Spectrum of Perspectives:

Review and Analysis of UNSCR 1325 in Asia-Pacific Region

WinG Women in Governance

APWAPS
ASIA-PACIFIC WOMEN'S ALLIANCE FOR PEACE AND SECURITY

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Acknowledgement

Women in Governance, (WinG)-India and The Asia Pacific Women's Alliance on Peace and Security (APWAPS) would like to thank the participants from different countries of Asia-Pacific Region for your valuable contribution to this online discussion. Your participation has given us a diverse, clear, analytical, political and nuanced analysis into the issue of WPS and this will serve as an input to the ongoing global review process of UNSCR 1325.

At this Juncture, we would also like to extend our sincere thank to Roshmi Goswami in designing and leading the entire discussion. We would also like to acknowledge her effort in consolidating the discussion in the form of this report.

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Online Dialogue on UNSCR 1325

For the Women, Peace and Security Agenda, 2015 is an extremely important year as UNSC Resolution 1325 enters its fifteenth anniversary. As is well known concerted advocacy by the women's rights movement and women peace advocates led to the formulation and adoption of UNSCR 1325 in 2000. Further advocacy by the women's groups also ensured a further commitment by the UN Security Council (UNSC) to an annual review and stock taking. Since then every October the review has taken place and this October the report of a High-level Review will be presented. The purpose of the Review is to assess progress at the global, regional and national levels in implementing UNSCR 1325 , renew political and resource commitments, recognize and surface existing and emerging challenges and address obstacles and gaps in implementation.

In advance of the 2015 High-level review a Global Study on Women, Peace and Security is being prepared under the authorship of independent expert Radhika Coomarswamy. The process includes regional consultations, formal and informal briefings and research papers. For individuals and women's rights organizations working on issues of Women, Peace and Security in the Asia Pacific region, this provides a great opportunity to engage with the process which is especially critical given the reluctance of many States in the region to even recognize issues of WPS leave alone make political commitments to address them.

Women in Governance (WinG) - India and The Asia Pacific Women's Alliance on Peace and Security (APWAPS) are using this critical and opportune moment to input in different ways into the Global Study and subsequent review. One such initiative was a six weeks online Dialogue on UNSCR 1325 for the Asia Pacific region. The purpose of the discussion was to get more in-depth, qualitative, political and nuanced analysis of the issues of WPS in the Asia Pacific region for strengthening and deepening at the ground level by local women's groups as well as for input into the Global Review.

Background

The unanimous adoption of SCR 1325 by the United Nations Security Council on 31 October 2000 is rightly seen as historic and unprecedented for it marked an important international political recognition that women and gender are relevant and central to international peace and security. With 1325 the Security Council for the first time addressed the fact that women are disproportionately and uniquely impacted upon by armed conflict, acknowledged that women's contribution to conflict prevention, conflict resolution and peace building was undervalued and stressed the need to ensure women's equal and active participation and leadership in peace building processes.

The acknowledgement was hard earned and the result of long years and persistent advocacy by feminists and women peace activists from across the world. The issues of women, armed conflict and peace building were for the first time comprehensively raised in the **Beijing Platform for Action (BFPA)** in 1995 where it was recognized that peace was inextricably linked to equality and development and each was mutually dependent on the other. The BPFA emphasized that women's full involvement in all efforts for the prevention and resolution of armed conflicts was essential for the promotion and maintenance of peace and security and under Critical Area E set out six strategic objectives:

1. 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;
2. Reduce excessive military expenditures and control the availability of armaments;
3. Promote non-violent forms of conflict resolution and reduce the incidence of human rights abuse in conflict situations;
4. Promote women's contribution to fostering a culture of peace;
5. Provide protection, assistance and training to refugee women, other displaced women in need of international protection and internally displaced women; and

