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Impact of conflicts

Sri Lanka

Various reports published during the first few months of 2014 revealed that Sri Lankan security forces committed widespread and systematic sexual violence against the Tamil population after the end of the armed conflict that lasted from 1983 to 2009. One of the most prominent reports, the work of Yasmin Sooka, the Bar Human Rights Committee of England and Wales (BHRC) and the International Truth and Justice Project in Sri Lanka, based on the testimonies of Tamil people abducted and tortured by security forces between 2009 and 2014, indicates how kidnappings, arbitrary detention, torture, rape and sexual violence increased in the post-war period, especially against people accused of having been part of or having had links to the Tamil armed opposition group LTTE. Moreover, the report reveals a plan coordinated and approved at the highest levels of government that supports the serious human rights abuses committed by the security forces. The report aims to present reasonable evidence of crimes against humanity committed by

the security forces, such as torture, rape and sexual violence. All the women and men whose testimonies were collected stated that they suffered sexual violence at the hands of the security forces. Since the end of the armed conflict in Sri Lanka, many NGOs, research centres and international organisations have denounced the use of sexual violence by the security forces in Sri Lanka against Tamil women. These claims are denied by the government, which rejects any investigation into the matter. The high level of militarisation in the north and east of the country, the absolute impunity of the security forces and the vulnerable situation of the civilian population, especially people displaced as a result of the armed conflict, are just some of the factors mentioned in different studies of this form of violence. Furthermore, several of these studies state that there is enough evidence for acts of sexual violence that took place during the armed conflict to constitute war crimes and crimes against humanity.

- Yasmin Sooka, The Bar Human Rights Committee of England and Wales (BHRC) and The International Truth & Justice Project, Sri Lanka. *An Unfinished War: Torture and Sexual Violence in Sri Lanka 2009–2014*, The Bar Human Rights Committee of England and Wales (BHRC) and The International Truth & Justice Project, March 2014.
- International Crimes Evidence Project. *Island of impunity? Investigation into international crimes in the final stages of the Sri Lankan civil war*. Public Interest Advocacy Centre, February 2014.
- Gowrinathan, Nimmi. "Inside Camps, Outside Battlefields: Security and Survival for Tamil Women". *St Antony's International Review*, Volume 9, Number 1, May 2013, pp. 11-32(22).
- International Crisis Group, *Sri Lanka: Women's Insecurity in the North and East*. Asia Report N°217, International Crisis Group, December 2011.

Syria

Despite the difficulties in documenting the use of sexual violence in Syria, the evidence suggests it is an extensive phenomenon that is affecting women and men, but also girls and boys. A series of reports published by the United Nations in the first quarter of 2014 denounced the brutal impact of this violence on minors, identifying various contexts in which the abuse took place and the types of aggression to which the girls and boys were subjected. Government detention centres have been one of the main settings of sexual violence (as well as threats that it will be used) against children, including rape, in order to humiliate them, extract confessions or pressure them to turn in a relative. There have also been reports of pregnant women that lost their babies due to the unhealthy conditions in the detention centres and the lack of medical attention for prisoners. Many other forms of abuse against women and girls have been reported at road checkpoints and during search operations in places considered close to the opposition. In many cases, gang rapes in the presence of

family members were reported. The social stigma attached to rape has led some girls to be subsequently killed by their families (honour killing). Although information mainly indicates that pro-government forces are responsible for these crimes, the UN has also received reports of the use of sexual violence by armed opposition groups that could not be verified due to the difficulties in gaining access to the country. The fear of sexual violence has been identified as one of the main causes of forced civilian displacement. However, various reports have highlighted that internally displaced of refugee girls and boys are especially vulnerable to situations of exploitation, sexual abuse and domestic violence. Preliminary studies have also confirmed a rise in the forced marriage of Syrian refugee girls, pressured by their families for economic reasons or because they think it is a way to ensure them greater security. Among Syrian refugee girls in Jordan alone, early marriages have risen from 12% in 2011 to 18% in 2013, according to research conducted by UNICEF.

- Human Rights Council, *Oral update of the independent international commission of inquiry on the Syrian Arab Republic*, HRC Twenty-fifth session, 18th March 2014.
- Reuters, “UN aided 38,000 victims of Syrian gender-based violence in 2013”, *Reuters*, 8th January 2014.
- UNICEF, *Under siege: the devastating impact on children of three years of conflict in Syria*, March 2014.
- UNSC, *Report of the Secretary-General on children and armed conflict in the Syrian Arab Republic*, 27th January 2014.

