



LUND
UNIVERSITY

Center for Gender Studies

GNVK01
January 2008
Bachelor's Thesis
Tutor: Marta Cuesta

Gender Language
In UN Resolutions and Reports:
The Effects of Resolution 1325

Birgitta Vega Leyton

Abstract

This thesis examines the gender language in resolutions from the UN Security-Council and reports from the Secretary-General in order to determine if there is a correlation between the two.

The objective of the thesis is to highlight Security Council resolution 1325 on women, peace and security and its implementation within peacekeeping missions in order to contribute to advocacy for greater inclusion of women. This is achieved by examining resolutions and reports pertaining to the peacekeeping mission in Sierra Leone: special attention is given to sexual and gender based violence (SGBV) and sexual exploitation and abuse (SEA) by UN personnel.

In order to understand the context of resolution 1325 on women, peace and security there is a theoretical review of violence against women in war and women's human rights.

The conclusion of this thesis is that there exists a correlation between the Security Council's resolutions and the Secretary-General's reports; a strong gender perspective in resolutions has a direct effect on reports, especially concerning sexual exploitation and abuse by UN personnel due to the specific *requests* in resolutions by the Security Council to be informed of these matters.

Key words: Gender Language, Implementation, Resolution 1325, SEA, SGBV, Sierra Leone, Women's human rights

Abbreviations

AU – Africa Union
BINUB – United Nations Integrated Office in Burundi
DDR – Disarmament, Demobilization and Reintegration
DDRR - Disarmament, Demobilization, Reintegration and Repatriation
DPKO – Department of Peacekeeping Operations
DRC- Democratic Republic of Congo
ECOSOC – Economic and Social Council
ICC – International Criminal Court
IDP – Internally Displaced Person
NGO – Non Governmental Organization
OSAGI - Office of the Special Adviser to the Secretary-General on Gender Issues and Advancement of Women
SC – Security Council
SEA – Sexual Exploitation and Abuse
SG – Secretary General
SGBV – Sexual and Gender Based Violence
UN – United Nations
UNAMID – United Nations/ African Union Mission in Darfur
UNHCR – United Nations High Commissioner for Refugees
UNIFEM – United Nations Development Fund for Women
UNIOSIL - United Nations Integrated Office in Sierra Leone
UNMIL – United Nations Mission in Liberia
UNMIS – United Nations Mission in Sudan

Table of contents

1	Introduction.....	1
2	Central Questions and Objectives	2
2.1	Research Question.....	3
2.2	Disposition	3
3	Context.....	4
4	Methods and Materials.....	7
5	Theory and Positioning	9
5.1	Previous Research	10
5.1.1	Violence Against Women In War	10
5.1.2	Women and Human Rights	12
6	Delimitations and Constraints	16
7	Security Council Resolution 1325.....	17
7.1	The Security Council and Secretary-General on Resolution 1325	18
7.2	Peacekeeping and Resolution 1325.....	20
8	SGBV in Peacekeeping	23
9	The SGBV Project	26
9.1	Observations on the Secretary-General’s Reports and the Security Council’s Resolutions on Sierra Leone	26
9.1.1	Noted Trends in Sierra Leone reporting.....	26
9.1.2	Security Council Resolutions and the Secretary-General Reports on Sierra Leone.....	27
9.2	Conclusions	28
10	Gender Language in the Secretary-General’s Reports.....	31
10.1	Observations on the Secretary-General’s Reports and the Security Council’s Resolutions on Sierra Leone	32
10.2	The 1325 Action Plan, 2005-2007	34
10.3	Conclusions on the Gender Language in Sierra Leone Reports.....	37
11	Concluding Remarks	39

12	References.....	41
-----------	------------------------	-----------

1 Introduction

War causes death and suffering for all affected, nevertheless women and girls suffer a specific sort of violence. In the words of the Secretary-General of the United Nations:

During armed conflict, women experience all forms of physical, sexual and psychological violence perpetrated by both State and non-State actors. These forms include murder, unlawful killings, torture and other cruel, inhuman or degrading treatment or punishment, abductions, maiming and mutilation, forced recruitment of women combatants, rape, sexual slavery, sexual exploitation, involuntary disappearance, arbitrary detention, forced marriage, forced prostitution, forced abortion, forced pregnancy and forced sterilization.¹

Sexual and gender based violence (SGBV) is widespread in many of today's conflicts around the world. If such crimes are committed systematically, they are considered, crimes against humanity under international law according to the Rome statute of the International Criminal Court (ICC).²

Global conflicts transpire on both domestic and international levels. When these conflicts are deemed a threat to peace and security by the UN Security Council, the United Nations can act and, one of the resources available is peacekeeping missions.³ There are currently sixteen peacekeeping operations in place.⁴ Lessons learned from peacekeeping missions have proven that a gender perspective throughout the mission is necessary. This is recognized in resolution 1325 on women and peace and security passed by the Security Council in 2000 where it is stated that there is an: "urgent need to mainstream a gender perspective into peacekeeping operations".⁵ Furthermore, the resolution requests the Secretary-General "where appropriate to include in his reporting to the Security Council progress on gender mainstreaming throughout peacekeeping missions and all other aspects relating to women and girls".⁶

¹ Report of the Secretary General: A/61/122/add.1 *In-depth study on all forms violence against women*, para.143.

² Rome Statute of the International Criminal Court, article 7, Crimes against humanity, 1. g.

³ United Nations Charter, 1945, chapter VII.

⁴ UN Peacekeeping Operations: <http://www.un.org/Depts/dpko/dpko/bnote.htm>, 2007-10-22, 2pm.

⁵ S/RES/1325/2000, preamble.

⁶ *ibid*, article 17.

2 Central Questions and Objectives

The objective of this thesis is that its findings will contribute to increase advocacy for greater participation of women in peace-building and conflict resolution. An additional objective is, to highlight resolution 1325 (2000) on women, peace and security and demonstrate what its passing has meant in practice. In order to achieve these objectives I have studied the gender content in the Secretary-General's reporting on peacekeeping missions to the Security Council as well as examined if there is a correlation between the gender content in the Security Council's peacekeeping mandates and the Secretary-General's reporting on the missions. The frequency of gender language⁷ and the overall gender mainstreaming in the Secretary-General's reports is important as it is the information that the Security Council receives and from which they can evaluate the status of the peacekeeping missions. This task is realized by examining the resolutions and reports pertaining to Sierra Leone.

In the summer of 2007 I undertook a three month internship with the *Peace Women* project in New York. *Peace Women*⁸ is a project of the *Women's International League for Peace and Freedom* (WILPF),⁹ which monitors and works toward rapid and full implementation of United Nations Security Council Resolution 1325 on women and peace and security.¹⁰ During my internship I worked on the project *Resolution Watch* that monitors the gender content in the United Nations Security Council's resolutions on all current and upcoming peace missions.¹¹ Towards the end of the internship a new project was developed: *Report Watch* which is currently under construction. *Report Watch's* objective is to analyze the gender content in the mission reports submitted by the Secretary General to the Security Council. As a first step in this project the sexual and gender based violence (SGBV) language from reports concerning five African countries was compiled.¹² The focus on SGBV issues was due to the severity of these crimes and their widespread occurrence in conflicts. The purpose of the

⁷ By gender language I refer to content that includes women and highlights their inclusion or exclusion. In order to more specifically know what to look for I have used a checklist created by the NGO working group on resolution 1325, a working group that WILP/PeaceWomen is a member of. The checklist consist of "[...]Questions on Women's Participation and Gender Perspectives for Drafting Security Council Resolutions". Checklist on Women's Participation and Gender Perspective in Security Council Resolutions, accessed at: <http://www.peacewomen.org/un/ngoadvocacy/1325Tools/checklist.pdf>, 2007-10-02, 3pm.

⁸ Peace Women: www.peacewomen.org, 2007-10-18, 1pm.

⁹ WILPF: www.wilpf.org, 2007-10-18, 1pm.

¹⁰ Peace Women Index: <http://www.peacewomen.org/wpsindex.html>, 2007-10-18, 1pm.

¹¹ Peace Women, SC 1325 Monitoring: http://www.peacewomen.org/un/sc/1325_Monitor/index.htm, 2007-10-22, 5pm.

¹² Burundi, the DRC, Liberia, Sierra Leone and the Sudan.

compilation was to draw attention to SGBV issues and advocate for more action and attention from the United Nations and the Security Council in this pressing matter. As the project developed it was decided to analyze all of the gender language in the reports pertaining to the five African countries to gain a more accurate understanding of how the reports address resolution 1325.

2.1 Research Question

The research question I intend to answer is: How are the provisions of 1325 visible in the Security Council's resolutions and Secretary-General's reports for the peacekeeping mission in Sierra Leone? In connection to this question I would further like to examine if there is a correlation between the Security Council's resolutions and the Secretary-General's reports. The answers to these questions will lead to a better understanding of how the mainstreaming of resolution 1325 works within the UN system and that will in turn contribute to the creation of a more efficient advocacy tool.

2.2 Disposition

The main focus of this thesis is the analysis of reports and resolutions pertaining to Sierra Leone from a gender perspective. In order to understand the context of the reports and perhaps especially the context of resolution 1325 (2000) on women, peace and security, much attention is given to previous research in chapter 4, under the heading Theory and Positioning with subheadings 4.1 Violence Against Women in War and 4.2 Women and Human Rights.

The SGBV project is presented in chapter 8 and the analysis on the reports and resolutions regarding Sierra Leone are presented in chapter 9. In order to understand the background of the projects at hand resolution 1325 is presented in chapter 6 and there is information on SGBV in peacekeeping in chapter 7. Chapter 8 and 9 each have their own conclusion sections that specifically concern their scope and general conclusions as well as suggestions for further research are presented in chapter 10 under Concluding remarks.

3 Context

The gap between existing regulations and the implementation is what an organization such as Peace Women works towards eliminating. The establishment of resolution 1325, which is further discussed in chapter 7, was seen by many organizations concerned with women's human rights as a step towards increasing women's role in peacebuilding and recognition of their specific suffering in conflict settings.¹³

The relevance of the SC resolutions and SG reports is that they come from and through the SC which means that there is a consensus within the SC on the matter at hand. The SC is the UN organ with the most extensive powers and member countries must adhere to their decisions.

The gender understanding of the organizations working with women's human rights or within the UN is not discussed as it is not the purpose or the scope of the thesis to establish the understandings of gender that exists within these different agencies. I have analysed the information that is available in UN documents with a tool created by the NGO working group on resolution 1325. The tool is a checklist for Women's participation and Gender Perspectives in Security Council resolutions. The checklist is composed of fifteen questions¹⁴ to be asked on women's participation and gender perspectives when drafting Security Council resolutions. When writing about gender language in resolutions it is with these questions in mind, is the resolution including women as asked by in the checklist? The reason for using this tool is that Peace Women uses this tool when examining resolutions and analysing the gender content and using it for analysing reports as well would mean a coherent approach.

The NGO working group was formed in May 2000 to advocate for the passing of a resolution on women, peace and security. When resolution 1325 was passed the working group focused their efforts working for the implementation of the resolution.¹⁵ The NGO working group is comprised of thirteen organizations.¹⁶ WILPF, one of the organizations behind the NGO working group received funding to set up the Peace Women Portal.¹⁷

¹³ See Cockburn, pp. 140-143.

¹⁴ <http://www.peacewomen.org/un/ngoadvocacy/1325Tools/checklist.pdf>, 2007-10-02, 3pm.

¹⁵ Cockburn p.143.

¹⁶ International Women's Tribune Centre, international action network on small arms (iansa), Hague Appeal for Peace, United Methodist Women, Women's Action for New Directions (WAND), Women's International League for Peace and Freedom (WILPF), Amnesty International, Femmes Africa Solidarité (FAS), International Alert, The Boston Consortium on Gender Security and Human Rights, Human Rights Watch, Global Action to Prevent War ad Armed Conflict, Global Justice Centre.