6. Provide assistance to the women of the colonies and non-self-governing territories.

The push for recognition of the issues at the Security Council however really began in 1999 when the Women Building Peace; From the Village Council to the Negotiating Table was launched at the NGO-led Hague Appeal for Peace Conference. UNIFEM lend strong support to the civil society efforts and campaign for a Security Council resolution and in March 2000, at the UN Security Council Bangladesh under the leadership of Anwarul K. Chowdhury was the first country to adopt the issues and bring them to the Security Council's agenda. Jamaica and Canada were other supporters, while Namibia sponsored the resolution during its presidency of the Security Council in October 2000. It was based on the Namibia Plan of Action on "Mainstreaming a Gender Perspective in Multidimensional Peace Support Operations", which was adopted in Windhoek in May 2000. There were however detractors as well and these continue till date to undermine and obstruct the WPS agenda.

Key Actors responsible for implementation of SCR 1325 include: the Security Council; Member States; UN entities; the Secretary General; and parties to conflict. The content of the document[1] is organized under four pillars - prevention, protection, participation and relief and rehabilitation and with the following key provisions:

- Increased participation and representation of women at all levels of decision-making.
- Attention to specific protection needs of women and girls in conflict.
- Gender perspective in post-conflict processes.
- Gender perspective in UN programming, reporting and in SC missions.
- Gender perspective & training in UN peace support operations.

1 'The resolution's eighteen articles called for greater representation of women in national decision making, especially in prevention and resolution of conflict; incorporation of a gender perspective into peacekeeping operations; new financial and logistical support for gender dimensions of peace building and post-conflict reconstruction; greater consideration of women and girls in resettlement, rehabilitation, and demobilization programs; respect for women's human rights and an end to impunity for crimes against women; new efforts to combat sexual violence in armed conflict; and greater consultations with local and international women's groups.'-

Unlike other Resolutions UNSCR 1325 goes through an annual review process which provides an important opportunity for stock taking and renewing commitments to WPS. When women's groups lobbied for such an annual review the Security Council was reluctant but the women persisted arguing that this resolution was unlike any other and therefore the functioning also needs to be different. With greater ownership by women and the women's movement and often referred to as the "Women's Resolution" UNSCR 1325 is indeed different from other resolutions. This distinctiveness and strength in one area has however also been the Resolution's drawback in another with strong critiques that the UN leadership has failed to properly champion the Resolution or support its implementation.

Today on the one hand promoting women's participation in all aspects of peace building, including peace negotiations and mediation is grudgingly or strategically being recognized as a key issue in successful peace building. It is also being recognized that excluding women and lack of gender expertise in negotiations leads to irreversible setbacks for women's rights, leaving crucial issues, such as women's engagement in post-conflict governance and women's access to economic opportunity, justice and reparations, neglected in peace accords. On the other hand there is more lip service than real commitment in terms of political will as well as resource allocation from Member states. Within the UN family the bulk of the responsibility and commitment continues to be with UN Women which in itself has several issues including resource crunch to grapple with. Critiques have opined that to begin with UNSCR 1325 had several lacunas. The resolution lacks time-bound targets for achieving its goals, accountability or measurement provisions to secure its implementation or any reporting mechanisms vis-à-vis the Security Council. Other missing elements are working groups or special representatives to monitor and prod action or new funding or personnel dedicated to the issue. It has also been pointed out that the language lacks the definitiveness of 'directives' as the Resolution 'urges' and 'encourages' or requests rather than 'directs'. In the same vein there is no provision of drawing up watch lists of countries failing to meet its objectives as a naming and shaming exercise, or provisions for sanctions against state and non-state violators.[2]

2 Beyond Words and Resolutions: An Agenda for UNSCR 1325 - Steinberg, Donald, in Women and War: Power and Protection, June 2010.