Iraq

Hundreds of Iraqi women remain illegally detained, where they are subjected to sexual abuse, torture and other forms of violence, according to a report by Human Rights Watch. The human rights organisation said that many female prisoners have been in prison for months without any charges being brought against them and that some had been subjected to interrogations focused on the activities of family members (parents, husbands, children) accused of terrorism. During their detention, many women have been subjected to beatings and electroshocks and

have been suspended, threatened with the use of sexual violence against them or their family members or raped, sometimes in the presence of their children. The report warns of the corruption in the Iraqi legal system and of the impact of this abuse on Iraqi society, pointing out that the vast majority of the more than 4,200 women detained in Ministry of Defence or Ministry of the Interior facilities are Sunnis. This community, which has complained of the policies of marginalisation and harassment pursued by the government, led by Nouri al-Maliki, has intensified its

protests since late 2012, with one of its main demands being the release of imprisoned women.

- Human Rights Watch, *No One Is Safe: Abuses of Women in Iraq's Criminal Justice System*, 7th February 2014.

Myanmar

Women's League of Burma (WLB) reported that sexual violence committed by the Burmese Army against women of the country's different ethnic groups persisted despite the establishment of a civilian government. According to a report published by the WLB, since 2012 there have

been more than 100 reports of sexual violence of this kind, particularly in the context of the Burmese Army's military operations against the Kachin armed opposition, which have had a serious impact on the Kachin civilian population. The WLB indicates that this figure only

represents part of the total abuse committed, since these were only cases collected by the organisation. Thus, the number of female victims of sexual violence related to the armed conflict affecting the country must really be much larger, especially considering how difficult it is to conduct

an exhaustive investigation, both due to the reluctance of the victims themselves, who may be afraid to report it for fear of retaliation, and to the difficulty in gaining access to many areas affected by the violence and official obstruction to the work of human rights organisations.

- Women's League of Burma, [Same Impunity, Same Patterns](#), Women's League of Burma, November 2013.

Libya

The Libyan authorities are promoting a ministerial decree recognising women raped during the revolt that led to the fall of the regime of Muammar Gaddafi in 2011 as victims of war. Although the number of women sexually abused during the conflict is unknown, evidence compiled by the International Criminal Court and human rights organisations indicate that hundreds and perhaps thousands of women may have been victims of this form of violence. The initiative, which must be ratified by Parliament, establishes a series of compensation packages for victims, including financial and economic aid, legal assistance in cases brought against the perpetrators, help for victims of rape that resulted in pregnancy and easier access to education and

jobs. The aid is also extended to women that were forced to give sexual services to Gaddafi and his associates. Local human rights organisations had requested compensation for some cases, but it was unclear how many women would avail of this aid due to the social stigma suffered by rape victims in Libyan society, which could lead many of them to remain silent. Thus, there are plans to establish a commission to compile background information on female victims of sexual violence in a reserved manner. Some local women's groups have demanded that these cases be investigated by magistrates. Local and international groups welcomed the government's initiative, including the International Federation for Human Rights (FIDH).

- BBC, ["Libya Gaddafi rape victims to be compensated"](#), BBC, 20th February 2014.
- FIDH, ["Libya adopts an unprecedented decree protecting victims of sexual violence"](#), FIDH, 19th February 2014.

Somalia

Human Rights Watch (HRW) denounced the widespread nature of sexual violence in Somalia during decades of armed conflict and the absence of government institutions. Women suffer sexual violence committed by armed men, including members of the security forces, which operate

with total impunity in places like camps for displaced persons and while the victims perform daily activities such as gathering firewood, farming and travelling to markets. HRW noted the particular risk faced by women belonging to minority communities.

- Human Rights Watch. ["Here, Rape is Normal": A Five-Point Plan to Curtail Sexual Violence in Somalia](#), Human Rights Watch, February 2014.

Central African Republic

Sexual violence is being used by all parties to the conflict, particularly against women, girls and boys. Sexual violence and the threat of its use are one of the main causes of forced displacement in the country, according to the United Nations, leading hundreds of thousands of people to flee

their homes and stay away from them for fear of becoming victims to this form of violence. The UN Secretary-General's Special Representative on Sexual Violence in Conflict, Zainab Hawa Bangura, visited the country and called for female participation in all dialogue and reconciliation efforts.

- UN News Centre, ["Central African Republic: sexual violence is constant threat, UN envoy warns"](#), UN News Centre, 21st March 2014.