¹⁷ www.peacewomen.org, Cockburn p. 143.

3.1 Structure of the UN: the Security Council and the Secretary-General

The structure of the UN is regulated in the UN Charter from 1945. In chapter II, article 7 the main organs are named which include the Security Council (SC) and the Secretariat. Chapter V states the composition, functions and powers, voting and procedure of the SC.

The SC consists of fifteen member states from the UN five of them: China, France, Russian, the United Kingdom and the United States are permanent members. The other ten countries are elected for a two year term and consideration is taken to their geographical location (art. 23). The SC has the primary responsibility for peace and security and the Member States agree to follow the decisions of the SC:

In order to ensure prompt and effective action by the United Nations, its Members confer on The Security council primary responsibility for the maintenance of international peace and security, and agree that in carrying out its duties under this responsibility the Security Council acts on their behalf. (art. 24)

The Members of the United Nations agree to accept and carry out the decisions of the Security Council in accordance with the present Charter. (art. 25)

Each member of the SC has one vote and decisions are made by affirmative votes of nine members, including the concurring vote of the permanent members (art.27) which often referred to as the permanent members veto since no decision can be passed unless they all agree and vote affirmative.

According to article 24.2 in the charter the SC is granted specific powers that are under chapter VI, VII and XII. Chapter VI deals with Pacific settlement disputes, chapter VII is about Actions with respect to threats to the peace, breaches of the peace, and acts of aggression, and chapter XII is on International trusteeship system.

Actions under chapter VII, as presented in articles 39-51, are the focus of this thesis. The SC determines the existence of any threat to peace and makes recommendations to maintain or restore international peace and security (art. 30). Peacekeeping is not itself specifically mentioned in the UN charter. However, the possibility to use of armed forces is mentioned (art.42, 43).

Chapter XV regulates the Secretariat which is comprised by a Secretary-general that is appointed by the General Assembly (which consists of all the UN Member States) upon the recommendation from the SC and is the chief administrator of the organization (art.97). The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security (art.99).

The current Secretary-General Ban Ki-moon from Korea was appointed in 2006 and succeeded Kofi Annan from Ghana in 2007, all seven Secretary-General's appointed since 1946 have been male.¹⁸

¹⁸ <http://www.un.org/sg/appointment.shtml>, 2007-12-25, 7pm.

4 Methods and Materials

In order to achieve the objective of the thesis I have conducted a text analysis of resolutions and reports. The primary materials used in the analysis are the UN Secretary-General's mission reports and resolutions pertaining to five countries: Burundi, the Democratic Republic of Congo (DRC), Liberia, Sierra Leone and the Sudan (including Darfur) as well as resolution 1325 (2000) on women and peace and security. The reports are examined from October 2000, when resolution 1325 was passed, until July 2007 which is when the *Peace Women* SGBV compilation was finished. The resolutions are examined from the establishment of each mission and special attention is given to those resolutions containing the missions' mandates. Special focus is given to the material on Sierra Leone as that country is studied more in depth. Other material includes writings on feminist critiques of human rights, reports from the SC on the progress of 1325 and theories on women in war and peacekeeping.

The *Peace Women* project, as mentioned above, is developing a new resource called *Report Watch*. The first step of the project was to compile SGBV language from reports concerning five African countries. The objective of *Peace Women* is to eventually include all countries with peacekeeping missions. The five countries that have been chosen to examine are at different stages of conflict and different peacekeeping missions. Several of these countries share borders resulting in a spill-over effect occurring in some of them. The wide occurrence of SGBV in the conflicts of these countries has also been reported and documented.

All the reports submitted by the Secretary-General to the Security Council on the five African countries were examined by *Peace Women*. It was agreed within the *Report Watch* project that the paragraphs in the reports containing the following key-words were taken out: sexual violence and exploitation (SEA), gender based violence (SGBV), rape, SG-zero-tolerance. The compilation was put together in July of 2007 by *Peace Women*. This thesis takes the SGBV language-compilation, as well as the noted trends from the five countries produced by the *Peace Women* project and analyses them in relation to the UN mission mandates given by the Security Council in its resolutions. It analyses the SGBV language, studies trends in the reports and observes if any conclusions can be drawn when comparing the outcome of the five countries.

The work with *Resolution Watch*, which monitors gender language in the Security Council resolutions, has shown that statistics on the Security Council resolutions inclusion of gender is misleading as it does not explain that the resolution with the mission's mandate is the mandate that regulates the work of the mission. Therefore the Security Council resolutions pertaining to the Sierra Leone are examined with particular attention given to the mandates. The mandates are examined and compared to the reports to establish if there is a correlation

between gender content in the Security Council resolutions and the gender content in the Secretary-General's reports.

The *Report Watch* project will in its final state include all the references to women and gender in the Secretary General's reports in its analysis and compare that to the mandates to see how resolution 1325 (2000) is being implemented. The format in which this advocacy tool will be presented is not yet determined. In this thesis I will examine the Secretary-General's reports on Sierra Leone and present the results and the conclusions that can be drawn. *Peace Women* is using the same methods to draw conclusions on the remaining four countries. Ultimately the five analyses will be examined to draw conclusions that will be used to advocate towards a full implementation of resolution 1325, to demonstrate to the Security Council the importance of including a gender perspective in the mandates of peacekeeping missions.

5 Theory and Positioning

It is imperative to understand the cultural and social reasons for women's exclusion in peacebuilding and conflict resolution in order to understand *why* international law pertaining to women is often not implemented. In this thesis I do not examine the reasons for the lack of implementation of existing regulations outside of the UN system; I examine part of the mechanism behind peacekeeping missions to conclude how agreed standards such as gender mainstreaming are being fulfilled and what effect they are having. With the UN gender mainstreaming is commonly referred to as the definition concluded by the Economic and Social Council, ECOSOC:

Mainstreaming a gender perspective is the process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in any area and at all levels. It is a strategy for making the concerns and experiences of women as well as of men an integral part 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 of mainstreaming is to achieve gender equality.¹⁹

This thesis relies upon several assumptions. This project asserts that rape is being used as a tool of war and that women are targeted and affected differently by war than men because of their gender. In accepting these assumptions this thesis has already taken a theoretical stand and they will therefore be presented.

Furthermore, resolution 1325 which is central to this thesis has itself an understanding of gender, this thesis does not examine the understanding of gender in the resolution but instead it looks at the effects this resolution has had in SG reports and SC resolutions.

Throughout the thesis I mention "women" and "girls" as categories that are specifically targeted, there is no difference made between sex and gender because women and girls are targeted due to their (biological) sex and the implications their gender (socially constructed roles) has in society. *Why* they are targeted is not analyzed, although theories are presented under previous research, and therefore neither is the relation between sex and gender nor is there a theoretical analysis of gender.

Another term which is widely used and is at the core of the thesis is SGBV: sexual and gender based violence. The term could in itself be the topic of a research paper. Reports and literature do not always refer to SGBV, most often they refer to sexual based violence (SBV) or gender based violence (GBV).

¹⁹ ECOSOC Agreed Conclusion 1997/2, Chapter 1, Art A.

SGBV brings both terms together although there are different theories and implications behind each of them. However, because the main objective of this thesis is the development of a project and ultimately an advocacy tool this term that is imbedded in the project is neither discussed nor valued.

5.1 Previous Research

The central material in this thesis is the Security Council resolution 1325 (2000) and its implementation in peacekeeping missions observed through reports by the Secretary-General. The development of the resolution itself, the work behind its drafting and approval was a long process that existed within the context of human rights and the work to include women where they had been previously excluded as well as including a gender perspective in the implementation of all human rights. For that reason previous research and theories concerning women and human rights as well as women and war are at the core of resolution 1325 and this thesis. Previous research within these areas will be examined in order to give an understanding of the context of resolution 1325 and the *Report Watch* project. Focus will be given to previous research and theories on violence against women in war and women and human rights as that will help position resolution 1325 within International law.

5.1.1 Violence Against Women In War

Until the end of the 1990's 85-90 percent of casualties in war were military. Then the proportions shifted and approximately 80 percent of the resulting deaths became civilians.²⁰ Professor Mary Kaldor at the London School of Economics and Political Science writes about new war strategies that have emerged. The strategy's main purpose is to create an unfavourable environment for those they can not control. It builds on perpetuating hatred against 'the others', therefore extreme and visible atrocities become important. Some of the techniques used in order to achieve this are: systematic murder of 'the others', ethnical cleansing and making an area uninhabitable. As a process of making an area uninhabitable unbearable memories are created by for example systematic rapes and sexual assaults.²¹

Sexual and gender based violence has thus become a strategy of war, the reasons for targeting women have to do with the construction of social sex and gender roles as well as their "generally subordinate social and economic

²⁰ Kaldor, p.115-116.

²¹ *ibid*, p. 114-115.

position”.²² Women are regarded as property and by raping a woman the perpetrators are considered as inflicting damage on her community.²³ The violence against women in war is an assault, not merely on the individual but on the honour of men and the nation.²⁴ Jennifer Turpin, dean of the College of Arts and Science at the University of San Francisco and a founding member of the university’s women’s studies program argues that: ”History has demonstrated the link between war and control of women’s sexuality and reproduction through rape, sexual, and militarized prostitution.” As she describes the mass rapes in the former Yugoslavia Turpin claims that the patriarchal definition of ethnicity, the idea that children inherit the ethnicity of their fathers enabled the idea that genocide could be accomplished by the mass rape of the women of the enemy’s ethnic group.²⁵

Women’s experience in war has been acknowledged by the UN in recent years:

Women do not enjoy equal status with men in any society. Where cultures of violence and discrimination against women and girls exist prior to conflict, they will be exacerbated during conflict. If women do not participate in the decision-making structures of a society, they are unlikely to become involved in decisions about the conflict or the peace process that follows.²⁶

Professor of Law at the University of Adelaide in South Australia, Hilary Charlesworth, has completed extensive research on International law from a feminist perspective and she highlights the problem of speaking of *women* and their experience in a global context. Women are not a homogenous group and variables such as: class, race and nationality affect women’s experiences around the world. Turpin also argues for the importance of including these factors which affect women’s experiences in war. She states that women in developing countries are more likely to experience war as well as become refugees in their lifetime.²⁷ There is criticism from some feminists of colour towards white Western feminists for ”inappropriately assuming that their particular concerns are shared worldwide.”²⁸ To that Charlesworth responds: ”But patriarchy and the devaluing of women, although manifested differently within different societies, are almost universal”.²⁹

When discussing women in war it is easy to fall into the trap of portraying women as victims. Although women’s experiences of war differ from that of men it is important to remember that women are not merely victims in times of war. Women are combatants as well as civilians. ”While entire communities suffer the

²² Charlesworth and Chinkin, p.251.

²³ *ibid*, p.254.

²⁴ Pettman, p.100.

²⁵ Turpin, p.5.

²⁶ S/2002/1154, para.5.

²⁷ Turpin, p.4.

²⁸ Charlesworth, p.103.