2010 - A decade later

The ten year mark in 2010 was an especially critical moment for UNSCR 1325 both in terms of its critique as well as in assessing the gains and some midterm revisions of strategies. A joint ten years assessment study "What Women say", by the International Civil Society Action Network (ICAN) and the MIT Center for International Studies[3] provides an especially candid analysis and very important insights. The assessment also included six country field studies - Aceh, Colombia, Israel-Palestine, Liberia, Uganda and Sri Lanka and interviews with women working on the ground on issues of peace building and conflict transformation in those countries. Some of the highlights of the assessment are that many governments, UN personnel as well as CSOs are unaware of UN SCR 1325 or its provisions as its adoption did not prompt any public or educational campaign explaining its origin or its mandate and this has indeed been a failure of the UN system itself. Apart from a handful of senior leaders notable amongst them being individuals such as Ambassador Anwarul Chowdhury, Yousef Mahmoud, Caroline McAskie, Kathleen Carvero and the late Sergio De Mello[4] the UN leadership has not championed UNSCR 1325. In the area of peace mediation both women's formal participation as well as women's perspective in a sustained and substantial manner continue to be absent and that there is also profound disconnect between donors policies on UNSCR 1325 and their actual action, aid programs or diplomatic interventions in situations and countries affected by conflict. The assessment in fact goes on to show that perhaps opposition or non state actors could provide important entry points for ensuring attention to gender issues and women's inclusion. Peace talks continue to be approached from a militaristic and settlement for the sake of political expediency lens. The focus is on ceasefires, political arrangement and conflict management rather than conflict transformation in which frame work if women were not the perpetrators of violence then they are naturally excluded! National action plans have got mired in cumbersome bureaucracies and the report goes on

3 What Women Say' - Participation and UNSCR 1325- MIT Center for International Studies and ICAN, October 2010.

4 Chowdhury- Bangladesh Ambassador and UN Under Secy; Mahmoud- Tunisia, Spl Rep to the UN Mission in the Central African Republic and Chad;McAskie-; Carvero - UNDP, UNAIDS; De Mello- Brazilian UN diplomat.

to show that while governments can take immediate actionable steps to apply the provisions of UNSCR 1325 'national action planning is delaying actual action'. But above all the assessment shows that the transformative potential of the core message of UNSCR 1325 i.e. "women build peace" which conveys women's strength and capacity and which caught the imagination of diplomats and catalyzed support for its adoption is what has gone totally missing. Finally there is no recognition of the extreme vulnerability of women peace activists to reprisal attacks in different conflict contexts and no provisions to ensure their security.[5]

Amidst these sobering realties October 2010 was also seen as a moment of impetus for urgent new action to address the serious problems rather than an anniversary celebration, or even a stock-taking exercise. Concrete steps to bring women to the peace table, expand assistance for gender-related post-conflict reconstruction, mandate time-bound goals and accountability mechanisms for implementing the resolution, protect displaced women from sexual abuse, engage women in security sectors, and use moral persuasion to force member states to make formal commitments to specific actions over the next three years to promote the resolution's provisions were undertaken. UN officials also recognized that the United Nations cannot accomplish anything unless it partners with member states and brings in the expertise, experiences of activists from around the world. An important step taken was the appointment of a fourteen-member UN Civil Society Advisory Group on Women, Peace and Security, fourteen independent experts to advise senior UN officials on ways to better protect women in conflict situations, and to ensure that their voices are heard in peace processes and post-conflict reconstruction and governance structures." The advisory group has been assessing the status of implementation of Resolution 1325 and among others supporting UN efforts to devise indicators to measure outcomes, provisions to identify the entities and individuals responsible for achieving them, and accountability mechanisms to put pressure behind their implementation. The advisory group is also mandated to serve as a catalyst to bring the voices and ground-truth of women impacted by armed conflict to the attention of global decision-makers.[6]

5 See What Women Say' - Participation and UNSCR 1325- MIT Center for International Studies and ICAN, October 2010.

6 See Beyond Words and Resolutions: An Agenda for UNSCR 1325 - Steinberg, Donald, in Women and

Into the 15th Year - The Online Dialogue on UNSCR 1325

The 15 year mark of UNSCR coincides with the 20 year review of the commitments made in the Beijing Platform for Action at the 1995 Fourth World Women's Conference in Beijing. The general concern of feminists and women's rights groups across the world is the dilution of the language and commitments and roll back on many of the gains made in 1995. Mobilization is taking place at different levels in different parts of the globe to revisit commitments and declaration on women's rights and justice and flag concerns. The online discussion on UNSCR 1325 by APWAPS and WinG-India is part of such a larger process and strategy.

