

At a Glance

AN EDUCATIONAL TOOL BY THE INTERNATIONAL COALITION FOR THE RESPONSIBILITY TO PROTECT

Women, Peace, and Security and the Responsibility to Protect

In the 2005 World Summit Outcome Document, States made the historic acknowledgement that they had a Responsibility to Protect (RtoP, R2P) populations from genocide, war crimes, crimes against humanity, and ethnic cleansing (“atrocities”).

Atrocity crimes disproportionately affect women and girls at an alarming rate. Indeed, women and girls often make up the majority of victims of such violence and bear the brunt of the economic and social consequences of atrocities. Discrimination against women and girls, as well as the violation of their human rights, signals a gradual break down of good governance and the rule of law, with the United Nations (UN) Secretary General (UNSG) explicitly stating that such discrimination can be a source of risk. **Such violations are also indicators for atrocity crimes,¹ and can themselves amount to genocide, war crimes, crimes against humanity or ethnic cleansing.** Additionally, women and girls can themselves be the perpetrators of atrocity crimes, either directly or indirectly. Such action may be voluntary or result from abduction or enforcement.

However, women are not just victims or perpetrators of atrocities. They also have a critical role to play in the implementation of all aspects of RtoP and an inherent right to participate in the norm’s advancement. Women activists, rights organizations, and policy makers serve as key stakeholders in building state resilience to atrocities.

United Nations Security Council (UNSC) Resolution 1325 (2000) marked the first time the Council recognized the disproportionate impact of conflict on women and girls as well as the underrepresentation of women within conflict prevention and response, peacekeeping, and peacebuilding. RtoP has developed alongside the efforts undertaken to advance the Women, Peace and Security (WPS) agenda (see box below). **Despite such parallel developments, the clear manner in which atrocity crimes affect women and girls, and the need to ensure full and equal participation of women in operationalizing RtoP, there has been limited attention and effort dedicated to integrating a gender lens into the norm’s advancement, nor for consideration of RtoP within the development of WPS.** Such issues need to be addressed as WPS and RtoP are mutually reinforcing; through implementing actions to uphold women’s rights and participation in the area of atrocities prevention and response, actors at all levels contribute to the overarching goals of both agendas.

Using the three-pillar framework of RtoP, this publication provides suggestions for action to assist in ensuring that a holistic approach is taken to protect populations from atrocity crimes. Additionally, this publication provides suggestions for how civil society groups can promote the mutually reinforcing goals of WPS and RtoP.

The Women, Peace and Security agenda (WPS) refers to the body of UN Security Council resolutions that have served to recognize the disproportionate impact of conflict on women and girls, as well as the continued underrepresentation of women in conflict prevention and resolution, peacekeeping operations and peacebuilding initiatives. These resolutions include:

- **Res 1325 (2000):** calls on UN Member States to ensure women’s equal participation and gender perspectives in all aspects of the maintenance or international peace and security, and recognizes the unique effects of conflict on women and girls. The resolution is grounded on four pillars: prevention; protection; participation; and relief and recovery.
- Resolutions 1820 (2008); 1888 (2009); 1990 (2009); 1960 (2010): Focus on establishing and strengthening mechanisms for the prevention of sexual violence in armed conflict
- Resolution 2106 (2013): affirms that sexual violence can exacerbate armed conflict when used as a tactic of war and can constitute crimes against humanity, war crimes, or a constitutive act with respect to genocide.
- Res 2122 (2013): moves the discussion away from focusing solely on sexual and gender-based violence by reaffirming the need to ensure women’s full participation, empowerment and human rights. The Resolution recalls the holistic scope of violations and abuses of women’s human rights.

¹ For more information, refer to the UN Framework of Analysis for Atrocity Crimes. <http://www.un.org/en/preventgenocide/adviser/>

Pillar One: The State bears the primary responsibility to protect its population from genocide, war crimes, crimes against humanity, and ethnic cleansing.

Developing and strengthening the national capacity to build societies resilient to atrocity crimes can serve as the most effective way to protect populations. Through the establishment of National Action Plans² (NAPs) for UNSC Resolution 1325, governments directly contribute towards upholding their pillar one obligations by creating tools for effective and coherent policy making. NAPs inform the development of state policy for the inclusion of women to participate in all aspects of society and the protection of their human rights.

Similarly to NAPs, states can create national assessments to evaluate their ability to prevent atrocity crimes. When doing so, governments should ensure that a “gender lens” is incorporated.