²⁹ *ibid*, p.103.

consequences of armed conflicts and terrorism, women and girls are particularly affected because of their status in society and sex.”³⁰ The focus on SGBV in this thesis is due to the specific target of women and girls, as stated by the SG:

Sexual violence has been used during armed conflict for many different reasons, including as a form of torture, to inflict injury, to extract information, to degrade and intimidate and to destroy communities. Rape of women has been used to humiliate opponents, to drive communities and groups off land and to wilfully spread HIV. Women have been forced to perform sexual and domestic slave labour. Women have also been abducted and then forced to serve as “wives” to reward fighters.³¹

When looking for material on SGBV in wars, specifically in African countries, an overwhelming majority of material found was on rapes during the war in Bosnia-Herzegovina. There had been research and definitely a wide occurrence of SGBV in conflicts prior to the war in Bosnia-Herzegovina, although it was this war that captured international attention and led to rape being included as a crime against humanity. One explanation for this that is presented is the geographical factor, the threat of a world war and that both the perpetrators and the victims were white.³²

When considering the widespread occurrence of SGBV in the wars in the five African countries studied, it is astonishing that there is not more literature on the subject. However, there are several reports by NGO’s as well as articles that document the atrocities.³³

5.1.2 Women and Human Rights

Women were for a long time excluded from the creation and early development of international law, including human rights law, something that has led men to be the norm within human rights. Charlesworth argues that the process as well as the substance of International law is gendered and it is important to ensure that “women’s voices and experiences are included in the definition of all human rights norms”.³⁴ There have been different approaches towards including experiences of women in the human rights system and within the UN system; one has been to create specific conventions dealing with ‘women’s issues’ such as CEDAW, the Convention on the Elimination of All Forms of Discrimination against Women and the monitoring Committee of the same. Elissavet Stamatopoulou, former Chief of the New York Office of the United Nations

³⁰ A/CONF.177/20, Fourth World Conference on Women, Declaration and Platform for Action 1995, para.135.

³¹ Report of the Secretary General: A/61/122/add.1 *In-depth study on all forms violence against women* (para. 143), para. 144.

³² Copelon, p.198

³³ A selection: Getting it Right, Doing it Right: Gender and Disarmament, Demobilization and Reintegration, United Nations Development Found for Women 2004, *Seeking Justice: The Prosecution of Sexual Violence in the Congo War*, March 2005 Vol. 17, No. 1(A), Human Rights Watch, 2005. *The Crushing Burden of Rape: Sexual Violence in Darfur*, A briefing paper by Médecins Sans Frontières, Amsterdam, 8 March 2005. *THE WAR WITHIN THE WAR: Sexual Violence Against Women and Girls in Eastern Congo* by Human Rights Watch, 2002. *We’ll Kill You if You Cry Sexual Violence in the Sierra Leone Conflict* by Human Rights Watch, 2003.

³⁴ Charlesworth, p.110.

Centre for Human Rights and current Chief of the Secretariat of the Permanent Forum on Indigenous Issues, concludes that bodies within the UN system that are specialized in women's human rights issues lead to a negative effect and a treatment of women's rights as 'lesser' rights.³⁵ Charlesworth is of the same opinion; she argues that specialized UN branches such as the Committee on CEDAW have allowed the marginalization of women's interest.³⁶

Charlotte Bunch, a feminist author and organizer who has worked with women's rights for over three decades, argues that women can not wait for the international community to give them permission to frame violations against women within the human rights context. Instead they have to demonstrate that "women's issues are not separate but neglected aspects of these global agendas"³⁷ and reinterpret the movement of human rights from a feminist perspective in order to change the human rights system for it to include and respond to women's lives.³⁸

The reason as to why there is a need to frame violations against women within the human rights framework is perhaps central to the understanding of the purpose of such efforts. Elisabeth Friedman, an assistant professor at the Politics Department at University of San Francisco, states that the movement for women's human rights has come out of women organizing locally, regionally, nationally and internationally. They have recognized the power and impact of the human rights framework and how it can lend legitimacy to their political demands.³⁹ Friedman has through her field-research come across women activists that have changed their strategy: from claiming rights as *women* they now claim their human rights, as *half of humanity*. Failure to recognize these rights would therefore be a failure to respect and recognize women as human.⁴⁰

The neglect of women's human rights has not only been by the international community. Human rights activists have traditionally focused on state sanctioned oppression which takes place in the so called public sphere, as opposed to the 'private sphere' where a majority of the world's women are subjected to violence and violations of their rights.⁴¹ Donna Sullivan, an expert on women's right in International law and director of the International Human Rights Clinic at the New York University School of Law, claims that one of the reasons that the incorporation of gender and specific abuses have not been included within the definition of human rights has been the historic focus on violations committed by the state against individuals and not by private actors. It is the distinction between public and private life that is the barrier towards acknowledging gender-specific abuses in 'private life' as part of human rights.⁴² Steps to include violations

³⁵ Stamatopoulou, p.45.

³⁶ Charlesworth, p.110.

³⁷ Bunch, p.11.

³⁸ *ibid*, p.11-17.

³⁹ Friedman, p.18-19.

⁴⁰ *ibid*, p.22.

⁴¹ Peters and Wolper, p.2.

⁴² Sullivan, Donna, p.126-134.

towards women by non-state actors within the human rights framework have been made within CEDAW. The Committee made a statement⁴³ on violence against women⁴⁴ in 1992 where they state "that discrimination under the Convention is not restricted to action by or on behalf of Governments."⁴⁵

One of the main obstacles for the implementation of women's human rights is perhaps *cultural relativism*. In general there is a discussion surrounding human rights: cultural relativism versus universalism. Very simplified universalists argue that human rights apply to everyone whereas cultural relativists argue that one society can not impose its values against another society with different traditions and thereby:

[...] denying that there can be valid external critiques of culturally-based practices and claiming that no legitimate cross-cultural standards for evaluating treatment of rights exist.⁴⁶

Mahnaz Afkhami, a former minister of state for Women's Affairs in Iran and founder and President Women's Learning Partnership for Rights, Development, and Peace, argues that the breach of women's human rights is always blamed on culture:

The infringement of women's rights is usually exercised in the name of tradition, religion, social cohesion, morality, or some complex of transcendent values. Always, it is justified in the name of culture.⁴⁷

Arati Rao, Assistant Professor of Political Science at Wellesley College who has specialized in feminist political theory, questions the easy acceptance of claimed cultural differences. Culture sensitivity is important in the international arena but it is not static. Culture changes and it is only one part of power relations "that circumscribes our existence".⁴⁸ Further more, Rao claims that it is important to ask whose interests are being served when states claim culture in order to avoid implementing certain human rights, especially women's human rights.

When discussing cultural relativisms it is interesting to look at CEDAW, the so called convention on women, which is one of the most signed conventions as well as one of the ones with the most reservations. Article 2, condemning discrimination against women and binding states to by all appropriate means agree to pursue a policy to eliminate discrimination against women, is one of the most reserved against. One of the measures to achieve the goal in CEDAW article 2 is to take all appropriate measures "to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against

⁴³ In art. 21 of CEDAW the Committee is empowered to make suggestions and general recommendations based on the examination of reports and information received from States parties.

⁴⁴ General recommendation No. 19 -- eleventh session, 1992 violence against women:
<http://www.un.org/womenwatch/daw/cedaw/recommendations/index.html>, 2008-01-04, 2pm..

⁴⁵ *ibid*, para9.

⁴⁶ Mayer, p.176.

⁴⁷ Afkhami, p.234.

⁴⁸ Rao, p.173.

women.”⁴⁹ The article is often reserved against on claims of religion. Reservations when ratifying conventions are allowed as long as they are not incompatible with the objective and purpose of the convention.⁵⁰ The CEDAW committee considers article 2 to be central to the objective and purpose of the convention and yet reservations on it are made.⁵¹ Within the UN system cultural differences are recognized although not seen as a legitimate reason to deviate from human rights as stated in the *Vienna Declaration* in 1993 by the Secretary-General:

All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.⁵²

⁴⁹ CEDAW, art.2, f.

⁵⁰ CEDAW, art.28.

⁵¹ Reservations to CEDAW: <http://www.un.org/womenwatch/daw/cedaw/reservations.htm>, 2008-01-02, 9am.

⁵² Vienna Declaration and Programme of Action 1993 in Kouvo p. 114.

6 Delimitations and Constraints

The development of a project, an advocacy tool, has been at the centre of this thesis, therefore, when deciding which parts to include and what to exclude, explaining the project as well as moving the project forward has been the prime guidance.

To make the thesis comprehensible it has been important to provide background information, not only on the terms used but also the institutions referred to. It has been a difficult choice at times to decide what to exclude. The structure of the UN is not explained and no analysis as to how the permanent Member States of the Security Council affect the dynamics or the politics. Perhaps a section on the development of peacekeeping and its institutions, and a deeper analysis of the UN system's gender mainstreaming as well as a historical overview of the development of human rights would have been useful, however, mindful of the objectives of the thesis and the focus on the project these parts have been excluded in order to focus on the analysis of the reports and resolutions examined.

As the project and much of the thesis relies on UN documents and reports, which are easy to access, there is a seemingly endless amount of information dating back until the establishment of the UN. Because it is important to focus on what is significant for an understanding of the project and needed in order to draw conclusions the information which would lead to a deeper understanding of the problems at hand and the material needed for background information for those encountering the project are presented. There has also been a focus on the most recent development and therefore two reports from 2002 on the implementation of resolution 1325 have not been included in the section on resolution 1325, as more recent studies have been prioritized. Furthermore, the SGBV compilation by *Peace Women* studies five African countries and I have examined all resolutions pertaining to each country, however, in this thesis only the research on Sierra Leone will be presented due to the amount of material reviewed. The reason that Sierra Leone has been specifically selected is that I worked with the Sierra Leone documents during the SGBV compilation.

7 Security Council Resolution 1325

The 31 of October 2000 the UN Security Council⁵³ (SC) adopted resolution 1325 on women, peace and security. The resolution consists of a preamble which pertains to the effects of armed conflict on women as well as women's role in preventing and resolving conflicts "setting these in the context of the Security Council's responsibility for the maintenance of international peace and security".⁵⁴ It is followed by eighteen paragraphs that can be divided in three main themes: *protection, participation and gender perspective*.⁵⁵ The resolution has by some been considered groundbreaking as it acknowledges women's and men's different needs in armed conflict⁵⁶ and recognizes that to guarantee women's "protection and full participation in the peace process can significantly contribute to the maintenance and promotion of international peace and security"⁵⁷. In the resolution women's special needs in war and peacebuilding were taken into consideration and it expressed its concern that civilians, particularly women and children, account for the vast majority of those adversely affected by armed conflict.⁵⁸

The resolution was received with great enthusiasm among NGO's who had worked to make it a reality:

Resolution 1325 may well be the only Security Council resolution for which the groundwork, the diplomacy and lobbying, the drafting and the redrafting, was almost entirely the work of civil society and certainly the first in which the actors were almost all women.⁵⁹

Even though NGO's had been present at all stages of its passing, some might have felt it had been a watered down resolution, too much of a compromise. The resolution did not mention ending wars and there was little mention of women's role in preventing war nor did it mention "gender regimes that cause women's victimization in war and their exclusion from peace processes."⁶⁰

⁵³ The structure of the UN is regulated in the UN Charter from 1945. The Security Council determines the existence of any threat to peace and security and makes recommendations to maintain or restore international peace and security (art. 30). Peacekeeping is not itself specifically mentioned in the UN charter. However, the possibility to use of armed forces is mentioned (art.42, 43).

⁵⁴ Cockburn, p. 139.

⁵⁵ *ibid*, p.139.

⁵⁶ United Nations Development Found for Women, 2004. *Getting it Right, Doing it Right: Gender and Disarmament, Demobilization and Reintegration*, p.1, accessed at: http://www.womenwarpeace.org/webfm_send/278, 2007-12-12, 3pm.

⁵⁷ S/RES/1325 (2000), preamble.

⁵⁸ S/RES/1325 (2000), preamble.

⁵⁹ Cockburn, p.141.

⁶⁰ Cockburn, p.147.