The Asia Pacific Region has had some of the most intractable and longest running conflicts anywhere in the world. Eighty-two percent of conflicts in the region since 1948 have been internal conflicts[7], although many have had inter-state and even regional and international dimensions. Many of the conflicts are also sub-national armed conflicts[8] which are not formally recognized and do not therefore benefit from any formal peace negotiations or efforts to end the violence and address their deep-rooted origins as part of peace initiatives. In such contexts very often UN resolutions are not applied or simply dismissed by States as inapplicable as the States concerned do not formally acknowledge these as conflicts. However, the adoption of General Recommendation 30[9] of CEDAW has brought about a landmark re/conceptualization of conflict, as the CEDAW Committee recognizes

> *"Conflict prevention, international and non-international armed conflicts, situations of foreign occupation, as well as other forms of occupation and the post-conflict phase .... [and] other situations of concern,*

War: Power and Protection, June 2010.

7 See PRIO http://www.prio.no/Data/Armed-Conflict/

8 Parks, Thomas; Colletta, Nat; Oppenheim, Ben : The Contested Corners of Asia - Subnational Conflict and International Development Assistance - The Asia Foundation 2013

9 CEDAW General recommendation 30 on Women in conflict prevention, conflict and post- conflict situations p.2

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 organized crime, that may not necessarily be classified as armed conflict under international humanitarian law and which result in serious violations of women's rights ..." [10]

The CEDAW Committee noted that these situations result in serious violations of human rights, and that they require resolution.[11] The CEDAW Committee further goes on to endorse the roles played by women in such contexts:

"Reaffirming the important role of women in the prevention and resolution of conflicts and in peace-building, and stressing 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,"

The online discussion on UNSCR 1325 was undertaken against this changed backdrop and renewed push for State obligation. The discussions were initiated online using Base Camp, an e-platform for online communication and by inviting around 60 participants from the Asia Pacific region. All the participants were women and brought in considerable diversity of experience, issues and regions and included both researchers and academics as well as grassroots activists. An attempt was also made to reach out beyond the APWAPS and WinG-India networks and get in people whose voices are not often heard but who have vast experiences and invaluable insights plus strong feminist politics as well as younger people who would bring in fresh thinking and innovative ideas. Sincere efforts were made to keep some kind of a regional balance but in the actual discussions this did not really work out as some regions engaged more actively than others. A core focus of the dialogue was to lead the discussions to how in going forward the WPS agenda can get more

10 CEDAW General recommendation 30 on women in conflict prevention, conflict and post- conflict situations p.2

11 See http://www.ohchr.org/Documents/HRBodies/CEDAW/GComments/CEDAW.C.CG.30.pdf

strongly informed by a rights based approach and issues of conflict transformation and peace building are necessarily understood and articulated using a human rights and justice lens. Participants were also urged to provide constructive recommendations to take UNSCR 1325 forwarded by reminding the participants that despite the dilution the adoption of UNSCR 1325 remains the landmark moment where the international community recognized the importance of women's participation in all efforts to prevent, resolve and recover from conflict. Even more significantly this progressive resolution was initiated and advocated for by the women's rights and peace movement and 15 years is a good time to identify gaps and weaknesses, strengthen and bring back the feminist and human rights perspectives and get renewed commitments from States. The discussions were clustered around four primary issues of concern - militarization, security, categories of women, accountability and access to justice.