For example, states can reflect on the mechanisms in place to uphold women’s rights and participation, as this will serve as a marker for the state’s ability to live up to its protection obligations. Additionally, when developing and implementing early warning mechanisms, governments could give attention to how violations of women’s rights can serve as indicators for (and sometimes amount to) atrocity crimes.

Ensuring constitutional protections for all populations is a central component of building state capacity to implement both RtoP and WPS. Governments can strengthen their ability to uphold human rights by: including provisions within their constitutions that prohibit discrimination based on sex and articulate and

protect the full and equal rights of women, and adopting and implementing relevant legislation to further institutionalize such rights. Equal representation of women in all levels of economic and political decision making is essential for the development and strengthening of an inclusive and tolerant society. **Through preventing discrimination and the violation of women’s rights, national stakeholders support the long-term prevention of atrocity crimes and their recurrence.**

Further action can be taken to promote and protect human rights - a central tenet of preventing atrocity crimes - through state ratification of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) and the convention’s optional protocol. Upon ratification, states are required, in accordance with Article 18, to participate with the CEDAW Committee by providing information on the actions taken to uphold the obligations articulated in the convention.

Lastly, police and military personnel support a state by providing protection for its civilians and upholding domestic legal standards. As such, governments will benefit from developing national police and military training programs that take into consideration the rights and protection needs of women and girls. Promoting and ensuring equal access for women to join such bodies is also essential and serves as another means of promoting diversity and equality.

Pillar Two: The international community has a responsibility to assist States to fulfill the Responsibility to Protect.

Encouragement is core element of the second pillar of RtoP. The international community can assist states in upholding their protection obligations through encouraging governments to: a) ratify CEDAW and its optional protocol; b) undertake measures to implement the WPS agenda, including the development and implementation of NAPs; and c) ratify the Rome Statute, which serves as a key tool to ensure accountability for atrocity crimes, including those committed against women and girls.

² At the time of publication, 49 Member States have created NAPs to advance the Women, Peace and Security agenda. Learn more here: <http://www.peacewomen.org/member-states>

*Above photo: UNAMID Officers March with Darfur Women on Women’s Day. UN Photo/Olivier Chassot, 8 March 2011



Through contributing to capacity building efforts, individual states, regional organizations, and other intergovernmental bodies can directly impact the ability of a government to protect its populations from atrocity crimes. Such support can take a range of forms, such as providing guidance in the establishment of NAPs; assisting in the development of gender-inclusive military trainings and guidelines for the protection of women's rights; and collaborating in the implementation of disarmament, demobilization and reintegration programs to ensure that female combatants are included in such programs, with particular attention given to their needs. Furthermore, international actors can assist a state in enhancing its efforts to ensure that action is taken to ensure equal space

for women's participation, and supporting the development of that space and empowerment of women in countries where it did not previously exist.

Since a key indicator of the potential for atrocity crimes is a past history of their commission, the international community has a central role to play in supporting states emerging from crises. **During this time, it is critical to recognize that for most women, "violence does not stop with the official ceasefire or the signing of the peace agreement and often increases in the post-conflict setting."**³ For example, sexual violence targeting women and girls can increase following the formal end of a conflict, with women of minority groups being at even greater risk of increased violence, particularly identity and gender based violence. As such, the international community can uphold its obligations under RtoP through supporting states to adopt and implement the relevant legislative and policy measures to ensure that women's rights are being upheld and protected during such volatile times. Furthermore, international actors can provide the support necessary to ensure that states that experienced atrocities develop the national institutions and mechanisms necessary to provide access for women in political and public life, and uphold their equal participation in post-conflict reconstruction processes.

The international community can provide support to states undergoing peace processes to halt conflict or war. It is essential that such processes ensure the full and equal participation of women throughout their development and implementation. In addition to the fact that such participation is the inherent right of women and girls, it has been shown that long-term peace is more sustainable in countries where such processes have been inclusive. Peace agreements must not permit for amnesties for individuals involved in the commission of RtoP crimes. Furthermore, holding perpetrators to account for the commission of atrocities and delivering the necessary medical and psychological support for victims are key to upholding RtoP.⁴ **When atrocity crimes are committed, women and girls often make up a disproportionate number of those impacted by such crimes. International actors can thus assist states that experienced atrocity crimes by providing the necessary support to ensure that the needs of victims, particularly women and girls, are met with the relevant services to provide comprehensive rehabilitation.** Additionally, actors can uphold their Pillar Two obligations by providing assistance to ensure that perpetrators are held to account. For example, governments, regional organizations, and/or the UN can assist a state with strengthening its national judicial mechanisms to ensure domestic measures are taken to uphold justice, or assist with the development of hybrid courts at the regional or international level.

RtoP's second pillar also includes tools to provide direct protection assistance to states under stress or facing an impending crisis. In such situations, external actors should ensure that any military support takes into account the impact of such measures on civilians, with the particular inclusion of a gender perspective within peacekeeping and support operations. Furthermore, states accepting refugees from countries under stress must consider the needs of women and girls during resettlement, repatriation, and rehabilitation.

Pillar Three: Should a state be unable or unwilling to protect its populations, the international community has an obligation to take timely and decisive measures to prevent or halt the commission of atrocity crimes.

RtoP's third pillar includes a range of humanitarian, diplomatic, economic, and military measures (adopted in accordance with the UN Charter) to protect populations from atrocity crimes. When implementing such tools, the

³ See CEDAW Recommendation 30; page 9. <http://www.ohchr.org/Documents/HRBodies/CEDAW/GComments/CEDAW.C.CG.30.pdf>

⁴ These actions, when taken independently by a government to ensure justice/accountability and to provide support to victims of atrocity crimes, can also serve as measures to uphold the first pillar of RtoP.

*Above photo: Secretary-General Visits Peacekeeping Military Training Centre in Beijing. UN Photo/Evan Schneider, 11 June 2013

international community must always prioritize the protection needs of the population and consider the impact on civilians. It is essential that gender perspectives are mainstreamed throughout the implementation of such measures, and that policies are also focused on empowering women and girls in those contexts where their access remains limited.

Regional organizations and the United Nations can dispatch monitoring and inquiry missions to determine the degree in which human rights are being violated and ascertain whether atrocity crimes are being committed. Mandates for these bodies must allow for the inclusion of gender-sensitive investigation practices. Furthermore, when utilizing this pillar three measure, as well as other tools⁵ under this pillar, it is essential that women are provided equal space to inform and participate in processes seeking to stabilize a country and prevent the commission of atrocity crimes.

When using military means to prevent or respond to atrocity crimes, actors must consider what gender-specific affects the use of force can have on a conflict. As such, international actors must develop and undertake strategies to minimize such consequences and ensure that force does not exacerbate the threat to civilians, including women and girls.

What can Civil Society do to Advance the Women, Peace and Security Agenda and Atrocity Prevention Efforts?

Given the direct impact of atrocity crimes on women and girls, the key role that women can play in all aspects of RtoP's advancement, and the continued lack of a firm incorporation of women's rights and participation in RtoP's implementation, civil society organizations have a central role in the advancement of both agendas. Civil society has the opportunity to:

- Urge your government to sign and ratify CEDAW and the Convention's optional protocol and participate in the CEDAW committee. Additionally, advocate for your government to sign and ratify other relevant instruments that contribute towards building national resilience for atrocity crimes and serve to uphold women's rights, such as the Rome Statute of the International Criminal Court and the Arms Trade Treaty.
- Call for your government to establish and develop National Actions Plans on 1325 that holistically address the four pillars of WPS: prevention; protection; participation; and relief and recovery.
- When calling for states to undertake national assessments on atrocities prevention, push your government to ensure that such analysis incorporates a gender lens.
- Encourage your government and/or regional organization to establish and strengthen early warning mechanisms, which should include gender-sensitive indicators for atrocity crimes.
- Advocate for governments to bring attention to linkages between women's rights and participation and RtoP at the annual UN General Assembly dialogue on RtoP, within UN Security Council debates on Women, Peace, and Security, and all other relevant meetings convened at the United Nations and within regional organizations.
- In your advocacy, demand that measures be taken to ensure full and equal participation of women in all aspects of RtoP's implementation at national, regional, and international levels, and hold actors to account if and when such actors fail in that regard.
- Build understanding of linkages between the two agendas through your organization's advocacy and programmatic initiatives so that governments, regional bodies, UN organs, and the general public are made more aware of the relationship between WPS and RtoP.

ICRtoP

INTERNATIONAL COALITION FOR **THE RESPONSIBILITY TO PROTECT**

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The International Coalition for the Responsibility to Protect convenes and collaborates with civil society, Member States, and regional and sub-regional organizations to continue close scrutiny of the consistent implementation of the third pillar and develop effective methods to protect populations from genocide, war crimes, ethnic cleansing, and crimes against humanity.

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⁵ This includes measures identified in Chapter VI of the UN Charter, such as mediation and preventive diplomacy.