During the seven years that have passed since it's passing the initial optimism within the NGO community has become concern for the actual implementation of the resolution. Despite its shortcomings it has undoubtedly been a valuable resource and tool. As put by Cynthia Cockburn, a researcher on gender in armed conflict and peace processes:

So UNSC 1325 has its weaknesses, but it was an achievement for all that. After fifty-five years and 4, 213 sessions of the Security Council, here at last was a public acknowledgement at the highest level of the gender-specific, deliberately inflicted torment of women in warfare. Here women's agency and capability were brought to view, and governments and international bodies authorized to increase support of women's movements and the thoughts of feminist theorists are capable of influencing global governance.[...] women all over the world have been gladly making use of its existence as a lever to other gains."⁶¹

7.1 The Security Council and Secretary-General on Resolution 1325

The Security Council makes a statement each year in connection with the anniversary of the passing of resolution 1325: *Statement by the President of the Security Council*.⁶² In the first statement⁶³ the Security Council asks the Secretary-General⁶⁴ (SG) to report back to them on gender mainstreaming throughout the UN peacekeeping missions "and on other aspects relating to women and girls".⁶⁵ In the second statement⁶⁶ the SC once again requests the SG to include gender mainstreaming and aspects in his reporting and "reaffirm the importance of gender mainstreaming in peacekeeping operations", further more, the SC undertakes "to integrate gender perspectives into the mandates of all peacekeeping missions".⁶⁷ The SC also asks the SG that the reports submitted to them address gender perspectives.⁶⁸

The gender perspectives of the peacekeeping mandates as well as the gender perspective in the SG's reporting are examined in this thesis in chapter 8 and 9. At the end of the second statement the SC requests the Secretary-General to prepare a report on the implementation of resolution 1325⁶⁹ which leads to the SG's

⁶¹ *ibid*, p.152-153.

⁶² S/PRST/2001/31, S/PRST/2002/32, S/PRST/2004/40, S/PRST/2005/52, S/PRST/2006/42 and S/PRST/2007/5.

⁶³ S/PRST/2001/31

⁶⁴ The role of the Secretary-General is regulated in the UN Charter (1945), chapter XV: the Secretariat is comprised by a Secretary-General that is appointed by the General Assembly (which consists of all the UN Member States) upon the recommendation from the Security Council and is the chief administrator of the organization (art.97). The Secretary-General may bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security (art.99).

⁶⁵ S/PRST/2001/31, p.1.

⁶⁶ S/PRST/2002/32

⁶⁷ S/PRST/2002/32, p.1.

⁶⁸ *ibid*, p.1.

⁶⁹ S/PRST/2001/31, p.2.

recommendation for an Action Plan that is commented in the 2004 statement (and described in more depth in chapter 10).

In the 2004 statement by the SC⁷⁰, the SC "reaffirms its commitment to integrate fully gender perspectives into the mandates of all peacekeeping missions".⁷¹ The statement also mentions its support for the SG's intention to develop a strategy and action plan for increasing attention to gender perspectives in conflict prevention.⁷² In order to promote the implementation of the resolution the SC requests the SG to submit an Action Plan for the implementation of 1325 across the UN system.⁷³

In the statement: S/PRST/2005/52 the SC welcomes the *United Nations System-wide Action Plan for the implementation of Security Council resolution 1325 (2000)* (here after referred to as the Action Plan) of the SG.⁷⁴ Furthermore, the SC requests the SG to monitor the implementation of the Action Plan on an annual basis and report back to the SC.⁷⁵

In the 2006 statement⁷⁶ the SC once again requests the SG to include progress in gender mainstreaming throughout the peacekeeping missions in his reports to the SC.⁷⁷ The SG's follow up report on the Action Plan is welcomed and the SG is requested to continue to monitor the implementation and integration of the Action Plan and report back to the SC.⁷⁸ In the 2007 statement⁷⁹ the Action Plan is not mentioned, the statement pushes for the appointment of women in all levels of peacekeeping, such as special representatives.⁸⁰

In connection with the anniversary of resolution 1325 the SG submits a report to the SC: *Report of the Secretary-General on women and peace and security*.⁸¹ The reports are encouraged by the SC in resolution 1325.⁸²

The reports of the SG on women, peace and security include topics the SG wants to bring to the attention of the SC, as well as issues on which the SC has requested action. In the first report from 2002 the SG makes several recommendations to the SC.⁸³ The SG states that few of the SC's peacekeeping mandates have a gender perspective:

Few mandates of peacekeeping missions make explicit reference to women and girls, or to the different impact of armed conflict or post-conflict recovery on women

⁷⁰ S/PRST/2004/40

⁷¹ S/PRST/2004/40, p.2.

⁷² *ibid.* p.2.

⁷³ *ibid.* p.3.

⁷⁴ S/2005/636

⁷⁵ *ibid.* p.2.

⁷⁶ S/PRST/2006/42

⁷⁷ *ibid.* p.2.

⁷⁸ S/PRST/2006/42, p.3.

⁷⁹ S/PRST/2007/5

⁸⁰ S/PRST/2006/42, p.1-2. Special representatives are part of the Secretary-General's team and are his representatives in countries with missions, they have the title: Special Representative of the Secretary-General (SRSG). For further information, visit: <http://www.un.org/Depts/dpko/SRSG/index.htm>, 2007-12-25, 9pm.

⁸¹ S/2002/1154, S/2004/814, S/2005/636, S/2006/770 and S/2007/567.

⁸² Res/1325/2000, para.16.

⁸³ S/2002/1154

and girls. None have included a commitment to gender equality as part of a mission's mandate.⁸⁴

In order to address the lack of gender perspective in the mission's mandate the SG proposes that the SC: "Incorporate gender perspectives explicitly into mandates of all peacekeeping missions, including provisions to systematically address these issues in all reports to the Security Council".⁸⁵ A recommendation that the SC committed to in their 2002 statement, that came pursuant to this report.⁸⁶ In the following report, the SG mentions the progress in the implementation of resolution 1325 that has been made in peacekeeping operations:

In 2000, there was minimal mention of gender issues in peacekeeping mandates and only two gender advisers were assigned to peacekeeping operations. Today, gender concerns are raised in all new peacekeeping mandates and there are 10 full-time gender adviser positions in 17 peacekeeping operations[...].⁸⁷

The inclusion of a gender perspective from the outset of a mandate has proven effective. Gender advisers participated "in assessment mission conducted prior to the establishment of the mandates of operations" in four countries, that resulted in a better reflection of gender issues in reports submitted to the SC prior to the establishment of peacekeeping operations in these four countries "and translated into explicit references to gender issues in the ensuing Security Council resolutions".⁸⁸ Furthermore, the SG declares his intentions to develop an Action Plan for mainstreaming gender perspectives into peacekeeping activities.⁸⁹ The initiative is welcomed by the SC.⁹⁰ In the SG report S/2005/636 the Action Plan 2005-2007 and a time line is presented, as requested by the SC. In the following SG report S/2006/770 the SG mentions the work with implementing the Action Plan and in the most recent report there are several suggestions on how to improve the Action Plan.⁹¹

7.2 Peacekeeping and Resolution 1325

Resolution 1325 is relevant to all aspects of peacekeeping operations and there are several specific references to such operations. The Security Council urges the SG "to appoint more women as special representatives and envoys to pursue good

⁸⁴ *ibid.* para.30.

⁸⁵ *ibid.*, action 10, para.46.

⁸⁶ S/PRST/2002/32, p.1.

⁸⁷ S/2004/814, para.31.

⁸⁸ *ibid.*, para.33.

⁸⁹ *ibid.*, para.40.

⁹⁰ S/PRST/2004/40, p.2.

⁹¹ S/2007/567

offices on his behalf [...]”⁹², it urges the SG ”to seek to expand the role and contribution of women in United Nations field- based operations [...]”⁹³. Furthermore the Security Council:

Expresses its willingness to incorporate a gender perspective into peacekeeping operations, and *urges* the Secretary-General to ensure that, where appropriate field operations include a gender component;⁹⁴

Requests the Secretary-General to provide to Member States training guidelines and materials on the protection, rights and the particular needs of women, as well as on the importance of involving women in all the peacekeeping and peacebuilding measures [...] (para.6).⁹⁵

These responsibilities are placed on the SG and necessitate compliance. In the presidential statements and the SG reports on women, peace and security there are several references to the need to increase the number of female representatives at all levels of peacekeeping, something which lies with the Secretary-General’s office.

In order to evaluate the work done by the UN entities⁹⁶ in regards to the Action Plan, an Implementation review of the Action Plan has been answered by the entities. The questionnaire that the entities have filled in asked them to state the implementation of the Action Plan that they have committed to as well as suggestions on how to improve the implementation of resolution 1325. The Department of Peacekeeping Operations (DPKO) had in its reports of the evaluations of the gender mainstreaming in the peacekeeping missions UNTAET in Timore-Leste and UNAMSIL in Sierra Leone concluded that general challenges of the gender mainstreaming in the missions had been due to several components:

[...] lack of awareness among mission staff of the mission’s gender mainstreaming activities, lack of political will of local authorities and the complexities of the local social and economic contexts which impede the mission’s efforts to effectively mainstream gender.⁹⁷

Amongst the DPKO’s suggestion for better implementation of the Action Plan is a ”proactive approach by Member States” to ensure that reports of the SG to the SC reflect progress in the implementation of resolution

⁹² S/RES/1325/2000, para.3.

⁹³ *ibid*, para.4.

⁹⁴ S/RES/1325/2000, para.5.

⁹⁵ *ibid*. para.6.

⁹⁶ Entities such as: The Department of Peacekeeping Operations (DPKO), The UN Development Fund for Women –UNIFEM, and Office of the Special Adviser on Gender Issues and Advancement of Women – OSAGI.

⁹⁷ Questionnaire on Implementation of the UN System-Wide Action Plan on Security Council Resolution 1325 (2000) on Women, Peace and Security:
http://www.un.org/womenwatch/ianwge/taskforces/wps/implementation_review_30Oct2006/DPKO%20Response.pdf, p.4-5, 2007-12-29, 11pm.

1325”⁹⁸, within its own entity more awareness for the staff on the relevance of gender perspective in their work is needed.⁹⁹

⁹⁸ ibid, p.27.

⁹⁹ ibid, p.28.

8 SGBV in Peacekeeping

In some conflicts and war torn countries the UN, through the Security Council, decided to send in Peacekeeping troops to observe or uphold a peace agreement. Peace operations have previously been seen as method of maintaining status quo and monitoring ceasefires through a neutral third party but are now regarded as peace operations that manage change.¹⁰⁰

In short term they are designed to monitor cease-fire agreements, provide an enabling secure environment for humanitarian action and prevent a relapse into conflict. In the medium to long term their purpose is to address the root cause of conflict and to lay the foundation for social justice and sustainable peace.¹⁰¹

An increasing number of allegations against misconduct by UN personnel in recent years have led the UN to take a strong stand against sexual exploitation and abuse (SEA) by UN personnel. The DPKO has implemented several preventive measures; including mission training for all new deployments.¹⁰² The SG issued a bulletin in 2003 with a code of conduct that is referred to as the zero-tolerance policy.¹⁰³ The bulletin applies to all UN staff and prohibits UN forces conducting operations under UN command to commit acts of SEA¹⁰⁴ and states that such behaviour has always been unacceptable.¹⁰⁵ The SC has in its resolutions included a paragraph referring to the SG's zero-tolerance and expressed its concern over allegations of SEA.

It is unfortunate that the general public is no longer as shocked as it once was by reports of belligerents engaging in systematic and widespread rape in times of war. But when the UN peacekeepers – including military, police and civilian personnel – and humanitarian workers, mandated to safeguard local populations in conflict zones, are accused of similar behaviour, we are looking not only at gross violations of human rights but at the perversion of a international system intended to prevent crimes against humanity including sexual and gender-based violence.¹⁰⁶

¹⁰⁰ *ibid*, p.5.