The discussions began by reflecting on the most obvious question viz. On what has been achieved or not achieved on issues of WPS in the last 15 years since the adoption of UNSCR1325 and why? A participant's sobering reflection, '*There is a kind of disturbing softening of the radical impulse that informed women's mobilization for peace beyond borders and boundaries*',[12]set the tone of the discussions and provided the impetus to reclaim the space and the politics of the WPS agenda. Claiming this 'space' is to take the discourse beyond managerial output concerns and limitations for again as a participant opined, '*We seem to be at a plateau where the aphorisms that we use are stuck especially about numeric representation of women at the peace table. Bringing the power of those who may NOT be DIRECTLY at the peace table to bear on the negotiating table is what we need to emphasize at this stage*'.[13] This especially resonates with APWAPS's mandate of bringing local women's experience and knowledge from conflict affected communities to determine the way forward for issues on Women, Peace and Security.

The discussions were initiated by first of all contextualizing UNSCR 1325 and then looking at the realities of the present context. Adopted

12 Dr. Meenakshi Gopinath - Founder WISCOMP

13 Ibid

in 2000 UNSCR 1325 is indeed a product of its time. On the one hand coming a decade after the end of the Cold War and in the aftermath of some very violent conflicts where the social fabric and trust within communities was totally destroyed,[14] the complex task of peace building was a daunting challenge. On the other hand despite the devastating impact of the violent conflicts women were also reacting, playing proactive roles in redefining peace and peace building[15] and trying to ensure that the 21st Century would be different. Positing that gender equality was a source of sustainable peace women resolved that the new century would herald the beginning of an approach that addressed the complexities of peace building and was rooted in principles of gender equality and justice. During the discussions it was agreed that it was important to view UNSCR 1325 in the present context as much has changed in the world since UNSCR 1325 was adopted in 2000 and these changes deeply impact the Women, Peace and Security agenda. Shortly after the adoption of UNSCR 9/11 happened which was both the catalyst and a dramatic marker of some of these changes. Post 9/11 brought in increased global militarization, emphasis on terrorism and counter terrorism which has then seen the rise of violent extremism(more specifically religious extremism).Today clearly both conflict and the responses to conflict have got globalized and global militarization is the dominant trend. It was pertinent therefore that the discussions started on the question of increased militarization and the implications thereof.

A. Militarization

A strong critique that has come from the women's movement is that although UNSCR 1325 in itself is grounded on strong feminist politics the way it has been used is different. Increasingly UNSCR 1325 has been used as a management tool - of making wars safe rather than questioning the structural causes of wars and armed conflicts and its long term impact, or of new partnerships and alliances that are forged to keep wars going and the sinister crimping of women's rights through these allianc-

14 See the Conflicts in Rwanda, DRC, Bosnia, Liberia etc.

15 see Liberian women's peacemaking efforts

es. As one looks at realities around in different contexts in the Asia Pacific region this becomes obvious.

The participants pointed out that it is difficult to draw lines between short and long term implications of militarization. In the short term militarization impacts upon the bodily security of women and in the long term it affects their livelihood and takes away their rights. For indigenous women it is their right to forests and land. This dispossession makes them extremely vulnerable making them dependent and rob them of their autonomy. It was pointed out that one of the biggest problems faced by indigenous communities (especially women) in Bangladesh and most other countries is the mainstreaming of militarization in society and of the military being in charge of so many vital sectors including 'law and order'. In many other countries in the Asia Pacific undergoing internal and protracted armed conflict civilian spaces and institutions have gradually and silently got militarized which has serious and extremely alarming implications for women and human rights defenders. Export and trade in arms is essential to militarism and militarization and this has increased exponentially in many countries in the region. In addition in situations of prolonged and intractable armed conflict there has been huge proliferation of arms including small arms in the communities which has contributed significantly towards heightened levels of violence in the community with women being especially impacted. Militarization therefore implies a system of governance, in or without uniform, where the voices of people are either curbed or silenced and in many instances through constitutional means.

In a post war scenario the issue is even more problematic. In situations where a war is militarily ended and there have been records of gross human rights violations as in Sri Lanka, civil society organizations and human rights defenders become particularly vulnerable. Security and intelligence agencies establish well-oiled surveillance and monitoring system capitalizing on the vulnerabilities of different groups of people which leads to erosion of trust within communities making it difficult to rebuild social networks. Surveillance by the military restricts activities of civil society and makes human rights work extremely difficult. In a post war scenario there is huge economic gains to be made and increasing

nexus is being forged between the military and corporations for economic activities. In fact the business sector contributes to the entrenchment of militarization.

Finally concerns were raised about the review of UNSCR 1325 implementation and numbers. One indicator of how UNSCR 1325 is being implemented focus on the percentage of women in the military. Increased numbers of women is viewed as 'progress'. This is especially problematic in countries that are experiencing ethnic/religious conflict. It is critical to have a more nuanced understanding of the politics of actively recruiting women from certain communities into the military and the way in which it impacts broader political issues at the heart of the conflict especially when the conflict was drawn along ethnic divides.

Recommendations:

- UNSCR 1352 needs to widen its definition of peace and make inclusive democracy (not any specific model of democracy) an integral part of peace.
- Revisit the numerical focus of UNSCR 1325 and ensure politics and human rights perspectives are factored in while increasing numbers.
- Ensure a more nuanced analysis of conflict with a focus on social justice precedes the implementation of UNSCR 1325.
- Document, assess and challenge the growing nexus between the military and corporations for economic activities in conflict contexts.
- Prioritize addressing and ending 'Impunity' especially of those in charge of "law and order" in conflict and post conflict contexts.
- Ensure greater focus and efforts towards conflict prevention and ending the cycle of the "continuum of conflict" by addressing issues of arms flows, export of arms also small arms which are essential to the cultures of militarism and militarization.
- Assess the impact of growing militarization on conflict affected communities and societies with special focus on indigenous women.

- Focus on the social impact of post-war militarization which has a debilitating effect on efforts to rebuild social networks.
- In a post conflict scenario and communities in transition ensure the building of truly democratic systems and decentralized democratic structures based on the principles of equality and equity that address women's needs and accommodate women's voices.

B. On Security

Concerns were raised over the securitization of women's rights as a result of their inclusion in the Women, Peace and Security Agenda. The participants reiterated that the security discourse for women is essentially about comprehensive human security and goes move beyond a narrow military or state centric preoccupation and articulates the concerns of women whose voices are marginalized in the mega narratives of conflict analysis and peace building. This analysis is totally missing in the implementation of UNSCR 1325. The tools that are used to measure UNSCR1325 implementation do not give adequate importance to socio-economic vulnerability in the post-war context, which makes women open to vulnerable to exploitation and abuse, especially in a militarized context. It was pointed out that in villages of post conflict Nepal, security has been equated with establishment of new police posts, which were destroyed during the conflict, with the help of the Peace Trust Fund. These police posts are nowhere capable of ensuring security for those who need food, shelter and treatment for their physical and mental well being.

Many participants strongly surfaced the need to work with UNSCR 1325+ and CEDAW together as CEDAW is legally binding while resolutions are political commitment. The adoption of CEDAW General Recommendation 30 which brings in the issue of extra territoriality this need is especially critical and strategic in post conflict "development" agendas and scenarios. It was suggested that whatever one chooses as the specific focus, women need to put their respective ideas within the general systemic framework of all forms as integral to militarized security and the urgency of women's participation in all aspects of security policy making

as essential to conceptualizing and implementing plans to demilitarize security. It was also suggested that there is a need to begin thinking about a teaching-learning process around issues of gender and militarized security as this is presently missing.

Recommendations

- Advocate for and change the present understanding of security in UNSCR 1325 and make human security central to the new focus.
- Work towards formulating a People's Action Plan till women are ready for a NAP which is driven from realities from the ground and not the State or any agency promoting it.
- Work towards cross border strategies, locally derived and implemented by women's CSOs or local women's groups. (viz: Pakistani women's protection plan to help women vote in the face of efforts that include threats of violence to stop them from voting).
- Promote and work together for a holistic Plan of Action for the Asia/Pacific countries. The region need to rally together as one Voice under one banner to call for Peace and protection of all nations.
- Institutionalize WPS implementation and monitoring by jointly using the provisions of UNSCR 1325 and CEDAW GR 30.

C. The vulnerability and agency of different categories of women in the conflict continuum.

As anywhere else women in WPS are not a homogenous group but include very diverse categories such as peacemakers, combatants, sympathizers, human rights defenders, survivors of sexual violence etc. This diversity with diverse needs, voices and perspectives has often been missing in UNSCR 1325 work. Views from both Nepal and Sri Lanka clearly pointed out the need for a more nuanced, sensitive and culturally relevant handling of sexual violence in conflict and that this has not

been adequately done so. On the other hand in recent years, the Security Council has come under considerable criticism of having uneven focus on protecting women from sexual violence with the adoption of a number of UNSCRs on women, peace and security at the expense of promoting women's participation in decision-making. A participant opined that one of the rare positive impacts of armed conflict on gender relations is the increased movement, mobility and opportunities for women in political spaces for leadership in constructing and reconstructing peace in the society during conflict and post conflict situations. However policy makers before and after UNSCR 1325, have continued to focus and perpetuate women as victims without an adequate acknowledgment of their agency. Additional resolutions on WPS were added in successive years by the Security Council without first focusing on the implementation of UNSCR 1325 and primarily reaffirming women's victimhood and sexualized violence. Women's leadership capabilities and potential were not given recognition or opportunities. It was pointed out by another that the adoption of UNSCR 2122, in October 2013 attempts to balance this as it will "focus more attention on women's leadership and participation in conflict resolution and peace building".

With divergent views expressed by the participants this section threw up the challenges of balancing a focus and enabling women's agency and leadership while ensuring attention and sensitive handling of sexual violence in diverse cultural contexts with differing levels of effectiveness or lack thereof of legal systems in the different countries in the region. Several participants pointed out that apart from stigma and shame, security risks often prevent women from reporting sexual violence and this is rarely factored in dealing with instances of sexual violence in conflict contexts. Additionally when women do come forward to report the legal processes fail them. A participant pointed out that while protection is important, protection without accountability only leads to further impunity for sexual violence. Participants especially from Sri Lanka emphasized that existing formal legal systems in countries cannot handle sexual violence cases in war-affected countries. In such a context apart from the problem with the legal system itself there are different political dynamics at play which obstruct the processes. Some reference was made to the

other UNSCR's on WPS with the general opinion being that there wasn't enough understanding or usage of the other UNSCRs on WPS in the different war/conflict affected countries and the need to better understand these commitments and find ways to use them.

The other group that featured in the discussions was women combatants of armed rebel groups. It was pointed out that women combatants are especially vulnerable and extremely disempowered in a post conflict scenario. Many join revolutionary groups aspiring for 'equality' and 'justice' and challenging patriarchal hierarchies but are pushed back into stereotypical gender roles when the 'revolution' ends. Furthermore sexual violence experienced by women combatants who are perceived to have transgressed traditional and accepted gender and societal norms are even less reported or justice sought. In any peace negotiation or peace agreement justice and redress for sexual violence for ex women combatants or other non party women never feature. Participants also pointed out that majority of women affected by conflict (sexual violence or otherwise) say that the structures which were discriminatory in society itself needs to be changed in order for them to get justice.

Recommendations

- Create alternate and fundamentally different justice processes to support women survivors of sexual violence in conflict and post conflict scenarios.
- Provide security and support for women reporting sexual violence.
- Ensure violence against women in the informal political space is fore grounded.
- Draw up strategies and time bound action plan for wide dissemination of the provisions of the other WPS resolutions.
- Recognize both the vulnerability and agency of women ex combatants.
- Address the needs and violations against ex women combatants and draw up strategies to involve them as peace builders and peace advocates.

- Ensure all post conflict reconstruction and reintegration undertaken using the CEDAW principles of substantive equality and non-discrimination.

D. Issues around access to justice and accountability

The main discussions that ensued under this category were the issue of disappearances which somehow do not feature under UNSCR 1325 and the other is the issue of violations by non stat actors. It was pointed out that women seeking truth and accountability have reached nowhere and that women can only play leadership roles in peace building if there is a sense and promise of justice in their personal lives. Women urgently need justice and closure regarding disappearances of family members. A participant suggested that it was both important and timely to begin to think outside the box about how to create an enabling environment for the truth to be shared about what happened to those who disappeared? A participant from Nepal added a word of caution saying that although it is important to use UNSCR 1325 but one should not conflate its importance. Nepal's 33 per cent women members in the Constituent Assembly did not happen because of UNSCR 1325 but because of the political parties. Therefore it could be useful to recognize and identify national transformative opportunities for gender justice. Another participant however added that even while looking at national opportunities one needs to be discerning. There is an urgent need to restructure the governance system which was present before conflict, replacing those who were in charge of security forces during the conflict otherwise there can be no justice. Women cannot seek justice regarding 'missing' family members from the very people who made them 'disappear'.

The second focus was on the issue of non state actors. A participant stressed that she believes at this moment, one of the most complex issues in contemporary concerns in human rights discourse is killings by non-state actors. She pointed out that the Security Council perceived 'peace for women' as something achievable by militaristic approach but however

in reality it created chains of armed non-state groups victimizing women further. International laws and policies or customs are yet to come up with structures that can hold non-state actors accountable and end the impunity enjoyed by them. Broadly defined as armed groups that operate beyond state control the category of non state actors cannot be readily placed under a clear definition and this increases the complexity. There is therefore an urgent and critical need for the adoption of legal structures like International Criminal Court as that would be another route of addressing issues of justice and accountability under Women, Peace and Security.

Recommendations

- Include within the UNSCR 1325 mandate, mandatory security sector and governance reform by all governments/countries that are signatories to peace agreements to ensure justice and security for women affected by conflict.
- Need to elaborate the definition of peace and security in UNSCR 1325 to ensure that people affected feel secure, have room to live in peace and have access to justice.
- Include and address the issue of 'disappearances', (enforced or otherwise) under the UNSCR 1325 + and draw up strategies for action.
- Address and monitor the issue of violations by the whole range of non state actors and advocate for accountability.
- Push for restructuring of governance and justice systems in countries in transition to ensure access to fair and unbiased systems for victims seeking redress.
- Ensure closer and more cohesive operational linkages between legal structures like ICC and CEDAW to the WPS architecture.

Women in Governance – India (WinG-India) is a network of women who strive to be agents of change in a world dominated by misogynist and caste mind sets. WinG is a network of Dalit women (erstwhile untouchables) and women affected by conflict in Northeast India and other parts of the country. The members of WinG-India represent marginalized communities across India and work towards promoting leadership within local governance. Since its formation in 2009 WinG-India has emerged as a strong network within civil society organizations in India working on issues of women-security, peace and governance and bringing the issues to various national and international forums. The key focus area of WinG is women security (with a special focus on the implementation of UNSCR 1325), exploring customary laws and their impact on women's lives.

The Asia Pacific Women's Alliance on Peace and Security (APWAPS) is an alliance of feminist organizations, women human rights defenders, women peace builders and others from across Asia and the Pacific who share a commitment to bring about the kind of peace and security that matters to local women in conflict-affected communities in the region. The Alliance aims to link up existing actions, connect organizations, deepen conversations and expand access to information on the women, peace and security agenda. It is a regional initiative to respond to the specific concerns of women in the Asia-Pacific region and aims to generate political will and accountability at the regional and sub-regional levels for a meaningful WPS agenda.

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