DR Congo

In March, the International Criminal Court (ICC) convicted Germain Katanga of DR Congo as responsible for war crimes, including attacks against civilians, looting, the destruction of property and murder as a war crime and as a crime against humanity as part of military operations in the Ituri region, affected by the armed conflict devastating the country. However, he was acquitted on counts of rape and sexual slavery as war crimes and as crimes against humanity, as well as the use of child soldiers. Various women's organisations expressed

their astonishment at this exclusion, noting that despite the testimonies before the ICC of several women that had been raped and other evidence collected during the investigation that the court considered credible, it finally decided to drop these charges. The international organisation Women's Initiatives for Gender Justice described this omission as devastating for the victims and said that it may have been due to having higher burdens of proof for crimes of sexual violence than for other crimes.

- Women's Initiatives for Gender Justice, *Partial Conviction of Katanga by ICC. Acquittals for Sexual Violence and Use of Child Soldiers. The Prosecutor vs. Germain Katanga*, Women's Initiatives for Gender Justice, 7th March 2014.

Peacebuilding

South Sudan

In January, negotiations began in Ethiopia between the government of South Sudan and the armed opposition to try to put an end to the armed violence that has plagued the country since it won independence in 2011 and became much worse in December 2013. Different civil society organisations, including women's organisations, called for greater inclusiveness in participation in the negotiations. It is worth noting that the opposition delegation included three women, all MPs in the national Parliament (Sophia

Pak Gai, Bonguot Amum and Sarah Nyanath), who participated in a rotation scheme. Pak Gai stressed the importance of having women present, referring to the important roles women had played in all aspects of the conflict, including in armed clashes as fighters. Different women's organisations, some of them diaspora groups, like South Sudan Women United, called for expanding women's presence in the negotiations and in other social sectors, like youth and the diaspora.

- Marthe van der Wolf, *"Women Take Role in South Sudan Peace Talks"* *Voice of America*, 16th January 2014.

Serbia – Kosovo

Various women's organisations from Serbia (Women in Black), Kosovo (Kosova Women's Network and Mitrovica Women Association for Human Rights) and Sweden (Kvinna till Kvinna) urged senior EU foreign policy representative Catherine Ashton, the facilitator of the dialogue between Serbia and Kosovo, to guarantee that the process upholds the principles of participation and non-discrimination, facilitates regular consultations with women's and other civil society organisations, requires the Kosovar and Serbian authorities to participate in the consultations with civil society, guarantee that resolution 1325 is included in all future agreements, give financial

and political support to local women's groups and urge the governments of Kosovo and Serbia to implement their respective 1325 action plans. Furthermore, the women's organisations asked to meet with Ashton so they could address all these issues. The women's groups express concern about the lack of participation of women's organisations in the dialogue; the lack of discussion in the process on women's priorities, including the issue of people that have gone missing in acts of gender violence during the conflict; and the lack of consultation with women on other issues. In her response to the women, Ashton said that she would be willing to meet with them.

- Kosova Women's Network. *"Baroness Catherine Ashton Replies to Activists"*, *KWN*, 4th February 2014.
- Kosova Women's Network. *"Activists Demand Women's Participation in Kosovo Talks"*, *KWN*, 7th January 2014.

Gender, inclusivity and peacebuilding. Negotiations in the Philippines and Syria.

Events of enormous importance occurred in the first few months of 2014 in the peace processes in the Philippine region of Mindanao and in Syria. Despite being very different contexts due to both the dynamics of the armed conflicts and the peace processes that have taken place, a comparative analysis of some elements can be made, particularly with regard to the participation of women (and other civil society actors) and the inclusion of a gender perspective in the negotiating processes.

In March 2014, the final agreement was signed that put an end to the armed conflict that pitted that Philippine government against the MILF guerrilla movement in Mindanao for decades. One of the most significant aspects of the peace process was its inclusiveness, which was prominent among the parties to the conflict as well as the players accompanying the negotiations and other observers. Women held meaningful positions on both negotiating teams, and the leader of the government's team was a woman. In fact, in an unprecedented milestone, the agreement was signed on behalf of the Philippine government by a woman, Miriam Coronel Ferrer. Alongside the inclusion of women in the negotiating teams, women's civil society organisations have also played –and continue to play– an essential role in monitoring the implementation of the different agreements reached, including the ceasefire agreement. While the presence and participation of women in peace negotiations is a positive development in and of itself, in the case of the Philippines, it must be noted that the presence of women has also been reflected in the content of the peace agreement, which guarantees having women in the new institutional mechanisms emerging from the peace process and the inclusion of a gender perspective in economic aspects through development plans specifically aimed at improving women's quality of life. Thus, women's involvement has been reflected in content, clearly showing that the inclusion of different social groups in peace negotiations leads to peace agreements that are more embracing and representative of the needs of the people they affect.