¹⁰¹ Aoi, de Conin & Thakur, p.5.

¹⁰² ST/SGB/2003/13, Secretary-General's Bulletin, *Special measures for the protection from sexual exploitation and sexual abuse*.

¹⁰³ Kent, p.45.

¹⁰⁴ Sexual exploitation and abuse (SEA) is defined as: means any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another. Similarly, the term "sexual abuse" means the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions. (ST/SGB/2003/13, p.1.)

¹⁰⁵ ST/SGB/2003/13, para. 2.1-3.1.

¹⁰⁶ Kent, p.44.

Abuse by UN personnel is not a new occurrence. In 1993 there were reports from the United Nations High Commissioner for Refugees (UNHCR) of "sexual attacks on women and girls by camp guards" and it was perceived as a "major problem"¹⁰⁷, as early as 1992 there were allegations of SEA by peacekeepers in Somalia.¹⁰⁸ The initial reaction within the UN seems to have been a nonchalant approach:

[...]the head of the U.N. mission in Cambodia, Yasushi Akashi, was asked about the physical and sexual violation of women and girls by U.N. troops. He responded by saying that he was 'not a 'puritan': 18-year old, hot blooded soldiers had a right to drink a few beers and chase after 'young beautiful things of the opposite sex' [...]. Akashi left Cambodia to direct the U.N. peacekeeping mission in the former Yugoslavia [...].¹⁰⁹

Fortunately the UN's official stand on SEA by UN personnel, at least in recent years, has been that it is unacceptable. However, there is not much the UN can do in terms of enforcement as they have no judicial authority over the peacekeepers. UN personnel are under exclusive jurisdiction of their own national country, and therefore have immunity from local prosecution.¹¹⁰ UN Personnel found guilty of misconduct are repatriated but not necessarily prosecuted as it is up to each troop contributing country to prosecute or impose disciplinary action. Many countries are reluctant to prosecute their own troops and in some countries sexual offences and many forms of rape are not criminalized.¹¹¹ In an effort to ensure accountability for committed violations the Secretary-General's Special Adviser on sexual exploitation and abuse recommended in his 2005 report *A Comprehensive Strategy to Eliminate Future Sexual Exploitation and Abuse in United Nations Peacekeeping Operations*, that "all future agreements include a legal obligation for member states to take appropriate action, including punitive sanctions, against those who commit acts of SEA."¹¹² Failure to comply would lead to shaming of the country in a report by the SG to the Special Committee on peacekeeping.¹¹³

Several resolutions by the SC as well as reports by the SG have been passed concerning the peacekeeping missions; the implementation of them will determine the success of the *zero-tolerance*. However, Carole Cohn brings up an interesting point in an article cited by Cynthia Cockburn, in order to properly deal with rape in war and military prostitution the root causes such as gendered inequalities need to be addressed:

You can...hope that through defining rape as a war crime rather than as 'natural'...there may be some deterrent effect. But without addressing the

¹⁰⁷ Turpin, p.4.

¹⁰⁸ Kent, p.45.

¹⁰⁹ Nordstrom, p.84.

¹¹⁰ Kent, p.49.

¹¹¹ *ibid*, p.49.

¹¹² *ibid*, p.49.

¹¹³ *ibid*, p.50.

intersection of gender and ethnicity, and the gender regime that makes a physical, sexual attack on a woman a blow against the ‘honour’ of a man and his community, how likely is it that rape will stop being used as a weapon? Or [in the case of military prostitution] you can write a Code of Conduct for peacekeeping troops that has strict prohibition against ‘fraternization’ with local women – but without addressing the nexus of militarized power/constructions of masculinities/gendered inequalities in access to paid work/and global economic inequality, how likely is it that that Code of Conduct will make a significant difference?¹¹⁴

¹¹⁴ Cockburn, p.149 (quoting Cohn, Carol, “Women Peace and Security” *International Feminist Journal of Politics* 6 (1), March, 2004, pp.130-40.).

9 The SGBV Project

The five countries chosen for analysis in the *Peace Women SGBV* compilation project: Burundi, the DRC, Liberia, Sierra Leone and the Sudan¹¹⁵ are marked by widespread occurrence of SGBV during the periods of conflict.

The SG's mission reports to the SC have been studied from a SGBV perspective. Each country has initially been observed separately to demonstrate the particulars of each mission. However, due to the quantity of material produced by the subsequent reports only the Sierra Leone report will be shown in its entirety to exemplify the structure the project followed. In the conclusion of the project the results from the other four countries will be highlighted

9.1 Observations on the Secretary-General's Reports and the Security Council's Resolutions on Sierra Leone

Of Sierra Leone's 24 reports, dating back from 15 December 2000 until 7 May 2007, 4 reports contained no language on SGBV. The primary attention on SGBV in the reports has been given to abuse by UN personnel and the promotion of gender-mainstreaming/gender-equality. This promotion is in regard to several different projects undertaken by the mission and includes everything from training police to observations of the overall situation. Abuse by UN-personnel is the most frequent reason for SGBV to be mentioned in the Sierra Leone reports.

9.1.1 Noted Trends in Sierra Leone reporting

Between 2000 and 2002 there was primarily mention of misconduct by UN personnel and the data gathering project. In the end of 2002 and into 2003 the work of the truth and reconciliation commission on SGBV is mentioned. By mid 2003 into 2004 promotion of gender mainstreaming/ gender equality is dominant and in the end of 2004 and into 2005 the work of the Police in co-operation with mission personnel on SGBV is presented. During 2005 there are paragraphs on

¹¹⁵ Resolutions and reports pertaining to Darfur have been included under the Sudan, although they are to be two separate missions they are in the same country and have therefore been observed together.

promoting as well as on judiciary issues and UN-personnel; the same trends continue in 2006, where the Police work is mentioned once, and into 2007.

In the Sierra Leone reporting there is little mention of SGBV aside from UN-personnel misconduct. There are various efforts to promote SGBV awareness which demonstrates a will to prevent such crimes but there seems to exist a lack of concrete efforts to deal with persons affected by SGBV. This despite the information provided by the data gathering project mentioned in several reports¹¹⁶ which concluded that rape had been wide spread during the conflict: "of the 733 randomly selected women interviewed during the research, 345 reported having been raped".¹¹⁷ The same report states that "their [women subjected to SGBV] integration into their communities constitutes some of the challenges to be addressed". The concern of persons affected by SGBV is only mentioned once in connection to the special need of children and the community based reintegrated programmes: Special care will be needed for sexually abused girls.¹¹⁸

It is surprising that the numbers provided by the data gathering project are the only numbers mentioned in the reports to establish the wide spread SGBV crimes committed during the conflict. Other reports mention numbers as high as 215,000 to 257,000.¹¹⁹

9.1.2 Security Council Resolutions and the Secretary-General Reports on Sierra Leone

The current mission in Sierra Leone, UNIOSIL, is a UN Integrated Office which was established by a mandate in RES/1620/2005. Three resolutions on Sierra Leone have been passed since the establishment of UNIOSIL. Two are on UNIOSIL, and one is on the Special Court of Sierra Leone and former Liberian president Charles Taylor.¹²⁰

The resolution establishing the current mission, UNIOSIL, gives the mission the mandate to, as a key task; assist the Government of Sierra Leone in developing initiatives for the protection and well-being of youth, women and children.¹²¹ It asks the SG to keep the Council regularly informed of progress with establishing the UNIOSIL, and thereafter with the implementation of the resolution.¹²² There are three reports from the SG following this mandate and the establishment of UNIOSIL.¹²³ The first report did not mention SGBV. The second and third report both contain SGBV language and mention initiatives for the

¹¹⁶ S/2000/1199, para.53, S/2001/228 para.48, S/2001/857, para.42 and S/2002/267, para.41.

¹¹⁷ S/2001/857, para.42.

¹¹⁸ S/2002/987, para.47.

¹¹⁹ Human Rights Watch, 2003. *We'll Kill You if You Cry* Sexual Violence in the Sierra Leone, p.25-26, accessed at: <http://www.hrw.org/reports/2003/sierraleone/>, 2007-11-23, 8pm.

¹²⁰ S/RES/1688/2006

¹²¹ S/RES/1620/2005, para.1a, viii.

¹²² S/RES/1620/2005, para.6.

¹²³ S/2006/269, S/2006/695 and S/2006/922.

protection and well-being of women, as requested by the SC resolution 1620 (2005).

Resolution 1723 from 2006 extends the mandate and has more language on women and gender. It contains for the first time general references to resolution 1325 and requests the SG, where appropriate, to include in his reporting to the Council progress on gender mainstreaming throughout UNIOSIL and all other aspects relating to the situation of women and girls, especially in relation to the need to protect them from gender-based violence.¹²⁴ The resolution also welcomes efforts to implement the SG's zero-tolerance policy. The report from the SG following this mandate and the establishment of UNIOSIL¹²⁵, contains language on SGBV as well as reports on progress on gender-mainstreaming and other issues relating to women and girls.

The three reports with SGBV language contain an equal amount of SGBV language, the differences lie in the overall reporting on women and gender which is found to a greater extent in the latter report.¹²⁶ To find a direct correlation between resolutions and reports the overall language on women and gender issues was studied. Key words¹²⁷ were typed in to conduct a search and find the paragraphs containing relevant language; they were then divided with the total number of paragraphs to calculate the percentage of language containing language on women and gender. The finding from this exercise shows that the report S/2007/2006 written pursuant to the resolution RES/1723/2006, which had the most language on women and gender, also contains the highest percentage of language on women and gender.

9.2 Conclusions

The five countries examined: Burundi, the DRC, Liberia, Sierra Leone and the Sudan have several similarities in the reports by the SG. The main emphasis concerning sexual and gender based violence seems to be the sexual exploitation and abuse by UN-personnel, the impunity for sexual and gender based violence crimes is also given much attention.

Abuse by UN-personnel is a grave violation of trust and the attention given to those violations in the reports is understandable, much of which can be attributed to the SG who established a zero-tolerance policy which is to be adhered to by all missions. Every mission's reports examined made references at some point to the SG's zero-tolerance policy, as did the relevant resolutions examined. Only one country report, from Liberia¹²⁸, made a reference to a resolution passed by the

¹²⁴ S/RES/1723/2006, para.10.

¹²⁵ S/2007/257

¹²⁶ *ibid.*

¹²⁷ Key words used: women, girl, rape, sexual, abuse, gender and 1325.

¹²⁸ S/2006/376

General Assembly which asks missions to "maintain data on investigations into sexual exploitation and related offences".¹²⁹ These two policies have affected the reporting on sexual exploitation and abuse by UN-personnel and frequency in which they appear in reports and resolutions.

Impunity is also raised in several reports as a concern and viewed as an obstacle to combat SGBV. Most mandates include some sort of paragraph referring to the judiciary system, such as its role in establishing rule of law, and it is in that context that SGBV is often referred to.

The reporting of the occurrence of SGBV differs between the countries. Sierra Leone barely mentions the extent of SGBV in the conflict whereas the Sudan (and Darfur) reports contain information on not only the frequency of SGBV but also where it occurs and the resulting implications.

In analyzing the SC resolutions and the SG's reports there seems to be a direct correlation, not only between resolutions and reports but also between what the SG reports on and what the SC decided to include in its resolutions. Mandates with specific language on addressing sexual and gender based violence increase reporting on the issue, as does an inclusive gender approach in the mandate. An overall gender perspective in the mandates seems to affect the reporting which proves the importance of gender awareness when drafting mandates.

