successful approach to ensure that sexual crimes are prosecuted as crimes against humanity as well as crimes under the other three clusters of offence: genocide, grave breaches and violations of the laws, and customs of war. As a result of this strategy, the OTP has contributed to the emergence of solid jurisprudence on sexual crimes. However, it should be noted that the current gender policy and objectives of the OTP are not explicitly formulated in any of the Tribunal’s official documents.

Based on Rule of Procedure 34, which provides for a Victim and Witness Unit (VWS) for counselling and support, the ICTY’s VWS has adopted a range of policies to support female witnesses, including childcare facilities, support for dependent persons, attendance allowance, accompanying victims and witnesses and assistance in the relocation of witnesses at risk. The ICTY’s Chamber is also bound to apply various Rules of Procedure and evidence aimed at ensuring that witnesses and victims of sexual violence are not retraumatized at various stages of proceedings in The Hague. On the basis of Rule of Procedure 75, the Chamber could take appropriate measures to protect victims and witnesses, such as expunging names, non-disclosure to the public of any records identifying the victim, giving testimony through image- or voice-altering devices or closed TV circuits, and so on. Moreover, the Trial Chambers and Appeals Chambers have delivered several landmark decisions in their jurisprudence concerning sexual violence under international law.

- The ICTR’s mandate is to prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda between 1 January 1994 and 31 December 1994. It is also competent to prosecute Rwandan citizens charged with such crimes in the territories of neighbouring states during the same period. The ICTR was established as a measure to contribute to national reconciliation in Rwanda. Its policies towards female victims and witnesses are largely similar to those of the ICTY. For instance, ICTR Rule 34 B requires that a gender-sensitive approach to victims’ and witnesses’ protective and support measures should be adopted and that due consideration should be given to the appointment of qualified women. The ICTR’s initial prosecutorial strategy did not explicitly focus on issues of sexual abuse, but primarily addressed killings. However,
following pressure on the Prosecutor by national and international NGOs to amend this, a strategy was formulated and attempts made to apply this in practice.

- The ICC’s Rome Statute defines gender-specific crimes in a detailed and explicit way as including ‘rape, sexual slavery, enforced prostitution, enforced pregnancy, enforced sterilization or any other form of sexual violence of comparable gravity’. It is unique that these gender-specific crimes have been defined by the Rome Statute as war crimes in international armed conflicts and in non-international armed conflicts (rules 36.8.b, 42.9 and 43.6).

- The promotion of equal rights and social justice and the improvement of working conditions of women and men have always been guiding principles of the ILO. More explicitly, since 1999 gender has become an official cross-cutting issue in the ILO’s priority themes. The ILO also developed an integrated Action Plan on Gender Equality and Mainstreaming in 1999, which is being monitored internally and externally. The ILO had already in 1997 started to develop more specific policies regarding women in armed conflict through the Action Programme on Employment and Skills Training in Conflict-Affected Countries (1997-1999). This Programme became the ILO’s first integrated, comprehensive approach to crisis situations. Among the Programme’s deliverables were four country case studies on gender concerns in conflict contexts. The findings of these studies were later synthesized in the publication Gender Guidelines for Employment and Skills Training in Conflict-Affected Countries. These guidelines serve as an important policy framework for the ILO, particularly for its IFP Crisis. The themes of gender and crisis form an explicit focus point for IFP Crisis, and are addressed in IFP Crisis’s contributions to post-crisis reintegration and reconstruction programmes.

- Within its broad mandate UNDP has defined six priority areas including democratic governance, poverty reduction, HIV/AIDS, ICT for development, and crisis prevention and recovery. Whereas gender was formerly one of the priority areas, since 2001 it has been a cross-cutting issue across these priority areas and UNDP’s overall policies and programmes. The focus on gender, however, has been emphasized by UNDP’s Administrator in a letter to the resident coordinators, stressing that UNDP cannot afford to develop its support in the six priority areas if it does not address the issue of women’s rights, gender-based discrimination and unequal access to resources and opportunities, violence against women, and women’s lack of access to decision-making and basic services. In particular, through its Emergency Response Division (ERD) UNDP addresses the role of women in preventive action, recovery and post-conflict rehabilitation efforts. Gender equality is also one of the six priority goals within UNDP’s Strategic Results Framework (SRF) for 2000-2003. SRF’s goal number four, on the empowerment of women and gender equality, targets national capacity development for the promotion of gender equality (policy, advocacy, tools) and support to programme countries in implementing the Beijing Commitments, as well as obligations under the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). At

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126 UNDP’s mandate is to ‘help countries in their efforts to achieve sustainable human development by assisting them to build their capacity, to design and carry out development programmes in poverty eradication,'
present, UNDP is developing a concrete Plan of Action on Preventive Action, Recovery and Post-Conflict Rehabilitation, which integrates a gender dimension. This could also serve to strengthen UNDP’s varied efforts in this field by providing a systematic, comprehensive and transparent approach to gender mainstreaming in crises and post-conflict situations.

- The UN’s Security Council and DPKO primarily take Resolution 1325 and the Namibia Plan for Action as frameworks for their gender policies and objectives. These documents explicitly stress the participation of women at all levels of peace processes, including the highest levels of decision-making. They encourage the incorporation of gender perspectives in peacekeeping and training for all those serving on peace missions, and they emphasize the protection of women, while denying immunity for those committing crimes of a gendered nature against women. Finally, they call for gender mainstreaming in UN reporting systems and programme-implementation mechanisms. In addition, the SC and DPKO also have to take into account a whole series of resolutions and presidential statements dealing with the issues or aspects thereof.

- MoFA has set six overall gender objectives, of which the aim to increase women’s contributions to conflict prevention, post-conflict rehabilitation and peacebuilding is one. MoFA has further developed more concrete gender tasks, which for the period 1998-2002 comprise: mainstreaming gender and poverty criteria in macroeconomic support programmes to developing countries; safeguarding the reproductive rights of refugee women; and assisting in gender mainstreaming the OSCE by inter alia focusing on the specific needs and interests of women in the post-conflict phase, and by seconding a gender adviser to the gender unit at the Office for Democratic Institutions and Human Rights (ODIHR). Besides other specific efforts in the field of women in armed conflict, MoFA recently established an Interdepartmental Working Group on the Implementation of Resolution 1325, which has developed a matrix that identifies the fields and activities for follow-up per department in order to put the Resolution further into practice.

**Observations**

A first observation relates to the highly dynamic developments in the different organizations under study. Most have shown quick progress towards an increasingly explicit focus on gender and/or women in armed conflict and have formulated goals, objectives, strategies, plans of action, etc., accordingly. The more explicit the focus on women or gender in armed conflict, the more chance there is to make a difference in practice and to attain the organization’s objectives. A condition for arriving at a specific focus is first to ensure some conceptual clarity, especially regarding the somewhat complicated notions of gender and gender mainstreaming. Conceptual clarity and having a clear and specific focus help to prevent misinterpretations and contradictory views, confusion and lack of commitment, and the creation of ‘gender blindness’. Organizations that so far operate on the basis of fairly broad policies could consider, where relevant through their member states, specifying their goals with regard to gender and/or women in armed conflict.

employment creation and sustainable livelihoods, the empowerment of women and the protection and regeneration of the environment, giving first priority to poverty eradication’.  

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The overall number of initiatives regarding women or gender in armed conflict is huge and there consequently exists a considerable potential for fruitful exchange and mutual learning. This potential benefit is further strengthened by the fact that the different organizations under study have developed their own individual approaches and emphases in the framework of their overall mandates and missions. This enables one to draw from a variety of experiences. It would perhaps be an idea to publish a type of systematic and detailed ‘catalogue’ of approaches, strategies, policies, instruments and mechanisms in this field. This report could be seen as a first step towards such an overview, although it has evidently not been designed or organized as a catalogue.

Organizations started to contemplate the issue at very different times, while their speed in dealing with the topic also varied. Some were ‘early starters’, while others began exploring the implications of the issue for their policies and practical operations more recently. Without suggesting that there can be a uniform path in this regard, this in and of itself again offers scope for mutual learning, not only by ‘copying’ successful ideas and practices, but also by avoiding the mistakes that pioneers are bound to make. This can be of relevance, for instance, to the MoD or NATO if they want to formulate their own policies on the matter or support their members to do so. There is some evidence that ‘late starters’ can simultaneously be ‘quick learners’. The ICRC is a case in point.

Objectives and policies can be divided into those that emphasized intra-organizational gender (or emancipation) issues and those that were focused on the world outside. The first category attempted to create better gender balance among own staff or to equip them better for carrying out women- or gender-related tasks. The second category dealt with the problems of women in armed conflict themselves. There is a suggestion that having more women within the organization may contribute better to attaining women- or gender-related objectives in the operations outside. This arguably could also be achieved by properly training all staff in women’s or gender issues, as a higher proportion of female staff per se cannot be equated to a higher degree of women or gender-sensitiveness.

Policies varied in the nature of women’s needs addressed. Direct, immediate needs and long-term strategic needs were already distinguished earlier. The latter often have a political connotation, stressing issues such as women’s access, political participation and decision-making and empowerment. Both types of need obviously merit attention and require women-focused or gender-specific approaches, but there seems increasingly to be a tendency to combine or connect both types, as it is felt that women’s direct needs can be better dealt with once there is also improvement with regard to their strategic needs.

Quite a number of organizations have translated their women or gender policies and objectives into concrete plans of action, quantitative targets and benchmarks, which are being monitored, leading again to larger transparency and accountability regarding results achieved. This also offers the possibility of identifying problems or delays during implementation. Interesting
initiatives have been reported in this field (e.g. the WFP and UNHCR), but on the whole further progress should be made.

Moreover, organizations that consist of member states could consider what mechanisms can be developed for holding states accountable for not taking on internationally agreed gender policies and objectives. This issue seems to have particular relevance for DPKO and the Security Council in assessing the progress made by member countries in the implementation of Resolution 1325, but should also be of concern to NATO, the GTF and OSCE, etc., for example.

Finally, political considerations and rotating memberships in committees, councils, and other bodies of international agencies impact on how effectively gender policies are pursued. Variations in voluntary (financial) contributions on an annual basis can, for instance, jeopardize continuity. In order to achieve more coherent and sustainable gender policies, two issues could be considered: a) how can individual member states’ contributions to the implementation of organizations’ gender policies and objectives be positively influenced; and b) how could member states of various international organizations further coordinate their policy positions on gender to avoid contrary positions or stalemates in the various committees on which they are represented.
Chapter 4 Structure, Expertise and Commitment

This chapter deals with the structure, expertise and commitment that must enable organizations to carry out their objectives and policies with regard to gender in general, and women and armed conflict in particular. Interviewees emphasized strongly that structures and expertise alone are not sufficient to reach the set objectives regarding gender or women in armed conflict, but that staff commitment, in particular of the top management, is deemed essential.

Facts

All organizations in the study currently have some kind of gender structure and have to varying degrees developed in-house expertise on gender or women in armed conflict. Only one of the sixteen organizations, the ICRC, has mainstreamed gender into its structure in a nearly complete fashion. In contrast to the other organizations, the ICRC has not appointed special gender experts within its structure, but has made all employees responsible for taking up gender in its activities. Except for the four gender specialists that are located in the Women and War project, there is no one responsible for gender in particular at the delegations and at field level, because everybody is expected to think about gender-related vulnerabilities. The Women and War Project provides information and guidance. The ICRC also resisted gender focal points out of fear that its other staff would otherwise not get involved in women’s issues.

The other organizations have set up gender structures with generally three major characteristics: a) gender structures have a two-pronged strategy ensuring on the one hand equal treatment between men and women within the organization and on the other hand the inclusion of a gender perspective in the external activities; b) they appoint gender experts at the headquarters’ level as well as within the field structure; c) they have a combination of individual gender experts, specialized gender units, and gender focal-point networks.

- At the WFP’s headquarters in Rome, there is a Senior Technical Gender Adviser and a Senior Gender Policy Analyst, whose offices are part of the Strategy and Policy Division. Moreover, there is a JPO at headquarters level with a gender portfolio. At each of the seven regional bureaus a programme adviser or gender specialist has been appointed (P-4 level appointments), who are responsible for all the countries in the region and for keeping contact with the Senior Gender Specialists. In order to comply with the ‘Commitments to Women in Emergencies’, a specialized gender task force has been established under the chairmanship of the Deputy Executive Director (Senior Gender Adviser), which comprises eleven senior staff including seven regional directors. In addition, a gender focal-point network has been developed to ensure gender-sensitive projects and to promote a change of attitude among staff and counterparts through gender awareness and sensitization. The network currently includes 122 people in the country offices. WFP’s gender expertise seems mostly to relate to women’s role as coping and surviving actors and women’s role as household heads.
Falling under the responsibility of the Department of Operations, UNHCR has a team of seven gender experts at the headquarters’ level, which focuses on issues related to gender equality. The team includes a senior coordinator for refugee women, an officer for refugee women and a gender officer (J PO) with the Department’s Evaluation and Policy Unit. Secondly, UNHCR has at its disposal a special legal adviser for women and children as part of the Protection Operations Support Section of the Department of International Protection. At the field office level, there are regional gender advisers. UNHCR only recently started to introduce gender teams as a follow-up to the gender focal points that did not always function in a satisfactory way. Concerning the gender policies adopted by UNHCR, one of the most obvious lessons learned has been the realization that the policy of gender focal points can be damaging to the promotion of gender equality. Around 90 per cent of its gender focal points were women or junior officers, with relatively little expertise and insufficient status to commit their colleagues to gender or women. Anything concerning women was just shifted to them and no one else felt responsible. The WFP also had less favourable experiences with the strategy of gender focal points, in which mostly women or junior officers and hardly any field directors participated, with the effect that support at field level for gender is sometimes lower than expected.

The OSCE has a Gender Adviser at the Vienna secretariat, who focuses on the internal dimension of the Action Plan. The incumbent of this post gives advice and guidance to political OSCE bodies on gender mainstreaming and equal employment opportunities within the organization. The Gender Adviser is tasked with monitoring, analysing and preparing gender-disaggregated statistics on the situation of women within the OSCE secretariat, institutions and field missions, and is responsible for training new mission members and staff members of institutions on gender issues. Moreover, the OSCE has a Gender Unit at ODIHR in Warsaw, which consists of one Adviser on Gender Issues and one Gender Officer, and which is tasked with: 1) mainstreaming a gender perspective into all of the Office’s work, i.e. into the activities undertaken by each of its three sections (Election, Monitoring and Democratization); and 2) designing and implementing gender-specific projects in selected participating states in order to promote the human rights of and equal opportunities for women. In addition, all field activities have appointed a staff member as the focal point for gender issues. Larger OSCE field operations, such as in the Balkans, have the post of field coordinator for gender issues, whose tasks include project design and monitoring, assistance to local NGOs and relevant authorities, training for mission staff members, reporting on gender issues and liaison with the secretariat and ODIHR. The posts are often part-time. Finally, in 1999 the OSCE established the Informal Group on Gender Equality and Equal Protection from Trafficking in Human Beings, consisting of representatives of participating states, the gender advisers from the secretariat and ODIHR, as well as representatives of international and non-governmental organizations. The Group’s task is mainly to review the Action Plan on Gender Issues every two years. However, the 2002 review has stagnated and will probably be postponed until 2003.

It should be remarked that the Vienna Adviser at the OSCE has been working alone with no clerical assistance. Other concerns for the gender experts in Vienna and Warsaw relate to their
limited means, especially for travelling. More fundamentally they lack guidance as to what their gender-related tasks are about. Although they are supposed to act as gender experts for the entire OSCE, they have no Terms of Reference to offer them direction.

The full-time positions created within the secretariat and ODIHR are currently held by qualified and committed staff members. Their main specialized expertise is probably on the roles of women in (peace) politics and women (for peace) in the non-governmental sector. On a wider scale, gender expertise within the OSCE could be strengthened further. More gender focal points could receive training on gender in general and, where relevant, on women’s multi-faceted roles in armed conflict.

- At the headquarters’ level, the ILO has the Bureau for Gender Equality, which reports to the Director-General directly and acts as an adviser and catalyst for mainstreaming gender within the ILO. The ILO also has a Gender Promotion Programme under the Employment Department, which provides ILO staff and constituents with the analytical and operational tools for gender mainstreaming. In addition, the ILO possesses gender focal points at headquarters and field levels, who liaise with the Gender Bureau and who have responsibility for promoting gender sensitivity and mainstreaming gender into the ILO’s structure, programmes and activities. Moreover, the ILO’s IFP Crisis Programme has gender experts with much specialist expertise on women’s roles in armed conflict.

- At the MoD the Secretary-General is responsible for the emancipation policy of his department. The Director-General of the Directorate General for Personnel and Materials (DGPM) is the head of MoD’s emancipation policy, assisted by the Director of the DGPM’s Policy Development and Plans Unit. Throughout the MoD, there are six other emancipation coordinators. The emancipation coordinators will soon be assisted by six ‘Emancipation Policy Promoters’, who help to implement the emancipation policy. In addition, there is the ‘Defensie Vrouwen Netwerk’ (DVN), which aims to strengthen the position of women in the armed forces present at the MoD. The MoD’s gender officers have most expertise on personnel issues. While the MoD only recently started considering topics such as the role of women in peace support operations and the position of local women in armed conflict, MoD’s gender staff still needs to develop expertise on these specific issues.

- At MoFA, there is a full-time gender expert working at the Department for Personnel and Organization (HDPO), which exclusively deals with personnel-related gender issues. Second, the Deputy Secretary-General has very recently officially been appointed as MoFA’s overall gender coordinator. Third, among the staff working at regional, thematic and forum desks are gender experts as well. Particularly staff that originally worked in the DGIS sector gained some experience with gender issues. Fourth, MoFA has sector specialists working at the embassies in the field. Whereas most sector specialists have some experience with gender, there are specific gender specialist as well, who particularly play an important role regarding mainstreaming gender into macro- and sector-level programmes. And fifth, the Women and Development Unit (DSI/VR) is MoFA’s gender expertise centre, and coordinates most of MoFA’s gender-related activities. Whereas all DSI/VR staff may be considered knowledgeable on the topic, one staff member has the specific portfolio of women in armed
conflict. Specialist knowledge on women in armed conflict is also available among the various gender specialists working in conflict countries.

- The Stability Pact has three Regional Working Tables, where representatives of all partners of the Pact discuss topics of a varying nature. Each Working Table has a number of Task Forces. The Gender Task Force (GTF), which is the principal forum that addresses gender issues within the Pact, falls under Working Table One: Democratization and Human Rights. The GTF works with a large network of women’s movements and policy-makers in the region, and is represented in all eleven participating states by gender focal points with the participation of government officials, NGO representatives and members of parliament. In working with these different national actors the GTF stimulates cooperation on gender-related issues at a national and regional level. The GTF recently opened a Regional Gender Equality Centre in Zagreb, and intends to open more small national offices in all participating countries. The GTF’s specialist gender expertise so far lies clearly in the field of political empowerment of women.

- NATO has the Committee on Women in the NATO Forces (CWINF). Within NATO, the Committee falls under the International Military Staff (IMS), which in turn is responsible for planning, assessing and recommending policy on military matters for the Military Committee. The CWINF specifically advises the Military Committee and its member nations on issues affecting women in the NATO forces. Its goal is to encourage effective use of the capability of women in the armed forces, by disseminating information, the facilitation of networking between member nations and the preparation of meetings and conferences. In addition, CWINF is showing an increasing interest in the roles of servicewomen in post-conflict situations. CWINF is supported by the Office on Women in NATO (two-person staff), which in 2000 was given permanent status, and also seeks to act as a repository for information and research and to promote awareness of the effective employment of women. The most important expertise of both CWINF and the Office on Women in NATO concerns the role of women in the armed forces in the different member nations of NATO, as well as some expertise on the question of how to increase the role of women in the armed forces. Until now, they have no expertise on local women in armed conflict.

- The Steering Committee for Equality between Women and Men (CDEG) at the CoE is responsible for gender-related issues. It is the intergovernmental body responsible for defining, stimulating and conducting the Council of Europe’s actions to promote equality between women and men. Among other things, it is instructed to examine the situation with regard to equality between women and men in European society, to consider its progress, and to stimulate actions at both national and CoE levels to achieve equality. The CDEG consists of experts from all 43 member states. In administrative terms it falls under the Directorate-General for Human Rights and has a secretariat, which currently comprises five members of the Directorate staff. The Secretariat’s duties are not only confined to practical and administrative activities (preparation and organization of meetings), but also include designing, coordinating and participating in the CDEG’s work. The CDEG has considerable expertise in various fields concerning equality between women and men, particularly on the

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127 While the GTF does not relate to the other two Working Tables, it can be questioned to what extent gender is mainstreamed within the Pact.
equal representation of women in political life. It is increasingly gaining expertise of women’s multi-faceted roles in armed conflict.

- The ICC, which is not yet functioning, has made provisions in its Statute to ensure a balanced male-female composition and gender expertise in each organ of the Court. For instance, in Article 42(9) it requires the Prosecutor to appoint advisers with legal expertise on sexual and gender violence, and in Article 44(2) it mentions that the Prosecutor and the Registrar must ensure fair representation of men and women in the recruitment of staff, and expertise on matters of violence against women. In its Article 36(8a and 8b), the ICC Statute also requires a fair representation of female judges and judges with legal expertise on specific issues, including violence against women. In addition, Article 43(6) requires the Registrar to appoint staff with expertise in trauma, including trauma related to crimes of sexual violence. ICC Rule 18(d), for instance, must also ensure staff training with respect to victims’ and witnesses’ security, integrity and dignity, including matters related to gender and cultural sensitivity.

- The ICTY’s Office of the Prosecutor has appointed a Legal Adviser for Gender-related Crimes, whose task it is to gender-sensitize the efforts of the entire office and to ensure that the office performs its mandate and prosecutes sexual assault cases that are firmly grounded in international and humanitarian criminal law. The Legal Adviser, for instance, provides expert legal and policy advice to *inter alia* the Chief of Prosecution and investigative teams in the field of prosecution of sexual assault crimes under the ICTY’s statute. At the Chambers, there seems to be no conscious policy to recruit people with gender expertise and to train staff and the judges on gender issues. However, some legal assistants are personally interested in gender, and have, for example, successfully managed to incorporate gender in training sessions for their judges. Staff of the Victim and Witness Unit (VWS), which helps witnesses and victims who come to testify, in particular rape and sexual assault victims, are also assumed to have gender expertise.

- The ICTR has a Sexual Assault Team that falls under the Investigations Unit. The specialized sexual assault investigators are attached to the eight investigation teams in order to mainstream gender-based crime investigations. Besides these sexual assault investigators, the Team includes a small coordination unit composed of two female investigators at P2 level, which is responsible for liaising with local NGOs and women survivors. It is envisaged to hire a team leader at P4 level. Like the ICTY, the ICTR also has a Legal Adviser on Gender at the Office of the Prosecutor. Moreover, within the (Trial) Chamber, Judge Pillay from South Africa is actively promoting gender. At the Registry, there is a Victim and Witness Unit as well as a gender unit called Gender Issues and Assistance to the Victims of Genocide. The latter in principle is headed by an adviser to the Registrar, but since September 2000 this position has been vacant. So far, it has shown to be difficult to divide responsibilities between the two units.

- As already indicated, it must be realized that the Security Council (SC) is an organ of the UN with a rotating membership, and that consequently its gender balance and interests in gender mainstreaming issues or in women in armed conflict vary with the membership and their political agendas. There is currently no information made available on the gender structure,
expertise and composition of the Security Council Affairs Division of the Department of Political Affairs that services the SC.

- UNDP has a Gender Team (Social Development Group, Bureau for Development Policy), which provides overall leadership on gender equality issues, supports UNDP’s country offices and regional bureaus and coordinates the organization’s participation in inter-agency policy, programming and advocacy initiatives on gender mainstreaming. It also has a developed network of 136 gender focal points in country offices. The network includes both a designated staff person and a representative of senior management for emphasis on gender issues in decision-making, as stipulated by the Guidance Note on Gender Mainstreaming. Moreover, UNDP’s Global Gender Programme Team, which comprises gender focal points from all UNDP’s divisions and bureaus, aims to advance understanding and practical applications of gender mainstreaming methodologies, tools and practices. Besides this, the Gender Sub-Practice Area Team, which consists of focal points from different divisions and bureaus both at headquarters and in the field, discusses policy and programming issues and steers gender work within the organization. With regard to UNDP’s gender expertise, it has not been possible to get a detailed picture. However, the impression is that there is room among its gender experts for more specific information on women in armed conflict.

- DPKO’s Best Practices Unit is the designated focal point within the Department for gender mainstreaming issues. In that capacity, it coordinates all departmental projects on gender mainstreaming and is herein assisted by DPKO’s gender focal-point network. Gender affairs offices or gender specialists staffed by senior gender advisers or gender specialists have been appointed to the most recent missions. There are gender affairs offices in UNTAET (East Timor) and UNMIK (Kosovo), while there is a senior gender adviser currently in place in UNMIBH (Bosnia-Herzegovina) and a candidate has been identified and recruited for the post of senior gender adviser in MONUC (Congo). There is no gender specialist working in UNAMSIL (Sierra Leone) but there is a human rights capacity that also discharges the functions of gender, although the mandates are different. In addition, DPKO has recently received approval for an additional post at headquarters for gender considerations in recruitment. DPKO expects that this post will be at the senior P5 level and that it will assist in the recruitment of suitably qualified women at all levels for field operations. Finally, in order to strengthen further its gender mainstreaming capacity at headquarters, DPKO has also renewed the Secretary-General’s request to the ACABQ to appoint a senior gender adviser at the P5 level in order to provide the Under Secretary-General and senior management with technical advice and expertise on gender issues, to further develop DPKO’s policy on mainstreaming gender, to develop guidelines, and to direct and oversee monitoring and evaluation of gender mainstreaming within DPKO. So far, DPKO’s specialist gender expertise

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128 The Guidance Note on Gender Mainstreaming (1997) details the policy, programme and administrative implications of UNDP’s commitment to gender mainstreaming. It emphasizes the need for consistent attention to gender equality objectives throughout the programming cycle.

129 The powerful Advisory Committee on Administrative and Budgetary Questions was established as an independent group of experts drawn from member states and advises the General Assembly’s Fifth Committee which deals with the UN’s financial and budgetary matters.
seems to relate to increasing the number of women in peace support operations and to the prevention of (sexual) abuse of local women by peacekeepers.

- Whereas insufficient gender expertise is one concern, little specialization in women and armed conflict is another. Although all organizations in the study have gender experts at their disposal, only a few of them have gender experts that are specialized in the interrelationship between gender, women and armed conflict (like those available at, for example, the ICRC, MoFA and ILO), and nearly none of them have enough of these. For women in armed conflict to be comprehensively addressed, more specialized gender experts in the field of women and armed conflict should be educated and recruited. There is particularly a need to recruit and train more male gender specialists, since these are currently lacking in most organizations.

Observations

The top of the organization should be committed. MoFA, for instance, has recently appointed the Deputy Secretary-General as MoFA’s official overall gender coordinator. This development gives a strong signal to the organization, but unfortunately the gender coordinator so far has neither a job description, nor formulated outputs/targets to achieve. Moreover, the new gender coordinator has no budget to finance possible gender initiatives or staff to assist him. The arrival of a new gender-sensitive Director-General at the ILO has also given a strong new impetus to the ILO’s gender policy. The same counts for the encouraging role that WFP’s executive director, Mrs Bertini, has played in mainstreaming gender. The five concrete commitments that the High Commissioner for Refugees made to refugee women in 2001 can also be seen as a reflection of the increased status of and commitment to gender issues within UNHCR.

Commitment is often reflected in the status, position and influence of gender units and experts. Gender units are not always adequately placed within the organization. For instance, the Bureau for Gender Equality at the ILO reports directly to the Director-General. However, IFP Crisis, which has specific expertise related to gender and armed conflict, is probably less adequately placed within the ILO to influence ILO’s overall policy on this specific topic. At the ICTY, the position of the Legal Adviser for Gender-related Crimes in the Office of the Prosecutor has been given less authority and visibility than was the case in the past. The incumbent no longer serves both the ICTY and the ICTR and no longer deals with internal gender issues. Another point with respect to the status and position of gender units is that they often (are forced to) operate separately from the rest of the organization, thereby reducing the impact that they may have on the entire organization. For instance, the impression exists that the Gender Task Force could be given more room to address gender-related issues in the Stability Pact’s three Regional Tables. There presently seems to be the risk that gender becomes a parallel issue to the Pact’s main policies, not seeming to be mainstreamed yet. In the case of, for example, the CoE, the CDEG has recently introduced this topic in a very active manner, and it is now hoped that the CoE will take on the theme of women in armed conflict in an active, long-term and sustainable manner.

Commitment may also have to do with the time that personnel can actually spend on gender issues. For instance, although three staff members at the ILO’s IFP Crisis have gender in their
portfolio, they lack time to integrate consistently the gender component into the crisis-related activities of IFP Crisis and to develop separate programmes on gender and conflict. Moreover, at various organizations there is a tendency to share the portfolio of gender among more than one person. From a positive point of view, more staff may become committed to gender; negatively speaking, however, staff may not have the time to commit themselves fully to gender. In addition, with the introduction of the sector-wide approach in some organizations, gender specialists are increasingly made responsible for other portfolios, certain sectors or themes. This, too, may endanger the time and commitment available for gender issues. This underlines the need for organizations to specify the time that needs to be spent on gender. Furthermore, it could be contemplated to make gender an issue in personnel appraisal systems.

Commitment among all staff, not only among appointed gender experts, is often important. For example, sections within UNHCR differ very much in their acceptance of the promotion of gender equity as part of their work. This depends among other things on personalities. While some senior managers are dedicated to the principles of the Guidelines and strive to implement them in the field, others continue to disagree with the fact that defending women’s rights is part of their agency’s mandate. At other organizations, such as UNDP, the lack of political will for gender is most apparent at the middle management level, where some managers have become set in their ways and perhaps need further directives from above to ensure that effective actions with regard to gender are taken. In this regard the UNDP is considering making gender a part of the personnel appraisal system. Also WFP is introducing appraisal systems that include criteria to assess managers’ achievements for implementing the Beijing Commitments, including contributions to achieving gender balance in employment.

Finally, lack of commitment may also become apparent in low levels of or lack of funding. Organizations within the UN face severe budget constraints. Money from other budgets is sometimes diverted to finance gender-related activities. For concrete examples see chapter 6.
Chapter 5 Activities and Instruments

Facts
Since the sixteen organizations have developed and implemented numerous gender and women-related activities and instruments, this section a) gives a short summary of those activities and instruments that these organizations generally apply to implement their women or gender policies, and b) describes in larger detail the activities and instruments that some of these organizations have developed specifically with respect to women in armed conflict.

Activities and instruments to promote and implement gender policies generally may be divided into the following six categories:

1) Normative instruments:
   - Formulation of standards, standard operations procedures, guidelines and recommendations (e.g. ICRC, UNHCR, DPKO);
   - The setting of statistical targets, benchmarking and success indicators (e.g. WFP, UNDP);
   - Legislative and judicial arrangements (e.g. ICRC).

2) Training and capacity building:
   - Gender training courses for new staff (e.g. MoFA, OSCE, UNDP);
   - Gender capacity building programmes for own staff, related departments, counterparts and member states (e.g. ILO, UNDP, CoE, UNHCR);
   - Specific training courses and briefings on gender before going to the field (e.g. ICRC, DPKO, MoD, OSCE);
   - Pre-deployment training for peacekeepers, military observers and civilian personnel (e.g. DPKO, MoD).

3) Implementation of programmes and (pilot) projects:
   - Formulation of gender plans of action (e.g. ILO, ICRC, OSCE, UNDP, WFP);
   - Development of gender (electronic) toolboxes, including checklists and needs assessments, handbooks, and fact books with the aim of sensitizing staff for the specific needs of women and men in a certain field or theme, often trying to link women or gender to the organization’s policy priorities (e.g. ICRC, UNDP, CoE, DPKO);
   - Gender-specific planning manuals (e.g. UNHCR);
   - Implementing gender-related (pilot) projects, with the aim of translating general gender policies into concrete activities, resulting in best practices that can be further disseminated within and outside their own organizations (e.g. MoFA and ILO);
   - Implementation or funding of gender-related projects and programmes (e.g. MoFA).

4) Monitoring and evaluation:
   - Gender-specific annual plans and reports (e.g. UNDP);
• Gender audits and reviews to assess progress made in implementing the gender policy (e.g. ILO, ICRC);
• Gender-impact assessments, gender-specific monitoring and evaluation systems, and formulation of best gender practices.

5) Internal reporting and management:
• Introduce proven gender experience, a standard job requirement, and a condition for recruitment and promotion;
• Coach and counsel staff with regard to gender;
• Databases of gender experts for recruitment or consultancies (e.g. DPKO);\(^{130}\)
• Appraisal systems that include criteria to assess managers’ achievements for implementing the Beijing Commitments, including contributions towards achieving gender balance in employment (e.g. WFP);
• Gender-sensitive budgeting (see chapter 6).

6) Consultations, research and communication:
• Email networks, interactive web-sites and exchange of gender-related information (e.g. GTF, UNDP);
• Media campaigns, a clearing house office in order to familiarize a larger public with the issue (e.g. Stability Pact);
• Conferences, seminars and workshops on gender-related topics (e.g. CoE and various others);
• Knowledge networks (e.g. UNDP);
• Studies and research (e.g. ICRC).

One way of distinguishing some activities or instruments is their degree of voluntariness: are they to be applied voluntarily, or are they strongly recommended or even imposed compulsorily?

Activities and instruments that specifically relate to women in armed conflict include:
• The ‘Women and War’ research project undertaken by the ICRC with the aim of formulating guidelines to enhance the protection and assistance of women affected by armed conflict, and of developing a plan of action for how to deal with women in armed conflict. In the meantime, the guidelines for relief have been updated, as well as communication and training materials. The ICRC is now due to institutionalize the plan of action. Moreover, it intends to review its operations to assure that women and women’s needs in armed conflict are properly addressed.
• Apart from guaranteeing women’s participation in food and management committees and ensuring them decision-making power in food distribution, WFP distributes 80 per cent of its food relief directly to women.

\(^{130}\) Not yet approved by the Advisory Committee on Administrative and Budgetary Questions (ACABQ.)
UNHCR had already in 1991 produced guidelines on the protection of refugee women, and more recently produced guidelines on gender-sensitive project planning and on sexual violence against women.

At the ICTY, the Legal Adviser on Gender provides new OTP staff, existing OTP staff and interns with training on legal issues on gender-based crimes. Moreover, all staff of the ICTY’s Victim and Witness Unit are given specialized training in providing support to female victims of sexual assault.

A Guide for OSCE staff, developed by the secretariat in Vienna, gives extensive information on gender aspects in post-conflict situations and helps to integrate them into fieldwork.

The ILO’s IFP Crisis has undertaken various studies on gender and armed conflict resulting *inter alia* in working papers on: *Capitalizing on Capacities of Afghan Women: Women’s Role in Afghanistan’s Reconstruction and Development; Gender and Armed Conflicts; and Crises, Women and other Gender Concerns*. Moreover, IFP Crisis has organized training and capacity-building workshops on gender and armed conflict for various audiences, and has undertaken several country-level projects with special attention to women in (post)-conflict situations.

MoFA, among other things, carries out and financially supports various activities regarding women in armed conflict. For instance, MoFA’s Women and Development Unit (DSI/VR) has strengthened women’s groups in Israel, the Palestinian territories and Sudan in order to improve women’s contributions to peacebuilding, conflict prevention and post-conflict rehabilitation.

The MoD has started to participate in an Interdepartmental Working Group, established by MoFA, on the implementation of Resolution 1325. The purpose of the Working Group is to analyse what the current state of affairs is with regard to the implementation of the Resolution. So far, the Working Group has drafted a matrix, which identifies the fields and activities for the MoD and MoFA to follow up to put the Resolution into practice.

Within the MoD, the Section on Cultural-Historical Backgrounds and Information (Operational Staff CinC) provides training on the topic of women in armed conflict, including to members of the armed forces that are sent on missions.

The Stability Pact has reserved funds for the period 2001-2003 to support women’s roles in conflict resolution, thereby strongly focusing on the establishment of forums for exchange of experiences in post-conflict rehabilitation and conflict resolution.

NATO’s Office on Women monitors the position of women in the armed forces and publishes a *Year In Review* that gives an overview of the status of the integration process of women in the military in each member country of NATO. It also recently sent out a questionnaire to its member nations with fifteen questions about the policies of member countries concerning the employment of women in the armed forces. One cluster of five questions addresses the role of women in civil-military cooperation and in ‘the relations between Alliance forces and civilian authorities, populations, organizations and agencies’ in general. The questions inform about the way that NATO can employ women in ‘confidence building’, as well as on the percentage of women employed in post-conflict matters and how women can be best employed in post-conflict situations.
• DPKO, together with UNIFEM, UNICEF and OCHA, has initiated gender training into the pre-deployment courses for peacekeepers and military observers assigned to the Democratic Republic of Congo. DPKO’s Lessons Learned Division is also trying to develop policy and operational guidelines to engender peacekeeping around the world. Similarly, together with *inter alia* the United Nations Institute for Training and Research (UNITAR), DPKO is also currently developing a new training project on ‘Training for Civilian Personnel in Peacekeeping Operations on the Special Needs of Women and Children in Conflict’. More practically, DPKO has ensured that a female gynaecologist or doctor is available to all UN staff in peacekeeping missions and has established that all UN hospitals need to be staffed and equipped to care for female patients. It has also guaranteed that all peacekeeping missions have post-exposure treatments kits available for HIV/Aids in cases of rape and sexual abuse. Moreover, in response to the lack of a dedicated capacity for gender mainstreaming and back-stopping of peacekeeping missions in the field, DPKO is currently preparing a *note verbale* for all member states encouraging greater participation of women in peacekeeping. Finally, DPKO’s Best Practice Unit is starting to develop Standard Operating Procedures (SOPs) for the implementation of principles and guidelines on mainstreaming gender into all aspects of peacekeeping.

• On 20-21 September 2001 the CoE organized a seminar about the participation of women in the prevention and resolution of conflicts. This was a preparatory activity for the Fifth European Ministerial Conference on Equality Between Women and Men, which was held in Skopje on 20-21 June 2002. The theme of this conference was ‘Democratization, Conflict Prevention and Peacebuilding: The Perspectives and the Roles of Women’. The CoE has also produced documents on national, institutional machinery on trafficking of women and violence against women.

**Observations**

The first observation made by the various organizations themselves is that the availability of these instruments does not necessarily imply their proper adoption, deployment and implementation. The implementation of available instruments was sometimes even called deficient, partially or half-heartedly. It seems that the gap between policy and practice is sometimes difficult to bridge. Reasons mentioned for this are lack of commitment, political will and follow-up by higher management, but also the general nature of some policies, lack of training and the delegation of responsibilities to young staff with little status and experience, and a general lack of communication. Those shortcomings are well known from other fields of bureaucratic endeavours and are not unique to the field of women in armed conflict or gender. What may, however, add to this set of normal implementation challenges is the relative novelty of the theme. It is also sometimes looked at with a level of suspicion or raises some controversy, very often due to lack of proper information. Some observers have remarked that gender is also a fairly difficult notion to understand and operationalize, although also here differences with other policy topics are not very big.
Secondly, if the activities and instruments are implemented, their impact on women in armed conflict remains hard to assess. Relatively little information is available on the medium- and longer-term impact of gender-related instruments. This may suggest that not all organizations yet have a coherent gender system, ranging from agenda-setting, policies, practical and concrete plans of action and implementation mechanisms to clear and effective monitoring and evaluation systems and feedback. An example here is the general need of monitoring mechanisms, indicators or benchmarks to assess the progress made with regard to the implementation of Resolution 1325.

One final challenge discerned is to divide into doses the organization’s women or gender guidelines and instruments. There seems to be a tendency in some organizations to overload staff with gender-related information. A staff member at one organization remarked that ‘to have over 2000 pages of guidelines may not serve any purpose and may become counter-productive’. Organizations such as UNHCR and the ICRC are trying to find other ways than numerous guidelines to get the message across on women, gender and armed conflict. Moreover, some observers invite organizations not to formulate and implement gender policies in an overly top-down style, but rather to follow a more bottom-up approach both with regard to their own personnel and beneficiary groups.
Chapter 6 Budgets

There has been a debate in recent years as to whether budgets should be specified regarding their contribution to specific topics or themes. This could apply to programmes and projects as a whole, but could also require a further specification or division of expenditure within separate budgets of these projects and programmes or even within special budget lines, such as personnel, material, etc. The advantage of such an exercise lies in the possibility of visualizing and quantifying efforts undertaken specifically to promote a particular policy priority. It does not need further explanation that in the prevailing budget set-up and instructions of most organizations, specific measures would have to be taken to realize gender-specific or gender-sensitive budgeting. In many cases such measures have not been formulated or implemented, which makes it difficult to arrive at conclusions about the proportion of funds for gender, or women in conflict for that matter. On the other hand, there are also disadvantages, the main one being that in such a way mainstreaming the particular policy theme may be hampered. This debate applies not only to gender, but also to cross-cutting themes such as the environment, conflict prevention, etc.

In some cases limited or no information on the organization’s overall budget and specific budget provisions for gender have been obtained. This applies inter alia to the Tribunals, the ICRC, OSCE and NATO, the reason being that this information is not readily available or easily accessible.

Facts

The way that most organizations are dealing with their gender budget is a) either mainstreaming the gender budget into the overall budget or b) separately financing gender-related activities from an earmarked budget or fund. Organizations that have currently mainstreamed their gender budget include:

- The Gender Adviser at the OSCE secretariat in Vienna is responsible for a budget that accounts for only 4.2 per cent of the general budget of the Office of the Secretary-General. For its part, ODIHR’s budget for projects - supported mostly by Western participating states - has increased considerably over the years, but the Gender Unit has also experienced difficulties with the annual basis of the voluntary contributions, which tends to jeopardize the continuity of its programmes. It appears difficult to get a clear picture of the financial means devoted by the field activities to gender issues, since no budget line as such exists within the missions. Expenses in that matter are usually included under democratization or human rights activities.

- The ILO has mainstreamed gender-related activities into the overall ILO budgets and statement of expenditures, with the exception of the budgets for the Bureau for Gender Equality and the Gender Promotion Programme. IFP Crisis has also established a Rapid Action Fund for specific conflict- and gender-related activities.

- Except for the grant to the ‘Defensie Vrouwen Netwerk’ (DVN), expenses for the MoD’s emancipation policy are included under general personnel activities.
Whereas MoFA initially had a gender trust fund (‘Vrouwenfonds’), which resulted in gender becoming a parallel issue to other thematic programmes, it currently mainstreams gender-related expenditures in its overall budget, except for the financial and personnel resources that are earmarked for the implementation of MoFA’s three major tasks in the field of gender. Due to the detailed internal (financial) project information system, however, MoFA will still be able to find out what resources are devoted to gender or women’s activities.

The SC’s funding comes from the general budget of the UN organization. Funding follows a biennial cycle and is debated and approved by the General Assembly (GA) during its regular sessions. For example, the budget for 2000-2001 was considered during the fifty-fourth session while that for the biennial 2002-2003 is currently being considered in the fifty-sixth session. Once the GA approves the budget, it is then apportioned among member states in accordance with a formula for assessments. The GA has approved US $2.63 billion for the biennial 2002-2003 budget, which was prepared in accordance with the UN’s priorities, i.e. the maintenance of international peace and security, promotion of sustained economic growth and sustainable development, development of Africa, the promotion of human rights, coordination of humanitarian assistance, promotion of justice and international law, disarmament, drug-control activities, crime prevention and combating international terrorism. There is no indication of what percentage of the budget, if any, is allocated specifically for women and gender concerns. The study on the impact of armed conflict on women and girls requested by the SC in Resolution 1325, for example, had to be sponsored through voluntary contributions by donors.

DPKO’s funding also comes from the general budget of the UN organization. Like the SC, it does not have a specific budget line for mainstreaming gender. Moreover, it seems to be a real challenge for the DPKO to obtain funds from the UN organization in order to finance the appointment of senior gender advisers, let alone to set up a special gender unit.

Whereas at one time WFP tried to break down gender into a separate budget line, it currently carries gender in its budget format as a cross-cutting theme, along with other cross-cutting themes such as advocacy, monitoring, and security. Its principle is to mainstream attention to gender in budgets as well as programmes. In order to assess exact gender expenditures, it will be participating in the Inter-Agency Network’s budget review as a case study during 2002. The WFP, however, does have a small separate fund for gender-related activities, the Gender Action Facility, which is open for both internal and external budgetary support.

UNHCR has no detailed information available on the budgets spent for promoting gender equality. It is, however, the intention to make these figures available with effect from 2002.

Organizations that to a large extent have a separate gender budget include:

- Within its overall budget, the UNDP in principle allocates 10 per cent of global programme resources, 20 per cent of global budget resources and 20 per cent of regional programme resources to the advancement of women and gender mainstreaming programmes and projects. UNDP has also recently created a Gender Trust Fund that enables donors to provide additional resources for gender mainstreaming programmes in UNDP’s practice areas. This Trust Fund, which has a multi-year funding framework, envisages support to: the integration
of gender analysis in crisis situations and the inclusion of gender-specific strategies for post-conflict recovery and peacebuilding; the adoption of a human rights framework and a women’s rights agenda in national policy formulation, especially in post-conflict situations; and the development of gender vulnerability analysis of wars and crisis situations, landmines and natural disasters.

- The Gender Task Force of the Stability Pact has a separate gender budget, which for the period 2001-2003 amounts to approximately 6,610,000 euro.

**Observations**

The organizations’ opinions differ about whether to integrate gender into the overall budget or to leave it as a separate budget item. The latter is a good way to quantify the efforts to promote gender equality. Quantification is a powerful policy tool and increases visibility and (apparent) transparency of gender policy within the organization (‘management by funding’). It can also be a powerful tool to measure performance. These are all important and relevant considerations. However, money earmarked for gender covers a very limited part of the reality compared to mainstreamed budgets, and therefore has limited scope and effectiveness. Moreover, gender sensitivity does not always require extra money. In conclusion, besides its merits, attempts to ‘measure’ and visualize gender equality through separate budgets may thus have the side effect of preventing real mainstreaming.

Finally, some organizations have recently taken the initiative of gender-sensitizing their budgets. Gender-sensitized budgeting aims at providing insight into the gender-specific effects of expenditure. One could say that in this way it tries to combine the potentially broad coverage and effectiveness of mainstreaming, while promoting the visibility and transparency normally associated with gender-specific budgets. There is still fairly little experience with this approach, however, but MoFA, for example, has volunteered for a pilot project that the Ministry of Social Affairs and Employment will start during 2002.
Chapter 7 Suggestions for the Dutch Government to Strengthen the Organizations’ Performance on Women’s Roles in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction

This chapter proposes various suggestions and measures to the Dutch Ministries of Social Affairs and Employment, Foreign Affairs and Defence on how they could further facilitate the organizations under study to strengthen the role of women in conflict prevention, conflict resolution and post-conflict reconstruction.

In sum, this chapter’s recommendations could be summarized under the following ten topics for all the organizations under study: 1) gather additional data on the exact roles of women in conflict prevention, conflict resolution and post-conflict resolution; 2) collect more best practices of how these women’s roles in the field have actually been addressed; 3) set specific objectives and develop concrete guidelines with respect to addressing women’s roles in conflict situations to translate (existing) policies further into practice; 4) monitor/evaluate/review the activities undertaken and outputs achieved so far in order to ‘measure’ whether and how these women’s roles have been strengthened; 5) increase the number of women and gender-sensitive men at all levels of the organization and particularly in the field of conflict-related interventions (an additional suggestion was to include gender as a topic in the recruitment and appraisal of staff); 6) increase the participation of local women in the preparation, implementation and monitoring and evaluation of all activities focusing on women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction; 7) enhance the commitment to gender and women in armed conflict among the organization’s staff, including both women and men, gender experts and non-gender experts and all relevant staff who deal with this issue; 8) enhance expertise in this field by providing training to the organizations’ staff, but also to local women and women’s organizations. Training must be adapted to the specific mandate and activities of each organization, to the specific conflict situation, and to the specific traumas and vulnerabilities of the local women and men addressed in the field. Training should also include models for inter alia gender issues in general, women’s roles in conflict situations in particular, cultural and historical backgrounds of the ‘mission areas’, and the scope and contents of International Humanitarian Law, which is of specific importance for all interventions in conflict-related situations; 9) increasingly incorporate gender and conflict issues into the organization’s activities, instruments and tools, e.g. needs assessments, community participatory approaches, mapping of vulnerabilities and so on; 10) link further the fields of, experts in, and information on women, gender and armed conflict.

This chapter aims to specify these ten overall recommendations further. The suggestions mentioned here below hence relate to best practices and lessons learned that the organizations under study already put into practice, and to new ideas and initiatives that require further support before implementation. Moreover, the suggestions and measures mentioned refer to specific conflict-related fields or themes, and to concrete intra-ministerial responsibilities. These fields or themes include peace-support operations, humanitarian or emergency assistance and development...
cooperation, international courts and tribunals, and the field of democratization, human rights and (peace) politics. Intra-ministerial responsibilities concern the tasks and activities to be taken up by the Dutch ministries’ different directorates and units.

**Women and Peace-Support Operations**

Women and peace-support operations aim at both the increased participation of gender-sensitive female military civilians in peace operations as well as of local women with whom these peace operations interact. Regarding the first ‘group of women’, the aim could be summarized as being to expand the role and contribution of women in field-based interventions, especially among military observers, negotiators, civilian police, human rights observers and humanitarian personnel. It should be noted though that the discussion is not only about the number of women in these operations, but also about the gender-sensitiveness of these operations. In this regard it is important to acknowledge that there is a need first to gender-sensitize further both women and men in peace-support operations, and second to employ more gender-sensitive male military and civilians in peace-support operations. These issues could be taken on by the MoD, DVB/CV, DVF/PJ and, when it comes to police-related issues, the Ministry of Internal Affairs. Local women need to be effectively protected against insecurity and violence, and moreover from sexual violations by peacekeepers themselves. In this regard the MoD could fulfil a valuable role.

The organizations under study that could be supported on this specific topic particularly include NATO, DPKO and SC. The suggestions for NATO and SC could be directly tabled by each member state. In contrast, DPKO is the operational arm of the United Nations Secretary-General (UNSG) for all UN peacekeeping operations. Hence suggestions for the DPKO should be channelled through the UNSG. Moreover, MoD could also take up this topic internally. For specific suggestions regarding internal measures for the MoD, see chapter 8; and for a full overview of the suggestions per organization, see the individual annexes.

**Ongoing Initiatives**

- As already reported in chapter 5, NATO’s Office on Women monitors the position of women in the armed forces and publishes a *Year In Review* that gives an overview of the status of the integration process of women in the military in each of NATO’s member countries. In addition, NATO’s Office on Women has sent out a questionnaire to its member nations with fifteen questions about the policies of member countries concerning the employment of women in the armed forces. Five questions address the role of women in civil-military cooperation and in ‘the relations between Alliance forces and civilian authorities, populations, organizations and agencies’ in general. The questions inform about the way that NATO can employ women in ‘confidence building’, as well as on the percentage of women employed in post-conflict matters and how women can be best employed in post-conflict situations. Both initiatives provide valuable information regarding lessons learned, constraints and opportunities. Discussion, further in-depth analysis of this information and identification of a follow-up should be encouraged.
Also as highlighted in chapter 5, DPKO, together with UNIFEM, UNICEF and OCHA, has initiated gender training into the pre-deployment courses for peacekeepers and military observers assigned to the Democratic Republic of Congo. DVB/CV and the MoD should follow up on this training and consider whether this initiative could be introduced in other peacekeeping operations. The MoD could compare the training contents and approach with its own ongoing training (see also chapter 8).

DPKO’s Lessons Learned Division also attempts to develop policy and operational guidelines to engender peacekeeping around the world. Together with the United Nations Institute for Training and Research (UNITAR), DPKO is also currently developing ‘Training for Civilian Personnel in Peacekeeping Operations on the Special Needs of Women and Children in Conflict’. Moreover, in response to a perceived lack of dedicated capacity for gender mainstreaming and back-stopping of peacekeeping missions in the field, DPKO is at present preparing a note verbale for all member states encouraging greater participation of women in peacekeeping.

Finally, DPKO’s Best Practice Unit is starting to develop Standard Operating Procedures (SOPs) for the implementation of principles and guidelines on mainstreaming gender into all aspects of peacekeeping. DVB/CV, in cooperation with DVF/PJ and the MoD, may want to support these variegated initiatives and may urge those involved to try and consolidate the respective findings and conclusions. The MoD could reflect on the results vis-à-vis its own practice.

New Initiatives

Apart from supporting these ongoing initiatives, the following new suggestions could be considered for follow-up and sponsoring:

- There is a lot of experience regarding the role of servicewomen in NATO operations in former Yugoslavia. It is assumed that servicewomen play a crucial role both in situations of combat and in periods of post-conflict reconstruction. However, there does not appear to be any systematic analysis within NATO about the role that servicewomen can play. Also the possible roles of local women are not addressed. Given NATO’s intention to step up activities in the field of civil-military cooperation (CIMIC), analysis of the position and roles of both servicewomen and local women in NATO operations seems of particular importance. The Committee for Women in NATO is currently putting these issues on the (research) agenda and DVB/CV and MoD may consider supporting these activities as well as applying them to Dutch operations.
- DPKO could take the lead in urging member countries to establish a database of competent and gender-sensitive women and men that could participate in peace-support operations. DVB/CV and MoD could consider developing such a database in the Dutch context.
- The gender capacity at DPKO’s offices, bureaus and among its advisers still requires further strengthening. Financing DPKO’s current requests for two additional senior gender experts at the headquarters could be considered. Moreover, DPKO may need support to create a Gender Advisory Unit that will be funded and staffed with senior and middle-level personnel to mainstream gender perspectives into peacekeeping operations systematically. It could also
assist in the recruitment of qualified female candidates to positions at all levels, especially at the decision-making level. This Unit could reinforce the existing gender focal point system. The Unit could furthermore provide advice on gender initiatives and gender mainstreaming as well as liaise with partner organizations and agencies. Finally, the Unit could be asked to coordinate gender training within DPKO and to follow up complaints regarding gender discrimination and harassment within DPKO.

- Another field of training concerns that of troop-contributing countries. The recommendation made by the Brahimi Report to send a training and evaluation team to every potential troop-contributing country to provide pre-deployment training on, among other things, gender issues, should be taken seriously. Besides focusing on gender in general, such training needs to emphasize specific women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction. Every such training should also include modules on the cultural-historical background of the mission areas, on the importance of International Humanitarian Law, and on the tools and instruments that peacekeepers could use to assess the needs and interest of local women and men. Moreover, it is not only pre-deployment training that is of the essence, but follow-up courses during and after the operations are equally important. These various suggestions may merit support by DVB/CV, despite considerable practical implications.

- Civilian police that participate in peace-support operations are also in need of training on gender issues and topics of sexual violence. There is a need to develop good training materials, which include practical case studies. DVB/CV, in collaboration with the Dutch Ministry of Internal Affairs, could assess the need for such training (material) among Dutch police in peace-support operations.

- DPKO could help to ensure that peacekeeping operations, inter alia as preventative action, do not harm the local population, particularly women. In case sexual violations and violence against women do occur, DPKO, in cooperation with the Head of the Mission, could as standard practice investigate incidents, collect information and direct them to the relevant authorities. Complaints should not be dismissed but rigorously followed up and appropriate measures taken once these complaints are proven to be justified. Strict persecution of peacekeepers who violate women’s rights is encouraged. In this connection, further support to the recently established Ombudswoman’s office may be considered, but vulnerable groups such as (refugee) women also need to be empowered. These tasks could be taken on by DVB/CV, DMV/MR and the MoD.

- It is important that DPKO urges troop-contributing countries to discuss openly and create awareness on the issue of survival prostitution and its underlying causes. It is of the essence that proper documentation materials are available to do so. DVB/CV and DVF/PJ, together with the MoD, could consider encouraging this issue in the Dutch context, at DPKO and also at NATO.

- The UN Secretary-General could appoint a Special Representative of the Secretary-General for Women, Peace and Security Issues. This post could be designed along the lines of that of the Special Representative for Children and Armed Conflict. The incumbent should have access to all peace operations and the mandate should be advocacy-based. On the other hand
such an initiative may remain an empty gesture leading to more bureaucracy and may actually detract from strengthening existing efforts. Nevertheless, DVF/PJ could explore whether such an initiative could muster sufficient international support and take steps to table the issue.

- DVF/PJ could also lobby the Security Council to design increasingly gender-balanced and gender-aware fact-finding missions that consult with women’s groups. The Security Council’s fact-finding missions can provide an effective account of women’s needs and interests. However, a recent mission visiting the Great Lakes region did not prioritize gender or women’s issues and only consulted with local women’s organizations after strong lobbying from (inter)national organizations. In order to maintain credibility and actively to engage in gender mainstreaming and women, conflict and peace issues, the Security Council should allow its missions enough time and opportunity to consult non-governmental organizations and women’s groups.

- A gender perspective and women’s concerns could be more systematically incorporated in Security Council reconnaissance mission teams by including women, particularly at high-level positions. The SC is also authorized to implement peacekeeping operations as preventative action to avert the outbreak or recurrence of conflict. Notable examples of this are UNPREDEP, MINURCA and successive missions in Haiti. In a recent Presidential Statement, the SC further emphasized the value of including elements of peacebuilding in the mandates of peacekeeping operations. Likewise, the SC should ensure that these operations incorporate a gender perspective at every level and that the concerns of women are addressed in all conflict phases. DVF/PJ, in collaboration with DSI/VR, could consider taking this issue further.

- The SC, DPKO and NATO could be encouraged to define the chain of command between military and civilian peacekeepers further. Defining the delineation of tasks between them better, but also between them and local institutions, particularly women’s organizations, may reduce competition and improve the performance of the peace operations. The MoD and DVB/CV could explore how this division of tasks has been dealt with in former missions and whether there is a need and possibility for improvement.

- Security Council Resolution 1325 is in principle a powerful tool for the implementation of gender mainstreaming in conflict policy. Yet there are several opportunities to strengthen the effect of the Resolution. For example, at present there are no monitoring mechanisms, success indicators or benchmarks to evaluate the success of the UN system in gender mainstreaming the issues with which the Resolution deals. This gap has been highlighted *inter alia* in consultation meetings with groups in East and Central Africa, South and North Caucasus, Russia and Nepal. Women’s groups have questioned how the UN system proposes implementing the Resolution’s provisions and what mechanisms exist to hold states accountable for non-compliance. The SC should be invited to conduct ongoing monitoring of the implementation of Resolution 1325, including implementation by member states. DVF/PJ could develop proposals to this effect.

**Women and Humanitarian Assistance**
The aim of enhancing women’s roles in humanitarian assistance programmes is probably not primarily to strengthen their contribution to conflict prevention and conflict resolution, but rather to increase their participation in post-conflict reconstruction efforts. Another aim is also to address their direct needs and vulnerabilities in conflict situations better, ensuring that women’s specific interests, for instance the provision of food, water, shelter, protection, safety and medicines for themselves, their children and the elderly are taken into account, and to ensure that humanitarian aid does not have counterproductive effects.

Agencies deserving support in this area include the ICRC, WFP and UNHCR. However, it must also be noted that, for example, the MoD and NATO are increasingly active in the field of humanitarian assistance. Particularly MoFA, but also DCE, could consider supporting and promoting the following ongoing and new initiatives.

**Ongoing Initiatives**

- The ICRC has recently undertaken the so-called ‘Women and War’ research project with the aim of formulating guidelines and a plan of action to enhance the protection and assistance of women affected by armed conflict. At the time of writing, the guidelines for relief have been updated, as well as communication and training materials. The ICRC is now due to institutionalize the plan of action. Moreover, it intends to review its operations to ensure that women and women’s needs in armed conflict are properly addressed. DMV/HH and DMV/VG could consider supporting the ICRC in implementing this review, as it would contribute to the understanding of how women-sensitive humanitarian interventions actually influence women’s position in conflict situations. They could furthermore consider assessing to what extent this information could be useful for their own humanitarian practice. Moreover, they could encourage the ICRC to share publicly its lessons learned and experiences with mainstreaming this topic into the organization. Valuable innovative insights for MoFA and other agencies on how further to mainstream gender into their respective departments could be included. This is also of indirect importance to DCE and DSI/VR.

- During 2001 UNHCR made five concrete commitments to refugee women: 50 per cent of all management committees for refugees will be women; refugee women will be registered individually; distribution of goods should be under the control of women; integrated country-level strategies will be developed to address violence against refugee women; and provision of sanitary materials will be standard practice. Through these commitments the participation of women in humanitarian assistance efforts should be further increased, while simultaneously their direct needs, such as protection from violence, are also addressed. MoFA could consider supporting UNHCR and other organizations with the actual implementation of these targets by putting ‘a premium’ on successful performance (e.g. increase in salary, bonus, promotion, etc.).

- Apart from guaranteeing women’s participation in food and management committees and ensuring them decision-making power in food distribution, the WFP distributes 80 per cent of its food relief directly to women in emergencies. These goals have been achieved by explicitly setting commitments and statistical targets for women in emergencies. The WFP’s
experiences show that target figures are a useful tool for addressing women’s needs in emergencies. Armed conflict is just one of the emergencies in which the WFP provides assistance. The WFP realizes that in conflict situations the position of women raises particular difficulties. More attention on issues of targeting and avoiding diversion of assistance is needed, while it seems difficult for staff to maintain a gender perspective in situations of conflict. A gender strategy for 2003-2007 is currently under preparation with a special focus on emergencies and on conflict. This new strategy will include ‘Enhanced Commitments for Women’. MoFA could support the WFP’s leading role in this field and stimulate the WFP to continue setting targets. Inducement could also be given here to reach the targets.

New Initiatives

- Whereas some programmes, projects, tools, etc., have been developed specifically for women in armed conflict, there still remains an urgent need for more activities in this field. MoFA could explore with the humanitarian agencies under study what scope there is for developing such activities and for supporting them.

- MoFA could consider facilitating the ICRC to inform staff continuously about its gender policy in order to avoid blindness for gender-related vulnerabilities among its personnel and to sensitize ICRC personnel to women in armed conflict. Training should hence continue, particularly additional training for middle management, which has not so far received training on this issue.

- For UNHCR staff to be effective and really mainstream the specific needs of vulnerable women, it is important to realize that (female) refugees are not one homogenous group. As indicated in the annexes, UNHCR has already undertaken various attempts actively to integrate female and male refugees in their operations, but there remains room to do so increasingly. It is important that refugees and other women and men in armed conflict more and more have a say in general decision-making bodies, programme design, implementation, monitoring and evaluation. However obvious it may sound, more working with, talking with and listening to these local women and men themselves, at all levels, is being emphasized in several documents, but can still be further ingrained inside the organization’s policy practice. An important observation in this regard may be that the relative absence of female staff in the field is a serious obstacle for UNHCR both for obtaining information from refugee women and girls and for dealing with the protection issues that they face. MoFA could encourage UNHCR to explore what measures are needed to recruit more female personnel and how to make jobs more attractive to women and gender-sensitive men.

- UNCHR could also be supported in further analysing what difference its operations actually make to refugee women’s and men’s lives. Quick assessments of the effects may not be sufficient to obtain this information, but more time and an anthropological approach may be necessary. DMV/HH could discuss this with UNHCR’s evaluation unit for at least a number of pilot projects.

- Throughout UNHCR’s organization it is emphasized that staff should be made accountable for their efforts at integrating gender issues and dealing with the specific needs of vulnerable women. This could be done through setting target figures and improved monitoring, but needs
to be combined with other more supportive measures in the field of training, personnel and career opportunities.

- Whereas in principle UNHCR’s focus is to employ more staff at the field level, UNHCR’s Gender Coordinator at headquarters could also be assisted by extra gender-sensitive female or male personnel to reduce the prevailing workload. This position currently seems too wide and demanding. Another suggestion here is to review the tasks and set new, realistic priorities in order to ensure that gender-related activities continue to have impact and effect. The Secretariat’s Gender Adviser could also be provided with the means and working conditions in accordance with the position’s heavy responsibilities.

- The WFP’s experiences show that target figures are a useful tool for gender mainstreaming. However, to ensure that field operations act in the spirit of the Commitments and are not only to reach target figures, more attention in monitoring should be given to the contents of the interventions rather than only to the figures. There is a need for a qualitative assessment of how far and to what degree programmes really empower women in crisis situations, looking at the long-term effects of the WFP’s interventions. In this regard, there is a need to do more research on how to address women and gender effectively in emergency situations. For this purpose, there is a need not only for more detailed data collection, including base-line information, but also for improving methods for gender analysis. Regarding the latter, WFP is in the process of developing an improved monitoring and evaluation system, which will be both quantitative and qualitative. WFP is also working on deepening the gender aspects of its Vulnerability Analysis and Mapping. Existing conflict and vulnerability assessments are often not designed with a clear gender focus in mind. Engendering such existing tools is a practical and fairly simple way of achieving women- or gender-specific instruments. Both MoFA and DCE could consider exploring this innovative development in larger detail.

**Women and Conflict-Related Development Cooperation**

Development cooperation initiatives in conflict situations include various development programmes that focus on women’s strategic medium-term and longer-term needs. These activities could contribute to women’s increased participation in conflict prevention, conflict resolution and post-conflict reconstruction and develop so-called local capacities for peace.

The agencies deserving support in this field include the ILO and UNDP. The ongoing initiatives and new initiatives mentioned below could deserve follow-up and support from MoFA.

**Ongoing Initiatives**

The ILO’s IFP Crisis has developed various initiatives with regard to women in armed conflict. On the basis of its substantial experience in the field, it has identified thirteen key lessons:

1. Avoid trade-off between speed of action and gender considerations;
2. Sensitize and train female and male crisis practitioners on the gender dimensions of crises. Stress the importance of women workers’ rights and gender concerns in the reconstruction of societies, and building of sustainable peace and economic development;
3. Hold a vigilant advocacy stance at all crisis stages, as gender awareness needs prompting;
4. Fully grasp gender implications of crises, and the complexity of their dynamics (through gender analysis, disaggregated data, the capabilities and vulnerability matrix and community-based participatory methodologies), and reflect them in planning and programming;
5. Monitor gender bias in access to services by men and women (gender-specific needs and traditional work patterns need to be recognized);
6. Avoid viewing men’s and women’s roles in crises as adversarial, and present the advantages of women’s empowerment to men, families and communities;
7. Use inclusive community-based approaches, as segregating women and men in crisis response can reinforce perceptions of women’s vulnerability and create gender conflict and competition;
8. Take advantage of and assist positive gender role changes during crises, and their long-term sustainability;
9. Break down occupational segregation and give women job opportunities in all fields, including construction and other ‘male’ jobs, independent work, etc. (through relevant technical and management training, credit schemes, etc.), and at all levels, especially supervision and management;
10. Beware of and limit negative survival strategies or side-effects;
11. Lighten women’s burden of productive and reproductive work, restore community support structures, establish special family support networks and voluntary social protection schemes;
12. Strengthen and build on the work of existing women’s groups (working women’s associations, environmental groups, grassroots advocacy organizations, female-dominated NGOs, etc.);
13. Include women and men equally in reconstruction planning, implementing and monitoring bodies and discussions to ensure that their strategic interests are represented, and familiarize them and society with their full participation in decision-making.

Whereas the ILO’s IFP Crisis has attempted to apply these lessons in all its activities - which range from knowledge and tools development, crisis capacity-building workshops and training and country-level activities, focusing \textit{inter alia} on reintegration of female ex-combatants, etc. - it lacks the staff capacity to integrate them fully into its work. MoFA could hence provide support in this regard to safeguard the follow-up of these lessons learned. Some can simply be put into practice by DMV/VG, DMV/HH and even more so by their implementing partners in their own work, while others require the development of concrete tools and mechanisms (e.g. lessons 5, 9 and 11).

- UNDP increasingly aims to address the role of women in conflict prevention, conflict resolution and post-conflict reconstruction as well. It is currently developing a concrete Plan of Action on Preventive Action, Recovery and Post-conflict Rehabilitation, into which it aims to incorporate a gender dimension. In this way it seeks to ensure that both women’s and men’s positions and roles are addressed in its various conflict-related programmes, such as rebuilding governance structures in post-conflict situations, disarmament, demobilization and reintegration programmes and so on. Moreover, gender is also one of six priority goals within UNDP’s Strategic Results Framework (STF). The Dutch government, and in particular DVF/PJ, could decide to support the final drafting of the Plan of Action and encourage UNDP
to pay attention to gender as its priority goal, including considering women’s multifaceted role in armed conflict in UNDP’s conflict-related programmes.

New Initiatives

- Whereas the ILO and IFP Crisis have undertaken numerous gender-related activities in crisis situations, the medium and longer-term effects of projects on women in conflict are not yet very clear. In line with the Programme’s work plan for the current biennium, IFP Crisis could be facilitated in gathering data on the direct and indirect effects/outputs of how activities have (positively) shaped women’s position in conflict. MoFA, and in particular its Policy and Operations Evaluation Department, could try to contribute to this issue, for instance in the Utstein Framework or through the ongoing work in ALNAP.

- The ILO’s IFP Crisis could be supported in gathering more quantitative data in order to support the assumption that it is important and effective to pay specific attention to women in conflict. IFP Crisis should use the quantitative data in the preparation, implementation, and output assessment of their crisis- and gender-related activities. Data could relate to the number of female-headed households, female ex-combatants addressed in IFP/Crisis projects, the number of employed women in the post-conflict phase compared to the pre-conflict phase, the type of jobs that women hold after conflict compared to before conflict and so on.

- IFP Crisis’s country-level activities have so far largely concentrated on the post-conflict phase. Nonetheless, IFP Crisis has valid insights into what women’s and men’s positions are in the different conflict phases and how these can be addressed through gender-sensitive interventions. IFP Crisis should be encouraged and supported to elaborate these ideas into concrete project proposals and activities.

- The ILO could be encouraged to consider connecting the so-called Crisis Focal Point Network with the Gender Focal Point Network. Through connecting these networks, the ILO could train the ‘network participants’ in both gender issues as well as crisis-related topics, and promote understanding of the interrelationship between gender and armed conflict. In addition to these network participants, all field staff working in crisis situations should receive more training in both gender- and crisis-related aspects. This recommendation applies to many other organizations as well.

- The ILO’s Bureau for Gender Equality and IFP Crisis should increasingly disseminate their joint expertise on gender and crisis to other ILO staff. The Dutch government could facilitate external dissemination of the ILO’s expertise on this topic.

- An important suggestion is to help UNDP support the networking of women’s organizations in their activities for conflict prevention, conflict management and peacebuilding. In this respect, UNDP’s role in the Democratic Republic of Congo, Afghanistan and Sierra Leone as well as in Kosovo, East Timor, Bosnia and other such affected areas has been important. DMV/VG could look into means of how better to use women’s organizations for peace by identifying their strengths and weaknesses.

- Finally, UNDP could be encouraged by MoFA to support activities that mainstream gender into conflict prevention efforts in organizations such as the African Unity (AU) (formerly the OAU), which has a Women, Peace and Development Committee, the Economic Community
of West African States and the Moratorium on Small Arms. The UNDP-supported Programme for Coordination and Assistance for Security and Development (PCASED) is also currently short of adequate funding to support a number of initiatives that have requested funding.

**Women and International Tribunals and Courts**

The International Tribunals ICTY and ICTR and the upcoming International Criminal Court (ICC) particularly address issues of gender-based crimes, rape and other forms of sexual violation against both women and men in conflict situations. They do not seem to be in a position to strengthen women’s roles in conflict prevention and resolution, but they do play an important role in acknowledging the harm caused to women in conflict, in prosecuting crimes committed against women during conflict, and in providing a judicial recourse to these women in the aftermath of armed conflict.

Departments within the Dutch government that seem to be in a position to facilitate the ICTY, ICTR and the ICC in taking into account these gender-based crimes include *inter alia* DVB, DVF/PJ and DMV/MR.

**Ongoing Initiatives**

- The Office of the Prosecutor (OTP), which is the same for ICTY and ICTR, has so far paid substantial attention to various forms of sexual crimes committed against women, resulting in the explicit inclusion of gender-based crimes in ICTY’s indictments and jurisprudence. Remarkably, the OTP’s explicit gender policy is not formulated in any official document, but is particularly embodied in the current Chief Prosecutor, Mrs Carla del Ponte. In order to ensure continuation of the OTP’s successful gender policy under a possible new Chief Prosecutor, the Tribunal should be encouraged to lay down its policy on paper. To facilitate OTP’s work on gender-based crimes, more female investigators and translators are required to interview female victims and witnesses.

- At both the ICTY and the ICTR, the Victim and Witness Unit has so far been able to offer female victims and witnesses protection, medical and psychological support, lodging for themselves and relatives, childcare facilities, assistance in logistics and so on. However, there are currently too many cases, and the units are not in a position to address the needs of all victims and witnesses effectively. DVB and DVF/PJ could consider helping the ICTY and ICTR to employ extra personnel in order to respond appropriately to the mental and physical needs of all women witnesses and victims. It may consider ‘Friends of…’ constructions among like-minded countries to raise the necessary means.

**New Initiatives**

- To reflect the importance of gender further in the investigations and prosecutions of sexual violence at the ICTY, reclassifying the post of Gender Legal Adviser at P5 level in the Office of the Prosecutor could be considered.

- The ongoing protection and support of female victims and witnesses after the process is largely out of the scope of the ICTY’s Victim and Witness Unit, but is of the utmost
importance. In the case of life-threatening circumstances, the ICTY must be encouraged to relocate women and their families who testified in sensitive cases to a safe place. Moreover, it is important that donors further support the field office in Sarajevo that was opened in January 2002 to follow up protected witnesses after their testimony in The Hague. In addition, in view of the fact that ICTY may close down in 2008, it could be considered giving priority to providing assistance and training to local NGOs and governments on how to take over the protection of and assistance to witnesses and victims of *inter alia* gender-related crimes.

- The issue of sexual crimes against women can be increasingly addressed at the ICTR. An instrument to support this could be to supply further training to investigators on techniques for investigating sexual crimes (including training on local culture and customs) and to train judges better on dealing in court with victims of sexual crimes. Another instrument is to facilitate the travel of some survivors to attend trials. Witnesses currently often do not appear before the court because of a shortage of means.

- Regarding the ICC, it at first seems important that a Victim and Witness Unit can properly function from the ICC’s inception. The Victim and Witness Unit could be stimulated to recruit properly trained personnel in sexual trauma. Moreover, learning from the ICTY and ICTR, in which there are currently discussions about where the Victim and Witness Unit can be best located, the relationship between the Registry and the OTP in regard to management of witnesses and victims must be clarified during the initial stages. Training of staff at all levels on gender issues is essential for investigators. Modern training methods should be used such as video and ‘moot’ investigations. Judges could follow video training to handle trials properly involving rape or sexual assault on victims. Regarding information-sharing on gender-related issues, the ICC could benefit from ICTY and ICTR expertise by the secondment of ICTY and/or ICTR personnel for a certain period. Finally, including appropriate sanctions for counsels who violate the right to dignity of victims and witnesses of gender-based crimes under the code of professional conduct of ICC (Rule 8) could be considered.

**Women and (In)formal (Peace) Politics**

Increasing women’s participation in local, communal, regional and national politics, but also at all levels and positions in public life in general, may ensure that the interests of women are increasingly reflected in constitutions, legislation, government policies, regional plans, local actions and so on. Moreover, women’s involvement in politics and public life in non-conflict situations may help to prevent the outbreak of conflict or may enlarge their participation in ‘formal and informal peace politics’ throughout the conflict. It is often assumed that women constructively contribute to the entire process of peace negotiations and lobbying for peace, often starting in the midst of conflict, and continuing throughout the post-conflict phase.

Of the organizations under study, the Gender Task Force (GTF), CoE and the OSCE encourage women’s participation in politics and public life, and hence (in)directly strengthen women’s roles in conflict prevention, resolution and post-conflict reconstruction.
Within the Dutch government, DCE and MoFA may consider the suggestions mentioned below, particularly for the CoE. MoFA may provide follow-up to the initiatives proposed for the Gender Task Force and the OSCE. Regarding the latter, DVB and MoFA’s ‘Task Force on the OSCE Chairmanship in 2003’ may play a particularly encouraging role.

**Ongoing Initiatives**

- The GTF is successfully stimulating the participation of women in political life, particularly through its ‘Women Can Do It’ (WCDI) campaign. As the participation of women in politics drops dramatically in the transition phase as compared to the ‘pre-transition phase’, WCDI encourages the party’s female politicians through specific training courses to participate actively in politics and to take gender issues in politics seriously. WCDI has been particularly successful in Bosnia-Herzegovina, where it addressed the needs of (future) female politicians of all political parties, and where it started after women themselves had already successfully lobbied for female participation in political life. The experience of WCDI in Bosnia-Herzegovina was used in other countries such as Croatia, Serbia and Montenegro, and later in 2001-2002 also in Bulgaria, Romania and Moldavia. The GTF hopes to continue with WCDI for the period 2001-2003. The Dutch government could consider further support to this initiative.

- Another GTF best practice is its support for national gender equality machinery in order to reform state institutions. The building of national gender equality mechanisms encompasses both the ratification of international agreements (i.e. CEDAW) and the establishment of governmental commissions and institutions working for gender equality. These institutions’ activities could consist of establishing a database for gender in conflict, lobbying for electoral reform and reviewing legislation from a gender perspective. According to GTF quota agreements about women candidates on the list of main political parties in Macedonia, Serbia, and Montenegro, good practices from the region are: quota regulations in the statutes of political (mostly socialist or social democratic) parties in Hungary and Bosnia-Herzegovina, and the establishment of different gender equality governmental mechanisms or parliamentary bodies in Bosnia-Herzegovina, Vojvodina, Croatia and Montenegro. This work may merit support during the period 2001-2003. How these experiences can be made relevant to other (conflict) situations in the world could also be studied.

- As mentioned in chapter 5, the CoE took the initiative of organizing a Ministerial Conference on women’s roles in democratization, conflict prevention and peacebuilding. Immediately after the conference, DCE in consultation with MoFA identified priorities for follow-up in order to maintain the CoE’s momentum regarding attention paid to this topic.

- OSCE’s Gender Unit at ODIHR in Warsaw has encouraged the Election Section to start testing a methodology for integrating gender issues in its election observation missions. The aim is to provide intelligence and analysis on the participation of women in politics and then to identify ways and means to promote the involvement of women. Moreover, ODIHR’s Democratization Section has mainstreamed a gender dimension into a broad range of project activities undertaken by the Rule of Law Unit, the Migration Unit, the Balkans Unit, the Anti-Trafficking Unit, as well as within the framework of the Grassroots Democracy Programme.
In addition, the Gender Unit has been designing and conducting a series of gender specific projects (ten in 2001, seven in 2002) with the aim of promoting women’s equal rights and opportunities, fostering women’s roles in decision-making and participation in political and public life, and preventing and combating gender-based violence. Basically, these projects have been implemented through training and awareness raising on the one hand, and development and review of legislation on the other hand. With the exception of Albania, most of the targeted countries are located in the Caucasus (Armenia, Azerbaijan and Georgia) and Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Uzbekistan). These best practices to involve more women in election observation missions, in decision-making bodies and in political and public life are highly recommended for follow-up and consolidation during the Dutch chairmanship of the OSCE and could be further analysed by MoFA’s Task Force on the OSCE chairmanship.

- Regarding women’s increased participation in the non-governmental sector, the OSCE’s field mission to the Caucasus has emphasized women’s participation at all levels in political, economic and public life and on the development of women’s NGOs. In this regard, assistance was given jointly by ODIHR and the OSCE Mission to Georgia to establish a joint resource and service centre for women’s NGOs working in the various zones of conflict in the southern Caucasus.

**New Initiatives**

- As indicated in chapter five, a new activity in the GTF’s portfolio is women’s roles in conflict resolution, focusing on the establishment of forums for exchange of experience in post-conflict rehabilitation and conflict resolution. The initiative has until now focused on Kosovo and Macedonia in the first phase (missions). Southern Serbia and Montenegro will be added in a second phase. Since this directly relates to women’s roles in conflict resolution and post-conflict reconstruction, it would be worth finding out what achievements result from this practice and to consider eventually providing support.

- It could also be worth commissioning a study on the activities of the Stability Pact’s GTF to evaluate its past performances, discuss the viability of its plans and assess possible ways to support the GTF during the next three to five years. There seems to be a tendency that too many issues are addressed at the same time.

- Since the Dutch government will hold the OSCE’s chairmanship in 2003 - which has raised various expectations among OSCE gender staff - the Dutch government and MoFA in particular may consider prioritizing gender objectives in accordance with OSCE’s field of activity and developing benchmarks for the various executive bodies (i.e. the Vienna secretariat, ODIHR and field operations). It could clarify the specific gender-related issues (e.g. trafficking in women, discrimination against women, the specific roles of women during and after conflict and so on) on which the OSCE aims to focus. It could furthermore initiate the planned although postponed review on the Action Plan on Gender Issues. While possibly reviewing the Action Plan, it could simultaneously stimulate discussion on and promote reformulation of the OSCE’s gender policy with a view to producing an updated and policy-oriented Action Plan. Moreover, it could grant attention to and contribute to elaborating the
benchmarks required for making a fair assessment of the implementation of the Action Plan on Gender Issues. It could also ensure that the restructured Informal Group on Gender Equality and Equal Protection from Trafficking in Human Beings finally plays the pilot’s role that was expected, that is, being actively involved in the review of the Action Plan on Gender Issues. This encourages the participating states, which are represented in this Informal Group, increasingly to take responsibility for implementing the OSCE’s commitments on gender. Moreover, Dutch chairmanship of the OSCE could strengthen field operations’ performance by giving specific instructions with regard to gender. Field operations should also be assigned gender-related priorities and undertake partnerships with ODIHR activities accordingly (i.e. data collection, qualitative analysis, monitoring and reporting, training, legal reviews). In addition, the Dutch government could recognize the added value of gender training within the OSCE and insist on training top-level decision-makers such as Head of Missions, parliamentarians, managers, etc. It could also analyse whether and how the OSCE can more specifically define and address women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction.

- The OSCE’s Gender Unit at ODIHR could, with the help of the Dutch government, encourage ODIHR’s Monitoring Section to pay special attention to incorporating women or gender issues in its activities and therefore scrutinize, in collaboration with field operations, the implementation of participating states’ commitments concerning gender equality, as well as violations of the human rights of women.
- The OSCE recently transformed the post of ODIHR’s Gender Adviser from a seconded into a contracted position, ensuring the continuation of this function and of efforts undertaken within this function. This should be encouraged to continue in the future.
- The secretariat’s Gender Adviser should be provided with means and working conditions in accordance with the position’s heavy responsibilities. Moreover, the Dutch government could assess how the secretariat’s recently appointed gender trainer could be further facilitated in granting the full support required from the participating states (with regard, for instance, to her travelling budget) as well as from the Heads of Mission (during her field work).\textsuperscript{{131}}

Final Note

Whereas the above-mentioned suggestions and measures deserve follow-up, some may also require funding. Most organizations under study have indicated that funding this topic is a challenge, and have kindly invited DCE, MoFA and the MoD to take into account the following obvious though important considerations:

- Various of the organizations studied invited DCE, MoFA and the MoD to earmark funds specifically for activities related to the topic of women in conflict prevention, resolution and post-conflict resolution. Obviously, Dutch funding for the organizations’ gender mainstreaming efforts in general is welcome. However, gender is a broad field that includes numerous aspects. Hence general funding carries the risk that broad (gender-related) initiatives are sponsored at the expense of the topic of women in armed conflict specifically. In the cases where organizations have specific Gender or Conflict Trust Funds, such as, for
example, UNDP, the ILO and WFP, often at the level of specific gender and conflict units, earmarking funds for this topic may be easier.

- Secondly, DCE, MoFA and the MoD are invited as far as possible to consider funding for a longer period of time in order increasingly to facilitate the planning and ensure continuity of projects and programmes on this topic. In this regard, it remains a challenge not only to support conflict interventions in relatively new and actual conflict situations, but also to continue supporting initiatives in the ‘old wars’, conflicts that have already gone on for some time. Moreover, it seems relevant that they attempt to coordinate further their policy positions on financing this topic in order to avoid contrary positions in the various organizations or committees within organizations such as the UN and NATO, etc., on which they are represented.

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For more specific suggestions and measures regarding the OSCE, refer to the individual annexe on the OSCE.
Chapter 8 Recommendations for DCE, MoFA and the MoD

Whereas chapter 7 outlined the possibilities for DCE, MoFA and the MoD to assist other organizations in strengthening the role of women in conflict prevention, conflict resolution and post-conflict reconstruction, this chapter firstly highlights the specific ideas that especially MoFA and the MoD could incorporate internally in order to strengthen further their policies and practices on this topic, and discerns niches and ways for further action by DCE.

Specific Suggestions for the MoD

The MoD’s General Emancipation Policy

- Start addressing topics such as women in peace-support missions and local women in armed conflict in the MoD’s general gender policy. The MoD should consider incorporating and explicitly referring to these issues of growing importance in its gender policy for 2002-2006.
- Open up military (gender) positions for civilians and external gender specialists. In order to anticipate the scarcity of female and male (gender) specialists within the MoD, the MoD should consider increasingly opening up these military (gender) positions for both military and civilian personnel within and outside the armed forces.
- Enable new and existing emancipation coordinators and promoters, but also other staff that deal with the topic of gender, to take up their gender portfolio. The MoD should consider how to ensure that the newly established emancipation policy promoters, but also the MoD’s other emancipation experts and other staff, have: a) the time to spend on gender beside their other portfolios; b) the incentive to deal with gender, for instance by making gender an issue in the MoD’s recruitment procedure, job description, Terms of Reference of staff participating in operations and missions, and in its personnel appraisal system; and c) the expertise to develop and implement gender policies, for example by providing them with training on gender in general, but also on specific topics like Resolution 1325 and the Namibia Plan for Action.

Women’s Participation in Peace-Support Missions

Granted that female employees within the MoD are scarce, that increasing the number of gender-sensitive female, but also male, military and civilians in peace-support operations requires a broad political discussion, and that the composition of peace-support missions is a shared responsibility of inter alia the MoD and MoFA, the MoD is invited to reflect on the following suggestions:

- Explicitly familiarize the MoD’s gender experts with (inter)national regulations and literature on women’s increased participation in peace-support operations. The MoD should contemplate how to give its gender experts the mandate, time and training to deal specifically with a follow-up to Resolution 1325 and the Namibia Plan for Action.
- Gather or collate more disaggregated gender data about women’s participation in peace-support operations. An increase in data on this topic should enable the MoD to develop specific activities to increase the number of women in peace-support operations. These data could show what the trends are over time, what percentage of women compared to men
participate in missions, the number of female military compared to female civilians, and what functions they both fulfil during such missions. Information could also be collected as to what women’s and men’s experiences are regarding their participation in peace missions. The chairperson of DVN is currently gathering data on specifically this issue. Also the Working Group on Resolution 1325 has identified specific topics for further data gathering that deserve follow-up. The MoD is urged, among other things, to assess whether an increase of women as military observers is desirable and to analyse whether and in what manner female military have an added value to peace-support missions.

- Assess what characteristics peacekeepers in peace-support operations should preferably have. From research and experience it gradually becomes clear that the local population expects peacekeepers to have a certain attitude and to display certain features. For instance, Bosnian women indicated a desire in recent research that SFOR peacekeepers understand inter alia the value of women’s organizations, show recognition for the work and effectiveness of women’s organizations, are accessible and communicative towards the local population, engage in cooperation and partnership with local organizations to run projects together, have sensitivity for the local history and culture, and act as human beings first and as professionals second.132 Both female and male peacekeepers could display these desired features. As a follow-up, the MoD could decide to collect additional data on what characteristics are needed in peace-support operations. Based on this, other follow-up actions could include: a) taking the required capacities into account in selecting gender-sensitive female and male participants. Making training on gender a prerequisite for participation in peace-support operations could also be contemplated. Whereas it is hard to select all mission participants accordingly, the MoD can very well select mission commanders on these criteria; and b) raising awareness on these ‘newly’ required virtues for peacekeepers among new recruits and within the armed forces, for instance through training.

- The MoD should think of combating negative ‘myths’ about women’s performance in peace-support operations, for instance through training and other forms of awareness raising.

**Local Women in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction**

- Add a gender specialist to the Section on Cultural-Historical Backgrounds and Information (Operational Staff CinC/Army). This Section, which provides nearly all the training courses on this topic within the MoD, does not yet have at its disposal a gender expert with particular knowledge of the multifaceted roles of women in conflict prevention, conflict resolution and post-conflict reconstruction. In order to address this topic increasingly, the MoD should consider employing specialized gender experts in this Section.

- Assess whether CinC pays sufficient attention to gender in its training courses. As indicated, depending on its relevance in the mission area, gender is part of CinC’s training courses. With a rising interest within the MoD for gender in peace missions and women in armed conflict, and with international resolutions stressing that women in every situation of armed conflict should be taken into account, the MoD should contemplate whether: a) the topic of gender and armed conflict should be made part of every training course for mission participants; and

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132 For further reading, see Cockburn and Zarkov, 2002.
b) the various aspects of the topic of women in armed conflict are sufficiently dealt with in the prevailing training courses of CinC.

- Increasing the level of cooperation between Operational Staff CinC and the ‘Defensie Vrouwen Netwerk’ (DVN) could be considered. DVN’s current chairwoman, in particular, has gained substantial expertise on the topic of gender and conflict and could very well participate in courses and training within the MoD on this topic.

- Granted that civil-military cooperation (CIMIC) is not part of MoD’s core business, the MoD is currently actively involved with Cimic Group North, a group of six NATO countries from northern Europe. This Group, which from 2003 will perform tasks where NATO troops are deployed, such as in Bosnia-Herzegovina and Kosovo, is creating a pool of reservists with long-term expertise in a variety of fields such as cultural affairs and humanitarian affairs in order to be sent on missions. The goal is that they fulfil specialist tasks that the other participants in the mission cannot. After having received a short military training, they are sent to the field in military uniform. For the humanitarian affairs team, the Netherlands will deliver the senior project planner for ‘human rights’ and the planner for ‘displaced persons and refugees’. In total, during the first six months of Cimic Group North the Netherlands will deliver thirteen specialists for the field of humanitarian affairs. The job profile of the senior project planner explicitly includes ‘…the protection of women and girls from gender-based violence….’, and, among other things, mandates the senior project planner to address this issue in various post-conflict situations. The MoD is encouraged to select an incumbent with proven expertise on gender in conflict situations for this function. Moreover, the MoD could consider explicitly including a reference to women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction in the job profiles of the other thirteen specialists.

**Specific Suggestions for MoFA**

- The appointment of the Deputy Secretary-General (DSG) as Gender Coordinator reflects that the top of the department is committed to gender mainstreaming. Further clarification, however, of the role of the gender coordinator and the formulation of concrete outputs and targets covering the whole Ministry is expected to reinforce this approach. In this connection, a plan of action will be presented in autumn 2002. It should also be noted that in his role as gender coordinator, the DSG depends for support on DSI/VR and the gender adviser in the Department for Personnel and Organization (HDPO), because he has not been allocated a specific budget or any additional staff for that purpose. In this regard, proper delineation of responsibilities should be considered. In addition, to bolster support to the DSG, broadening the role of the advisory group (OIB) beyond personnel policy issues to include all gender mainstreaming issues could also be contemplated. Moreover, reviewing the functioning of the Gender Coordinator in terms of achievements, strengths and constraints in 18-24 months could be recommended.

- The tasks and objectives of DSI/VR to promote gender mainstreaming in foreign policy depend to a large degree on the implementation capacity and commitment within the directorates, embassies and permanent missions that comprise MoFA. There is a danger of ‘disconnection’ between coordination by DSI/VR and proper implementation by others.
Whereas gender originated very much as a topic within development cooperation, certain directorates, missions and embassies are constrained in terms of knowledge and experience with gender issues. They may not have the resources in terms of specialist expertise and trained generalist personnel to carry out gender mainstreaming proficiently. Although it is DSI/VR’s task to help redress these imbalances, the consequences of this historical situation will still take time before they are fully removed. Seeing how gender expertise, knowledge and commitment of the relevant units outside the development directorate can be upgraded to the required levels is recommended. In this regard, a first step may be to include gender tasks in the descriptions of staff functions. Gender expertise may also, where relevant, become a requirement for promotion and job rotation as well as being included as a topic in periodical personnel appraisal systems. Lastly, (voluntary) gender courses could also help.

- Existing expertise on gender runs the risk of being diluted, as gender specialists are frequently called upon to combine their portfolio with other tasks or ‘sectors’. What this means in practice and how this development may affect the possibility of spending more time on important questions related to women in armed conflict should be monitored, especially in (post-)conflict countries or the so-called DMV countries.

- Compared to issues of gender and development, the issue of gender in armed conflict still requires focused attention. Apart from the temporary specialist located at DSI/VR, the topic has not yet ‘sunk in’ the other directorates or units dealing with armed conflict. Most interviewees indicated that they assumed the topic was looked after by DSI/VR and that they had no time and human resources to do so in any meaningful detail. A concrete strategy has to be worked upon to ensure that the matter will continue to receive attention after the temporary position is discontinued. How this issue will be solved should be ascertained, especially if no additional human resources are made available. Besides including gender in planning, recruitment and appraisal, and internal monitoring and evaluation systems, another possibility is to continue monitoring the implementation of SC Resolution 1325. In this connection, giving the Interdepartmental Working Group on Resolution 1325 a somewhat longer lease of life could be considered, by extending its mandate to cover more broadly the issue of women in armed conflict in a variety of national and international institutional settings. MoFA, for example, has an important role to play in connection with peacekeeping operations together with the MoD, and can jointly take a number of important initiatives, as developed in larger detail in the section on the MoD.

- Another issue relates to the contents of MoFA’s policy with regard to women in armed conflict. On the one hand there is the impression that there was in the past fairly limited focus on the three specific priorities within the overall Dutch emancipation policy. On the other hand there seemed to be a much wider range of issues emerging from the different prevailing policy notes and international frameworks and from empirical practice itself. Sometimes it is not completely clear how these different initiatives relate to one another and which takes priority over the others. With regard to women in armed conflict it must, however, be possible and also is recommended here to present a fairly complete overview of what are seen as main policy goals and priorities and what activities are carried out in support of those. In this respect, the matrix draft by the Interdepartmental Working Group on Resolution 1325, which
identifies priorities for further implementing Resolution 1325, could be a useful starting point. However, it is sometimes not clear how DSI/VR activities relate to the overall emancipation policy, while it could also not be ascertained as to how they relate to women’s multifaceted roles in conflict.

- In general, it needs to be ascertained how the interface between gender and conflict can be explored more intensely and effectively. Common inter- and intra-ministerial dialogues, seminars or training sessions are one possibility, which could be added to more actively engaging colleagues regularly on a pragmatic basis in relation to concrete tasks and responsibilities, as seems to be occurring already in a number of instances.

- A similar observation can be made towards the development of tools or instruments. There are many instruments being developed on conflict issues, but not all of them are gender-specific. Engendering this tendency of instrument and tool development should be promoted. In this connection, the intention to design gender-sensitive budgeting systems deserves much support.

- MoFA can also play an exemplary role towards many of its implementing partners. Although this has not been explored in detail in the present study, these partners should be encouraged, if needed through the terms and conditions of the contract, to pay attention to women in armed conflict when and where appropriate. Some of these partners are known to have already developed some expertise and a level of sophistication, while others are still in a learning phase. Positive inducements could be developed by those units that spend large sums on contracts for conflict prevention, humanitarian aid and peacebuilding, such as DMV/HH and DMV/VG. In the normative field there can also be an important role for DMV/MR.

**Niches for Further Action by DCE**

From this study on women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction, niches for further innovative analysis and action have appeared. By entering these niches, DCE could generate valuable, new insights that will further strengthen existing policies and practices on this topic. The niches for further action include the following:

**Gender-sensitive Budgeting**

DCE could take a leading role in the development of gender-sensitive budgeting systems. As shown in chapter six it has proven hard to assess how and how much funds are allocated to gender, and to women in armed conflict in particular. Gender-sensitive budgeting, which aims at mainstreaming and the visibility of funds for women or gender in the organization’s overall budgets, would increase this insight. DCE’s promising initiative to start a pilot project on gender-sensitive budgeting among some Dutch Ministries merits follow-up. DCE could contemplate involving the participating Ministries from the start in the design, implementation and monitoring of this proposed pilot project in order to gain further backing for this proposal. Providing the Ministries with additional information on the advantages of a gender-sensitive budget system is also encouraged. In this regard, DCE could gain further information on like-minded upcoming initiatives at, for instance, the WFP and UNHCR.
**Link Fields of Women or Gender and Conflict**

The topic of study relates to both the field of conflict and of gender, although the two fields still largely function separately. Gender is barely addressed in the development of conflict-related policies, tools, instruments, projects and programmes; and gender policies, tools, instruments and so on are only slightly adapted to conflict situations. More cross-fertilization between the two fields is required for policy-makers, developers of tools and instruments, and practitioners in order to address all aspects of the topic of women in conflict prevention, conflict resolution and post-conflict reconstruction. DCE could fulfil an important function in bridging this gap between analyses of conflict and gender. Suggestions in this regard may be as follows:

- DCE could facilitate gender and crises experts within the Dutch government to develop closer relationships among each other and between them and the organizations under study. For instance, IFP/Crisis and UNDP have indicated that because their present contact persons within donor governments are often not those covering funding for crisis-related and gender-related issues and hence often less keen to sponsor their gender- and conflict-related activities, they would like to develop closer relationships with gender, conflict and other crisis desk officers within the Dutch government. Practically, DCE may explain to these organizations whom to contact on these topics within the Dutch government. Moreover, DCE could further explore the possibility of appointing (more) gender- and conflict-sensitive liaison officers for these organizations within the Dutch government. In consultation with MoFA and the MoD, DCE could also assess the need among current Dutch representatives in the organizations under study for more information and training on gender and conflict topics.

- Some plans, instruments and tools to interlink gender and armed conflict are already under development and may merit DCE’s follow-up. DCE could gather additional information on these initiatives and is invited to discuss their applicability for relevant Dutch Ministries, in particular with gender and conflict experts at MoFA and the MoD. Ongoing promising initiatives include UNDP’s Plan of Action, which is currently being drafted and aims to address gender issues in preventive action, recovery and post-conflict rehabilitation. Moreover, UNDP has developed a Learning and Information Pack, which includes the main tools for gender analysis. Whereas these tools are not yet adapted to conflict situations, they however form a good starting point to do so.\(^{133}\) Meanwhile, the WFP is in the process of deepening the gender and conflict aspects of its ‘vulnerability analysis’ and ‘mapping’ tools; the ILO’s IFP Crisis attempts to assess the differential influence of crises on women and men through specific gender analysis, capabilities and vulnerability matrices and community-based participatory methodologies; and the Netherlands Development Organization for Technical Assistance to Development Countries (SNV) is working on a new approach to provide ongoing development assistance before, during and after situations of armed conflict. One of SNV’s priority areas in this approach is gender. Finally, there is a framework being developed for gender-sensitive early-warning models, which aims at both women’s and men’s participation in local early-warning committees (the Swiss Peace Foundation and International Alert have developed this framework), which DCE also can use as a starting point for better linking the fields of gender and conflict.

\(^{133}\) UNDP Gender in Development Programme, 2001.
Actual Implementation, Assessment of Outputs and Effects, Monitoring and Evaluation

The actual implementation of activities related to the topic, particularly at field level, have largely fallen outside the scope of this research. It would be interesting to gather more information on how local women perceive the interventions from abroad and what local women think is the impact of these interventions on their positions. Moreover, it would be challenging to collect additional data on the practical implementation process of (field activities) that address women in conflict situations. Another issue for follow-up research is the ex ante assessment, monitoring, evaluation and ‘measurement’ of the (in)direct, intended and unintended effects of the initiatives undertaken on the topic. As indicated in this synthesis and in various annexes, the organizations under study have so far hardly developed, let alone applied, ex ante impact assessments, monitoring and evaluation mechanisms, and tools that measure (in)direct effects on this issue. It is often assumed that their activities have (had) a positive impact on women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction. More ex ante impact assessment, monitoring and evaluation, and assessing the effects and outputs, however, would help the organizations to gather facts instead of assumptions. It would help them to assess the short-term and longer-term influence on women’s positions. It would also enable them to answer difficult, although important questions, such as: Would increased political participation of women in the pre-conflict phase indeed contribute to the prevention of conflict? What would be the effect of local women participating in peace negotiations? And if such a positive effect is shown, what concrete activities could, for instance, development agencies undertake in an actual conflict phase to enable women to become involved in these negotiations? What would be the precise advantage of expanding the role of women among military observers and civilian police in peace-support operations? How would this positively contribute to the resolution of a conflict? Providing an answer to these questions may encourage staff members in these organizations to take the constructive roles of women in all phases of conflict seriously and may simultaneously provide them with concrete best practices of how to strengthen these roles of women in conflict prevention, conflict resolution and post-conflict reconstruction. For the reasons mentioned above, it is of the essence that DCE considers supporting the development and application of output, effect and impact assessments and monitoring and evaluation mechanisms within the organizations under study and especially within MoFA and the MoD.

Suggestions in this regard may include the following:

- DCE could discuss with some of the organizations under study what information is already available on the perception of local women in conflict situations with respect to the use and effect of these organizations’ interventions. Moreover, DCE could explore with these organizations whether and how the view of these women could be better understood and incorporated into the interventions of conflict-related organizations. DCE should encourage the organizations under study to undertake further research on local women’s views on their position in conflict prevention, conflict resolution and post-conflict reconstruction and on local women’s opinions on whether external interventions have actually strengthened their positions in this respect.
DCE could decide to make an inventory of existing assessment, monitoring and evaluation tools and instruments to ‘measure’ effects and outputs in the fields of gender and conflict. These tools could include gender analyses, needs and vulnerability analyses (as mentioned above under niche II), as well as peace and conflict impact assessments. Numerous examples of the latter are being developed and, among others, summarized in the publications *Development in Conflict: A Seven Steps Tool for Planners*\(^\text{134}\) and *Conflict-Sensitive Approaches to Development*\(^\text{135}\). One of the examples comprises Clingendael’s *Conflict Prognosis: A Conflict and Policy Assessment Framework*,\(^\text{136}\) which provides a step-by-step approach for the *ex ante* and *ex post* impact assessment of conflict-related interventions. It must, however, be noted that none of these models explicitly takes women and gender into account. Based on this inventory, it could assess, for instance in consultation with MoFA and the MoD, whether it is needed and possible to adapt these tools and instruments in order to take explicitly into account women’s roles in armed conflict, or whether there is a need for new and more specific tools. DCE could also consider applying tools in practice through small pilot project or case studies. These could be selected in close collaboration with some of the organizations under study, and could show how the effect of a certain intervention on women’s roles in armed conflict can be assessed in advance, whether and how the intervention actually strengthens women’s position over time, and what influence it has in the end on the situation of women in conflict.

Finally, DCE together with MoFA and the MoD are invited to assess whether they could muster sufficient international support for a study on whether and what (monitoring) mechanisms could be developed for holding states and other actors accountable for not taking on internationally agreed gender policies and objectives, among others Resolution 1325. Whereas support for developing such mechanisms may be hard to collect in practice, it seems rather important in order to bridge the gap between theory/policy and practice with regard to strengthening women’s roles in conflict prevention, conflict resolution and post-conflict reconstruction.

**Follow-Up**

Obviously the ways of channelling the findings of both this report and of the first phase of the report are the decisions of DCE and the organizations directly involved in this study. Nevertheless, at the closing session of the Round Table on ‘Women’s Roles in Conflict Prevention, Conflict Resolution and Post-Conflict Reconstruction’ on 4 June 2002 at the Peace Palace in The Hague, the participants tabled the following options for further dissemination of these reports’ findings:

- The research findings could be discussed directly with each organization under study, for example in the form of organizing a round table conference or workshop with representatives of each organization.

\(^{134}\) Nyheim, Leonhardt and Gaigals, 2001.

\(^{135}\) Leonhardt and Gaigals, 2001.

\(^{136}\) Van der Goor and Verstegen, 2000.
The organizations under study may be informed of the findings of this research, while leaving them the freedom to take the recommendations further. To provide à la carte findings may enhance the chances of follow-up actions by the organizations involved.

The findings of the study could be shared with other agencies active in this field, such as (inter)national research centres, NGOs and women’s organizations in the area under study.

Popularizing the research findings could be attempted so that gender jargon is avoided and so that it is clear what specific actions for follow-up could be taken by the organizations under study.
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Part III  Annexes
Annexe A  Some Examples of Women’s Political Participation in the Post-Conflict Phase

**Bosnia-Herzegovina: The OSCE’s Women in Politics Programme**

The Dayton Peace Accords for Bosnia-Herzegovina do not mention any proactive measures to get women on electoral lists, or for inclusion of women at the highest state levels. Consequently, women’s level of political participation at both the national and the municipal level after the conflict initially remained low. This started changing in 1997 because of the introduction of the OSCE’s Women in Politics Programme and through the efforts of female politicians and NGOs. Consequently, women’s representation in the 1998 elections showed a remarkable increase, which seems to continue until the present.\(^{137}\)

**Kosovo: Attempts to Increase Women’s Political Participation within the Framework of UNMIK**

After signing the Rambouillet Agreement for Kosovo, the United Nations Interim Administrative Mission (UNMIK) came to Kosovo. As UNMIK based its work and priorities on the Rambouillet peace negotiations, it in fact helped to perpetuate and institutionalize the marginalization of women in the political process after the conflict, despite the number of well-intended measures taken, as illustrated here below.

One UNMIK effort was to include both Serb and Albanian women in the interim government structures for Kosovo. Therefore the Special Representative of the Secretary-General (SRS) created a consultative group of local representatives and called it the Kosovo Transitional Council (KTC), initially consisting of twelve members, both Serbs and Albanians, but none of them female. Later the KTC contained 36 members, of which 17 per cent were women. However, at that stage the KTC had lost most of its importance to the newly created Interim Administrative Council (IAC), which had become the SRS’s main consultative council. All three Albanian representatives in the IAC were male, while the Serb representative was female, but according to the authors it was unlikely that she would be in the position to promote the position of women in Kosovan society. There was also a position for the ‘civil society representative’, which was held by a Kosovo Albanian woman. While it must be appreciated that the SRS tried to introduce women into this body, it is significant that, yet again, women were associated with civil society and NGOs, which are considered ‘soft issues’ when it comes to policy-making and conflict resolution. The civil society observer was consequently unable to gain any leverage in the IAC’s debates and was also not perceived as an important factor by the public, as she hardly appeared in the media.\(^{138}\)

Another effort to increase women’s participation was to introduce a model of quotas at the Municipal Elections held in April 2000. The model featured 30 per cent of female candidates

\(^{137}\) Kvinna till Kvinna, 2000, p. 43.

among the first fifteen names on the candidate list, a percentage that was achieved in the end by all political parties. Unfortunately the well-intended idea of quotas was undermined by the use of an open list system, implying that the voter has to mark one candidate of his or her preference who will move up the candidates’ list. Consequently only 8.26 per cent of those actually elected to the Municipal Assemblies were women.\footnote{Kvinna till Kvinna, 2001, p. 17.}

**Kosovo and Rwanda: Women’s Participation in Drafting Legislation and the Constitution**

Women have participated in drafting new constitutions on various occasions, often emphasizing different topics than men. For instance, women tended to pay more attention to environmental issues than men. Due to the participation of women, extra articles explicitly referring to gender have been incorporated into constitutions. For example, in addition to the general article that ‘discrimination on base of religion, conviction, political preference, race or sex is not permitted’, women managed to add another article in several cases, which explicitly states that ‘women and men should be treated equally’, thus strengthening women’s position in society. More specifically, UNIFEM is currently supporting the Forum for Rwandan Women Parliamentarians to introduce a gender perspective and gender equality in the Rwandan constitution, which can be regarded as a first step in a long process of effective ‘empowerment’ of the country’s women and ensuring their rights.\footnote{UNIFEM, 2001, p. 2.} In Kosovo, the Municipal Law was recently rewritten in order to organize the Municipal Elections as mentioned above. After a long preparatory phase, the Municipal Law included only a marginal reference to (potential) gender discrimination, namely that ‘the Municipal Law shall endeavour to ensure equitable gender balance on all committees’. It would probably have been more gender-sensitive to state explicitly that ‘each Municipal Assembly should strive for an equal gender balance (50 per cent men and 50 per cent women), but a minimum of one representative of each gender must be on each committee, working group or in any other entity created by the Municipal Assembly’. This would have given more guarantees for women participating in local politics.\footnote{Kvinna till Kvinna, 2001, p. 18.}
Annexe B  Sixteen Individual Organizational Analyses
1. Introduction, Background and Selected Bibliography of/to the Studies on the United Nations Security Council (SC), the Department for Peacekeeping Operations (DPKO) and the United Nations Development Programme (UNDP)142

Introduction

In war-torn societies, women keep society going. They maintain the social fabric. They replace dislocated social services and tend to the sick and wounded. As a result, women are often the prime advocates for peace. We must ensure that women are enabled to play a full part in peace negotiations, in peace processes, in peace missions [Kofi Annan, UN Secretary-General]

Armed internal wars and post-conflict situations with their associated complex results are a significant and regrettable growing phenomena in developing and transitional countries. Since the 1990s internal conflicts have claimed over five million lives and have violated people more than borders. In the wake of such conflicts, a new understanding of the concept of security is evolving, expanding from the defence of state security to include the protection of communities and individuals from internal violence and its results, such as the proliferation of light weapons and small arms, ethnic and religious violence, political insecurity, disarmament issues, HIV/Aids and peacekeeping. The need for a more human-centred approach to security is reinforced by risks of resource depletion, severe forms of environmental degradation and the potential increase in social and political tensions in potentially dangerous and unpredictable ways. The international community, including the United Nations system, need to do more to promote human rights, protect minority rights and institute political and governance arrangements in which all groups are represented, especially children, the elderly and women.

Women’s vulnerabilities and exposure to violence and sexual exploitation in armed internal conflicts have been well documented by the United Nations, non-governmental organizations and other groups. For example, women are particularly impacted by the proliferation of small arms. According to the UN Secretary-General, the issue of small arms is both a security and a developmental issue that impacts upon women in a number of ways. In the Casamance region of Senegal, for example, women are used by the fighting forces to lay landmines without really understanding the detrimental effects on their livelihoods and those of others. In Nigeria, women’s security is affected by the use of small arms in sexual violence against them by both the security forces and criminal elements. In Ghana women are murdered at an alarming rate with small arms used by the security forces, criminal elements and their own husbands.143

Women are often the first to experience the immediate consequences of war and armed conflict, yet at the same time it is women and women’s organizations that often hold society together, rebuilding the social fabric and caring for the post-conflict community. As women are often the

142 Authors: T. Bouta and G. Frerks based on the original text by Mrs A. Adrian-Paul.
143 Personal testimony from women attending a workshop on Gender and Small Arms, 29 April to 2 May 2002, Dakar, Senegal.
first to experience the immediate consequences of war, they are often the first to work for peace and reconciliation. Women’s experiences of conflict and war, and their needs and concerns differ from those of men and should therefore be taken into account in processes leading to peace although to a large extent this is often not the case. Women’s positive contributions to peacebuilding and sustainable development have recently been highlighted at the global level, but they are still largely marginalized from decision-making levels in peace processes and negotiations to agree peace accords. For example, the Dayton Peace Accords, adopted by the presidents of Bosnia-Herzegovina, Serbia and Croatia in December 1995, did not adequately consider women’s special interests and needs and placed little emphasis on women’s NGOs and their potential contribution to peacebuilding and structural stability. This resulted in a lack of gender awareness in the implementation process. Similarly the Rambouillet Agreement that preceded the United Nations Mission in Kosovo (UNMIK) was participated in by fifteen men from the Kosovar-Albanian delegation and fifteen from the Federal Republic of Yugoslavia (FRY). One woman was present. While this Agreement was never signed, it undoubtedly influenced the thinking that established UNMIK, and the virtual absence of women in Rambouillet’s peace negotiations perpetuated and institutionalized the marginalization of women in the political process after the conflict.

With the focus firmly on men, women’s needs and concerns are also often ignored in the post-conflict stage. In its work on skills training and employment for conflict-affected population, the International Labour Organization notes that ‘gender-based assumptions also need to be challenged in the context of demobilization programmes that primarily target men to the exclusion of female ex-combatants and families of demobilized soldiers’. Efforts are made to channel male aggression into productive activities while the particular issues and needs of female veterans are left out of the demobilization programmes and packages. Additionally, very little, if any, attention is paid to the fact that many of these same soldiers may have been responsible for the sexual violation and systematic rape of women, both female soldiers and women from the community. In order to address adequately women’s advancement and empowerment as well as their inclusion at all levels of decision-making processes in all spheres of life, the United Nations, through the General Assembly, has over the years promulgated a number of resolutions, conventions and declarations, a number of which are addressed below.

**The Progression of Women, and Peace and Security Issues within UN Documents**

An examination and analysis of the references to women and peace issues in United Nations documents provides for a broader understanding of the progression and visibility of women and the need for the integration of gender. With the signing of the United Nations Charter, the peoples of the United Nations reaffirmed faith in the equal rights of men and women and of nations. With the exception of Lady Eleanor Roosevelt, who championed the formation of the human rights platform at the United Nations, women did not play a significant role in the

144 Kvinna till Kvinna, 2000.
146 The United Nations Charter was signed on 26 June 1945.
formation of the Charter. General Assembly Resolution 217 A created the Universal Declaration of Human Rights (UDHR), which reiterated faith in the equal rights of men and women. Article 3 of the UDHR specifically states that ‘everyone has the right to life, liberty and security of person’. However, it was almost twenty years later, in December 1966, that women’s special needs and concerns were recognized in a resolution calling for assistance to women and for their protection. Women were viewed primarily as victims in armed conflict. In 1975 women became more visible after the Declaration of Mexico on the Equality of Women and their Contribution to Development and Peace. It addressed women’s role in issues of conflict, peace and security in greater detail and highlighted the urgency of improving women’s status and providing them with the same opportunities as men to participate actively in the attainment and maintenance of world peace. Recognizing that women play multiple roles as peacemakers in the family, community and elsewhere and must be given the opportunity to participate equally in decision-making processes, the Declaration called for greater representation of women in international fora that discuss peace and security issues. This includes the Security Council, the principal organ of the United Nations for such issues.

Additionally, successive UN conferences on women engaged a growing number of women and men as active partners in the global agenda for gender equality. Besides stimulating research, advocacy and policy efforts in promoting women’s advancement, these conferences helped to increase awareness of the gender dimensions of equality, development and peace. The demand for women’s advancement was furthered in December 1975 with the General Assembly calling for Women’s Participation in the Strengthening of International Peace and Security. With this Resolution, the role of women was expanded from that of mere victims to that of potentially active participants in peace processes. By December 1979, UN member states, cognisant that women’s participation in such important issues as peace and security may be hampered due to discrimination, agreed the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), which states that ‘the peace and welfare of the world require maximum participation of women on equal terms with men in all fields’. The decade between 1980 and 1990 was one of additional world conferences such as the Copenhagen Conference, which resonated with louder calls for women’s participation in achieving détente and disarmament, the promotion of freedom and the strengthening of international security. Taking cognisance of the recommendations arising from the conference, member states voted for a resolution agreeing to promote equal representation of women in state functions, in the diplomatic service, in national, regional and international meetings and to increase the employment of women in the United

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147 The UDHR was signed on 10 December 1948.
148 In fact, the Inter-Agency Standing Committee on Humanitarian Assistance has produced a Gender and Humanitarian Assistance Resource Kit focusing on mainstreaming gender in humanitarian responses to emergencies.
149 The Declaration resulted from the first UN world conference on Women.
151 General Assembly Resolution 3519.
152 CEDAW was established by General Assembly Resolution 34/180 on 18 December 1979.
Nations Secretariat and specialized agencies.\textsuperscript{153} Despite these and subsequent resolutions and other instruments promulgated by the United Nations for their empowerment and advancement in decision-making positions relating to peace and security within the organization, women are still underrepresented within the system.

\textit{The United Nations and Gender Mainstreaming}

In keeping with the philosophy of sustainable human development, the current reform agenda for the UN attempts to integrate the regional purposes of the Charter - i.e. promoting peace, development, human rights and international law - into a holistic approach to analysing and making operational all UN efforts at realizing these four fundamental aims. In most cases post-conflict peacebuilding involves a complex combination of security needs: from basic security that may be promoted by both peacekeeping and peacebuilding, through relief and rehabilitation (humanitarian aid), to reconstruction and socioeconomic advancement (development assistance) and the rebuilding of credible and functioning public institutions (elections), governance and public administration assistance. In order to ensure that the concerns of both men and women are taken into account in its system and programmes, the UN initiated a strategy of ‘gender mainstreaming’.

The global commitment to the incorporation of gender perspectives in addressing peace and security issues was established with the endorsement of gender mainstreaming as a global strategy for the promotion of gender equality in the Platform for Action (Beijing, 1995) which states ‘equality between men and women is a matter of human rights and a condition for social justice and is also a necessary and fundamental prerequisite for equality, development and peace. A transformed partnership based on equality between men and women is a condition for people-centred sustainable development’.\textsuperscript{154} The Platform for Action also urged that ‘governments and other actors should promote an active and visible policy of gender mainstreaming and gender perspective in all policies and programmes so that before decisions are taken an analysis is made of the effects on women and men respectively.’ This was later strengthened by the conclusions agreed by the UN’s Economic and Social Council (ECOSOC) of 1997/2, which established some important overall principles for gender mainstreaming and which define gender mainstreaming as ‘The process of assessing the implications for women and men of any planned action, including legislations, policies or programmes in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality’. These initiatives were reinforced in a letter of 13 October 1997 from the United Nations Secretary-General (UNSG) sent to all heads of UN agencies, funds and programmes in which he provides concrete directives for implementation.

\textsuperscript{153} General Assembly Resolution 37/63 on the Participation of Women in Promoting International Peace and Cooperation, adopted on 3 December 1982.

\textsuperscript{154} ‘Mission Statement’ of the Beijing Platform for Action that resulted from the Fourth World Conference on Women, held in Beijing in 1995.
These initiatives were further enhanced by the General Assembly’s Twenty-Third Special Session in June 2000 to follow up the implementation of the Beijing Platform for Action. More recently the ECOSOC adopted a Resolution on Gender Mainstreaming. This Resolution calls on the ECOSOC to ensure that gender perspectives are taken into account in all of its work, including the work of the functioning Commissions with a recommendation that the conclusions agreed by ECOSOC of 1997/2 and their implementation be reviewed within five years. Furthermore, clear intergovernmental mandates for gender mainstreaming have been developed for the work of the UN, including in disarmament, poverty reduction, macroeconomics, health, education and trade. Specific mandates also exist for ensuring that gender perspectives are taken into account in the major planning processes and documents within the UN entities, its medium-term plans, programme budgets and programme assessments.\(^{155}\) Agreed conclusions of the Commission on the Status of Women (CSW) of 1998 called on governments and international organizations to protect women in armed conflict and support their participation in all aspects of peace and security, including conflict prevention and post-conflict resolution and reconstruction. An essential aspect of conflict prevention is the strengthening of the rule of law, and within that, the protection of women’s human rights achieved through a focus on gender equality in constitutional, legislative, judicial and electoral reform.

Over the past decade, the understanding of and commitment to gender mainstreaming has increased significantly within the United Nations. Across the system, policies on gender equality and strategies for implementing gender mainstreaming have been developed, research on gender-disaggregated data has increased, and knowledge of the gender perspectives in different areas of the UN’s work has been documented. At the same time institutional measures have been adopted to increase awareness, knowledge and the capacity of professional staff for implementing gender mainstreaming and the integration of gender concerns into the UN’s programme of work, including in various training programmes and gender focal point systems. Most recently, member states have initiated the Gender Mainstreaming Group under the aegis of the United Kingdom to ensure that gender is mainstreamed in the work of the organizations.\(^{156}\) To what extent is gender and gender mainstreaming a priority for the Security Council and what is its capacity for addressing women, conflict, and peace and security issues? Are there specific funds available to the UN Security Council (SC) for this purpose?

**Methodology**

Study of the SC, DPKO and UNDP is informed by secondary research involving a review of some of the relevant literature produced by the respective entities as well as by material published by the United Nations as a whole. Material reviewed includes resolutions, policy documents and unpublished texts. Interviews were conducted with key individuals from within the UN system, including senior and middle-level managers from the Department of Political Affairs (DPA), DPKO, the United Nations Fund for Women (UNIFEM), UNDP, the Office of the Coordinator

\(^{155}\) UN General Assembly Resolution, December 1997, A/Res/52/IGO.

\(^{156}\) Personal communication with staff at the United Kingdom Permanent Mission to the United Nations, New York.
for Humanitarian Affairs (OCHA), the Security Council Division (SC-D), the Division for the Advancement of Women (DAW) as well as the Office of the Special Adviser to the Secretary-General on Gender Issues (OSAGI). Additionally, interviews were conducted with key member states to the Security Council: Ireland, the United Kingdom, the United States, Mexico and China. Other representative states interviewed include Guyana, Norway, Finland, and Canada. The draft paper was then circulated to the interviewees for their comments, which were incorporated into the current document.

**Selected Bibliography**


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2. United Nations Security Council (SC)\textsuperscript{157}

\textit{Introduction}\textsuperscript{158}

The Security Council is neither a department, agency, fund nor programme, but is in fact the decision-making body of the United Nations. Comprised of governments that rotate on a regular basis and five permanent members, the Council does not control its own budget but has access to funds from the UN’s core budget. Its mandate to deal with peace and security issues comes from Chapter VI, articles 33-38, of the UN Charter and provides the basis for the Council’s work. These articles stress the necessity of seeking a solution to the continuance of a dispute or situation likely to endanger the maintenance of international peace and security. The Council has three main mechanisms for communicating decisions on relevant themes: a Press Release; a Presidential Statement; and a Resolution, which is the most binding of all the mechanisms. In recent years, the Council has been expanding its mandate on peace and security through thematic debates on issues such as the protection of civilians – a clear link to women and peace issues and one that some member states believe should be its overarching concern rather than a separate concern for women, peace and security issues that resulted from Resolution 1325. Other issues that have formed the subject of thematic debates are children and armed conflict, HIV/Aids and its impact, the trade in ‘blood diamonds’ and the demobilization and reintegration of former combatants. The Security Council could be said to have been engaged in creating a library of best practices to inform the conflict, peace and security policy of the United Nations.

It must be noted that while the Council has good intentions, the test of commitment is in the allocation of resources and the practical implementation of policy into practice. There is thus much more that could be done to promote gender mainstreaming effectively and address women’s concerns in conflict and post-conflict situations. In order for the Security Council Resolutions to move from rhetoric to reality, from policy to practice and be of benefit to women in armed conflict and post-conflict situations, member states must act. Member states have a responsibility to encourage the Council and ensure that it develops policies that are both in keeping with its mandate, that achieve synergy with the General Assembly and that are coherent with the policies of member states. They also have an obligation to provide the resources to ensure implementation.

\textit{The SC and Women in Armed Conflict}

Under Article 24 of the UN Charter, the Security Council has primary responsibility for the maintenance of international peace and security dealing mostly with potential conflict in countries that are not Council members. Chapter VI, Articles 33-38 of the Charter provide the basis for the Council’s work: stressing the necessity to seek a solution to the continuance of a dispute or situation likely to endanger the maintenance of international peace and security. It is organized to function continuously with a representative of each of its members present at all times at the UN

\textsuperscript{157}Author: Mrs A. Adrian-Paul, International Alert, London.

\textsuperscript{158}For the background and selected bibliography of this study, see Annexe 1.
Secretariat. Article 23 of the Charter allows the Council to elect five permanent members and ten members elected by the General Assembly for two-year terms. As defined by the Charter, each Council member has one vote and all members of the UN agree to accept and discharge the decisions of the Council. Other organs, such as the General Assembly (GA), may make recommendations to governments but the Security Council takes decisions that obligate the compliance of all member states. The Council has a presidency that rotates on a monthly basis according to the English alphabetical listing of its member states. Specifically, the Council’s mandate is to maintain international peace and security in accordance with the principles and purposes of the UN, investigate disputes or situations that might lead to international friction and recommend methods of adjusting such disputes or the terms of settlement. At the same time the Council formulates plans and systems to regulate armaments, applies sanctions and recommends the admission of new members to its membership. Additionally, the Council exercises the trusteeship functions of the UN in ‘strategic areas’. Together with the GA, the SC recommends and appoints the Secretary-General and elects the judges of the International Court of Justice.

Today, the two bedrocks of the Council - i.e. peace and security - are undergoing radical change of perception. Peace is now much more than the absence of war. It now increasingly means the absence of threats and discrimination, a freedom from fear and want. Peace has now acquired a human and community dimension that is much larger than the state-centred notion of the UN’s Charter. Similarly, the concept of security is evolving. Today it means inclusion, cohesion and integration - a sense of belonging to a society and a prevailing order within and among nations predicated on fairness and respect for differences and human dignity. The only legitimate (and lasting) security is security rooted in the well-being of people.

The Security Council convened its first ever debate on Women, Peace and Security with an ‘Arria Formula’ or meeting that allowed women to gather in its chambers. Female activists and experts from Somalia, Sierra Leone, Guatemala and the OAU (AU) Committee on Peace and Development engaged Council members on the challenge confronting women in crisis situations as well as those they face in their peacebuilding agency and the struggle for participation at all levels of peace processes. Despite its explicit mandate to deal with peace and security issues and the Presidential Statement of 2000 many Security Council members had never had the opportunity to hold direct dialogue with women in such situations and were overwhelmed by the women’s testimonies. As a result, in the subsequent resolution - its first ever on Women, Peace and Security issues - the Security Council invited the Secretary-General to carry out a study on the impact of armed conflict on women and girls, the role of women in peacebuilding and the gender dimensions of peace processes and conflict resolution. The study on the UN system and

159 These are China, France, the Russian Federation, the United Kingdom and the United States.
162 The Organization for African Unity has recently been renamed the African Union.
163 Under Bangladesh’s Presidency in 2000, the Security Council produced its first ever Presidential Statement on Women, Peace and Security where women’s important role in conflict prevention and other issues was explicitly stated.
how it deals with these issues is expected to make recommendations about the impact on women during conflict, the gender dimensions of peace processes and women’s role in post-conflict peacebuilding. This study, which will be the basis of the Secretary-General’s report to the Council on these issues, will be complemented by two additional studies from UNIFEM and the Department of Peacekeeping Operations. The UNIFEM operational study in particular, with its focus on women, conflict and peace issues in more than ten countries, will go beyond the mandate of the Security Council to provide guidance directed not only to Council members but also to the international humanitarian, human rights and development communities. The study will contain recommendations on the existing institutional arrangements for women’s protection, the sexual exploitation of women and trafficking in a peacekeeping environment as well as on the interface between HIV/AIDS, gender and conflict. These three studies will form a significant body of knowledge on women, conflict and peace, which will enhance the ability of Security Council members to understand and engage in the issue.

Policy, Activities and Instruments
On 31 October 2000, the Security Council unanimously adopted Resolution 1325 on Women, Peace and Security thus extending its mandate and making women’s perspectives on conflict and peace at last visible in the Council. Resolution 1325 is the first such policy tool on women, peace and security developed by the Council. It provides a comprehensive political framework within which women’s protection and their role in peace processes can be addressed. The Resolution, which is binding on member states, calls for the participation of women at the highest levels of decision-making and at all levels of peace processes, the incorporation of gender perspectives and training in peacekeeping for all those serving on peace missions, promotes the protection of women, and advocates for no immunity for those committing crimes of a gendered nature. The Resolution also calls for gender mainstreaming in United Nations reporting systems and programmatic implementation mechanisms.

This important policy tool came at a politically acute moment, resulting in a momentum among Council members and other UN member states and leading to a number of supportive initiatives. A group known as Friends of 1325, comprised of representatives of member states, has been set up at the initiative of the government of Canada in order to broaden support for the Resolution among UN governments. This constituency has been created in order to support the aims of the Council and to ensure that it translates the policy into practice, and turns rhetoric into reality with a concrete impact on the lives of women and men in conflict and post-conflict situations. The Security Council itself has taken some steps through its members to ensure that the Resolution is mainstreamed, by ensuring that all subsequent documents on the issue refer to it as well as advocating for more gender balance in fact-finding missions visiting conflict and post-conflict regions. The most recent example of this is the mission currently in the Great Lakes and the Democratic Republic of Congo, where it is visiting countries that have signed up to the Lusaka Accords. The Resolution is clearly an important tool, which the United Nations and its organs must themselves be seen to be implementing. Non-governmental organizations and women’s groups are already questioning how the system is turning the policy into effective practice. In consultations with women’s groups from East Africa and the Horn and in North and South
Caucasus and Russia, to elicit their perspectives on the relevance and utility of the Resolution for their specific contexts, women’s groups have stated that ‘the Security Council is a club of men’ and have requested evidence of how the UN system intends to implement 1325. Additionally, some member states currently on the Council are concerned at the lack of women at senior level as representatives of governments and expressed concern at how much of a male bastion the SC still appears.\footnote{164}{Personal communication with representatives of member states sitting on the Security Council.}

**Budget**

The Security Council does not have a budget of its own. Instead its funding comes from the general budget of the UN organization. Funding follows a biennial cycle and is debated and approved by the GA\footnote{165}{The Fifth Committee on Financial and Budgetary Matters considers the core finances of the organisation.} during its regular sessions. For example, the budget for 2000-2001 was considered during the fifty-fourth session while that for the biennial 2002-2003 is currently being considered in the fifty-sixth session. Once the budget is approved by the GA, it is then apportioned among member states in accordance with a formula for assessments. The GA has approved US$ 2.63 billion for the biennial 2002-2003 budget that was prepared in accordance with the UN’s priorities, i.e. the maintenance of international peace and security, promotion of sustained economic growth and sustainable development, development of Africa, the promotion of human rights, coordination of humanitarian assistance, promotion of justice and international law, disarmament, drug control activities, crime prevention and combating international terrorism. Unfortunately, there is no indication of what percentage of the budget, if any, is allocated specifically for women and gender concerns.\footnote{166}{See www.un.org/News/Press/docs/2001/gaab3492.doc.}

**Observations regarding the SC’s Performance on Gender and Women in Armed Conflict**

It can be observed that many challenges constrain the Council’s attempts to mainstream gender and to deal effectively with women, conflict, and peace and security issues, including the following:

- **Composition of the Council and its Dependence on Member States:** The SC is comprised of member states and this affects both its gender balance and the prioritization and treatment of gender issues within the organ. Of the fifteen member states, some permanent and others on fixed terms that currently comprise the Security Council, there are no female permanent representatives although there are two deputy permanent representatives from Mexico and Singapore. Member states argue that women are included in their delegations assigned to permanent missions but often this is not at the highest levels of permanent or deputy permanent representatives. Moreover, given the increased political will and women’s ongoing struggle and demand for inclusion at the highest levels of decision-making, this lack of high-level female representatives on the Council is a concern both among individuals and non-governmental organizations and one that needs to be addressed urgently at the level of policymakers in the country capitals of member states. Yet none of the recommendations arising out of the General Assembly’s Resolution UNGA 47/62 in 1992 requesting the Secretary-General
to invite United Nations member states to submit comments on a possible review of Security Council membership focused on making the Security Council more aware of the gender dimensions of conflict or of even involving women in the work of the Council.

- **Relationship with the General Assembly**: Tensions exist between the Council and the General Assembly. At the forty-seventh United Nations General Assembly in 1992, Resolution UNGA 47/62 was adopted, requesting the Secretary-General to invite United Nations member states to submit comments on a possible review of Security Council membership. More than one hundred states provided their views on closer cooperation between the Security Council and the General Assembly and included, *inter alia*, attention to increased transparency of the work of the SC. Subsequently, in his *Millennium Report* and in his *Report on Conflict Prevention*, the Secretary-General has both highlighted the need for reform of the Security Council and the need for a closer and more interactive relationship between the Council and the GA.

- **Transparency in Working Methods**: The SC faces the challenge of making its working practices more transparent in order to ensure broad-based support for its activities. It should consider how it can give greater priority to a coherent and integrated approach to conflict prevention, crisis management, conflict resolution and peacebuilding activities.

- **Funding**: Despite the apparent high priority placed on gender mainstreaming and women, and peace and security issues, there is no funding available to further the work. For example, the crucial study on the Impact of Armed Conflict on Women and Girls, requested by the Council in Resolution 1325, has received very little funding from the normal UN budget. Instead, the Office of the Special Adviser to the Secretary-General on Gender Issues received voluntary contributions from donors, including the United Kingdom.

**Suggestions and Measures to the SC and the Dutch government**

- **Policy-Making for Gender Mainstreaming**: The SC mandates peacekeeping missions. A gender perspective and women’s concerns should be incorporated throughout such missions and at all levels. Women should be included in reconnaissance mission teams, particularly in high-level positions.

- **Translate Policy into Practice**: Afghanistan and the Democratic Republic of Congo (DRC), the Middle East, Burundi and others provide windows of opportunity for the Security Council to translate policy into practice and effectively implement Resolution 1325 in the new institutional elements being established. For example, the creation of the Integrated Mission Task Force (IMTF) in Afghanistan offers scope for the inclusion of gender experts and high-level gender advisers as well as enhanced inter-agency coordination to mainstream gender and address women’s peace and security. The recommendations arising out of the study requested by the Secretary-General, as well as those by UNIFEM and DPKO, should illustrate UN responses to crisis situations, highlighting basic principles that should guide the transition process from war to peace through recovery and reconstruction and that would assist the Council in developing further policy on gender mainstreaming and women’s peace and security needs. In the DRC, where a high-level Gender Adviser has been appointed, it should be mandatory that all current and future SC missions engage in dialogue and consult with the incumbent Adviser.
Monitoring Mechanisms, Benchmarks and Success Indicators: The UN must be commended on the wealth of policies that it has implemented to advance the status of women and promote their empowerment. In this respect, Resolution 1325 is a powerful tool for the implementation of gender mainstreaming in conflict policy and the degree of coherence it has generated within the UN system. However, the good intentions are not enough and are somewhat reduced by glaring absences. For example, there are no monitoring mechanisms, success indicators or benchmarks to evaluate the success of the UN system in gender mainstreaming the issues with which the tool deals. This gap has been highlighted in the consultation meetings with groups in East and Central Africa, South and North Caucasus and Russia, as well as in Nepal, and women’s groups have questioned how the UN system, including the Council, proposes to implement the tool. Women’s groups have also requested information on mechanisms that exist to hold states accountable for non-compliance with the Resolution and have requested information on mechanisms existing to promote the peace and security of women living in non-recognized entities such as Abkhazia in South Caucasus and the New/South Sudan in the Sudan. Nor does it adequately cover issues such as protecting the human rights of internally displaced women and girls or early warning. The Security Council should consider the development of an ongoing monitoring process with precise timeframes to assess progress of the implementation of Resolution 1325, including implementation by member states of which it is comprised at any given moment.

Initiate Gender-Balanced and Aware Missions that Consult with Women’s Groups: The SC engages in fact-finding missions, which vary in their purpose and objective but which can have preventive effects. These missions have increased in frequency since the end of the Cold War and can provide an effective account of the interests of women’s needs through consultation with them. For example, the mission currently visiting the Great Lakes region comprises representatives of all Security Council members but is not gender balanced. Also, despite the Council’s emphasis in its debates and in Resolution 1325, this has not translated into the mission, as the recently appointed Gender Adviser to the MONUC mission was left off the list for consultation until this was pointed out to members. Additionally, despite the Resolution’s emphasis on consultation with women and women’s organizations, and despite having received packs with detailed information on women’s groups that they should meet in the countries that they are visiting, this has not taken place. Women’s groups have been sending emails detailing the efforts that they have made to meet with and brief mission members and expressing their frustration at not being able to do so. In order to maintain credibility and to be seen to be actively engaging both in gender mainstreaming and with women, conflict and peace issues, the Security Council should design mechanisms that will allow representatives to have enough time during their missions to make full use of the resources of non-governmental organizations and women’s groups that are willing to meet with them during such missions.

Preventative Peacekeeping Operations: As part of its specific mandate, the Security Council is authorized to implement peacekeeping operations as preventative action to avert the

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167 For example, between 1999 and 2001, there were missions to Eritrea and Ethiopia, the Democratic Republic of Congo, Sierra Leone, East Timor, Indonesia and Kosovo.
outbreak of recurrence of conflict. This role has been particularly effective where operations have been deployed before the beginning of armed internal or international conflict. Notable examples of this are UNPREDEP\textsuperscript{168}, MINURCA\textsuperscript{169} and through successive missions in Haiti. In a recent Presidential Statement, the Council emphasized the value of including elements of peacebuilding in the mandates of peacekeeping operations. However, the Security Council should ensure that these operations incorporate a gender perspective at every level and that the concerns of women that were highlighted in previous mission reports have been incorporated and addressed.

- \textit{Ensure that Gender is Integrated in the Secretary-General’s Reports to the Security Council}: The Security Council should devise a mechanism or checklist to assess the systematic inclusion of gender and gender mainstreaming in reports from the Secretary-General and other UN bodies reporting to the Council. It is currently not clear whether these are being adequately addressed.

\textit{Additional Recommendations for the Dutch Government}

- \textit{Support to Afghanistan, the Democratic Republic of Congo, the Middle East, Burundi and other Countries}: The Dutch government could consider providing support to the United Nations Mission in Afghanistan (UNAMA) if and when it is mandated by the Security Council. The same should be done in the Democratic Republic of Congo, the Middle East and Burundi. This support should preferably focus on three specific areas, including: 1) ensure that a high-level gender adviser is attached to the mission in Afghanistan; 2) provide adequate and sustained resources to the Minister for Women’s Affairs so that gender focal points can be appointed to all Ministries, Commissions and relevant structures, thus creating nodes of support for gender policies within the government institutions; and 3) scrutinize the mission mandate to ensure that it explicitly includes language that promotes the needs and concerns of local women. Additionally, the Netherlands should encourage the Security Council missions to meet with local women’s organizations in order better to understand their perspectives and the conditions ensuing on the ground.

- \textit{Develop a Checklist of Techniques and Actions that will Ensure Gender Mainstreaming}: The government may consider commissioning a review of already existing materials within the UN and elsewhere that could assist in the development of a checklist that its own staff within the country capital, as well as those seconded to UN agencies, programmes, funds and departments, may use to ensure true gender mainstreaming.

- \textit{Support reform within the Security Council}: In order for the Security Council to address effectively issues affecting women’s peace and security, it must deal with the evolution of the concepts of peace and security. This necessitates an examination of the Council’s appropriateness and the effectiveness of its available instruments and traditional diplomatic courses of action. The Netherlands should work with like-minded governments to encourage a review of the composition of the Security Council and its traditional and available instruments.

\textsuperscript{168} United Nations Preventive Deployment Force.
\textsuperscript{169} United Nations Mission in the Central African Republic.
• **Promote ‘Smart’ Sanctions:** The Dutch government could work with the Swedish government in ensuring that sanctions against regimes do not adversely affect women. For example, during the Burundi conflict, when sanctions were initiated against the government it was the children and women who suffered most. One way of ensuring that the gender perspective is included when sanctions are initiated may be to ensure a gender balance in each Sanctions Committee. There should also be a regular evaluation by the Council of the potential and actual effects on various sections of the population. This will involve the development of rigorous criteria for monitoring effects, particularly on women. The Netherlands may be able to support such an initiative.

• **Promote and Provide Support for a Special Representative on Women, Peace and Security:** It is highly recommended that the Dutch government promotes the appointment of a Special Representative of the Secretary-General for Women, Peace and Security Issues. The functions of this post could be designed along the lines of that of the Special Representative for Children and Armed Conflict. Moreover the holder of the post should have access to all peace operations and the mandate should be advocacy-based.
3. **Department for Peacekeeping Operations (DPKO)**

**Introduction**

The participation of women in any peace process is essential to maintain connection to the realities of the relevant societies and their yearning for peace and security. Women have proven themselves to be more dedicated to the process of reaching out - which is essential for peacemaking [Maha Abu-Dayyeh Shamas, Security Council Arria Formula, 7 May 2002]

Peacekeeping today has evolved and expanded from the peacekeeping of the first 40 years of the United Nations’ existence. While it once emphasized monitoring and observing by military personnel, peacekeeping today can and does include many components, among them military, civilian police, civil affairs, election monitoring, refugee return, humanitarian relief, de-mining, nation-building and human rights. Each component has crucial consequences for men and women of the host country. It is therefore of crucial importance that the United Nations, as the designated world body responsible for keeping the peace, ensures that its organs are strong, informed, gender aware, gender balanced and understands the importance of integrating a gender perspective into all work programmes. In order to streamline the department and reposition it to deal effectively with the changing nature of conflicts and the expanding global context, in March 2000 the United Nations Secretary-General requested the Panel on United Nations Peace Operations, comprised of individuals experienced in various aspects of conflict prevention, peacekeeping and peacebuilding, and chaired by Mr Lakhdar Brahimi, to assess the shortcomings of the existing system and to make frank, specific and realistic recommendations for change. In August 2000 this Panel issued a comprehensive report containing candid criticisms of the UN peacekeeping efforts. The Panel’s Report identified serious challenges and lacunae in strategic direction, decision-making, rapid deployment, operational planning and support as well as a lack of effective use of modern technology. The Panel made a series of observations and recommendations on improvements to fact-finding missions, strengthening the permanent capacity of the UN for peacekeeping, leadership of missions and peacekeeping operations, among other issues relating to the conduct, functioning and staffing of the Department of Peacekeeping Operations.

Unfortunately, the *Brahimi Report* itself is largely gender blind and this may be a reflection of the gender imbalance of the Panel’s composition as well as the lack of gender balance in the DPKO itself. The word ‘gender’ occurs twice in the Report - once when referring to a list of potential Special Representatives and mission leaders to be compiled by the Secretary-General within a fair geographic and gender distribution and with input from Member States [para. 101a], and again when referring to UN personnel in the field being obliged to respect local cultures ‘with particular sensitivity towards gender and cultural differences’. No mention is made of the role of women in early warning, conflict prevention, peacemaking, peacebuilding or peacekeeping, and there is no

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170 Author: Mrs A. Adrian-Paul, International Alert, London.
171 For the background and selected bibliography of this study, see Annexe 1.
173 The Panel was composed of ten members, of whom only two were women.
mention of the impact of peacekeeping on women. Following the lack of a gender perspective being highlighted, the Panel members revised the language. Since then, Resolution 1327 has been adopted in response and the Secretary-General and the Department of Peacekeeping Operations have begun implementation of its 57 recommendations.

**DPKO and Women in Armed Conflict**

The DPKO is the operational arm of the United Nations Secretary-General for all UN peacekeeping operations. DPKO should not, however, be confused with the peacebuilding work engaged in by the Department of Political Affairs (DPA), which is responsible for United Nations’ special political missions in twelve countries. DPKO has responsibility for the conduct, management, direction, planning and preparation of such operations. As such it deals with troop-contributing countries that provide the component of peacekeeping missions. It also provides substantive and secretariat services to the Special Committee on Peacekeeping Operations. Based on decisions made by the UN Security Council (SC), DPKO formulates policies and procedures for the establishment of new peacekeeping operations and the effective functioning of ongoing operations. It develops operational plans and methodologies for multidimensional operations and undertakes contingency planning for possible new peacekeeping operations and related activities. Furthermore, DPKO provides substantive services to both the General Assembly (GA) and the SC on all peacekeeping operations, including the preparation of the Secretary-General’s reports to the SC and the GA on individual peacekeeping operations as and when required, on general peacekeeping issues and on mine action. In addition, DPKO provides logistic and administrative support for peacekeeping operations, as well as other field offices and missions as required. Within this mandate, there are concerns relating to women, peace and security issues and gender mainstreaming.

**Policy**

While DPKO recognizes the importance of integrating a gender perspective into all aspects of peacekeeping, and that ongoing attention needs to be given to the implementation of legislative mandates in this area, it currently lacks the capacity to do this. Yet there continue to be recommendations made by different UN and other bodies for the integration of gender into peacekeeping operations. For example, the Arria Formula meetings, organized during the preparations for Resolution 1325 and again during the first anniversary celebrations of the Resolution at which women briefed Security Council members, generated positive and constructive responses from Council members, who requested that a mechanism be set up to enable further informal and structured dialogue with non-governmental organizations and civil society to feed into peacekeeping activities. Additionally, the influential Brahimi Report in its revised state recommends both the establishment of a Gender Unit within DPKO and fairer gender distribution in peacekeeping positions. Additionally, the most recent Presidential Statement on Women, Peace and Security released by the Security Council in October 2001 welcomed the Secretary-General’s proposal to strengthen the Department of Peacekeeping Operations.

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Operations by appointing gender advisers at a senior level. However, with no dedicated appointment to discharge adequately the functions of gender mainstreaming and integration of gender into the work of the department and with insufficient financial and human resources to create a Gender Unit within DPKO, it is difficult to achieve all that needs to be addressed. However, DPKO has taken some actions to ensure gender mainstreaming both at headquarters and in its field missions.

Structure and Expertise

DPKO has fifteen current missions but very few of them have a dedicated gender capacity. In order to comply with the request for the integration of gender into all aspects of peacekeeping, Gender Affairs Offices or gender specialists staffed by Senior Gender Advisers or gender specialists have been appointed to the most recent missions. Thus there are Gender Affairs Offices in UNTAET and UNMIK while there is a Senior Gender Adviser currently in place in UNMIBH and a candidate has been identified and recruited for the post of Senior Gender Adviser in MONUC. There is no gender specialist working in UNAMSIL but there is a human rights capacity that also discharges the functions of gender although the mandates are different. With additional funding and the approval of the ACABQ and the Fifth Committee, DPKO could make faster and more effective progress.

Activities and Instruments

Ongoing Initiatives

Together with UNIFEM, UNICEF and the Office for the Coordination of Humanitarian Affairs (OCHA), DPKO has initiated gender training into the predeployment courses for peacekeepers and military observers assigned to the Democratic Republic of Congo (DRC). The Department is also collaborating with the Lessons Learned Division of DPKO in an effort to develop policy and operational guidelines to engender peacekeeping around the world. Similarly, together with the United Nations Institute for Training and Research (UNITAR) and the Office of the Special Adviser to the Secretary-General on Gender Issues (OSAGI), DPKO is currently developing a new training project on the ‘Training for Civilian Personnel in Peacekeeping Operations on the Special Needs of Women and Children in Conflict’. DPKO has benefited from the training materials produced by the Canadian Department of Foreign Affairs and International Trade (DFAIT) and the United Kingdom Department for International Development (DFID) on Gender and Peace Support Operations. DPKO has drawn upon and significantly adapted this material for use in training military personnel and civilian police participating in UN peacekeeping operations.

175 ‘Statement of the President of the Security Council (Norway) on the Observance of International Women’s Day, March 2002’.
176 UNTAET is the United Nations Transition Authority in East Timor; UNMIK is the United Nations Mission in Kosovo.
177 UNMIBH is the United Nations Mission in Bosnia-Herzegovina; MONUC is the United Nations Observer Mission in Congo.
178 UNAMSIL is the United Nations Assistance Mission in Sierra Leone.
179 ACABQ is the Advisory Committee on Administrative and Budgetary Questions.
and has tested the material at several levels in East Timor (UNTAET), Eritrea and Ethiopia (UNMEE), the DRC (MONUC) and Sierra Leone (UNAMSIL). In February 2001 five courses were offered for military peacekeepers, one for civilian police peacekeepers and one for the new national police force in East Timor.

In the field, DPKO has ensured that a female gynaecologist or doctor is available to all UN staff in peacekeeping missions and all UN hospitals are also expected to be staffed and equipped to care for female patients. DPKO has also ensured that all peacekeeping missions have post-exposure treatments kits available for HIV/AIDS in cases of rape and sexual abuse. The Department has also taken steps to review the gender balance and gender mainstreaming in Multi-Dimensional Peacekeeping missions. They have analysed missions previously operational in Namibia, Cambodia, Bosnia-Herzegovina and El Salvador. This exercise resulted in three products that form part of policy framework for DPKO’s work and that are geared towards strengthening and sustaining gender balance and gender mainstreaming in peace operations, especially in the field. Additionally, the Department proposes a programme of action to implement Resolution 1325, strengthen the work of the Department and mainstream gender in peacekeeping operations.

**Future Initiatives**

As part of the Inter-Agency Task force of 25 UN entities established to implement Resolution 1325, DPKO has renewed the Secretary-General’s request to the ACABQ where he proposed that a Senior Gender Adviser at the P5 level should be appointed in order to provide the Under Secretary-General (USG) and senior management with technical advice and expertise on gender issues. The incumbent will be expected to develop departmental policy on mainstreaming gender, direct and oversee the development of an operational tool, develop guidelines, access resources (support funds) and direct and oversee monitoring and evaluation of gender mainstreaming. Additionally, the creation of this capacity will also ensure that the Department has a strengthened and effective ongoing interaction with the Office of the Special Adviser on Gender Issues and the Advancement of Women, as well as with other relevant bodies of the UN system. Gender considerations, as appropriate, will also be incorporated into mission planning through the integration of gender experts into reconnaissance and or planning missions.

At the same time the BPU will develop Standard Operating Procedures (SOPs) for the implementation of principles and guidelines on mainstreaming gender into all aspects of peacekeeping, i.e. Phase II of DPKO’s current gender project. This project has already received funding totalling US$ 225,000 from Denmark, the Netherlands, Norway and Sweden. The Department will focus on the resource development of an electronic multi-resource package that will contain guidelines, briefing materials and mechanisms to mainstream gender in all aspects of

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182 The powerful Advisory Committee on Administrative and Budgetary Questions was established as an independent group of experts drawn from member states and advises the General Assembly’s Fifth Committee, which deals with the UN’s financial and budgetary matters.

183 The Best Practices Unit which, although not directly attached to the Under Secretary-General’s office, is overseen by DPKO.
peacekeeping operations, as well as tools to monitor and evaluate progress. It is expected to be completed by December 2002. Phase I of the project involved the production of a booklet on mainstreaming gender in multi-dimensional peace support operations, the Namibia Plan of Action and the Windhoek Declaration, and was developed in collaboration with OSAGI.

In response to the lack of a dedicated capacity for gender mainstreaming and back-stopping of peacekeeping missions in the field, DPKO is currently preparing a note verbale for all member states encouraging greater participation of women in peacekeeping and another requesting states to provide the names of suitably qualified candidates for senior appointments both within missions and at headquarters. It is expected that this initiative will encourage member states to submit the names of female candidates with the relevant experience.184

As part of its implementation of the Brahimi Report, DPKO is seeking to develop a global staffing strategy that will necessitate the creation of an appropriate database to allow for the easy identification of qualified female candidates at all levels and in all occupational groups. Similarly, in order to address the lack of women in high positions in the military division of the Department, DPKO will give preference to equally qualified candidates when making military appointments and in the selection of military observers and staff officers. In this way the Department will enhance its capacity to mainstream gender adequately and to entrench a gender perspective into its work and missions.

It is therefore heartening that DPKO has recently received approval for an additional post at headquarters for gender considerations in recruitment. DPKO expects this post to be at the senior P5 level and that it will assist in the recruitment of suitably qualified women at all levels for field operations. If this projection for the improved capacity is approved by the ACABQ around summer 2002, the Department will ensure that all future peacekeeping missions include a gender unit, but in the absence of such units, a focal point for gender issues will continue to be integrated into the human rights or other appropriate component.

Observations regarding DPKO’s Performance on Gender and Women in Armed Conflict

It can be observed that DPKO faces the following challenges in its performance towards women in conflict situations:

- **Funding for Gender Mainstreaming Work:** DPKO’s main challenge is probably to convince the ACABQ and the Fifth Committee of the critical necessity for adequate resources to back-stop operations in the field effectively and efficiently, provide timely and accurate briefings to Security Council and other missions going to the field and generally conduct the work of the Department. How can DPKO convince the ACABQ that providing funding for an enhanced gender capacity in the Department is not a duplication of the work of OSAGI? The scale of the problem is clearly highlighted in the following statement from the ACABQ in response to the Secretary-General’s request to establish a gender unit within the Under Secretary-General’s office in DPKO: ‘…although the Advisory Committee recognizes the importance of

184 Interview and written communication with the Head of DPKO’s Best Practices’ Unit.
[the] incorporation of this aspect in peacekeeping support, it questions the rationale for the need to establish yet another gender unit in the Secretariat.  

- A second challenge relates to the lack of available funding from the general budget of the United Nations and the subsequent reliance on voluntary contributions. An additional aspect of the problem is that some member states provide voluntary contributions to DPKO but the Special Committee on Peacekeeping Operations does not always sanction the use of such funds by the Department.

- **Strengthening Gender Capacity within the Department**: DPKO needs to strengthen its offices, bureaus and advisers. Specifically it needs to create a Gender Advisory Unit, which will be funded and staffed with senior and middle-level personnel to mainstream gender perspectives into peacekeeping operations systematically, and which will assist in the recruitment of qualified female candidates to positions at all levels, especially at decision-making levels. This Unit should exist alongside the Gender Focal Point with responsibility for coordinating activities within DPKO, providing advice on gender initiatives and gender mainstreaming as well as liaising with partner organizations and agencies, coordinating gender training within the Department and managing complaints regarding gender discrimination and harassment within the DPKO. In order for this to become a reality, DPKO will need to secure gender-specific funds and a gender budget line.

- Additionally, the creation of a Gender Advisory Panel was approved by senior DPKO personnel in 1998. This has not yet been implemented. This Panel should be created as soon as possible and should be comprised of men and women from all sections of DPKO. Its work could include the creation of policy guidelines for mainstreaming gender throughout DPKO, reviewing policy and action towards this end and devising a monitoring strategy to ensure compliance.

- **Provide Training to DPKO Staff**: DPKO should provide gender training to its own staff in order to enhance their understanding of gender mainstreaming and the importance of integrating a gender perspective in peacekeeping operations. The challenge for DPKO will be how to incorporate these perspectives into all policy analyses for conflict and post-conflict situations and design training programmes that will contribute to advancing gender mainstreaming.

- **Peacekeepers and Violations**: The Brahimi Report has resulted in significant changes to peacekeeping within the United Nations system and efforts are under way to implement its recommendations. However, the Panel fell far short of fully addressing the crucial issue of what happens when peacekeepers charged with bringing stability to a situation become perpetrators of war crimes or crimes against humanity. For example, the current scandal in West Africa on sexual violence against and exploitation of refugee children (both boys and girls) in the refugee camps of Liberia, Guinea and Sierra Leone highlights the need for tighter controls, greater transparency and accountability mechanisms. The Report points out that there has been documentation of a few female sex exploiters but focuses on the fact that the principal sex exploiters are men in the community with power and money, including: a) agency workers from local and international NGOs as well as UN agencies; and b) security staff.

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185 United Nations Secretary-General, 2000, para. 44.
and military forces including international and regional peacekeepers, national forces and
police. Specifically, UN peacekeepers in Sierra Leone have been targeted with allegations
being made against UNAMSIL peacekeepers from nine countries. This clearly strengthens the
recent calls from member states, the non-governmental community and concerned parties and
validates the recommendations made in the Brahimi Report for a strong code of conduct to
govern the activities of the work of all UN and related humanitarian and peace activities in the
field.

Suggestions and Measures to DPKO and the Dutch Government

- Investigate Complaints brought against Mission Staff and Peacekeepers in particular: The
  Trilateral Contribution Agreements between the United Nations, troop-contributing countries
  and the host states delegates responsibility for the good order and discipline of peacekeeping
  operations to the Head of the Mission, i.e. the Special Representative of the Secretary-General
  (SRSG). In the case of sexual violations and violence against women, whether local or of
  those staffing the mission, the SRSG could, as good practice, investigate incidents, collect
  information and direct them to the relevant authorities. The complaints should not be
  dismissed but should be rigorously followed up and appropriate measures taken once they are
  proven to be justified. DPKO and other members of the United Nations system should avoid
  situations such as that which ensued in Mozambique where allegations of sexual misconduct
  against women and girls were made against the Italian contingent of peacekeepers, but where,
  apart from the entire force being withdrawn, no further action has been known to be taken.
  With the ratification of the Rome Statute and the establishment of the International Criminal
  Court (ICC), the relationship between the UN and the Court will need to be defined to take
  into account the immunity (or not) of UN personnel, especially peacekeepers.

- Provide Cultural and Gender-Sensitive Training to Mission Staff: Ensure that all personnel
  staffing the mission - both military and civilian - undergo cultural and gender-sensitive
  training with a strong focus on women’s human rights before joining the mission. Additionally,
  the mission head - the SRSG - together with the Gender Adviser or Focal Point
  should ensure that they promote and initiate follow-up gender-sensitive training once staff
  arrive at headquarters. Additionally, DPKO, the Security Council and troop-contributing
  countries should agree that troop contributions to a mission be conditional on gender training
  and a demonstrated commitment to accountability for any gender-based crimes. With respect
to cultural sensitivity, it may be timely for the UN and regional bodies such as ECOWAS,
SADC and others to consider creating regional groupings of peacekeeping troops that might
have more cultural sensitivity within a given region. For example, peacekeepers from various
West African nations may be more culturally sensitive to conflicts in neighbouring countries
and Muslim peacekeepers more understanding of conflicts in countries with Muslim
populations. However, this could raise issues of collusion and impartiality in a given conflict
context.

- Support the Recently Established Ombudswoman’s Office: An Ombudswoman’s office with
  investigative powers is part of all peacekeeping operations, with the responsibility to
  investigate, monitor, report and recommend punitive action for UN peacekeepers found guilty
of gender violence and violations. The office should also have powers to recommend compensations for victims. Ambassodor Durrant, formerly of the Permanent Mission of Jamaica to the UN, has recently been confirmed to this position. Her mandate and office should have access to all peacekeeping operations as well as close links with the ICC, the Security Council, DPKO and other relevant UN bodies.

- **Training for Troop Contributing Countries**: Additionally, the recommendation made by the Brahimi Report to send a training and evaluation team to every potential troop-contributing country to provide pre-mission training should be rigorously implemented. This should then be followed up with an assessment of troop readiness, capacity and understanding of their mandate before deployment.

### Additional Recommendations for the Dutch government

- **Support the Revision of Institutional Laws in line with International Human Rights Standards**: The Dutch government should consider supporting revised laws to be incorporated into the new system following the establishment of a peace mission as well as a review of previously existing laws to ensure conformity with international human rights standards. For example, the United Nations Children’s Emergency Fund (UNICEF) was involved in ensuring that the regulations in East Timor confirmed to children’s rights under international humanitarian law. The same should be done for women’s rights. In this respect, UNIFEM has been engaged in best practices through its support of women in Rwanda who would like to gender-sensitize their Constitution. These kinds of initiatives could be supported in East Timor, Afghanistan, and if appropriate the Democratic Republic of Congo.

- **Encourage the Prosecution of Peacekeepers**: As a troop-contributing country, the Dutch government is well placed to ensure that peacekeepers who violate women’s rights do not enjoy immunity. In this respect, every support should be provided to the Rome Statute and the International Criminal Court to prosecute offenders of non-political crimes against women. This may need a concerted campaign to ensure that trilateral agreements do not provide immunity for peacekeepers. For example, Article 1, Point 2 of the Statutes of the Special Court of Sierra Leone initiated after the peacekeeping mission states that ‘any transgression by peacekeepers and related personnel present in Sierra Leone pursuant to the Status of the Mission Agreement in force between the United Nations and the Government of Sierra Leone or in Agreements between Sierra Leone and other governments or regional organizations, or in the absence of similar agreements, provided that the peacekeeping operations were undertaken with the consent of the government of Sierra Leone shall be within the primary jurisdiction of the sending state’. The statement clearly places all responsibility for proving violations on the mechanisms of the sending states, but as has already been demonstrated in the paper, this does not always result in redress. The government of the Netherlands could work with like-minded governments to encourage the Security Council, DPKO and the ICC to elaborate mechanisms by which this can be changed. It should be mandatory that all military and civilian personnel are trained in human rights issues and prepared to stand trial if they violate the norms.

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186 International Alert, 2002.
• **Provide Systematic and Sustained Resources to Civil Society Initiatives Concerned with the Violation of Local Women by Peacekeepers:** There is little or no systematic information available regarding the violations of local women and girls by peacekeepers. What little information is available does not adequately address the context, nature of the violations nor the steps taken to deal with complaints or to provide redress. Recently a group of non-governmental organizations has launched Peacekeeping Watch, an initiative that aims to collect data on such violations, their consequences and mechanisms for dealing with them. The Dutch government could consider funding such initiatives.

• **Support the Inclusion of a Gender Adviser/Expert on the ECPS:** The Executive Committee on Peace and Security (ECPS) convenes the relevant heads of departments within the UN system to examine potential cross-cutting issues. A gender expert attached to this high-level and influential Committee could significantly advance gender mainstreaming. The Dutch government could consider making this a priority of their bilateral meetings with DPKO and Security Council Members.

• **Promote a more Transparent and Clearer Relationship between Troop-Contributing Countries, DPKO and the Security Council:** Resolution 1353 (2001) adopted by the Security Council in June 2001 provides guidance to the Secretary-General on operational issues, formats, procedures and documentation of meetings with troop-contributing countries. These meetings could be used to clarify gender composition, training, mission readiness and understanding of gender mainstreaming by troops that have been identified as mission personnel. The Dutch government could develop a mechanism to ensure that this information forms part of such dialogue with the Secretary-General and DPKO.

• **Encourage Troop-Contributing Countries to Provide more Female Candidates:** Troop-contributing countries should try to provide more female civilian police officers and military observers to serve in UN peacekeeping missions. The Dutch government, which already supports gender-related projects and Secretariat requests for resources, could offer further support and ensure that there is a request for gender capacity in the mandate of all peacekeeping missions.
4. United Nations Development Programme (UNDP)\textsuperscript{187}

\textit{Introduction}\textsuperscript{188}

UNDP has a multitude of mandates including, \textit{inter alia}, development, post-conflict recovery, mine action and elements of disarmament. While UNDP has developed a large number of policies and existing mechanisms regarding gender, gender does not appear to be the priority that it should be. Whereas gender was formerly a core priority of the Programme, UNDP’s six practice areas are now democratic governance, poverty reduction, HIV/AIDS, ICT for development, crisis and post-conflict, and environment. Gender has instead become a cross-cutting issue. It is nevertheless still mentioned as one of the six priority goals within UNDP’s Strategic Results Framework (SRF) of 2000-2003. SRF’s Goal 4 on the empowerment of women and gender equality targets national capacity development for the promotion of gender equality (policy, advocacy and tools) and support to programme countries in the implementation of \textit{inter alia} the Beijing commitments. Gender, however, no longer has a budget allocation, thus making it more difficult to monitor the extent of political will and raising questions regarding commitment and implementation in practice.

UNDP’s mandate can in another way be defined as to ‘help countries in their efforts to achieve sustainable human development’ by assisting them to build their capacity, to design and carry out development programmes in poverty eradication, employment creation and sustainable livelihoods, the empowerment of women and the protection and regeneration of the environment, giving first priority to poverty eradication. This mandate has expanded in today’s globalized world and in accordance with the changed nature of conflicts.

The trends that define many new generational conflicts as complex development emergencies include the rise of internal conflicts, the regional spread of instability and destruction, the collapse of state capacity, high levels of civilian involvement, the generalized and targeted violence against women, the destructive impact on the lives and livelihoods of communities and the mixed responses of the international community. Of the 34 countries that are furthest away from achieving the international development goals established at UN global conferences in the past decade, 22 are affected by current or recent conflict; and of the 27 major conflicts occurring in 1999, 25 were internal. For UNDP, which itself has estimated that more than half of the countries in which it has its 45 programmes are experiencing some form of political or civil crisis, the right to development offers a holistic approach and is defined as ‘a comprehensive economic, social, cultural and political process that aims at the constant improvement of the well-being of the entire population and of all individuals and in which all human rights and fundamental freedoms can be realized’.\textsuperscript{189} These complex, increasingly internal and protracted crises result in long-lasting social, economic and environmental repercussions with a developmental impact at every stage.

\textsuperscript{187} Author: Mrs A. Adrian-Paul, International Alert, London.
\textsuperscript{188} For the background and selected bibliography of this study, see Annexe 1.
\textsuperscript{189} UN Charter.
In order to position the organization to deal coherently with the changing global context and the increased focus on women and their role in conflict and post-conflict situations, as well as their integration into all levels of peace processes, UNDP’s Associate Administrator in 1999 requested the UN Evaluation Office to initiate a comprehensive review of the Programme’s work on complex emergencies with a focus on reintegration programmes in order to draw lessons for the future and as a basis for repositioning the role of the organization. This internal evaluation found that UNDP needed to improve its resource mobilization with a re-examination of the Consolidated Inter-Agency Appeal (CAP) and the Expanded CAP processes. This reality is an essential part of UNDP’s business strategy. Significantly, the team of evaluators also recommended that UNDP pay further attention to gender issues.

To bring greater collaboration, coherence and impact to the UN’s work at the country level, the United Nations Development Assistance Framework (UNDAF) was introduced in 1997 as part of the reform package of the Secretary-General and represents a shift in development planning and implementation from headquarters to the country level. UNDAF has been effective. In India, for example, UNDAF has facilitated collaboration between the UN and the Indian government in dealing with the twin challenges of gender and decentralization.

**UNDP and Women in Armed Conflict**

As the development programme of the UN system, UNDP has a number of priority areas. These include democratic governance, poverty reduction, crisis prevention and recovery, energy and the environment, information and communication, technology and HIV/Aids. Gender equality and women’s empowerment are cross-cutting issues affecting each sector. The focus on gender is critical to the success of UNDP’s work and has been recognized by UNDP’s Administrator in a letter to Resident Coordinators where he states that ‘UNDP cannot afford to develop its support in the six priority areas if it does not address the issue of women’s rights, gender-based discrimination and unequal access to resources and opportunities, violence against women, and women’s lack of access to decision-making and basic services’. UNDP’s role is to support governments in their development activities and at the same time to ensure gender equality and the advancement of women at the global, regional and national levels including the mainstreaming of a gender analysis into, and developing links between, the different thematic areas, i.e. poverty eradication, employment creation and sustainable livelihoods, regeneration of the environment and good governance. Designated the lead agency to coordinate work on the transition to recovery, development and post-conflict reconstruction, UNDP has recognized the promotion of gender equality as a vital aspect of development assistance and is among the most prominent UN entities developing a strong programme of action to ensure that Resolution 1325 is effectively implemented. In fact the reforms proposed by the Brahimi Report envision a holistic approach by the United Nations to peace missions, one that goes well beyond traditional peacekeeping and singles out the untapped potential of UNDP to take the lead in implementing peacebuilding activities (para. 46) in cooperation with other UN organizations. Additionally, the Report calls for more systematic addressing of the root causes of conflict and the promotion of
equity and sustainable development as a necessary foundation of peace. These activities lie at the core of UNDP’s work.

**Policy**

UNDP’s role and attention to women, conflict and peace issues is best demonstrated by the example of the work done in the Gender Programme of UNDP’s Bureau for Africa. In its efforts to address the concerns of women in conflict and to incorporate a gender perspective into their activities, the Gender Programme has been engaged in building private and public partnerships with the women of Africa. Women count as a critical resource throughout the region. In order to advance this gender mainstreaming project, UNDP utilizes a three-pronged strategy that focuses on specific activities involving policy, advocacy, networking, entrepreneurial partnerships, research and information dissemination. It focuses on women’s capacity-building in four priority areas, including: 1) strengthening democracy, providing political empowerment for women and facilitating women’s access to governance structures at all levels while developing their leadership capacities in decision-making; 2) preventing conflict and building peace through fostering women’s participation in conflict resolution and peacebuilding and increasing female legal literacy and support for legal reform; 3) overcoming the HIV/AIDS pandemic as it relates to women; and 4) making globalization work for the women of Africa. The Bureau for Africa’s Gender Programme has embarked on a campaign to raise a minimum of US$ 6 million over four years for these activities. A Gender Programme Trust Fund and Gender Programme Fellowships will be developed to provide training. Additionally, a publication and communication resource aimed at showcasing and publishing ‘best practices’, training, advocacy, networking materials as well as research reports and videos will be produced.

UNDP also supports the partnerships with women’s groups elsewhere. In a recent UNDP publication, Administrator Mark Malloch Brown has stated that ‘in recent years and especially in the last six months, there have been new and strengthened partnerships of women uniting for peace, not just because it is the right thing to do but because the women have a unique potential to help resolve some of the world’s most intractable conflicts’. For example, UNDP is taking a leading role in Afghanistan and the Administrator has underscored the importance of providing enough resources for the funding of the country’s recovery phase, i.e. the initial year that aims at building a bridge between short-term humanitarian efforts and long-term reconstruction, giving special priority to women’s involvement, both as planners and benefactors of the programmes.

Lastly, staff of UNDP’s Gender Team (see below) work closely together on gender issues in crisis and post-conflict environments and are currently preparing a UNDP Programme of Action to strengthen gender mainstreaming interventions within post-conflict reconstruction processes supported by UNDP, UNIFEM and partner agencies. This will focus on the interim transition period between the end of a humanitarian crisis and the commencement of long-term recovery processes for sustainable development. The analytical part of the Programme of Action will also closely represent UNDP’s contribution to the UN study on women, peace and security. The Emergency Response Division (now the BCPR) has cooperated with the International Labour Organization (ILO) on a training manual for mainstreaming gender in humanitarian assistance
that will be developed for post-conflict situations. Additionally, UNDP is actively contributing to the UN SG’s sub-group on gender in Afghanistan. Progress in gender mainstreaming, especially in post-conflict environments has been noted in Eritrea, Burundi, the Democratic Republic of Congo, Sudan, Cambodia and Tajikistan, where UNDP country offices have engaged in a number of initiatives to promote gender equality and gender mainstreaming.

**Structure and Expertise**

UNDP has developed a large gender structure within the organization, consisting of:

- **Gender Team (Social Development Group, Bureau for Development Policy):** This team provides overall leadership on gender equality issues, supports UNDP country offices and regional bureaus and coordinates the organization’s participation in inter-agency policy, programming and advocacy initiatives on gender mainstreaming.

- **Gender Focal Points:** UNDP has developed a network of 136 gender focal points in country offices. The network includes both a designated staff person and a representative of senior management for emphasis on gender issues in decision-making as stipulated by the *Guidance Note on Gender Mainstreaming*. Gender is also included in the curriculum of Junior Professional Officers (JPOs). Regional meetings of UNDP gender focal points with UNIFEM regional directors and UNIFEM advisers are under preparation for joint strategy-setting on gender, while a UNDP/UNIFEM focal point workshop on gender mainstreaming tools and methodologies was held during 2001 in Ecuador.

- **Global Gender Programme Team:** Comprised of gender focal points from all UNDP’s divisions and bureaus, this programme aims to advance understanding and the practical applications of gender mainstreaming methodologies, tools and practices. It links the issues of equality of capabilities with equality of opportunities and supports the gender stakeholder constituency through collaboration at global, regional and national levels. The programme seeks to mobilize extra-budgetary resources from development partners such as DFID (UK).

- **Gender Sub-Practice Area Team:** This team is made up of focal points from different divisions and bureaus both at headquarters and in the field. The team discusses policy and programming issues and steers gender work within the organization.

**Activities and Instruments**

Besides the activities mentioned here above, additional activities undertaken by UNDP with respect to women in armed conflict include the following:

- **Human Development Reports:** UNDP sponsors the *Human Development Reports (HDRs)*. Over the past seven years, and particularly in 1995, the *Human Development Reports* have highlighted gender disparities. Moreover, UNDP’s *National Human Development Reports* are increasingly including the gender dimension into their analysis and statistical data.

- **Gender Beat:** A newsletter that provides a space for sharing knowledge and promoting advocacy.

- **The Good Practices Database:** Established as an aid to sharing and disseminating knowledge.

- **The Gender Knowledge Network:** This is a functioning corporate knowledge network, launched in 2001, in support of gender mainstreaming. It now has 380 subscribers, both
women and men. A dynamic discussion has been launched through the network along the
Gender Thematic Trust Fund service lines.

- **A Handbook on Gender Mainstreaming**: Developed by the Bureau for Central and Eastern
  Europe and the Commonwealth of Independent States. This Handbook contains a wealth of
  practical information and suggestions for training on gender mainstreaming. However it is not
  clear to what extent it is currently being implemented.

- **Partnership with UNIFEM**: UNDP promotes the establishment of gender theme groups in
every country in which it works and, through its strategic partnership with UNIFEM, it builds
on innovative approaches and expands its capacities to mainstream gender. A
UNDP/UNIFEM synergy document to promote gender equality was discussed and approved
at UNDP’s Executive Board session in April 2000 (DP/2000/CRP.7).

- **Participation in the Inter-Agency Task Force on UN SC Resolution 1325**: As part of the
Secretary-General’s report requested in Resolution 1325, UNDP has discussed a collaborative
project on how to include gender perspectives in practical and operational terms in recovery
processes. UNDP has also highlighted recent training initiatives on gender and humanitarian
assistance.

**Budget**

Another UNDP activity is the establishment of a Gender Thematic Trust Fund. This recently
established Thematic Trust Fund is a mechanism that supports strategic intervention with a focus
on policy dialogue, advocacy, networking, capacity-building and partnership development. It
focuses on four lines of service: a) strategies for poverty reduction; b) statistics and indicators for
tracking the progress towards national targets including through ‘gender audit budgets’; c) legal
reforms and the building of women’s institutional capacity to address human rights including land
and property rights, legal protection and advocacy; and d) assessment of women’s vulnerability
through measurement of the increasing feminization of poverty, the impact of the HIV/AIDS crisis,
and ways of unleashing women’s creative responses, including their incorporation into
peacebuilding and recovery efforts.

In addition to the Trust Fund, UNDP’s policy document Direct Line 11 allocates 10 per cent of
global programme resources, 20 per cent of global budget resources and 20 per cent of regional
programme resources to the advancement of women and gender mainstreaming programmes and
projects. Direct Line documents some of the steps being taken at UNDP’s headquarters and
presents a five-point challenge to country offices to strengthen and enforce UNDP’s commitment
to the advancement of women. It is interesting that in his report of June 2001 to the Executive
Board, the Administrator noted that almost all country offices reported on gender-related
activities and that there was a 36.3 per cent increase in all resources allocated directly to gender
programmes.

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190 Direct Line 11 is a directive from UNDP’s Administrator to all resident representatives identifying the
organization’s priorities for gender mainstreaming, defining the relationship between UNDP and UNIFEM and
establishing budgetary controls.
Observations regarding UNDP’s Performance on Gender, Women and Armed Conflict

The following observations can be made regarding UNDP’s performance on the topic of women in conflict situations:

- **Make Gender a Priority**: Despite the substantial expertise and experience to be drawn upon within UNDP, there still appears to be no systematic and comprehensive approach to gender mainstreaming in post-conflict and crisis situations. Consequently, as gender is not a priority, gender issues have to be integrated into programmes through different strategic approaches.

- **Understanding of how to Mainstream Gender**: There seems not to be enough in-depth understanding within UNDP on how to mainstream gender. Further attention is needed to ensure conceptual clarity regarding gender mainstreaming. For example, modified UN Development Assistance Frameworks (UNDAF) were recently produced for a number of West African countries, but were completely gender blind or the needs of women were not adequately mainstreamed throughout the documents. With greater clarity, gender equality will become an explicit and integrated part of UNDP’s programmes and projects.

- **Increasing the Gender Awareness of UNDP’s Staff**: In order to increase the gender awareness of UNDP’s staff, senior management at national, regional and international levels should participate in timely gender mainstreaming training that ensures that a gender perspective is included at all levels of project activity, including situation analysis and operational activities. Senior and middle-level management should set the tone for gender mainstreaming by demonstrating commitment and when necessary enforcing training.

- **Increasing the Understanding of Gender Mainstreaming Advocates and Specialists**: Gender mainstreaming advocates and specialists need to be very clear about its goals and how they can be achieved in concrete operational terms, on how to measure progress, as well as what roles different actors and stakeholders play in order to communicate the information to others. Opposition to gender mainstreaming has often resulted from ignorance and uncertainty of what the terms mean and because specialists are unsure what it entails.

- **Periodic Review of the Status of Gender Focal Points**: UNDP has many gender focal points, including the UN volunteers. The role of these staff should be reviewed periodically in order to bring them into line with the gender focal points of other organizations within the UN system and in order to avoid competing functions.

Suggestions and Measures for UNDP and the Dutch Government

- **Establish Proper Criteria for Gender Mainstreaming**: UNDP should ensure that gender programmes establish proper criteria for measuring the success of its attempts at gender mainstreaming and addressing women’s concerns in post-conflict situations. The programme should use a catalytic approach, leverage the work of others and ensure synergy between programmes while identifying its niche for effective gender mainstreaming.

- **Support Gender Mainstreaming into Regional and Subregional Conflict Prevention Initiatives**: The Programme should also support activities to integrate gender mainstreaming into conflict prevention efforts in organizations such as: the African Unity (AU, formerly the OAU) which has a Women, Peace and Development Committee; the Economic Community of West African States; the Moratorium on Small Arms; as well as the UNDP-supported
Programme for Coordination and Assistance for Security and Development (PCASED), which is currently short of adequate resources to support the number of initiatives which request funding.

- **Consult with Government Aid Departments**: UNDP should initiate consultations with country aid departments in order to influence their conflict prevention policies and priorities and gender mainstreaming and to gain support for its own programmes. Policy coherence with such aid departments as the UK’s Department for International Development can also result in increased funding for UNDP’s Gender Trust Fund.

- **Provide Support for Women’s Peacebuilding Activities**: A crucial suggestion for UNDP is that it should support the networking of women’s organizations in their activities for conflict prevention, conflict management and peacebuilding. In this respect, the importance of UNDP’s role in the Democratic Republic of Congo, Afghanistan, Sierra Leone as well as in Kosovo, East Timor, Bosnia and other such affected areas cannot be overstated.

- **Collaborate with other UN Agencies, Programmes and Funds to Mainstream Gender**: Continue the collaboration with UNIFEM in order to establish gender-budgeting guidelines for conflict prevention through the monitoring of military expenditure. Work with UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO) on revising school curriculums to include conflict prevention and peace education aimed at reducing and resolving conflict using modern and traditional mechanisms. This should be accompanied by teachers’ education courses for the teaching of conflict resolution skills and tolerance at all levels in schools. Cooperate with the ILO, the Department of Disarmament, DPKO and others on the identification and training of ex-combatants and other perpetrators of conflict to be peace monitors. At the same time ensure that perpetrators of violence and sexual violations against women do not enjoy impunity. One way of assisting them to demonstrate remorse may be to devise projects where they are forced to work in some way for the women who have been violated, for example, by carrying firewood for them or assisting in the rebuilding of their homes.

**Additional Recommendations for the Dutch Government**

- **Support the Gender Thematic Trust Fund**: Providing additional financial support to the Gender Thematic Trust Fund could be considered in order to support UNDP activities on the empowerment of women and gender equality in crisis, transition to recovery processes and peacebuilding. UNDP’s Gender Trust Fund envisages support to the integration of gender analysis in crisis situations and the inclusion of gender specific strategies for post-conflict recovery and peacebuilding, the adoption of a human rights framework and a women’s rights agenda in national policy, formulation, especially in post-conflict situations, and the development of gender vulnerability analysis of wars and crisis situations, landmines and natural disasters.

- **Support Regional Conflict Prevention Initiatives**: The Dutch government should consider providing support to ECOWAS, the Centre in Togo and the PCASED in Mali, as these

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191 ECOWAS Secretariat (PCASED, Bamako, March 2001), *Guidelines on the Establishment and Functioning of National Commissions against the Proliferation of Small Arms*. 
institutions are responsible for supporting projects dealing with controlling the proliferation of illegal small arms. Women’s groups in Mali, in Senegal, in Liberia, Guinea-Conakry and Sierra Leone as well as in Kenya and Togo are already involved in some initiatives relating to small arms and are trying to secure funds for a collaborative project between four or five West African NGOs. As the proliferation of illicit arms in West Africa is a major issue for the population and women are the main victims as well as central actors in the process, funds could be provided for a coalition of women’s groups to examine the gender aspect of the issue.

- **Support Plan of Action**: The Dutch government could support cross-regional exchange of lessons learned on mainstreaming gender in recovery and post-conflict situations and as such support UNDP’s Plan of Action, which is based on these lessons learned, in addressing gender issues in the processes of transition to recovery. The Plan, which is currently being developed, builds on UNDP’s work to date and seeks to reinforce gender mainstreaming into its work on recovery and post-conflict development.

- **Promote Gender Mainstreaming at the Executive Board that Governs UNDP and the United Nations Fund for Population Activities (UNFPA)**: As one of UNDP’s main donors and as a member of the Executive Board, the Netherlands is in an important position to assist further the mainstreaming of gender. Whereas it has already been a supportive voice for gender at UNDP’s Executive Board, it could further raise the implementation of UNDP’s Strategic Results Framework at Board meetings, especially of goal 4 about the development of national capacity for the promotion of gender equality and that supports programme countries in the implementation of *inter alia* the Beijing commitments. It could also strengthen UNDP’s commitment on gender mainstreaming into its six practice areas. Moreover, consideration could even be given to organizing two or three training days about gender mainstreaming for the entire Board.

- **Promote UNDP’s Leadership in Demobilization**: There are currently over twelve UN entities dealing with demobilization issues. This leads to incoherence and lack of coordination. The Dutch government could raise the issue, suggesting that DPKO does not have an adequate capacity to deal with this and that UNDP is best placed to take on this mandate. Specific attention on the needs of female (ex)-combatants must be ensured by UNDP.
5. United Nations High Commissioner for Refugees (UNHCR)\textsuperscript{192}

\textit{Introduction}

UNHCR was created by UN General Assembly Resolution 428 and, according to its Statute, is responsible for providing international protection to refugees and seeking permanent solutions for their problems, such as voluntary repatriation, local integration and resettlement. This is done ‘by assisting government and private organizations to facilitate the voluntary repatriation of such refugees, or their assimilation within new national communities’. Resettlement is the third durable solution. UNHCR’s efforts are mandated by its Statute and guided by the 1951 UN Convention relating to the Status of Refugees, and its 1967 Protocol. The legal definition of a refugee refers to persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion. UNHCR also protects refugees falling under the wider refugee definition of the OAU Convention (fleeing armed conflicts and general violence). Under certain conditions UNHCR can also become involved with internally displaced persons (IDPs).

UNHCR works both in refugees’ countries of origin and in countries of asylum, in border areas, camps, airports and detention centres providing protection and assistance to refugees and persons of concern to UNHCR. The organization tries to ensure that asylum seekers are given access to status determination procedures and/or access to countries on a prima facie basis. States are assisted while developing their own status determination procedures, or UNHCR directly undertakes refugee status determination. During repatriation procedures, UNHCR tries to ensure respect for basic human rights, and works with different parties involved to promote reintegration. UNHCR sees itself as having a coordinating role in a web of actors, including governments, international and local organizations, refugee communities and host population.

The Department of Protection and the Department of Operations are the basis of UNHCR’s field-based operations.\textsuperscript{193} They advise senior management on protection and programme-related issues, monitor the implementation of policies, support regional initiatives to create awareness of refugees and asylum laws, strengthen ties with development agencies, provide training, and oversee the delegation of functions from UNHCR Headquarters to the field.\textsuperscript{194} In 2000, more than 5,000 UNHCR staff were working in 279 locations in 120 countries.

As at 31 December 2000, there were 21.1 million people of concern to UNHCR.\textsuperscript{195} This figure included 5.3 million internally displaced persons, some 0.9 million asylum seekers, 0.8 million

\textsuperscript{192} Authors: M. van Leeuwen and I. Stocking Korzen, Disaster Studies, Wageningen.

\textsuperscript{193} For instance, the objectives of the Department of Protection have after a recent, internal reorganization been described as: to reinvigorate the global system of governance for refugees, not least through the ongoing process of Global Consultations; to establish international protection norms and standards; provide ‘quality’ control and ensure global consistency in the application of protection norms and principles; to provide critical in-puts into policy formulation by senior management and act as an authoritative ‘legal adviser’ on refugee-related issues; and to pursue protection-based durable solutions for refugee situations.


\textsuperscript{195} Note that ‘person of concern’ is not the same as beneficiary.
returnees, millions of stateless or potentially stateless persons (almost 9 million in 2000), and 2 million others. 196 UNHCR’s total budget for 2000 was USD 801 million; expenditure for the headquarters was USD 73 million. 197

**UNHCR and Women in Armed Conflict**

Globally, most population movement is not caused by natural disaster, but by conflict. Especially in conflict situations, it has often been assumed that the majority of refugees consist of women and children. Nowadays, however, it is observed that in general the percentage of women is close to that of men in all age groups, except for elderly refugees. 198 UNHCR focuses on women, like men, as refugees and as members of a community. In as far as UNHCR has a specific focus on women, it is primarily related to their specific protection needs. However, during the past decade women and the elderly have started to receive increased attention and priority within UNHCR. Only in 1990, after repeated conclusions by the Executive Committee, was the first ‘UNHCR Policy on Refugee Women’ formulated. 199 This ‘Policy on Refugee Women’ was formulated in rather general terms. Since then more specific documents and guidelines have been developed, and this process is still continuing.

UNHCR’s focus on women is primarily related to their (specific) protection needs. This implies an emphasis on their role as victims, usually of (sexual) violence, poverty, or legal injustice regarding their refugee status. In their regularly mentioned roles as ‘mothers’ and ‘household heads’, they usually still smoothly fit into the same category. Due to UNHCR’s general focus on protection, however, its focus on the refugee population as a whole seems to be on their role as victims primarily, be they male or female. 200 Of course, this is not necessarily correct, many different factors should be taken into account before deciding if a person is ‘vulnerable’ or not. Many staff members within UNHCR are perfectly aware of the fact that refugees have their capacities that should be respected and capitalized upon. The overall discourse, however, legitimizing the role of UNHCR, focuses on refugees as victims.

A number of UNHCR programmes specifically deal with women’s informal income opportunities. Some documents also refer to women’s roles as peacemakers, and forced recruits. 201 However, this does not mean that there is a specific policy targeting those women. Indeed, there does not seem to be an overall policy strategy explicitly integrating refugee women’s various different roles.

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197 UNHCR, 2000.
198 See the 19 July 2001 report of the Population and Geographic Data Section on sex/age disaggregated data that is available on www.unhcr.ch; also Refugee Reports, vol. 21, no. 2, 2000 states that ‘only’ 50.9 per cent of refugees are female.
199 In 1985, 1987, 1988 and 1989 the Executive Committee adopted four general conclusions relating to the need for specific attention for protection of refugee women.
200 One could argue that this way of thinking has become a part of the organisation’s culture to such an extent that ‘participation’ of refugees is still a fairly innovative concept in many locations.
Policy

Policy Formulation

After dialogue with refugee women in June 2001, the High Commissioner made five concrete commitments to refugee women,\(^2\) in brief:

- In all management committees for refugees, 50 per cent will be women;
- Refugee women will be registered individually;
- Distribution of food should be under the control of women;
- Integrated country-level strategies will be developed to address violence against refugee women;
- Provision of sanitary materials will be standard practice.

Even though these commitments may hardly sound revolutionary, they are examples of a tendency for more concrete and clearly applicable policies and recommendations, and the fact that these commitments are made at the highest level within UNHCR can also be seen as the reflection of the increased status of gender issues within the organization.

In the past decade there has been a considerable increase in policy development concerning women refugees. The main documents have been the *UNHCR Policy on Refugee Women* in 1990, and *Guidelines on the Protection of Refugee Women* in 1991. These guidelines emphasize the intrinsic relationship between protection and assistance and have proved useful tools. Based on these documents, other guidelines and policies were developed concerning sexual and gender violence, concerning mainstreaming gender in emergencies, etc. During this period the People-Oriented Planning (POP) method\(^3\) was also introduced, to train field officers to become more gender-sensitive in their operational work. This planning method is basically a tool to get to know the refugee population, including a refugee population profile, an activity analysis, and an analysis of resource use and control, thus giving an overview of gender division of roles, benefits and responsibilities. At this point in time about 70 per cent of UNHCR staff have participated in this POP training. The training programme for protection officers has also been reviewed to be gender-sensitive, and the *Project Planning in UNHCR: A Practical Guide*\(^4\) has been adjusted to emphasize specific women’s needs as part of the regular project planning in the field.

While the *UNHCR Policy on Refugee Women* clearly focuses on mainstreaming gender, no choice has been made within UNHCR practice for either specific women’s projects, or for gender mainstreaming only. It was decided to undertake both at the same time. The most frequently mentioned examples of gender programmes are the programmes focusing on women, like the Bosnia, Kosovo and Rwandan Women’s Initiatives. Most likely, this is reflecting their greater visibility. Real mainstreaming tends to be less visible than specific women’s programmes.

Policy Implementation

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\(^2\) UNHCR, 2001.

\(^3\) Anderson, Howarth, and Overholt, 2001.

\(^4\) UNHCR, 2001a.
UNHCR may have some excellent policies concerning gender, its implementation can be highly variable. Various reports and evaluation studies have mentioned that many recommendations have not been put into practice. Generally, people tend to blame the lack of monitoring and lack of willingness and accountability of part of the staff for this lack of compliance to policies and guidelines. This is probably part of the problem. Another problem may be lack of training and consequent difficulties that field staff may have in actually translating policies into practice. In 2000 it was noted that ‘UNHCR strategies, both at global and programme level are rarely backed up with detailed work plans showing exactly how goals will be achieved. UNHCR also does not generally set measurable targets for its programmes, and so there is little way of assessing programme impact other than through subjective observation.’\textsuperscript{205} UNHCR is working to address this problem through the introduction of a new project management system, but no data are available yet as to its effects.

In the field, problems occur in the cooperation between protection officers and community service officers. Protection officers considered their primary realm of action to be the legal sphere, focusing on questions of access, admission, determination of status, and repatriation/returnee monitoring. Their visits to the camps are short and infrequent, which means that community service staff, and not the protection officer, are most likely to identify specific protection problems that female refugees are facing. Yet the importance of the roles of community service officers in identifying specific problems of particular groups within the refugee population appears to be under-appreciated, especially by protection officers. As several officers pointed out, a lack of communication between protection officers and community service officers means that many specific problems of women refugees are not recognized by protection officers and are not dealt with. In UNHCR’s staff reduction process, community service posts have been cut in a disproportional way, affecting the agency’s capacity to protect refugees\textsuperscript{206} and to address the specific needs of refugee women and children.

In addition, the ‘relative absence of female staff is a serious obstacle both to obtaining information from refugee women and girls and to dealing with the protection issues they face.’\textsuperscript{207} Another problem faced by field officers with the task of implementing policies and guidelines may be the sheer overload of those guidelines. Interviewed staff mentioned that a few years ago the total number of pages of guidelines that field staff had to digest was 1,300. Since then, this number has increased. Other difficulties include the sheer reduction in field staff (and staff in general) because of funding shortages, lack of presence in the field due to security reasons, and the fact that field officers (who often have combined protection/community service/administration responsibilities) need to spend more time behind the computer as a result of increased reporting pressures.

\textsuperscript{205} DFID, 2000
\textsuperscript{206} EPAU, 2002.
\textsuperscript{207} EPAU, 2002.
Despite the difficulties faced in implementing policies, several staff indicated that policy helps. Through institutionalizing and a better monitoring of policies, the impact of personalities and characters should be diminished in the longer term.

*Structure and Expertise*

The High Commissioner is elected by the UN General Assembly on the nomination of the Secretary-General, and reports annually to the General Assembly through ECOSOC. UNHCR’s Executive Committee (ExCom) is its advisory body. It meets annually, and currently consists of 54 states elected by ECOSOC.\(^{208}\) The UNHCR has a centralized structure. Its headquarters have departments with different bureaus, units, sections, offices and services. Within the main structure there are four major divisions: the Department of Protection; the Department of Operations; the Division of Communication and Information; and the Division of Resource Management.\(^{209}\) The Bureaus (Africa, Europe, CASWANAME,\(^{210}\) Asia and Pacific and the Americas) are part of the Department of Operations.

Gender only started to be a recurrent topic within UNHCR in 1989. The issue of gender equality is most visibly addressed in the Department of Operations, which employed seven people to focus specifically on gender equality within head and regional offices. Within field offices individual staff have been appointed gender focal point, or gender teams were set up. Under the Division of Resource Management a report on the situation of women in UNHCR was produced.\(^{211}\) Since 1993 there has been a special legal adviser for women and children as part of the Protection Operations Support Section of the Department of International Protection (DIP). DIP runs a special ‘Women at Risk’ project, and the Department of Protection is using a gender-sensitive training manual (the *Protection Learning Programme*). Refugee status determination guidelines have been made gender-sensitive.

In 1989 a Senior Coordinator for Refugee Women was appointed, directly responsible to the High Commissioner. Initially this position was funded externally for a period of three years through the Canadian International Development Agency (CIDA). When it appeared that the job was not completed after this initial period, the position was maintained with internal funding, but now under the Department of Operations. The current Coordinator is the fourth person in this position. After the first three years a Programme Officer for Refugee Women was appointed. A special officer (JPO) has been employed within the Department’s Evaluation and Policy Analysis Unit to deal *inter alia* with gender issues.

There are currently four regional advisers on gender: one for Europe (East Europe and former Soviets) based in Geneva; CASWANAME based in Damascus; one for the Horn of Africa plus East Africa in Nairobi; and one temporary adviser for Afghanistan. The position of adviser for the Great Lakes Region has recently been cut, while the adviser for West Africa, who used to be

\(^{208}\) DFID, 2000, p. 2.

\(^{209}\) See appendix I - UNHCR headquarters structure.

\(^{210}\) Central Asia, South-West Asia, North Africa and Middle East.

responsible for issues concerning women and children, had to limit herself to issues concerning only children due to her total workload.

Like other UN bodies, UNHCR has been using the system of gender focal points: Within each field office one person was appointed focal point for refugee women. This person - usually a woman in one of the most junior positions - would be responsible for dealing with all issues relating to women and gender. As explained by an officer working in headquarters who had been in this position, in practice this meant that someone with little experience and no specific knowledge on the job, in a position with very little influence, was overloaded with work alongside her official full-time job. Worse yet was that no one else in the office would feel responsible any longer for any issue concerning women. In the worst cases this even meant, for example, that the general health services in a camp were only focusing on men, as ‘women were already dealt with’. To avoid this problem, the set-up has been changed, and field offices are now working with gender teams instead of focal points, with one senior manager heading the team. Only in places where there is no gender team are focal points still maintained. The authors of this report could not receive information on the effectiveness of the gender-team approach yet.

Even in its headquarters, UNHCR seems to be fragmented. This may partly be due to its structure: UNHCR operates vertically, with little cutting across between the different departments or offices with specialized functions. Obviously, dealing with the situation of refugee women is a multi-sectoral operation. But, as one officer comments: ‘Many specialized functions in HCR are all talking about mainstreaming’. UNHCR also seems fragmented in other aspects: the different sections and sub-offices differ in their ways of dealing with gender issues, and also in their acceptance of the promotion of gender equality as part of their work. This depends, for example, on region, but also on personalities. As one officer relates: ‘in some cases there has been a true conversion effect on a person, concerning gender equality, almost like a religion’. Staff of the Bureau for the Americas are proud of their groundbreaking work concerning gender in Central America, which has been possible through a combination of conducive local factors and highly motivated staff. Within the Bureau for Africa, however, the interviewers were simply referred back to the Senior Coordinator for Women. While some officers note ‘a sea of change’, others are more hesitant with regard to progress made.

At this point in time, UNHCR has not yet succeeded in mainstreaming gender across the board, despite a number of serious and sometimes successful efforts in parts of the organization. There are a number of standard training programmes, planning manuals and guidelines, which are ‘completely gender-sensitive’. In some regions gender-sensitive planning has become common practice, and in those areas UNHCR is succeeding quite well in dealing with the particular needs of different parts of the refugee population, including vulnerable women. However, the level of gender mainstreaming into regular programmes is to a high degree still dependent on the personal interest of staff.

It should be mentioned here that the whole set-up for gender within UNHCR does not seem to be conducive to mainstreaming gender. Part of the problem is the earlier-mentioned fragmentation,
combined with limited communication and cooperation between the different units, and ambiguity about respective responsibilities in overlap. More cooperation between, for example, the coordinator for gender, coordinator for children and coordinator for community services seems essential for improved mainstreaming of gender. However, since funds may be directly linked to these positions, officers are stimulated instead to screen off their own area of responsibility rather than to cooperate with others. Donor demands for visibility may thus lead to added women’s projects rather than mainstreaming, just as it may lead to visible activities focused on UNHCR headquarters and the international community, rather than mainstreaming in the field situation.

Related to this may be the existence of two separate discourses within UNHCR: one, consisting among staff at headquarters, policy-makers and the international donor community, focuses on the integration of ‘gender’ at policy level and the acceptance and familiarization of gender mainstreaming at this level; the other discourse consists among UNHCR field staff and local staff, local government officers, etc., and the refugee population, focusing on the specific needs of refugee women. The current Senior Coordinator for Refugee Women has a primary focus on the first discourse, with lobbying, advocacy and training, reasoning that gender-sensitive staff will automatically carry out their work in a gender-sensitive manner. This may make sense theoretically, but in short-term practice, however, refugee women continue to deal with many problems that are not systematically being addressed by UNHCR.

On top of this, the discrepancy between the verbal commitment to gender at the highest level and lack of measures enabling the realization of these commitments at field level (which will be pointed out below) implies that the real space for changing unequal gender relations is limited. Obviously this raises questions about either the understanding or the real commitment to gender mainstreaming.

**Equal Opportunities within UNHCR**

‘Geographical and gender balance are important for UNHCR, not only as a reflection of the ideals of the United Nations, but also as an operational imperative for UNHCR to adequately respond to the needs of the people it assists’. The ‘relative absence of female staff is a serious obstacle both to obtaining information from refugee women and girls and to dealing with the protection issues they face’.

In 1989, the United Nations set a goal for 50 per cent representation of women at all professional levels by the year 2000. The Permanent Working Group on the Situation of Women in UNHCR was established, *inter alia*, to make recommendations to help attain this goal. UNHCR did not meet this goal. ‘While action had been taken in respect of some of the recommendations, many

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*212* UNHCR, 2000a.
*213* EPAU, 2002.
*214* As mentioned in the report of the Permanent Working Group on the Situation of Women in UNHCR, Geneva, June 1998; and the report from the Staff Council to the High Commissioner, entitled Situation of Women in UNHCR, a report of the Staff Council Working Group, 8 March 1989.
others remained unimplemented. Even where recommendations resulted in the modification of administrative guidelines, the Group found that there had been little impact, since the revised guidelines had not always been systematically applied in practice. In September 1995, the decision was taken by the High Commissioner to favour the recruitment of women. This measure, however, coincided with a recruitment freeze within the organization. From this date onwards, two-thirds of new staff have been women, leading to an increase from 32 to 38.6 per cent of female professionals in UNHCR, with recruitment heavily weighted towards entry-level positions. Only in the lower professional level were women overrepresented (P3). In higher levels of the organization (e.g. D1 and D2 level), female representation had increased from 5 per cent in 1990 to 24 per cent in 2000.

**Budget**

UNHCR does not currently have data available concerning its budget spent on promoting gender equality. However, plans exist to carry out such an exercise this year. At a management level, the need for and importance of quantification of the efforts to promote gender equality is recognized. Quantification is a powerful policy tool and increases visibility and (apparent) transparency of gender policy within the organization. It can also be a powerful tool against which to measure people’s performance. These are all important and relevant considerations. Its limitations are that the money spent on ‘gender’ shows a very limited part of reality, especially when it is hard to measure budget items spent on ‘gender’ other than salaries. In addition, gender sensitivity does not always require extra money. Besides its merits, attempts to ‘measure’ gender equality may thus have the effect of preventing real mainstreaming of gender issues.

**Observations regarding UNHCR’s Performance on Gender and Women in Armed Conflict**

**Strengths**

- During the past few years UNHCR’s policies concerning refugee women have been constantly developed, adjusted, improved and expanded. Various parts of the organization have shown willingness to challenge existing gender relations. The guidelines on the protection of refugee women have been instrumental in emphasizing the intrinsic relationship between protection and assistance, and several people have noted that it helps to be backed up by policies that promote gender equality.
- Commitment shown at most senior management levels to promote gender equality is crucial for a successful integration of gender issues. Consequently the five recent commitments made by the High Commissioner have been important.
- There may still be a lot of room for improvement, but attitudes and awareness concerning gender issues within UNHCR have been improving: (‘a sea of change’, ‘much fewer raised eyebrows’).
- While many policy papers with general and unspecified recommendations have been published in the past, there seems now to be a tendency towards more concrete and clear programming principles. This is expected to increase their impact.

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Issues for Improvement

- Even at high management levels within UNHCR there is no commonly felt understanding that the promotion of gender equality should be an integral part of everyone’s job. There is a strong support among some staff, and no support among others.
- UNHCR’s gender policies may be good, but their implementation was often found to be deficient. Compliance of staff with the guidelines varied widely. This may partly be due to lack of staff support for the promotion of gender equality as part of their jobs, partly because of an overload of guidelines and documents with which to comply, and partly because of lack of training of officers.
- Within UNHCR there is a lack of information on and attention for the impact of its operations on refugees’ lives. This may partly be due to the quality of monitoring within UNHCR, and partly due to reductions in field staffing thus preventing protection and assistance problems from being identified, monitored, and resolved. Limited cooperation between protection officers and community officers in the field may also have this effect, as may the lack of female field staff and the limited involvement and decision-making powers of refugees in UNHCR’s operations. This lack of information may have consequences for the opportunities to deal with the protection issues that women face.
- The hierarchical structure of UNHCR inhibits optimal communication between officers of different levels. Sharing information would improve gender mainstreaming, but this does not happen sufficiently as ‘a P5 or P4’, for example, does not seriously consider information or advice from ‘a P2’.
- UNHCR seems to have difficulties learning from its own experiences. External recommendations have not always been or could not be implemented for various reasons (in some cases this may be related to lack of funds or unrealistic recommendations).
- There appears to be insufficient collaboration between the senior gender and children’s coordinators as well as the senior community services officer. Overall, UNHCR should consider how gender and children’s rights can be mainstreamed in the overarching community development model that considers the different needs, capacities and rights of different sections in the community.

Lessons Learned

Concerning the gender policies that UNHCR adopted, one of the most obvious lessons learned has been the realization that the policy of gender focal points can be quite damaging to the promotion of gender equality. Anything concerning women was just deposited on gender focal points and no one else would feel responsible. This painful lesson resulted in an adjusted approach setting up gender teams within the field offices, and organizing gender networks with other organizations in the field.

Within the organization itself, UNHCR is still far removed from an equal representation of women and men at all levels, even though it has been understood that the lack of female staff at field levels makes it difficult to obtain information from refugee women and girls and to deal with
the protection issues that they face. Several recommendations have been made to bridge the gap, but the impact of their implementation was found to be deficient. One of the lessons learned here should be that it may be worthwhile actually to implement those recommendations.

One of the recurring themes concerning incorporating a gender perspective in the field is the involvement of the refugee community and, more specifically, the women of the refugee community from the very start. It is important that refugees in general and refugee women in particular have a say in general decision-making bodies, programme design, implementation and evaluation. However obvious it may sound, more working with, talking with and listening to refugees themselves, at all levels, is being emphasized in several documents, but still does not seem to be ingrained inside the organization.

**Suggestions and Measures for UNHCR and the Dutch Government**

1) Generally speaking, more coherence is needed between official policy and actual policy and practice. As discussed above, many different factors affect this relationship.

2) Political will is necessary at all levels within the organization.
   - The High Commissioner should address the issue as a matter of routine, thus forcing the rest of the staff to take the matter seriously (Mrs Bertini of the WFP has set an example here).
   - Official commitments are important but have to be realized through practical measures enabling them. There should also be political will to support low-key measures.

3) Communication and cooperation within DOS (Division of Operational Support) and between the Department of Operations and Department of International Protection need improvement. Institutionalized communication may be necessary for a while, but should be handled with care, as it tends to become a burden. However, cooperation between the different sections currently seems to be considered by some officers as a personal favour to the other offices, instead of the best (or even the only) way to carry out one’s responsibilities.

4) For UNHCR staff to be effective and really mainstream the specific needs of vulnerable women and men, it is important to know the refugee population and to realize that (female) refugees are not one homogenous group. To increase this knowledge:
   - Refugees should be involved in all operations of UNHCR from the very start. They should have decision-making powers in all issues that affect their lives. This should be the case for refugees in general, and for female refugees in particular.
   - Collaboration between protection officers and community services officers in the field should improve, and should not be hindered by differences in status.
   - The role of community services officers (and sometimes field officers) as primary access of (female) refugees to UNHCR services should be recognized and utilized by UNHCR, and should be reflected in the support that they get from headquarters, and in their terms of reference.
   - More community services officers should be employed in the field.
5) Improve compliance with gender policies:
   - Throughout the organization it is emphasized that staff should be made accountable for their efforts at integrating gender issues and dealing with specific needs of vulnerable women. This could be done through setting target figures and improved monitoring. Target-setting and monitoring can be very useful tools, but will need to be combined with other more supportive measures.
   - Policy planning at regional, country and field levels should be integrated and plans should be endorsed. Regional Bureaus should identify highest priority concerns and develop strategies for multi-year plans of action, and should direct country offices to develop plans with criteria and indicators to measure progress, while input from field staff should be the base for the development of those plans.
   - There should be improved support, advice and opportunities for feedback to field staff concerning the gender issues with which they are dealing.

6) The total number of guidelines should be reduced, and specific problems and interests of vulnerable female and male refugees (and other parts of the refugee population with specific needs) should be mainstreamed in all of them.

7) UNHCR has made efforts to make use of the recommendations of studies/evaluations, although not always with success. An important recommendation to UNHCR is to reconsider the recommendations of previous studies and evaluations, and to review how they could be useful for the organization.

8) Reviews, evaluations and research should be carried out on the following issues:
   - More information is needed from the refugee population itself. More information is needed to know what difference UNHCR operations actually make to people’s lives. Short-term consultancies are not able to get this information. More time and a more anthropological approach will be necessary, while more efforts could be put into collecting baseline data. These efforts, however, require the commitment of donors to provide funding.
   - Review of the impact of donor relations on the internal cooperation, the kind of interventions, and the effectiveness of gender mainstreaming within the organization. EPAU is currently funding an Overseas Development Institute (ODI) study on the bilateralization of humanitarian aid, which is an example of the commitment that donors could make in this regard.
   - A Review or reprioritization of the tasks of the Gender Coordinator, as related to the (gender) priorities of the organization as a whole, may improve effectiveness of the Coordinator in the longer term. A shift in priorities may possibly be necessary, or two separate positions of gender coordinators (in close cooperation) focusing on different sections of the organization. The authors currently have the impression that the demands on the Coordinator are too wide and unsystematic, sometimes even contradictory, while communication with other departments is too limited to be able to realize gender mainstreaming.
Improved coordination of different studies carried out and of policy documents developed, so that overall policy will be coherent and studies may be used more widely and will complement each other. Options could, for example, be to share studies between different departments, or to re-establish a body like the previously existing Advisory Committee on Policy Issues.

Additional Recommendations for the Dutch Government

- Governments, particularly the Dutch government, are urged to ask for attention to the following issues and to take action through the appropriate channels and at the levels concerned.
- Gender issues should be systematically addressed in recruitment, assessment and promotion of senior staff.
- Gender mainstreaming should be achieved at field levels by proper communication, collaboration and ‘down-to-earth’ concrete guidelines for practices. Lessons learned and best practices at this level are crucial, and should be integrated in further training. Examples of where this is already happening are an improved version of POP and the new Protection Learning Programme.
- Systems that facilitate compliance with gender policies should be promoted. Target-setting, monitoring and supporting measures (including training) should be designed as an integral strategy.
- Refugee women should be more involved in policy-making, as well as in their monitoring and evaluation. UNHCR should be invited to come up with innovative, concrete approaches in particular countries or situations, which may serve as examples for an overall approach for further participation of refugees.

Selected Bibliography


**List of Interviewees**

- Mr Peter de Clercq  Head of Desk for Afghanistan
- Mr Jeffery Crisp  Head, Evaluation and Policy Analysis Unit (EPAU)
- Mrs Monique Malha  Senior Legal Officer, CASWANAME
- Mrs Joyce Mends-Cole  Senior Coordinator, Refugee Women, Division of Operational Support (DOS)
- Mr Ekber Menemencioglu  Director, Regional Bureau, CASWANAME
- Mr Josef Merkx  Senior Desk Officer, Bureau for the Americas
- Mrs Naoko Obi  Senior Operational Policy Officer (EPAU)
- Mr Filip Papas  Human Resources
- Mrs Katherine Samara  Programme Officer Refugee Women (DOS)
- Mrs Elca Stigter  Policy Officer (EPAU)
- Mr Patrick Tigere  Legal Adviser, Department of International Protection
- Mr Luis Varese  Senior Desk Officer, Bureau for the Americas
- Mrs Nyorovay Whande  Senior Community Services Officer
6. The World Food Programme (WFP)\textsuperscript{217}

\textit{Introduction}

The World Food Programme (WFP) was set up in 1963 as the food aid programme of the United Nations system.\textsuperscript{218} The WFP has a dual mandate of providing food aid for relief during emergencies and for sustained development under more permanent conditions: ‘to avert starvation in humanitarian crises through emergency operations and to promote long-term development projects aimed at breaking the deeply rooted hunger-poverty cycle’.\textsuperscript{219} The core policies and strategies that govern WFP activities are ‘to provide food aid to save lives in refugee and other emergency situations; to improve the nutrition and quality of life of the most vulnerable people at critical times in their lives; and to help build assets and promote the self-reliance of poor people and communities […]’.\textsuperscript{220} While in the past this was basically done through labour-intensive Food for Work programmes, which used to support governments, nowadays (under its Enabling Development Policy, launched in 2000) the WFP has moved to community-based activities involving women and men equally.

In the first place, food aid thus provides social and humanitarian protection and saves lives. The WFP sees food aid as one of the many instruments that can help to promote food security,\textsuperscript{221} while the ultimate objective of food aid should be the elimination of the need for food aid.\textsuperscript{222} Secondly, food can be seen as a pre-investment in human resources, contributing to sustainable development: ‘Without food, there can be no sustainable peace, no democracy and no development’.\textsuperscript{223} Thirdly, food aid can create the employment, income and infrastructure necessary for sustained development.\textsuperscript{224} The WFP takes efforts to make its relief developmental: emergency assistance will be used to the extent possible to serve both relief and development purposes. On the other hand, its development programme prioritizes emergency-related activities supporting disaster prevention, preparedness and mitigation and post-disaster rehabilitation. In both cases, the overall aim is to build self-reliance.\textsuperscript{225}

In 2001, the WFP had country offices in 81 countries, and operated in 82. In that year, the WFP’s total operational expenditures amounted to US$ 1.74 billion, of which the largest part was spent

\textsuperscript{217} Authors: M. van Leeuwen and I. Stocking-Korzen, Disaster Studies, Wageningen.
\textsuperscript{218} WFP was established as a result of parallel resolutions adopted by the Food and Agriculture Organization (FAO) and the UN General Assembly in November/December 1961. Whereas the FAO sets up norms and standards for world agriculture and provides technical expertise, the WFP provides grants in the form of food aid for emergency and development projects (see the WFP’s website, \url{http://www.wfp.org/}).
\textsuperscript{219} WFP, 2000, p. 1.
\textsuperscript{220} The WFP’s Mission Statement, \url{http://www.wfp.org/policies/policy/mission/index.html}.
\textsuperscript{221} The WFP applies the concepts of both macro- and household food security in a broad-based manner, considering not only food supply issues but also issues of distribution and access as well as vulnerability to risks that threaten household food security (WFP, 1998).
\textsuperscript{222} The WFP’s Mission Statement, \url{http://www.wfp.org/policies/policy/mission/index.html}.
\textsuperscript{223} WFP, 2000, p. 1.
\textsuperscript{224} For more details on the WFP’s understanding of food aid, see for instance WFP (1998).
\textsuperscript{225} WFP, 1998a, pp. 3-4.
in sub-Saharan Africa. Assistance was provided to 77 million beneficiaries, including 43 million beneficiaries in emergency operations. The WFP’s major donors were the United States, the European Union, Japan, the Netherlands, Germany, Denmark, Canada, Norway, Italy and France.  

The WFP is part of the United Nations system. Since 1996, the WFP has been governed by the WFP Executive Board, which consists of 36 member states and which meets three times each year in February, May and October (with two consecutive meetings being held in May: the regular meeting and the annual meeting) at WFP Headquarters in Rome. Eighteen of those members are elected by the Economic and Social Council of the United Nations (ECOSOC) and eighteen by the Council of FAO. Among other things, the Executive Board helps in the development and coordination of food aid policies; provides intergovernmental supervision and direction to the management of the WFP; and reviews and approves programmes, projects and activities submitted to it by the Executive Director. The Executive Director of the WFP is appointed jointly by the UN Secretary-General and the Director-General of the Food and Agriculture Organization (FAO).

Seeking partners is a key policy of the organization, and the WFP aims to work in partnership with national authorities, civil society, NGOs, other international agencies, and other UN organizations, notably the Rome-based FAO and the International Fund for Agricultural Development (IFAD). In response to emergencies and humanitarian crisis, important partners are UNDHA, OCHA, UNHCR and UNICEF, as well as numerous non-governmental organizations. Especially in using food aid for achieving household food security, important partners are the FAO and IFAD. In support of economic and social development, partnerships concern the World Bank and the International Monetary Fund (IMF), regional bodies and institutions, bilateral donors and NGOs.

An advantage of the WFP’s multilateral character is that it is able to operate without regard for the political orientations of governments. The WFP aims to provide a neutral conduit for assistance in situations where many donor countries could not directly provide assistance. In principle, the WFP only gives project aid, and no programme aid.

Although the WFP has the largest aid budget of any UN agency, it has the smallest headquarters staff, and the lowest percentage of budget for administration. 75 per cent percent of WFP staff are located in the field offices. In 1996, the Executive Director began a programme of organizational change, which involved a shift of decision-taking and functions to the field. As a result of this decentralization process, more senior and specialized staff work in the field, and more authority delegated, facilitating timely decision-making guided by on-the-ground

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227 WFP, 1999.
228 See the WFP’s website, [http://www.wfp.org/](http://www.wfp.org/).
230 WFP, 1998d.
knowledge. The WFP has seven Regional Bureaus, located in the regions in Nicaragua, Bangkok, Cairo, Dakar, Yaoundé, Kampala and Rome (for the Regional Bureau for Eastern Europe), to which the different country offices report.

**Policy**

Women are an important focus in the WFP’s programmes. This is justified by the fact that women - as well as the children they care for - are the hardest hit by famine and violence. They make up nearly three out of four victims of civil wars, droughts and other catastrophes. Seven out of ten of the world’s hard-core poor are women and children. On the other hand, the WFP believes that women hold the key to solving the hunger problem, as they control the food in the household and know best how to use it. Moreover, women form the majority of the farmers in Africa and Asia and are the sole breadwinners in one out of three of the world’s households. Studies have shown that income in the hands of women contributes more to household food security and child nutrition than income controlled by men. Providing food to women puts it in the hands of those who use it for the benefit of the entire household. For those reasons, the WFP has a special commitment to women because they are the most efficient route to ending hunger and poverty: ‘WFP believes that women are the key to change’. This particular emphasis on women has developed over the last ten years. In 1989, guidelines for better integrating women were developed, aimed at including women more fully in productive, income-generating activities and not just as beneficiaries of feeding projects. Prior to that, the WFP’s assistance had treated women merely as vulnerable groups with unmet nutritional needs, especially when pregnant or nursing. Despite the changes in the policy, an evaluation of the World Food Programme in 1994 was concerned that the gender concept had not been pursued systematically, and that opportunities for involving many more women may have been missed. In the years to follow, the focus on women intensified. At the UN’s Fourth World Conference on Women, held in Beijing in 1995, the WFP put up an agenda for women with specific ‘Commitments to Women’. These included:

- To provide direct access to appropriate and adequate food;
- To take measures to ensure women’s equal access to and full participation in power structures and decision-making;
- To take positive action to facilitate women’s equal access to resources, employment, markets and trade;
- To generate and disseminate gender-disaggregated data and information for planning and evaluation;
- To improve accountability on actions taken.

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236 WFP, 1998d.
237 Hårstad, von Metz and Salituri, 1994, p.172; WFP, 1999a, p. 3.
By the end of the year 2001, the Programme was expected to meet the following statistical targets:

- 80 per cent of its food relief will be directly distributed to women;
- 50 per cent of its educational resources in a given country will go to girls;
- 60 per cent of its resources in a country with a significant gender gap will go to women and girls;
- 25 per cent of the results of food-for-work projects should directly benefit women.

Progress towards meeting the Commitments and the statistical targets has been monitored, and gender has become an integral consideration in designing new operations.\(^{239}\) The Commitments have served as a key reference for policy development and performance evaluation in the years since the Beijing Conference.

With regard to armed conflict in particular, it is observed within the WFP that, with the increase in natural disasters and conflict-induced crises, the number of persons affected by emergencies has grown sharply in recent years. Since the 1980s, the focus of the WFP’s activities has increasingly been on emergency assistance. The WFP once channelled 70 per cent of its assistance to development and 30 per cent to emergencies;\(^{240}\) in 2001, 87 per cent of operational expenditure was spent on relief activities, and more than 2.7 million tonnes of food of a total quantity of 4.2 million tonnes provided was destined for relief assistance.\(^{241}\)

Women and children comprise 80 per cent of refugees and internally displaced persons as a result of armed conflict. The WFP is aware that women usually have no voice in deciding to go to war, nor are they part of the political solutions that eventually lead to conflict resolution. While uprooted populations generally encounter problems of protection and safety, women also suffer additional forms of physical abuse. In emergencies, women usually have more difficulties in obtaining humanitarian assistance than men, as a result of registration procedures, lack of information about benefits and access to resources, or lack of control over resource distribution.\(^{242}\)

In emergency operations, some of the ‘Commitments to Women’ are particularly applicable, notably the WFP’s emphasis on women’s direct receipt of food and control over food entitlements as well as management in committees. In emergencies, where women should receive 80 per cent of assistance, it is important that women participate in food aid management committees, to ensure that they have more decision-making power in the distribution of food. This emphasis on women in emergency operations is in line with a 31 May 1999 policy statement by the United Nations Inter-Agency Standing Committee (IASC) requiring all member organizations to

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\(^{239}\) WFP, 2000c, p. 2.

\(^{240}\) WFP, 1998d.

\(^{241}\) WFP, 2000c, p. 2.


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mainstream a gender perspective when providing humanitarian assistance in emergencies. The principles of the IASC’s policy highlight gender equality, including decision-making at all levels of humanitarian assistance; equal protection of human rights of women and men, with special attention to the violation of women’s human rights; equal representation in peace mediation; and participation of women’s organizations in capacity-building, rehabilitation and recovery. Regarding the distribution of food aid, this implies giving women a leading role in targeting; equitable participation of women in planning and decision-making; ensuring that women can be registered for relief in their own right; recognizing and reducing the security risks incurred by women; and improving the use of gender-disaggregated information for planning and monitoring.

Structure and Expertise
At the WFP’s headquarters in Rome, there is a Senior Programme Adviser for Gender, whose office is part of the Strategy and Policy Division, and a Policy Analyst for Gender. At each of the seven Regional Bureaus a programme adviser or gender specialist has been appointed (P-4 level appointments), who is responsible for all the countries in the region, and for keeping contact with the Senior Gender Adviser.

After Beijing and the ‘Commitments to Women’, a strategy was developed for the period 1996-2001, on how to meet the targets set. A ‘Gender Task Force’ was established, under the chairmanship of the Deputy Executive Director, responsible for advocacy, guidance and fund-raising, and to develop an overall WFP Gender Action Plan (which was finalized in September 1996). The task force comprises approximately twelve senior staff, including a mix of field-based and headquarters staff, and meets quarterly. The WFP introduced a ‘gender focal points’ structure, in which at regional and country level particular people could be addressed concerning gender issues, to ensure gender-sensitive projects, and to contribute to a change of attitude among staff and counterparts through gender awareness and sensitization. They may be directly approached by the Senior Gender Adviser. A community-based approach, making use of proactive female and male beneficiaries as well as field staff, is ideally expected to support the implementation and monitoring of the ‘Commitments to Women’ and to provide role modelling for social change. At the level of the country offices, Gender Action Plans were formulated on how to achieve the targets in individual country offices.

To strengthen understanding of gender-related issues, capacity-building programmes were started for staff and counterparts. The Human Resources Department developed a corporate training strategy, including role modelling and case studies, on the empowerment of and decision-making roles for women. The Technical Support Service financed a training needs assessment workshop for ‘Gender and Participation in Emergencies’, on the basis of which a training strategy is being developed. The Technical Support Service also took an initiative for building capacity to integrate a gender perspective in monitoring and evaluation. Over the years diverse materials have been

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243 UN Inter-Agency Standing Committee, 1999.
244 UN Inter-Agency Standing Committee, 1999.
245 WFP, 1998b, p. 11.
246 WFP, 1998b, pp. 11-12.
distributed to field officers, such as the newsletter *Gender News* (which reports on the achievements in the ‘Commitment to Women’), and a *Gender Glossary*. At an institutional level, operational guidelines have been developed. Moreover, appraisal systems have come to include criteria to assess managers’ achievements for implementing the Beijing Commitments, notably relating to contributions to achieving gender balance in employment.

In activities on gender mainstreaming there has been a lot of collaboration with other international organizations. Together with the FAO, a *Socio-Economic and Gender Analysis (SEAGA) Manual on Gender in Emergencies*, with a field version called *Passport to Gender Mainstreaming in Emergency Programmes*, was developed. From 1999 onwards, the WFP co-chaired with UNICEF the Inter-agency Standing Committee’s Sub Working Group/Reference Group on Gender in Humanitarian Assistance. In 2000, the Consolidated Appeal Process (CAP) focused on the theme of women. Together with UNICEF, the WFP helped to mainstream a gender perspective into the CAPs for the Democratic Republic of Congo and Somalia. In the latest CAP process, in seven country programmes an integrated approach including gender has been used. The WFP and UNICEF lead this process of gender mainstreaming in emergencies through the IASC.

**Equal Opportunities within the WFP**

Equal opportunities are a major focus of the WFP’s general gender policies. In 1992, the representation of women in professional positions in general in the WFP was very limited, and their representation in senior management positions practically nil. Over recent years, the WFP has put a lot of effort in attaining gender equality within the organization. As part of its ‘Commitments to Women’, for the end of the year 2001 a target was set for 50 per cent of the WFP’s employees to be women. This commitment within the WFP to get gender equality in staffing corresponds to overall UN policies. According to several people, the WFP has been outstanding in the amount of efforts put into this policy.

As part of the strategy to overcome gender imbalance, the recruitment of female professional staff has become part of WFP managers’ performance appraisals. Within the WFP, managers have to indicate in their yearly report accomplishment in achieving a gender balance in recruitment. This has contributed significantly to an increase in the recruitment of female professionals. Field managers were encouraged to use local consultant registers and motivate qualified gender experts to apply for vacancies. According to the Director of the WFP’s Geneva Office, particular

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248 WFP, 1998b, p. 11.
249 WFP, 2001, p. 23.
250 The Consolidated Appeal Process is a means to enable a coordinated strategic approach to operations in complex emergencies by members of the UN family, and others, especially in the field. It results in a coordinated document to appeal for financial assistance from donors.
253 WFP, 1998b, p. 11.
attention has been given to women in higher management positions, in the expectation that this would contribute to creating a conducive environment in the organization.

As a result of such policies, the percentage of women in international positions rose from 18 per cent in 1992, to 24 per cent in 1995, to 37 per cent in 2001. While in 1992 the WFP had no women at senior management level, by 1995 about 14 per cent of senior management posts were filled by women, and in 2000 the figure had reached 36 per cent.\textsuperscript{254} At the end of 2001, the WFP had a total staff of 2,567 people, of which 586 were located at headquarters. Overall, 43 per cent of staff members were women. Of general service staff (1,319 people), 46 per cent were women, whereas of the professional staff and senior categories 39 per cent were women.\textsuperscript{255}

The Human Resources Division has had a policy of proactive recruitment and promotion, and the percentage of females recruited increased from 12 per cent in 1994 to 43 per cent of total recruitment in 1997.\textsuperscript{256} In 1999, of 144 international professional staff recruited, 50 per cent were women.\textsuperscript{257} In 1999 and 2000, 50 per cent of all staff recruited were women.\textsuperscript{258} In a recent \textit{Memorandum} of the Human Resources Division, it was stipulated that - as 26 per cent of national staff are now female - 75 per cent of recruits should be women.\textsuperscript{259} Nevertheless, this appears to be no easy task. Nowadays, more than 80 per cent of WFP activities are in emergencies. From interviewees, it appears very difficult to get women to work in emergencies.

\textbf{Budget}

At one time, the WFP tried to separate the work it does on gender activities into a separate budget line, but it did not work out satisfactorily. The WFP’s principle is to mainstream attention to gender in programmes as well as budgets, and there is attribution in the budget format to gender as a cross-cutting theme, along with other cross-cutting themes such as advocacy, monitoring and security. As part of an evaluation of the ‘Commitments to Women’, some review was conducted on expenditures on gender, but the results are not final.

\textbf{Observations regarding the WFP’s Performance on Gender and Women in Armed Conflict}

\textbf{Lessons Learned}

In 1998 and 2000 the WFP undertook a review of the Beijing ‘Commitments to Women’ of 1995. The 2000 review showed that in over 75 per cent of WFP country offices, at least 50 per cent of the beneficiaries were women. It was established that since 1996, the proportion of female food aid recipients has increased in more than half of WFP-assisted countries. By the end of 2001, it was expected that 40 per cent of WFP country offices would reach the target of delivering 80 per cent of the WFP’s emergency food directly to women. Over 80 per cent of the WFP’s activities had women on food distribution committees, representing a 57 per cent increase since 1996. Over

\begin{itemize}
\item \textsuperscript{254} WFP, 2001, p. 24.
\item \textsuperscript{256} WFP, 1998b, p. 11.
\item \textsuperscript{257} WFP (2000), ‘Reaching the Target’, \textit{Gender News}, No. 21, March 2000.
\item \textsuperscript{258} WFP, 2001, p. 24.
\item \textsuperscript{259} Personal communication.
\end{itemize}
50 per cent of WFP country offices used food aid as leverage to raise the status of women. Over 80 per cent of WFP country offices had integrated the ‘Commitments to Women’ into their Emergency Operations and country programmes. Twenty per cent of WFP country offices had imposed conditions on assistance to reduce gender imbalances or had stopped activities if the ‘Commitments to Women’ were not met. 260

The WFP had almost reached many of its target figures, but also realized that there are still constraints. The review concluded, for example, that there were difficulties to reach the targets in countries with a big gender gap: ‘The low performance was often the result of institutional, social and economic barriers that prevented the full participation of women’. 261 Moreover, although target figures might have been achieved, it is sometimes difficult to be sure as to what extent particular gender-sensitive programmes resulted in real empowerment. In southern Sudan, for example, more than half of the members of food distribution committees are women, elected by the community. However, although food is distributed according to committees’ specifications, afterwards food is often collected again and redistributed by male traditional leaders: ‘It is very difficult to bring a change of culture in this: women had no other experiences’, said the Senior Gender Adviser. Through a pilot project, women were trained to be more empowered. It is hard to say whether this training has been a success, as a follow-up for the displaced people concerned is very difficult. A programme in Pakistan may raise similar questions about the final results of the WFP’s interventions. In this programme, families receive oil in return for sending their daughters to school. After three years, parents started assisting in building schools, thus investing in the girls’ education. The question remains, however, whether this should be interpreted as a change of attitude or of mere opportunism.

In the Annual Report 2000, the WFP notes that the empowerment of women is more than just a matter of increasing the number of women who serve on local food aid committees. Rather, it requires working in cooperation with women, thus increasing their qualitative participation, especially in decision-making. For this purpose, the WFP trains women who serve on food aid committees in leadership and management, functional literacy and numeracy. 262 In addition, it is observed that ‘[m]ore work needs to be done on gathering and analysing gender-disaggregated data’, to monitor the progress made. 263

Concerning the attitude of WFP staff, a mid-term review of the implementation of the ‘Commitments to Women’ observed that local staff were reluctant in some cases to push for changes that would empower women. 264 Nevertheless, the informants consulted were rather optimistic about the attitude of WFP staff in general. The Senior Gender Adviser observed a change to a more conducive environment for gender issues within the WFP over the last ten years.

262 WFP, 2001, p. 23.
263 WFP, 2001, p. 23.
264 WFP, 1999a, p. 6.
Somebody else referred even to this as a ‘cultural change’ within the organization. According to the Senior Gender Adviser, top-level support within the WFP has been essential:

As Executive Director Catherine Bertini was strong on the issue, people have gotten used to it. In each speech, Mrs Bertini used to say something about gender. She argued strongly for putting ‘Commitments to Women’ into something tangible, and thus the Commitments were translated into clear target figures.

The WFP’s *Annual Report 2000* refers to this as a general lesson within UN organizations: gender mainstreaming does not occur through the efforts of gender specialists only, but policy commitments and support from the top management are also critical.\(^{265}\)

The WFP has experienced some problems with mainstreaming women and gender into the WFP’s organizational structure, in particular the strategy of ‘gender focal points’. About 90 per cent of the gender focal points are women and many are junior officers.\(^{266}\) Actually, the WFP is in the process of introducing a new structure, including ‘gender focal teams’, in which both nationals and expatriates have positions, with both men and women encouraged to assume the tasks. Rotation within these teams is encouraged. Country Directors are ultimately accountable. So far, however, Country Directors have not taken the leadership role that is essential and, as a result, the impact of gender focal teams on field operations may be lower than expected. According to the Senior Gender Adviser: ‘The best is when the Country Director is truly supportive’.

Moreover, a shift in focus of the WFP’s work has made it more difficult for the staff to address gender issues effectively. As the Senior Gender Adviser explained to us:

> We are better at working on gender in development because we have more experience. However, we are not yet there in addressing gender in emergencies. Staff members complain that they are too busy for including gender. ‘We have to help hungry people, we have no time’, they say.

Therefore, she concluded that more work and research needs to be done to address women and gender in emergency situations effectively. Even in difficult circumstances, small advancements may be made. According to the Director of the WFP’s Geneva office, women in Kabul have been employed for activities: ‘I do not have the feeling staff at local level have problems with it. It has sunk into their brains already’.

In the WFP’s 1998 assessment of gender mainstreaming within the organization it was observed that although gender mainstreaming progressed steadily, it was constrained by inappropriate perceptions within the WFP, an important one being that gender issues were synonymous with women’s issues. The assessment saw this reflected in the absence of a proper gender analysis framework and approach, including an assessment of both men’s and women’s roles, with the risk of not addressing gender complementary roles in programme planning; and in a programme approach, in which traditional practices aimed at improving women’s income generation skills had been continued without assessing their impact in terms of marginalizing rather than

\(^{265}\) WFP, 2001, p. 23.

\(^{266}\) WFP, 1999a.
mainstreaming women in development. The assessment also observed a tendency of putting separate gender components within development projects, rather than integrating gender concerns throughout the project cycle (including monitoring and evaluation).\footnote{WFP, 1998b, p. 12.}

This observation may be related to an ongoing discussion within the organization. When Mrs Bertini became Executive Director in 1992, she urged the WFP to focus more on women, as their empowerment is critical to ending hunger and improving food security. Mrs Bertini has always put ‘women’ first, rather than ‘gender’. As the primary activity of the WFP is food, and the most effective way of getting food to the most needy is through women, that is where the focus should be, according to her. As the Senior Policy Analyst (SPP) observed: ‘Our focus on women has not been a gender strategy. We are not fighting for women’s rights or for gender equality. Our focus is on the hungry poor, and the best way to reach them’. In that way, empowerment of women is a strategy only if it is relevant for their food security.

Some within the WFP, however, would like to see the relationships between men and women receive more attention. For example, the Regional Programme Adviser in the Dakar Regional Office commented that while there are benefits in distributing food to women, it may also increase women's responsibility in their already overburdened existence. In addition, it may expose them to violence both at the household level and on the road back home from the location of food distribution. In her view, the justification that if food is distributed to the men it is likely not to reach the household, relieves men of a shared responsibility (with women) to care for their families:

It misrepresents men as irresponsible and untrustworthy. It can (and does) make men feel threatened, and become hostile to gender issues. This approach also reconstructs and perpetuates women as the natural caretakers of families. This is the Women In Development approach: forget the men and focus on the women. I believe a gender equality approach would be to bring men in and help make them more responsible.

A programme officer in Kampala observed in this context that while in some areas full participation of women in food distribution has made them gain respect from other community members and has changed perceptions of women’s capabilities, in other areas men have felt disempowered as they felt themselves losing their role as food providers for the family. Nowadays, the WFP is trying to couch its policy more in the UN’s Agenda for Gender, which focuses on ‘gender’, rather than on ‘women’ in particular. The debate is complicated by the situation in the field offices, where staff complain about the explicit focus on women only.\footnote{At the time of writing, Mrs Bertini’s term of office has just ended and the position of her successor is unclear, although staff have been reassured that the approach will not change.}

Overall, important challenges for the WFP and areas that need particular attention are:

- To contribute to real empowerment, rather than only reaching target figures;
- To take along local staff and local partners in the WFP’s ‘Commitments to Women’;

\textsuperscript{267} WFP, 1998b, p. 12.
\textsuperscript{268} At the time of writing, Mrs Bertini’s term of office has just ended and the position of her successor is unclear, although staff have been reassured that the approach will not change.
- To mainstream gender in the overall policy and programming of the WFP, particularly in emergency situations;
- To give attention also to men’s responsibilities for food distribution, and to focus on gender rather than only on women.

**Strengths and Issues for Improvement**

The WFP’s approach to integrating notions of gender and armed conflict into its policies, procedures and programmes is very explicit. It started from stressing the need to address women in particular in the distribution of food, and has grown into a policy agenda that also includes empowering women through training. Particularly in the context of armed conflict, ensuring access to food and decision-making power in its distribution are major concerns for the WFP. ‘Development is actually made through women for women’, observed the Director of the WFP’s Geneva Office, summarizing the WFP’s position. Nevertheless, although the WFP may seem to promote the empowerment of women, its main mandate is the eradication of hunger. As the Senior Policy Analyst observed: ‘We are no UNICEF or another advocacy organization. We do not want to change the role of women in the world. Our aim is to feed the world’s hungry people’.

This approach may well be justifiable, although it is questionable whether ‘empowerment for food’ is a separate activity, with limited effects on gender relations in general. Although the WFP may feel responsible for food distribution only, it has to realize the impact of this assistance on gender relations in general.

Apparently, there is also much debate within the organization about the way that the WFP focuses on women. Some say that the WFP should continue to focus on women in particular instead of on relations between women and men, while others argue that men’s roles should get more attention in the distribution of food. The explicit focus on women relieves men of a shared responsibility to care for their families, it is argued. The approach may also make men feel threatened, and make them hostile to gender issues, while it reconstructs and perpetuates the role of women as the natural caretakers of families. A more gendered approach might bring men in and help make them more responsible.

The WFP’s commitment to women has been translated into a series of target figures. Despite some disadvantages, the target figures may help to visualize progress, and assess performance. Nevertheless, there is a risk involved. Many practical problems in assisting women in armed conflict are not solved by simply formulating target figures, but require specific knowledge of the local situation. According to the Senior Policy Analyst, the need to take account of local situations does not require adjustments or scaling down of policies, as at the local level there is a practical way of dealing with policies: ‘The fuzziness comes with the implementation’. Over the longer term, however, the area between policy and implementation will need more attention, in addition to target figures.
Moreover, target figures may also run the risk of obscuring what level of empowerment has been attained in practice. To function as appropriate measures of progress, target figures should be accompanied by a proper understanding of the cultural context in which the WFP is working and related constraints in gender programming. In the WFP’s assessment on gender mainstreaming in 1998, it was concluded that despite the attention on women, it seems that a framework for analysing gender relations was lacking. As a result of this, the consequences of programmes in terms of changes that they bring in the relations between women and men - especially in the longer term - may fail to be noticed.

Lastly, the WFP’s approach also faces difficulties when it comes to its implementation in emergency situations. Target figures may prevent employees from internalizing the promoted ideas about gender mainstreaming, resulting in lip-service to gender issues only, or in neglecting the issue when circumstances are exceptional.

Suggestions and Measures for the WFP and the Dutch Government

Armed conflict is just one of the emergencies in which the WFP provides assistance. Within the WFP it is realized that in conflict situations the position of women raises some particular difficulties. It is observed that more attention is needed to avoid diversion of assistance and issues of targeting, while it also seems more difficult for staff to maintain a gender perspective in situations of emergency. A gender strategy for 2003-2007 is currently under preparation, which will focus in particular on emergency situations and on conflict. It may be expected that this new gender strategy will consider the above constraints in detail. At the same time, the gender strategy is also expected to consider men’s responsibilities in the provision of food.

The WFP’s experiences show that target figures are a useful tool for gender mainstreaming. However, to ensure that field operations act in the spirit of the Commitments and not only at reaching the target figures (which in some cases may even be counterproductive), more monitoring attention should be given to the contents of the interventions rather than to the figures only. There is a need for a qualitative foundation of quantitative measures, and an assessment of how far and in what way programmes are really empowering. In addition, to function as appropriate measures of progress, target figures should be accompanied by a proper understanding of the issues and constraints in gender programming. The long-term effects of interventions must also be studied. Moreover, during our research, several people emphasized that more research is needed on how effectively to address women and gender in emergency situations. For this purpose, there is thus a need not only for more detailed data collection, including baseline information, but also for improving methods for gender analysis.

The WFP justifies its special attention on women by arguing that apart from ‘holding the key to the hunger problem’, women deserve particular attention as - together with children - they are the hardest hit during civil war. In the policy documents reviewed, however, the WFP gives little attention to multiple roles that women may have in armed conflicts. From the literature it appears

269 See also several remarks about this issue made in WFP, 1999a, Policy Issues, Agenda Item 4.
that women’s roles may change considerably as a result of conflict. For a more gendered vulnerability analysis, it seems essential to include notions about the additional roles that women may have in conflict and the impact that these roles may have on their access to food, asset creation, decision-making over how the food is used by the household, and control of resources. In addition, the development of methods for gender analysis in the context of armed conflict should take care not to start from preconceived ideas about the role of women as the natural caretakers of families.

Whatever approach towards women in conflict the WFP adopts, it is the WFP’s results in field operations that count. In field programmes it needs to create - through advocacy - understanding of the policies. It is difficult to formulate strategies for confronting resistance against approaches and programmes. What strategy should be chosen depends very much on the nature of the problems in the field. But the WFP’s own experience in Somalia - where it was convinced of the need to provide its assistance through women and as a result the distribution through women became part of the criteria for starting a food distribution programme - shows the possible extent to which one can sometimes go.

Several of the practical constraints on assisting women in situations of armed conflict cannot be addressed by gender policy only. The Senior Policy Analyst gave the example of situations where women had to travel long distances in unsafe environments to receive assets, and as a result were more at risk. To deal with this, she argued, is primarily a protection issue that should be dealt with by consulting with women regarding their risks and incorporating steps in the design and implementation to minimize such risks (e.g. to reorganize distribution in such a way that it takes place closer to where women reside, or that smaller quantities, or other kinds of food that are less prone to looting, are distributed). In addition, it could be argued that such security constraints should in fact be seen in the context of the relations between women and men. In such a way, men could be considered as part of the solution to the problem, for example by making them feel more responsible for the security of women in the collection of food aid, or for the nutrition of their households (thereby also decreasing the workload of women). The need for general concern and sensitivity within the organization for the particular vulnerabilities of women is pointed out. In this particular respect, the WFP might profit from the approaches developed within the ICRC for more carefully mapping the particular vulnerabilities of women.

While progress is observed in increasing the number of women among international staff, a critical point is how to get more female national staff. It is important for the WFP to employ women at a national level, because the WFP’s work involves talking and working with women. It is recommended that the WFP continues and strengthens its efforts to employ women in emergency situations.

Additional Recommendations for the Dutch Government

Bouta and Frerks, 2002; Lindsey, 2001.
Governments, particularly the Dutch government, are urged to pay attention to the following issues and to take action through the appropriate channels and at the levels concerned:

- The WFP is in the process of preparing its Gender Strategy for 2003-2007, which will include Enhanced Commitments for Women. Governments should appreciate the leading role that the WFP takes in focusing on women in emergency assistance, and should stimulate the WFP to continue setting targets.

- The WFP should be stimulated in its efforts to develop a more articulated framework regarding the multiple roles of women in armed conflict, apart from their roles and responsibilities in relation to food security. Such a framework could also take account of the consequences of the WFP’s assistance on relations between men and women, and the roles of men in food security.

- Taken the rather limited needs assessment tools used so far in the WFP, the Programme could be strengthened by adopting more in-depth qualitative methods for gender analysis. The WFP is in the process of developing an improved Monitoring and Evaluation system, which will be both quantitative and qualitative. It is also working on deepening the gender aspects of its Vulnerability Analysis and Mapping. Governments should give their support to this process.

Selected Bibliography

Bouta, T. and G. Frerks (2002), Women’s Multifaceted Role in Armed Conflict: Review of Selected Literature (The Hague: Conflict Research Unit, Netherlands Institute of International Relations ‘Clingendael’).


**List of Interviewees**

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<th>Name</th>
<th>Position</th>
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<tr>
<td>Khadija Bah</td>
<td>Programme Adviser, WFP ODD Bureau, Regional Office, Dakar</td>
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<tr>
<td>Gretchen Bloom</td>
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<tr>
<td>Valerie Guarnieri</td>
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<tr>
<td>Mahawa Kaba</td>
<td>Programme Officer/Gender, WFP Operations Department, Kampala</td>
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<td>Werner Schleiffer</td>
<td>Director of the WFP’s Geneva Office.</td>
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7. The International Labour Organization (ILO) 271

Introduction
This section on the International Labour Organization (ILO) first gives a description of the organizational structure of the ILO. It deals with the general gender policy of the International Labour Office (the ‘Office’), which is one of the three bodies of the ILO. Second, it focuses on one of the eight InFocus Programmes (IFPs) of the ILO: the InFocus Programme on Crisis Response and Reconstruction (IFP Crisis). The IFP Crisis is the unit within the ILO that has probably gained most experience with women in conflict situations. 272 Hence a closer look is given to IFP Crisis’s history, structure, expertise with the topic of women in armed conflict, views on women in conflict, activities related to women in conflict, lessons learned and best practices on this topic. Third, it provides suggestions for IFP/Crisis, the ILO and the Dutch government for further strengthening the organization’s performance on the topic of women in armed conflict.

The ILO in a Nutshell 273
The ILO accomplishes its work through three main bodies, namely: 1) the International Labour Conference; b) the Governing Body; and c) the International Labour Office. All three encompass representatives of governments, employers and workers.

At the International Labour Conference in June of each year in Geneva, the tripartite constituents of the ILO’s member states meet. At the Conference, they establish international labour standards, discuss global social and labour questions, adopt the ILO’s annual budget, and elect the Governing Body.

The Governing Body is the executive council of the ILO and meets three times a year in Geneva. It takes decisions on the ILO’s policy, programme and budget, and also elects the Director-General. It is composed of 28 government members, 14 employer members and 14 worker members. The International Labour Office is the permanent secretariat of the ILO and focal point for the overall activities that it prepares under the scrutiny of the Governing Body and under the leadership of a Director-General, who is elected for a five-year renewable term. The Office employs some 1,900 officials at the Geneva headquarters and in 40 field offices around the world. In addition, some 600 experts undertake missions in all regions of the world under the programme of technical cooperation.

With the arrival of the new Director-General (DG), Mr Juan Somavia, from Chile in 1999, the Office and work programme were reorganized around four strategic objectives: a) standards and fundamental principles and rights at work; b) employment; c) social protection; and d) social dialogue, with gender and development as cross-cutting priority themes with all of them geared to

271 Author: T. Bouta, Clingendael Institute.
272 Acknowledging that gender is about women and men, this section will for the specific purpose of research particularly focus on women in conflict.
the goal of decent work. Next to these four sectors, the Office has two other sectors, namely for regions and technical cooperation and for financial and support services. Besides those sectors, there are three departments (Programme and Budget; Human Resources; Policy Integration) and a Bureau for Gender Equality that report directly to the Director-General. The Office also has a field structure, including regional offices, area offices and multidisciplinary expert teams (MDT) that support the field offices.

The new DG also created so-called InFocus Programmes (IFPs), which are programmes that focus on specific topics at the interdepartmental level. In total, there are eight IFPs. Some of these were entirely new, such as the Programmes on Promoting the Declaration, Socioeconomic Security, and Crisis Response and Reconstruction as mentioned above. Others, such as SafeWork, extended, restructured or revitalized existing programmes.274

The ILO and Women in Armed Conflict

The promotion of equal rights and social justice and the improvement of working conditions for women and men have always been guiding principles of the ILO. These principles were first expressed in the ILO’s Constitution in 1919 and further confirmed by the Declaration of Philadelphia which stated that: ‘all human beings, irrespective of race, creed or sex, can pursue both their material well-being and their spiritual development’.275 These principles are still valid today. The Director-General defined in 1999 the primary goal of the ILO today as still ‘to promote opportunities for women and men to obtain decent and productive work, in conditions of freedom, equity, security and human dignity’.276 In 2001, the DG again encouraged the ILO to take up its commitment to gender equality seriously.

Throughout the years, the ILO’s commitment to gender in general has been reflected in the adoption of a number of International Labour Standards - conventions and recommendations - such as those concerning equal remuneration (1958, Convention no. 100), discrimination in employment and occupation (1958, Convention no. 111), and workers with family responsibilities (1981, Convention no. 156).277

Particularly during, but also following, the United Nations Decade for Women (1976-1985) the ILO took significant actions in the form of declarations and resolutions designed to further the concept of equality, not only with respect to labour, but to society as a whole. Declarations and resolutions, for instance, included the Declaration on Equality of Opportunity and Treatment for Women Workers (1975); the Resolution on Equal Opportunities and Equal Treatment of Men and Women in Employment (1985); the Plan of Action on Equality of Opportunity and Treatment of

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274 For the Office’s organization chart, see http://webfusion.ilo.org/public/english/bureau/program/ilochart.cfm.
276 ILO, 1999b, p. 8.
Men and Women in Employment (1987); and the Resolution concerning ILO Action for Women Workers (1991). These are only a few of the instruments of particular relevance to women.

These standards, conventions and recommendations have been complemented over recent decades by extensive research and technical cooperation on equality issues, addressing concerns related to women’s access to productive resources, income generation for poor women and their households, sexual harassment at work, etc. In recent years, considerable efforts have been put into the production and dissemination of information and training packages on a range of issues relating to the ILO’s areas of competence. Efforts have also been made to raise the awareness of ILO staff and its constituents on gender equality concerns and enhance their skills in gender training activities.

Policy Formulation

Although the vocabulary of gender has trickled into the programmes and activities of the ILO, until the arrival of the new DG in 1999 the ILO’s efforts were still limited to statements on equality for women and on women's rights and were constrained by the absence of an integrated policy. Gender concerns had not been given institutional priority or led to basic policy changes. At the International Women's Day on 8 March 1999, the new Director-General, however, announced a new commitment to an integrated gender policy, making gender a cross-cutting priority issue for the ILO in general within the framework of the ILO’s goal of decent work. The ILO’s new gender policy was also launched.

Since then the ILO has been encouraged to undertake action at the political level, within technical programmes, and at the institutional level. At the political level, ILO constituents are encouraged to redouble their efforts and ensure the presence of women within the structures of the Organization and within their own bodies. At the technical level, the Office is taking systematic steps to mainstream gender considerations into ILO programmes at headquarters and in the regions, technical cooperation programmes, information systems and statistical databases. At the institutional level, the ILO started to develop gender-sensitive programming and monitoring systems, a strategically located and strengthened gender focal point system, appropriate capacity-building and personnel policies that enhance career opportunities for women, and programme and budget proposals that are organized around strategic and operational objectives with gender equality as a cross-cutting priority issue.

Impact

Although it is a little early to assess the impact of the ILO’s ‘new’ gender policy after two-and-a-half years, some positive trends can nevertheless be observed, including:

281 For the ILO’s publications on gender, see: http://www.ilo.org/public/english/bureau/gender/info/index.htm.
Obviously, there is a strong commitment to gender from the top. In two of his major publications - Decent Work (1999) and Reducing the Decent Work Deficit: A Global Challenge (2001) - the DG stressed the need for a strong commitment towards gender equality.

Since 1999, the ILO has put in place its first integrated and structured Action Plan on Gender Equality and Mainstreaming,\(^{282}\) which was very well reviewed in a United Nations comparative study on mainstreaming gender in programming and budget systems.\(^{283}\)

In the 1999 reorganization, the Office of the Special Adviser on Women Workers' Questions, which previously reported to the Executive Director of the Department for Technical Cooperation, became the Bureau for Gender Equality. It was upgraded, made responsible for mainstreaming the ILO’s gender policy and it now reports directly to the Director-General.

The visibility of gender within the ILO has increased. For instance, the ILO has recently published numerous papers, guidelines and training materials on gender.\(^{284}\)

ILO staff’s gender awareness has expanded substantially. This is stated by various staff members themselves.

The ILO is currently involved in its first Gender Audit. The results will be submitted to the Senior Management Team in May 2002 and to the Governing Board in November 2002. Initiating a gender audit is a first step towards specifically monitoring and evaluating gender policies.

**Structure**

It is the mandate of the Bureau for Gender Equality to promote coverage of gender equality concerns in the programmes and activities of the ILO. The Bureau acts as adviser, catalyst, advocate and communicator for mainstreaming a gender perspective in all ILO policies, programmes and activities. This includes supporting and coordinating implementation of the ILO’s Action Plan on Gender Equality and Mainstreaming, which also encompasses the first Office-wide Gender Audit, as well as supporting and strengthening the gender focal point network at headquarters and in the field. Gender focal points are representatives of ILO headquarters and field offices that liaise with the Gender Bureau and who have the responsibility, over and above their normal work, of promoting gender sensitivity and mainstreaming in their structures, programmes and activities. Moreover, the Bureau acts as a liaison concerning gender issues with the UN system, NGOs, academic and women's organizations, and with the ILO’s Governing Body concerning gender issues within the organization.\(^{285}\)

The Office also has the Gender Promotion Programme (GENPROM) within the Employment Sector. Instead of actually implementing gender mainstreaming, GENPROM provides ILO staff and constituents with the information base and the conceptual, analytical and operational tools for gender mainstreaming. Particularly in the field of employment, it is working with national

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\(^{283}\) ILO, 2001c, p. 4.


governments and the social partners to design, implement and monitor special targeted interventions to promote more and better jobs for women and men.  

And thirdly, as will be explained below, IFP Crisis is specifically working intensively on the topic of gender in crisis situations.

**Budget**

Financially speaking, with the exception of the budgets for the Bureau for Gender Equality and Gender Promotion Programme, the ILO has tried to mainstream gender-related activities in the overall ILO budgets and statement of expenditures. On the one hand this can be negative, because it is not clear what part of the overall budget is spent on gender-related activities. On the other hand it is positive, because gender does not become an issue parallel to the ILO’s main activities, but is integrated into the ILO’s core business. Most interviewees agreed with the current way of budgeting. They replied that since the ILO is strongly focusing on gender as a cross-cutting priority issue, the chance that only smaller parts of the overall budget would be reserved for gender-related activities is small.

**IFP Crisis and Women in Armed Conflict**

Linked to the ILO’s general gender policy, IFP Crisis has developed a gender approach and a framework adapted to conflict and other crisis situations. In contrast to the Bureau for Gender Equality that intervenes at the level of procedures and processes for mainstreaming gender within the Office at headquarters and in the field structures, IFP Crisis intervenes at the substantive level of policy formulation and implementation of projects at a country level and the development of knowledge and tools. In order to grasp the specifics of IFP Crisis’s gender approach, it is necessary first to give a brief background analysis of IFP Crisis.

Although the ILO has a comparative advantage in the conflict-affected context and also a commitment to undertake work in this area, it has yet to realize its full potential in the conflict-affected context. During the last decade it increasingly undertook activities in the field of conflict. Before 1997, for instance, it undertook various conflict-related projects and programmes in, among others, Bosnia-Herzegovina, Guatemala, Cambodia, Uganda and Zimbabwe on issues such as skills and entrepreneurship training, reintegrating demobilized soldiers, and promoting local economic development. Yet there was no integrated policy behind these activities, which were undertaken in a rather *ad hoc* form.

From 1997-1999 the ILO introduced an ‘Action Programme on Employment and Skills Training in Conflict-Affected Countries’. In contrast to country-level operational activities, this Action Programme covered research and tools development. Although the Action Programme formally resided under the Training Policies and Systems Branch, it was a multidisciplinary and interdepartmental programme with a strong awareness of gender. Next to implementing

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programmes on key ILO activities around the globe, the main deliverables of this Action Programme hence included:

1) A new framework for ILO policy and action in the conflict-affected context. In contrast to international labour’s standard issues on this issue, the new framework better reflects the changed nature and current reality of armed conflicts. It is therefore more adequate for providing up-to-date guidance for ILO staff at the headquarters and in the field, as well as governments, employers and workers operating in armed conflict;

2) Several country studies in Mozambique, Bosnia-Herzegovina, Guatemala and Lebanon on gender concerns in conflict contexts. The findings of these studies were synthesized in the publication *Gender Guidelines for Employment and Skills Training in Conflict-Affected Countries*. These gender guidelines are still valid and are intensively applied in IFP Crisis’s current activities, as will be shown below.

**Policy**

Since 1999, the ILO’s Director-General has identified, as indicated, eight InFocus Programmes, of which the InFocus on Crisis Response and Reconstruction (IFP Crisis) is one. IFP Crisis builds on earlier work undertaken by the ILO in a number of crisis situations, and cuts across existing departmental boundaries to concentrate a critical mass of research and technical cooperation in the area of crisis response and reconstruction. It is the first contact point within the ILO for issues related to crisis. In contrast to earlier programmes that mainly focused on armed conflict, IFP Crisis focuses on four types of crises: a) armed conflict; b) natural disasters; c) difficult social movements or political transitions; and d) economic and financial downturns. In addition, it has a fifth explicit focus point: gender and crises. This theme is incorporated as much as possible in IFP Crisis’s strategy and objectives.

IFP Crisis’s programme strategy and objectives can be summarized as follows:

1) Knowledge and tools development, such as developing a coherent ILO framework and capacity to respond effectively to different crisis situations;

2) Crisis capacity-building, including through workshops and training of ILO staff at headquarters and in the field and ILO’s constituents and other international and national actors, enhancing their capacity to play a greater role in crisis situations since working in crisis situations is not ‘business as usual’;

3) Advocacy and resource mobilization. Advocacy relates to raising awareness within and outside the ILO on the issue of the fact that ‘working in crisis is not business as usual’. Awareness-raising often involves fund-raising efforts such as visits to international donor conferences in order to get crisis-related activities sponsored;

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291 InFocus Programme on Crisis Response and Reconstruction: The First Two Years of Implementation (September 1999-December 2001); and InFocus Programme on Crisis Response and Reconstruction: One and a Half Years of Implementation (September 1999-June 2001).
4) Country-level activities, focusing *inter alia* on employment-intensive investment programmes, skills training, small enterprise development, social dialogue and other areas of the ILO’s work.

The issue of gender and crisis is wherever relevant incorporated into these four strategic objectives of IFP Crisis.

**Structure and Expertise**

IFP Crisis is a small team. Starting with one person at its inception in September 1999, the team now counts eight multidisciplinary members. Due to the ILO’s increased focus on gender, IFP Crisis staff have received substantial training in basic gender issues. When it comes to specific expertise on women in conflict, the team has three experts, who all assume the role of gender expert next to their normal work schedule. In practice, it is probably IFP Crisis’s Director, Eugenia Date-Bah, who is regarded as the main gender expert within the team. Before joining the ILO, she worked *inter alia* for a Bureau on Women and Development; and when joining the ILO, she worked as head of an interdepartmental programme for equality and women in development, and later on various gender and women’s issues specifically related to conflict and crises.

Because of staff constraints, although three staff members have gender in their portfolios, they lack the time to integrate the gender component consistently in the crisis-related activities of IFP Crisis. Moreover, they do not have enough time to develop separate programmes on gender and conflict. Hence, IFP Crisis expressed the need to add a full-time gender expert to the team, who could be in charge of all gender-related issues within IFP on a permanent base.

Most of IFP Crisis’s approach to women in conflict is described in the earlier-mentioned *Gender Guidelines for Employment and Skills Training in Conflict-Affected Countries*. The advantage of these guidelines is that they were drafted on the basis of the ILO’s practical experience and research insights with women in conflict situations. Besides providing an explanation of the relevant concepts related to women and armed conflict, they also indicate how women’s needs and interests in conflict can be practically taken into account by conflict-related ILO interventions. Since ILO gender policy is too general to apply specifically to conflict situations, these unofficial guidelines represent best how IFP Crisis perceives women in conflict. The question, however, is whether ILO staff outside IFP Crisis that work in conflict zones do share the same approach to women in conflict. This should preferably be the case.

Describing in a nutshell the strengths of IFP Crisis’s view on women in conflict, the first strong aspect is that its view is rather comprehensive and rather up to date, meaning that recent academic insights are already incorporated in its view on women in conflict. Second, IFP Crisis admits that conflict impacts on women and men differently, and that thus both women and men should be involved in conflict-related interventions. Third, it simultaneously acknowledges that women are often among the most vulnerable in armed conflict, and that women also can be the engines of

recovery. Women are not only passive victims of conflict, but also active actors with their own agendas. Fourth, IFP Crisis stresses that gender roles and thus women’s and men’s positions change throughout conflict. It stresses that positive changes in gender roles need and deserve support. Technical and other forms of support must contribute to sustaining the positive and strategic changing gender roles and not to recreating or perpetuating old gender stereotypes.

A weakness of IFP Crisis’s view is that besides the gender guidelines, various other IFP Crisis publications on women and armed conflict exist, which highlight other aspects of women in conflict. So it may not always be clear, without trying to update the gender guidelines to reflect the new insights, what approach IFP Crisis actually applies in a specific situation. A suggestion in this regard is to describe IFP Crisis’s view on women in conflict in a page or two and make that the Unit’s official approach.

Another weakness could be that IFP Crisis’s view on women in conflict may not be adequately known to other ILO officials working in conflict zones. Hence, this well-elaborated view may only have a limited impact on the actual position of women in conflict zones. Here, it is suggested increasingly to incorporate this issue in crisis capacity-building training and workshops, and to mainstream it into IFP Crisis’s advocacy activities.

**Activities and Instruments**

The question to be raised now is how IFP Crisis concretely deals with women in conflict in its broad range of activities. In order to answer this question, IFP Crisis’s publications were analysed and interviews were held with key persons in the IFP Crisis team. This led to an impression of how IFP Crisis pays attention to women in conflict in its overall strategy, and in its four components within this overall strategy as mentioned above.

**Overall Strategy**

In the description of its overall strategy, IFP Crisis makes special reference to women: ‘as women and children are often most strongly affected in crisis, they will be considered prominently in planning the ILO contributions to post-crisis reintegration and reconstruction programmes’. Moreover, in the explanation of its activities in armed conflict, reference is made to *inter alia* the specific needs of female heads of households. This, together with the fact that ‘gender and crisis’ is a separate objective of IFP Crisis, in principle shows concern for gender issues in crisis.

**Knowledge and Tool Development**

Over the last two years IFP Crisis has undertaken various initiatives regarding research consultations, research studies and tool development. Among the research outputs and tools, various deliverables refer to the issue of gender. For instance, IFP Crisis undertook studies on

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293 Gender analysis must confirm whether this actually is the case. For instance, in the Liberian armed conflict, men appeared to be more vulnerable than women. They had a larger chance of being attacked on the streets than women. Consequently most men stayed at home, while women took over their trade business to ensure the household income.

women in Afghanistan as a preparation for possible rehabilitation projects in Afghanistan. This, among others, resulted in *Working Paper 4: Capitalizing on Capacities of Afghan Women: Women’s Role in Afghanistan’s Reconstruction and Development*. In addition, it also published other gender-related Working Papers such as *Working Paper 2: Gender and Armed Conflicts* and *Working Paper 7: Crises, Women and other Gender Concerns*.

**Crisis Capacity-Building**

Crisis capacity-building activities mainly focus on explaining the characteristics of crises. Women in crises are only one of the many aspects to be covered. Therefore it is difficult to assess how much attention is and should be paid to this topic. For instance, the first ‘ILO Crisis Response and Reconstruction Capacity-Building Training Workshop’ in Turin in 2000 for *inter alia* directors of ILO field structures and representatives of ILO constituents and UN bodies, only slightly referred to women in conflict in a small session on response to vulnerable groups in crises.\(^{295}\) At the ‘Crisis Response Capacity-Building Workshop’ in Cameroon in 2001 for ILO field office personnel working in armed conflict, a session was devoted to gender and crisis, with the conflict situation taken as a special example. Moreover, at the ‘ILO Crisis Training of Trainers Workshop’ in Turin in 2001 for officials from various ILO offices and units, gender issues in armed conflict was one of the four themes that working groups could discuss.\(^{296}\)

Besides the workshops organized by IFP Crisis itself, IFP Crisis also provides inputs to workshops organized by others inside or outside the ILO, allowing use of the training material that IFP Crisis has developed on gender and crisis. IFP Crisis’s general *Training Manual on Crisis* includes a module on gender with notes for trainers. IFP Crisis has also prepared a specific module to include in the ILO training kit on Gender, Poverty and Employment.

Realizing that crisis capacity-building is a substantive theme in itself, capacity-building on gender and armed conflict is important as well. It currently often forms part of the capacity-building training, but it can form a more substantial part in future. IFP Crisis would like to develop and extend its capacity-building activities on gender and crisis and armed conflict in particular to benefit tripartite constituents and other international and national actors. To implement such activities it would be necessary to develop some partnership with donors.

**Advocacy**

With the arrival of an advocacy and resource mobilization specialist at IFP Crisis, advocacy activities increased. Various IFP Crisis staff join meetings, give presentations, and participate in conferences on crisis-related issues. They have tried to cover the role of women in armed conflict in the above events and other capacity-building work.

**Country-Level Activities**

\(^{295}\) ILO, 2001b.

\(^{296}\) ILO, 2002a, p. 20.
The mandate of IFP Crisis is to initiate activities in a crisis country. In principle, IFP Crisis has an exit strategy whereby it phases out its active involvement in a crisis country after one year, leaving the ILO field structure concerned with the main responsibility of backstopping any activities in the country. The ILO field structure includes regional offices, area offices and Multi-Disciplinary Teams (MDTs). The MDTs consist of various experts that give back-up to regional and area offices. Because of this mandate and strategy, IFP Crisis’s contribution to women in conflict is mainly concentrated in the project preparation and project initiation phases. When it comes to women’s interests and needs in the project implementation, monitoring and follow-up phases, IFP Crisis’s contribution has not yet been fully documented. IFP Crisis’s involvement in project impact assessments is planned, and where it has been undertaken, such as in Mozambique, the impact noted has been significant.

Country-level activities are normally developed in a step-by-step approach. In each step it is important to be gender-sensitive. In describing this approach below, it is possible to assess how IFP Crisis deals with gender and women in conflict. The following steps are taken:

- **‘Brainstorm’**: IFP Crisis and the ILO field structure discuss what can be done in a specific country. Gender issues are often taken into account here already.

- **Setting the Framework and Terms of Reference (TORs) for Field Missions**: Once it is decided to start planning country-level activities, IFP Crisis and the field structure decide which experts must go on a field mission, and what mandates/objectives these missions should have. According to interviewees, it is often decided to pay special attention to the needs and interests of women, and to include at least a gender specialist (be it on a part-time or full-time basis) in the team.

- **Field Missions/Rapid Needs Assessment**: Field missions often consist of ILO field staff, and crisis experts that are hired in as consultants or work for IFP Crisis. Normally gender aspects of conflict and the impact of conflict on women and men are well covered in the rapid needs’ assessment and programme formulation exercises, if not directly by the field missions, then indirectly through the feedback of IFP Crisis and others on reports from the field missions. According to one interviewee, it has more or less become normal to include a gender analysis in rapid needs assessments and to analyse specifically the situation of vulnerable target groups, which includes some specific groups of women.

- **Project Formulation**: Based on the (gender-sensitive) findings of the field missions, IFP Crisis in collaboration with others gets involved in project formulation. Instead of referring to women as a special target group, they mainstream women in their project proposals. For instance, a common aspect of Disarmament, Demobilisation and Reintegrating (DDR) project proposals is support for the communities of ex-combatants, thus implicitly referring to support for the women and family of ex-combatants.

- **Pilot Project**: IFP Crisis often supports the set-up of projects on a small scale with its own seed money. Once the initial impact of a project becomes clear, it is then intended that donors sponsor the follow-up of the pilot project. Whereas IFP Crisis is financially involved, the project management is in the hands of the ILO’s field structure, while IFP Crisis mainly does
the backstopping. The influence that IFP Crisis can exert on women’s concerns at this stage becomes more limited, but ideally gender experts from the field structure are taking over.

- *Fund-raising and Project Follow-Up*: IFP Crisis also takes up this challenge, but it is hard to look for a gender component here.

Analysing IFP Crisis’ contribution to women in conflict-related country-level activities, it can be concluded that it can positively influence the project preparation and initial implementation, but is not yet in the position to assess the longer-term project impact on women in conflict. Hence it is hard to assess whether their gender-sensitizing efforts have a long-term positive impact or not. This might be a field for improvement: assessing the impact of gender-sensitive country-level activities.

Another observation is that the great majority of these country-level activities take place in the post-conflict phase. On the one hand this is understandable, because donors are less likely to sponsor activities in the pre-conflict and actual conflict phases. On the other hand, various IFP Crisis publications suggest that IFP Crisis anticipates the needs and problems in the immediate pre-crisis situation and during crisis. 297 For instance, a possible response in the pre-conflict phase includes early warning or building local capacities for conflict prevention, preparedness and response. In order to bridge this possible gap between theory and practice, starting country-level activities as early as possible in the conflict is suggested in order to prevent unnecessary suffering and harm for women and men in conflict zones.

**Budget**

The ILO pays staff salaries. In addition the ILO and other donors can put money in IFP Crisis’s Rapid Action Fund, which enables it to react flexibly and timely to crises, and to start up pilot projects with this so-called seed money. Last year the ILO pledged US$ 500,000 to this Fund, but IFP Crisis has indicated that it needs at least US$ one million for the coming year in order to operate effectively.

Donors have yet to grant money to the Rapid Reaction Fund, but they have sponsored specific crisis-related country-level activities. In 2001 IFP Crisis mobilized over US$ ten million of external funding for its various projects.

It is not easy to find funding for IFP Crisis’s activities. Firstly, donors are more willing to sponsor humanitarian assistance programmes with a quick impact instead of the medium and longer-term reconstruction and reintegration needs that IFP Crisis is focusing on. Secondly, ILO’s contact persons within donor organizations are not those covering funding for crisis-related issues and hence are often less keen to sponsor these activities. IFP Crisis hopes to develop closer relationships with the conflict and other crisis desk officers in order to receive more support for their activities.

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297 ILO, 1999a, p. 4.
Observations regarding IFP Crisis’s Performance on Gender and Women in Armed Conflict
Lessons Learned

Thirteen of IFP Crisis’s key lessons regarding women in conflict, which are summarized in the fact-sheet *Gender in Crisis Response*, include:

- Avoid trade-off between speed of action and gender considerations.
- Sensitize and train crisis practitioners on the gender dimensions of crises. Stress the importance of female workers’ rights and gender concerns in the reconstruction of societies and building of sustainable peace and economic development.
- Hold a vigilant advocacy stance at all crisis stages, as gender awareness needs prompting;
- Fully grasp gender implications of crises, and the complexity of their dynamics (through gender analysis, disaggregated data, the capabilities and vulnerability matrix and community-based participatory methodologies), and reflect them in planning and programming.
- Monitor gender bias in access to services by men and women (gender-specific needs and traditional work patterns need to be recognized).
- Avoid viewing men’s and women’s roles in crises as adversarial, and present the advantages to men, families and communities of women’s empowerment.
- Use inclusive community-based approaches, as segregating women and men in crisis response can reinforce perceptions of women’s vulnerability, and create gender conflict and competition.
- Take advantage of and assist positive gender role changes in crises, and their long-term sustainability.
- Break down occupational segregation and give women job opportunities in all fields, including construction and other ‘male’ jobs, independent work, etc. (through relevant technical and management training, credit schemes, etc.); and at all levels, especially supervision and management.
- Beware of and limit negative survival strategies or side-effects.
- Lighten women’s burden of productive and reproductive work, by restoring community support structures, establishing special family support networks and voluntary social protection schemes.
- Strengthen and build on the work of existing women’s groups (working women’s associations, environmental groups, grassroots advocacy organizations, female-dominated NGOs, etc.).
- Include women and men equally in reconstruction planning, implementing and monitoring bodies and discussions, to ensure that their strategic interests are represented and to familiarize them and society with their full participation in decision-making.

Suggestions and Measures for IFP Crisis, the ILO and the Dutch Government

The length and scope of this research does not allow the authors to give recommendations on the ILO’s overall gender policy. In line with the character of the research, the suggestions for strengthening the ILO’s performance on gender are especially related to gender issues in crisis

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298 ILO, 2002, p. 3.
situations, or even more specifically to women in armed conflict. The suggestions and recommendations should be taken up at the level of IFP Crisis, at the level of the ILO’s Office and at the level of the Dutch government.

At the level of IFP Crisis, the suggestions for further strengthening its performance towards women in armed conflict include:

- **Extra Staff Required**: IFP Crisis has the expertise to develop activities related to women in armed conflict. However, it often simply lacks the time to do so. In order to integrate better the topic of ‘women in conflict’ in IFP Crisis’s activities such as country-level projects, advocacy, training, capacity-building, etc., extra staff are required. The ideas on the topic are numerous, and an extra staff member who is a full-time gender specialist could help in translating these ideas into practice.

- **Develop Impact Assessments**: IFP Crisis’s country-level activities on women in armed conflict tend to be limited to the project preparation and project initiation phase. IFP Crisis is less aware of the medium and longer-term project impact on women in conflict. As already included in the Programme’s work plan for the current biennium, IFP Crisis is urged to develop project and programme impact assessments that particularly stress how IFP Crisis’s activities have (positively) shaped women’s position in conflict.

- **Gather Quantitative Data**: More quantitative data will strengthen the conviction that it is important and effective to pay specific attention to women in conflict. IFP Crisis should use the quantitative data in the preparation, implementation, and impact assessment of their crisis- and gender-related activities. Data could relate to the number of female-headed households, female ex-combatants, etc., addressed in IFP Crisis projects, the number of employed women in the post-conflict phase compared to the pre-conflict phase, to the type of jobs that women hold after conflict compared to before conflict, and so on.

- **Initiate Activities in Pre-Conflict and Actual Conflict Phase**: Whereas most of IFP Crisis’s country-level activities concentrate on the post-conflict phase, undertaking them as early as possible in the conflict should be considered in order to prevent unnecessary suffering and harm for women and men in conflict zones. IFP Crisis has written various publications on how women and men can be addressed in the various phases of conflict. IFP Crisis is in the position to share these valid insights with donors, who are often hesitant to sponsor interventions in the pre-conflict and actual conflict phases, and has the in-house capacity and expert networks to translate them into concrete project proposals.

The ILO is recommended to take action upon the following suggestions:

- **Link the ILO’s Gender Policy with IFP Crisis’s Gender Approach and Framework on Crises**: The Bureau for Gender Equality and IFP Crisis have already undertaken some attempts to incorporate IFP Crisis’s specific approach to gender in crisis into the ILO’s overall gender policy. This initiative should be further encouraged to avoid the two approaches to gender from running parallel to each other, and to increase the interaction and two-way communication between the two. Hence, the Bureau for Gender Equality might help to create more awareness for gender and armed conflict throughout the entire Office.
• Connect the Crisis Focal Point Network with the Gender Focal Point Network: Through a joint effort by the Bureau for Gender Equality and IFP Crisis, the ILO’s representatives in the two networks should be trained in both gender issues as well as crisis-related topics. More cross-fertilization between the two focal point networks may lead to an increased understanding of and anticipation to the interrelationship between gender and armed conflict. Hence the Bureau for Gender Equality is urged increasingly to link gender to crisis in its training, whereas IFP Crisis should continue to link crisis to gender.

• Gender Training for Field Staff in Crisis Situations: Non-members of the two focal point networks must also be trained in both gender and crises. Whereas IFP Crisis’s contributions to country-level activities are still concentrated in the project preparation and initiation phases, and whereas after a year the field structure normally takes over, it is of great importance to give gender training to field staff that work in these crisis-affected countries. In order to ensure that well-intended gender-sensitive initiatives do have a positive medium and long-term impact on both women and men in crises, more field staff must be trained.

• Change IFP Crisis’s Position within the ILO Structure: The current position of IFP Crisis in the Employment Sector constrains its work for other sectors, such as those for inter alia social dialogue or social protection. Its present place within the ILO impedes its efforts to develop an intersectoral approach. Its better location in the ILO’s organizational structure is vital in order increasingly to shape the ILO’s approach to crisis-affected countries, and the ILO’s overall approach to women in crisis situations.

Additional Recommendations for the Dutch Government
Governments, particularly the Dutch government, are urged to pay attention to the following issues and to take action through the appropriate channels and at the specific levels concerned:

• Disseminate the ILO’s Information on Women in Armed Conflict: Donor governments may not always regard the International Labour Organization as an organization that is specialized in working on gender issues in crisis situations. However, the ILO and in particular IFP Crisis has over the years gained substantial expertise on this topic, and has developed good research and training materials in the field of women in armed conflict. The Dutch government is invited to take note of this information and, where relevant, to further disseminate the information.

• Appoint Liaison Officers with Experience in Gender and Crisis Situations: The ILO’s contact persons within donor governments are often not those covering funding for crisis-related and gender-related issues and hence are often less keen to sponsor these activities. The gender, conflict and other crisis desk officers within the Dutch government should develop closer relationships with the ILO, and in particular with IFP Crisis, in order to grant more support for their activities.

• Not only Financial Support for Humanitarian Assistance: In situations of crisis, there is a tendency in the donor community to sponsor humanitarian assistance programmes with a quick impact instead of the medium and longer-term reconstruction and reintegration needs on which the ILO still mainly focuses. In order to enable the ILO and IFP Crisis to undertake country-level activities as early as possible in the conflict, the Dutch government should
express its willingness towards IFP Crisis to fund programmes in the pre-conflict and actual conflict phase.

- Further Support the Specific Suggestions to the ILO and IFP Crisis as mentioned above.

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ILO (2002a), *InFocus Programme on Crisis Response and Reconstruction: The First Two Years of Implementation (September 1999-December 2001)* (Geneva: ILO).


**List of Interviewees**

Mrs E. Date-Bah
Director, IFP Crisis; Gender Specialist, IFP Crisis
Mr Krishnamurty  Senior Economist, IFP Crisis
Mrs. J. Rodgers  Senior Gender Specialist, Bureau for Gender Equality
Mrs I. Specht  Reintegration Specialist, IFP Crisis; Gender Specialist, IFP Crisis
8. The International Committee of the Red Cross (ICRC)

**Introduction**

According to its mission statement, ‘the International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles’.

The ICRC was founded in 1863 and is a private organization under Swiss law. Together with the National Societies and the International Federation of the Red Cross and Red Crescent Societies (IFRC), it makes up the International Red Cross and Red Crescent Movement. The ICRC’s mandate derives from the four Geneva Conventions of 1949 and the two Additional Protocols of 1977, whose rules ‘protect persons who are not or no longer participating in the hostilities, and limits methods and means of warfare’. Part of the ICRC’s mandate is its right of humanitarian initiative, which is recognized under international law, and which allows it to offer its services without being seen as interfering in the internal affairs of a state. The ICRC is guided by the Fundamental Principles of the International Red Cross and Red Crescent Movement, of which the most prominent are humanity, impartiality, neutrality and independence.

The ICRC’s primary responsibility is to ensure respect for international humanitarian law. The ICRC endeavours to protect people in situations of conflict and violence against violations of their basic rights, upholding their rights and making their voices heard. For example, ICRC delegates address the relevant authorities concerning those issues and remind them of their responsibilities. To preserve the well-being and dignity of conflict victims, the ICRC provides direct assistance in the form of food and non-food aid, agricultural and medical assistance. To enable the establishment of an environment favourable to the prevention of repression of humanitarian laws and human rights, the ICRC aims to disseminate knowledge of and promotes adherence to international humanitarian law. The ICRC cooperates with national Red Cross and Red Crescent Societies to develop their capacity to act in accordance with the Fundamental Principles of the International Red Cross Movement.

In 2000, the ICRC maintained a permanent presence in 65 countries (21 in Africa; 9 in the Americas; 15 in Europe and Central Asia; 11 in Asia; and 9 in the Middle East) and conducted

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299 Authors: M. van Leeuwen and I. Stocking Korzen, Disaster Studies, Wageningen.
300 ICRC, 2001, p. 296.
301 Mandate quoted in DFID, 1999.
operations in an even greater number (about 80 countries). The ICRC’s activities include: visiting prisoners of war and civilian detainees, searching for missing persons; the restoration of family links through transmitting messages between family members and reunification; the distribution of relief supplies; medical supplies, equipment, and ad hoc assistance to hospitals, and orthopaedic assistance to war-wounded; spreading knowledge on humanitarian law, and monitoring compliance to that law and drawing attention to violations.

A large number of ICRC activities are implemented together with National Societies, ranging from aid distribution and medical services to tracing and preventive action. One of the ICRC’s activities is to strengthen the capacity of the local National Societies. In other instances, National Societies from third countries are involved in international relief activities supported by the ICRC. In the year 2000, the ICRC budgeted about US$ 33 million for supporting National Societies in their work to promote humanitarian law and the Fundamental Principles, and to restore family links, as well as to support their activities in the areas of conflict preparedness and response.

In 2000, the total of expenditures amounted to about US$ 573 million, of which US$ 483 million for field activities and US$ 89 million for the headquarters. For 2001, the ICRC headquarters budget amounts to US$ 90 million, 62.7 per cent of which is allocated to ‘field support’ services, and 23.3 per cent to the promotion of international humanitarian law. The field budget comes to US$ 505 million. Major contributors to the ICRC are the governments of the United States, Switzerland, the United Kingdom, the Netherlands, and Sweden; the European Commission; and the National Societies.

**General Structure**

The ICRC is controlled by an Assembly of about 25 members, which is responsible for the ICRC’s general policy, objectives and institutional strategy, and which monitors the institution’s activities. The Directorate is the executive body of the ICRC, responsible for applying and ensuring application of the general objectives and institutional strategy defined by the Assembly. It is responsible for the smooth running of the ICRC and for the efficiency of the staff as a whole. At the time of writing, there are three divisions: international law and communication; operations; and human resources and finance. Under the operations department reside approximately 60 delegations around the world. In 2000, on average, the ICRC had a total staff of about 10,000 people: 826 of those were based at headquarters in Geneva, while 1,250 expatriate staff were...
employed in the field, as well as 8,000 locally recruited employees.\textsuperscript{309} Since 1993, the ICRC has also been recruiting through the National Societies, as well as outside Switzerland. At the end of 2000, the proportion of non-Swiss personnel had grown to 40 per cent of the ICRC’s overall staff and 47 per cent of those working in the field.

Particular to the ICRC is its privileged access to governments, with regard to commitments under the Geneva Conventions and the obligations of international humanitarian law. The ICRC has a world-wide network of contacts with civilian and military authorities, political movements, organizations and civil society. The ICRC’s mandate is simply to intervene, on a neutral basis and irrespective of the context. As a result, it is able to gain humanitarian access to conflict-affected areas where others may not be able to reach. In Afghanistan, for example, the UN agencies put an embargo on assistance (except for their humanitarian wings). In such cases, the ICRC rather favours ‘silent diplomacy’. Although the organization did not agree with the restrictions imposed on the population by the Taliban, the ICRC thought it more useful to keep quiet publicly and have discussions with the authorities on issues of concern. The experience was that, as a result, the Taliban also softened. On the other hand, research by DFID concluded that the ICRC’s principled approach has the consequence that the ICRC may not be able to operate in all conflict situations.\textsuperscript{310}

Moreover, as a result of its mandate to maintain independence, cooperation with other organizations is subject to limitations. The ICRC is not part of the UN’s Consolidated Appeal Process (CAP). It is an observer in the UN’s Inter-Agency Standing Committee (IASC), while in CAP an annex is often included on the ICRC’s funding requests. Concerning women and armed conflict, for example, there is interaction with UNHCR on the issue, and meetings between the different organizations take place at field and headquarters level. As somebody expressed it: ‘The UN is political, while ICRC is independent. We do coordinate, but we do not want to be coordinated if this puts at risk our neutrality’. The DFID research observed a need for appropriate coordination of activities, which would not necessarily affect the ICRC’s neutrality.\textsuperscript{311}

Contrary to the UN family’s organizations that work with implementing partners, the ICRC works directly or sometimes through and with National Societies. Food, for example, is handled directly by ICRC staff to the beneficiaries (although this rule seems to loosen up). This has some consequences for the realization of policy spear-points: whereas UN agencies in issues such as gender may turn their focus to partners working and experienced in that field, the ICRC does not have that opportunity. Although the ICRC often works closely together with the National Societies, and tries to strengthen them and build their capacity, most of the work is done by the ICRC itself. In countries where the situation is less tense, Red Cross Societies from other countries could also come to assist (Red Cross Netherlands could, for example, work in Syria or Cyprus), but in cases of emergencies, the ICRC takes the lead.

\textsuperscript{309} ICRC, 2001, p. 244.
\textsuperscript{310} DFID, 1999.
\textsuperscript{311} DFID, 1999.
**Policy**

For the most part, the ICRC’s activities are carried out in situations of armed conflict, both international and non-international. While the majority of operations take place during armed conflict, some of the ICRC’s activities continue after the cessation of hostilities (such as the repatriation of prisoners of war, or family reunification). In exceptional circumstances (e.g. if no other humanitarian players are present), the ICRC may also operate in the neighbouring states of countries stricken by armed violence (mainly in the case of massive influxes of refugees).  

In recent years, there has been increased emphasis within the ICRC on the problems experienced by women in situations of armed conflict. It is difficult to trace which specific event created the momentum for this focus on women. The timing of many initiatives came after the many cases of rape in Bosnia in 1992, which appalled the international community. In response, the ICRC wrote an aide-memoire, which concluded that there was enough international law prohibiting abuse, but too limited respect for it. The increased focus on women in armed conflict within the ICRC also coincided with the attention on women within the UN system. During the latter half of the 1990s, the UN Commission on the Status of Women repeatedly stressed that international humanitarian law is at times systematically neglected, and that in armed conflict human rights are violated, affecting women and children in particular. In October 2000, the UN Security Council passed a resolution to carry out a study on the impact of armed conflict on women and girls, the role of women in peacebuilding and the gender dimensions of the peace processes and conflict resolution. Over the last few years, the UN has put efforts into integrating a gender perspective into all activities of the organization and in relation to all themes addressed. Regarding humanitarian assistance, this work is initiated by the Inter-Agency Standing Committee (IASC) Working Group, to which the ICRC is associated. In 1999, IASC came out with a statement advocating the integration of a gender perspective into humanitarian assistance and commitment for action of its member organizations, specifically with regard to gender mainstreaming activities. IASC realized that complex emergencies have different impacts on men and on women and that the needs of women are often neglected or overlooked. Gender-sensitive humanitarian programmes could mitigate the different and negative impacts of complex emergencies on women and men.

The concern for women has been reflected in resolutions pertaining to the movement as a whole, and in more specific decisions taken within the ICRC. At the Twenty-sixth Conference of the Red Cross and Red Crescent in 1996, a resolution was adopted on the ‘Protection of the Civilian Population in Periods of Armed Conflict’, which urged that ‘strong measures be taken to provide women with the protection and assistance to which they are entitled under national and international law’. It also encouraged ‘States, the Movement and other competent entities and

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312 Lindsey, 2001, p. 16.
313 Lindsey, 2000, 82(839), footnote 10, pp. 567-8.
organizations to develop preventive measures, assess existing programmes and set up new programmes to ensure that women victims of conflict receive medical, psychological and social assistance, provided if possible by qualified personnel who are aware of the specific issues involved’.

A the Twenty-seventh Conference in 1999, a Plan of Action was adopted, which contained specific references to the protection of women in armed conflict, and which requested the ICRC to develop guidelines to address the protection and assistance needs of women and girl children better. At the conference, the ICRC made a pledge ‘to ensure that the specific protection, health and assistance needs of women and girl children affected by armed conflicts are appropriately assessed in its operations with the aim to alleviate the plight of the most vulnerable’. The aim is that all of the ICRC’s activities will have been reviewed by the end of 2003 to ensure that the needs of women affected by armed conflict are properly addressed. With this pledge, the ICRC renewed its commitment to the effective protection of women. The pledge also intended to promote the respect to be accorded to women and girl children affected by armed conflict, as well as ensuring that the specific needs of women and girls would appropriately be assessed in the ICRC’s own operations to try to alleviate the plight of women.

For these purposes, the ICRC set up a Women and War Project, specifically designed to develop and strengthen materials and means to raise awareness among all parties concerned of the provisions of humanitarian law protecting women, and to ensure that all ICRC activities take account of the needs of women affected by armed conflict. ICRC delegations around the world have been instructed to give increased attention to the needs of women affected by armed conflict and to strengthen or adapt where necessary the ICRC’s activities and programmes to ensure that they are met.

**Activities and Instruments: Women and War Project**

At the end of 2000, the ICRC completed a three-year study on the ways in which women are affected by armed conflicts. On the one hand, the study aimed at increasing understanding of the impact of violence on women, and knowledge of the law that affords them protection and assistance. On the other hand, the research was to assess whether the ICRC’s activities in favour of women affected by armed conflict were adequate, and to formulate guidelines to enhance the protection and assistance of women affected by armed conflict. According to the Women and War Project leader, over the last two years the internal reports of the research have

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322 ICRC, 2001, p. 235. In this regard, the study concluded that on the whole the law adequately covers the needs of women in situations of armed conflict, both international and non-international, if all applicable bodies of law are taken simultaneously (international humanitarian law, human rights law, refugee law, and national law). However, the challenge lies in ensuring respect for and implementation of the existing rules.
323 Lindsey, 2000, 82(839), pp. 33, 561-80.
been a catalyst for change and strengthening of activities. As a result, specific key-point documents (guidance) for detention, health and assistance activities have been formulated and/or updated, as well as in relation to communication and training materials. In response to requests from the field to support the guidelines with more ‘practical’ means to spread the message, fact-sheets have been produced, as well as videos, illustrating the specific needs of women identified in the research. Within the ICRC, the focus now is on the implementation a specific plan of action (key objectives, timeframe and indicators), which has been designed and formulated specifically based on the ICRC’s study and approved by the Directorate. According to the Women and War Project leader, rather than introducing something completely new to the ICRC, the research brings together all the different issues that already played a role in the work of the organization. For example, prior to the project, research had been done on the protection of women in international law in 1985.\footnote{Krill, 1985.} The current project aims at really institutionalizing the findings, and to make sure that important issues ‘would not get lost on the way’ by moulding them into specific guidance documents.

At its inception, the research for the study was meant as an internal process. In response to external interests by some states, the study was published for the wider public: \textit{Women Facing War}.\footnote{Lindsey, 2001.} Although the supporting material is publicly available, the guidance documents that have been established on the basis of the study and using the material in the study have so far remained internal (although the ICRC will make its guidelines public in 2003). Nevertheless, the study \textit{Women Facing War} may give a good impression of the ICRC’s approach to the issue of women and armed conflict and to a lesser extent gender.

In the first place, the study intended to focus on women’s needs, including these related to their gender, rather than on the gender-related needs of both men and women. While women’s needs refer to the direct needs of women (e.g. access to health care, personal safety, etc.), gender-related needs have to do with women’s particular role in society. The latter needs are often referred to as the strategic needs of women, which - if addressed - may result in social change. The ICRC focuses on the needs of women as a consequence of armed conflict, which can relate to their gender and their sex. The ICRC is hesitant to use the term gender: ‘the term “gender” and its meaning are not widely recognized and understood, and can be misinterpreted (as referring to women only). Moreover, the term does not translate well into many languages’, and thus the term is not widely used by the ICRC.\footnote{Lindsey, 2001, p. 36} According to the Women and War Project, the term is often also seen as referring to a Western issue, which may result in the alienation of some audiences. In dissemination sessions to the military, participants often may not understand the term, while as the aim of such sessions is teaching international humanitarian law and humanitarian principles and knowledge of the ICRC and its work, time is often too limited to discuss it in detail: ‘Our staff needs to understand about gender, but in the dissemination sessions, gender issues may be addressed without using the gender terminology’.

\footnote{Krill, 1985.}
\footnote{Lindsey, 2001.}
\footnote{Lindsey, 2001, p. 36}
Secondly, rather than emphasizing the vulnerability of women, the study highlights the diverse roles that women may play in armed conflict. The study observes that women in armed conflicts are not solely vulnerable and ‘victims’ in need of assistance and protection. On the contrary, women also take part in armed violence as members of armed groups or supporting armed groups, women are also politicians, or leaders of NGOs, social and political groups, or participants in peace campaigns. At the same time they play crucial social and economic roles. ‘The terms “vulnerable” and “victim” are not synonymous with “women”’. Consecutively, rather than a ‘women approach’, the ICRC has an ‘all-victims approach’. Priorities for assistance are based on vulnerability. According to the Women and War Project, ‘the study helped us in better defining what vulnerability means for women and identified gaps in our training of and information to staff, and analysis’. One of the major findings of the study was that it is often very difficult to separate the impact of conflict on women and men. For example:

In the case of Srebrenica, women do not know where their male relatives are and suffer from loss and insecurity about their fate and how to continue. In that situation, although women were expelled and suffered violations, the men went missing, thus the vulnerability of civilian men and men hors de combat must be focused on as well. This shows also that the impact of armed conflict is not so easily separated for men and women. In Bosnia-Herzegovina, 92 per cent of missing people are men. What women needed in Srebrenica is not only the means to stay alive, but their husbands alive. Often, 96 per cent of detainees in the context of armed conflict or internal violence are men. We have to respond to particular vulnerabilities. In that way we may actually get to a very gendered approach. Often women and children are seen as vulnerable. Children indeed are very vulnerable. However, women are NOT vulnerable just because they are women, but they may be made vulnerable.

Or, as the Deputy Head of the Task Force for West Africa said: ‘In some cases widows, in others it is lonely men that are more at risk. Therefore we do not make a differentiation. Talking about vulnerability, women are often put at the top, the same with children and large families. We do not want to take this prioritization for granted’.

Or, as the Head of Europe Sector Central Tracing Agency and Protection Division stated: ‘Mostly men get killed. People that remain behind are women: in war gender is not about women but about families’. The ICRC evaluated the specific needs and problems of the families of missing persons in Kosovo, interviewing 500 families. Among other things, the evaluation relates the problems of women that emerge after the loss of their husbands. Many women and children were not sure about their legal status, in terms of property rights, inheritance rights, rights to children after remarriage, or whether Kosovo culture allows women to have a job, for example.

As a consequence, and formally speaking, the ICRC does not have programmes specifically for women as such, but only on the basis of vulnerability, under which programmes specifically for women may be initiated. ‘The basic premise is: what is vulnerability, whom best to assist. If not, 327 Lindsey, 2001, p. 212.
you might run the risk of focusing on women this year, on elders or children next year’. The Deputy Head of Operations for Central and South Asia told us about Afghanistan, where the ICRC has programmes specifically aiming at widows of former combatants and visits to detained women:

There is a high awareness in the Afghanistan programme that women are more vulnerable. The delegation has been asked to focus on women and children in particular, because they were particularly vulnerable. This, however, is different from programmes that specifically aim at women only. If you focus on women, you will leave the rest alone: it is not the fault of individual men that their culture is oppressive.

In sum, the study thus emphasizes the need for the ICRC to focus on women’s (direct and indirect) needs in particular, rather than on gender-related (or strategic) needs, and to focus on general or particular vulnerabilities in relation to women as well as others who may be affected. From comments by the different people we interviewed, a similar picture emerged. Moreover, the ICRC’s ‘neutral’ position regarding women and men is in line with the principle of neutrality that the organization cultivates. Of course, it needs further qualification in how far the above-described position regarding women and gender in armed conflict reflects thinking in the organization at large.

**Specific Structure and Expertise**

The above notions are also manifested in the organizational structure of the ICRC. At the level of the delegations, there are no people responsible for gender or women in particular, as at field level everybody is expected to think about women/gender-related vulnerabilities. Although it is expected that particular women’s needs will be adequately addressed if the delegations focus on vulnerability and understand this in relation to women, at the same time, as was mentioned earlier, the ICRC also made a pledge in 1999 to assure the protection and assistance needs of women and children in particular better. After the pledge, all delegates were asked to be involved in the launching of the Project and have been sensitized about women/gender issues. According to the Deputy Head of the Task Force for West Africa, in the annual planning exercises by the delegations the focus is on a selection of specific target groups, as instructed by the main office: ‘Since the pledge of the ICRC, women and children have been marked out as particular groups and can now be identified in planning as groups to specifically aim projects at’. For example, in Sierra Leone, the ICRC runs an extensive programme for women. There is a maternity programme, which is quite rare for the ICRC, and also an agricultural programme for women. According to the Deputy Head of the Task Force for West Africa, this stems from a need identified by the ICRC: that women are traditionally organized for the cultivation of cash crops in cooperatives, but found their agricultural knowledge very basic due to many factors. Those cooperatives had been partly dismantled as a result of the conflict. In the case of Sierra Leone, it seemed to the ICRC that the most efficient way to move the population out of direct subsistence was to focus on those women’s cooperatives. Of course, it is difficult to assess whether the pledge would have made a difference in this particular case, but the Deputy Head guesses that without this pledge and the consequent sensitization of delegates, the focus would not be that much on women.
Within the ICRC, the specialists on women and war (and gender) are located in the Women and War Project. The Project has four staff and is part of the division for policy. The more a delegation addresses women as a particular target group, the more contact there is with the Women and War Project. The Project also visits many delegations to help them enhance, where necessary, programmes and activities (18 countries to date). The Women and War Project is not responsible for the extent to which the different programmes of different departments are sensitive to women and gender. The Project writes key documents but closely involves the divisions in the areas of concern to them. The ICRC’s guidance documents on women in detention, for example, have been written in close cooperation with the Protection Department and have been approved by the Head of Protection. The policies relating to women are directed to the field by the Directorate rather than by the Women and War Project, and thereby become directives. The Project provides information and guidance, and it is up to the Directorate to endorse these in the general guidelines and directives given to the different departments and delegations. Women are an institutional priority for the ICRC. Consequently, regional heads of delegation are responsible themselves for integrating women (and gender), rather than the Women and War Project.

As mentioned before, at the level of the delegations, there are no people responsible for gender or women in particular, as at field level everybody is expected to think about women and gender-related vulnerabilities. As the Women and War coordinator observed:

Most other organizations have focal points. We resisted that. Women is not one person’s issue. Moreover, then, in case of an emergency you might run the risk that people say: ‘This is an emergency, we do not have time to deal with gender or women’.

At the level of delegations, the head of the delegation is responsible for taking the particular needs of women into account in the programmes. Before going to the field, staff members get a three-week training course on what to expect in the field, including a lot of role play, in which attention is also given to the particular problems facing women. In addition, each department within the ICRC also has a series of key documents, the ‘electronic toolboxes’, and many of them have specific information on the needs of women. The Women and War Project aims to meet all expatriates working with the ICRC on a one-to-one basis before their departure to the field, as well as upon their return, to discuss the constraints and their experiences with the material and guidance documents now available in relation to women. 350 have been met to date. Lessons learned in particular projects will then be used to develop more specific guidelines on women and conflict. So far, internal guidance documents are not publicly available. The Women and War Project is very hesitant to make the guidance documents public, as they are working documents specific to the ICRC. However, in 2003 the ICRC will produce guidelines based on the study and other such material and they will be publicly available.

**Equal Opportunities within the ICRC**

In 2001 an analysis was undertaken of the balance of male/female employees within the ICRC, to ascertain the success of the policy for equal opportunity within the organization. For the total staff
(headquarters and expatriate field staff together, local staff excluded, which were over 2,000 people in 2001), the percentage of female employees has remained rather constant: the figure was 44 per cent in 1993, and 45 per cent in 2001. At headquarters only (820 people in 2001), 55 per cent of employees were female; in the field in 2001, 38 per cent of staff were women.\textsuperscript{328} When differentiating to the level of positions, the picture gets more varied. In the middle management (heads of sub-delegations, 79 people in 2001) in 1993, 19 per cent of staff were female; while in 2001 this figure had risen to 34 per cent. In senior management positions (47 people in 2001), the percentage of women rose from 17 per cent to 23 per cent between 1993 and 2001.\textsuperscript{329}

According to the Department of Human Resources, male-female equity is in general accomplished in recruitment. However, those figures do not differentiate for part-time work, or for the particular type of jobs. It seems rather difficult to recruit female logisticians, for example. At higher levels, however, the policy for equal opportunity still has a long way to go. In 2000, a large-scale internal study was conducted to find out how to remove the sociocultural obstacles for female staff members in taking up senior and managerial posts. The aim was to introduce a series of measures to reduce the factors giving rise to unequal opportunities between men and women within the ICRC.\textsuperscript{330}

According to the Department of Human Resources, security plays an important role in the field in this, while in some locations the authorities do not allow the assignment of women. The major focus of Human Resources is now on the middle level, rather than on the higher-level jobs, with the expectation that the middle level may provide a breeding ground for female senior-staff-to-be. Efforts to recruit women as heads of delegation have so far only partially been successful. Human Resources has had several experiences of women being selected for such jobs, who eventually, however, withdrew. Moreover, the ICRC seems largely associated with a ‘masculine’ style of management, which deters many women. It was suggested to us that the Swiss context is also not very inducive to change. Although more and more non-Swiss nationals find employment with the ICRC, the top management and the Assembly are mainly an all-Swiss affair.

According to an internal report of the Working Group on Equal Opportunity of March 2001, ‘gender-based discrimination is still a widespread problem within our organization. […] Only by changing our culture and internal policies can we overcome the obstacles that stand in the way of equal treatment for men and women’. It was observed that gender-based discrimination was difficult to detect, and that prejudices were so deeply rooted in the system ‘that they could only be noticed when they had gone’. The working group recommended a number of measures, including detailed monitoring of the proportion of men and women at all levels, and corrective measures to be reviewed every twelve months; combating sexist prejudices by means of training, information and communication; regular reviewing of security, political and cultural reasons used to exclude

\textsuperscript{328} When only taking into account the delegates (which are the general staff, excluding medical personnel and specialized staff), the figures were 32 per cent (1993) and 38 per cent (2001), although at headquarters the figure remained around 30 per cent.

\textsuperscript{329} Figures provided by the Department of Human Resources.

women from certain posts; favouring alternate assignments of men and women to management and other posts; and eliminating salary differences.

**Observations regarding the ICRC’s Performance on Gender and Women in Armed Conflict**

**Lessons Learned**

Although there might have been debate within the organization for a long time about how to incorporate a more focused perspective on women, only recently has the ICRC made public its approach to women and gender. As was mentioned, it was only recently that the ICRC started putting together its findings on how women are affected by armed conflict and what consequences this should have for ICRC policies. This is relatively late compared to other organizations reviewed (such as the WFP and UNHCR). Moreover, internal documents of the ICRC, such as guidance documents and internal evaluations, are not accessible to outsiders. It is thus very difficult to sketch a picture of the experiences with the ICRC’s earlier, internal policies regarding women and gender mainstreaming. For those reasons, it seems a bit too early to come up with the ICRC’s best practices and lessons learned in the exercise.

Nevertheless, the policy framework put forward in *Women Facing War*, and the interviews we had with several officials, suggest that the ICRC’s aim for an integrated approach is consistent with its major principle of neutrality. The approach seems to be based on the following ‘lessons learned’:

- Focusing on ‘gender’ may run the risk of affronting or alienating the ICRC’s target audiences on the ground. Therefore, the ICRC focuses on ‘women’ and their particular needs and not on gender.
- Focusing too much on women and not on other groups runs the risk that no real mainstreaming takes place and that the attention on women will only be of a temporary nature. To ensure that the commitment to women is integrated into all the ICRC’s activities, the ICRC focuses on ‘vulnerability’ and what that means for women, rather than on women.
- Moreover, focusing solely on women runs the risk of neglecting the particular needs and vulnerabilities of men, when the two groups are often inextricably linked. Therefore, the ICRC focuses on the whole picture, and on the specific capacities and vulnerabilities of particular groups within that picture, e.g. women.

**Strengths and Issues for Improvement**

Regarding mainstreaming notions for women, gender and armed conflict into its policies, procedures and programmes, the ICRC developed its own particular perspective and approach, focusing on vulnerability and the particular needs of women. This was because the focus of the study and the Women and War Project was on women - including issues gender-specific to women - and not on men and gender issues related to them. An advantage of such an approach is that such a perspective provides space for taking account of the strengths of women, and their ways of coping with a harsh environment, as well as the multiple and changing roles that women might play in situations of armed conflict. In addition to this, focusing too much on women runs the risk of neglecting the particular needs and vulnerabilities of men. Another striking feature of
the way in which the ICRC deals with women and gender is that policies are apparently fully integrated at all levels of management. Rather than a specific women or gender unit, department heads are responsible for the implementation of the policies.

On the other hand, the ICRC’s strategy also raises several considerations. An approach focusing on the particular vulnerabilities and needs of women, rather than on gender may result in a failure to detect the impact of assistance on gender relations. In addition, although using the concept of vulnerability is more ‘neutral’ than focusing on gender relations or on women, it requires sensitivity from the side of the observer. If such sensitivity is missing, an approach on the basis of vulnerability may become gender-blind. Such an approach thus requires understanding and sensitivity to women-specific needs and vulnerabilities in situations of armed conflict to avert this risk. Specific guidance documents might be a means for compliance to the strategy, although these require effective lines of communication, while it is also unrealistic to expect that guidelines could be so detailed that they could replace sensitivity and awareness.

The ICRC does not aim to empower women as a goal. Changing unequal gender relations is not part of its objectives. That does not mean that the ICRC does not get involved in gender relations. For example, it may run programmes for women that lead to their empowerment, both as a consequence of the programme and through women’s involvement. The question is whether in the longer term such consequences of the ICRC’s activities are still perceived as ‘residual’ by the people in the assisted communities. However, empowerment is no aim of the ICRC, the consequences of programmes may be interpreted as such. This suggests that it would make sense to generate more knowledge on the (long-term) effects and perceptions of the ICRC on gender relations in practice.

Internally, information on the (long-term) consequences of the ICRC’s assistance may already be available, but we did not find reference to this kind of data during our investigation. A particular characteristic of the organization makes research very difficult: outsiders are not allowed access to internal documents. This makes it difficult to get a clear picture of how the ICRC’s approach to women in armed conflict works in practice.

Regarding the ICRC’s approach to women/gender and armed conflict in practice, just a few things could be observed. In the first place, the attention on women basically originates from the main office. One of the interviewees observed that the ICRC now introduces the ideas of addressing women’s needs from the top-down. As another person observed:

They should not have illusions about guidelines addressing women’s issues. People do not read them. It might be possible that materials have come directly from the Women and War Project, but I do not have the time to look at them properly. For instance, this study Women Facing War, I have no time to go through it. I know about gender issues because I studied.

For example, in Sierra Leone women were assisted in agricultural programmes because they were made vulnerable by the war and were in need. They had partly empowered themselves by already organizing themselves into cooperatives. Inclusion in the ICRC’s agro-programme enhanced their skills, knowledge and earning capacity, etc., which empowered them further as a consequence of ICRC assistance.
Other people also mentioned the dilemma that too many guidelines may be counter-productive, as people then will not read them. Moreover, regarding the pledge for focusing on protecting the particular needs of women and children, the risk was observed that attention on ‘gender’ and ‘women’ will not become internalized, because it is ordered from above. As someone said: ‘Focusing on gender should not be merely decoration. It should be effective’. In this context, the question is whether the current training or particular attention for women’s issues is enough. In addition, remarks were made about the lack of gender training for middle management in particular.

Overall, we may conclude that although relatively late in publishing its perspective on gender and armed conflict, the ICRC seems to have learnt from other organizations’ experiences, such as those with gender focal points. In comparison to other organizations, the ICRC’s approach does not aim to be politically challenging, in the sense that it tries not to confront existing gender relations, unless they are causing the violation or problems for beneficiaries to gain access to programmes, projects, assistance and protection. On the other hand, it seems a promising approach for profoundly integrating the particular needs of women into the overall policies and implementation of the organization. We may conclude that the approach seems very promising, taking into account the borders set by the ICRC’s rather conservative character.

**Suggestions and Measures for the ICRC and the Dutch Government**

As mentioned before, the character of the research undertaken was not such that we may give detailed comments on the implementation of the ICRC’s approach to women and gender, also because of the closed nature of the ICRC when it comes to outsiders’ access to information. As a result, our recommendations are of a general nature, and focus mainly on the head office.

In the first place, the ICRC’s approach to women in armed conflict is different from approaches for mainstreaming gender in many other international organizations and includes important lessons for other organizations. Now that the ICRC has published its study, it is recommended that - in a later stage – the ICRC will also make public its lessons learned and experiences with practical implementation of the approach.

While people within the ICRC might not even notice that there is a policy on women, as it is very much integrated into the overall policy, this does not mean that all staff will immediately be sensitive to the particular vulnerabilities of women. Sensitization of staff is a major part of the ICRC’s policies towards women in armed conflict. To avoid blindness for gender-related vulnerabilities, continuous sensitization of staff is essential, even if attention for women is part of performance assessment. One officer suggested to us in this regard to continue integrating attention for women in the training, but also to ensure additional training for middle management in particular, as they have not so far received training in the issue. In this context, the ICRC’s strategy to avoid large numbers of guidelines but instead to define very specific and well-researched guidance documents is strongly recommended.
In addition, while the commitment to women is strongly emphasized at higher levels, it is important to ensure that introducing these ideas does not become a top-down affair only, and that notions about the particular needs and vulnerabilities of women are internalized at all levels of organization. It has not been possible in this research to assess whether indeed the strategy is carried out and taken seriously by the whole management and the organization. The extent to which guidance documents are effective also depends on the level of communication, and the possibilities for field staff to get feedback on their own experiences related to the policies. For this purpose, the Women and War Project briefs and debriefs field staff, and organizes visits into the field. It is recommended that the ICRC gives continued attention to assessing the additional opportunities and constraints to the exchange of information and feedback on the particular vulnerabilities of women.

With the publication of the book *Women Facing War* and other materials, the ICRC’s Women and War Project is presenting itself to the world. The question arises as to how far they are visible within the organization. The Women and War Project is not per se responsible for implementation of the ICRC’s women-related strategies, which instead fall under the responsibility of the organization’s management, but it is responsible for facilitating the implementation. This is consistent with the aim of the Project to mainstream a concern for the particular needs and vulnerabilities of women. Nevertheless, such a position can only be maintained if department heads indeed pick up the notions put forward by the Women and War Project.

Some interviewees thought that it would be a good idea if the project was more accessible and related more with different departments and approached them directly, rather than only through the management. Rather than only sending materials to the different departments, the Women and War Project might attend department meetings, for example.

The ICRC’s equal opportunity policy apparently has no direct link to its women in armed conflict policy (although the Women and War Project follows initiatives taken in this area and provided material at the initial stages of the project). In other organizations it has been suggested that to get gender policies carried out by employees, or to make assistance more accessible to women, ensuring the employment of women at different levels is needed. Similar thoughts also circulate in the ICRC. Compared to other organizations, the ICRC already has quite a substantial percentage of female employees at lower levels. To improve the balance at higher levels, it is recommended that the ICRC enhance efforts for increasing the percentage of female employees at higher levels of the organization.

**Additional Recommendations for the Dutch Government**

Governments, particularly the Dutch government, are urged to pay attention to the following issues and to take action through the appropriate channels and at the levels concerned:

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332 The ICRC organizes one-to-one briefings and debriefings with field staff. Since January 2001 more than 350 staff have been individually briefed or debriefed in this way. In addition, eighteen country visits have to date been organized to exchange information on general and particular problems faced by women and to assist delegations in better assessing and addressing these women’s needs.
• The ICRC should be invited to share lessons learned on its innovative and promising practice, including on the involvement of all staff levels and systems of communication and feedback.
• In research into the experiences with the strategies so far, beneficiaries should be involved as much as possible.
• Equal opportunities for employment at higher levels should be strengthened.
• The ICRC should be stimulated to share its lessons learned about the combination/integration of training/guidelines at all levels of the organization, and to ensure that these ideas are also coming up from and shared by the grass roots.

**Selected Bibliography**

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**List of Interviewees**

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
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<tbody>
<tr>
<td>Fabienne Bonjour</td>
<td>Chef de Personnel, Department of Human Resources</td>
</tr>
<tr>
<td>Celine Butikofer</td>
<td>Deputy Head of Task Force, West Africa</td>
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<tr>
<td>Daniel d’Esposito</td>
<td>Head of Europe Sector Central Tracing Agency and Protection Division</td>
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<tr>
<td>Charlotte Lindsey</td>
<td>Women and War Project</td>
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<tr>
<td>Serge Marmy</td>
<td>Deputy Head of Operations for Central and South Asia</td>
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9. North Atlantic Treaty Organization (NATO)\footnote{Author: C. van der Borgh, Centre for Conflict Studies, Utrecht University.}

**NATO and Women in Armed Conflict**

Since the end of the Cold War, NATO has become involved in peacekeeping operations in the Balkans. The Treaty Organization does not, however, have a policy on gender in the different operations in the Balkans. There is a Committee on Women in NATO Forces (CWINF) that comes under the International Military Staff (IMS), and this Committee focuses on the role and deployment of servicewomen in order to encourage effective use of the capability of women in the armed forces. This Committee has an increasing interest in the roles of servicewomen in post-conflict situations. Although NATO as a Treaty Organization does not pay much attention to the role of servicewomen in its operations, or to the position of local women in countries where operations take place, there are obviously experiences of servicewomen and with local women in its operations. This will be discussed separately.

**Structure and Expertise**

**NATO in General**

The only entity within NATO paying attention to gender issues is CWINF. Its structure will be described below, after a presentation of NATO’s main structure, the main changes that NATO has undergone in the past ten years and the challenges in the coming years.

The North Atlantic Treaty was signed in 1949 by twelve nations. Today the organization has nineteen members. During the Cold War, the Alliance’s primary political and military goal was to defend its members against the possible use of military force against them. This is still the first task of NATO, but since the beginning of the 1990s, NATO has taken a broader view of security in which, as can be read on NATO’s website, ‘building up trust and developing cooperation with non-member nations and international organizations plays an equally important role’.\footnote{See www.nato.int} These changes within NATO were far-reaching.\footnote{Brown, 1999.} In early 1991, NATO presented an entirely new mission statement, in which the security tasks of NATO were clearly emphasized. NATO not only expanded its area of geographical concern. It would also address ‘territorial disputes, ethnic rivalries, and political and economic problems throughout Europe’.\footnote{There has been a lot of debate about these changes. Brown takes a critical view of this new ‘expansionist’ agenda.} NATO nowadays plays a role in activities of crisis management and conflict prevention. This role takes shape in the Euro-Atlantic Partnership Council, and in NATO's presence in Bosnia-Herzegovina and Kosovo (IFOR/SFOR and KFOR respectively). It should be emphasized that since 11 September 2001 there has been renewed discussion about the future of NATO. Although Article 5 was invoked for the first time in NATO's history, NATO did not lead the military operation in Afghanistan and the
US increasingly questions the need for military alliances and coalitions. Discussion also arose about NATO’s role in the struggle against terrorism and the (need of) enlargement of NATO.\footnote{The Economist (4 May 2002); and Stuart Wright, 2002.}

NATO has both a military and a civilian structure. The North Atlantic Council (NAC) is, together with the Defence Planning Committee (DPC) and the Nuclear Planning Group (NPG), the most important civilian organization. The Military Committee assists and advises NAC, DPC and NPG. The most important decision-making body is the Council (NAC). All member states are represented by a permanent representative with the rank of ambassador, supported by a national delegation. NATO is headed by a Secretary-General (appointed for approximately four years) who chairs the meetings of the Council. An international staff of about 1,700 persons supports the Secretary-General. NATO does not have independent armed forces of its own. Most forces available to NATO remain under full national command and control. The role of NATO’s political and military structures is to provide for the advance planning required to enable the national forces to carry out their tasks.\footnote{NATO, 2001a.}

Since the end of the Cold War there has been a process of internal restructuring of military forces and command arrangements in order to deal with the new challenges. One of the most significant innovations has been the development of the concept of Combined Joint Task Forces (CJTFs), providing for force structures that are easier to adapt to different needs. The number of headquarters has been reduced to about 20 (from approximately 65).

Unanimity and common accord are central in NATO’s decision-making. There is no voting or decision by majority. It is emphasized that each nation in NATO ‘retains complete sovereignty and responsibility for its own decisions’.\footnote{NATO Handbook, chapter 7.} In NATO’s Handbook, processes of consensus politics are emphasized, political consultation being an important instrument. This consultation takes the form of exchange of information and opinions, communication on actions or decisions, as well as ‘discussion with the aim of reaching a consensus on policies to be adopted or actions to be taken in parallel’.\footnote{NATO Handbook, chapter 7.} Basing decision-making on common consent safeguards ‘each country’s individual experience […] while at the same time availing themselves of the machinery and procedures […] to act rapidly’.\footnote{NATO Handbook, chapter 7.}

NATO admits that decision-making is often protracted and may appear slow.\footnote{A joke at NATO headquarters is that NATO stands for ‘not able to organize’.} One NATO spokesman emphasized that all decisions have to be taken by consensus, also the smaller (administrative) decisions. This makes decision-making more difficult and it discourages policymaking in areas where reaching consensus is difficult. The advantage of the system, according to
NATO, is the fact that decisions have the full backing of all member states, while respecting the sovereignty of nations.  

Committee on Women in NATO Forces (CW INF)  
Officially recognized in 1976, CW INF addresses issues of women in NATO’s Forces. It comes under the International Military Staff (IMS), which in turn is responsible for planning, assessing and recommending policy on military matters for the Military Committee. It advises the NATO leadership (the Military Committee) and member nations on issues affecting women in NATO forces. Its goal is to encourage effective use of the capability of women in the armed forces, by disseminating information, the facilitation of networking between member nations and the preparation of meetings and conferences.

The Committee has three subcommittees (training and development; recruitment and employment; quality of life) and meets once a year, with the participation of eighteen delegates from all NATO countries. The Executive Committee has a chair (currently Col. Lamerson, Canada) and three deputy chairs, which are elected for a two-year term. The Executive Committee meets twice a year. Since 1998 the Office on Women in NATO (two-person staff) has supported the Committee. At the end of 2000 this office was given permanent status under the IMS. The Office also seeks to act as a repository for information and research and to promote awareness of the effective employment of women.

Policy  
According to a spokeswoman of the Office on Women in NATO, ‘NATO does not have a policy on gender in the different operations’, because ‘that is a nation’s responsibility’. This means that there are no formal NATO policies regarding the deployment of women in its operations. She emphasized that CW INF is one of the many committees in NATO and has little exposure in the organization: ‘Many even don't know that we exist’. However, the establishment of the Office has had a positive effect and has raised the awareness of the position of women in the armed forces in NATO. Several spokesmen and women at NATO expressed the view that reaching consensus on the role of servicewomen in NATO operations may be rather difficult. The latter is due to the different positions of women in the armed forces in the member countries of NATO.

The main task of the Committee is the organization of the yearly meeting or conference. During this meeting presentations are held by members of the subcommittees. The main goal of these yearly meetings is the exchange of information, which delegates from participating countries can use in their own countries. After each meeting the Chair briefs the Military Committee about the main conclusions and recommendations. The Committee especially plays an

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343 NATO, 2001a, p. 8.
345 The yearly meeting is called a ‘conference’ when the new Chair and/or deputy members are elected. This conference takes place every two years in Brussels. The regular meetings are held in the country of the Chair. A conference is larger than a meeting and includes presentations on particular subjects, while participation is more diverse (all Partnership for Peace countries are invited to the next conference).
intermediary role in providing countries with contacts and/or information. For example, the former Chief of the Office provided information to Italian military when the right of women to enter the armed forces was recognized.

The Office on Women in NATO monitors the position of women in the armed forces and publishes a *Year In Review* that gives an overview of the status of the integration process of women in the military in each member country of NATO. The Office on Women in NATO monitors the position of women in the armed forces and publishes a *Year In Review* that gives an overview of the status of the integration process of women in the military in each member country of NATO. There are marked differences in the member countries’ policies concerning the participation of women in their armed forces. The United States and Canada have the highest representation of women in the armed forces (14 per cent and 11.4 per cent respectively), whereas Italy only recently allowed women to enter its armed forces. Norway and Denmark are often seen as more progressive countries, because servicewomen from these countries ‘serve or have served in almost all operational functions in the armed forces’.

In March 2002 the Office sent out a questionnaire to the member nations of NATO, with fifteen questions about the policies of member countries concerning the employment of women in the armed forces. One cluster of five questions addressed the role of women in civil-military cooperation and in ‘the relations between Alliance forces and civilian authorities, populations, organizations and agencies’ in general. These questions address the ways in which NATO can employ serving women in ‘confidence building’, the percentage of women employed in post-conflict matters and the ways that women can be best employed in post-conflict matters.

The outcome of this questionnaire and other related issues will be discussed in the yearly meeting of the Committee in May 2002. By now, it is not clear whether these issues will become more important in the future. The current Chair has ambitions to conduct a more systematic analysis of the role of women in NATO operations, but is still looking for funding.

All in all, the role of the Committee is rather limited. It is a rather small entity within NATO. The most important expertise concerns the role of women in the armed forces in the different member nations of NATO, as well as some expertise on the question of how to increase the role of women. It seems that there is relatively little expertise written down. It should be emphasized that this is mainly due to the fact that the Office was only recently established and is still very small. Moreover, the Chair (as well as the incoming Chair) has a keen interest in the role of women in (post-) conflict situations.

**Activities and Instruments**

*New Fields of Activity*

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348 Questionnaire for participating countries in CWINF’s conference (19 March 2002). The questions on the role of women employed in post-conflict matters were put on the agenda by one of the Deputy Chairs, who is currently with the CIMIC Group North (see below) and who has been elected Chair for the Committee for 2003/2004.
As already mentioned, NATO does not have a policy on gender in its operations, but this is not to say that in these operations gender issues are of no relevance. As we found no systematic analysis of the position of servicewomen or of local women, this section pays attention to some of the experiences in NATO’s operations in Bosnia and Kosovo. It starts with a presentation of the IFOR/SFOR and KFOR operations and proceeds with examples of the role of women in these operations, and in particular in civil-military operations.

From 1992 onwards, NATO became involved in peacekeeping activities in former Yugoslavia. During the conflict, NATO supported the UN’s activities of peace enforcement in various ways, including air strikes against Bosnian Serbs in 1995. After the signing of the Bosnian Peace Agreement (Dayton General Framework Agreement for Peace, or GFAP, signed on 14 December 1995), NATO was given a mandate to implement the military aspects of GFAP. On 20 December 1995 the NATO-led Implementation Force (IFOR) was deployed. A year later, on 12 December 1996, it was concluded that prolonged NATO presence was necessary, although with a reduced force of around 31,000 troops (IFOR counted 60,000), now called Stabilization Force (SFOR).³⁴⁹

NATO was in charge of the military aspects of the implementation of the peace agreements, but also provided support for civilian tasks. For example, NATO worked together with various international organizations; in the preparation and conduct of elections (with OSCE), and in the return of refugees (with UNHCR). Furthermore, NATO provided support to civilian organizations, repaired and opened roads, repaired railroads and restored water and electricity, and became involved in de-mining (some of these activities are called civil-military cooperation, see below). At a later stage, in December 1997 the NAC initiated a number of (non-SFOR) actions, called Security Cooperation Activities. Their purpose is ‘to promote confidence and cooperation among the Bosnian armed forces of Bosnia-Herzegovina, and to encourage the development of democratic practices and central defence mechanisms’.³⁵⁰

In 1999, NATO carried out air strikes against the Serb republic, after negotiations on Kosovo had failed in February and March 1999 (in Rambouillet and Paris respectively). When, after 77 days, the Military Technical Agreement between NATO and the Republic of Yugoslavia was signed, NATO deployed a security force, which comprised some 50,000 personnel. This force was heavily involved in humanitarian (civilian) efforts, such as the building of refugee camps and the transport of humanitarian aid.³⁵¹

It can be concluded from this that in both Bosnia-Herzegovina and Kosovo the role of NATO went far beyond purely military activities, ranging from supporting the reform of the Bosnian army, to civil-military activities. This increasing involvement in civilian matters makes a closer look at the roles of both servicewomen and local women more important.

³⁴⁹ NATO Handbook, chapter 5. Currently, SFOR counts around 20,000 troops.
³⁵⁰ NATO Handbook, chapter 5, pp. 121-122.
³⁵¹ NATO Handbook, chapter 5.
Servicewomen and Local Women

Looking at the role of women in these operations, it is useful to make a distinction between the position and role of servicewomen in NATO operations on the one hand, and the relations of servicemen and women with local women on the other. In general, it can be said that there is still little systematic expertise within NATO on the first issue, whereas the second can hardly be called an issue at all.

Regarding the role of servicewomen in situations of conflict, there are important individual experiences. According to Deputy Chair of the Committee on Women in NATO, Kristin Lund, who served in Bosnia during three different periods between 1992-1999, the participation of female staff in operations has many advantages:

- Servicewomen are often (both during and after war) in a better position to negotiate with either military or civilians, for example because they are less threatening for local (male) military leaders. Lund gave the example of the negotiations in 1992 about the opening of Sarajevo airport, when she had to talk to military leaders.
- Women can play an important role in a process of confidence-building with the local population, as the local population often accepts them more easily. This is in particular the case for local women.
- Participation of women in peace operations is also important for team building purposes, as their presence makes units cope better. Women find it easier to show their emotions (for example when a soldier is lost) and ‘like to have a nice tent with a floor, a table and flowers’. This can have a positive effect on the entire group: ‘it is something positive. Not only drinking and going to places where you shouldn't go.’
- The presence of women can be necessary: in some operations there was a lack of female military in order to body search women.

With regard to the mission of KFOR, Captain Rolf Ahrens states that ‘even though KFOR is a multinational mission, the contributing nations determine the role of females in their army [...] There are no KFOR restrictions or rules especially for women’. This underlines once more the fact that NATO does not have a policy on gender in its operations.

However, some of the experiences reported by Captain Rolf Ahrens are of interest for this research. Captain Ahrens estimates that of the 38,000 soldiers serving in KFOR, approximately 700-800 are women. He emphasizes that women are treated like every soldier (although this is a

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352 These are experiences in both UN-led and NATO-led operations.
353 Another example: Lund led the evacuation of one convoy. She had a female driver. The evacuation of her convoy took 24 hours, whereas the evacuation led by her (male) colleague took 72 hours.
354 This point was also raised by Britt Brisstrup (Defence Command Norway), who worked in Iraq and Lebanon.
355 Email correspondence with Captain Rolf Ahrens (16-18 April 2002). Ahrens worked on a media project entitled Women in KFOR, in which the story of twenty women serving in KFOR was broadcast by one of the major television channels in Kosovo.
nation’s decision) and that there are no differences in deployment with regard to areas (more or less conflictive) of servicewomen.356

Regarding the position of local women, there are specific projects (CIMIC) for women. For example, one of the multinational brigades has been involved in a project for handicapped women. Asked whether women do have comparative advantages in communicating with the local (female) population, the experiences are mixed. Ahrens’ impression is that they indeed have advantages in communicating with local women. On the other hand, it is more difficult to talk with men, in particular in areas where relations between men and women are more traditional.

Asked whether there is a need for further systematization of the experiences of servicewomen in NATO operations, Ahrens is of the opinion that this might be interesting. However, he emphasizes that a national approach would be needed, as nations have their own policies.

From the foregoing, it can be concluded that the participation of servicewomen in operations appears to have several advantages, both regarding the functioning of the military units and the relations with local military. Some of these advantages are related to a combination of professional skills and (typical) female behaviour and qualities (caring, showing emotions). It should, however, be emphasized that both women and men in the armed forces emphasize that ‘gender differences’ should play a role in the forces; but that what matters are professional ranks and skills. In this view, the fact that servicewomen can play an important role in difficult situations and play important roles in communication and negotiation with military leaders is the result of their professional skills, not of the fact that they are women. Therefore, the foregoing evidence is still too meagre to draw any conclusions on this issue. There is clearly a need for further research on the issue.

Particularly for civil-military cooperation, the role of servicewomen and relations between Alliance forces and local parties and populations is relevant. This will be discussed below.

Civil-Military Cooperation (CIMIC)

Civil-Military Cooperation (CIMIC) can be defined as the means by which the military command establishes formal relations with national and local authorities.357 In the Balkans there have been several CIMIC groups. In Bosnia-Herzegovina this group is known as the Combined Joint Civil-Military Cooperation Task Force (CJCMTF). But apart from this group, many participating countries have their own CIMIC activities. For example, the Spanish battle group in Mostar has a team of soldiers working in CIMIC, and in an article about their work, the visit of a Spanish doctor to a resettlement near Mostar is described.358 The Dutch have CIMIC projects in, inter alia, infrastructure and small enterprises, funded by the Dutch Ministry of Development

356 In my conversations with NATO staff, it was often stated that it does not matter whether you are a man or a woman, but that only rank and professional skills matter.
358 Richter, 2001. Richter’s article writes: ‘On arrival at the village they visited a lady who was over 90 years old and gave her a full health check, discussing her problems, aches and pains via an interpreter’.
Cooperation. In an article about their work, it is stated that ‘all ethnic groups benefit from infrastructure and reconstruction projects’ and that people are encouraged ‘to use the government’. 359

NATO recently decided to establish six CIMIC groups. Two of them are currently being set up: the CIMIC Group North and the CIMIC Group South. CIMIC Group North consists of six NATO countries from Northern Europe (including the Netherlands). 360 The group will perform tasks where NATO groups are deployed (for example in Bosnia-Herzegovina and Kosovo). Generally the task of NATO CIMIC Groups is to ‘help coordinate work between military and civilian bodies’, a main objective being to ‘support local inhabitants with the rebuilding of infrastructure, especially when severe damage has been inflicted on a community’. 361 The core tasks of CIMIC Group North are to support the military force and the civil population, organizations and agencies; to establish CIMIC centres (in areas of operations); the implementation of CIMIC support plans; and the provision of CIMIC training and education. 362

There is discussion about the nature of these CIMIC activities. Some emphasize that CIMIC should only be in direct support of the military operation (and security issues), and that work of a civilian nature should not be undertaken. In practice, many CIMIC groups have projects that in fact are development projects or forms of (ad hoc) humanitarian assistance. The activities of the Dutch CIMIC group (financed by the Dutch Ministry for Development Cooperation) are a case in point. By now it is not clear what the precise nature of the activities of NATO CIMIC groups will be. The Office of Women in NATO (with the participation of one of the members of the CIMIC Group North) is currently paying attention to the role of servicewomen in these missions. However, there appears to be no discussion or preparation in the CIMIC Group North with regard to the (possible) impact on (local) women in the areas of operation.

**Suggestions and Measures for NATO and the Dutch Government**

CWINF is the one and only committee in NATO addressing the position of women. The goal of this committee is to encourage effective use of the capabilities of women in the armed forces. However, NATO does not have an (explicit) policy on gender in the different operations. Participating countries in NATO operations have their own policies with regard to women in the armed forces. There is, however, little evidence that any of these countries takes the relations between the military and local women into account.

Looking at NATO’s operations in former Yugoslavia, there is a lot of experience regarding the role of servicewomen in these operations. It is, for example, said that women can, both in situations of combat and in periods of post-conflict reconstruction, play a crucial role. However, there does not appear to be any systematic analysis within NATO about the role that servicewomen can play. The possible roles of local women are not addressed.

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360 The Czech Republic, Denmark, Belgium, the Netherlands, Norway and Poland.
362 CIMIC Group North, Core Tasks, at www.cimicgroupnorth.nl.
It is not within NATO's mandate to become involved in ‘civil issues’. Hence, the objective to ‘strengthen the position of women in conflict’ is not relevant. Given NATO's intention to step up activities in the field of CIMIC, analysis of the position and roles of both servicewomen and local women in NATO operations are of particular importance.

There is clearly a need for further analysis of this issue. CWINF is currently putting these issues on the (research) agenda and it is well worth considering supporting these activities.

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www.nato.int
www.cimicgroupnorth.nl
www.nato.int/sfor
www.nato.int/kfor

**List of Interviewees**

- Interview with Sgt. Kristin Lund, CIMIC Group North, 21 March 2002, Budel, the Netherlands.
- Email correspondence with Captain Rolf Ahrens, Media Operations Section, Coalition Press Information Centre, KFOR Headquarters, Pristina, 16-18 April 2002.
10. The Organization for Security and Cooperation in Europe (OSCE)\textsuperscript{363}

\textit{Introduction}

Encompassing 55 participating states from North America to continental Europe, the Caucasus and Central Asia, the Organization for Security and Cooperation in Europe (OSCE) is the largest existing regional security organization. While it started during the Cold War as a dialogue forum between the Eastern bloc and Western countries, the OSCE gradually transformed itself after the collapse of communism from a conference into an organization. Today, its proclaimed priorities are: to consolidate the participating states’ common values and help in building fully democratic civil societies based on the rule of law; to prevent local conflicts, restore stability and bring peace to war-torn areas; and to overcome real and perceived security deficits by promoting a cooperative system of security. The OSCE is actively present in countries that require assistance through its missions and field activities, which account for the greater part of the organization’s budget.\textsuperscript{364} Equally, the bulk of OSCE personnel are dispatched in the field (on average 1,200 mission members in 2001) while the permanent institutions and structures of the organization have remained rather light (in total, just over 300 staff members in 2001). Considering the topic of this report, it is worth mentioning that a gender balance does exist within the OSCE institutions, but that female mission members roughly account for only one-quarter of the field staff.

\textit{The OSCE and Women in Armed Conflict}

Considering the link of the OSCE to the topic of this report, it should be kept in mind that notwithstanding Chechnya (where the OSCE’s presence was long interrupted and is now fairly limited), none of the countries within which the OSCE is involved are experiencing any armed confrontation at present, either because peace has prevailed in the 1990s or because the conflict is currently frozen.

The OSCE particularly works in countries in transition from a communist system to a democratic system and supports those countries to set up judicial and governmental systems conforming to international standards and human rights conventions. Women’s rights and gender issues are dealt with by the OSCE in this context, as they form an integral part of the protection and promotion of human rights. Although the promotion of and compliance with the OSCE’s human dimension commitments fundamentally contribute to the maintenance of peace and stability (in conformity with the concept of comprehensive security), this approach means that most of the activities undertaken by the organization to eradicate gender discrimination and promote equal treatment are not, nor need to be, directly conflict-related.

\textsuperscript{363} Author: E. Rogier, Clingendael Institute.

\textsuperscript{364} In 2001, missions and field activities accounted for 85 per cent of a budget of some 210 millions euros. See \textit{Annual Report 2001 on OSCE Activities}, p. 119.
In addition, when it is involved in conflict-affected countries, the OSCE is as a rule much more active in pre- and post-conflict stages than during the armed confrontation. Accordingly, if a link is to be established between the work of the organization and the issue of gender and armed conflict, it has to be found either before the outbreak of hostilities or after a peace agreement is signed. In fact, the topic of this report applies to the OSCE to the extent that the Organization is engaged in post-conflict activities in the Balkans. At this point the reader’s attention is drawn to the fact that to avoid duplication, these missions are studied within the framework of the report on the Stability Pact for South-Eastern Europe.

In other words, it can be argued that gender issues in general are now fully part of the Organization’s agenda, but that the specific topic of women and armed conflict is less prominent. For instance, of the nine areas of activity that the Office for Democratic Institutions and Human Rights (ODIHR) is expected to explore, only two refer directly to the position of women in conflict situation. Referring to the seven ‘roles’ identified by Tsjeard Bouta and Georg Frerks in their Review of Selected Literature, one can assume conversely that OSCE gender policy in conflict or post-conflict situations would mainly focus on women as victims of violence and women as political actors (either in the non-governmental sector or in formal politics).

**Policy**

It is rather recently that the OSCE has started to incorporate a gender perspective in its general working process. Indeed, gender issues began to figure prominently on the agenda of the OSCE in only 1998. Since then several initiatives have been completed, among which the decision to create two posts of Gender Advisers and the organization of the 1999 Supplementary Human Dimension Meeting on Gender Issues. However, the gender dimension was given a much stronger impetus after the Permanent Council adopted on 1 June 2000 the OSCE Action Plan For Gender Issues. This Plan was designed to ensure that OSCE commitments concerning gender equality are taken into account by the participating states and in the practical work of OSCE institutions and field missions. Although the approval of the Action Plan as just a ‘set of guidelines’ somewhat downsized its binding character and thus reflected the lack of political will from some participating states, since then gender issues have been granted unprecedented attention. The Action Plan foresaw a two-pronged strategy aiming on the one hand at ensuring equal treatment between men and women within the organization and on the other hand at including a gender perspective in its external activities. This report will focus on the latter aspect. Issues for improvement, for observations regarding the OSCE’s policy formulation and implementation on gender can be found under the heading ‘Observations regarding the OSCE’s Performance on Gender and Women in Armed Conflict’.

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Structure
OSCE Institutions

Although the various institutions and bodies of the organization are called upon to integrate gender issues into their activities, this perspective is mostly incorporated within the OSCE through the Secretariat in Vienna on the one hand, and the Warsaw-based Office for Democratic Institutions and Human Rights (ODIHR) on the other. Notwithstanding the gender focal points appointed in the field, three full-time positions on gender issues have been created within the OSCE’s structures: two Advisers (in Vienna and Warsaw) and one Officer (in Warsaw). At present, three experienced women coming respectively from Switzerland (three years ago), the Netherlands (one year ago) and Estonia (two years ago) have been nominated to these posts. The ODIHR Adviser is seconded by the Dutch government while the other two positions are contracted. Their respective role and duties are briefly presented.

The Gender Adviser of the Vienna Secretariat focuses on the internal dimension of the Action Plan. As such, the incumbent of the post gives advice and guidance to political bodies of the OSCE on, *inter alia*, the issues of gender mainstreaming, professional working environment and equal opportunities within the organization. The Gender Adviser is also tasked with monitoring, analysing and preparing gender-disaggregated statistics on the situation of women within the OSCE Secretariat, institutions and field missions. In addition, she is responsible for training new mission members and staff members of institutions on gender issues - as well as developing the related material. Lastly, the Gender Adviser facilitates contacts and promotes cooperation on gender issues among the Secretariat, field activities and delegations and the other international organizations/institutions.

The Gender Unit of ODIHR, which consists of one Adviser on Gender Issues and one Gender Officer (the latter reporting to the former), is tasked in relation to the external dimension of the Action Plan. The gender perspective - or in other words the human rights of women - is taken charge of by ODIHR as part of the human dimension portfolio of the Office. As mandated by the Action Plan, the Gender Unit has a dual mandate aiming at: 1) mainstreaming a gender perspective into all of the Office’s work, i.e. into the activities undertaken by each of its three sections (Election, Monitoring and Democratization); and 2) designing and implementing gender-specific projects in selected participating states in order to promote the human rights of and equal opportunities for women. The two approaches differ in that efforts are made in the first case to ensure that a gender dimension is taken into account in all areas of the ODIHR’s work, while gender-specific projects are specifically set up in the second case.

OSCE Field Missions

The OSCE’s field operations are mandated in fairly broad terms in the Action Plan: they have to take into account a gender dimension in the definition of their work and to plan the necessary posts, as well as to consider problems related to the human rights of women in the society of the

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Footnotes:
368 The expression ‘set of guidelines’ is quoted from, OSCE Permanent Council, 2000, PC. DEC/353.
369 Within the OSCE, the title of Adviser generally refers to a higher-level position than Officer.
host country and integrate appropriate tasks if necessary into relevant posts. Since then, all field activities have appointed a staff member as focal point for gender issues.

The huge difference in size and mandate of the various missions should, however, be stressed. Within the Organization, a distinction is indeed usually made between the large OSCE Missions established in the Balkans (namely in Bosnia-Herzegovina, Croatia and Kosovo) and the other (i.e. small) missions and field operations dispatched throughout the OSCE area (in Eastern Europe, the Caucasus and Central Asia). In 2001, the former accounted for 66.86 per cent of the Organization’s budget (and over 80 per cent of the field staff) as opposed to 17.91 per cent for the latter.

The Action Plan requested those large missions to create the post of field coordinator for gender issues whose tasks were described in a more specific way, among others: project design and monitoring; assistance to local NGOs and relevant authorities; training for mission staff members; reporting on gender issues; and liaison with the Secretariat and ODIHR.

At the time of writing, gender specialists or gender focal points have indeed been assigned within the democratization department of each of these large missions, but they usually deal with other issues such as personnel issues, trafficking in human beings or democratization aspects. Full-time gender positions have nonetheless been established within the mission in Kosovo (gender coordinator) and the mission to the Federal Republic of Yugoslavia (gender adviser).

As regards coordination, it does not seem that the ‘expert coordination bodies’ foreseen by the Action Plan have indeed been set up; however, most missions participate in regular round-table meetings with other international agencies and NGOs. The largest missions (like those in Kosovo and Bosnia-Herzegovina) have established somewhat more formalized cooperation arrangements, but the smaller ones nevertheless meet no less regularly with their relevant partners.

Finally, all OSCE institutions and field operations have to report to the Secretary-General on an annual basis about their achievements related to gender in their work. A synthesis of all the reports submitted was prepared by the Gender Adviser of the Secretariat on behalf of the Secretary-General and was issued on 26 September 2001, but has not yet been publicly distributed.

The Informal Working Group on Equal Opportunities for Women and Men
This discussion forum was set up three years ago and involves representatives of the participating states, the gender advisers in the Secretariat and ODIHR, as well as representatives of international and non-governmental organizations. Although it is supposed to meet regularly to
discuss gender issues and to hear relevant OSCE staff members from the field, the frequency of its meetings has sharply decreased since the first year.

While it is not a decision-making body, the Informal Working Group is tasked with reviewing the Action Plan every two years. However, the 2002 review has stagnated and will probably be postponed until 2003.

Most recently, the Group has been renamed and become the Informal Group on Gender Equality and Equal Protection from Trafficking in Human Beings. Its field of activity is therefore made up of two components, each one headed by a chairperson (respectively, the Belgian Ambassador and a representative of the Russian Federation). It is expected that the enlargement of its scope to trafficking issues will allow the Informal Group to be more active than in the recent past, and will increase the visibility of gender issues as a whole.

**Expertise**

**Training**

There seems to be substantial room for improving the OSCE’s gender expertise in general. Although the full-time positions created within the Secretariat and ODIHR are currently held by qualified and committed staff members, on a wider scale the gender expertise is too thinly spread within the organization. According to ODIHR, ‘few if any of the gender focal points in missions have actually received any training on gender. In the ODIHR Office itself very few staff members have had any formal training on this subject. The staff’s lack of basic knowledge on gender and gender mainstreaming is an important issue to be dealt with’. According to the Office of the Secretary-General, however, all the focal points assigned in the Balkans were actually trained, while the others have received some training through the induction course provided in Vienna. Nevertheless, it seems that mission staff members assigned to gender related positions are usually not recruited for their expertise in that matter. As a result, although some of them eventually prove to be reliable and efficient, others do not.

In addition, although the 45-minute-long gender training organized in Vienna represents a laudable first step (considering especially that other issues no less important than gender are not dealt with at all during the induction course), it is still not enough to provide OSCE staff with sufficient knowledge and operational expertise. Lastly, no systematic or specialized gender training for mission staff members working with human rights issues, democratization and the rule of law has yet taken place, contrary to what was foreseen in the Action Plan. Therefore, one may wonder if it would not be more appropriate to train the relevant people thoroughly instead of quickly briefing everyone.

The lack of gender expertise and training is possibly related to the lack of manpower. It is worth mentioning in this regard that a gender trainer has recently been seconded by the Swiss government who may help to fill the current gap by providing training either from the headquarters or directly in the field. However, training is not only a question of resources but also
depends on the commitment shown by Heads of Mission for gender issues, as illustrated for instance by their willingness to accept training proposals.

Recruitment and Personnel
A word could be said in this regard about the recruitment and personal policy of the Organization. Although a gender balance does exist within OSCE institutions, a large discrepancy persists at the high levels. Most of the directors’ or management positions, be they within the Secretariat or in the field, are actually held by males, despite the objectives proclaimed and the policy designed in the Action Plan to nominate women as such high-level posts. The low number of female staff members does not arise from unequal treatment within the staffing procedure, but results from the low number of female applicants for OSCE vacancies. This in turn may be a consequence of the rather unattractive working conditions of OSCE positions, especially the seconded positions (no family posting, no maternity leave, etc.). In the meantime, the imbalance at the top between men and women obviously does not help to promote a gender perspective throughout the OSCE.

Activities and Instruments
Vienna Secretariat
The most tangible results have been achieved in the field of training. Since December 1998, a 45-minute gender training session has been included within the framework of the Secretariat’s induction course and was attended by all new mission staff and new staff of the Secretariat. Training was also provided directly in the field by the Gender Adviser through two workshops set up for the Balkans’ missions. In addition, a Guide for OSCE Staff was published in November 2001 by the Secretariat, which gives extensive information on gender aspects in post-conflict situations (as well as in countries in ‘transition’) and aims at helping to integrate them into fieldwork.

In another perspective, but no less relevant to the issue of women in post-conflict situations, the OSCE Code of Conduct for Mission Members was amended in November 2000 in order to make any affiliation with persons suspected of being involved in trafficking a breach of regulations subject to disciplinary measures. This modification was adopted after international staff in some organizations had seemingly been involved in trafficking women for sexual exploitation. As a way to enforce this provision on exemplary personal behaviour, the OSCE’s mission in Kosovo has issued a list of ‘off-limits premises’ warning that any mission member found at any of these establishments would be subject to disciplinary action.

Lastly, the Gender Adviser attends a number of international conferences and meetings on gender mainstreaming and trafficking in human beings. In June 2001, she took part in the annual meeting of a network of gender advisers from the UN system and other large organizations, during which various approaches and information were exchanged concerning the promotion of a gender-balanced work force and staff rules and regulations.

ODIHR
As part of the efforts made by the Office to mainstream a gender perspective into all of its activities, the Election Section has started to test a methodology for integrating gender issues in its election observation missions. The aim is to provide intelligence and analysis on the participation of women in politics, and then to identify ways and means to promote the involvement of women.

For its part, the Monitoring Section lobbies to keep gender issues high on the OSCE’s political agenda and in particular within the framework of the Human Dimension Meetings. Upon its initiative, a Supplementary Meeting on Gender Issues was convened in March 2002 to discuss *inter alia* the topic of domestic violence.

The Democratization Section has mainstreamed a gender dimension into a broad range of project activities undertaken by the Rule of Law Unit, the Migration Unit, the Balkans Unit, the Anti-Trafficking Unit, as well as within the framework of the Grassroots Democracy Programme. Although there could be connections, none of these activities fall exactly under the topic addressed by this report.

In addition, the Gender Unit has been designing and conducting a series of gender-specific projects (ten in 2001, seven in 2002) with the aim of promoting women’s equal rights and opportunities, fostering women’s roles in decision-making and participation in political and public life, and preventing and combating gender-based violence. Basically, these projects are implemented through two channels: training and awareness raising on the one hand; development and review of legislation on the other. With the exception of Albania, most of the targeted countries are located in the Caucasus (Armenia, Azerbaijan and Georgia) and Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan). Indeed, the Balkan countries are not included in that list as a result of an implicit division of labour between the OSCE field missions and ODIHR: seeing the large size of missions dispatched in South-Eastern Europe and the presence of gender experts within their staff, active involvement by ODIHR’s Gender Unit in that region would have been a duplication. By the same token, the presence of a Gender Officer within the mission to Tajikistan has freed up the Gender Unit for work in other countries lacking such gender expertise.

*Field Missions*

Achievements of the missions vary as much as the staffing, budget and mandate of OSCE field activities. This does not mean, however, that the large missions are the only ones to perform well, since the decisive criteria are qualitative rather than quantitative (as explained further in the best practices section). Gender-related field activities can be summarized as follows:

In South-Eastern Europe, mission activities focus on the one hand on the political empowerment of women and the establishment of gender equality principles in parliamentary and governmental bodies, and on the other hand on the protection and promotion of the human rights of women (i.e. tracking discriminatory employment practices, fighting against trafficking in human beings and combating domestic violence).
In Eastern Europe (namely Ukraine and Moldova), trafficking in human beings and especially in women has gradually become considered by the OSCE as the most important gender issue. Several projects have been undertaken in this context in partnership with ODIHR, aiming especially at amending the criminal and prosecution codes of several countries to combat trafficking as well as supporting women’s NGOs involved in this fight.

In the Caucasus, emphasis is put on women’s participation in the political, economic and public life and on the development of women’s NGOs. In this regard, assistance was given jointly by ODIHR and the OSCE’s mission to Georgia to establish a joint resource and service centre for women’s NGOs working in the various zones of conflict in Southern Caucasus.

In Central Asia, attention is devoted in particular to the position of women in family structures and more generally to the situation of women in society (i.e. the role of tradition, culture and education in women’s development). OSCE centres in the region have undertaken various projects aiming at monitoring and raising awareness on women’s rights, most of the time in cooperation with ODIHR. However, the mission to Tajikistan is the exception to this rule, since it has assigned a full-time Gender Officer among its staff and has been carrying gender-related programmes on its own since 1999. In 2001, for instance, within the framework of the ‘Women’s Support Group Programme’, training was offered to more than 500 women on a variety of topics, such as economic empowerment and business skills, leadership, and raising of gender awareness through the media. Seminars and round tables were also organized, and a report published jointly with the International Organization for Migration and the United Nations Development Fund for Women (UNIFEM) on violence against women and trafficking in human beings. Lastly, work has started on drafting a report on the status of Tajikistan’s implementation of the Convention on the Elimination of All Forms of Discrimination against Women.

Two conclusions might be drawn from this review. First, most OSCE field missions do have gender-related activities but, as mentioned above, only a few of them are directly relevant to the issue of women and armed conflict. In addition to the regional non-governmental initiative promoted by the OSCE in Southern Caucasus, mention should be made in this respect of two humanitarian projects run by the OSCE Assistance Group to Chechnya in 2000, within the framework of which internally displaced women were offered health training and psycho-medical therapy. Efforts were also made in 2001 by ODIHR’s Monitoring Section to train the staff members of a governmental human rights institution in Chechnya in human rights monitoring and to set up a database registering all cases of violations against inter alia women. The same year, the focal point for gender issues of the OSCE’s Assistance Group provided a report on gender-based violence in Chechnya, which was forwarded to the UN Special Rapporteur on Violence Against Women. These activities are the only ones undertaken in the OSCE area that specifically address the position of women in armed conflict. For this reason, it is even more regretful that the Assistance Group lacks the budgetary contributions to implement new projects.
Second, this review also shows that the same kinds of activities (aiming at promoting the political role and protecting the human rights of women) are equally implemented throughout the OSCE area, whether the host country has gone through conflict or not. In this sense, OSCE gender policy may not be said to be particularly conflict-sensitive. On the other hand, post-conflict situations tend to a certain extent to facilitate the development of OSCE gender policy. In war-torn areas such as Bosnia-Herzegovina and Kosovo, OSCE missions not only benefit from significant staffing and financial means, they can indeed incorporate gender concerns in the institution-building process that they are mandated to promote. The degree of intrusiveness enjoyed by the OSCE in these areas enables them, for instance, to impose electoral provisions on gender equality and women’s participation in political life. In countries in transition, on the contrary, OSCE field activities do not enjoy such political room to manoeuvre but may be faced with stronger resistance to change from the existing governing institutions.

**Budget**

The rather precarious working conditions made to both advisers should be stressed here. This year, the Vienna Adviser has actually been working on her own without any clerical assistance. For her part, the Warsaw Adviser can rely upon ODIHR’s Gender Officer, but, as mentioned before, is assigned to a seconded (i.e. short-term) position that is extended every six months. Although the Dutch government can be praised for seconding this post, such a status adds a sense of uncertainty to the planning and follow-up of projects. ODIHR has therefore decided to phase out the seconded position in favour of a contracted position - although this decision will put an end to the financial savings made until now.

As regards financial matters, both the Vienna and Warsaw advisers enjoy limited means, especially for travelling. The Gender Adviser is responsible for a budget that accounts for only 4.2 per cent of the general budget of the Office of the Secretary-General. For its part, ODIHR’s budget for projects - supported mostly by Western participating states - has increased considerably over the years, but the Gender Unit has also experienced difficulties with the annual basis of the voluntary contributions, which tends to jeopardize the continuity of its programmes. It appears to be quite difficult to get a clear picture of the financial means devoted by the field activities to gender issues, since no budget line exists as such within the missions. Expenses are usually included under democratization or human rights activities.

In addition, it should be mentioned that due to a lack of consensus, the OSCE’s budget for 2002 could not be adopted before April 2002. This crisis proved to be extremely disruptive, since no new activities could be launched until then. For their part, OSCE gender experts could not attend any of the meetings to which they were invited by their local partners. Financial reasons might also explain why the planned review of the Gender Action Plan has not yet taken place.

**Observations regarding the OSCE’s Performance on Gender and Women in Armed Conflict**

**Strengths**

As regards the OSCE’s strengths in dealing with gender issues, four aspects should be emphasized:
Firstly, the OSCE’s comprehensive approach and concept of ‘human dimension’ allow for a broad range of activities to be undertaken within the participating states, among which many are relevant to address gender-related issues.

Secondly, the encompassing membership of the OSCE offers a comparative advantage to become involved in non-Western countries such as those located in the Caucasus and Central Asia.

Thirdly, the organization’s extensive field coverage is an asset in reaching the beneficiaries of programmes addressing gender issues directly.

Lastly, the flexible structure that characterizes most OSCE field operations offers the staff enough room for initiative and creativity.

Although the OSCE can be considered a new organization, which has only recently begun to tackle gender issues, two best practices (especially, though not exclusively, developed by ODIHR) deserve credit:

- The cooperation and contacts established with local partners, not only during the implementation phase but also during the designing stage of projects. Such a practice favours tailor-made programmes and contributes to enhancing the sense of ownership.
- The ‘train-the-trainers’ approach, which creates a multiplier effect: as the beneficiaries share their information with others and take on the organization of training sessions by themselves, high numbers of people can ultimately be reached.

As far as the field operations are concerned, the gender dimension tends to be better incorporated in field activities and therefore to materialize in gender-specific projects, provided that:

- A full-time position devoted to gender issues is established and offered to a competent staff member (i.e. not a member who was trained for 45 minutes only, but who possesses the requested expertise). Although their total staffing is far more limited than the ‘large’ missions, the mission to former Yugoslavia and the mission to Tajikistan are often cited as examples in this respect because they have hired a full-time gender expert.
- A budget line is created for gender issues and funds are made available by the donors. As for staffing, the creation of specific financial means matters more than the total amount of the mission’s budget.
- Gender issues are incorporated at least implicitly, at best explicitly in the mandate and taken into account during the planning of the new mission. Here again, the mission to former Yugoslavia is considered an example, since gender issues were granted attention early enough to recruit a Gender Adviser right from the beginning. Generally speaking, the gender dimension is now borne in mind more often than in the past.

**Issues for Improvement**

**Policy Formulation:** To a certain extent, some of the above features of the OSCE that have been identified as strengths can also be sources of weakness. The comprehensiveness of the approach to security is an example, since it can lead to theoretical misinterpretations and the creation of artificial links between disconnected issues.
For instance, it is argued that since domestic violence is a human rights violation and human rights violations can lead to conflict, then domestic violence can lead to conflict. Not only is such a continuum from the private sphere to the political arena highly questionable, but it also leads to policy misconceptions: combating domestic violence is therefore considered as an integral part of conflict prevention. In fact, such a preventive policy starting at home is bound to create new failures of conflict prevention in the OSCE region whose women will again, and paradoxically, pay the highest price as victims of war crimes. Such a policy distortion is made even more regretful by the fact that, to cap it all, the OSCE offers hardly any assistance or protection to women trapped in conflict situations.

Another example relates precisely to the role of women in conflict prevention or resolution, which is usually considered in need of being fostered. The underlying assumption is that women are not warriors (like men), but have instead a stronger interest and/or a stronger capacity to preserve peace. However, thinking of female politicians like Mirjana Markovic (Slobodan Milosevic’s wife) or Biljana Plavsic (Bosnian Serb leader indicted for genocide by the ICTY), one may question their contribution to peace in the Balkans and more generally the wisdom of the above-mentioned assumption. That kind of generalization about the peaceful vocation of women is not only equal to a free statement, but may also prove to be misleading. Although desirable from a human rights perspective, women’s participation and equal representation in political life should not be considered, as the example shows, as preventive measures as such. Strangely (and dangerously) enough, efforts promoted and undertaken by the OSCE to reinforce the role of women in conflict prevention merely aim at increasing their involvement in all areas of political life.

Partly as a consequence of such a distorted policy formulation, it can be argued that the issue of women and violent conflict is hardly addressed by OSCE structures and field operations. This remark applies particularly, although not exclusively, to ODIHR, since the Office focuses instead on human rights and democratization in countries in transition:

- The OSCE’s efforts at combating gender-based violence are actually directed more towards domestic violence than violence occurring in conflict situations.

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373 See for instance the Background Paper on Violence against Women distributed by the OSCE Secretariat for the Meeting of the Informal Group on Equal Opportunities between Women and Men (8 June 2001): ‘Physical violence as an attack against one’s physical integrity and personal security can be committed by state actors or in private: it remains a denial of fundamental freedom “from personal harm” and thus constitutes a human rights violation. Such violation is, according to the comprehensive security approach, a destabilizing factor and threat to the overall security’ (SEC.GAL/80/01, 8 June 2001, p. 3). For her part, CBSS Commissioner H.E. Ms Hell Degn stated in a speech to the OSCE Human Dimension Supplementary Meeting on Violence against Women (18 March 2002): ‘in the larger perspective - and this is directly relevant to the OSCE as an agency for conflict prevention - we must realize that efforts to rid our societies from violence must start at home’ (PC.DEL/184/02, 18 March 2002).

374 Mention could also be made of the inflammatory role played by highly politicized Albanian women’s organizations in Macedonia.

375 As these issues are worth focusing on as well, this remark should be read merely as a statement, not as a critical comment.
• The same kind of gender programmes are implemented by ODIHR and by the field missions throughout the OSCE area, whether the host country has undertaken a peaceful transition or is in a post-conflict stage.

**Policy Implementation:** In addition to comments applying to the OSCE’s policy formulation, other weaknesses related to the practice followed by the organization, and in particular by ODIHR, have been identified.

It appears that efforts at mainstreaming a gender perspective into ODIHR’s broad range of activities have really started within the Election Section only. Moreover, the methodology tested to integrate a gender dimension in the electoral observation has not given full satisfaction, since it led in some cases to compiling quantitative data rather than producing qualitative analysis.\(^{376}\) However, new guidelines are currently being prepared.

As regards the other Sections, ODIHR was explicitly charged with ‘includ[ing] in its regular monitoring and reporting activities the issue of implementation by participating states of the OSCE commitments concerning the equality of men and women and with ensur[ing] scrutiny of violations of the human rights of women’.\(^{377}\) However, it appears that the gender perspective has hardly been incorporated into the activities of the Monitoring Section. This probably results from a lack of time and the fact that mainstreaming is ensured by one Section after the other. The implementation of ODIHR’s Gender Action Plan having only recently been started, it would surely be unfair to expect immediate and concrete results. Still, one may wonder if these monitoring activities should not have been considered as a priority, since they would offer a starting point for fighting discrimination against women.

**Political Support:** Organizational issues and financial aspects are good barometers of the level of support granted by the participating states to the gender dimension. Whereas gender issues now figure prominently on the OSCE’s agenda, support to gender-specific activities appears to vary quite a lot depending on various factors:

• The first relates to the wider political context and related priorities: in that regard, the fight against terrorism does not offer a favourable environment since, as can be heard off the record, decision-makers and senior managers ‘don’t have time for equal opportunities’.

• The role of the Chairmanship-in-Office can also make a difference according to the degree of sensitiveness to gender issues shown and the determination to promote them as a priority expressed by the incumbent.

• By the same token, the role of the Head of Mission is also crucial in fostering gender-specific field activities. It is, for instance, widely acknowledged that the OSCE’s mission to Bosnia-Herzegovina made sizeable efforts to tackle gender issues thanks to the pilot role and political will of Ambassador Robert Barry. It should be emphasized in this regard that the field operations, in particular the large missions, are almost as independent as they are flexible.

\(^{376}\) ODIHR, 2001, section 3.3.1.

\(^{377}\) OSCE Permanent Council, 2000, p. 6.
Heads of Mission largely keep control of their agenda and decide if they wish to make a priority of gender issues or not. In addition, it should be noticed that they seem to be much less sensitive to the comments of the Secretariat (which does not really act as the headquarters of a well-centralized and hierarchical organization) than to those coming from the delegations. This aspect relates to the first: Heads of Mission may be reviewed on their performance regarding gender activities when they report to the Permanent Council, but these issues may not always be considered as a top priority by the participating states.

**Suggestions and Measures for the OSCE and the Dutch Government**

*A Note in Advance*

The issue of women and armed conflict being hardly dealt with by the OSCE, the author has found it unrealistic to recommend a complete change of policy, which would partly require that the OSCE becomes involved during the conflict stage and might create duplication with other organizations. Thus, the following suggestions relate more generally to the ‘gender perspective’, although it would be highly desirable for more attention to be granted to the specific needs of women in conflict and post-conflict situations.

Before elaborating further, it seems relevant to specify what kind of ‘strengthening’ is considered here. Although this opinion may not be agreed upon, especially by gender specialists, it is not the author’s view that every OSCE seminar, every electoral observation mission, or any other OSCE initiative should necessarily take into account a gender perspective. It does not seem desirable either that every OSCE structure or institution shows itself to be ‘gender-sensitive’ by incorporating a gender dimension in its activities whatever they are, or a gender aspect into the training of its staff members whatever their responsibilities. That women’s rights and needs should be addressed everywhere does not imply that everyone should address women’s rights and needs. According to the author, gender mainstreaming should therefore not be considered as an end in itself, but as a means to assess the need for and the added value of incorporating a gender perspective in the various policies. If the aim is to improve the situation of women across the OSCE rather than having any body (or anybody) paying lip-service to gender issues within the OSCE, then assessment should take over advocacy. The following proposals are thus designed to strengthen the gender perspective from a qualitative rather than a quantitative point of view.

**Strengthening and Refining the OSCE’s Performance on Women and Gender**

The qualitative move that is required may be promoted at various levels of the organization, from the negotiating and decision-making bodies down to the field operations.

The role of the Chairmanship-in-Office (CiO) is critical to give gender issues, as any others, the political impetus required. However, the CiO should do more than simply ensuring that these issues are kept on the OSCE’s agenda. The CiO could:

- Promote a refined OSCE gender policy, which would firstly imply questioning and stimulating discussion on the preconceived ideas, artificial links and other theoretical misinterpretations inherent to the current gender rhetoric.
• Then prioritize objectives in accordance with the OSCE’s fields of activity. For instance, the issue of discrimination against women or that of trafficking could be made a priority for gender-related action and explicitly incorporated in the missions’ mandate.
• Stress and draw attention to the specific position of women in conflict and post-conflict situations (as compared to countries in transition). In this regard, it should also press the participating states on the territory of which war crimes have been committed against women to take all the measures necessary to bring the perpetrators to justice.
• Initiate as soon as possible the planned review of the Action Plan and seize this opportunity to set up priorities (as suggested above) and to provide the various executive bodies with benchmarks (i.e. the Vienna Secretariat, ODIHR and the field operations). Such benchmarks could relate to in-country analysis, regular reporting on the situation of human rights of women, and project-related activities.
• Emphasize monitoring activities as a means to identify and possibly redress discriminatory practices within the participating states.

The participating states bear the primary responsibility for implementing OSCE commitments related to gender equality. Beyond supporting the efforts made by the CiO, the participating states could:
• Take their own part in the policy (re)formulation process within the framework of the Informal Working Group.
• Cooperate fully with the OSCE’s field operations established on their territory to assist them in achieving compliance with commitments referring to gender equality.
• Provide the missions with benchmarks that can be monitored and should review the performance of Heads of Missions accordingly, within the framework either of the Informal Working Group or of the Permanent Council.

The field operations should be provided with more specific instructions than simply ‘take a gender perspective into account’, and could:
• Be assigned priorities (such as fighting discrimination and trafficking) and in partnership with ODIHR undertake relevant activities (i.e. data collection, qualitative analysis, monitoring and reporting, training, legal reviews, etc.).
• Report more specifically on their achievements as well as on the political support shown by the host country or the constraints that they face.

Concrete Means and Instruments

The various measures that could be taken up by the Organization in order to strengthen the gender perspective from a qualitative point of view relate to:

1) Development of training and expertise
• The Secretariat’s Gender Adviser should be provided with means and working conditions in accordance with the heavy responsibilities of the position.
• The recently appointed gender trainer should be granted the full support required from the participating states (as regards, for instance, her travelling budget) as well as from the Heads of Mission (during her field work).

• Training should be provided as a priority to mission staff members working with human rights issues, democratization and the rule of law.

• The transformation of the post of ODIHR’s Gender Adviser from a seconded into a contracted position should be carried through.

• The performance and suitability of the gender focal points should be evaluated and the incumbent retrained or reassigned accordingly.

• The appointment of professional gender advisers in regions such as the Caucasus, Central Asia, Eastern Europe and the Russian Federation should be considered.

2) Stronger focus on analysis and monitoring

• In partnership with local NGOs and relevant authorities, field missions should initiate and produce in-country analysis on the position of women and (potential) discriminatory practices.

• ODIHR’s Monitoring Section should incorporate gender issues in its activities and therefore scrutinize, in collaboration with the field operations, the participating states’ implementation of their commitments concerning gender equality, as well as violations of the human rights of women.

3) Financial and project-related issues

• Donors should consider longer-term voluntary contributions in order to facilitate planning and ensure the continuity of projects.

• Project-impact assessments should be carried out, especially concerning training and advocacy programmes.

**Additional Recommendations for the Dutch Government**

The Dutch government is obviously in a challenging position since it will be vested in the OSCE’s Chairmanship-in-Office in 2003. The above-mentioned suggestions could thus be considered twice by the Netherlands, as a participating state on the one hand and as the forthcoming Chair on the other. The emphasis may be put on two suggestions:

• Since the Dutch government will most probably be responsible for the Gender Action Plan review, it could seize this opportunity to stimulate discussion on and promote reformulation of the OSCE’s gender policy with a view to producing an updated and policy-oriented Action Plan.

• The Dutch government could also ensure that the restructured Informal Working Group finally plays the pilot role that was expected from it.

It is worth stressing that the Dutch Chairmanship raises many expectations concerning gender issues. According to OSCE staff members, the Dutch government should in particular:

• Grant attention to and contribute to elaborating the benchmarks required for making a fair assessment of the Gender Action Plan’s implementation.
• Recognize the added value of training and insist on training top-level decision-makers, such as Heads of Mission, parliamentarians, managers, etc.
• Consider organizing a seminar on the promotion of women in politics.

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List of Interviewees
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Tiina Ilsen            ODIHR, Gender Officer
Sabine Machl           OSCE Secretariat, Senior Mission Programme Officer for Central Asia, Conflict Prevention Centre
Sonja Zimmermann       ODIHR, Gender Adviser
11. The Council of Europe (CoE)

The Council of Europe (CoE) and Women in Armed Conflict

Generally, there is relatively little attention for the role of women in conflict. This is not to say that many of the Council of Europe’s (CoE) activities (for example on human rights and - local - democracy) are irrelevant under conditions of conflict or for post-conflict societies. Many of the CoE's initiatives and activities have a potential relevance for conflict and post-conflict situations and for women and gender issues under (post-) conflict conditions, but need to be further elaborated or focused upon to become fully applicable to those circumstances.

There is a more clearly defined focus on gender issues in the work of the CoE. The Steering Committee for Equality between Women and Men (CDEG) is the intergovernmental body responsible for defining, stimulating and conducting the Council of Europe's action to promote equality between women and men. This refers to part of the main objective of the Council of Europe: ‘to protect and promote respect for the Human Rights in all member states without discrimination’. CDEG is directly answerable to the Committee of Ministers, from which it receives its instructions and to which it addresses its reports and proposals.

A salient activity within CDEG concerning gender and armed conflict is its work in the field of conflict resolution. CDEG organized a seminar in September 2001 about the participation of women in the prevention and resolution of conflict. This was a preparatory activity for the Fifth Ministerial Conference on Equality between Women and Men (20-21 June 2002) on ‘Democratization, Conflict Prevention and Peacebuilding: The Perspectives and Roles of Women’. CDEG, as the body in charge of preparing the Fifth Ministerial Conference, is currently preparing a text on this topic which will be submitted for adoption to the Ministers of the Conference and which may serve as the basis of a future recommendation on this issue.

Policy

The structure and objectives of the CoE are discussed first below. Next, we present the most important treaties, recommendations and declarations that serve as a basis for work in the field of equality between women and men.

Overall Objectives

The CoE is an intergovernmental organization (not to be confused with the European Union) whose members accept the principles of the rule of law, and guarantee human rights and fundamental freedoms to everyone under its jurisdiction. The CoE aims to:

- Protect human rights, pluralist democracy and the rule of law.
- Promote awareness and encourage the development of Europe’s cultural identity and diversity.

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• Seek solutions to problems facing European society (discrimination against minorities, xenophobia, intolerance, environmental protection, human cloning, Aids, drugs, organized crime, etc.).
• Help to consolidate democratic stability in Europe by backing political, legislative and constitutional reform.

Since 1989 the main job of the Council has been to act as a political anchor and human rights watchdog for Europe’s post-communist democracies (the pan-European dimension), assisting the consolidation of political, legal and constitutional reform in parallel with economic reform, as well as providing know-how in areas such as human rights, local democracy, education, culture and the environment.

The latest Plan of Action (adopted in 1997 by the head of states and governments of the Council of Europe) was based on four broad themes: democracy and human rights; social cohesion; security of citizens; and education for democracy and cultural diversity. This is the blueprint for the Council’s programme of work in the new millennium.

General Set-up
The Council currently has 44 member states that fund the organization in relation to their population and wealth (the 2002 budget is approximately 169 million euros). Its headquarters are in the Palais de l’Europe in Strasbourg, where approximately 1,300 international civil servants (recruited from the member states) make up the permanent staff of the Secretariat.

At the beginning of 2002 the Council counted 186 binding European treaties or conventions. The most well known is the European Convention on Human Rights; other important treaties are the Framework Convention for the Protection of Human Rights, the European Social Charter, and the European Charter of Local Self-Government. Besides, the Committee of Ministers can adopt recommendations to member states. Recommendations set out policy guidelines and are - in contrast to conventions - not binding on member states. Furthermore, the CoE has, inter alia, various ‘know-how programmes’, a co-finance programme in several countries in Eastern Europe, as well as a Council of Europe Activity Programme.

The participation of the Council of Europe’s member states is organized as follows:
• The Committee of Ministers (44 members) is the Council of Europe’s decision-making body. It is composed of the Foreign Affairs ministers or their permanent representatives (ambassadors). Specialized ministers participate occasionally in conferences, where problems in their fields are discussed.

379 Since 1990, nineteen countries from Central and Eastern Europe have joined the Council of Europe. Furthermore, there are ‘special guests to the Parliamentary Assembly’, currently the Federal Republic of Yugoslavia (22 January 2001). There are also ‘observers to the Committee of Ministers’; these are Canada (29 May 1996), Holy See (7 March 1970), Japan (20 November 1996), Mexico (1 December 1999) and the United States of America (10 January 1996).
The Parliamentary Assembly (301 representatives and 301 substitutes, from the 44 national parliaments) is the CoE’s deliberative body, whose members are appointed by national parliaments. The Parliamentary Assembly elects the Secretary-General. This is currently the Austrian Walter Schwimmer (elected in 1999 for a five-year term of office).

The Congress of Local and Regional Authorities is a consultative body representing local and regional authorities.

Furthermore, there is a consultative status for over 350 NGOs through discussions and colloquies.

The Secretary-General of the Council of Europe has overall responsibility for the strategic direction of the Council’s work programme and budget and oversees the day-to-day management of the organization and Secretariat. The Committee of Ministers approves the Intergovernmental Work Programme, drawn up by the Secretary-General on the basis of priority proposals, annually. The Secretary-General is responsible for the implementation of the programme with the assistance of the Secretariat. Operational action for intergovernmental cooperation is coordinated primarily through directorates corresponding to the main fields of activity of the organization. As part of a major campaign to promote a vision for a Greater Europe based on the core values of democracy, the rule of law and respect for human rights, the Secretary-General has launched a seven-point Plan of Action for 2001-2005 to address the new challenges of building a fully democratic, peaceful and stable Europe.

There are four Directorates-General (DGs): Directorate-General of Legal Affairs (DGI); Directorate-General of Human Rights (DG II); Directorate-General of Social Cohesion (DGIII); and Directorate-General for Education, Culture and Heritage, Youth and Sport (DGIV). The Directorates-General provide secretarial support to convention-based activities (for example, the European Social Charter, DGI). They also assist in the implementation of the Council of Europe’s intergovernmental programme of activities and assist the Committee of Ministers.

**Treaties, Resolutions and Declarations**

There are several documents (treaties, declarations and recommendations) that are of particular importance for work in the field of equality between women and men:

- The Declaration of the Committee of Ministers adopted in 1988, which for the first time clearly stated that women’s rights are human rights.

- Article 14 of the European Convention on Human Rights prohibits any ‘distinction’ based, *inter alia*, on grounds of sex, in relation to the rights protected under the Convention. A new protocol was signed in Rome in November 2000, broadening the field of application of Article 14. This protocol (no. 12) will provide that no public authority can discriminate against any one on any ground. The protocol has not yet come into force.

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380 CoE CDEG, 2001. The documents listed were mentioned by several members of the Committee. Other important documents are those on migration and trafficking of human beings (see elsewhere in this text).


382 The Convention on Human Rights does not include equality between women and men as a general principle.
• The Declaration of the last ministerial conference of the CDEG in Istanbul (1997).
• The Recommendation of the Committee of Ministers to member states on action against trafficking in human beings (2000).

So far most of the CoE’s work in terms of resolutions, recommendations, declarations, reports, conferences, proceedings and texts has a more general scope. A few, however, refer to women or gender issues under conditions of conflict. Examples include Resolution 1212 (2000) of the Parliamentary Assembly of the Council of Europe on rape in armed conflict; Recommendation 1374 (1998) of the Parliamentary Assembly on the situation of refugee women in Europe; and the very recently adopted Recommendation (2002)5 on the protection of women against violence (adopted by the Committee of Ministers on 30 April 2002).

In Resolution 1212, as well as in its earlier Recommendation 1403, the Assembly strongly condemns the abduction and rape of women as a systematic war crime and reiterates its desire to see rape treated as a crime against humanity. The Assembly invites the governments of the member states to ensure that rape is treated as a war crime as in article 8 xxii of the Statute of International Criminal Court as well as to apply other relevant laws, standards and conventions. It further stresses the need for strict witness protection procedures, calls for special support, training and development programmes for female rape victims and calls upon the states to provide the necessary funds.

Recommendation 1374 states that the Assembly regrets the lack of reliable information and statistics about refugee women and acknowledges the need for the creation of specific conditions to enable this particularly vulnerable and discriminated group to overcome their difficulties, of which many are gender-related. The assembly wants to examine whether gender-related persecution can be recognized as a basis for refugee status and calls for the prohibition of and punishment for sexual mutilations of women. It furthermore calls for, inter alia, an information campaign among health personnel and the development of integration and reintegration programmes and training for refugee women. It also stresses the need for a European system for data collection and needs assessment. The Assembly urges the member states to adopt a whole series of measures ensuring that refugee women can be adequately treated and that the required services be provided to address their specific needs. Personnel dealing with refugee women need to be properly informed and existing guidelines and provisions must be implemented.

Recommendation 2002(5) addresses, inter alia, the need to review legislation in order to guarantee women the recognition of their human rights, and the need to recognize that states have an obligation to exercise due diligence to prevent, investigate and punish acts of violence. In the appendix of the Recommendation, nine additional measures concerning violence in conflict and post-conflict situations are mentioned, including: the penalization of all forms of violence against women and children in situations of conflict; in post-conflict situations, the promotion of the inclusion of issues specific to women into the reconstruction and the political renewal process in affected areas; gender-sensitive training for personnel working in war-torn areas; and support for
programmes with a gender-sensitive approach in providing assistance to victims of conflict and contributing to the reconstruction and repatriation efforts following a conflict.

**Structure and Expertise**
The Steering Committee for Equality between Women and Men (CDEG) is the intergovernmental body responsible for defining, stimulating and conducting the Council of Europe's action to promote equality between women and men. CDEG is an intergovernmental committee composed of experts from all 44 member states and it has built up considerable expertise in several fields concerning equality between women and men. Its list of documents includes documents on national institutional machinery, trafficking in human beings, violence against women and promoting equality in new member states. Many of its efforts and achievements should be scrutinized for their relevance in situations of conflict and post-conflict.

The setting up of the current CDEG in 1992 was a further step in the Council of Europe's policy to promote equality. Its promotion to the rank of ‘Steering Committee’, which increased its importance and powers (including the right to set up subordinate structures), demonstrated that equality between women and men constituted a priority for the organization. In administrative terms the CDEG comes under the Directorate-General of Human Rights and has a Secretariat, which currently comprises five members of the Directorate’s staff. The Secretariat's duties are not only confined to practical and administrative activities (preparation and organization of meetings), but they also include designing, coordinating and participating in the Committee's work.

At the moment CDEG has three subordinate bodies: the first deals with balanced participation in political and public decision-making; the second with the impact of new information technologies on trafficking in humans for sexual exploitation; while a third body focuses on gender mainstreaming in schools.

Under the terms of reference assigned to it by the Committee of Ministers, CDEG is instructed:
- To examine the situation as regards equality between women and men in European society and consider its progress.
- To promote European cooperation between member states with a view to achieving real equality between women and men as a sine qua non of genuine democracy and to stimulate actions at both national and Council of Europe level, having regard for activities undertaken within other international forums, in particular the United Nations Commission on the Status of Women.
- To this effect, to establish analyses, studies and evaluations, to confront national policies and pool experiences, to work out concerted policy strategies, measures and tools for implementing equality and, as necessary, to prepare appropriate legal and other instruments.
- To prepare the European Ministerial Conferences on equality between women and men and ensure the follow-up thereto, having regard for the relevant decisions of the Committee of Ministers.
To cooperate with other steering and ad hoc committees in the implementation of various projects and encourage them to put into practice the strategy of gender mainstreaming with a view, in particular, to improving and developing their activities so as to contribute to the implementation of the objectives coming under ii. above (to promote European cooperation and real equality between men and women), for which CDEG has principal responsibility.

To comment on the annual reports of the Secretary-General on the implementation of the equality objective within the Secretariat and activities of the Council of Europe.

Activities and Instruments

Most CDEG activities and initiatives refer to gender issues under ‘normal’ or non-conflict conditions or to societies in transition. The activities are organized under the two main themes of human rights. The main focus of the programme was on combating trafficking in human beings for the purpose of sexual exploitation, and violence against women. The second theme refers to Human Rights and democratic practices on a daily basis. This programme focused on the development of strategies and instruments for the implementation of gender mainstreaming and the balanced representation of women and men in political and public decision-making.

Part of CDEG’s work is juridical (i.e. the drafting of resolutions, recommendations, etc.). But there are important complementary activities and instruments meant to support the implementation of the intentions as they are expressed in the documents. The activities include:

- Researching and writing reports, handbooks and fact books. For example, in 1998 a handbook was published on gender mainstreaming methodology, which according to CDEG staff became a ‘bestseller’ and was translated into several languages. Other examples are the handbooks on gender equality machinery and on positive action.

- Awareness-raising and training through seminars and conferences. An example is the seminar on conflict resolution organized in September 2001 (which will be described elsewhere in this text).

- Informal networking through workshops and seminars in new member states. A wide range of issues and topics are addressed in these workshops, such as gender budgeting.

- Assistance to governments of new member states and/or international organizations in specific activities.

Exchange of ideas between the representatives of member countries is guaranteed by the participation of all member countries in its Steering Committee. Members of the Committee emphasize the real and genuine dialogue in the Committee’s meetings, as well as its open atmosphere. The members also stress that they have real influence on CDEG’s agenda and programme. CDEG does not have large amounts of funding for specific projects carried out by other bodies or NGOs at its disposal. Its main asset is its expertise in the field of gender equality.

There is a growing interest in CDEG for problems in relation to women and gender issues in conflict and post-conflict societies. This was reflected in the seminar organized from 20-21 September 2001 about the participation of women in the prevention and resolution of conflicts.
The main objective was to explore and draw attention to the involvement of women in the CoE member states in peacemaking, peacebuilding and conflict prevention activities at the grass roots level, as well as at the level of formal decision-making. Apart from the member states, representatives of the EU, Canada and Japan - as well as UNDP and UNHCR - attended the seminar.

The seminar was a preparatory activity for the Fifth European Ministerial Conference on Equality between Women and Men, which was held in Skopje from 20-21 June 2002. The theme of this conference was ‘Democratization, Conflict Prevention and Peacebuilding: The Perspectives and Roles of Women’. The seminar highlighted a number of important issues, including:

- It stated that little is known about women's peacebuilding activities in Europe and that research and evaluations are scarce. This has also led to a lack of appreciation and efforts to advance women's leadership and empowerment after conflicts.
- It stated that a transition was needed towards a ‘culture of peace’ and that women can be a driving force in achieving this. It stressed that research is needed into militarist, patriarchal and masculine elements associated with this culture of violence. The role of the media was denounced in this respect. The role of human rights education, including gender equality, was underlined to counterbalance media portrayals of violence.
- It emphasized the underrepresentation of women in decision-making in general, but especially in conflict prevention and resolution mechanisms and diplomatic services.

The seminar put forward a number of recommendations addressed to governments and international organizations, grass roots groups and NGOs, media and the CoE itself. Recommendations included the involvement of women in peace negotiation processes at all stages, encouraging and supporting women's grass roots groups in conflict resolution and peacebuilding and promoting general peace education and specific training projects. The media were called upon to avoid portraying stereotypes and stop presenting excessive violent pictures and fiction.

As already mentioned, the work in the field of conflict resolution is a new CDEG activity. At the Fifth Ministerial Meeting from 20-21 June 2002 a document on this issue was presented by CDEG, which may serve as a basis for future activities in this field. In conversations with members of the Committee and CDEG staff, it was emphasized that conflict resolution is seen as complementary to its current activities. A number of suggestions were made about possible future lines of action. These included:

- The need to involve women in processes of rebuilding war-torn societies. It is emphasized that in actual practice women do play a role in these processes at a grass roots level, but they are less influential at the political level. The political empowerment of women and equal representation of women in political and public life (which is an important topic within CDEG) can be linked to the agenda of peacebuilding and conflict resolution.
- Women can contribute to a process of intercultural peace. An example at the political level is the work done by the OECD, CoE and the Gender Task Force (GTF) with approximately forty
female MPs from the three parliaments in Bosnia-Herzegovina. These MPs met on a regular basis. In the beginning there was still a lot of conflict and polarization among them, but relations gradually improved. We were told that this experience had a lasting influence on the women involved, also when they had finished their work as MPs.

- Several people told us that in peace negotiations there are hardly ever women involved and this influences the outcome and nature of peace agreements. Hence, there is a need to strengthen women’s role and interests in peace negotiations.
- The importance of gender mainstreaming in security issues is emphasized. In particular when women have been victims of sexual violence (in the context of warfare), the attitudes of police force staff, the military and international troops, as well as the composition of these forces, are of importance. More attention should be paid to this.
- There is a need for specific gender-sensitivity training for the staff of international organizations, which may be a prerequisite for a gender perspective in its interventions.
- Related to the foregoing, there should also be more attention for the fact that ‘staff’ of peacekeeping operations represent a market for prostitution’, as one member of CDEG stated, and that the trafficking in human beings for the purpose of sexual exploitation is partly the result of this demand.

**Budget**

CDEG has a small budget for intergovernmental cooperation of approximately 200,000 euros. Most cooperation programme activities have to rely on voluntary contributions from member states (no data available).

**Suggestions and Measures for the CoE and the Dutch Government**

- CDEG’s expertise is particularly relevant for situations of post-war rebuilding and conflict prevention. The work in the field of gender mainstreaming and political empowerment can indirectly lead to changes in political attitudes and behaviour. It would be interesting to analyse and systematize experiences of political empowerment of women in different contexts and to see what lessons can be learned from these experiences. Furthermore, it might be useful to know more about the different attitudes of men and women in political life, as well as the needs and/or the perspectives to work with male politicians.
- Further research would be useful into the idea and meaning of a ‘culture of peace’ in different contexts, as well as the role of men and women in the establishment of such a culture.
- The mainstreaming of gender in the interventions of international organizations and gender-sensitive training for personnel working in war-torn areas is mentioned in the recently adopted Recommendation 2002(5). It would be useful to analyse successful experiences and it might be worthwhile developing a set of criteria that organizations and their personnel should take into account.

**Selected Bibliography**

383 The documents listed below can also be found at the CoE’s websites [www.coe.int](http://www.coe.int) and [www.humanrights.coe.int/equality/](http://www.humanrights.coe.int/equality/).
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List of Interviewees

- Flora van Houwelingen, Netherlands Ministry of Social Affairs and Employment, current Chair of CDEG, 7 May 2002.
- Olöf Olafsdóttir, Head of CDEG, 16 May 2002.
12. The Gender Task Force (GTF) Stability Pact (SP) for South-Eastern Europe

_The Stability Pact and Women in Armed Conflict_

The Stability Pact’s (SP) primary objective is related to post-war (or post-conflict) peacebuilding and the prevention of conflict, as it aims to foster peace, democracy, respect for human rights and economic prosperity in order to achieve stability in South-Eastern Europe. The SP is no international organization, but a declaration by a large number of countries (including countries from the region) and international organizations to contribute to this process.

Gender issues are not mainstreamed in the Stability Pact, nor incorporated in all of its Working Tables. The position of women and gender relations are in particular the concern of the Gender Task Force (GTF), and to a lesser extent the Trafficking Task Force. Whereas the Trafficking Task Force works with ‘women as victims’, the GTF works with ‘women in (formal peace) politics’, encouraging both their participation in the political arena, and the reform of crucial laws and state institutions that can foster gender-equality policies in the future.

There is some attention for the position of women in situations of armed conflict, as the GTF has started to work in this area in Kosovo and Macedonia.

_Policy_

Gender issues appear under Working Table I of the Stability Pact, and are not mainstreamed in all activities of the SP. The GTF was not part of the SP’s original set up, but the result of an appeal by representatives from parliaments, governments and NGOs in the region. The importance of gender in Working Table I seems to have diminished since its meeting in Portoroz from 14-15 May 2001 where ‘the necessity to define clear and focused priorities and strategies in order to achieve a more effective impact’ was emphasized. Gender issues are not listed as a priority (see below), although it stressed that ‘the setting of priorities does not imply the cessation of existing Task Forces’ and that there is still a need to strengthen gender issues ‘on a cross-table basis’. Some representatives of international organizations working within the SP, however, criticized this decision and felt that gender issues have virtually disappeared from its agenda.

The structure and objectives of the Stability Pact, as well as the GTF’s place in its structures, are presented below. The Stability Pact for South-Eastern Europe was adopted in June 1999 at the EU’s initiative in order to streamline and coordinate external cooperation for the region. More than 40 partner countries and organizations undertake to strengthen the countries of South-Eastern Europe with a view to fostering peace, democracy, respect for human rights and economic prosperity in order to achieve stability in the whole region. The SP partners are the

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384 Author: C. van der Borgh, Centre for Conflict Studies, Utrecht University.
385 Special Coordinator of the Stability Pact (2001c).
386 Special Coordinator of the Stability Pact (2001c).
European Union’s member states and the European Commission, the countries of the region, 387
non-EU members of the G8, 388 international organizations 389 and regional initiatives. 390 The Pact
intends to support a comprehensive, long-term strategy of conflict prevention and peacebuilding.

The Stability Pact is not a ‘new international organization’, but a ‘political declaration of
commitment and a framework agreement on international cooperation to develop a shared
strategy among all partners for stability and growth in South-Eastern Europe’. 391 Hence, the Pact
does not have independent financial resources or implementing structures. The Stability Pact is
headed by the Special Coordinator, Erhard Busek, and his team of approximately 30 persons
(headquarters based in Brussels). The main task of the Special Coordinator and his team is to
bring the participants’ political strategies in line with one another, to coordinate initiatives and to
help avoid unnecessary duplication of work.

The most important political instrument is the Regional Table, headed by the Special
Coordinator. Meetings are held once a year and are attended by representatives of all partners of
the Pact (the most recent meeting took place on 28 June 2001). There are three working tables,
which reflect the three dimensions of the ‘triple transition’ that the Pact wants to support:

- Democratization and human rights, covering four priority areas: a) inter-ethnic dialogue and
cross-border cooperation; b) the media task force; c) the education and youth task force; and
d) media.
- Economic reconstruction, cooperation and development, focusing on: a) private-sector
development (through trade liberalization between the countries of South-Eastern Europe and
the EU); b) poverty reduction; and c) institutional development and governance.
- Security issues with two sub-tables: a) military and defence; and b) justice and home affairs.

It is stated that at Regional and Working Tables, the representatives of the South-Eastern
countries are on an equal footing with those of international organizations and financial
institutions. Each Working Table has a number of Task Forces. The Stability Pact Gender Task
Force (SP GTF, First Working Table) is the principal forum that addresses gender issues. The
Trafficking Task Force (Working Table I) also works in the field of gender issues (trafficking of
women).

The EU assumes a leading role in the Pact, and the EU and its member states are the most
important donors in the region. In the founding document of the Pact the perspective of full
integration into the Union (in the long run) is mentioned. A prerequisite is that these countries
comply with the conditions defined by the Council on 29 April 1997 concerning democratic,
economic and institutional reforms. The EU also set up a new generation of Stabilization and

387 Countries of the region and their neighbours are Albania, Bosnia-Herzegovina, Bulgaria, Croatia, Czech
Republic, FYR Macedonia, Hungary, Poland, Romania, Slovakia, Slovenia, Yugoslavia, Turkey and Moldova.
388 The US, Canada, Japan and Russia.
389 Including the OSCE, NATO, UNHCR and the international financial institutions.
390 Including the South-East Europe Cooperation Process (SEECP).
391 SP GTF, 2001a.
Association Agreements, aiming at the five South-Eastern countries that still have no contractual relationship with the EU.

A new instrument, the Community Assistance for Reconstruction and Stabilization (CARDS), has been set up in order to channel an amount of 4.65 million euros over the period 2000-2006. In order to be eligible for donor support, the receiving countries have to carry out economic reforms (liberalization) as well as fight corruption and organized crime.

Structure and Expertise
The main gender-related structure within the SP is the Gender Task Force, which is working with a large network of women’s movements and policy-makers in the region, represented by focal points, with the participation of government officials, NGO representatives and members of parliament. The antecedents, structure and expertise of the SP GTF will be discussed in this chapter. The GTF’s expertise is clearly in the field of political empowerment of women, as will become clear when examining the GTF’s policies in the next section.

The SP GTF was initiated in July 1999 and established in November 1999. The formation of this Task Force was not part of the original plans of the SP. It was the result of an ‘Appeal to Participants of the Stability Pact’, which was signed by 150 prominent NGOs, government and parliamentary representatives and political activists from throughout South-Eastern Europe and beyond. The signatories to the Appeal emphasized the need for full participation of women in the stabilization process as stakeholders in ensuring stable, democratic, and prosperous development of the entire region. Two actors were of particular importance in the formation of the GTF: the CEE Network for Gender Issues and the OSCE (in particular the mission in Bosnia-Herzegovina). Both had previously worked together in Bosnia-Herzegovina in the training and empowerment of women in political life. The OSCE in Vienna became the general sponsor of the SP GTF.

The Gender Task Force has strong regional roots, as it originated from local practices and was launched by regional actors. The SP GTF structure is made up of a Chair (Sonja Lokar, Slovenia) and a Co-Chair (Lone Dybkjaer, MEP for Denmark), who are supported by an advisory board.

In all the eleven participating countries in the region there are two ‘Focal Points’, one from the

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392 It is interesting to note that the SP ‘offered’ the Trafficking Task Force to the CEE. This was rejected, because CEE did not accept working only from a perspective of ‘women as victims’. Instead it chose for a focus on political empowerment of women.

393 This network originates from the women’s working group of the European Foundation for Democracy and Solidarity. This Foundation was established by the Party of European Socialists in the European Parliament. In 1998 the women’s working group was transformed into the CEE Network for Gender Issues (Lokar, 2001).

394 In Bosnia, the OSCE’s mission in Bosnia-Herzegovina, women’s NGOs and female politicians worked together in reforming electoral laws (Lokar, 2001).

395 The OSCE gave logistical support to the GTF and helped to find donors. The OSCE is still important for the GTF. Funding for the GTF is channelled via the OSCE. A number of OSCE offices in the region still cooperate with the GTF, depending on the willingness of its staff.

396 The Advisory Board is an informal entity. Members are experts from the region and representatives of donors and international organizations. The Board does not gather on a regular basis.
government and one from the non-governmental organizations. Furthermore, from 2001 onwards, a third Parliamentary Focal Point has been added in each country.\textsuperscript{397} In working with these different national actors, the GTF brings together local NGOs, governmental and parliamentary representatives and stimulates cooperation at a national and regional level (synergy). Furthermore, the GTF fosters cooperation with international actors.\textsuperscript{398}

The GTF’s Chair, Sonja Lokar, emphasizes that institutionalization of the structure is now of major importance. A Regional Information Clearing-house Office was opened on 19 May 2000.\textsuperscript{399} The Clearing-house was meant to play an important role in the process of information-sharing, through a website with links to all SP initiatives and SP GTF partners. The Clearing-house closed at the end of 2001, and instead a Regional Gender Equality Centre was opened in Zagreb.\textsuperscript{400} The Associate Director of the Centre is Mary Ann Rukavina. The intention is to open small national offices in all participating countries (support - financial or in kind - of their national governments is applied for).

The general aim of the SP GTF is to advance gender-balanced sustainable development in South-Eastern Europe. From the outset political empowerment of women was named as the top priority. The GTF’s work of both incorporates women’s political empowerment (through training activities and media campaigns) and gender equality in national economic, social and security policies (including through the reform of laws, electoral systems and state institutions). The GTF’s main focus is on increasing women’s political participation (through media and information campaigns), to help women stand for election, and to analyse legislation and practices from a gender perspective. In all programmes the building of synergy (between both national and international actors) and exchange (national and international) of best practices and information is seen as crucial.

\textit{Activities and Instruments}

\textit{A Note in Advance}

As already said, the GTF’s main expertise is in the field of political empowerment. The ‘Women Can Do It’ project has been particularly successful, as it has been further developed and replicated in many countries of the region. Recently, there is a tendency to widen the activities of the SP GTF towards employment, education and conflict resolution. The activities in the field of conflict resolution are still in an initial phase. Given the GTF’s network in the region, one could expect the GTF to play a useful role in conflict resolution in the region. This would, however, require further analysis on what the role of GTF should be in this field. It is legitimate to ask whether it is too ambitious at this stage to take on new activities, but it should be emphasized that

\textsuperscript{397} This was decided at the Fifth Regional Meeting held in Juliana in May 2001.
\textsuperscript{398} The GTF is, \textit{inter alia}, working with governments of other European countries (Italy, Denmark and Norway), international organizations (UNDP and UNIFEM) and international NGOs (Kvinna till Kvinna and Star Network).
\textsuperscript{399} Funded by the governments of Norway and Denmark.
\textsuperscript{400} The Italian government provided funding.
it is in line with the formal objectives of the Task Force to do so. The GTF’s (planned) policies in two subsequent periods (1999-2001 and 2001-2003) are presented below.

Period from 1999-2001
From summer 1999 to spring 2001 the SP GTF worked on five major projects made possible by donations from Austria, Denmark, Norway and Switzerland. These were: Media Campaigns and Awareness-Raising Actions; ‘Women Can Do It’ Grass Roots Women’s Pre-election Political Empowerment; Electoral Systems Reform from a Gender Perspective; Support to National Gender Equality Machinery; and a Regional Information Clearing-house Office.

The ‘Women Can Do It’ (WCDI) campaign has been an important means of stimulating the participation of women in political life. The support for a national gender equality machinery is one of the activities directed at the reform of state institutions. Both will be briefly discussed below.

The Norwegian Labour Party originally developed the WCDI approach in the beginning of the 1980s in order to encourage the Party’s female politicians to take gender issues into account more seriously. This programme was first adapted to the needs of social democratic women in countries in transition. Later, in 1999, the CEE Network and the OSCE’s mission in Bosnia-Herzegovina adjusted the programme to the needs of (future) female politicians of all political parties in Bosnia-Herzegovina. As the participation of women in politics had dropped dramatically in the transition phase as compared to the ‘pre-transition phase’, the WCDI approach was used in many other countries in the region. However, the WCDI project in Bosnia-Herzegovina had, according to the GTF, the best results in the region.

The WCDI project in Bosnia-Herzegovina started after women had already successfully lobbied for female participation in political life. It was decided that for the parliamentary elections of 1998 three women candidates had to be placed among the first ten names of each party’s list. This led to a 26 per cent representation of women in the state parliament of Bosnia-Herzegovina (this was 3 per cent). For the April 2000 Municipal Elections, 65 women were trained in three ‘Train the Trainers’ seminars (organized in October 1999). They in their turn trained a large number of women.

It appeared, however, that many of the women on the preliminary lists (December 1999) had not received training by the WCDI. According to the GTF, this was due to the fear of well-prepared female candidates within the parties. WCDI decided to continue beyond its original plan and to train these women as well. Despite these difficulties, 589 women were elected, with 18 per cent of the councillor’s seats and six mayors. GTF claims that approximately 40 per cent of these women had received WCDI training. The experience of WCDI in Bosnia-Herzegovina was

401 No information is available on the amount of funding available for each project. Contributions in 2000 totalled 693,000 euros.
(through the GTF’s mediation) used in other countries such as Croatia, Serbia and Montenegro, and later in 2001/2002 also in Bulgaria, Romania and Moldavia.

The building of national gender equality mechanisms encompasses both the ratification of international agreements (i.e. the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW)) and the establishment of governmental commissions and institutions working for gender equality. The activities of these institutions can consist of collection of gender statistics, the reform (lobby) for electoral reform and the review of legislation from a gender perspective. Good practices from the region are, according to GTF quota agreements about women candidates on the list of main political parties in Macedonia, in Serbia, and in Montenegro; quota regulations in the statutes of political (mostly socialist or social democratic) parties in Hungary and Bosnia-Herzegovina; and the establishment of different gender equality governmental mechanisms or parliamentary bodies in Bosnia-Herzegovina, Vojvodina, Croatia and Montenegro.

Besides these activities, the GTF works with other Task Forces of the SP. Most important is the cooperation with the Trafficking Task Force, with which it signed an agreement on 21 October 2000. The aims of this cooperation include: (a) to undertake joint projects of public information, awareness-raising and national campaigns; (b) to develop a strategy of prevention of women’s trafficking through women’s economic empowerment.

**Period from 2001-2003**

For the period 2001-2003, seven priority areas have been defined. These are:
- Institutionalization through the establishment of a Regional Institution for Gender Equality in Zagreb, with national offices in the South-East European countries.
- Political empowerment of women in political and public life (‘Women Can Do It’).
- Strengthening of ‘Gender Equality Machinery’, through the exchange of international expertise and best practice.
- Gender Equality in Civic Education, mainstreaming gender equality in programmes of civic education.
- Trans-Border Exchange, fostering the exchange of information and best practices between female mayors.
- Active Gender-Balanced Employment Policies, fostering dialogue between experts and officials from different sectors.
- Women’s Role in Conflict Resolution, with a focus on the establishment of forums for exchange of experience in post-conflict rehabilitation and conflict resolution.

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402 SP GTF, 2001a.
403 SP GTF, 2002.
404 SP GTF, 2000.
405 SP GTF, 2001c.
These projects have a total budget of 6,610,000 euros for the entire period, with the political empowerment activity (‘Women Can Do It’) absorbing over 50 per cent of the resources and institutionalization 25 per cent. By February 2002 less than 10 per cent of the budget had been disbursed, and as commitments for further funding were limited, approximately 90 per cent of the budget was still required.

A new activity in the GTF’s portfolio is women’s roles in conflict resolution, focusing on the establishment of forums for exchange of experience in post-conflict rehabilitation and conflict resolution. The initiative has until now focused on Kosovo and Macedonia in the first phase (missions). Southern Serbia and Montenegro will be added in a second phase. Funding is provided by Denmark and Switzerland, and totals some 100,000 euros. The project is still rather small and in an initial phase.

As compared to the period 1999-2001, the number of the GTF’s objectives has increased and the scope has widened. Apart from political empowerment, employment policy, educational activities and women’s role in conflict resolution have now been added. This widening of focus reflects the fact that empowerment of women is a multi-faceted process (political, economic and cultural). However, given the (still) limited financial resources, one can have doubts about this wider focus. Wouldn’t it be more realistic to stick to the (initial) focus on political empowerment of women, as it is in this field that the GTF has built up expertise? According to Sonja Lokar, this seems to have been the reaction of external donors, who have been reluctant to finance some of these new activities.406

Some donors have criticized the GTF for its focus on projects and lack of attention for the mainstreaming of gender policies. According to Sonja Lokar this desire for a focus on mainstreaming is too early for the countries in the region. Most governments in the region have just started to adopt gender policies. Often basic facilities like a statistical database are absent. As Lokar said: ‘You cannot mainstream if there is no stream’. On the other hand, one may argue that the GTF did contribute to the mainstreaming of gender policy through its work in the field of building and strengthening gender-equality machinery.

A final question concerns the need for a Regional Gender Equality Centre in Zagreb. Asked whether institutionalization of the SP GTF is at odds with the SP’s intention to streamline and coordinate, Lokar emphasizes that the GTF is closely related to the CEE Gender Network and has built a network of Focal Points throughout the region. Hence, it is not only the GTF that is seeking institutionalization, but a network of representatives from parliaments, governmental agencies and civil society.

**Budget**

Contributions for projects in the period 1999-2001 amounted to 693,000 euros. Since gender is not a priority of the SP, fund-raising within the context of the SP appears to be rather problematic

406 Interview with Sonja Lokar.
for the GTF. Part of the GTF’s funding is on a bilateral basis between donors and counterparts in the countries of the region.

**Suggestions and Measures for the SP GTF and the Dutch Government**

- In the field of conflict prevention and peacebuilding, the Stability Pact should consider mainstreaming gender in all its Working Tables.
- It is worth considering the support of the Gender Task Force in a more structural way, for a period of at least three years, in order to build up a more sustainable structure. In this connection a study could be commissioned on the activities of the GTF, which evaluates its past performance, discusses the viability of the organization’s plans and assesses possible ways to support the GTF in the next three to five years.

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**List of Interviewees**

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13. The International Criminal Tribunal for former Yugoslavia (ICTY)  

**Introduction**

Strengthening the ICTY’s performance on women in armed conflict is a legal imperative to ensure that sexual violence against women is properly addressed by international criminal jurisdictions. The ICTY and International Criminal Tribunal for Rwanda (ICTR, see annexe 14) have paved the way in integrating a gender perspective in their strategy, rules and structure. The abundant jurisprudence of both Tribunals on sexual violence against women is one of their most concrete achievements. However, it is of the utmost important to reinforce the existing mechanisms of protection and security of female victims and witnesses of sexual violence before, during and after the trials. This is a major area of concern that requires urgent action. Another priority concerns the issues of compensation and reparation for female victims, which are inadequately addressed by the ICTY and ICTR, while the International Criminal Court’s (ICC) Statute and Rules of Procedure and Evidence have addressed these issues (see annexes 14 and 15).  

Rape and other sexual violence were traditionally considered by-products of war and, if condemned, rape was only implicitly categorized in the 1907 The Hague Conventions  and in the 1949 Geneva Conventions  as an offence against ‘family honour and rights’ or as ‘outrages against personal dignity’ or ‘humiliating and degrading treatment’. For instance, the fourth Geneva Convention failed to list rape as a grave breach for the reason that rape was not considered as violence. The 1977 Additional Protocols to the Geneva Conventions mentioned ‘rape, forced prostitution and any other form of indecent assault’ as ‘humiliating and degrading treatment’.  

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407 Author: Mrs C. Cisse-van den Muijsenbergh, independent consultant.  
409 Convention (IV) respecting the Laws and Customs of War on Land, and its annexe Regulation concerning the Laws and Customs of War on Land, 18 October 1907, 3 Martens Nouveau Recueil (3d), 461, art. 46, Consol. T.S. 227.  
410 Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, 12 August 1949, 75 U.N.T.S. 31, art. 3, (Geneva Convention I); Convention for the Amelioration of the Condition of the Wounded, Sick and Shipwrecked Members of the Armed Forces at Sea, 12 August 1949, 75 U.N.T.S 85, art. 3, (Geneva Convention II); Convention relative to the Treatment of Prisoners of War, 12 August 1949, 75 U.N.T.S 135, art. 3 (Geneva Convention III); Convention relative to the Protection of Civilians Persons in Time of War, 12 August 1949, 75 U.N.T.S 287, art. 3 (Geneva Convention IV).  
411 Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I), CTS 1991/2.1; CTS1991/2; UNTS 1125/3, art. 76; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), CTS 1991/2.2; UNTS 1125/609, art. 4.
Unlike the Nuremberg and the Tokyo Tribunals,\textsuperscript{412} which gave little consideration to sexual or gender-based crimes, the ICTY has given high visibility to prosecutions of rape and other sexual crimes.

The field of international criminal law has in the past ten years taken unprecedented steps to include gender considerations in the definition of crimes, and rules of procedure and evidence. The composition and organization of the ICTY, ICTR and the ICC and, last but not least, the judgments rendered by the ICTY and ICTR have largely reflected this revolutionary development.

The international community’s shock by the reports of atrocities, in particular the systematic rape of women during the Balkans conflict, was one of the major impetuses for the establishment of the ICTY.\textsuperscript{413} In its Resolution 764(1992) the UN Security Council expressed grave alarm at continuing reports of widespread violations of international humanitarian law occurring within the territory of former Yugoslavia, including reports of mass forcible expulsion and deportation of civilians, and abuse of civilians in detention centres. The Commission of Experts established by the UN’s Secretary-General to examine and analyse the information in its report, concluded that grave breaches and other violations of international humanitarian law had been committed in the territory of former Yugoslavia including ‘ethnic cleansing, mass killings, torture, rape of women, pillage and destruction of civilian property’.

Consequently, the ICTY was established by Security Council Resolution 827\textsuperscript{414} in May 1993 as a direct reaction to public outrage at the horrifying reports of serious violations of international humanitarian law committed in the territory of former Yugoslavia since 1991 and as a response to the threat to international peace and security posed by these crimes. It has competence to prosecute and try four clusters of offences, namely: a) grave breaches of the 1949 Geneva Conventions; b) violations of the laws or customs of war; c) genocide; and d) crimes against humanity. It is composed of three organs: the Chambers; the Office of the Prosecutor (OTP); and the Registry. As of September 2001, 1,188 staff members from 77 countries work at the ICTY.\textsuperscript{415} As of 4 April 2002, 78 persons have been indicted by the ICTY, of whom (only) 40 are currently detained, 8 are provisionally released and 30 remain at large.

\textsuperscript{412} Agreement for the Prosecution and Punishment of the Major War Criminals of the European Axis, London, 8 August 1945, 5 UNTS 251. The Agreement contained the Charter of the International Military Tribunal (Nuremberg Charter and Nuremberg Tribunal); the International Military Tribunal for the Far East (Tokyo Tribunal) was established on 19 January 1946, TIAS No 1589, 4 Bevans 20, in order to try the main Japanese war criminals.

\textsuperscript{413} As Arieh Nyer wrote in \textit{War Crimes: Brutality, Genocide, Terror and the Struggle for Justice}, 1998, p. 172: ‘Among the crimes for which the wars in Croatia and in Bosnia-Herzegovina became notorious is rape. Much of the public outcry for a war crimes tribunal arose from the outrage generated by the rapes committed during these conflicts. For a time, the war in Bosnia became virtually synonymous with rape, acquiring a reputation for uncommon ugliness in the process and helping to create unprecedented awareness of rape as a common method of warfare and political repression worldwide.’

\textsuperscript{414} UN Doc. S/25704. The Statute is contained in the Annexe to the Secretary-General’s Report on establishing an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of former Yugoslavia (Report of the Secretary-General pursuant to paragraph 2 of the Security Council Resolution 808 (1993), UN SCOR, 48th session.

\textsuperscript{415} Source: ICTY website dated 12 April 2002.
This study on the ICTY describes its statute, rules and set-up in relation to women’s issues and gender-based crimes and/or sex-based crimes.\textsuperscript{416} The jurisprudence of the ICTY is examined from this same perspective. Acknowledging the fact that women, be it marginally in comparison with men, were also involved in sexual violence against women (or men) in the Balkans through their direct or indirect participation as combatants, and the fact that several men in the Balkans have also been victims of sexual violence, this study exclusively focuses on the needs of women as victims of gender-based crimes.

\textbf{The ICTY and Women in Armed Conflict}

\textit{Common Considerations for the ICTY, ICTR and ICC}

The ICTY, ICTR and ICC have in common that they are established in order to prosecute crimes committed during armed conflicts and play an important role in providing a judicial response to the victims. It is important for female victims of rape and other forms of sexual violence, who are often treated with suspicion in their own community, that the international criminal jurisdictions acknowledge the harm caused to them.

All three take into account the protection issue for women who appear as victims of sexual violence before the Tribunals/Court and as such often run several risks including reprisals and humiliation upon their return to their community. In this regard the judges have ordered a broad range of specific protective measures for female victims of sexual violence.

Apart from dealing with the protection and reparation of female victims, the Tribunals/Court supply them with ongoing medical (physical and mental) treatment. Many women who were raped, for example, particularly in Rwanda, became HIV-infected and currently need medical treatment for Aids. The victims’ problems are often aggravated by the fact that most of the women are often - especially in Rwanda and certain parts of former Yugoslavia - very poor. They do not have any alternative ways to generate income to cover all costs.\textsuperscript{417}

Last but not least, the ICTY, ICTR and ICC will have a deterrent effect in the long term. The convictions of perpetrators of crimes committed against women in armed conflict mark the end of impunity by also sending a strong signal to potential perpetrators.

When referring to the seven major roles of women in conflict situations as identified by Clingendael Institute’s Conflict Research Unit,\textsuperscript{418} two are of particular relevance for the ICTY, ICTR and ICC, namely women as victims of sexual violence and women as coping and surviving actors. Both categories of women are increasingly active actors in the arena of criminal justice as ‘evidence’ and more and more as subjects of rights. However, it is worth noting that the concept of ‘roles’ might be misleading, to the extent that on the one hand women do not voluntarily

\textsuperscript{416} Gender-based crimes reflect primarily in socially constructed roles and stereotypes, while sex-based crimes reflect primarily in biological differences.

\textsuperscript{417} Gardam and Jarvis, 2001, Ch. 6.

\textsuperscript{418} Bouta and Frerks, 2002.
assume the roles of victims or coping and surviving actors, and on the other hand that women play an important role in the conflict resolution and reconciliation processes.

The ICTY and Women in Armed Conflict

The ICTY’s most obvious link to women in armed conflict relates to the investigations, prosecutions and judgments of gender-based crimes. The testimonies of female victims of gender-based crimes before the ICTY are thus essential, not only as evidence of the criminal responsibility of their perpetrators, but also as an unprecedented historical opportunity to understand the ‘state policy’ behind the perpetration of large-scale sexual violence that occurred in former Yugoslavia. The female victims who came to testify to The Hague, according to most of the persons interviewed, afterwards said that their testimonies were rewarded, and that they felt proud and morally rehabilitated.

Policy

Policy in General

The ICTY has been clearly established in the mind of the international community to try the most serious crimes that have occurred in former Yugoslavia since 1991. Rapes and other sexual crimes committed against civilian Bosnian Muslim women have been a component of these crimes. Systemic rapes have been clearly condemned by the UN Security Council, stating that all violations of international humanitarian law including, particularly, the practices of ethnic cleansing and the massive, organized and systematic detention and rape of women should be condemned. Hence, the emphasis on crimes against women was embedded in the very foundations of the Tribunal. The general question of bringing justice to the perpetrators of crimes such as rape has been one of the reasons for the Security Council to establish the Tribunal. Against this background, the ICTY has adopted a gender policy and objectives to ensure that the perpetrators of sexual violence will be tried before the Tribunal.

For the first time in history, the ICTY’s Statute explicitly includes a gender perspective in conferring on the Tribunal the power to prosecute persons responsible for rape as a crime against humanity.\(^{419}\) Although paragraph 88 of the Report of the Secretary-General\(^{420}\) stated that ‘Given the nature of crimes committed and the sensitivities of victims of rape and sexual assault, due consideration should be given in the appointment of staff to the employment of qualified women’, article 16 of the ICTY’s Statute does not provide for such a requirement.

With respect to the ICTY’s Rules of Procedure and Evidence, the Report of the Secretary-General (S/25/704) clearly stated that ‘in the light of the particular nature of the crimes committed in former Yugoslavia, it will be necessary for the Tribunal to ensure the protection of victims and witnesses’ (para. 108). ‘Necessary protection measures should therefore be provided in the Rules of Procedure and Evidence for victims and witnesses, especially in cases of rape or

\(^{419}\) Article 5(g): ‘when committed in armed conflict, whether international or internal character and directed against any civilian population’.

\(^{420}\) S/25/704.
sexual assault’. Accordingly, the Rules of Procedure and Evidence of the ICTY provide detailed provisions on gender issues. In particular, the ICTY’s Rule 96 (and the ICTR has a similar rule) is a watershed in the field of evidence of sexual assault: it does not require corroboration of the victim’s testimony. The defence of consent cannot be raised if ‘the victim has been subject to or threatened with or has reason to fear violence, duress, detention or psychological oppression’. Moreover if the accused seeks to put forward evidence of consent, he must satisfy the Trial Chambers in camera that the evidence is relevant and credible. Evidence of the victim’s prior sexual conduct is not admissible.

The ICTY’s Rule 75 (and the ICTR has a similar rule) on protection of witnesses and victims is equally relevant for female victims of sexual violence. It prescribes that ‘a judge or a Trial Chamber can order appropriate measures to protect victims and witnesses such as expunging names and identifying information from the Chamber’s public records, non-disclosure to the public of any records identifying the victim, giving testimony through image or voice-altering devices or closed circuit TV and the assignment of a pseudonym’. Protective measures were adopted in 1995 to prevent the retraumatization of victims by avoiding confrontation with the accused. At the investigation stage, the Prosecutor is also entitled under ICTY Rule 39 (and the ICTR has a similar rule) to request any state to take all necessary measures to prevent intimidation of victims or witnesses. In exceptional circumstances, the Prosecutor may apply to a Trial Chamber to order the non-disclosure of the identity of the witness or victim who may be in danger or at risk until such person is brought under the Tribunal’s protection (ICTY Rule 69, and the ICTR has a similar rule).

ICTY Rule 34 A) provides a Victim and Witness Unit for each Tribunal, responsible for counselling and support of victims and witnesses in particular in cases of rape and sexual assault. ICTY Rule 34 B) requires that when nominating personnel for this Victim and Witness Unit, due consideration shall be given that qualified women are appointed.

In December 2001 the ICTY judges adopted a new Rule, Rule 92 bis, on the admissibility as evidence of a written statement in lieu of oral testimony. This new rule is particularly relevant for the security of female witnesses and victims of sexual violence.421

Policy of the Office of the Prosecutor (OTP)

Within the Office of the Prosecutor (OTP), which conducts investigations, prepares indictments and presents prosecutions before the judges of the Tribunal, the Chief Prosecutor of ICTY follows a clear policy regarding gender-based crimes. The current strategy of the Prosecutor is to focus on the civil and military leadership. Sexual violence is investigated and prosecuted within this overall strategy. Sexual violence, for instance, has been recently included in the indictments against Slobodan Milosevic for alleged crimes committed in Bosnia, Croatia and Kosovo.

421 IT/32/REV.22.
In general, most of the indictments issued by the Prosecutor have taken into account the crimes of sexual violence. The Prosecutor has adopted an original and successful approach to ensure that sexual crimes be prosecuted not only as rape but also as crimes against humanity under the other provisions of the Statute: genocide, grave breaches and violations of the laws and customs of war. As a result of this strategy, the OTP has contributed to the emergence of a solid and innovative jurisprudence on sexual crimes.

It should be noted, however, that the current gender policy and objectives of the OTP are not explicitly formulated in any official document of the Tribunal. Moreover, it seems relevant to realize that the absence of monitoring instruments within the OTP, such as indicators regarding progress achieved in the field of investigation and prosecution of sexual violence, might affect the full implementation of its gender policy and objectives.

Policy of the Registry
The Registry is responsible for the overall administration and management of the Tribunal. Moreover, it provides judicial and legal support services for the work of the Chambers. It is in particular in charge of the provision of assistance and protection to witnesses. In that respect, the Registry’s Victim and Witness Section (VWS) has developed a range of policies to support female witnesses. These policies concern childcare, dependent person, ‘attendance allowance’, accompanying persons and relocation of witnesses at risk. Female victims of sexual violence receive assistance if they need to pass the caring of their children and dependent adults onto another person during their stay in The Hague. Moreover, most traumatized women are entitled to be accompanied by a person of their choice. The VWS also ensures that female staff are provided in all appropriate cases or upon request. This includes the period during the witness’s journey to The Hague, the 24-hour support staff in their accommodation and their contacts with security and interpreting staff. It must be noted that some female witnesses are willing and satisfied for some services to be delivered by male staff members, such as escorts on planes. The witnesses who would suffer significant security risks if they returned to former Yugoslavia as a result of testifying before the ICTY are relocated in another part of the world. The Registrar may also request that states admit certain particularly vulnerable witnesses into their domestic witness protection programmes, which involve, for example, changes of identity.

Policy of the Chambers
The judges have adopted various Rules of procedure and Evidence aimed at ensuring that witnesses and victims of sexual violence are not retraumatized at various stages of the proceedings in The Hague. One can infer from the sophisticated and abundant judgments of ICTY in the field of sexual crimes that a clear policy of the judges is to develop a body of jurisprudence, which has strongly influenced the development of international humanitarian law, and in particular has shaped the ICC Statute and Rules.

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422 This is a flat fee paid to witnesses for costs incurred in being absent from their homes, including loss of wages they might incur. It also means that many female witnesses who work in cash jobs like cleaning or childcare can also be compensated.
Reflection Policy in the ICTY’s Indictments and Jurisprudence

The Trial Chambers and the Appeals Chambers of the ad hoc Tribunals for former Yugoslavia and Rwanda have delivered several landmark decisions concerning sexual violence under international law.

In the case of Tadic, the first judgment rendered by the ICTY, gender-based crimes were largely discussed. The indictment charged Tadic of crimes against humanity for participating in a ‘campaign of terror, which included killings, torture, sexual assaults, and other physical and psychological abuse’, and for his participation in the ‘torture of more than twelve female detainees, including several gang rapes’. The indictment also charged Tadic with the crimes of grave breach, violation of the laws and customs of war and crimes against humanity for having subjected a female detainee to ‘forcible sexual intercourse’. The OTP determined that these acts of sexual assault could be prosecuted implicitly under grave breaches, violation of the laws and customs of war and genocide. Although the charges of rape were dropped, Tadic was convicted on charges of sex crimes involving violent and horrific sexual assaults and mutilation, for the assaults inflicted upon men.

Tadic was convicted for having encouraged the commission of sexual assaults through his presence in the Omarska camp, even if he was ‘an inactive participant’ in discrimination, or persecution, which included acts of sexual assaults.

The Trial Chamber held that male sexual assault constituted the war crime of cruel treatment, a violation of common Article 3, and inhumane treatment, a grave breach. The Appeals Chamber upheld these convictions. The judgment also laid the grounds for measures on witness protection. It held that witnesses can be granted anonymity only in case of real fear for the safety of victims and witnesses, the witness’s evidence must constitute a substantial part of the case, the court must be unable to provide adequate witness protection, and the anonymity must be strictly necessary. Also relevant in the judgment is the definition of revictimization for survivors of gender crimes. The ICTY ruled:

‘The existence of special concerns for victims and witnesses of sexual assault is evident in the Report of the Secretary-General, which states that protection for victims and witnesses should be granted ‘especially in cases of rape and sexual assault’ (para. 108). It has been noted that rape and sexual assault often have particularly devastating consequences which, in certain instances, may have a permanent detrimental impact on the victim… It has been noted further that testifying about the event is often difficult, particularly in public, and can result in rejection by the victim’s family and community… In addition, traditional court practice and procedures have been known to exacerbate the victim’s ordeal during trial.

423 Tadic (IT-94-1-T, 1997).
424 See Prosecutor v. Tadic, decision on the Prosecutor’s motion requesting protective measures for victims and witnesses, 10 August 1995, IT-94-1-T, para. 46, on the need to minimize the trauma of victims of sexual assault.
Women who have been raped and have sought justice in the legal system commonly compare this experience to being raped a second time.425

The Prosecutor’s strategy to prosecute sexual crimes was clearly illustrated in the Furundzija case, the first ever case prosecuted exclusively on accounts of sexual crimes before an international court. The Furundzija judgment426 recognized sexual violence as torture. The ICTY Trial Chamber held the accused, a Bosnian Croat military police commander, guilty of rape and torture for the acts of sexual violence perpetrated upon a Bosnian Muslim female during an interrogation. The Trial Chamber also ruled that the Bosnian Croat soldier, from the same side as the accused, who was forced to look at the sexual assaults in the hope that he would confess, was also tortured by the accused. The judgment also gave a definition of ‘outrages upon personal dignity’ by stating that ‘sexual assaults were committed publicly; members of the Jokers were watching and milling around the door of the pantry. They laughed at what was going on’. The Trial Chamber found that ‘Witness A suffered severe physical and mental harm along with public humiliation (…) in what amounted to outrages upon her personal dignity and sexual integrity’.427

The Trial Chamber also made a very controversial decision concerning the credibility of evidence of rape by a single witness, Witness A. The defence had challenged the credibility of Witness A after the trial had terminated. The defence alleged that the prosecution had failed to disclose that the victim had received treatment for the psychological trauma she had suffered and that those facts affect the credibility of Witness A. The prosecution argued that the documents related to the treatment that Witness A had received, were irrelevant and did not affect the credibility of the witness. The Trial Chamber qualified the prosecution’s failure to disclose as a ‘serious misconduct’ and decided to reopen the trial in order to allow the defence to cross-examine witnesses on the medical treatment received by A. It also subpoenaed the prosecution to disclose any documents relating to the medical, psychological treatment received by the victim. Finally, the Trial Chamber ruled that ‘there is no reason why a person with post-traumatic stress syndrome (PTSD) cannot be a perfectly reliable witness’.428 The Special Rapporteur on Violence against Women expressed legitimate concern about the possible negative consequences on the cooperation of other victims of sexual violence with the Tribunal.429

The Furundzija judgment has withstood a vigorous appeals process in which the issues of sexual violence were at the core and the presiding judge of the Trial Chamber was attacked for her impartiality in relation to sexual assault crimes.

425 See Prosecutor v. Tadic, para. 46.
426 Prosecutor v. Anto Furundzija, judgment of 10 December 1998, IT-95-17/1-T.
The ICTY issued a landmark judgment in the Kunarac case on 22 February 2001 against perpetrators convicted exclusively for sexual crimes.430 The Trial Chamber held that acts of sexual violence can be the basis of a conviction of enslavement as a crime against humanity. This is the first international judgment in which the offence of enslavement has been applied to the practice of forced sexual slavery. The three accused in this case were charged in connection with their alleged participation in the detention, degrading treatment and rape of women and girls in Foca and surrounding municipalities. They were charged with crimes against humanity (rape, torture and enslavement) and violations of the laws or customs of war (rape, torture, plunder and outrages upon personal dignity). The Trial Chamber held that the three accused had participated in the violent takeover of the town and municipality of Foca by Serb forces from spring 1992 until mid-1993. Dragoljub Kunarac was found guilty on five counts of crimes against humanity (torture, rape and enslavement) and six counts of violations of the laws or customs of war (torture and rape). He was sentenced to 28 years' imprisonment. Radomir Kovac was found guilty on two counts of crimes against humanity (rape and enslavement) and two counts of violations of the laws or customs of war (rape and outrages upon personal dignity). He was sentenced to 20 years' imprisonment. Zoran Vukovic was found guilty on two counts of crimes against humanity (torture and rape) and two counts of violations of the laws or customs of war (torture and rape). He was sentenced to 12 years' imprisonment. The case is currently under appeal.

In Prosecutor v. Delalic,431 commonly called the Celebici case, the ICTY Trial Chamber found the Bosnian Muslim prison authority guilty of torture as a war crime under Articles 2 and 3 respectively of the ICTY Statute, for the acts of rape inflicted upon Bosnian Serb female detainees. The same Trial Chamber held that male sexual violence, including acts of fellatio and humiliating forced nudity consisted of the war crimes of inhumane treatment and cruel treatment. The part of the judgment concerning the sexual assaults was not challenged on appeal. The Celebici judgment ruled that rape constitutes torture in ‘causing severe pain and suffering both physical and psychological’. One of the required elements of the crime of torture is that the act must be inflicted for a designated purpose. The Trial Chamber found that the required purpose can include ‘discrimination of any kind’. The Trial Chamber referred to the Committee on the Elimination of All Forms of Discrimination Against Women (CEDAW) that violence directed against a woman because she is a woman is a form of discrimination.

The ICTY’s Trial Chambers in the Furundzija and the Krstic cases have opined that sexual violence can constitute acts of genocide.

Observations
As stated above, the current trend is to concentrate less and less on direct perpetrators and more on high military or political leaders who will be held responsible for mass rapes. Sexual crimes are prosecuted to support/illustrate charges of genocide or ethnic cleansing against leaders. (For the case of Bosnia it is estimated that some 20,000 men raped women during the conflict.) This

430 The Kunarac case is also known as the Foca case, no. IT-96-23-t and IT-96-23/1-t: 16.
431 Prosecutor v. Delalic and others, judgment of 16 November 1998, IT-96-21-T.
means that the ICTY can only prosecute a few of them. As the Prosecutor of the Kunarac case said in a symposium held on 7 November 2001 at Case Western Reserve University: ‘there were many, many more victims whom we were not able to identify and there were many, many perpetrators whom no one could identify, people who came and went at night, whose faces the girls were not able to see or whom they knew only by a vague description. This highlights one of the limitations of using criminal law and trials to address mass atrocities. You can only do few at a time and the cases are only as good as the witnesses’ ability to remember, describe, and testify honestly’. Local courts might be the solution since they are more equipped to deal with a large number of smaller cases. Sharing of evidence with local prosecutors in the Balkans is thus essential. For instance, in the Foca case, the sharing of evidence with prosecutors from Sarajevo resulted in a successful prosecution in Sarajevo against a man accused of rape.

**Activities and Instruments**

The indictments and judgments of the Tribunal are its most important instruments to contribute to strengthening the position of women in armed conflict. They not only serve as a deterrent but also provide extended definitions of gender-based and sexual crimes, and in so doing increase awareness of the gravity of these crimes. Equally important, the way in which the victims and witnesses are treated by the Tribunal, and their protection before, during and after the trials, can serve as an important instrument to strengthen the position of women in armed conflict.

Other activities include the appointment of a Legal Adviser on Gender, the institution of a Victim and Witness Section, and the instruments such as jurisprudence that have been developed by the ICTY to date. Gender issues are also given attention, and attempts to mainstream gender in former Yugoslavia are made through the Rules of the Road Project, which includes training of prosecutors and judges by the ICTY.

Finally, within the OTP the Legal Adviser on Gender provides new OTP staff, existing OTP staff and interns with training on legal issues on gender-based crimes. At the Registry, all VWS staff receive specialized training in providing support to female victims of sexual assault. The VWS has also drafted an operational policy guiding services to female witnesses testifying to crimes of sexual violence.

**Structure and Expertise**

*Staffing of the Office of the Prosecutor (OTP)*

The OTP, whose current Chief Prosecutor (Carla del Ponte) and her predecessor (Louise Arbour) are both women, can be divided into a) an Investigation Section, b) a Prosecution Section and c)

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432 In Rome, on 18 February 1996, the parties to the General Framework Agreement for Peace in Bosnia and Herzegovina (Dayton Agreement) agreed on measures to strengthen and advance the peace process. The parties agreed that persons other than those already indicted by the ICTY may be arrested or detained for serious violations of international humanitarian law, only pursuant to a previously issued order, warrant or indictment that has been reviewed and deemed consistent with international legal standards by the ICTY. The Chief Prosecutor agreed to assist the parties with reviewing national prosecution files. No person could be arrested pursuant to a warrant without the prior expert review of the ICTY. To date 911 prosecution files have been examined (see: *Eighth Annual Report of the ICTY*, A/56/352, 17 September 2001).
an Appeals Section. As per 31 March 2002, the staffing situation at professional posts in the OTP is as follows.\(^{433}\)

The Investigation Section is headed by a Chief of Investigations, a post held by a man since the beginning of the Tribunal’s operations. The Section is divided into eleven teams responsible for collecting evidence. It is composed of fourteen female investigators and 87 male investigators. Two factors explain this unbalance. According to the Chief of Investigations, this underrepresentation of women flows from the fact that national enforcement agencies like the police forces are still predominantly recruiting men as investigators and that very few women have so far applied for the positions of investigators. The Legal Adviser on Gender, when interviewed, noted that few efforts were made to hire women in these positions and that the majority of current female investigators are recruited for P2 and P3 posts,\(^{434}\) i.e., junior posts without managerial functions. There are indeed no female commanders (P5 level) and the Section only includes one female team leader (P4) out of eleven team leaders.

The Prosecution Section is headed by a man and is composed of thirteen Senior Trial Attorneys (STA) (eleven men and four women) and twenty-five Trial Attorneys (fifteen men and ten women) responsible for prosecuting all cases before the Tribunal. It also includes a legal advisory section composed of three women out of nine legal advisers.

The Appeals Section is common to the ICTY and the ICTR and is responsible for appeals against judgments rendered in the first instance by the ICTY and the ICTR. It is the only section that has gender-parity (four men and four women).

*The OTP’s Legal Adviser on Gender*

Despite the imbalance described above in gender representation in virtually all sections of the OTP, a gender-sensitive approach is ensured through the presence of a Legal Adviser on Gender. NGOs played an important role in making the first Chief Prosecutor (a man, Richard Goldstone) more sensitive to the issue of gender crimes. He gave high priority to this issue in 1995 by creating the position of Legal Adviser on Gender (P4) in the OTP. He appointed Patricia Viseur Sellers to this post and on 31 March 2002 she still serves. The objective of the creation of the post of Legal Adviser on Gender is to ensure that the OTP performs its mandate and prosecutes sexual assault cases that are firmly grounded in international and humanitarian criminal law. The Legal Adviser on Gender also advised until 1996 the Prosecutor and the Deputy Prosecutors of both Tribunals on internal gender issues such as hiring and promotion. The Legal Adviser on Gender reported directly to the Prosecutor and was a member of his immediate office until October 1996. Subsequently the Legal Adviser on gender was transferred to the legal advisory section. She no longer advised on internal gender issues. As a result of this transfer, the Legal Adviser on Gender now has much less authority and visibility than in the past.\(^{435}\) For instance, she no longer takes

\(^{433}\) This information was provided during interviews held with officials of the ICTY.

\(^{434}\) Seven women out of 56 investigators are at P3 level; six women out of thirty investigators are at P2 level.

\(^{435}\) In June 2002, the Legal Adviser on Gender was transferred to the Prosecution Section.
part in the OTP’s policy weekend seminar. Her current main functions still include expert legal and policy advice to the Chief of Prosecution, Senior Trial Attorneys, and investigative teams in the field of the prosecution of sexual assault crimes under the statute of the ICTY. According to the Legal Adviser on Gender, when interviewed, she advised evaluating evidence of sex-based crimes committed against male or female victims in conformity with the substantive and procedural requirements of international criminal law as embodied in the Statute and the ICTY Rules. She makes recommendations on fundamental issues such as whether to prosecute male and female sexual violence committed at a detention camp as individual torture, rape or collectively as persecution, whether an expert witness such as a psychologist should be called to testify about sexual violence, and, if so, who should be invited, or whether the sexual violence can be attributed to a high level accused under the doctrines of superior or command responsibility. The Legal Adviser on Gender also appears as counsel before the Trial Chamber.

The role of the Legal Adviser on Gender is appreciated differently within the OTP. Some Trial Attorneys found, for instance, that the Legal Adviser on Gender plays an important role as a legal reference on the jurisprudence, but that the overall case strategy should rest on the Trial Attorney and should not be ‘distracted’ by gender policy considerations. Other Trial Attorneys said that they were strongly opposed to the creation of a gender unit because it will be an excuse for Senior Trial Attorneys not to focus any longer on the issue of gender.

In 2001, the OTP requested, but did not obtain, reclassification of the post of Legal Adviser on Gender to a P5 level and to put the Legal Adviser on Gender directly under the supervision of the Chief of Prosecutions. The aim of the reclassification was to reflect both the increasing responsibilities of the Legal Adviser on Gender and to acknowledge her central contribution in mainstreaming gender issues into the OTP. The reclassification did not occur, apparently for budgetary reasons.

**The OTP’s Sexual Investigation Team**

In addition to the creation of the post of Legal Adviser on Gender, a Sexual Investigation Team was established in 1995 to look specifically into rapes. This Team was exclusively composed of experienced women who had gained previous experience (and expertise) in dealing with gender crimes either in the police or in a prosecution office. The Team, however, was subsequently dissolved on the grounds that its ‘overspecialization’ was actually an obstacle for mainstreaming gender within the Investigation Section. The current eleven Investigation Teams are systematically investigating sexual violence.

**Observations**

It must be noted that the Legal Adviser on Gender and her colleagues from the Sexual Investigation Team met resistance within the OTP. According to certain officials who were interviewed, in particular many investigators and lawyers, including women colleagues, often trivialized the issue. They would say things like: ‘Rape is not as important as murders. I have got ten bodies, how do I have time for rape?’
According to several women’s organizations and scholars and several officials who were interviewed, without the full support of the first Chief Prosecutor, Richard Goldstone, and the Deputy Prosecutor, Graham Blewitt, and the persistence of the Legal Adviser on Gender and the Sexual Investigation Team, the investigation and prosecution of sexual crimes would have received far less attention.

To date, as appears from the successful prosecutions and the fact that most of the ICTY indictments charge forms of sexual violence, the OTP has ‘turned the corner’. Several officials who were interviewed are of the opinion that gender is mainstreamed in the Prosecution and the Investigation Sections while other officials feel that gender issues are receiving less and less attention.

Finally, the issue of protection of victims and/or (potential) witnesses, in particular female victims or witnesses of sexual crimes, is of major concern for the OTP. Several of the OTP officials interviewed strongly advocated the creation of a Victim and Witness Unit, to be directly administered by the OTP. It was felt that the existing Victim and Witness Section of the Registry failed to protect potential witnesses. It should be noted that at present the protection of potential witnesses is not part of the mandate of the Victim and Witness Section of the Registry.

**Staffing of the Chambers**

The Chambers consist of sixteen permanent judges and a maximum at any one time of nine *ad litem* judges. The judges are divided between three Trial Chambers and one Appeals Chamber. Each Trial Chamber consists of three permanent judges and a maximum, at any one time, of six *ad litem* judges. The Appeals Chamber consists of seven permanent judges. The judges have important regulatory functions such as drafting and amending the Rules of Procedure and Evidence and Directives. The President (presently Claude Jorda) is a man.

Sixteen permanent judges are elected by the General Assembly of the United Nations for a term of four years and are eligible for re-election. As per 31 March 2002, only one woman serves among the sixteen permanent judges. The judges are divided between three Trial Chambers and one Appeals Chamber. The Appeals Chamber, which also serves the ICTR is composed of seven men exclusively.

The *ad litem* judges are drawn from a pool of twenty-seven judges who are also elected by the General Assembly, but they are not eligible for re-election. An *ad litem* judge can only serve at the ICTY following his/her appointment by the SG on the recommendation of the ICTY’s President in order to sit on one or several specific trials for a period of up to three years. The status of the *ad litem* judges is lower than that of the permanent judges. They have no regulatory functions since they cannot sit in the Rules committee. They also cannot preside over trials. As per 31 March 2002, sixteen female *ad litem* judges have been elected.

Concerning the thirty posts of legal assistants to the judges, there are twenty-one female associate legal officers (P2 level). Unless reclassified, these P2 posts represent a glass ceiling for the
incumbents of this post. At the level of senior advisers to the chambers, there is one woman and three men.

Chambers’ Expertise
According to several interviewed officials, there is no conscious policy to recruit people with gender expertise in the Chambers and to train the staff and the judges on gender issues. For instance, the past training sessions for newly elected judges did not include gender issues. There is also no attempt to invite gender experts to address the staff at the so-called ‘semi regular series’.436 There is no Legal Adviser on Gender, unlike in the OTP. However, according to interviewed officials, some legal assistants to the judges have a great interest in gender issues; for instance, one of them co-authored a book on gender. She has successfully proposed including gender on the agenda for the next training session of the judges.

The Registry’s Victim and Witness Unit (VWU)
To help witnesses and victims who come to testify, in particular rape and sexual assault victims, the VWU was established in 1995 pursuant to Article 22 of the Statute and Rule 34 of the Rules of Procedure and Evidence. It is part of the Registry. The VWU is headed by a Chief (currently a woman) and is comprised of 39 staff. It is composed of three areas of work: Protection; Support; and Operations. The Protection Unit is staffed with three protection officers (one woman) and five general services field assistants (no women). The Support Unit is staffed by three support officers (all women) and has eleven general service witness assistants (all women).

Three protection officers are responsible for coordinating responses to the security requirements of witnesses before, during and after their appearance before the ICTY. The protection component works closely with law enforcement agencies in the Netherlands as well as in former Yugoslavia to ensure safety and security of witnesses. It also makes arrangements to implement protective measures that are ordered by court. It arranges the temporary or permanent relocation to states that have indicated their willingness to accept witnesses unable to return to their homes because of having appeared before the ICTY.

Three support officers (one woman) are responsible for providing and coordinating psychosocial counselling and assistance to witnesses before, during and after the appearance before the ICTY. They assess the needs of witnesses prior to their travel to The Hague to determine their requirements for additional support services such as childcare, assistance with dependent persons, special medical or psychological care. During the period of testimony, the support officers provide counselling, briefing and de-briefing to victims and witnesses to minimize the risk of retraumatization. Eleven witness assistants, exclusively women, provide a 24-hour programme of support and care to witnesses while they are in The Hague. All witness assistants are fluent in Bosnian/Croat/Serb.

436 A series of lectures given by experts from outside the ICTY.
The operations component is responsible for arranging logistics for the witnesses’ appearance before the ICTY. It works closely with the trial teams and with domestic and international network of contacts to assist in witness movements.

**Observations on VWU**

Only 21 per cent of witnesses are women, of whom 61 per cent are older than 50. Around 57 per cent of witnesses are not protected. This modest number of female witnesses is due to the lack of control on the cultural and social environment from which the prosecution/defence witnesses are drawn. The Balkans is essentially a patriarchal society. As a consequence, witnesses are mainly men. In this regard the remark of Sevdji Ahmeti, Executive Director of the Centre for Protection of Women, Children and Families, in Pristina, Kosovo seems relevant. He stated that the trial against Milosevic is putting at risk female rape victims who come to testify. Both they and their close relatives are at risk given the prevailing volatile situation in Kosovo. Female victims of rape face a dual problem: first a cultural issue within the family, where they are sometimes exposed to violence by their (ashamed) husbands; second, many direct perpetrators are still at large and circulate in Kosovo. The only effective measure to protect women from reprisals by Milosevic’s friends and by the direct perpetrators is to relocate them with their families in a third country.

A final issue concerns the withdrawal of foreign NGOs from Bosnia-Herzegovina. This is a serious problem for the assistance and support of witnesses. It should be noted that the VWS will soon organize a seminar financed by the EU with 25 local representatives from NGOs in Bosnia, Croatia, Kosovo and Serbia (mainly working in the field of health) in order to empower NGOs. The objective is to ensure that they will follow up the witnesses after the closing down of the ICTY in 2008.

**Suggestions and Measures for the ICTY and the Dutch Government**

1. The post of Legal Adviser for Gender in the OTP should be reclassified at P5 level in order to reflect the importance of the role of the gender adviser in the investigations and prosecutions of sexual violence.
2. More women police officers should be appointed as investigators in the ICTY.
3. Women and their families who testified in sensitive cases should be relocated to safe places.437
4. The ICTY’s library should have a substantial ‘gender research’ section.
5. ICTY and ICTR initiatives to hold joint seminars on sexual violence should be encouraged. It is essential, at the eve of the establishment of the ICC, that expertise and gender rules from the ICTY and ICTR be harmonized and consolidated.
6. The Witness and Victim Section needs more human resources. It urgently requires the recruitment of additional support staff. Donors could earmark these posts on the Trust Fund.

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437 Relocation is possible if the protection officers identify life-threatening circumstances. This point refers to the impact of fear and trauma compounded by harassment that is not life-threatening from a protection view point, but nevertheless means that recovery from trauma is extremely difficult while they remain in an environment that they do not perceive to be safe.
7. The Chambers should have a clear policy on gender by creating a position of gender adviser. The posts of associate legal officers should be reclassified to P3 level.

8. It is important that donors support the field office in Sarajevo that was opened in January 2002 to follow up protected witnesses after their testimony in The Hague.

9. The Office of the Prosecutor should have its own unit to handle potential witnesses. Donors could provide funds and staff for this unit.

10. Assistance and training of local NGOs (in the medical and social fields) by the ICTY and governments to assist witnesses and victims should be a priority in view of the fact that the ICTY may close down in 2008.

11. The ICTY and ICTR should be included in the UN’s good practices database on gender.

Additional Recommendations for the Dutch Government

- The Dutch government could consider providing the necessary financial and/or political support for the implementation of recommendations 1, 3, 4 and 5 above. The Dutch government could consider earmarking the post of Legal Adviser for Gender in the Trust Fund.
- The Dutch government could, within the framework of the ‘rules of the road’ project, support training seminars aimed at mainstreaming gender issues in the local courts of former Yugoslavia. However, such a programme should bear in mind that local justice is not yet impartial and still functions along ethnic lines.

Selected Bibliography


**List of Interviewees**

Graham Blewitt          Deputy Prosecutor, ICTY  
Agnès Cailloux          Head of the Victim and Witness Unit, ICTY  
Carla Del Ponte          Chief Prosecutor of ICTY and ICTR  
Michelle Jarvis          Associate Legal Officer, ICTY  
Michael Johnson          Chief of Prosecutions, ICTY  
Peggy Kuo                Trial Attorney, ICTY  
Wendy Lobwein           Support Officer, ICTY  
Patrick Lopes Terrier    Chief of Investigations, ICTY  
Patricia Viseur Sellers  Gender Legal Adviser, ICTY  
Sevdji Ahmeti            Executive Director, Centre for Protection of Women, Children and Families, Pristina, Kosovo
14. The International Criminal Tribunal for Rwanda (ICTR)\(^{438}\)

\textit{Introduction}\(^{439}\)

The International Criminal Tribunal for Rwanda (ICTR) was established by UN Security Council Resolution 955 to prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda between 1 January 1994 and 31 December 1994.\(^{440}\) It is also competent to prosecute Rwandan citizens charged with such crimes in the territory of neighbouring states during the same period. The ICTR was established as a measure to contribute to national reconciliation in Rwanda. It has competence to prosecute a) genocide, b) crimes against humanity, c) violations of Article 3 common to the Geneva Conventions and of Additional Protocol II.

The ICTR has three organs: the Office of the Prosecutor (OTP), the Chambers and the Registry. The Chief Prosecutor of the ICTY is also the Chief Prosecutor for the ICTR. The Chief Prosecutor has her office in The Hague. The Deputy Prosecutor for the ICTR (although as per 31 March 2002 the post was still vacant following the departure of the former Deputy Prosecutor, Bernard Muna, in May 2001) has his office in Kigali, Rwanda. The ICTR’s Trial Chambers (the first instance court), the Registry and the Trial Teams of the OTP are located in Arusha, Tanzania. Up until 31 March 2002, the ICTR has convicted eight individuals and acquitted one person. It has indicted 70 persons, 52 of whom are currently detained in Arusha.

\textit{Policy}

The ICTR Statute provides that rape constitutes a crime against humanity.\(^{441}\) In contrast with the ICTY’s Statute, it requires that the rape be committed as part of a widespread or systematic attack against any civilian population on national, political, ethnic racial or religious grounds. In Article 3 of the ICTR Statute, ‘rape’ is listed as ‘crime against humanity’, when ‘committed as widespread or systematic attack against any civilian population on national, political, ethnic, racial, or religious grounds’. In Article 4 of the ICTR Statute, ‘rape’ is referred to under e) as one of the ‘violations of Article 3 common to the Geneva Conventions and of Additional Protocol II’. These violations, according to Article 4 of the ICTR Statute shall include, but shall not be limited to: ‘…e) Outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault’.

The ICTR Rules are to a very large extent similar to the ICTY Rules. ICTR Rule 34 B), however, requires that a ‘gender-sensitive approach to victim and witnesses and protective and support measures’ should be adopted and due consideration should be given to the appointment of qualified women, while the equivalent ICTY Rule 34 B) does not mention this requirement of a ‘gender-sensitive approach’.

\(^{438}\) Author: Mrs C. Cisse-van den Muijsenbergh, independent consultant.
\(^{439}\) For additional background information on the ICTR, see annex 13 on the ICTY.
\(^{440}\) UN SC Resolution 955 UN SCOR, 49\(^{\text{th}}\) session, 3453\(^{\text{rd}}\) mtg., UN Doc. S/RES/955 (1994).
\(^{441}\) Article 3(g).
Within the broader ICTR policy framework, the OTP has the same policy and objectives as ICTY’s OTP regarding the prosecutions of sexual violence. However, implementation of these policies and objectives has so far not been fully effective, as will be explained below, and neither is articulated on paper.

The ICTR Registry, like its counterpart in The Hague, has developed similar policies regarding the protection of female victims of sexual violence. The Registry’s gender policy and objectives refer to the protection of women who appear as witnesses before the ICTR. In 2000 a support programme to witnesses and potential witnesses was launched concerning virtually all female Rwandan survivors. The Office of Legal Affairs in New York has advised the Registry to narrow this programme exclusively to victims who appear before the ICTR.

The ICTR Chambers have adopted various Rules of Procedure and Evidence aimed at ensuring that witnesses and victims of sexual violence are not retraumatized at various stages of the proceedings in Arusha.

Reflection Policy in the ICTR’s Indictments and Jurisprudence

Although the prosecution of sexual violence as crimes against humanity is spelt out in the ICTR’s mandate, investigations and prosecutions of sexual violence, the initial prosecutorial strategy did not focus on sexual violence. It primarily focused on killings. Following pressure on the Prosecutor by national and international NGOs to amend the Akayesu indictment to include rape and other acts of sexual violence, a planned strategy was set up.

However, sexual assaults are not included most of the time in the initial amendment. For instance, in the cases of Akayesu, Bagilishema, Kajelijeli, Musema and Semanza, the Prosecutor had to amend the indictment, sometimes during the course of the trial. Consequently, the Prosecutor has been criticized for delaying the proceedings in doing so. This ‘recurrent’ phenomenon reveals the absence of a systematic and clear strategy on investigations and prosecutions of sexual crimes. It is essential that the investigations of sexual crimes be carried out from the inception of an investigation and that the Senior Trial Attorney in charge of drafting the indictment instructs the investigators to look into this aspect.

In the Cyangugu case, the Prosecutor presented evidence of sexual crimes during the trial while the indictment did not include counts on sexual crimes. For this reason the Chamber declared the evidence to be inadmissible.

In the case of Omar Serushago, the indictment initially contained charges of rapes, but the Prosecutor withdrew these charges at the plea-bargaining stage because Serushago agreed to plead guilty on all counts including genocide except rape. This underlines the cultural resistance among the male population of Rwanda to acknowledge the crime of rape despite the display of ample evidence. Such reluctance hinders any prosecutorial efforts to get evidence of sexual crimes by lowly perpetrators compared to the leadership.
The fact that the Deputy Prosecutor and the Chief of Prosecutions have not yet been replaced - since May 2001 for the first and for the latter since June 2000 - may have an impact on the implementation of the prosecutorial strategy. Moreover, the departure of the Legal Adviser on Gender in 2000 is also a factor to take into account in the performance of the OTP. Another cause of concern is linked with the current position taken by AVEGA and IBUKA (two survivors’ organizations) who have suspended their cooperation with the ICTR. Many of the OTP’s witnesses belong to these organizations, and their decision will seriously affect future investigations in Rwanda, and particularly sexual investigations.

The OTP has also been criticized for not yet having charged the accused on sexual slavery. The ongoing media case does not contain any counts on sexual crimes, although the extremist propaganda incited Hutus to rape Tutsi women as a way to humiliate the whole community. The ICTR addressed the sexual violence in its first landmark judgment on Akayesu. The Prosecutor’s original indictment against Akayesu did not contain specific charges of sexual crimes. However, acts of sexual violence were mentioned in the course of the trial by two witnesses. As a result of these two testimonies, the Prosecutor amended the indictment to add two new counts: rape as a crime against humanity and rape as a violation of Article 3 common to the Geneva Conventions. The amicus curiae brief submitted by the Coalition for women’s human rights in conflict situations also put pressure on the Prosecutor.

In the Prosecutor vs. Akayesu, the ICTR’s Trial Chamber delivered the first judgment at an international tribunal on the provisions of the Genocide Convention. The accused was found guilty of acts of genocide, in part for sexual violence that included rape. The Trial Chamber held that the acts satisfied the criteria of ‘causing serious bodily or mental harm to members of the group’. The Trial Chamber said that sexual violence when perpetrated with the intent to destroy in whole or part a designated group satisfied the requirements of the crime of genocide. The Trial Chamber also found Akayesu guilty of rape and of inhumane acts, such as forced nudity, as crimes against humanity. The Appeals Chamber has upheld the convictions based upon sexual violence.

In the Prosecutor vs. Musema, the ICTR’s Trial Chamber again held that acts of rape could constitute genocide. The accused, a director of a tea factory in Gisovu, had himself attacked Tutsis and incited his employees to attack Tutsis. He raped a young Tutsi woman as four men held her down, then he left while the four men also raped her and left her for dead. The Trial Chamber held that Musema had individual responsibility both for his own act of rape, as well as for aiding and abetting the other four men. The court found that the evidence presented considering both the murders as well as acts of serious bodily or mental harm, including rape and other forms of sexual assaults, amounted to genocide. The court stated that ‘acts of sexual violence were an integral part of the plan conceived to destroy the Tutsi group. Such acts targeted Tutsi women, in particular, and specifically contributed to their destruction and therefore that of the Tutsi group as such’. Musema was originally convicted for rape as a crime against humanity.
by the Trial Chamber. The Appeals Chamber overturned that conviction, because of information that undermined the credibility of the prosecution witness who testified at the trial.

Additional Observations regarding the ICTR’s Policy Implementation

The ICTR’s role in respect of female Rwandan witnesses who are victims of sexual violence has recently been at the centre of a controversy. The two Rwandan survivors’ organizations, IBUKA and AVEGA, among whose members are many prosecution witnesses, have requested the Tribunal to support the medical costs of raped female witnesses affected with AIDS and other diseases for a long-term period. One of their claims is based on the fact that the HIV-infected perpetrators of the rapes who are accused by the ICTR receive HIV treatment. The representative of the government of Rwanda to the ICTR, Martin Ngoga, has publicly supported these views. The ICTR is viewed by the victims as a retributive and a restorative instrument, while this perception clearly clashes with the limited mandate of the ICTR, which does not include victims’ compensation. Rule 106 of the ICTR’s Rules of Procedure and Evidence clearly provides that ‘pursuant to the relevant national legislation, a victim or persons claiming through him may bring an action in a national court or other competent body to obtain compensation’. The current Chief Prosecutor submitted a proposal to amend the Rules of Procedure and Evidence to the Eighth Plenary Meeting of Judges in June 2000 in order to allow victims’ participation at the trial stage and to create a compensation mechanism. The judges rejected these proposals on the grounds that the adoption of such provisions first requires an amendment of the ICTR’s Statute by the Security Council. While both the Presidents of the ICTR and ICTY recognized the rights of victims to reparation, they wrote to the Secretary-General of the United Nations to express their concerns on this issue.

IBUKA, AVEGA and the media have strongly criticized the of victims’ protection conditions granted by the Tribunal. The Rwandan authorities and the two above-mentioned NGOs have denounced the fact that some of the investigators working for the defence lawyers are genocide suspects. They have requested their immediate suspension and arrest. Defence investigators are accused of jeopardizing the security and safety of protected witnesses by leaking confidential information and threatening prosecution witnesses. The Registrar has dismissed investigators suspected of having committed genocide, some of whom are currently being prosecuted. IBUKA and AVEGA have also requested that victims who testify in Arusha be represented at ICTR proceedings and be financially compensated.

The treatment of victims by judges and by the defence during their testimonies, in particular raped women, has also been strongly criticized by IBUKA, AVEGA and the media following the testimony of witness TA in the Butare trial. IBUKA, AVEGA and the media UBUTABERA alleged that judges had laughed at witness TA in an inappropriate fashion during the hearing of 31 October 2001. Although after having examined the audio-visual record of the hearing, the ICTR’s President concluded that the behaviour of the judges towards witness TA described by the media

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442 See IBUKA and AVEGA press communiqués following the testimony of witness TA in the Butare trial.
‘amounted to a mischaracterization of the scene in the trial chamber’, IBUKA and AVEGA have not changed their positions. 443

As a consequence of these tensions, IBUKA and AVEGA have suspended all cooperation with the ICTR since January 2002 until their demands will be taken into consideration. The Registrar has set up a joint commission composed of two ICTR staff members and two members appointed by the Rwandan government to examine the allegations of IBUKA and AVEGA. The ICTR recently pulled out of the joint commission ‘because of an inability to agree on certain fundamental points, beyond compromise, regarding the proposed commission’s terms of reference’. 444

The current existing tensions between the ICTR and some victims’ groups seriously hamper the functioning of the trials. Despite the instructions of IBUKA and AVEGA to their members to ‘boycott’ the ICTR by refusing to testify before it, only two witnesses complied with their instructions. 445 Victims’ associations’ claims, such as medical treatment for victims, which do not strictly fall within the mandate of the ICTR, should urgently be addressed by the government of Rwanda, donors and international humanitarian agencies in order to create a special fund for all victims of the genocide. The ICTR must urgently address the issue of protection of female victims who are ICTR witnesses.

Activities and Instruments
The Office of the Prosecutor convened a joint seminar for the ICTR and the ICTY in March 1997 in Arusha to discuss the use of evidence of sexual violence in the investigations and prosecutions and in particular to identify measures to harmonize investigation and prosecution approaches to sexual violence. In October 1997 the Prosecutor convened a second joint seminar attended by representatives of the Rwandan government and Rwandan NGOs. The aim was to develop techniques for interviewing victims of sexual assault, with an emphasis on the role of local NGOs. The John D. and Catherine T. McArthur Foundation funded this seminar. In addition, on 11 February 2000 the Prosecutor organized a luncheon with representatives of various NGOs, embodying a network of genocide survivors from where the OTP draws many of its witnesses. The purpose of the meeting was to initiate closer dialogue between the OTP and the NGO community, in particular with women’s organizations. Moreover, the Prosecutor has visited several victims of sexual violence in their communities.

Regarding the ICTR’s Registry, its spokesman, special assistant of the Registrar and other officials regularly address the ICTR jurisprudence on sexual assault and other gender-related activities of the ICTR at press conferences and other venues. Moreover, in 2000 the Registrar launched a programme aimed at supplying limited assistance to the rehabilitation efforts of victims and survivors of the genocide in order to facilitate the work of the ICTR. The programme was essentially aimed at providing medical and psychological assistance, legal assistance,

financial assistance and relocation and resettlement of victims. The beneficiaries were mainly organizations of female survivors and victims of sexual violence. The organization of widows of the genocide, AVEGA, for instance, received US$ 35,365 to train ten people in trauma counselling and an emergency fund for victims of sexual violence. The programme is currently being reformulated following a decision from headquarters in New York, which found that the programme did not fall into the mandate of the ICTR. The Registry’s Victim and Witness Section, which will be described further below, also organized training on sexual crimes and on traumatized witnesses.

Finally, relating to the ICTR’s Chambers, the President gives regular conferences and keynote speeches, including on the issue of gender-related crimes.

**Structure and Expertise**

*The Office of the Prosecutor*

The OTP consists of an Investigation Unit and a Prosecution Unit. Elaborating on the Investigation Unit, it is headed by a man and is composed of 87 investigators, of whom eleven are women. There are eight teams of investigators. Within the Investigation Section, a sexual assault team was created in 1998, although this was decentralized in 2001, because of the consideration that sexual crimes could be more appropriately investigated in a decentralized structure. Sexual assault investigators were attached to each investigation team in order to mainstream gender-based crime investigations. However, a small coordination unit composed of two female investigators at P2 level is responsible for liaising with local NGOs of female survivors. It is envisaged to reinstate the sexual assault unit and to hire a team leader at a P 4 level. Surprisingly, the vacancy announcement for this post does not explicitly require any expertise or experience in investigations of sexual violence. An observation regarding the functioning of the Investigation Unit made by representatives of various NGOs interviewed concerned the manner in which interviews of victims by ICTR investigators are conducted. It was expressed that investigators, in particular males, often lacked experience and sensitivity and that this sometimes created a deep feeling of distrust among victims interviewed.

The OTP also has a Legal Adviser on Gender, which unlike its equivalent in The Hague (P4), is a post at P3 level. The previous Legal Adviser, who was very active, left and her successor was relocated in Arusha for trial support. As a result, the legal advisory section has been deprived of legal expertise on gender-based crimes.

Finally, the OTP has a Witness Management Unit at its disposal, which aims to ensure the protection of women as witnesses and victims of rapes or other sexual assaults before their confirmation as witnesses at the pre-trial stage. During and after the trials the Registry’s Victim and Witness Section looks after them. The Unit is composed of a nurse and a counsellor, who both provide primary medical care to the witnesses. The counsellor also accompanies the investigators and facilitates the interrogation and identifies the witnesses who are especially

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445 Information provided by Mrs Molina on 31 May 2002.
vulnerable. The Witness Management Unit is financially supported by the Support Programme for Potential Witnesses, which is part of the ICTR’s Trust Fund, hence the Unit has some petty cash to pay doctors’ fees and the hospital.

It may be good to note that the delineation of tasks between the OTP’s Witness Management Unit and the Registry’s Victim and Witness Section has so far remained rather ambiguous. Whereas the Witness Management Unit in principle only deals with victims and witnesses at the pre-trial stage and the Victim and Witness Section with victims and witnesses during and after the trials, this division of tasks has in practice often been blurred and needs further articulation.

*Trial and Appeals Chambers*

The composition of the Trial Chambers consists of nine trial judges among whom three are women. Two Trial Chambers are presided over by men, and one by a woman: Judge Pillay from South Africa who has been the President of the ICTR for four years. Judge Pillay, as a strong advocate of women’s rights, has undoubtedly shaped the jurisprudence on sexual crimes. She was, for instance, on the bench in the Akayesu and Musema cases in which she demonstrated sensitivity and competence on the issue of sexual crimes. In one of the interviews, she was quoted as a role model.

The Appeals Chamber of the ICTR is shared with the Appeals Chamber of the ICTY and is exclusively composed of seven male judges. There is neither a gender unit nor a gender adviser in the Chambers, including in the Appeals Chamber. Unlike for the ICTY, the new judges do not receive an ‘introductory training session’.

*Registry*

The ICTR’s Registry includes a Gender Unit called ‘Gender Issues and Assistance to Victims of Genocide’. It is headed by an Adviser to the Registrar on Gender Issues, a post that was occupied by Françoise Ngendahayo from Burundi until she left the ICTR in September 2000 to take office as Minister of National Reconciliation in Burundi. The post has been vacant since then. The post is classified at P4 level and is ‘located’ in the immediate office of the Registrar. The Adviser directly reported to him and was responsible for developing and coordinating the implementation of concrete projects of assistance to the victims of genocide, with special focus on women and orphans. The Gender Adviser decided, with the technical support of the programme management officer, on the financial support required to assist victims. She supervised and monitored the implementation of the Unit’s work programme and assessed performance. The Gender Adviser also provided advisory services to the Registrar on gender issues within the ICTR and liaised with the Office of the UN Special Adviser on Gender Issues and Advancement of Women on the implementation of the ST/AI/412 within the Tribunal. She was part of the department panels for recruitment and promotions. In addition, the Gender Adviser advised on specific measures to protect female witnesses and on detention conditions for women in the ICTR’s detention unit, and the Gender Adviser liaised with the Rwandan government, especially the Ministry of Justice and the Ministry of Gender, Family and Social Affairs on issues related to victims and witnesses, in carrying out consultative missions jointly to select and monitor projects on assistance to victims.
Finally, the Gender Adviser advised local NGOs in Rwanda in preparing their projects for assistance to victims submitted to the Tribunal or/and other donors/cooperating agencies, and also raised funds for the projects submitted by the Rwandan counterpart.

Besides this vacant position of Gender Adviser, the Registry has a Victim and Witness Section (VWS), which, as indicated, has the responsibility for: a) the protection of confirmed witnesses of female victims of rape; b) female victims and witnesses during the trial; and c) female victims and witnesses after the trial.

Regarding point a, there are two sections dealing with this within the Registry. VWS-P deals with prosecution witnesses and VWS-D is responsible for defence witnesses. Defence witnesses are scattered throughout the world, unlike prosecution witnesses who largely live in Rwanda. Female victims of rape constitute the most vulnerable category of witnesses who need to be protected in an effective manner. Unlike other witnesses, their identity should not be revealed to the public to avoid reprisals from the family of the accused and humiliation from their own community once they return to Rwanda. Protected witnesses refer to those whose protection has been ordered by the judges and whose identity cannot be disclosed to the public or the media.

Most female witnesses and victims of sexual crimes have the status of ‘protected witness’. The VWS is responsible for preserving their anonymity and ensuring their security and safety from their homes to Arusha where they are called to testify. In practice, however, it is extremely difficult to maintain confidentiality in the Rwandan context: for instance, when the witnesses travel from Kigali to Arusha, they have to use the same gate as normal passengers. Protected witnesses are allowed to be accompanied to Arusha by a person of their choice, and female witnesses are always supported by a female support officer. Protected witnesses stay in ‘safe houses’ in Arusha where they are ‘assisted’ by a person who speaks Kinyarwanda. Female victims are provided counselling and psychological rehabilitation by the VWS. In Arusha, the services of a counsellor are hired under the VWS on an ad hoc basis, while the recruitment process of a permanent officer is being finalized. Medical care is solved on a case-by-case basis. The UN doctor examines the witness and decides whether she needs to go to hospital. The costs are paid from the VWS’s budget. A gynaecologist will soon be hired out of the witness support programme.

Regarding point b, the protection of women as witnesses and victims during the trial, although the protected witnesses testify in closed sessions, they are exposed to cross-examination by the defence, which can be a traumatizing experience. It was alleged that judges had laughed in an inappropriate fashion during the cross-examination of a female victim of rape on 31 October 2001. Several articles on the Internet criticized the judges’ behaviour. President Pillay answered: ‘It is (...) clear from the audio-visual record that the reactions from the bench described as inappropriate in the article were responses to defence counsel’s questions and arose in the course of dialogue with defence counsel’.

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Related to this is IBUKA’s decision of non-cooperation with the ICTR. In an interview to Radio Rwanda, the Secretary-General of IBUKA said that IBUKA wanted judges and defence counsels in the Butare case to be sanctioned and for all agents of the Witness Protection Unit to be replaced, including the heads. He asked for the contracts of defence investigators and interpreters who were suspected of having committed genocide to be terminated and asked for a revision of trials in which the suspects played a role. IBUKA also asked that victims be represented as civil claimants and that the seat be moved to Kigali. This could seriously impair the functioning of the Tribunal in view of the fact that most of the prosecution witnesses come from the survivors’ associations IBUKA and AVEGA.

Another issue regarding women as witnesses and victims during the trial is that of HIV/Aids, and as a result the ‘disappearance’ of evidence by witnesses. The majority of the ICTR’s potential witnesses suffer from Aids. UNAIDS, the Joint United Nations Aids Programme, stated in a report that ‘wars and armed conflicts generate fertile conditions for the spread of HIV. Rape inside or outside refugee camps … has doubtless played a part in spreading the virus in Rwanda’. As demonstrated in the Akayesu case, Tutsi women were ‘forced to endure multiple acts of sexual violence which were at times committed by more than one assailant. The female displaced civilians lived in constant fear and their physical and psychological health deteriorated as a result of the sexual violence and beatings…’ Under such conditions, the HIV virus rapidly spread. A survey on sexual violence carried out in 1999 by the Rwandan NGO AVEGA revealed that out of 951 women interviewed, 327 (34.4 per cent) were infected by the virus. Only 13 per cent have received medical care. Many died before even giving evidence and many witnesses are too weak to come to Arusha. The ‘disappearance’ of evidence is a serious issue that needs to be quickly addressed.

Given the ICTR’s limited mandate and its limited resources, the victims affected by HIV cannot receive long-term treatment paid by the ICTR. It is therefore essential that the international community considers providing sufficient resources to humanitarian agencies and medical centres in order to treat all the victims, including ICTR witnesses.

Finally, with respect to point c, the protection of women as witnesses and victims after trial, there is no psychological support but VWS is supposed to take care of medical expenses and attention continuously after the given testimony. It does not, however, provide medication against Aids. There is no specific treatment for female victims of sexual crimes.

**Suggestions and Measures for the ICTR and the Dutch Government**
The Dutch government could consider providing political and financial support for the following issues:

- Budget for facilitating the travel of some survivors to attend the trials (an amount estimated by the OTP at US$ 20,000) would contribute to bringing the ICTR’s justice closer to victims.
- Clarification of the role of the OTP’s Witness Management Unit and the role of the Victim and Witness Section of the Registry would avoid existing tensions.
- Increase the budget for the OTP’s Witness Management Unit in Kigali to cope with urgent needs (medical) of witnesses (however, such an increase should be carefully examined to avoid any inducement of the witnesses).
- Include charges of sexual enslavement and enforced prostitution in forthcoming indictments whenever evidence is available.
- Increase the focus on the investigation of sexual crimes in order to avoid amendments of indictments with the additional charges of sexual crimes in the middle of the trial.
- Provide training on investigation techniques for sexual crimes (including training on local culture and customs) for investigators.
- Provide training for judges on dealing in court with victims of sexual crimes.
- Increase the hiring of female investigators and interpreters for the investigation of sexual crimes.
- Conceive a special programme in the Victim and Witness Section for female witnesses who are victims of rape, to provide an appropriate response to their mental and physical needs.
- Ensure the ICTR’s adoption of the ICTY’s Rule 92 bis.
- Create a gender unit within the OTP common to the ICTY and ICTR headed by the Legal Adviser on Gender in The Hague and directly placed under the responsibility of the Chief Prosecutor.
- Promote strict application of Rule 75 c) in order to avoid the harassment and humiliation of female victims of rape.
- The outreach programme, which should target female victims in each prefecture of Rwanda.

Selected Bibliography


**List of Interviewees**

Roland Amassouga  Head of the Victim and Witness Section (defence witnesses), ICTR  
Cecile Aptel  Legal Officer/Coordinator, ICTR  
Carla Del Ponte  Chief Prosecutor of ICTY and ICTR  
Alison des Forges  Human Rights Watch  
Adama Dieng  Registrar, ICTR  
Irene Misayidire  AVEGA, sociologist  
Nieves Molina  Legal Officer, ICTR  
Jeanne Mukamusoni  AVEGA  
Judge Navenathem Pillay  President, ICTR  
Martin Seutcheu  Investigator, ICTR  
Laurent Walpen  Chief of Investigations, ICTR  
Don Webster  Senior Legal Adviser, ICTR
15. The International Criminal Court (ICC)\textsuperscript{446}

Introduction\textsuperscript{447}
On 17 July 1998 the Statute of the ICC was adopted in Rome by the United Nations Diplomatic Conference of Plenipotentiaries on the establishment of an International Criminal Court. The Statute entered into force on 1 July 2002, sixty days after the date on which 60 states became a party to the Statute through ratification or accession. For the first time in the world, there will be a permanent international criminal court to try individuals for the most egregious crimes. The ICC has the mandate to try individuals who have committed war crimes, crimes against humanity and genocide, and, eventually, the crime of aggression. The ICC will only have jurisdiction over crimes committed after July 2002. The ICC will have its seat in The Hague.

The ICC is a major milestone in the field of international criminal law. Its Statute includes an unprecedented level of gender integration and gives a central role to the victims and witnesses. The Statute contains, for instance, an impressive list of provisions to ensure that gender-based crimes are given more attention. One of the most significant changes relates to the detail and explicitness of the ICC Statute in the specific relation to gender-specific crimes.

The ICC and Women in Armed Conflict
The ICC could have a strong impact on women in armed conflicts, especially for female victims. Whether the issue actually will be addressed largely depends on whether the judges utilize the scope within the ICC’s mandate to deal with gender issues and whether the prosecutors actually decide to prosecute perpetrators of (sexual) violence against women in conflict situations. The ICC aims to give victims a central role by granting them the right to participate and to be legally represented at all stages of the proceedings. The issue of reparation payments for victims is still under debate. However, the right to reparation will be of particular importance for female victims in armed conflicts, as they belong, in general, to the most disadvantaged group from an economic and social perspective.

These new provisions on victims will give rise to complex legal and practical issues. Education and guidance of the victims therefore need to be taken into account by the ICC. Moreover, the ICC staff should receive training on the cultural background of the victims.

Policy
The ICC Statute recognizes a range of acts of sexual and gender violence as among the most serious crimes under international humanitarian law. It criminalizes these acts in Article 7 of the ICC Statute as crimes against humanity and in Article 8 as war crimes.

\textsuperscript{446} Author: Mrs C. Cisse-van den Muijsenbergh, independent consultant.
\textsuperscript{447} For additional background information on the ICC, see annexe 13 on the ICTY.
With respect to sexual and gender violence as war crimes, the Statute defines war crimes in international armed conflicts as not only grave breaches of the 1949 Geneva Conventions but certain ‘other serious violations of the laws and customs applicable in international armed conflict’. Included within this list are offences involving women, namely rape, sexual slavery, enforced prostitution, enforced pregnancy, enforced sterilization, or any form of sexual violence also constituting a grave breach of the Geneva Convention’. In the context of internal armed conflicts, the Statute also criminalizes serious violations of Article 3 common to the Geneva Conventions and of Additional Protocol II including ‘outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault’.

Regarding sexual and gender violence as crimes against humanity, the ICC Statute does not only include rape as a crime against humanity, it also extends the reference to gender crimes by defining crimes against humanity to include ‘sexual slavery, enforced prostitution, enforced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity’. The term enslavement is defined in the Statute as ‘the exercise of any or all of the powers attaching to the right of ownership over a person and includes the exercise of such power in the course of trafficking in persons, in particular women and children’. It also includes gender as one of the discriminatory grounds for the crime of persecution.

In addition, in various articles of the ICC Statute, it is explicitly envisaged to address the special needs of victims of gender violence. Under Article 43(6), the Registrar has the obligation to provide special services to victims and witnesses who appear before the Court. These services include, among others, special protective measures, security arrangements and counselling. The ICC Statute furthermore requires that the Court adopts specific investigative procedural and evidentiary mechanisms to facilitate appropriate and sensitive treatment of cases involving crimes of sexual or gender violence. During the investigation phase, the Prosecutor has the obligation to take adequate measures to ensure that investigations and prosecutions of crimes are conducted in an effective manner. He or she must, in so doing, take appropriate measures ‘to respect the interests and personal circumstances of victims, including age, gender, and health’.

During the trial, under Article 68 of the ICC Statute, the Court has the obligation to take ‘appropriate measures to protect the safety, physical and psychological well-being, dignity and privacy of victims and witnesses. In so doing, the Court shall have regard for all factors, including age, gender … and health, and the nature of the crime, in particular … where the crime involves sexual or gender violence against children’. In the case of a victim of sexual violence, the Court has the obligation to take protective measures such as in-camera hearings and presentation of evidence by electronic or special means’. However, Article 68 specifies that the Court can decide otherwise.

Article 75 of the ICC Statute on reparations to victims is of paramount importance for female victims of gender-based crimes. The Article provides that ‘the Court may take an order directly against a convicted person specifying appropriate reparations to, or in respect of, victims,
including restitution, compensation and rehabilitation’. A Trust Fund will be established for the benefit of victims and their families.

Finally, provisions regarding women’s issues and gender-based violence *inter alia* in conflict situations are made in the ICC Rules of Procedure and Evidence. They include the following:

- **ICC Rule 16 d)** in the Subsection 2 on the Victim and Witness Unit provides: ‘In relation to victims, the Registrar shall be responsible for the performance of the following functions in accordance with the statute and these rules (…) taking gender-sensitive measures to facilitate the participation of victims of sexual violence at all stages of the proceedings’.

- **ICC Rule 17 b)** iii) states that the Victim and Witness Unit must perform the following functions, ‘taking gender-sensitive measures to facilitate the testimony of victims of sexual violence at all stages of the proceedings’.

- **ICC Rule 18 d)** ensures training of its staff with respect to victims’ and witnesses’ security, integrity and dignity, including matters related to gender and cultural sensitivity.

- **Rule 63(4)** provides that corroboration is not required in order to prove any crime within the jurisdiction of the Court, in particular, crimes of sexual violence.

- **Rule 70** on principles of evidence in cases of sexual violence is directly inspired from the ICTY’s and ICTR’s Rule 96. It envisages three situations in which the victim’s consent cannot be inferred: 1) ‘of any words or conduct of a victim where force, threat of force, coercion or taking advantage of a coercive environment undermined the victim’s ability to give voluntary testimony’; 2) ‘of any words or conduct of victim where the victim is incapable of giving genuine consent’; and 3) ‘cannot be inferred by reason of the silence of, or lack of resistance by, a victim to the alleged sexual violence’. However, the insertion in Rule 70 of the terms ‘where appropriate’ are alarming. It allows the Court not to apply the principles. This possibility constitutes a serious threat to the rights of female victims of sexual violence. Permitting inquiries into consent would not only retraumatize the victims and deter their participation in the proceedings but would also contradict Rule 96 of the ICTY and ICTR and its related jurisprudence.

- **Rule 71** on evidence of sexual conduct provides that the Court shall not admit evidence of prior or subsequent sexual conduct of the victim or witness. This rule is an important improvement, to the extent that Rule 96 only refers to prior sexual conduct of the victim and that women in post-conflict situations are more and more often exposed to trafficking and prostitution.

- **Rule 112 (4)** on the recording of questioning in particular cases: audio or video recording of the persons questioned is not necessary in the case of a victim of sexual or gender violence to avoid any subsequent trauma.

- **Rule 88** is particularly important for female victims of sexual violence. The Chamber may order special measures to facilitate the testimony of a traumatized victim or witness, a child, an elderly person or a victim of sexual violence. The court may order as special measures that a counsel, a legal representative, a psychologist or a family member be authorized to attend during the testimony of the victim. Rule 88 states that the court must be vigilant in controlling
the manner of questioning of a witness or victim so as to avoid any harassment or intimidation, paying particular attention to attacks on the victims of crimes of sexual violence.

**Structure and Expertise**

The ICC Statute specifically refers to the need to appoint advisers and officials with gender expertise. For instance, Article 42(9) of the ICC Statute requires the Prosecutor to appoint advisers with legal expertise on sexual and gender violence, and Article 44(2) mentions that the Prosecutor and the Registrar must ensure a fair representation of men and women, and legal expertise on matters of violence against women, in the recruitment of staff.

The ICC Statute also requires a fair representation of female judges (Article 36(8)(a) (b)) and judges with legal expertise on specific issues including violence against women.

Lastly, Article 43(6) requires the Registrar to appoint staff with expertise in trauma, including trauma related to crimes of sexual violence.

**Suggestions and Measures for the ICC and the Dutch Government**

The Dutch government could consider providing political and financial support for the following issues:

- The Victim and Witness Unit must recruit personnel properly trained in sexual trauma.
- The relationship between the Registry and the OTP with regard to management of witnesses and victims must be clarified during the initial stages.
- The Victim and Witness Unit must get substantial resources to run its operations.
- Training of staff at all levels on gender issues is essential, especially for investigators. There should be systematic training from the inception on gender issues. Modern training methods should be used such as video and ‘moot’ investigations.
- The ICC should benefit from the expertise of the ICTY and ICTR by secondment of ICTY and/or ICTR personnel for a certain period with the ICC.
- The code of professional conduct of the ICC (Rule 8) should include appropriate sanctions for counsels who violate the right to dignity of victims and witnesses of gender-based crimes.
- Regulations of the Prosecutor must include clear guidelines for investigations and prosecutions of gender-based crimes (Rule 9).
- Regulations of the Registry should include detailed provisions on witnesses and victims of sexual crimes (Rule 14).

**Selected Bibliography**


**List of Interviewees**

See list of interviewees mentioned under the ICTY and ICTR.
16. The Ministry of Foreign Affairs (MoFA)\textsuperscript{448}

*Introduction*

This section on the Netherlands Ministry of Foreign Affairs (MoFA) first gives a brief description of the organizational structure of MoFA. Second, it deals with MoFA’s policy on conflict prevention, conflict management and peacebuilding in as much as this is relevant to the topic of women in armed conflict and with its overall gender policy. Third, it focuses on MoFA’s structures and experts dealing with the topic of women in armed conflict. Fourth, it pays a short note to MoFA’s budget for women and gender. Fifth, it highlights the role of the Women and Development Unit (DSI/VR) of the Social and Institutional Development Department (DSI), which coordinates the Ministry’s gender policy. Finally, it makes some concluding remarks and proposes suggestions for follow-up.

*MoFA in a Nutshell*

MoFA’s five major objectives are as follows: 1) strengthening the international order; 2) promoting peace, security and stability; 3) furthering European integration; 4) reducing poverty in developing countries; and 5) maintaining and strengthening bilateral relations.\textsuperscript{449} The political direction of the Ministry is in the hands of the Minister of Foreign Affairs, the Minister for Development Cooperation and a State Secretary for European Cooperation. The implementation of these five objectives is undertaken by the MoFA headquarters in The Hague and a network of missions around the world. In January 2001 5,001 employees were working at MoFA: 1,720 at headquarters (56 per cent) and 1,331 (44 per cent) abroad. There were 942 (55 per cent) men and 778 (45 per cent) women working in the Netherlands, and 853 (64 per cent) men and 478 (36 per cent) women at missions abroad. A total of 1,950 locally recruited staff were working at the missions.

MoFA has five main divisions: 1) the advisers, departments, and central management services falling directly under the Secretary-General; 2) the Directorate-General for Regional Policy and Consular Affairs (DGRC); 3) the Directorate-General for Political Affairs (DGPZ); 4) the Directorate-General for European Cooperation (DGES); and 5) the Directorate-General for International Cooperation (DGIS), responsible for development cooperation.\textsuperscript{450} Another way of describing the headquarters’ organizational structure is dividing it into a) regional, b) thematic, and c) forum desks belonging to the Directorates-General DGRC, DGPZ, DGES and DGIS, as described above. The regional desks coordinate bilateral relations, including development cooperation, and monitor annual reports from the embassies in their region. The thematic desks focus on priority themes within MoFA, such as poverty reduction, conflict, security, women and development, and the environment. And the forum desks channel contacts with international organizations like the EU, UN, OSCE and others.

\textsuperscript{448} Authors: G. Frerks and T. Bouta, Clingendael Institute.

\textsuperscript{449} For more information, see http://www.minbuza.nl/english/menu.asp?Key=257839&Pad=257571,305653.

\textsuperscript{450} For MoFA’s organization chart, see http://www.minbuza.nl/english/menu.asp?Key=406136&Pad=257568.
Policy
Conflict Policy
The Minister of Foreign Affairs and the Minister for Development Cooperation jointly presented a policy note on Conflict Prevention to the Dutch Parliament in October 2001. In addition, the Minister for Development Cooperation presented a policy note on Post-conflict Rehabilitation in April 2002. These policy notes together reflect current trends in overall Dutch conflict policy. Key to the Dutch policy is the coherent and internationally coordinated use of multiple instruments. Apart from operational prevention in the short term to stem immediate escalatory violence, the Dutch government emphasizes the complex and multiple causes of contemporary conflict. Exclusionary and oppressive state policies, the lack of political influence, poverty and inequality among particular identity groups and the violation of human rights may lead to violent conflict. Poverty reduction and policies promoting good governance, democratization and human rights are therefore seen as contributing to solving these underlying conflict causes. In forging solutions, local ownership and empowerment are the keys. Equally important is the obvious need to react proactively on early-warning signals and to devise better ways to promote early action. The government also recognizes the need to control economies of violence that are a source of funding for these conflicts, as well as illegal arms trade, by involving the international corporate sector in this endeavour. Apart from the conflict parties per se, society at large needs to be involved in conflict resolution and peacebuilding efforts. The adoption of multi-track diplomacy and mustering ‘local capacities of peace’ are key elements of this approach. Women are essential partners here, as also stressed in Resolution 1325 of the UN Security Council. Follow-up recommendations on Resolution 1325 will play an important role in shaping future Dutch policies on women in conflict prevention. In the Conflict Prevention policy note the Dutch government further announces its intention to strengthen OSCE/ODIHR’s gender expertise and funding capabilities. Likewise, the Dutch government intends to support a series of innovative pilot projects carried out by UNIFEM and international NGOs.

In its Post-conflict Rehabilitation note the government explicitly acknowledges that conflicts are not gender neutral and affect men and women differently. Women are often targeted as victims of (sexual) violence. But women also gain new roles and responsibilities, as combatants, household heads or peacemakers. Gender identities and relationships are subject to change as a consequence of conflict. It is stipulated that policies and interventions in post-conflict rehabilitation have to incorporate these gender differences and changes and try to use the opportunities for changing past gender imbalances. It is policy to involve women already in the early stages of the process, by strengthening women’s organizations, involving women in the peace process and by subjecting rehabilitation programmes to gender impact assessments. A final concern relates to the (continued) violence against women in the post-conflict phase.

Gender Policy
MoFA has already for a long time given priority to gender issues. The approach is two-pronged. On the one hand MoFA aims to mainstream gender into overall Dutch foreign policy as implemented through bilateral relations and multilateral organizations. On the other hand MoFA
promotes empowerment of women and women’s organizations through development policies, programmes and projects targeting women in particular.\textsuperscript{451} MoFA’s overall gender objective - in line with the DAC’s guidelines for gender equality and women’s empowerment - is to promote equal rights, opportunities and access to resources and services of women and men, as well as to strengthen the decision-making capacity and self-determination of women. MoFA’s gender policy also contributes to the implementation of the Beijing Platform for Action by mainstreaming gender equality and supporting a number of strategic, contemporary policy themes, such as women and poverty reduction, combating violence against women and promoting their human rights, expanding women’s contribution to peacebuilding, conflict prevention and post-conflict rehabilitation, and strengthening women’s participation in politics and good governance. Both regarding the issue of gender mainstreaming as well as with regard to the specific issues, MoFA has taken a series of actions.

MoFA’s gender mainstreaming obviously has an internal and external dimension. The first deals with the Ministry’s internal policies, operations and procedures, while the latter relates to bilateral, multilateral and foreign policy domains and processes focused on ‘the world outside’.

In order to incorporate gender in MoFA’s policies and organizational structure, MoFA appointed special coordinators for international women’s affairs as far back as 1977. In 1985, so-called sector specialists, including gender specialists, were introduced at the embassies. In 1991 a specialized gender unit (DST/VR) was set up within the Directorate-General for International Cooperation. From 1996 onwards it was called Women and Development Unit (DSI/VR) and its task was expanded towards servicing all Directorate-Generals.\textsuperscript{452} In 2001 MoFA appointed its Deputy Secretary-General to be the overall Gender Coordinator for the Ministry. To assist the Deputy Secretary-General, a Senior Policy Adviser has been appointed in the Human Resource Department (HDPO) to address gender issues in personnel policies and DSI/VR will continue to focus on gender in foreign policy. The Deputy Secretary-General is also supported by a broad, internal advisory committee: the OIB, which stands for ‘Balanced Organization’.

Regarding its external strategy, MoFA has developed various instruments over the last two decades. From the 1980s onwards MoFA started paying special attention to gender aspects in so-called sector and country papers. Around 1990, MoFA’s policy was to spend a certain percentage of its total expenditure on women. And more recently, in 2001 MoFA published a paper on poverty and gender, which focused on how to link gender with MoFA’s main objective of poverty reduction.

More specifically, within the framework of the overall Dutch emancipation policy, MoFA focused on the following gender-related priorities during the period 1998-2002 (\textit{taakstellingen}):

\begin{itemize}
  \item a) mainstreaming gender and poverty criteria in macroeconomic support programmes to
\end{itemize}

\textsuperscript{451} These include initiatives in the humanitarian, rehabilitation, peacebuilding, governance, democratization and human rights fields.

developing countries; b) safeguarding the reproductive rights of refugee women; and c) assisting in gender mainstreaming the OSCE, *inter alia*, by particularly focusing on the specific needs and interests of women in the post-conflict phase.453 Highlighting some of the progress made on these three *taakstellingen*,454 the awareness on how to integrate gender actively in macroeconomic support programmes - especially the Poverty Reduction Strategy Papers (PRSPs) and sectoral budget support - has increased both internally and within consultations with the donor community and recipient countries. In addition, a fact-sheet regarding gender budgeting has been designed and disseminated to the embassies, while gender-sensitive diagnostic instruments have been developed to determine the gendered impact of the PRSPs. Safeguarding refugee women’s reproductive rights has received increased attention after an interim evaluation. MoFA has integrated the issue in its multilateral partnership programmes with *inter alia* UNFPA, UNHCR and UNICEF, while it has earmarked significant funding for this priority over the last two years. A further follow-up is considered in the framework of UN SC Resolution 1325. Regarding the third priority, MoFA has seconded a Dutch gender expert to ODIHR in Warsaw and financially supported OSCE activities in the framework of the 1999 Action Plan for Gender Issues. In a debate with Parliament, Minister van Aartsen explained that the Netherlands had already spent 1.7 million DFL through the OSCE on support to women’s organizations in Central Asia and the Caucasus for projects to reduce violence against women, to increase women’s political participation and to encourage female candidates to become eligible for election.455

**Structure and Expertise**

MoFA gender expertise includes staff with responsibilities in the ‘mainstream’ that have gender expertise relevant to their tasks and the responsibilities of their units, and there are also gender specialists (in embassies and in DSI/VR) that fulfil an advisory role towards mainstream staff. Generally speaking, however, the availability of expertise is not the only bottleneck for mainstreaming. It is equally critical that mainstream policy advisers and managers feel a clear responsibility to address gender in their area of responsibility and, in addition, are held accountable for the quality and degree of mainstreaming gender in their area of responsibility. This aspect is still in need of further strengthening, but is being addressed at different levels.

The Women and Development Unit (DSI/VR) is MoFA’s gender expertise centre. DSI/VR, *inter alia*, undertakes pilot projects with regard to the gender policy priorities as mentioned above and supports other MoFA units in mainstreaming gender into their policies. It gives feedback to and organizes training for gender experts at the embassies, and largely implements and monitors MoFA’s current three emancipation tasks. In sum, DSI/VR coordinates most of the gender-related activities, but in principle does not have the responsibility for the policy areas in which gender has to be mainstreamed.

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454 Ministerie van Sociale Zaken, 2001a, pp. 10-12; and Ministerie van Buitenlandse Zaken, 2002.
Regional, thematic and forum desks are responsible for policy formulation and implementation with regard to women in armed conflict in their respective fields of competence. These units include DMV/HH (Humanitarian Aid Unit), which funds governments, national, international and multilateral humanitarian organizations to provide emergency relief to victims of armed conflicts and natural disasters, as well as supports activities in the field of recovery and reconstruction. DMV/VG (Peacebuilding and Good Governance Unit) promotes the development and transformation of (post-)conflict societies throughout the world by such means as strengthening governmental and non-governmental organizations and programmes for peacebuilding and good governance. DVB/CV (Conflict Prevention, Peace Operations and Military and Civil Cooperation Unit) deals with peace operations and interaction between missions and the local population, also touching on issues such as gender mainstreaming in peace support operations and the different positions of women and men in armed conflict. Finally, DVF/PJ (Political and Legal Affairs) deals with UN peace support operations and UNHCR, especially with regard to debates at the political level, such as in the UN SC and DPKO. Among the staff working at these regional, thematic and forum desks we also find gender experts. Particularly staff that originally worked in the DGIS-sector gained substantive experience with gender issues, but due to transfers not all can continue to apply their gender expertise, and are involved less and less with gender issues.\footnote{456} All the regional, thematic and forum desks mentioned above indicated in interviews that they pay attention to the topic of women in armed conflict in the implementation of their activities, but that they fully rely on DSI/VR when it concerns policy formulation and developing new initiatives in this field.

MoFA has sector specialists working at the embassies in the field. Whereas most sector specialists do have some experience with gender, there are also specific gender specialists, who particularly play an important role, as it regards mainstreaming gender into programmes at the macro and sector level. In 2000, there were nineteen gender posts (‘fte’) at the embassies.\footnote{457} With the introduction of the sector-wide approach, gender specialists are increasingly made responsible for other portfolios as well, like certain sectors or themes. This may on the one hand endanger their time and commitment towards gender issues, while on the other it opens up opportunities to mainstream gender in those sectors as well.

The issue of mainstreaming gender has been subject to an advice of the Advisory Council on International Affairs to the Minister for Development Cooperation.\footnote{458} In its advice the Council deals with internal, organizational and external aspects, and recommends, \textit{inter alia}, strengthening the internal structure, promoting commitment among staff, and better donor coordination. Several of its recommendations have been followed up by the Minister, as explained in her letter to Parliament. It needs no clarification that many of the issues mentioned require nearly continuous or permanent attention, monitoring and follow-up, for which the mechanisms are increasingly being put in place.

\footnotesize{456} Nugteren and Zuidberg, 2000, Part II, p. 1. 
\footnotesize{457} Nugteren and Zuidberg, 2000, p. 25. 
\footnotesize{458} Adviesraad Internationale Vraagstukken, 2002.
**Budget**

Gender now forms an integral component of the budgets for institutions, sectors and themes. The earlier centrally-operated Women Fund, is now largely delegated to the embassies. The remaining financial resources are earmarked for the implementation of MoFA’s three priorities by DSI/VR. Funds for gender mainstreaming and women’s empowerment are included in the overall country budget allocation for development cooperation. Through the internal financial system (MIDAS), it can be established what part of the overall funding is devoted to gender or women’s activities. MoFA has also indicated to the Ministry of Social Affairs’ Directorate Coordination Emancipation Policy (DCE) that it is willing to participate in a pilot project on gender-sensitizing budgets.

**DSI/VR and Women in Armed Conflict: Approach, Objectives, Activities and Instruments**

DSI/VR has six staff (fte’s). One staff member is particularly dealing with women in conflict as part of her broader portfolio on gender, conflict and good governance. Other experts deal with mainstreaming gender in foreign policy and development cooperation, *inter alia* through the integration of gender in MoFA’s sector-wide development approaches. Gender-related poverty and economic analysis and the relationship between gender and human rights are other areas of concern. The latter area includes violence against women and trafficking of women and girls.

The staff member that is currently responsible for the portfolio of women in armed conflict is part of DSI/VR for a limited period of two years on the basis of a non-permanent position. The intention, however, is to shift the gender portfolio from DSI/VR to DMV in the course of 2003. So far DMV has lacked the time to develop gender-related activities actively. However, it has indicated that gender issues have been included in some of the revised task/function descriptions for positions within DMV/VG that will be filled during the upcoming reassignment rounds in 2002 and 2003.

DSI/VR’s approach towards women in conflict has changed over time. Initially, DSI/VR tended to regard women mainly as victims of conflict and as peacemakers, less appreciating women’s other potential roles in armed conflict.459 DSI/VR, for example, supported Palestinian and Israeli women’s organizations in order to participate in the political peace process, and also facilitated Sudanese women to get involved in the peace process in Sudan from the grass roots level up.460 Gradually DSI/VR broadened its view on women in conflict through commissioning various consultancies on women in conflict and through increasingly adopting the UN Security Council’s Resolution 1325 as a frame of reference. As a consequence of these different developments, DSI/VR’s view on women in conflict has become rather comprehensive and reflects current thinking. It is less easy to translate these ideas into operational practice by sponsoring activities in

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the field,\textsuperscript{461} while there is also normally a time lag before progress can be noted in the field. In this study no attempts have been made to monitor the implementation of work in the field.

At a more general level, UN SC Resolution 1325 forms an important source for DSI/VR’s broader policy framework with regard to women in conflict. It simultaneously acknowledges the need to address women’s special needs in conflict situations, as well as the need to involve women in peace support operations and various other conflict-related efforts before, during and after conflict. Other points of reference for DSI/VR include the OECD/DAC’s guidelines on gender and armed conflict,\textsuperscript{462} which focus on development assistance programmes, as well as the Beijing Platform for Action and more recently the Beijing Plus Five, which seeks to address the high proportion of female-headed households in conflict, the underrepresentation of women in decision-making positions, the low number of women in peacekeeping missions and the inadequate training of personnel dealing with the needs of women in situations of armed conflict.\textsuperscript{463}

At a more specific level, MoFA’s own emancipation policy sets the framework internally for DSI/VR’s work on woman and gender issues. In sum, DSI/VR’s strategy towards mainstreaming gender in MoFA’s conflict policy is twofold: 1) monitoring the implementation of UN SC Resolution 1325 and other related (inter)national frameworks that are relevant for the topic of women in conflict; and 2) supporting managers and (gender) experts responsible for conflict-related topics and countries in conflict at MoFA’s headquarters and at the embassies in the field.

Regarding the first-mentioned strategic objective, some of the concrete activities that DSI/VR implements in collaboration with other Ministries and MoFA units include: 1) improving women’s contributions to peacebuilding, conflict prevention and post-conflict rehabilitation through pilot projects like those in Israel, the Palestinian Territories and Sudan; 2) assisting the OSCE in mainstreaming gender; 3) cooperating with DMV/VG on designing new policies and approaches; 4) collaboration with DMV/HH in safeguarding the reproductive rights of refugee women; and 5) financially supporting the UN Department of Peacekeeping Operations (DPKO) and the United Nations Development Fund for Women (UNIFEM) to strengthen women’s contributions to conflict prevention, peace negotiations and peace support operations. Recently, DSI/VR initiated a working group with participation from various departments in MoFA and the MoD to review the Implementation of Resolution 1325 to the extent that it corresponds to the Netherlands. This \textit{ad hoc} group is chaired by DVB/CV. The members of the group have compiled information on the state of affairs and follow-up activities that are planned by various directorates and units within MoFA, such as DVB, DVF, DMV and DSI, in order to put this important Resolution into practice.

\textsuperscript{461} DSI/VR, 2000; and 2001.
\textsuperscript{462} OECD/DAC, 1998.
\textsuperscript{463} UN General Assembly, 2000, p. 8.
Regarding the above-mentioned second overall strategic objective, DSI/VR: 1) has included the subject of gender and violence on the agenda of a recent meeting in The Hague, on 7 and 8 March 2002, in which over 40 gender specialists from embassies participated; 2) has started an email network among MoFA’s gender specialists to provide support to the issue of women in armed conflict in an electronic manner; 3) gives individual back-up to gender specialists at the embassies regarding activities that are related to women in conflict; 4) manages some specific activities that relate to both objectives, for instance financial support to women in Afghanistan in the broader framework of MoFA’s pledge to the reconstruction fund for Afghanistan, financial support to IFOR (the International Fellowship for Reconciliation) and other activities; and 5) introduces the subject of gender and conflict in training courses for junior and senior staff members.

Finally, several activities related to conflict management and post-conflict reconstruction directly fall under the responsibility of the embassies. However, DSI/VR has not yet been able to develop a comprehensive overview of the gender aspects of all activities in this field.

**Suggestions and Measures for MoFA**

The appointment of the Deputy Secretary-General as Gender Coordinator reflects that the top of the Department is committed to gender mainstreaming. A further clarification, however, of the role of the Gender Coordinator and the formulation of concrete outputs and targets covering the whole Ministry is to be expected to reinforce this approach. In this connection, a plan of action will be presented in autumn 2002. It should also be noted that in his role as Gender Coordinator, the Deputy Secretary-General depends on DSI/VR and the gender adviser in HDPO for support, because he has not been allocated a specific budget or any additional staff for that purpose. In this regard, a proper delineation of responsibilities is to be considered. In addition, to bolster support to the Deputy Secretary-General, broadening the role of the advisory group (OIB) beyond personnel policy issues to include all gender mainstreaming issues could also be contemplated. Moreover, reviewing the functioning of the Gender Coordinator in terms of achievements, strengths and constraints could be recommended in 18-24 months.

The tasks and objectives of DSI/VR to promote gender mainstreaming in foreign policy depend to a large degree on the implementation capacity and commitment within the directorates, embassies and permanent missions that comprise MoFA. There is a danger of ‘disconnection’ between coordination by DSI/VR and implementation proper by others. Whereas gender originated very much as a topic within development cooperation, certain directorates, missions and embassies are constrained in terms of knowledge and experience with gender issues. They may not have the resources in terms of specialist expertise and trained gender personnel to carry out gender mainstreaming proficiently. Although it is DSI/VR’s task to help redress these imbalances, the consequences of this historical situation will still take time before they are fully removed. It is recommended to investigate how the gender expertise, knowledge and commitment of the relevant units outside the development directorate can be upgraded to the required levels. In this regard, a first step may be to include gender tasks in descriptions of staff functions. Gender expertise may also, where relevant, become a requirement for promotion and job rotation, as well
as may become included as a topic in the periodic personnel appraisal system. Lastly, (voluntary) gender courses could also help.

The existing expertise on gender runs the risk of being diluted, as gender specialists are frequently called upon to combine their portfolio with other tasks or ‘sectors’. What this means in practice and how this development may affect the possibility to spend more time on important questions related to women in armed conflict should be monitored, especially in (post-)conflict countries or the so-called DMV countries.

Compared to issues of gender and development, the issue of gender in armed conflict still requires focused attention. Apart from the temporary specialist posted to DSI/VR, the topic has not yet ‘sunk in’ for the other directorates or units dealing with armed conflict. Most interviewees indicated that they assumed the topic was looked after by DSI/VR and that they had no time and human resources to do so in any meaningful detail. A concrete strategy has to be worked out for how to ensure that the matter will continue to receive attention after the temporary position is discontinued. It should be ascertained how this issue will be solved, especially if no additional human resources are made available. Besides including gender in planning, recruitment and appraisal, and internal monitoring and evaluation systems, another possibility is to continue monitoring the implementation of UN SC Resolution 1325. In this connection it could further be considered to give the Interdepartmental Working Group on Resolution 1325 a somewhat longer lease of life by extending its mandate to cover more broadly the issue of women in armed conflict in a variety of national and international institutional settings. MoFA has, for example, an important role to play in connection with peacekeeping operations together with the Dutch MoD, and can jointly take a number of important initiatives, as developed in larger detail in the section on the MoD.

Another issue relates to the contents of MoFA’s policy with regard to women in armed conflict. On the one hand there is the impression that there was in the past a fairly limited focus on the three specific priorities within overall Dutch emancipation policy. On the other hand there seemed to be a much wider range of issues emerging from the different prevailing policy notes and international frameworks and from empirical practice itself. Sometimes it is not completely clear how these different initiatives relate to one another and which one takes priority over the other. With regard to women in armed conflict it must, however, be possible and also is recommended here to present a fairly complete overview of what are seen as main policy goals and priorities and what activities are carried out in support of those. In this respect, the matrix draft by the Interdepartmental Working Group on Resolution 1325, which identifies priorities for further implementing Resolution 1325, could be a useful starting point. Moreover, it is sometimes not clear, however, how DSI/VR’s activities are related to the overall emancipation policy, while it could also be ascertained as to how they relate to women’s multifaceted roles in conflict.

In general, how the interface between gender and conflict can be explored more intensely and effectively needs to be ascertained. Common inter- and intra-ministerial dialogues, seminars or training sessions are one possibility that could be added to the more active policy of engaging
colleagues regularly on a pragmatic basis in relation to concrete tasks and responsibilities, as seems to be occurring already in a number of instances.

A similar observation can be made about the development of tools or instruments. There is a flurry of instruments being developed on conflict issues, but not all of them are gender-specific, although this should be promoted to engender this tendency of instrument and tool development. In this connection, the intention to design gender-sensitive budgeting systems deserves full support.

MoFA can also play an exemplary role towards many of its implementing partners. Although this has not been explored in detail here, these partners should be encouraged, if needed through the terms and conditions of the contract, to pay attention to women in armed conflict when and where appropriate. Some of these partners are known to have already developed some expertise and a level of sophistication, while others are still in a learning phase. Positive inducements could be developed by those units that spend large sums on contracts on conflict prevention, humanitarian aid and peacebuilding, such as DMV/HH and DMV/VG. In the normative field, there can also be an important role for DMV/MR (Human Rights).

**Selected Bibliography**


*List of Interviewees*

- Mr A. Dorhout DVB/VD (by email)
- Mrs R. Herweijer Senior Gender Specialist, DSI/VR
- Mr S. Messerschmidt DVB/CV
- Mrs C. Poldermans Head, DMV/VG
- Mr P. Ramaer Head, DVF/PJ
- Mr A. Tuinstra Director, DMV
Mrs B. ten Tusscher    Head, DSI/VR
17. The Ministry of Defence (MoD)\textsuperscript{464}

Introduction
This study gives an overview of how the Netherlands Ministry of Defence (MoD) deals with a) increasing the number of female military and civilians in peace support operations, and b) the needs of local women in armed conflict. This study hence starts with a short description of the international debate on gender mainstreaming in peacekeeping operations, and the need to pay attention to the position of women in armed conflict. Second, it describes the overall structure and culture of the MoD, paying specific attention to the contents, organization and funding of the MoD’s emancipation policy. Third, it analyses in more detail the MoD’s efforts and challenges regarding women in peace support operations. Fourth, it outlines the activities within the MoD that specifically relate to the topic of (local) women in conflict. Fifth, it provides suggestions for the MoD to strengthen its performance on the topic of female military and female civilians in peace support operations, and its performance on the issue of women in armed conflict.

Background Information on Gender in Multidimensional Peacekeeping Operations
On 31 October 2000, the UN Security Council adopted Resolution 1325, which, \textit{inter alia}, stresses the need to mainstream a gender perspective into peacekeeping operations. It urges the member states to develop special training for all peacekeeping personnel on the protection, special needs and human rights of women in conflict situations, simultaneously seeking to expand the role and contribution of women in field-based interventions, and especially among military observers, civilian police, human rights observers and humanitarian personnel.\textsuperscript{465} In another document, the Namibia Plan of Action on \textit{Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations}, member states are explicitly asked to increase the number of women in their military and civilian police force who are qualified to serve in peace operations at all levels, including the most senior. In case troop-contributing countries do not yet have suitable female staff, they are encouraged to increase the number and rank of female personnel in their respective forces, by, for instance, increasing the participation of women in courses and training for peace support operations.\textsuperscript{466}

While analysing the MoD’s effort in taking up these challenges, it should first be mentioned that there are many more international resolutions related to peace support operations than the two on gender mentioned above. Whereas these other relevant resolutions fall outside the scope of this research, it should be kept in mind that besides paying attention to Resolution 1325 and the Namibia Plan for Action, the MoD also has to deal with these other resolutions. The MoD is also constrained by its overall mandate and standard rules and regulations with which the implementation of these Resolutions must be combined.

\textsuperscript{464} Author: T. Bouta, Clingendael Institute.
\textsuperscript{465} UN Security Council, 2000, p. 2.
\textsuperscript{466} UN DPKO, 2000, pp. 31-32.
Secondly, it must be noted that Resolution 1325 and the Namibia Plan for Action are rather recent resolutions. The various agencies under study, including the MoD, have so far had limited time to implement the topics mentioned practically in these resolutions. Hence this analysis concerns initiatives that the MoD is undertaking to start translating the resolutions into practice, rather than achieved results so far.

The MoD and Women in Armed Conflict

The Ministry of Defence consists of a core department, called the Central Organization, and the armed forces. The armed forces include the branches of the Royal Netherlands Navy (KM), the Royal Netherlands Army (KL), the Royal Netherlands Air Force (KLU) and the Royal Marechaussee, or military police (KMAR).\footnote{The abbreviations between brackets are Dutch abbreviations and stand for Koninklijke Marine, Koninklijke Landmacht, and Koninklijke Luchtmacht.} In addition, there is the Defence Inter-service Command for Support Services (DICO). DICO is linked to both the Central Organization and the armed forces, and deals \textit{inter alia} with defence-wide issues such as transport, medical care and selection.

The Minister and the State Secretary head the MoD. Together they bear political responsibility for the Ministry. The highest-ranking civil servant is the Secretary-General. The Chief of Defence Staff is the most important military adviser to the political leadership. Other senior officials include the Directors-General for personnel and materiel, and for finance and control. The Inspector-General of the Armed Forces holds a special position within the armed forces. He offers the Minister advice, unsolicited or otherwise. The defence staff is mainly tasked with treating issues relating to all the services and international security policy. This staff also controls combined planning of the services and it plays an important part in the management of peace operations.\footnote{For an organization chart of the Netherlands Ministry of Defence, see \textit{inter alia} Ministry of Defence, 1999, p. 12.}

In 2001, the MoD had over 74,500 personnel: roughly 54,500 military personnel and 20,000 civilian personnel. Their distribution is as follows for each part of the Ministry: Central Organization (1,600), KM (16,300), KL (32,000), KLU (13,400), KMAR (5,500) and DICO (5,700).\footnote{See, \textit{inter alia}, http://www.mindef.nl/veiligheid/}.

The main tasks that both this military and civilian personnel have to fulfil are: a) defending the territory of the Kingdom of the Netherlands and Allied territory; b) protecting and promoting the international rule of law, for example by participation in peace operations; and c) supporting and assisting in the execution of civilian government tasks and also international assistance together with the Ministry for Development Cooperation.

Obviously, the main tasks of the MoD transcend the issues mentioned in UN SC Resolution 1325 and the Namibia Plan for Action, and go far beyond the particular topic of women in armed
conflict. Hence it is on the one hand understandable that the MoD does not explicitly refer to the topic of gender and women in armed conflict in its mandate. On the other hand, however, gender and, to an increasing degree, women in armed conflict, are becoming important issues for the MoD in view of its role in international peace operations, and could increasingly achieve a more explicit position in the MoD’s mandate, but also in its policies and activities.

**Policy**

A focus on women in peace support operations and women in armed conflict does not fully reflect all the details of the MoD’s emancipation policy. Until recently the MoD’s emancipation policy was largely of an internal nature, particularly dealing with personnel issues. The MoD focused on increasing the number of women in the armed forces, and as such increasing the chance that more women would participate in peace support operations, but did not pay attention to the role and position of local women in conflict areas. With the adoption of Resolution 1325 and the Namibia Plan of Action, the MoD’s emancipation policy is gradually gaining a more external focus, and the MoD is at present considering policies and instruments to put the resolutions into practice.

Initially, the MoD’s emancipation policy got a first impetus during the United Nations Decade for Women (1976-1985), and with the adoption of the Convention on the Elimination of All Forms of Discrimination against Women in 1979. From that moment on, the MoD started encouraging and facilitating women’s career paths to the higher echelons of the armed forces. Although times have changed and the MoD has put other accents in its emancipation policy today, the main objective of employing more women in the armed forces has remained.

The MoD’s most recent emancipation policy for the period 1998-2002, for instance, focuses on:

1) an increase in part-time employment opportunities for female military; 2) finalizing a pilot project on women and ergonomics (VERGO); 3) a visible and structured career path for women from scale 10 and upwards and from the ranking of captain; and 4) reaching the target of 8 per cent female military in 2002. This fourth objective, which has been part of most of the MoD’s emancipation policies, should not be de-linked from the other three objectives. Instead, it must be viewed as resultant of all the objectives.

Summarizing some of the progress made on these four objectives, by continuously informing female military about the opportunities to work part-time, the number of female soldiers working part-time gradually increased from 125 in 1998, to 185 in 2000, and 261 in 2001.

Moreover, the VERGO pilot project, aiming at reducing the physical workload in all branches of the armed forces in order to make them equally accessible for women and men, was successful. It turned out that it was not only beneficial to women, but also for men, and so men were

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471 The State Secretary has asked each branch of the armed forces to specify further these overall objectives and translate them into more concrete targets and actions. For more information, see DVN, 2000, pp. 8-13.
472 Information on the progress made is derived from progress reports prepared by the MoD for Parliament and the Directorate Coordination Emancipation Policy; see selected bibliography.
incorporated in the pilot project as well.\footnote{Ministerie van Defensie, 2002, p. 3.}
Next, the progress made on the third objective could not yet be ascertained due to lack of data. The MoD opened a special Career Counselling Centre for female civilians in the armed forces, to discuss career plans, hold career assessments, give career counselling and to provide them with the possibility of a personal coach in order to support female civilian personnel that are likely to obtain higher positions within the MoD.\footnote{See \textit{inter alia} Ministerie van Sociale Zaken en Werkgelegenheid, 2001, pp. 13-14.}

For female military that follow the same integrated career policy/path as male military, no special activities were undertaken. Finally, the MoD managed to obtain the target of 8 per cent female military in the armed forces through a variety of actions (6.7 per cent in 1999; 7.6 per cent in 2000; 8.4 per cent in 2001; and 12 per cent is targeted in 2010).\footnote{It must be indicated that the percentage of 8 per cent female military was already set for 1993, then shifted to 1996 and now aimed for in 2002. Source: Ministry of Defence, 1997, pp. 5-6.}
In comparison with other NATO countries, the current percentage of 8.4 per cent female military is rather high. Only the armed forces of the United States, Canada and France have a higher percentage of female military.

In order to employ more female military, the MoD has undertaken actions varying from: presenting itself as an attractive employer in promotion campaigns; employing female scouts at \textit{inter alia} the KLU to visit schools and exhibitions to encourage potential female applicants to join the armed forces; education focusing on how to deal with diversity in the armed forces; and to strict policy against inappropriate (sexual) behaviour, and so on. It can be concluded that the MoD has been successful in employing more women. The deployment of more women in peace operations, however, does not automatically result from this development as here may other considerations apply, such as the fact that normally units and not individuals are selected for participation in missions, the closure to women of certain parts of the armed forces that frequently join peace operations and the experience that particularly women with young children find it hard to combine their family life with their participation in peace operations.

For the period 2002-2006, the MoD has to develop a new emancipation policy. Due to a change in the overall Dutch emancipation policy, introduced by the Directorate Coordination Emancipation Policy (DCE) of the Ministry of Social Affairs and Employment, the new policy should focus on gender mainstreaming and gender equality.\footnote{For more information on gender mainstreaming and gender equality, see, \textit{inter alia}, Ministerie van Sociale Zaken en Werkgelegenheid, 2001, 2001a, and 2001b.} This must in principle go a step further than setting emancipation tasks. For instance, it concerns not only employing more women within the armed forces, but also thoroughly changing the culture and structure of the armed forces towards the needs and interests of both women and men. While discussing this new direction, various interviewees regarded it more as a change in terminology than as a change in the MoD’s emancipation policy. Critically spoken, one interviewee stated that gender mainstreaming is not yet a topic within the MoD at all: ‘The organizational culture and structure does not change. What changes are women’s attitudes. They tend to acculturate quickly to the
masculine culture of the MoD. As long as women have to change and not the organization’s culture and structure, we cannot speak of gender mainstreaming.  

An observation is that the MoD’s emancipation policy is still primarily linked to personnel issues, and not (yet) to other issues and target groups within the MoD’s mandate. While the MoD increasingly gets involved in international operations like peacekeeping missions and humanitarian assistance operations, it becomes more into contact with various other target groups than its own personnel, particularly local institutions and populations in crisis situations. The MoD could therefore consider incorporating issues of growing importance, such as the interaction of peace mission personnel with local women and men in crises and the performance of women in peace mission operations, into its emancipation policy for 2002-2006.

Structure and Expertise
At the top level, the MoD’s Secretary-General is responsible for the emancipation policy of his department. The actual implementation of the MoD’s emancipation policy is the responsibility of the Directorate-General of Personnel and Materials (DGPM). The Director of Plans and Policy Development of DGPM is the head of the MoD’s emancipation policy. Recently, Brigadier General R.H. Sandee took over this position from Air Commodore J.M.S. Willems. Sandee is assisted by the Head and a senior adviser of the DGPM’s Policy Development Unit, who respectively are Captain of the Royal Navy F.J. Marcus and Mr F.J.M. Speel. The latter is officially the MoD’s Coordinator for Emancipation Policy. During the last period, he shared this portfolio with Lt. Col. J.A. van Baal-de Graaf, also working at DGPM’s Policy Development Unit. Miss I. ter Laak has only recently taken over this position from Lt. Col. van Baal-de Graaf.

There are six other emancipation coordinators throughout the MoD: one in the DICO, one in each branch of the armed forces, and one in the Central organization. Only the latter is working full-time on emancipation issues. These six coordinators have the task of further implementing the set emancipation tasks. From July 2002 they will be herein assisted by six Emancipation Policy Promoters (*Voortrekkers Emancipatiebeleid*). Through active lobbying of the Defensie Vrouwen Netwerk (DVN), the MoD decided to install these *Voortrekkers*. The positions will be respectively fulfilled by the Deputy Head of Personnel Affairs KM, the Deputy Commander-in-Chief KLU, the Deputy Commander-in-Chief KL, the Deputy Commander-in-Chief KMAR, the Deputy Commander DICO, and at the Central Organization by the Deputy Secretary-General. Their tasks have been defined as, *inter alia*, putting and keeping gender on the agenda,

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477 It must also be clear that gender mainstreaming does not mean introducing preferential treatment for women in the armed forces. In practice, it is often heard that female military and female civilian personnel do not like to be treated on their femaleness, but on their skills and virtues as well.  

478 This position is a so-called military position, which means that it rotates every three years over the four branches of the armed forces. This time KLU had to fill the position, but they could not easily find a candidate. So KLU first started looking for military candidates in the other branches of the armed forces, but did not find a candidate there either. Finally, a civilian and not a military candidate from the Royal Armed Forces, Ms I. ter Laak, got the position.
implementing measures to attract and keep female employees, and publishing an annual report regarding the emancipation policy’s state of affairs.479

Interaction at the intradepartmental level between the MoD’s various emancipation coordinators and promoters is established through the Intradepartmental Working Group on Emancipation, which meets several times a year. At the interdepartmental level, there is the Interdepartmental Working Group on Emancipation, in which the Head of the DGPM’s Policy Development Unit, Capt. of the Netherlands Royal Navy Marcus, and the Senior Adviser, Mr Speel, represent the MoD. The aim of this working group is to exchange ideas and information between the departments on the implementation of their respective emancipation policies, and on gender mainstreaming.

In addition to the positions mentioned above, the DVN is also actively involved in emancipation and gender issues. DVN’s goals are to inspire, inform, and motivate women that work within the MoD, to strengthen the position of women in the armed forces and help to obtain higher positions within the armed forces. DVN organizes various gender-related activities, such as workshops and meetings on the MoD’s emancipation policy, and often unofficially acts as the MoD’s catalyst and think tank on gender issues.

A first observation is that the number of women and men within the MoD that have gender in their portfolio is increasing. This is a positive trend, particularly when considering that it remains a challenge for the MoD to fill all positions within the armed forces, particularly military positions. With regard to candidates for military positions in general, and more specifically regarding military gender positions, the MoD could hence consider increasingly opening these positions up for both military and civilian personnel, within and outside the armed forces.

Second, it is an encouraging development that various Deputy Commanders-in-Chief are appointed as Emancipation Policy Promoters. Due to their high-ranking positions, the Deputy Commanders-in-Chief can substantively contribute to the implementation of the MoD’s emancipation policy. As underlined by the MoD, the challenge now is to enable these Emancipation Policy Promoters actually to take up their gender portfolios. This can be done by: a) freeing up time; and b) provide training on various gender-related topics. Regarding the first, there is obviously a risk that Emancipation Policy Promoters would, due to their various other portfolios, lack time to pay sufficient attention to their gender portfolio. The MoD should ensure that they have (or pay) sufficient time to gender-related topics, for instance by making gender a part of the internal planning system and of the personnel appraisal system. Regarding point b, the MoD should assess what gender expertise these promoters already have, and on what gender-related topics they could receive further training, thinking of: 1) issues directly related to the MoD’s emancipation policy; and 2) other gender-related topics, like gender mainstreaming, gender equality, gender aspects in peace support operations, and women in armed conflict. It may

be good to note that this observation is not restricted to the Emancipation Policy Promoters only, but does apply to all other emancipation coordinators and gender experts within the MoD.

**Budget**
The emancipation measures undertaken form an integrated part of the MoD’s overall budget for personnel affairs. The costs for some of these measures are explicitly mentioned in the personnel budget. Costs for other measures cannot be made explicit, because these measures form part of larger programmes that are not directly related to emancipation. For example, many activities indirectly contribute to the aim of increasing the number of female military, but are not budgeted as such. One exception to this rule is the MoD’s budget for DVN. Last year it received 5,000 euros, and this year 40,000 euros.

On the one hand this way of incorporating emancipation issues in the overall defence personnel budget can be negative, because it is not clear what part of the overall budget is spent on emancipation-related activities. On the other hand it can be considered as positive, as emancipation does not become an issue parallel to the MoD’s main activities, but is integrated into the MoD’s core business. This latter option could be acceptable as long as there are sufficient, substantive activities. Some observers, however, argue for gender-sensitive budgeting.  

**Female Military and Civilians, Peace Support Operations and Women in Conflict**

*Policy and Practice*

As described above, the MoD’s emancipation policy has so far not focused in particular on the (increased) participation of female military in peace support operations and the impact of peace support operations on the role and position of local women in conflict situations. The most relevant references to these topics that we came across during the research are as follows. First, State Secretary van Hoof mentioned in his speech on Women’s Day 2002 that female soldiers can positively influence the atmosphere and cooperation within a peace support mission. Second, the MoD’s first report on gender mainstreaming to DCE, included the remark that: ‘more women in the armed forces has not only a quantititative, but also a qualitative effect. It is obvious that women’s presence in a unit positively impacts the internal relations, the atmosphere and the level of cooperation, which leads to a better performance. Also the communicative and social capabilities that women apply during missions in their contact with the local population are highly appreciated’. No other written references were found and it is not clear whether these remarks reflect a change in empirical reality or are to be considered as expressions of expected changes in the future.

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480 For more information on gender-sensitive budgeting, see Ministerie van Sociale Zaken en Werkgelegenheid, 2001, p. 44.
481 Owing to the lack of written material, this section is mainly based on interviews with several persons from within the MoD.
Recently, the MoD has started to participate in an Interdepartmental Working Group with the Ministry of Foreign Affairs on the implementation of UN SC Resolution 1325. The purpose of the Working Group is to analyse what the current state of affairs is with regard to the implementation of the Resolution. So far, the Working Group has drafted a matrix, which identifies the fields and activities for follow-up per Ministry in order to put the Resolution further into practice.

The current state of affairs is that few women join missions. Firstly, there are not many women working within the armed forces in general, and of that group not all women are willing or able to be sent on a mission. And secondly, certain specialist branches within the armed forces that frequently participate in international peace support operations are closed for women, such as the Submarine and the Marine Corps, further reducing women’s participation in peace support missions.

Female military and civilians who participate in missions could in principle fulfil the same job and positions as their male counterparts. There seems to be a trend that female military are increasingly sent out as individual monitors, or as part of a team that is appointed to participate in a mission. According to the few sources of information available, 142 women in 2000, and 178 in 2001 participated in missions. More recently, in the mission to Afghanistan there was one female translator among the 200 military.

Once women join a mission, it is often not because their female capacities are especially required or because the MoD encourages women to participate, but because their army unit is selected for the mission. If there were no women in the selected units, then no women are sent on a mission. The division of tasks during the mission is made on an ad hoc basis during the missions. It in principle does not have to do with their assumed positive influence on the mission and on the mission’s interaction with the local population.

The experiences of women sent on missions have generally been rather positive, both for themselves, the team and the local population. The women were enthusiastic about the mission. They learnt a lot on both personal and technical levels, and were positive about the way they operated within the mission. Some of them explicitly indicated how the local population more easily got into contact with them than with their male colleagues. For instance, a female translator, who was deliberately taken on a mission to Kosovo, managed to establish good communication between the mission, the local employees at the compound and the local beneficiaries. No one, either in the mission or among the local population, showed disrespect because of her sex. They took her as seriously as her male colleagues, showing the same respect for her uniform as for theirs.

**Challenges**

Besides a general scarcity of female employees within the MoD, there are various other challenges that seem to impede the MoD in increasing the number of female military and female civilians in peace support operations, including some of the following.
First, various of the MoD’s emancipation and gender experts have (until recently) not been fully familiar with the international regulations regarding women’s participation in multidimensional peace support operations. Based on interviews, it turned out that some of them did not know what, for instance, Resolution 1325 and the Namibia Plan of Action were about. It has been indicated above that an interdepartmental working group started to work only very recently on the implementation of the Resolutions.

Second, some of the gender and emancipation experts within the MoD have primarily focused on the effective implementation of the MoD’s emancipation tasks, which do not specifically deal with women in peace support missions. So far it looks as if they have had little time, few incentives and limited scope within their ‘mandate’ to develop specific policies and activities on gender in peace support operations. The introduction of, inter alia, the Working Group on Resolution 1325, could however be regarded as an incentive for further action.

Third, the MoD’s emancipation policy has strongly focused on increasing the number of women in the armed forces as a whole, with the risk of drawing attention away from increasing women’s participation in peace missions. For instance, an interviewee mentioned that the Royal Navy has already reached the target of 8 per cent female military, and thus saw no need to take up additional activities in order to increase the participation of female marines in peace support operations. Such situations should be avoided. Although the argument that more women have to join the army before policy can be developed to increase the number of women in missions does have some validity, the MoD can very well undertake actions on both topics simultaneously.

Fourth, within the MoD there still seems to be implicit, negative perceptions about women’s performances in peace support operations, of which it is hard to assess to what extent they affect decisions within the MoD. For example, one ‘myth’ is that female monitors in Bosnia were not taken seriously in the negotiations. Another is that female military cannot effectively guard the units, because they are not deterring enough. A third ‘myth’ that women on a mission lead to relational problems between staff is also groundless. On the contrary, the presence of women on a mission to Kosovo seemed to influence men’s behaviour positively, reducing the macho culture and decreasing the number of (sexual) relationships with local women. Obviously, women make mistakes, like men. However, as long as such negative stories about women in peace missions are blown up and become myths, they may hinder women’s increased participation in missions. As such these ‘myths’ should be combated and replaced by realistic examples about women’s performances in missions.

**Women in Armed Conflict**

The topic of women in armed conflict, which is central to this research, has not been explicitly addressed in the MoD’s emancipation policy until now. This is not to say that the MoD has not paid attention to this topic. First, during missions, particularly humanitarian assistance operations, the MoD is automatically confronted with women in armed conflict and has to anticipate their specific situations. For instance, in Kosovo the MoD constructed houses for widows and female-headed households, rebuilt a maternity clinic and actively cooperated with female representatives
of NGOs and women’s organizations. Second, in various training courses, particularly for personnel that will be sent on missions, the issue has surely been addressed. And third, the recent establishment of the Working Group on Resolution 1325 has further increased attention for this topic within the MoD.

Training on women in armed conflict within the MoD is mainly provided by the Section on Cultural-Historical Backgrounds and Information (Operational Staff CinC ARMY), CinC ARMY was established in the framework of the Hague Convention\(^\text{483}\) of 1954, and has been operational since 1993. It currently has a head, deputy head, a head of policy and research, and a head of education. Moreover, it hires in as lecturers eight reserve officers who each have a different, complementary geopolitical expertise. Their backgrounds vary from law and politics, to history and art history.

CinC is responsible for all issues within the MoD that relate to culture and cultural property, both in the Netherlands as well as in mission areas. It develops training programmes on cultural-historical and cultural-societal backgrounds of the MoD’s mission areas for all members of the KL and other branches of the armed forces that are sent on missions.\(^\text{484}\) Moreover, it also gives training in this field as part of the military’s standard education trajectory.

Regarding the first, CinC both gives lectures at the approximately 10-week training course to the military management (‘het niet-systeem gebonden kader’) at the School for Peace Missions in Amersfoort, and to the ‘systeem gebonden troepen’ at, among others, the Harskamp in Ede. Moreover, it often individually visits the commanders of each mission in order to discuss with them the items of culture and cultural property that are specifically relevant to their mission area.

Regarding the latter, CinC aims to integrate the training on culture and cultural property further into primary and secondary training for military and officers within the armed forces. It aims to make this a standard component of the training ‘Managing Diversity’ for new recruits at the Royal Military Academy (KMA), the Royal Netherlands Naval College (KIM) and KMS, for middle-rank military at the VMV, and for military officers at the Netherlands Defence Staff College (IDL).

Concerning the training contents, CinC has a blueprint with training topics. Depending on the mission area and the kind of mission, CinC can select certain topics from this blueprint to develop

\(^{483}\) Article 7.1 of the Convention is of particular relevance for the section: ‘…and to foster in the members of the armed forces a spirit of respect for the culture and cultural property of all peoples’.

\(^{484}\) Besides training, CinC has other mission-related responsibilities, such as recruiting staff for missions, assisting in the implementation of missions, and evaluating missions. It also advises the top management of the armed forces (D-ops, BLS and CDS) on the cultural-historical and cultural-societal backgrounds of contemporary and upcoming conflicts, in order to support the preparation and development of military operations in these areas. For instance, CinC advised the commander of the mission to Afghanistan to employ a female translator to set an example to Afghan society.
a tailor-made training. Gender or women in armed conflict are also part of this blueprint and as such are not part of every training course. Depending on the relevance of women in armed conflict in the specific mission area, CinC takes this up as an issue in its training courses. For instance, it pays attention to codes of conduct for military in dealing with local women, the high level of prostitution among local women as a form of coping with conflict, and the high risks of Aids in certain mission areas. More specifically, in a training course for the participants in UNMEE, it *inter alia* highlighted the high presence of female ex-combatants and the active participation of women in freedom-fighter organizations in Eritrea. In addition, in a separate meeting CinC individually briefed the commander of UNMEE on these same issues related to women in Eritrea and Ethiopia.

Besides giving training on local women in armed conflict, CinC aims to encourage female military to participate in peace support operations and realistically prepare them on their role in these operations. It depends on the mission area as to what women’s roles can be, and CinC finds it important that female military anticipate the restrictions or windows of opportunity offered in these areas. For instance, in a mission to Kuwait a female military operated as a negotiator with the local population. The Kuwaiti negotiators, who obviously were all male, ignored her presence and only talked to their male colleagues. After some time, however, they got used to the idea of having a female counterpart, and accepted and respected this female military as a negotiation partner. CinC intends to prepare female participants for such situations in a specific mission.

**Suggestions and Measures for the MoD**

*The MoD’s General Emancipation Policy*

- Start addressing topics such as women in peace support missions and women in armed conflict in the MoD’s general gender policy: The MoD should consider incorporating and explicitly referring to these issues of growing importance in its gender policy for 2002-2006.

- Open up military (gender) positions for civilians and external gender specialists: In order to anticipate the scarcity of female and male (gender) specialists within the MoD, the MoD should consider increasingly opening up these military (gender) positions for both military and civilian personnel, within and outside the armed forces.

- Enable new and existing Emancipation Coordinators and Promoters to take up their gender portfolio: The MoD should consider how to ensure that the newly established Emancipation Policy Promoters, but also the MoD’s other emancipation experts have the: a) time to spend on gender besides their other portfolios; b) incentive to deal with gender, for instance by making gender an issue in the MoD’s recruitment procedure and in its personnel appraisal system; and c) expertise to develop and implement gender policies, for example by providing

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485 The training topics of CinC are basically: 1) backgrounds of the conflict and historical influences on the conflict; 2) country and population issues, such as the difference between rural and urban areas, family relations, gender, economic and social structures and education; 3) the role and importance of religion; 4) nationalism and national differences; 5) the impact of conflict on the local population; 6) differences between the Dutch mentality and the mentality of the specific culture; 7) attitude and behaviour of the military towards the local population; and 8) the future perspective of the country and the role of the mission within this perspective.
them with training on gender in general, but also on specific topics like Resolution 1325 and the Namibia Plan for Action.

**Women’s Participation in Peace Support Missions**

Granted that female employees within the MoD are scarce, that increasing the number of female military and civilians in peace support operations requires broad political discussion, and that the composition of a peace support mission is a shared responsibility of *inter alia* the MoD and MoFA, the MoD is invited to reflect on the following suggestions:

- Explicitly familiarize the MoD’s gender experts with (inter)national regulations and literature on women’s increased participation in peace support operations: The MoD should contemplate how to give its gender experts the mandate, time and training to deal specifically with a follow-up to Resolution 1325 and the Namibia Plan for Action.

- Gather or collate more disaggregated gender data about women’s participation in peace support operations: An increase in data on this topic should enable the MoD to develop specific activities to increase the number of women in peace support operations. These data could show what the trends are over time, what percentage of women compared to men participate in missions, what the number of female military compared to female civilians is, and what functions they both fulfil during such missions. Information could also be collected as to what women’s experiences are regarding their participation in peace missions. The Chairperson of DVN is currently gathering data on specifically this issue. Also the Working Group on Resolution 1325 has identified specific topics for further data-gathering that deserve follow-up. The MoD is urged to assess whether an increase of women as military observers is desirable and to analyse whether and in what manner female military add value to peace support missions.486

- Assess what characteristics peacekeepers in peace support operations should preferably have. From research and experience it gradually becomes clear that the local population expects peacekeepers to have a certain attitude and to display certain features. For instance, in recent research Bosnian women indicated a desire that SFOR peacekeepers understand the value of women’s organizations, show recognition for the work and effectiveness of women’s organizations, are accessible and communicative towards the local population, engage in cooperation and partnership with local organizations to run projects together, have sensitivity for the local history and culture, and act as human beings first and as professionals second.487

Both female and male peacekeepers could display these desired features. As a follow-up, the MoD could decide to collect additional data on what characteristics are needed in peace support operations. Based on this, other follow-up actions could include to: a) take the required capacities into account in selecting gender-sensitive female and male participants. It could also be contemplated to make training on gender a prerequisite for participation in peace support operations. Whereas it is hard to select all mission participants accordingly, the MoD can very well select mission commanders on these criteria; and b) raise awareness of

486 For more information, see the matrix ‘Follow-Up’ Resolutie 1325 Vrouwen Vrede en Veiligheid’, 2002.
these ‘newly’ required virtues for peacekeepers among new recruits and within the armed forces, for instance through training.

- The MoD should think of combating negative ‘myths’ about women’s performance in peace support operations, for instance through training and other forms of awareness-raising.

**Women in Armed Conflict**

- Add a gender specialist to the Section on Cultural-Historical Backgrounds and Information (Operational Staff CinC): This section, which provides nearly all training courses on this topic within the MoD, does not yet have at its disposal a gender expert with particular knowledge of the multifaceted roles of women in conflict. In order increasingly to address this topic, the MoD should consider employing specialized gender experts in this Section.

- Assess whether CinC pays sufficient attention to gender in its training courses: As indicated, depending on its relevance in the mission area, gender is part of CinC’s training courses. With a growing interest within the MoD for gender in peace missions and women in armed conflict, and with international resolutions stressing that women should be taken into account in every situation of armed conflict, the MoD should contemplate whether a) the topic of gender and armed conflict should not be made part of every training course for mission participants and b) whether the various aspects of the topic of women in armed conflict are sufficiently dealt with in the prevailing training courses of CinC.

- Consider increasing the level of cooperation between Operational Staff CinC and the DVN: The DVN’s current chairwoman, in particular, has gained substantial expertise on the topic of gender and conflict and could very well participate in courses and training within the MoD on this topic.

- Although CIMIC is not part of the MoD’s core business, the MoD is currently actively involved with CIMIC Group North, a group of six NATO countries from northern Europe. This Group, which from 2003 will perform tasks where NATO troops are deployed, such as in Bosnia-Herzegovina and Kosovo, is creating a pool of reservists with long-term expertise in a variety of fields like cultural affairs and humanitarian affairs in order to be sent on missions. The goal is that they fulfil specialist tasks that other participants in the mission cannot. After having received a short military training, they are sent to the field in military uniform. For the humanitarian affairs team, the Netherlands will deliver the senior project planner for ‘human rights’ and the planner for ‘displaced persons and refugees’. In total, the Netherlands will deliver thirteen specialists for the field of humanitarian affairs during the first six months of CIMIC Group North. The job profile of the senior project planner explicitly includes ‘…the protection of women and girls from gender-based violence…’, and, *inter alia*, mandates the senior project planner to address this issue in various post-conflict situations. The MoD is encouraged to select an incumbent with proven expertise of gender in conflict situations for this function. Moreover, the MoD could consider explicitly including a reference to women’s roles in conflict prevention, resolution and post-conflict reconstruction in the job profiles of the other thirteen specialists.

**Selected Bibliography**


**List of Interviewees**

Mrs J. Bosch
Chairwoman, Defensie Vrouwen Netwerk; Lecturer in Social Skills and Communication at the KMA
Mr E.C.A. Fokker van Crayestein  Chief of Section, Operational Staff, CinC/ARMY
Col. Gijsbers  Staff Group BLS, Policy Unit
Mr H.H.V. Horlings  Senior, Policy Development Unit, DGPM
Mr P. Laskowitz  Head, Social Research Department, KM
Capt. RNLN F.J. Marcus  Head, Policy Development Unit, DGPM
Cdr. RNLN E. Schrijver Daniëls  Senior, Policy Development Unit, DGPM
Mr F.J.M. Speel  Senior, Policy Development Unit, DGPM