On the other side of the coin is the so-far unsuccessful peace process to end one of the most serious armed conflicts in recent years, the civil war devastating Syria since 2011. Talks known as Geneva 2, the first direct meeting between the mixed opposition and the Syrian government, were held in January in Switzerland with the mediation of the United Nations. The meeting was preceded by different initiatives led by women's organisations that asked to participate substantively in the peace negotiations. Although both delegations included women, the call for the inclusion of third party representing civil society, where the presence of women was guaranteed, had no official echo, which was widely criticised. The initiatives that preceded Geneva II included a meeting in Geneva organised by UN Women, the appearance of three female civil society leaders before the UN Security Council, the "Women Lead to Peace" campaign promoted by various international organisations and a women for peace summit in Geneva alongside the peace negotiations with the participation of Syrian women and women involved in other peace processes.

It is worth noting the different positions taken with respect to women's involvement in peace negotiations. The United Nations and some Syrian organisations defended the participation of women in negotiating delegations and the inclusion of female civil society activists as observers in the negotiations, while other international and Syrian organisations called for a space for civil society—in which women would participate—at the negotiating table. The international organisations that supported these requests (CODEPINK, Women's International League for Peace and Freedom (WILPF), MADRE, Karama and Nobel Women's Initiative) criticised the international community and the United Nations' failure to meet the commitments acquired as part of the women, peace and security agenda by not guaranteeing the substantive participation of women. Some of the women's organisations' main demands regarding the negotiating process included the immediate signing of a ceasefire agreement that would give humanitarian organisations access to the population, the withdrawal of foreign combatants and the end of all arms exports to Syria. The Syrian women participating in the various forums stressed that the role played by women early in the protests against the Assad government had become overshadowed by the rise in violence and

militarisation of the conflict and discussed the importance of strengthening the social fabric during it, since before the war, Syrian civil society was very weak because of the regime's authoritarian and repressive nature.

The peace processes in the Philippines and Syria are very different examples of how to include women in peacebuilding, and specifically in negotiations. Although the contexts are clearly different, the international community's commitments are the same regarding women affected by armed conflict. Thus, the reluctance to genuinely give a voice to Syrian women in the Geneva II negotiations shows how the results of the women, peace and security agenda can differ from the commitments adopted. On the contrary, the peace negotiations in the Philippines show how inclusiveness is an asset that can be enhanced to achieve successful processes.

- Carolyn O. Arguillas, "The women in the Bangsamoro peace process: history, herstory" Minda News, 29th January 2014.
- Kristian Herzbolzheimer, "Muslim women in peace processes: reflections for dialogue in Mindanao", Conciliation Resources, 28th January 2013.
- Cynthia Enloe, [Report from the Syrian Peace Talks](#), WILPF, January 2014.
- DemocraShe, Human Rights Watch, ICAN, Kvinna til Kvinna, Oxfam, WILPF *Ensuring the Effective Participation and Rights of Women in the Syrian Peace and Mediation Process: A Five-Step Approach*, December 2013.

Tunisia

The new Tunisian Constitution approved on 26 January, the first since the ouster of President Zine el Abidine Ben Ali and the result of three years of debate, includes guarantees for equality between men and women and provisions to fight gender violence. Tunisian MPs welcomed the adoption of a clause that guarantees equal representation between men and women in all elected assemblies of the country. The new Constitution also commits the government to take action to end violence against women and is considered the first in the region

to include gender-sensitive content regarding some key issues. Thus, the new Constitution explicitly recognises the right to work for "all citizens, men and women" and states that "any voter, whether a man or a woman" may be elected to the presidency. Notably, the elections for the Constituent Assembly in 2011 were held under a new electoral law, unprecedented in the region, that requires all electoral lists to be composed of 50% men and 50% women, which must appear alternatively on the ballot ("zipper" system).

- Le Monde, "[Libertés, droits des femmes : les avancées de la Constitution tunisienne](#)", Le Monde, 27th January 2014.
- Zaid al-Ali y Donia Ben Romdhane, "[Tunisia's new constitution: progress and challenges to come](#)", Open Democracy, 16th February 2014.