The SG stated in his 2004 report on women and peace and security that the incorporation of a gender perspective in the inception of mandates has proven crucial.¹³⁰ Prior to the drafting of the mandates pertaining to Burundi and Liberia gender advisers participated in an assessment mission which resulted in a better reflection of gender issues in reports submitted to the Security Council preceding the establishment of peacekeeping operations in these countries.¹³¹ The mandate of the mission in Burundi has several references to gender. Liberia has fewer references but the mission itself has taken several steps towards incorporating a gender perspective in the mission.

The Action Plan review by OSAGI in the SG report on women, peace and security¹³² stated that the implementation within the UN entities: "was largely dependent on individual heads of entities, rather than on a systematic holistic approach".¹³³ This is evident in the Burundi reports where the appointment of Special Representative Carolyn McAskie, as well as the establishment of a gender unit directly impacted the occurrence of a gender perspective in the SG reports. The importance of individual representatives is evident in the experience with the UNTAET mission in Timore Leste (now East Timore). It was one of the first missions to have specially designed Gender Affair Units. The special Representative of the Secretary-General (SRSG) was at first opposed to such a creation as he could not see how they could help rebuild institutions that were left

¹²⁹ A/RES/57/306, para. 10.

¹³⁰ S/2004/814 Report of the Secretary-General on women and peace and security.

¹³¹ *ibid*, para.33.

¹³² S/2006/770

¹³³ *ibid*, para.28.

in ashes, he later changed his mind when he saw what the Office was able to achieve. The Unit reached out to women in East Timore and together with UNIFEM they provided support which resulted in a high percentage of women in the Constituent assembly, higher then in many other countries.¹³⁴

There seems to be a need for a coherent approach towards gender mainstreaming within peacekeeping missions which would be adhered to by all country mission, irrespective of individuals appointed. Having said that the conclusions drawn from the SC resolutions and the SG reports is that it is crucial that gender units are established in missions, as well as gender advisers appointed. The units and advisors contribute to knowledge and experience needed in mission that might not otherwise be particularly gender sensitive in its peacekeeping and rebuilding approach and in the approach towards persons affected by SGBV.

¹³⁴ Koyama, Shukuku & Myrntinen, p. 27.

10 Gender Language in the Secretary-General's Reports

During the war in Sierra Leone the use of child soldiers, boys and girls, was widespread and many of them were forcefully recruited.¹³⁵ Most, if not all of the abducted girls were subjected to SGBV.¹³⁶

After the war few girls in Sierra Leone participated in the official UN disarmament, demobilization and reintegration (DDR) process as the reports from the Secretary-General demonstrate.¹³⁷ The abducted girls/women often returned directly to their communities or settled in urban areas where they are at increased risk of forced prostitution, sexual assault, and/or sexually transmitted diseases, including HIV/AIDS.¹³⁸ Returning to their communities was often problematic as many of the girls had been raped and had children as a result which led to rejection and stigmatization from their communities. This is because many communities view premarital sexual relations as violating community norms and the girls are seen as used goods that can not marry.¹³⁹ This is why gender sensitized DDR programmes with resources and knowledge to address women and girls affected by SGBV are so critical.

In resolution 1325 the SC requests the SG to include progress on gender mainstreaming in peacekeeping missions "and all other aspects relating to women and girls".¹⁴⁰ The SG should therefore in his country reports on peacekeeping operations include the progress on gender mainstreaming; as it is asked to be included 'where appropriate' it is up to the SG's discretion. By examining the SG's reports on Sierra Leone it is possible to draw conclusions as to how frequent and prevalent the reporting on gender is and perhaps find a correlation between the SC country specific resolutions and the SG's reporting. Such information could be used in the advocacy work of the implementation of resolution 1325.

The country examined, Sierra Leone, has been haunted by a war that dates from 1991 until 2002 when the war was declared to have ended.¹⁴¹ The effects on women during the decade long war are difficult to assess in exact quantities, however the suffering and occurrence of SGBV is well established:

¹³⁵ McKay, p. 19.

¹³⁶ *ibid.* p. 22.

¹³⁷ See chapter 9.1.

¹³⁸ McKay, p. 19.

¹³⁹ *ibid.*, p. 25.

¹⁴⁰ S/RES/1325/2000, art. 18.

¹⁴¹ UNAMSIL Background: <http://www.un.org/Depts/dpko/missions/unamsil/background.html>, 2007-12-29, 7pm.

[...]certainly very large, proportion of women and girls were repeatedly, brutally, raped in these years, by individual men and by gangs. Their genitalia were injured with sticks, bottles and weapons, so that many died from their wounds. Many pregnant women were cut open and their foetus removed. Sometimes their killers gambled on the sex of the unborn child. Thousand of girl children were captured by the rebels and pressed into service as cooks and carriers, forced into sexual servitude as 'wives' of rebel males.¹⁴²

It is with this background, the severe crimes committed against women and girls during the war in Sierra Leone that these reports are read and understood. Countless women were affected by SGBV, how are their specific needs met and how are women and girls overall incorporated in the ongoing peace process and rebuilding? Efforts and progress made should be included in the reports from the Secretary-General to the Security Council.

10.1 Observations on the Secretary-General's Reports and the Security Council's Resolutions on Sierra Leone

The reports examined date from December 2000 (S/2000/228) to May 2007 (S/2007/257) and pertain to two different UN missions in Sierra Leone: the United Nations Mission in Sierra Leone (UNAMSIL) and the United Nations Integrated Office in Sierra Leone (UNIOSIL).

Observing the reports in general there are several recurring themes; discriminatory laws and measures taken to change them, promotion of gender mainstreaming and women's rights, sexual exploitation and abuse by UN-personnel, co-operation with the police force, data gathering project on the effects of the war on women, media information on SGBV and women's rights and women (or lack thereof) in the disarmament, demobilization and reintegration (DDR) process.

The first report mentions gender in connection to vocational training of women and girls as well as a project started by the mission in collaboration with the NGO *Physicians for Human Rights*. The project was a data gathering project to determine the scope of sexual violence against women and girls. The numbers in the report S/2001/857 show that out of 733 randomly selected women 345 reported to have been raped are the only numbers mentioned in regards to the wide-spread occurrence of SGBV during the war in Sierra Leone.¹⁴³ It is recognised as a problem in regards to abuse by UN-personnel, as a judiciary problem and as something that needs to be prevented, not in regards to support needed by those affected by SGBV.

¹⁴² Cockburn, p.35.

¹⁴³ S/2001/857, para.52.

The most recent reports raise new issues: women's economic empowerment, women participation in the electoral work and the action plan for the promotion of resolution 1325 (2000).¹⁴⁴

There is a visible increase in gender language in the reports from the new mission UNIOSIL¹⁴⁵, in particular the last two. The increase in gender language can be traced to the report S/2006/975 where the gender adviser of the DPKO made several recommendations, including measures to incorporate women in the electoral process. As a result the mission UNIOSIL appointed a gender focal point pending the appointment of a full-time gender adviser.¹⁴⁶

The main difference is the mention of resolution 1325 (2000), in the two latest reports it is given a separate section with several paragraphs. The resolution is first mentioned in report S/2005/777 where it is stated that UNAMSIL continues its work with the Government and civil society to disseminate Security Council resolution 1325 (2000), although this work has never previously been mentioned in relation to the resolution.¹⁴⁷

Women in the peace processes are first mentioned in report S/2004/724; it was discussed during a meeting on the DDR programmes in West Africa as a key issue of joint focus from the missions in the region.¹⁴⁸ The report S/2005/273 is the only report with strong language on women's role in peace building:

Women have played a critical role in ensuring a return to democratic governance in Sierra Leone. Continued support is vital for efforts to empower women, and for promoting their role as peacemakers, peacebuilders, and leaders in the governance and future development of Sierra Leone.¹⁴⁹

In regards to the disarmament, rehabilitation and reintegration (DDR) process and the release of child combatants, there are concerns raised about the low numbers of girls released.¹⁵⁰ There is no information as to why the low release of girls is of concern although it has led to the creation of a special information program on the release of girls and women.¹⁵¹ In the report S/2002/987, in regards to integrating young girls back to their communities, it is stated that special care will be needed for sexually abused girls but there is no specific mention as to how and why.¹⁵² The special needs of women, girls and persons affected by SGBV in the DDR process is not mentioned again. However, report S/2004/228 acknowledges that women combatants "did not adequately benefit" from the DDR programme.¹⁵³ The reason for this was that "the fast-tracking of the cantonment period resulted in a loss of focus on special programme intended for women".¹⁵⁴

¹⁴⁴ S/2006/922 and S/2007/257.

¹⁴⁵ S/2006/269 to S/2007/257.

¹⁴⁶ S/2006/975, para.13.

¹⁴⁷ S/2005/777, para.53.

¹⁴⁸ S/2004/724, para.51.

¹⁴⁹ S/2005/273, para.52.

¹⁵⁰ S/2001/857, para.43 and S/2001/1195, para.68.

¹⁵¹ S/2001/857, para.43.

¹⁵² S/2002/987, para.47.

¹⁵³ S/2004/228, para.20.

¹⁵⁴ *ibid*, para. 20.

There are issues that are mentioned as problems in occasional reports that were never previously brought up, such as female genital mutilation. In report S/2005/777 genital mutilation is referred to as "still widespread" although it has not been reported or mentioned in previous reports.¹⁵⁵

Gender language has been found under different headings and subheadings, most prevalent has been *the Human rights* heading with subheadings: *Gender issues*, *Women's rights* and *Children's rights*. Because the SGBV reporting has been predominately focused on the misconduct of UN personnel SGBV has often been found under the heading of *Disciplinary issues* and *Personnel conduct*. In the most recent report these issues are found under a new heading: *Sexual exploitation and abuse*. In the two most recent reports there have been headings with reference to resolution 1325 with several paragraphs under them.¹⁵⁶

The increase in gender language in the most recent reports in Sierra Leone can be attributed to the new mission and its mandate although when comparing the mandate of UNAMSIL¹⁵⁷ and that of UNIOSIL¹⁵⁸ there is not much difference in the gender language used, not enough to explain the increase in the reporting. The only resolution pertaining to Sierra Leone that has mentioned resolution 1325 is the most recent one; it is also the resolution with most extensive gender language, it "underlines that a gender perspective should be taken into account in implementing all aspects of the mandate of UNIOSIL".¹⁵⁹ The latest report is the only report written pursuant to the latest resolution and therefore it is too early to draw any conclusions as to the effect of the resolution on the reporting and the mission.¹⁶⁰

In search of an explanation for the sudden increase in gender language in the reports of the SG on Sierra Leone, as it could not be explained by the mandates or the resolutions, the Action Plan together with reports and resolutions relating to it seemed to present a possible explanation for the increase of a gender perspective in the Sierra Leone reports.

10.2 The 1325 Action Plan, 2005-2007

The Action Plan was established in order to address the implementation of 1325. It was presented in S/2005/636 and covers the years 2005-2007. The Action Plan aims, amongst other things to: "Strengthen the commitment and accountability of the United Nations system at the highest levels".¹⁶¹ The first step in drafting the Action Plan was to invite UN entities with mandates related to

¹⁵⁵ S/2005/777, para.44.

¹⁵⁶ S/2007/257

¹⁵⁷ S/RES/1270/1999 and RES/1789/2000.

¹⁵⁸ S/RES/1620/2005

¹⁵⁹ S/RES/1723/2006, para.9.

¹⁶⁰ S/2007/257

¹⁶¹ S/2005/636, para.8,c.

peace and security to submit contributions.¹⁶² The Plan was structured in twelve areas of action.¹⁶³ The section examined here will be that of Peacekeeping missions and the responses by the Department of Peacekeeping Operations (DPKO). The objective of the Action Plan is that its strategies and activities result in measurable improvement in the UN “system’s contributions to the empowerment of women in conflict areas”.¹⁶⁴ The report mentions gender analyses of reports and resolutions carried out, much like the ones in chapter 8 and 9 of this thesis.¹⁶⁵ Both these analyses show that the implementation of 1325 has not fully resonated amongst UN entities. The report draws the conclusion that “there is an urgent need to strengthen coordination and accountability”.¹⁶⁶ Actions proposed include holding special representatives of the SG responsible for gender mainstreaming and ensuring accountability.¹⁶⁷

In the Action Plan, which is divided into areas of actions, each UN entity identifies objectives that fall under their mandates and indicated expected outcomes within specific time lines.¹⁶⁸ The responsibility for implementation lies with each entity. The DPKO’s strategy and action plan is to :”Include gender expertise in pre-mandate assessments and planning [...] and ensure that gender concerns continue to be systematically included in all new peacekeeping mandates.”¹⁶⁹ In order to achieve this the DPKO intends to:

Assign full-time gender advisers and gender units in peacekeeping operations; elaborate standard guidance on the structure, size and reporting lines for gender units; strengthen implementation of resolution 1325 (2000) in peacekeeping operations without full-time gender advisers; formulate indicators for measuring gender mainstreaming impact on mission’s activities; establish in mission areas gender task forces with members of the relevant units/sectors.¹⁷⁰

The aspiration to assign full-time gender advisers in the peacekeeping operations seems to have had a concrete affect on the mission in Sierra Leone as the reports following the appointment have a gender perspective that was lacking in previous reports.

In the 2006 report of the SG on women, peace and security the SG responded to the request by the Security Council ”to update, monitor and review the

¹⁶² *ibid.*, para.4.

¹⁶³ A. Conflict prevention and early warning; B. Peacemaking and peacebuilding; C. Peacekeeping operations; D. Humanitarian response; E. Post-conflict reconstruction and rehabilitation; F. Disarmament, demobilization and reintegration; G. Preventing and responding to gender-based violence in armed conflict; H. Preventing and responding to sexual exploitation and abuse by United Nations staff, related personnel and United Nations partners; I. Gender balance; J. Coordination and partnership; K. Monitoring and reporting; L. Financial resources (S/2005/636, para.10).

¹⁶⁴ S/2005/636, para.19.

¹⁶⁵ *ibid.* para.23.

¹⁶⁶ *ibid.* para.24.

¹⁶⁷ *ibid.* para.25, a.

¹⁶⁸ *ibid.* para.11.

¹⁶⁹ *ibid.* p.18, para.2C.

¹⁷⁰ *ibid.* p.19, C3.

implementation” of the Action Plan and report to the SC.¹⁷¹ On the request of the SG OSAGI reviewed the implementation of the Action Plan and focused on the level of implementation by the UN entities.¹⁷²

The review covers the period November 1, 2005 until June 30, 2006.¹⁷³ Despite positive development in the implementation process there are some gaps and challenges, such as the lack of common or inadequate understanding of gender, gender mainstreaming and its practical application.¹⁷⁴ It is concluded that the focus has been placed on women and responding to their needs, and although a necessary approach at times, such an approach alone ”failed to address the larger contextual issues behind women’s marginalization in peace and security process”¹⁷⁵, something which becomes evident when dealing with SGBV where ”the emphasis still remained on women and failed to focus adequately on the role of men”.¹⁷⁶ The placement of gender advisers in peacekeeping operations by the DPKO is seen as ”one of the major capacity-development achievements across the United Nations system that positively contributed to the implementation of the Action Plan”, although the expertise of the gender advisers was not properly utilized.¹⁷⁷ In regards to leadership and commitment the report observed that despite the SC’s many strategic initiatives to promote gender equality and support the empowerment of women, its attention to gender issues is not systematic.¹⁷⁸

As an example of tasks that fall under the SC, the country-specific resolutions passed by the SC have been examined. From the passing of resolution 1325 in October of 2000 until June 30, 2006 the results show that 55 out of 211 or 26,07 per cent include language on women and gender.¹⁷⁹ The numbers up until October 2007 have not significantly changed, 88 out of 287 or 30,66 percent.¹⁸⁰ Within each entity of the UN, the implementation of the Action Plan ”was largely dependent on individual heads of entities, rather than on a systematic holistic approach”.¹⁸¹ It is not a sustainable system when the implementation of gender mainstreaming is up to individuals at each entity as it does not assure continuity. An issue of concern amongst entities is the lack of accountability, something which they feel needs to be strengthened: ”Weakness in monitoring and reporting mechanism and practices compound problems of accountability within United Nations entities”.¹⁸² The report concludes that: “A robust and effective accountability monitoring and reporting system for implementation of resolution

¹⁷¹ S/2006/770, para.4.

¹⁷² *ibid*, para.5-6.

¹⁷³ *ibid*, para.8.

¹⁷⁴ S/2006/770, para.22-23.

¹⁷⁵ *ibid*, para.23.

¹⁷⁶ *ibid*, para.23.

¹⁷⁷ *ibid*, para.24.

¹⁷⁸ *ibid*, para.28.

¹⁷⁹ *ibid*, para.28.

¹⁸⁰ Peace Women, Resolution Watch Country Index:

http://www.peacewomen.org/un/sc/1325_Monitor/countryindex.htm, 2007-12-27, 11am.

¹⁸¹ S/2006/770, para.28.

¹⁸² *ibid*, para.30.

1325 (2000) should be developed and implemented”.¹⁸³It does also suggest several other changes that should be made for the next period of the Action Plan.

In its conclusions the report states that the role of women in peace processes is viewed as a side issue:

While gender equality is increasingly recognized as a core issue in the maintenance of international peace and security, the role of women in peace processes generally continues to be viewed as a side issue rather than a fundamental to the development of viable democratic institutions and the establishment of sustainable peace.¹⁸⁴

The SG also calls upon the SC and the Peacebuilding Commission: ”to give priority attention to the situation of women in each conflict and post-conflict country to achieve concrete results”.¹⁸⁵ Furthermore, it is concluded that the responsibility of the implementation of resolution 1325 is ultimately that of the Member States.¹⁸⁶

In the SG’s 2007 report on peace, women and security, S/2007/567, several key challenges are identified: UN entities and their implementation of 1325 which contributes to a gap:

Such challenges include incoherence, inadequate funding of gender related projects, fragmentation and insufficient institutional capacity for oversights and accountability for system performance as well as low capacity for gender mainstreaming.¹⁸⁷

The fact that the Action Plan is not a monitoring tool is viewed as a challenge which is suggested to change for the next period and become a results-based Action Plan.¹⁸⁸

10.3 Conclusions on the Gender Language in Sierra Leone Reports

The scope of the thesis was to examine resolutions and reports from the passing of resolution 1325 in October 2000 until July 2007 relating to the mission in Sierra Leone. While writing this paper another Secretary-General report from the Sierra Leone mission was released.¹⁸⁹ In contrast to the latest reports this one appears to have less gender language. There is a heading on resolution 1325 although only

¹⁸³ S/2006/770 para.42.

¹⁸⁴ *ibid*, para, 47.

¹⁸⁵ *ibid*, para.52.

¹⁸⁶ *ibid*, para.52.

¹⁸⁷ S/2007/567, para.34.

¹⁸⁸ *ibid*, para.37-39.

¹⁸⁹ S/2007/704

one paragraph under it describing the work that has been accomplished.¹⁹⁰ A positive development, which has been noticed in several reports, has been that the reporting on sexual exploitation and abuse has been on the work with implementing the zero-tolerance policy and training the UN personnel in the prevention of such abuses. In Sierra Leone the most recent report states that no new allegations against mission personnel have been reported.¹⁹¹

A possible reason for the increase of gender language in the Sierra Leone reporting is the adaptation of the Action Plan 2005-2007. The most recent report is an exception but until future reports are released it is not possible to determine whether or not that report is part of a larger trend. One of the direct actions stipulated in the Action Plan is the strategy to include a gender adviser in all missions something which was adhered to by the Sierra Leone mission.

The main conclusions drawn from the study of the Security Council resolutions and the Secretary-General's reports in Sierra Leone is that the gender perspectives have not been prevalent in the past as the failure with integrating women and girls in the Disarmament, Demobilization and Reintegration process proves. Although there has been an increase in gender mainstreaming within the mission in direct correlation with the Action Plan the latest report once again shows a decrease, perhaps because the Action Plan has entered into a new phase and it has not yet been highlighted within the UN.

¹⁹⁰ *ibid*, para.29.

¹⁹¹ *ibid*, para.51.

11 Concluding Remarks

The objective of this thesis has been to highlight resolution 1325 (2000) on women, peace and security and to demonstrate what its passing has meant in practice. Through studying reports and resolutions pertaining to the UN peacekeeping mission in Sierra Leone and particularly the effects of resolution 1325, this thesis has determined that the resolution is not fully implemented within the UN peacekeeping system. One key reason for the lack of implementation is the absence of accountability.

The research questions guiding this thesis have been: How are the provisions of 1325 visible in the Security Council's resolutions and Secretary-General's reports for the peacekeeping mission in Sierra Leone and is there a correlation between the reports and the resolutions? Resolution 1325 was first mentioned in a report from 2005¹⁹², in connection with the launching of the system wide Action Plan on the Implementation of Resolution 1325, 2005-2007. In 2006 the Security Council had a general reference to resolution 1325 for the first time pertaining to the Sierra Leone mission, six years after its initial passing.¹⁹³ The mentioning in itself is not the main indicator on the implementation of resolution 1325, although it does indicate that the implementation of the resolution has not been a priority and that is evident in the reporting.

Furthermore, I have found that there is a measurable correlation between mandates and resolutions from the Security Council and reports from the Secretary-General concerning the reporting on sexual and gender based violence, although the correlation was not as obvious regarding general gender perspectives in the reports. One reason for this is the Secretary-General's zero-tolerance policy that is mentioned throughout the resolutions and that the Secretary-General is specifically requested to report to the Security Council. The zero-tolerance policy concerns sexual exploitation and abuse by UN personnel and that is the reason that the reporting on sexual and gender based violence focused predominantly on the abuse of UN personnel. These results show that the content of the Security Councils resolutions are imperative in the reporting from the Secretary-General. The peacekeeping mission mandates need to *request* the Secretary-General to report on the implementation of resolution 1325 as well as the overall gender mainstreaming within the mission. Specific *requests* insure that it is included in the reports and contribute to concrete measures within the missions.

The most recent report from the Secretary-General (the one that is not included in the analysis of the thesis) dated December 2007 and indicated a

¹⁹² S/2005/777

¹⁹³ S/RES/1734/2006

decrease of gender perspectives throughout the reports. However, the most recent Security Council resolution,¹⁹⁴ which is also not included in the analysis due to its late release, has the same gender references as the previous resolution.¹⁹⁵ It is positive that the Security Council has a paragraph on resolution 1325 which hopefully will lead to gender perspectives in the reports from the Secretary-General.

This thesis contributes to an understanding of the relation between the Security Council's resolutions and the Secretary-General's reports. It highlights the importance of including a gender perspective in the peacekeeping missions as well as requesting reporting on the implementation. There is still much work to be realized before the full implementation of resolution 1325 within peacekeeping mission is achieved. However, measures have been taken to speed up the implementation process which shows that there is a will within the UN system and a sense of urgency.

Additional variables should be examined in order to draw more in depth conclusions on the implementation of resolution 1325, or lack thereof. Further research could be conducted on the impact of the appointment of gender advisers and the establishment of gender divisions and units within the peacekeeping missions. Another interesting topic to examine is the interaction between the peacekeeping missions and civil society advocating for women's rights, to establish how and if they affect the outcome in resolutions and reports.

¹⁹⁴ S/RES/17293/2007

¹⁹⁵ S/RES/1734/2006

12 References

Reports on the Sierra Leone missions

S/2007/704	Fifth report of the Secretary-General on the United Nations Integrated Office in Sierra Leone
S/2007/357	Fourth report of the Secretary-General on the United Nations Integrated Office in Sierra Leone
S/2006/922	Third report of the Secretary-General on the United Nations Integrated Office in Sierra Leone
S/2006/695	Second report of the Secretary-General on the United Nations Integrated Office in Sierra Leone
S/2006/269	First report of the Secretary-General on the United Nations Integrated Office in Sierra Leone
S/2005/777	Twenty-seventh report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2005/596	Twenty-sixth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2005/273	Twenty-fifth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2004/965	Twenty-fourth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2004/724	Twenty-third report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2004/536	Twenty-second report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2004/228	Twenty-first report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2003/1201	Twentieth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2003/863	Nineteenth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2003/663	Eighteenth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2003/321	Seventeenth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2002/1417	Sixteenth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2002/987	Fifteenth report of the Secretary-General on the United Nations Missions in Sierra Leone

S/2002/679	Fourteenth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2002/267	Thirteenth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2001/1195	Twelfth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2001/857	Eleventh report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2001/627	Tenth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2001/228	Ninth report of the Secretary-General on the United Nations Missions in Sierra Leone
S/2000/1199	Eight report of the Secretary-General on the United Nations Missions in Sierra Leone

Resolutions on Sierra Leone

S/RES/1723/2006	(Extends the mandate of UNIOSIL)
S/RES/1620/2005	(Establishes UNIOSIL)
S/RES/1562/2004	(Extends and changes the mandate of UNAMSIL)
S/RES/1400/2002	(Extends the mandate of UNAMSIL)
S/RES/2001/288	(Extends and changes the mandate of UNAMSIL)
S/RES/1789/2000	(UNAMSIL's mandate is revised)
S/RES/1270/1999	(Establishes UNAMSIL)
S/RES/1793/2007	(Extends the mandate of UNAMSIL)

Reports from the Secretary-General

S/2007/567	Report of the Secretary-General on women and peace and security
S/2006/770	Report of the Secretary-General on women and peace and security
S/2005/636	Report of the Secretary-General on women and peace and security
S/2004/814	Report of the Secretary-General on women and peace and security
S/2002/1154	Report of the Secretary-General on women and peace and security
S/2006/376	Eleventh progress report of the Secretary General on the United Nations Mission in Liberia
A/61/122/add.1	Report of the Secretary General: <i>In-depth study on all forms violence against women</i>
ST/SGB/2003/13	Secretary-General's Bulletin, <i>Special measures for the protection from sexual exploitation and sexual abuse.</i>

Statements by the President of the Security Council

S/PRST/2001/31	Statement by the President of the Security Council
S/PRST/2002/32	Statement by the President of the Security Council
S/PRST/2004/40	Statement by the President of the Security Council
S/PRST/2005/52	Statement by the President of the Security Council
S/PRST/2006/42	Statement by the President of the Security Council
S/PRST/2007/5	Statement by the President of the Security Council

International Law/Conventions

S/RES/1325/2000 (On women and peace and security)

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), 1979

Rome Statue of the International Criminal Court

United Nations Charter, 1945

Reports

A/CONF.177/20, Fourth World Conference on Women, Declaration and Platform for Action 1995

A/RES/57/306, Resolution adopted by the General Assembly: *Investigation into sexual exploitation of refugees by aid workers in West Africa*

ECOSOC Agreed Conclusion 1997/2

Human Rights Watch, 2005. *Seeking Justice: The Prosecution of Sexual Violence in the Congo War*, Vol. 17, No. 1(A), accessed at:

<http://www.hrw.org/reports/2005/drc0305/>, 2007-10-09, 7pm

Human Rights Watch, 2003. *We'll Kill You if You Cry* Sexual Violence in the Sierra Leone Conflict, accessed at:

<http://www.hrw.org/reports/2003/sierraleone/>, 2007-11-23, 8pm

Human Rights Watch, 2002. *THE WAR WITHIN THE WAR: Sexual Violence Against Women and Girls in Eastern Congo*, accessed at:

<http://www.hrw.org/reports/2002/drc/>, 2007-12-12, 3pm

Médecins Sans Frontières, 2005. *The Crushing Burden of Rape: Sexual Violence in Darfur, A briefing paper*, accessed at:

<http://www.doctorswithoutborders.org/publications/reports/2005/sudan03.pdf>, 2008-01-02, 8pm

United Nations Development Found for Women, 2004. *Getting it Right, Doing it Right: Gender and Disarmament, Demobilization and Reintegration*, accessed at: http://www.womenwarpeace.org/webfm_send/278, 2007-12-12, 3pm

Internet Resources

Appointment process of the Secretary-General:

<http://www.un.org/sg/appointment.shtml>, 2007-12-25, 7pm

CEDAW, General recommendation No. 19 -- eleventh session, 1992 violence against women:

<http://www.un.org/womenwatch/daw/cedaw/recommendations/index.html>, 2008-01-04, 2pm.

Checklist on Women's Participation and Gender Perspective in Security Council:

<http://www.peacewomen.org/un/ngoadvocacy/1325Tools/checklist.pdf>, 2007-10-02, 3pm

Peace Women: www.peacewomen.org, 2007-10-18, 1pm

Peace Women, Resolution Watch Country Index:

http://www.peacewomen.org/un/sc/1325_Monitor/countryindex.htm, 2007-12-27, 11am.

Peace Women, SC 1325 Monitoring:

http://www.peacewomen.org/un/sc/1325_Monitor/index.htm,

2007-10-22, 5pm

Questionnaire on Implementation of the UN System-Wide Action Plan on Security Council Resolution 1325 (2000) on Women, Peace and Security: http://www.un.org/womenwatch/ianwge/taskforces/wps/implementation_revie_w_30Oct2006/DPKO%20Response.pdf, 2007-12-29, 11pm

Reservations to CEDAW:

<http://www.un.org/womenwatch/daw/cedaw/reservations.htm>, 2008-01-02, 9am

Security Council resolutions, the Security Council president's reports and Secretary-General reports: <http://www.un.org/Docs/sc/>

Special and Personal Representatives and Envoys of the Secretary-General: <http://www.un.org/Depts/dpko/SRSG/index.htm>, 2007-12-25, 9pm

UN Peacekeeping Operations: <http://www.un.org/Depts/dpko/dpko/bnote.htm>, 2007-10-22, 2pm

UNFICYP - the United Nations Peacekeeping Force in Cyprus

<http://www.unficyp.org/Gender%20Affairs/GRP/0.9.%20Chapter%205.html>, 2007-11-29, 11am

UNAMSIL Background:

<http://www.un.org/Depts/dpko/missions/unamsil/background.html>, 2007-12-29, 7pm.

Women's International League for Peace and Freedom – WILPF: www.wilpf.org, 2007-10-18, 1pm

Literature

Aio, Chiyuki; de Conin, Cedric; Thakur, Ramesh, 2007. "Unintended consequences, complex peace operations and peacebuilding systems", pp.3-20, in Aio, Chiyuki; de Conin, Cedric; Thakur, Ramesh (eds.) *Unintended consequences of peacekeeping operations*. Tokyo, New York: UN University Press.

Afkhami, Mahnaz, 2001, "Gender Apartheid, Cultural Relativism, and Women's Human Rights in Muslim Society", p.234-245, in Agosin Marjorie (ed) *Women, Gender, and Human Rights: A Global Perspective*. New Brunswick, NJ: Rutgers University Press.

Bunch, Charlotte, 1995. "Transforming Human Rights from a Feminist Perspective", pp.11-17, in Peters, Julie and Wolper, Andrea (eds.) *Women's Rights Human Rights – International Feminists Perspectives*. London: Routledge.

Charlesworth, Hilary, 1995. "Human Rights as Men's Rights", pp. 103-113, in Peters, Julie and Wolper, Andrea (eds.) *Women's Rights Human Rights – International Feminists Perspectives*. London: Routledge.

Charlesworth, Hilary and Chinkin, Christine, 2000. *The Boundaries of International Law: A Feminist Analysis*. Manchester: Manchester University Press.

Copelon, Rhonda, 1995. "Gendered War Crimes: Reconceptualizing Rape in Time of War", pp.197-214, in Peters, Julie and Wolper, Andrea (eds.)

- Women's Rights Human Rights – International Feminists Perspectives*. London: Routledge.
- Cockburn, Cynthia, 2007. *From Where We Stand: War, Women's Activism & Feminist Analysis*. London: Zed Books Ltd.
- Friedman, Elisabeth, 1995. "Women's Human Rights: The emergence of a Movement", pp.18-35, in Peters, Julie and Wolper, Andrea (eds.) *Women's Rights Human Rights – International Feminists Perspectives*. London: Routledge.
- Kaldor, Mary, 1999. *Nya och gamla krig. Organiserat våld under globaliserings era*. Göteborg: Daidalos.
- Kent, Vanessa, 2007. "Protecting civilians from UN peacekeepers and humanitarian workers: Sexual exploitation and abuse", pp.44-66, in Aio, Chiyuki; de Conin, Cedric; Thakur, Ramesh (eds.) *Unintended consequences of peacekeeping operations*. Tokyo, New York: UN University Press.
- Koyama, Shukuko and Myrntinen, Henri, 2007. "Unintended consequences of peace operations on Timore Leste from a gender perspective", pp.23-43. in Aio, Chiyuki; de Conin, Cedric; Thakur, Ramesh (eds.) *Unintended consequences of peacekeeping operations*. Tokyo, New York: UN University Press.
- Kouvo, Sari, 2004. *Making Just Rights? – Mainstreaming Women's Human Rights and A Gender Perspective*. Uppsala: Iustus Förlag.
- Mayer, Elizabeth, 1995. "Cultural Particularism as a Bar to Women's Rights: Reflection on the Middle Eastern Experience", pp.176-188, in Peters, Julie and Wolper, Andrea (eds.) *Women's Rights Human Rights – International Feminists Perspectives*. London: Routledge.
- McKay, Susan, 2005. "Reconstructing fragile lives: girl's social reintegration in northern Uganda and Sierra Leone", pp.19-30, in Sweetman, Caroline (ed.) *Gender, Peacebuilding, and Reconstruction*. Oxford: Oxfam GB.
- Nordstrom, Carolyn, 1998. "Girls Behind the (Front) Lines", pp.80-89, in Lorentzen, Lois Ann and Turpin, Jennifer (eds.) *The Women War Reader*. New York: New York University Press.
- Pettman, Jan Jindy, 1996. *Worlding Women – A feminist international politics*. New York: Routledge.
- Rao, Arati, 1995. "The Politics of Gender and Culture in International Human Rights Discourse", pp.167-179, in Peters, Julie and Wolper, Andrea (eds.) *Women's Rights Human Rights – International Feminists Perspectives*. London: Routledge.
- Stamatopoulou, Elissavet, 1995. "Women's Rights and the United Nations", pp.36-48, in Peters, Julie and Wolper, Andrea (eds.) *Women's Rights Human Rights – International Feminists Perspectives*. London: Routledge.
- Shaw, Malcolm N., 2004. *International Law*, fifth edition. Cambridge: Cambridge University Press.
- Sullivan, Donna, 1995. "The Public/Private Distinction in International Human Rights Law", pp.126-134, in Peters, Julie and Wolper, Andrea (eds.) *Women's Rights Human Rights – International Feminists Perspectives*. London: Routledge.

Turpin, Jennifer, 1998. "Many Faces: Women Confronting War", pp.3-18, in Lorentzen, Lois Ann and Turpin, Jennifer (eds.) *The Women War Reader*. New York: New York University Press.