1325

Approval of the National Action Plan in Kosovo

In January, the government of Kosovo approved the National Action Plan (NAP) to implement Resolution 1325. The NAP's lines of action include increasing women's participation in the areas of decision-making, peacekeeping and peacebuilding; the inclusion of a gender perspective in the security sector; and improved access for female victims of sexual violence and

torture committed during the war to protection, justice, rehabilitation and reintegration. The latter item has been accompanied by discussion and some delay, as it requires amending legislation on war victims to include female victims of sexual violence, as well as a subsequent process to verify that women who request support under the NAP truly are victims of this form of violence, a point

that has caused some controversy. The NAP requires the Agency for Gender Equality (a public agency under the office of the Prime Minister) to create an inter-institutional secretariat to monitor the implementation of the plan. The government of Kosovo has pledged to fund 51% of the NAP's budget, which is something new on the international level, according to UN Women in Kosovo.

The document is the result of the work of local women's organisations, including the Kosova Women's Network and the joint preparation efforts of the local women's movement, institutions and other involved stakeholders. Local women's groups are wary of the prospects for implementation and say that it will largely depend on the political willingness of people in key positions.

- Kosova Women's Network. "[Government Approves 1325 Action Plan](#)", KWN, 6th February 2014.
- Cristina Marí, "[On The Trail of Women's Independence in Kosovo: Resolution 1325](#)", *Balkan Insight*, 12th March 2014.

The women, peace and security agenda in 2013

Different events occurred over the course of 2013 that were of great importance for the women, peace and security agenda. First, the Security Council approved two new resolutions to join those approved since 2000 (1325 (2000) on Women, Peace and Security (WPS), 1820 (2008) on Sexual Violence (SV), 1888 (2009) on SV, 1889 (2009) on WPS, 1960 (2010) on SV, 2106 (2013) on SV and 2122 (2013) on WPS). These two new resolutions, and particularly UNSCR 2122, were praised by many women's organisations because they place an important emphasis on women's leadership. Second, although it received less public attention, the Committee on the Elimination of Discrimination against Women (CEDAW) approved general recommendation no. 30 on women in preventing conflicts and in conflict and post-conflict situations. This is an important step, given that the states party to the CEDAW will have to discuss the measures adopted when submitting their CEDAW convention compliance reports in order to honour the commitments acquired as part of the women, peace and security agenda. The breadth of the topics and fields of application tackled in this general recommendation is remarkable; it covers issues such as "the application of the Convention to conflict prevention, international and non-international armed conflicts, situations of foreign occupation, as well as other forms of occupation and the post-conflict phase. In addition, the recommendation covers other situations of concern,

such as internal disturbances, protracted and low-intensity civil strife, political strife, ethnic and communal violence, states of emergency and suppression of mass uprisings, war against terrorism and organised crime, that may not necessarily be classified as armed conflict under international humanitarian law and which result in serious violations of women's rights and are of particular concern to the Committee", some of them included in the Security Council resolutions. An especially important subject is the budget, since the recommendation stipulates that the states need to provide adequate funding for implementing the resolutions on women, peace and security, which would require them to report to the CEDAW committee in budgets intended for this purpose.

Notable in the implementation of UNSCR 1325 was the evaluation conducted by the Global Network of Women Peacebuilders in its report *Women Count – Security Council Resolution 1325: Civil Society Monitoring Report 2013*, which assesses the progress made in 2013. In addition to many other issues, the report states that barriers still exist for women's political participation and that they are still excluded from the implementation mechanisms of signed peace agreements. It also highlights how civil society organisations continue to lead the implementation of Resolution 1325, both in countries that have national action plans and in countries lacking them.

- [General recommendation no. 30 on women in preventing conflicts and in conflict and post-conflict situations](#)
- Global Network of Women Peacebuilders, [Women Count – Security Council Resolution 1325: Civil Society Monitoring Report 2013](#), Global Network of Women Peacebuilders

Gender and Peace is a quarterly publication of the Escola de Cultura de Pau with information and analysis on conflict and peace-building from a gender perspective.

The School for a Culture of Peace is a peace research academic institution that was created in 1999 with the aim of promoting the culture of peace through its research activities, parallel diplomacy, training and sensitization. Its main areas of work include conflict analysis, peace processes, gender, human rights and transitional justice and peace education.

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This publication has received the support of:

