

Enhancing Gender- Responsive Mediation

A Guidance Note



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Vienna, October 2013

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Photo page 17: The OSCE Chairperson's personal representative on protracted conflicts, Ambassador Andrii Deshchytzia (c) and the chief negotiators in the Transdnestrian settlement process, Eugen Carпов and Nina Shtanski, Credit: OSCE/Sarah Crozier

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Foreword

Since the beginning of time there have been conflicts and wars. They have usually been solved through the defeat and surrender of one of the parties and subsequent peace talks and agreements, as a rule enacted by male political and military leaders. The vast majority of the population has generally been excluded from these processes that decided on their future – without a doubt, a truly undemocratic approach.

Over the past decade, however, we have witnessed two parallel developments thanks to which the old set of values traditionally applied to peace-making is gradually coming unhinged. One is the trend towards more comprehensive conflict resolution and peace processes that embrace a multitude of stakeholders and issues. In this context, mediation has become one of the main focuses of international efforts to settle conflicts in a peaceful way, taking into account the complexities and peculiarities of the conflict situations.

The other development started with the unanimous adoption in the year 2000 of Resolution 1325 by the United Nations Security Council (UNSCR), which recognized that women, who make up half of the world's population, are in many ways affected by wars and conflicts differently from men and that the international legal framework on gender equality has to be extended to the areas of conflict resolution and peace-building. Since then we have seen an ever broadening agenda on Women, Peace and Security, with five follow-up resolutions to UNSCR 1325 and multiple national and international efforts to implement resultant commitments.

There is increasing agreement that women's perspectives are crucial for a full understanding of the impact of a conflict and that taking into account women's conflict experience is essential to establishing lasting peace. Including women in peace talks creates a different dynamic and their contribution, not limited to so-called "women's issues", will influence the broader mediation agenda. Adding women in peace processes gives them greater legitimacy as it offers solutions to a broader segment of society. By including women and

women's organizations and addressing their needs and concerns a more durable, sustainable peace can be achieved.

This guidance note is conceived as a practical tool for mediators to find entry points for women and gender equality issues into the mediation agenda. Its purpose is also to assist mediators in reviewing the composition of their own teams in order to include women and gender expertise.

In developing this guidance note the Gender Section of the Organization for Security and Co-operation was inspired and motivated by a number of women and men to whom we owe sincere gratitude and acknowledgment. We thank our colleagues from the Office of Democratic Institutions and Human Rights (ODIHR) for assisting us in organizing a roundtable of relevant experts and practitioners on gender-inclusive mediation in Vienna in October 2012. We express our sincere gratitude to Heidi Tagliavini, Monica McWilliams, Sanam Anderlini, Gina Torry, John Packer and the many others whose admirable motivation and valuable expert input was indispensable for moving our work forward. And last but not least we would like to sincerely thank Claus Neukirch, David Lanz, Andreea Vesa, Antonia Potter, Jacqueline O'Neill and Sonja Licht for the very useful comments on the final draft of the guidance note.

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About this Guidance Note

Mediation is recognized as one of the most effective methods of preventing, managing and resolving conflicts.¹ The Organization for Security and Co-operation in Europe (OSCE), the world's largest regional security organization, plays an important role in mediation, dialogue facilitation, good offices and quiet diplomacy throughout the region from Vancouver to Vladivostok. Established as a multilateral forum for dialogue and negotiation between East and West² in 1975, the OSCE and its participating States are committed to peacefully resolving conflicts.

Today, the OSCE is engaged in mediation efforts in several unresolved conflicts: The 5+2 negotiations on a Transdnistria settlement, the Minsk Group process on the conflict in and around Nagorno-Karabakh and the Geneva International Discussions initiated following the August 2008 conflict in Georgia. Over the years, the OSCE has also helped mediate at the local level, including Field Operations in Kyrgyzstan, in the South of Serbia and in the Former Yugoslav Republic of Macedonia. In addition, the Institution of the OSCE High Commissioner on National Minorities established as an early warning and conflict prevention instrument, has since its inception in 1993, developed into an effective and indispensable quiet diplomacy tool.

To maximize the continuity, consistency and effectiveness of OSCE engagement in conflict mediation and to strengthen the role of its mediators, the Organization is currently enhancing its mediation-support capacities by, among other things, establishing a Mediation-Support Team within the Conflict Prevention Centre. This guidance note is part of these efforts.

As a regional arrangement under Chapter VIII of the Charter of the United Nations, the OSCE responds to international legal frameworks such as

1 UN. *Guidance for Effective Mediation*, (2012) available at: <http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/UN%20Guidance%20for%20Effective%20Mediation.pdf>

2 OSCE, *History*, available at: <http://www.osce.org/who/87>

United Nations Security Council Resolutions (UNSCRs). This commitment includes the United Nation's expanding agenda on *Women, Peace and Security*, which to date comprises six UNSCRs,³ and aims to ensure women's full and meaningful participation in all conflict prevention, peace-building and post-conflict reconstruction processes.

The OSCE has acknowledged the need to enhance women's representation in peace negotiations and to contribute to gender-responsive mediation processes through the following Ministerial Council Decisions:

- The *2004 OSCE Action Plan for the Promotion of Gender Equality* (MC.DEC/14/04) sets out the priorities of the OSCE in promoting gender equality within the Organization and its work, which includes mediation efforts, and in all participating States in a comprehensive and cross-dimensional way.⁴
- MC.DEC/14/05 on *Women in Conflict Prevention, Crisis Management and Post-Conflict Rehabilitation* emphasizes the importance of women's full and equal participation in all phases of conflict prevention, resolution and peace building.⁵
- MC.DEC/3/11 on *Elements of the Conflict Cycle, related to enhancing the OSCE's capabilities in Early Warning, Early Action, Dialogue Facilitation and Mediation Support, and Post-Conflict Rehabilitation* urges the Organization and participating States to ensure increased representation of women at all levels in conflict resolution and peace processes.⁶

Following these commitments and in an effort to substantially contribute to the development of gender responsive mediation and peace processes, the OSCE convened a roundtable in October 2012 in Vienna which brought together more than 100 practitioners, experts and activists from around the

3 United Nations Security Council Resolutions 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010) and 2106 (2013).

4 OSCE. Ministerial Council Decision No. 14/04, *2004 OSCE Action Plan for the Promotion of Gender Equality*, (2004) available at <http://www.osce.org/mc/23295>

5 OSCE. Ministerial Council Decision No. 14/05, *Women in Conflict Prevention, Crisis Management and Post-conflict Rehabilitation* (MC.DEC/14/05), (2005) available at: <http://www.osce.org/mc/17450>

6 OSCE. Ministerial Council Decision No. 3/11, *Elements of the Conflict Cycle, related to enhancing the OSCE's capabilities in Early Warning, Early Action, Dialogue Facilitation and Mediation Support, and Post-Conflict Rehabilitation*, (2011) available at: <http://www.osce.org/mc/86621>

world to discuss strategies of how to *Enhance the Role of Women in Conflict Mediation in the OSCE Region*.⁷

As a result, the decision was taken to create a guidance note for mediators and professionals engaged in formal third-party mediations across the OSCE region and beyond. This note aims at raising awareness how gender-responsive mediation can potentially lead to more sustainable agreements and proposes concrete measures for gender-aware interventions.

⁷ The roundtable *Enhancing the role of women mediators in the OSCE region* gathered some of the leading organizations engaged in mediation and peace negotiations: Mediation Programme at Swisspeace, International Civil Society Action Network, Mediation Support Unit at UN Department of Political Affairs, International Alert, Crisis Management Initiative, Hunt Alternatives Fund and the Centre for Humanitarian Dialogue. For more information visit: www.osce.org/gender/90562

1. Introduction to Gender-Responsive Mediation Processes

1.1. What is mediation?

Mediation is one of several possible responses to conflicts,⁸ crises and civil unrest. Mediation can be defined as “a structured communication process, in which an impartial third party works with parties to the conflict to find commonly agreeable solutions to their dispute in a way that satisfies all interests at stake.”⁹

The OSCE Mediation-Support Framework identified the following key features of mediation:

- It is *voluntary*, requiring the *consent* of the parties.
- It leaves *autonomy* to the parties insofar as they can control the outcome of the mediation process.
- It provides for an *inclusive space* in which conflicting parties can share sensitive issues.
- It relies on the *mediator’s impartiality*.
- It is based on the mediator’s observance of *confidentiality*.¹⁰

1.2. Women and gender: concepts and considerations

Gender. This term refers to the social construction of roles, behaviours and attitudes associated with being male and female in a particular context. Gender is not a synonym for women. Taking into consideration the historic inequalities between women and men, including asymmetric access to power and control over resources (which tends to marginalize and discriminate against women), policy interventions have centred on highlighting women’s experiences and on improving women’s lives. Still, using gender as a synonym for women keeps them as separate group from the male norm, while ignoring male gender aspects and constructions of masculinities, which remain unaddressed.

8 For the purposes of this guidance note, the term conflict is understood to encompass both intra-state and inter-state conflicts.

9 European Forum for International Mediation and Dialogue (MediatEUr). Service Checklist on ‘Mediation, facilitation and process design’, available at: <http://mediationnet.eu/support-and-advice/service-checklist>, accessed on 25 April 2013.

10 OSCE. *Strengthening the OSCE Mediation-Support Capacity: A Framework*. Conflict Prevention Centre – Operations Service. 11 June (SEC.GAL/110/13) (2013), p. 6.

Persisting stereotypes hinder gender-responsive processes. Stereotypes include ideas that women are peaceful or inherently passive; that they do not want to take part in peace negotiations, or are not sufficiently qualified (while men are rarely held up to this standard). A closer look at the different roles women actually assume or are forced into during conflict – as agents of change, active participants (combatants), supporting participants or human shields,¹¹ victims and peace activists and primary breadwinners¹² – demonstrates that women are not inherently good, or better than men, or vice-versa. Both genders have a conflict experience that they can add to peace talks and both can also delay progress by adopting uncompromising positions in negotiations. They have things to say about all aspects of the conflict/ peace, not only on “men’s issues” or on “women’s issues” narrowly conceived.

There is no gender neutrality. Gender, together with class, ethnicity and race, constitute socially defined categories that are intertwined and generate structural inequalities. Thus, mediation practitioners cannot simply ‘opt out’ of gender. Even if the mediator chooses to have no position on gender, this decision is likely to have a concrete impact on the lives of people, perpetuating gendered inequalities or generating new asymmetries through discrimination, unequal access and control over resources.

Gender equality is more than a politically correct term. It is “not a nicety but a necessity”¹³ and a legally protected human right. Rather than understanding gender responsive interventions as a favour or as an imposition from donors, mediators should take advantage of the transformative potential of gender responsive measures on social relations and peace-building and heed legal responsibilities delineated in international standards and national legislation.

Women, just as men, are not a homogenous group of people. They are shaped by interests and other inequality generating structures such as class, nationality, ethnicity, age, faith or sexual orientation. Women do not speak with a single voice and should not be expected to have unified positions, thus women’s demands cannot be generalised from talking to one segment of the female population.

11 Forced or voluntary camp followers, cooks, wives, slaves etc.

12 USAID. Women and Conflict – An Introductory Guide for Programming, (2006) available at: http://transition.usaid.gov/our_work/cross-cutting_programs/conflict/publications/docs/cmm_women_and_conflict_toolkit_december_2006.pdf

13 Potter, A. Gender sensitivity: nicety or necessity in peace-process management? Oslo Forum Network of Mediators, (2008). available at: <http://www.hdcentre.org/files/Antonia%20Potter%20Gender%20sensitivity%20WEB.pdf>

1.3. Why is a gender-responsive mediation process needed?

Among the multiple reasons to embrace a gender perspective in mediation are:

Compliance with normative and policy frameworks. The principles of gender equality and women's empowerment are firmly grounded in international law and have to be addressed in all legislation, policies and processes created by international, regional, national and community stakeholders.¹⁴

Inclusivity. Ensuring the systematic and structured participation of women leaders, gender experts and women's organizations helps to identify the gender dimensions of substantive issues on the negotiation agenda and thus contributes to creating a truly inclusive conflict settlement or peace process.

Comprehensiveness. Women have or are forced into different roles in crises, conflicts and post-conflict settings. They are civilians, victims of violence and sexual violence. They constitute the majority of refugees and internally displaced persons; they are combatants and providers of support to fighters. They head households after the absence or loss of their husbands and become the main breadwinners; they are responsible for the health and education of their children and are confronted with the demobilized, mainly male, fighters reintegrating into their communities. Enhancing female representation and taking into account women's needs, vulnerabilities, capacities, priorities and interests in peace and mediation processes generates a more comprehensive response that is more likely to create a stable and secure peace.

Efficiency. Adopting a gender perspective is likely to install a broader set of female and male mediation skills and qualities in conflict settlement and can increase the efficiency of the overall mediation process.

Effectiveness. Thorough information gathering from *both* men and women about the impact of a crisis or conflict provides for a more balanced set of facts and can help the mediation process effectively accomplish its goals.

¹⁴ As for the international legal framework please see: CEDAW <http://www.un.org/womenwatch/daw/cedaw/cedaw.htm>. Beijing Platform for Action: <http://www.un.org/womenwatch/daw/beijing/platform/>. UNSCR 1325: http://www.un.org/events/res_1325e.pdf

Lack of Women in Peace Processes

A UN Women survey shows that in 31 major peace processes between 1992 and 2011 only four per cent of the signatories, 2.4 per cent of the chief mediators, and nine per cent of the negotiators were women.¹⁵ During that same time period in the OSCE region, no women were included at all in the negotiating process that ended the war in Bosnia and Herzegovina and led to the Dayton Peace Accords.

Cost-efficiency. Planning a gender-responsive mediation process from the start is more cost-effective than piecemeal approaches with limited impact that add gender issues through ad-hoc measures or externally funded projects at later stages.

Stability. Addressing conflict-related patterns of violence and sexual violence, including sexual violence against men and boys, in mediation can foster a more stable peace. There is a direct link between conflict brutality and intimate/partner violence in post-conflict settings.

Sustainability. Including all segments of the population in the mediation and conflict-settlement process can have a major impact on the sustainability of peace. That is because the diverse stakeholders discussing a breadth of issues they might otherwise not have discussed can have a crucial influence on the post-conflict stability and security.

Considering that more than 50 per cent of peace agreements fail within the first five years of signature,¹⁶ approaches to formal peace negotiations mediated by third parties need to be revisited in order to increase levels of efficiency and sustainability. Excluding women from mediation and decision-making clearly does not seem to be a successful strategy.

1.4. What is a gender-responsive mediation process?

A gender-responsive, third-party mediation rests on three overlapping and intertwined areas:

- 1. Representation and participation:** Comprises the measures and initiatives taken to reverse under-representation of women in peace negotiations and to allow for women's meaningful participation.
- 2. Institutional framework and process management:** Includes planning, design and implementation of third-party mediation processes in

15 UN Women. Women's Participation in Peace Negotiations: Connection between Presence and Influence (2012). Available at: <http://www.unwomen.org/~media/Headquarters/Media/Publications/en/03AWomenPeaceNeg.pdf>

16 International Alert, *Donor Aid Strategies in Post-Peace Settlement Environments*, (2006). available at: http://www.international-alert.org/sites/default/files/publications/Donor_Aid_Strategies_in_Post_Peace_settlement_environments.pdf

such a way that (institutional) policies, procedures and practices take into account the impact they will have on individuals as a result of their gender.¹⁷

3. Substantive issues on the agenda and content of agreements: Refers to the extent to which gender dimensions of substantive topics on the agenda and the provisions contained in agreements are designed and implemented to be equally beneficial to men and women and would neither undermine nor harm them.¹⁸

17 Shepherd. *Gender matters in global politics: a feminist introduction to international relations* (London: Routledge, 2010). p. xxi.

18 Anderlini, S., *Gender and Mediation: A Common Sense Approach to Complex Conflicts*, (Swisspeace-KOFF Newsletter 112, 2012) available at: <http://www.swisspeace.ch/index.php?fid=1867&keywords=Gender&booltype=AND§ion=&id=502>



2. Guidance on Gender-responsive implementation of third-Party mediation

Gender-responsiveness in mediation and peace processes should be included in the early planning stages in order to be fully effective and to ensure the maintenance of a gender perspective throughout the process.

This chapter highlights several actions third-party mediators can take to create a gender-responsive mediation process. Because one size does not fit all circumstances, appropriate measures should be tailored to specific features of each conflict. When designing an approach, each mediator should incorporate the parameters and principles outlined below.

2.1. Mainstreaming gender in mediation process design

Gender mainstreaming ensures that all (institutional) policies and activities take into account the effect they will have on individuals as a result of their gender.¹⁹ It is the process of assessing the implications for women and men of any planned action in any area at all levels. In a gender-responsive mediation approach, mediators should mainstream gender issues in all aspects of the process. This includes research and analysis; training and capacity-building; knowledge management and operational guidance; budgeting, monitoring and evaluation; as well as outreach, networking, co-operation and co-ordination. The concerns and experiences of women and men have to be an integral part of each of the areas. Both must benefit from the measures undertaken.²⁰

The following are entry points for mainstreaming gender considerations into mediation and peace processes:

Research and conflict analysis

To better understand the conflict context and create a mediation process that can deliver a sustainable agreement, mediators have to figure out the dynamics on the ground. Research and (conflict) analysis as a basis for the design of the mediation process will inform decision-making, set priorities and shape

19 Shepherd, L., (2010), op.cit. p:xxi.

20 See UN Economic and Social Council definition of gender mainstreaming. "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 all areas and at all levels. It is a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality." United Nations, (1997). *Report of the Economic and Social Council for 1997 (A/52/3.18)*.

Key questions for gender mainstreaming

When assessing the potential for gender dimensions, mediators should ask themselves:

- Do women and men have the same needs, constraints, opportunities and resources?
- If not, how do they vary?
- How does a planned action impact men and women differently?
- How can contrasting needs and constraints be translated into implementation design?

the agenda. Assessing and mapping of stakeholders and identifying critical issues as well as conflict dynamics need to be conducted in a gender sensitive manner. This entails reaching out to different groups of women and men at various levels, as “men and women who live the conflict have knowledge and wisdom to contribute to the solution to the conflict.”²¹ Consultations need to be conducted with female and male government and opposition representatives, combatants, representatives of the business community, educators, health care providers, refugees and internally displaced persons, victims of sexual violence, youth organizations, religious leaders, women’s organizations, possible spoilers of the peace process and influential individuals. If available, sex-disaggregated data from different areas that are included in the mediation agenda should be collected and included into a gender-responsive assessment process.

Pre-deployment training for mediators

Tailored gender-inclusive training or modules of general instruction for mediators in the pre-deployment phase should aim to enhance the ability of male and female professionals to understand women’s security issues and incorporate this throughout the entire process. Mediators need to understand the relevance of international legally binding standards and commitments on Women, Peace and Security and learn how to design a gender-sensitive mediation process. The ultimate goal of the training is to ensure accountability and responsibility of the mediators for enhancing women’s meaningful participation and engaging conflict parties to include gender dimensions in the agenda. Trainers should be experts on gender issues, Women, Peace and Security and/or inclusive mediation processes.²²

Knowledge Management and Operational Guidance

Knowledge management is the practice of capturing, storing and sharing lessons learned from the past and applying them in the future.²³ In the case of

21 Mahmood, Youssef, *The Mediator’s Assessment* (2013). Presentation at the 2nd Pilot Course, Gender & Inclusive Mediation Processes. A High-level Seminar for Envoys, Mediators and Mediation Experts, Brussels, 16-17 April 2013. Organized by the United Nations and the European External Action Service.

22 Following the Pilot Course on Gender & Inclusive Mediation Processes (see footnote 19), the UN Department of Political Affairs (DPA), the Crisis Management Initiative (CMI), and the Peace Research Institute Oslo (PRIO) organize in a joint effort six High-Level Seminars on Gender and Inclusive Mediation Processes for envoys, senior mediators and their teams in 2013 and 2014.

23 UNDP, *Knowledge Management Toolkit: For the Crisis Prevention and Recovery Practice Area* (2007). <http://www.undp.org/ye/reports/Knowledge%20Management%20Toolkit%20for%20the%20Crisis%20Prevention%20and%20Recovery%20Practice%20Area.pdf>

What a mediator needs to know about the legally binding international Women, Peace and Security standards

The UN Security Council has adopted six UNSCRs²⁴ on Women, Peace and Security. A good example to illustrate the type of security issues mediators have to be aware of is paragraph 12 of the latest UNSCR 2106 (2013) that states that the Security Council:

- *Reiterates* the importance of addressing sexual violence in armed conflict whenever relevant, in mediation efforts, ceasefires and peace agreements;
- *Requests* the Secretary-General, Member States and regional organizations, where appropriate, to ensure that mediators and envoys, in situations where it is used as a method or tactic of war, or as part of a widespread or systematic attack against civilian populations, engage on sexual violence issues, including with women, civil society, including women's organizations and survivors of sexual violence, and ensure that such concerns are reflected in specific provisions of peace agreements, including those related to security arrangements and transitional justice mechanisms;
- *Urges* the inclusion of sexual violence in the definition of acts prohibited by ceasefires and in provisions for ceasefire monitoring;
- *Stresses* the need for the exclusion of sexual violence crimes from amnesty provisions in the context of conflict resolution processes.

gender responsive knowledge management, lessons learned and good practices should be collected from professionals who were or are engaged in inclusive mediation processes. Relevant information can be gathered by different stakeholders (national and international institutions or organizations, civil society, experts, academia etc.) through interviews and debriefing sessions so that it can provide guidance for future gender inclusive mediation.²⁵ The acquired knowledge can also be applied to defining mandates, standard procedures, protocols and rules of engagement to facilitate mediators in working towards gender equality.

Gender-Responsive Budgets

Gender-responsive budgeting is based on the acknowledgement that the allocation of financial resources reflects values, power relations and political priorities and has different impacts on women and men.²⁶ It is a viable instrument to translate gender-related policy commitments into practice and ensure effective and sustainable implementation of policies during negotiations and with respect to peace agreements. As such, gender-responsive budgeting constitutes a useful indicator for measuring the achievements related to equality commitments.

Forward-looking budgetary practices avoid piecemeal approaches and *ad hoc* gender initiatives that may lack sustainability and risk being among the first to be discontinued in the event of financial shortages. Thus, gender-responsive mediation requires earmarked funds to flexibly and timely address concrete and diverse needs on the ground. Budgetary allocations may serve to enhance technical expertise for stakeholders at the negotiation table by deploying gender experts or organizing professional skills training of those directly involved. Further, financial allocations can be used to support women participating in formal negotiations, increasing the size of delegations or making available spaces for separate consultations and discussions. Finally, they can be used to support concrete needs of women's organizations, be it training or arranging events. It can also help women from grassroots organizations that may not be in the position to finance their own travel, accommodation and child care.

24 See footnote number three.

25 Nilsson, I. *Make Room For Peace – a guide to women's participation in peace processes*, (Kvinna till Kvinna Foundation, 2011). available at: http://www.peacewomen.org/assets/file/make_room_for_peace_guide_to_womens_participation_in_peace_processes.pdf

26 Golemac Powell, A. *Gender Responsive Budgeting* (Sarajevo: UNIFEM, 2010) available at: <http://www.entwicklung.at/fileadmin/media/Themen/Gender/GRB.pdf>

Gender-responsive budgeting, however, can also be used to develop post-conflict institutions and government structures. A UN Women definition states, “Gender-responsive budgeting is government planning, programming and budgeting that contributes to the advancement of gender equality and the fulfillment of women’s rights. It entails identifying and reflecting needed interventions to address gender gaps in sector and local government policies, plans and budgets.”²⁷

Monitoring and Evaluation

Limited attention has been paid to monitoring and evaluating gender-responsiveness in third-party mediations. Still, tracking such developments could yield important insights for mediators to maintain a certain level of gender responsiveness.²⁸ Gender-responsive monitoring may deliver insights into the performance of a mediation delegation as well as on the overall process, provided that clear objectives and targets for performance have been established early on. Examples of possible indicators include: the percentage of women and men within the mediation delegation; the percentage of women with positions of responsibility within the overall negotiation process; the number of direct meetings with women’s organizations during specific negotiation phases; the number of topics on the agenda dealing implicitly or explicitly with gender or the percentage of funds per period allocated to gender-equality enhancing projects and/or women-specific projects. Qualitative indicators might cover the type, level and quality of women’s participation, local, national and international media coverage and the women’s involvement in it.

2.2. Raising gender awareness among stakeholders at the negotiating table

Gender-responsive mediators assisted by their team need to raise awareness and gather support among stakeholders at the negotiating table in order to ensure that women are included in the negotiations themselves and that they contribute to the decisions and final outcome of the entire process.

27 See UN Women’s efforts related to gender-responsive budgeting at <http://www.gender-budgets.org/>. The Government of the Republic of Austria has pioneered in this regard by having introduced gender budgeting as. See at <http://www.bka.gv.at/DocView.axd?CobId=46717>

28 “Monitoring and evaluation are distinct, but related, activities. *Monitoring* is a continuous activity to provide main stakeholders of an on-going intervention with early indications of progress (or the lack of progress), while *evaluation* is a one-off exercise to systematically and objectively assess progress towards the achievements of results.” Winderl, T. *How To Guide: Monitoring and Evaluation for DDR Programmes*, (UNDP, 2009), available at http://www.undp.org/content/dam/undp/documents/cpr/documents/ddr/ddr_how_to_guide.pdf



While pro-actively working on gender inclusiveness in the planning and process design, there are certain measures mediators may pursue to reach out to delegations and promote the significance of a gender-aware mediation process:

Act as a role model

By including women and men in their teams, mediators already set standards and send a signal to the negotiating parties of the gender awareness and inclusiveness of their approach. Mediators also have effectively engaged as door openers to enhance female participation in negotiation processes by being pro-active. A good example is Ambassador Erwan Fouéré, Special Representative of the OSCE Chairperson-in-Office for the Transdnestrian settlement process (2012), who included civil society representatives, particularly women's groups, in the process.

Convene separate information sessions

To get the negotiating parties acquainted with the added value of inclusive mediation processes, mediators can convene separate information sessions where gender experts explain the tools and benefits of gender awareness, offer examples of good practices and make proposals on how to include gender in the respective mediation process.²⁹

Offer training to build expertise

Parties to the conflict might be willing to engage in inclusive mediation processes, but do not have the expertise to do so. In such cases, mediators should facilitate training courses³⁰ for delegations or their advisers. Mediators can also pro-actively reach out to stakeholders and offer training.

Use favourable arguments

Mediators may explore different entry points and arguments to introduce gender equality into conversations with stakeholders, presenting it as an issue of shared interest rather than an outside imposition:

- **Non-contentious issue:** Introduce gender equality as a non-contentious issue that can be discussed in a depoliticized way. This may

29 The Office of the United Nations Representative to the Geneva International Discussions (UNRGID) organized such an information meeting for the negotiating parties on 25 March 2013 in Geneva.

30 For example: University of Ulster's Summer school on Transitional Justice: <http://www.transitionaljustice.ulster.ac.uk/SummerSchool2012.htm>

Human Rights Education Association's courses on Gender and Human Rights: http://hrea.org/index.php?base_id=1348&language_id=1

UN DPA course on Gender and Inclusive Mediation Processes: <http://podziba.com/projects/united-nations-gender-and-inclusive-mediation-processes>

constitute a means to connect the conflict parties, for example through joint training sessions on gender-responsiveness that would also serve as confidence-building measures.

- **Common interest:** When mediators frame gender-equality as an issue based on rights and justice it may well constitute a source of agreement across political divides. It can act as a common interest of the parties as well as a joint goal to reach in the course of transformation and post-conflict reconstruction.
- **Compliance with principles:** Communicate to the parties that they are bound by international legal and policy frameworks to respect gender equality. Mediators should also identify specific commitments that the parties have already undertaken and refer to them. They could include ratification of international conventions, adoption of national gender-equality legislation and strategies or efforts to combat discrimination. These issues may constitute entry points to enhance discussions on gender equality and to counter arguments such as that gender equality is “culturally impossible”.

Offer incentives

Mediators may proactively explore the extent to which incentives for the inclusion of women within negotiating parties are appropriate: Perhaps they can leave seats empty to symbolize the absence of women, provide more talking time if gender balance is observed or disburse support funds depending on the inclusion of women in negotiating teams.

Reach out to the public

Mediators also may include and prioritize the topic of gender equality in public statements, presentations or interviews. Creating awareness on this topic in the public will exercise influence on the negotiators. It can also reach and mobilize women’s organizations. Preferably, mediators can engage media as allies on this subject. However, if the outreach to the public is not performed with necessary sensibility it could backfire, cause offence and risk women’s security.

2.3. Enhancing the representation of women

The international legal and policy framework on Women, Peace and Security calls upon stakeholders to address the under-representation of women

Gender Parity Principles

“The UN Beijing Action Plan establishes a goal of 30 per cent for women’s participation in decision-making positions, which is understood as a critical mass to achieve transformations in decision-making and procedures employing other approaches. The gender parity principles hold that a minimum of 40 per cent from each sex should comprise the membership of any given body or process.”³²

in peace negotiations.³¹ Third-party mediators should hold themselves accountable and increase the number of female mediators by using gender parity principles. Thus, the mediation delegation can convey a message of inclusiveness to negotiating parties and lead by example when seeking to reverse women's under-representation in formal negotiating processes.

Women in mediation processes can act, among other things as:

- Lead mediators
- Members of mediation teams
- Delegates of negotiating parties
- Gender advisers to mediators³³
- Gender advisers to negotiating parties
- Women protection advisers to mediators³⁴
- Women protection advisers to negotiating parties
- Advisers on technical topics like gender and land rights, gender and disarmament demobilization and reintegration
- Members of technical committees
- Members of working groups
- Representatives and observers from civil society
- Signatories

Moreover, efforts need to be made to ensure gender balance in different concrete activities such as needs assessment, ceasefire-monitoring missions or in response mechanisms. In addition, women's participation needs to be increased in the fields of operative mediation support, including research and analysis, knowledge management and outreach as well as co-ordination. Some tools to do this include:

Affirmative action or temporary special measures constitute decisions and actions that challenge gender imbalance through preferential appointment of women. This could include specific training schemes for targeted groups of women (like young women, or women from a specific background or ethnic community), preferential selection from rosters or pools of experts or valuation

31 See for example UNSCR 1325 paragraph 1-3.

32 Buchanan, C., Cooper, A., Griggers, C., Low, L., Manchanda, R., Peters, R. and Potter Prentice, A. *From clause to effect: including women's rights and gender in peace agreements* (Centre for Humanitarian Dialogue, 2012) p.21.

33 Advisers, members of technical committees and representatives from civil society can of course also be men.

34 See paragraph 7 of UNSCR 2106 and UNSCR 1888.

of gender equality skills and proven capacity as conditions for promotion. Such measures are temporal in nature and should be suspended once gender balance is reached.

Quotas are a form of temporary measures to overcome unequal opportunity and have been used to improve women's representation in the political sphere.³⁵ Quotas should be framed as a minimum to avoid being interpreted as a maximum: for example "at least three seats on the Commission", rather than simply "three seats on the Commission".³⁶

Mentoring schemes may be used to help junior and mid-career women in international organizations and institutions gather first-hand experience of formal mediations by working with senior professionals.³⁷ Mentoring is a useful tool to prepare future generations of mediators. According to a study of the careers of lead mediators, mentoring women in their 30s and 40s helps prepare them for senior assignments between the ages of 55 and 75.³⁸

Gender Expertise needs to be owned by both male and female professionals. Increasing representation and enhancing women's participation is not a guarantee for gender-responsiveness of the overall process. Qualified women (like men) who reach positions of responsibilities might not necessarily have a firm grasp of what a gender perspective means, know how to act in gender-responsive ways or be committed to enhancing gender equality. So female and male professionals need to learn to apply gender responsiveness, whether it is through training courses, mentoring, information sessions on UNSCR 1325 and the Women, Peace and Security agenda or on the job training. Gender expertise can be ensured by hiring permanent gender advisers as well as thematic specialists with a clear understanding of gendered dimensions in their respective areas of expertise. This can include professionals on specific women's security issues like sexual violence or experts on land rights.

35 Initiative on Quiet Diplomacy *SCR 1325 and Women's Participation: Operational Guidelines for Conflict Resolution and Peace Processes*, (2010) available at: http://www.iqdiplomacy.org/images/stories/handbook/pdf/scr1325_iqd.pdf, p.16.

36 Buchanan et al., (2012), op.cit., p. 21.

37 Initiative on Quiet Diplomacy (2010), op.cit., p.8.

38 Potter, A. *We the Women: Why conflict mediation is not just a job for men*, (Humanitarian Dialogue, 2005.) available at: <http://www.hdcentre.org/files/We%20the%20Wome.pdf>

2.4. Building effective relations with women's organizations

Practitioners and scholars recognize the importance of linking mediation and dialogue efforts at different levels to ensure effective mediation. Interaction and cross track communication between the formal and informal processes can result in a more comprehensive consideration of interests and in an agenda-setting that is more likely to be accepted by broader segments of society.³⁹ In addition, reaching out to civil society,⁴⁰ including those operating at the grassroots and community level, may boost the credibility of the overall process, enhance stakeholders' ownership and increase sustainability of agreements reached. Informal mediation actors often have extensive networks, a more direct understanding of the context and the parties involved in conflict. And, they mostly enjoy trust at local level or at least have access to it.

What mediators need to know about women's organizations:

They are active stakeholders

Women's organizations are particularly active in civil society peace initiatives and have an established record of developing alternative political solutions to the conflict, building trust, engaging in joint projects or bringing parties across conflict lines together to talk.⁴¹ Women leaders and their organizations often take an active part in mediation, as happened during the 2010 tensions in the Kyrgyz Republic, where women mediated across ethnic divides over land seizures. Although government offices closed and international organizations had withdrawn, non-governmental – in particular women's – organizations remained operational on the ground.⁴² Women in the former Yugoslavia kept contact over ethnic boundaries throughout the conflict and tried to invoke a discussion on peace. Women seem to be able to keep the dialogue

39 Initiative on Quiet Diplomacy (2010), op.cit., p.19.

40 Track Two or non-official processes involve unofficial interactions by a variety of actors, including NGOs, private citizens and civil society representatives, while Track Three indicates community-to-community processes undertaken by private groups and individuals. Burgess, H. & Burgess, G. *Conducting Track II Peacemaking*. (USIP, 2010) available at: http://www.usip.org/files/resources/PMT_Burgess_Conducting%20Track%20II.pdf and Initiative on Quiet Diplomacy (2010) op.cit.

41 Burgess, H. & Burgess, G. *Conducting Track II Peacemaking*. (USIP, 2010). available at: http://www.usip.org/files/resources/PMT_Burgess_Conducting%20Track%20II.pdf

42 Luisa Dietrich & Hanna Sands interviewing Dzhamilia Kaparova, Director of the NGO Ensan-Diamond, Kyrgyzstan on 15/2/2013.

open even when the formal peace efforts are at a standstill. This is a potential that remains under-utilized in mediation efforts.

Rich source of information and support for implementation

Women's organizations are likely to operate in conflict contexts, they continue to be active during negotiations, and often remain active when the negotiations have concluded. Women's peace initiatives are a rich source of information and may bring the voices of traditionally marginalised sectors of society to the table. More often than not, women's organizations have clear positions on the conflict, and concrete, valuable demands for the stakeholders around the table. Even if they do not have a full set of common positions (as their organizations may in some cases reflect various divisions in society) they may have concrete opinions and suggestions which will broaden the options on the table. They have important roles to play in the implementation of peace agreements as well as in monitoring and evaluating its progress. Despite this rich experience, civil society women in conflict regions are a largely untapped source of constructive contributions to peace talks.⁴³

Broad range of stakeholders

As the idea of a monolithic group of women has been contested on the grounds of class, ethnic and age difference among others, mediation professionals need to reach out to different groups of women. Women may have very diverse and, at times, contradicting positions regarding the conflict and the involvement of parties at the negotiations, and they are likely to choose different strategies to convey their demands. Depending on the contexts, mediators may reach out to women's rights activists, women's peace organizations, national and international women's networks, women's survival organizations,⁴⁴ women's organizations for service delivery, women's faith-based organizations, mothers' groups, as well as gender experts, women's studies and/or feminist academics. Further, they may reach out also to individual female leaders, women in local and regional government authorities, women's caucuses in parliaments or women in organizations that mobilise for peace, for instance, women in diaspora movements.

43 Nilsson (2011), op.cit., p:17.

44 These include for example soup kitchens, mother's clubs and recipients of cash-transfer programmes.



A woman's experience

“An ability to listen is indispensable in a peace mission. Talk to everybody, listen to everybody and treat everybody equally, even if at times you would prefer not to do so. And don't accept criticism from anyone who accuses you of meeting with x, y or z who are the “bad guys”. In a conflict environment it is your privilege but also your duty, for the sake of objectivity and impartiality, to see and talk to all the stakeholders. Don't forget, the loser of today may be the winner of tomorrow.”

“Integrity, first and foremost. In peace missions a woman in a top position is closely scrutinized and observed at all times. In general, women in peace missions face more skepticism and suspicion than men in the same jobs. In the volatile environment of a conflict where nobody trusts anybody, the integrity of the Head of Mission is a key requirement; it will determine whether you are acceptable as a negotiator/mediator or not. You may be a good negotiator, but if at the same time you are a person who is politically or morally compromised, it inevitably fires back.”



Heidi Tagliavini at the OSCE conference “Enhancing the Role of Women in Conflict Mediation in the OSCE Region” on 22 October 2012.

Excerpts from her presentation.

How do mediators work with women's organizations?

Deliver and exchange information

Mediators can play a key role in enhancing relations between peace negotiation processes and women's peace initiatives, by providing information on procedures, particular rules of engagement and other modalities of the negotiations. Accurate and complete information delivered and exchanged in a timely manner will support women's organizations in developing appropriate strategies that they can integrate in the peace process.

Set up consultation mechanisms

Depending on the context, the parties might agree to establish permanent consultation mechanisms with women's organizations within the formal set-up of the mediation. Besides, mediators can address civil society assemblies or initiate information sessions, informal platforms or thematic working sessions. Such mechanisms not only serve to disseminate information, but help the mediator to feel the pulse of civil society's perception of the processes, respond to concrete demands of civil society representatives (such as meeting directly with negotiating parties) and feed their input back into the official processes. Mediators are vital in generating the right environment to support women's peace initiatives in putting forward their contributions, demands and recommendations to formal negotiations.

Identify negotiating topics

In accordance with UNSCR 1325 and consecutive resolutions, mediators need to ensure full and effective participation of women and their organizations in peace processes. These efforts should include taking into account women's contributions and asking for input on a range of topics that are on the negotiation agenda. In addition, mediators will need to be prepared for women to identify issues beyond the set topics. Informal consultations with women's initiatives and organizations have to start early on, in the phase of information gathering, fact finding and other assessment activities.

Facilitate training

To strengthen the impact of their work in areas relevant to the negotiations, women's peace initiatives may require easy access to training in areas like mediation techniques, advocacy, lobbying, engagement with the media, conflict resolutions tools, conflict analysis, and peace process terminology.⁴⁵ In addition, knowledge

⁴⁵ Nilsson, I. (2011), *op.cit.*, p.14.

of international legal frameworks, resolutions and women's human rights paired with practical training on how to document cases of human rights abuses may be useful. Mediators can explore options to collaborate with observing countries, groups of friendly states and donor governments to finance projects that support enhancing skills women need to meaningfully participate in negotiations. Sometimes ensuring participation of women will require overcoming obstacles that relate to gendered roles and responsibilities. For instance, child care and/or financial restraints may constrain women's ability to attend meetings. Or women may not be allowed to travel on their own due to cultural constraints or they may have difficulty obtaining the necessary travel documents and visas.

Organize common activities

The mediator may organize common activities between delegations to the negotiation and representatives of the diverse women's initiatives. These efforts would promote confidence among the stakeholders and help identify challenges to women's meaningful participation at the table. Options may include conducting joint fact-finding missions and field visits or attending the same training.

Avoid security risks

Women's organizations may pay a high price for collaborating with mediators and their teams or international initiatives if there is no agreement on co-operation by the parties to the conflict. Under such circumstances women can be viewed as traitors. Thus, mediators need to pay particular attention not to expose women leaders and their organizations to security risks.

Create parallel fora for women

Parallel fora may constitute safe spaces for women to exchange views as well as discuss and draft their own agenda. This might be a relevant way to collect input and bring it to the negotiation table, particularly in highly formal contexts with limited opportunities for women's initiatives to engage. Mediators can communicate the women's contributions to the negotiating parties through different mechanisms such as events in which women hand over written demands, formal meetings to address negotiation delegations in plenary sessions or the use of trusted intermediaries. However, mediators should utilize this measure cautiously and as a temporary one in order not to run the risk of completely marginalizing the impact of women and women's organizations on the negotiation process.

Organize women's meetings

Women's conferences and events may allow for peer-exchange, networking and alliance building among different local, national and regional initiatives.

This helps develop focused strategies for women's organizations to engage in negotiation processes.

2.5. Developing a gender-responsive agenda

The term agenda is understood in broad terms and comprises substantive issues addressed throughout the different negotiation phases, starting with "talks about talks" in the pre-negotiation phase where potential issues are already put on the table.

Mediators play an important role in identifying gender dimensions to issues on the agenda that should not only take into account the protection and security of women in the transition and reconstruction phases, but also their political and economic empowerment

Virtually every substantive issue on the peace agenda has a gender dimension,⁴⁶ which will affect individuals differently depending on their gendered roles and responsibilities.⁴⁷ Mediators can identify these gender aspects by asking the key gender mainstreaming questions as stated in chapter 2.1.

Gender differences shape interests, vulnerabilities and needs of people. Mediation professionals should acquire expertise on how these considerations affect substantial issues in the negotiation. Furthermore, mediators should learn how gender could be taken into account when developing solutions to these issues in a way that they would consider the interests, vulnerabilities and needs of the whole population.

Essentially, topics on mediation and negotiation agendas can be roughly divided into two areas: security and empowerment. Both areas are closely interlinked and interdependent and have to be considered from the cessation of hostilities through the establishment of ceasefire agreements and the discussions that lead to peace agreements to implementation arrangements.

46 Anderlini (2012), op.cit. p.5.

47 Nilsson (2011), op.cit.

Security agenda

Examples of substantive issues addressed in third-party mediations and related to security may include:

- Ceasefire agreements
- Security arrangements
- Disarmament, demobilization and reintegration of fighters
- Deployment of joint peace keeping forces
- Monitoring mechanisms
- Incident response mechanisms
- Return of refugees and internally displaced persons
- Prisoner exchange
- Border security
- Freedom of movement
- Access to land
- Missing persons
- Conflict-related sexual violence
- Security sector reform

Some of the key questions mediation professionals may ask to identify gender dimensions of substantive security issues on the agenda are:

- What are the key security considerations of women, girls, men and boys? Are they different? If so, how?
- Are women undergoing particular vulnerabilities that expose them to increased risks and unsafe coping mechanisms?
- What are the gendered patterns of violence? What measures have been undertaken to protect women, girls, men and boys from on-going violence?
- Do women and men have equal access to services, benefits, entitlements and opportunities? Can they benefit equally?
- Have gender specific health needs been addressed (*including sexual and reproductive health services, child-care services, or monthly hygiene kits for women's specific needs*)?
- How can women be included in security arrangements, peacekeeping forces and monitoring mechanisms?



In particular, gender and mediation experts emphasize that **sexual violence in conflict** has to be addressed from the very beginning of a mediation and negotiation process, when the principles of ceasefire and peace agreements are set up. The *UN Guidance for Mediators Addressing Conflict-Related Sexual Violence* stresses that “the use of sexual violence humiliates, dominates, instils fear, breaks identity and creates enduring ethnic, family and community division”.⁴⁸ Addressing conflict-related sexual violence from the start can increase the durability of peace by mitigating security fears and improving transparency, accountability and trust among parties. If left unaddressed, conflict-related sexual violence can be used as a means to continue acts of war outside the purview of agreements and monitoring. This can trigger cycles of vengeance and vigilantism, and risks undermining the confidence in agreements and possibly the mediation process itself.

The issue of sexual violence has to be included in monitoring mechanisms. The extent of sexual violence that has occurred needs to be established. Perpetrators should be prosecuted and victims’ needs addressed via transitional justice processes. An example of the strongest existing ceasefire agreement with respect to sexual violence is the Libreville Ceasefire

48 United Nations, *Guidance for Mediators on Addressing Conflict-Related Sexual violence*, (Department of Political Affairs, 2012). op.cit.

Agreement for the Central African Republic, signed January 2013. Thanks to the involvement of the Department of Political Affairs, (the Mediation Support Unit and BINUCA) , the parties in the conflict agreed to the immediate halt of sexual violence, declared sexual violence a prohibited act in the definition of ceasefire and arranged to address sexual violence in a programme of urgent priority.⁴⁹

Often considered as too private or potentially threatening to conflict parties, there are also other issues that lie at the core of women's conflict experiences and have an impact on the security and justice agenda throughout the negotiation processes. These include forced recruitment into armed forces or other parties to the conflict, human trafficking, increased intimate/partner violence, and crimes involving small arms and light weapons.

Empowerment agenda

Mediation and negotiation processes that aim to restructure or reconstruct a post-conflict society in order to create sustainable peace have to take into account that all the principles and values that are to be enshrined in future state documents apply to women and men in equal measure. The issues that are likely to be discussed with a view of peace-building and reconstruction processes and that have to be gender mainstreamed include:

- The constitution
- Legal frameworks
- Economic recovery

Elaborating constitutional and legal frameworks comprises a number of issues that have a vital impact on the quality of the reconstruction and peace-building efforts and processes, including fundamental rights and freedoms as well as the structure and role of government institutions. This is the point in time when stakeholders have the opportunity to mend past inequalities and establish the foundation of a society that will consider the rights and needs of the whole population: men and women, boys and girls, the young and the elderly, ethnicities and minorities.

⁴⁹ Gina Torry, Cessation of Hostilities/ Ceasefires/ Security Arrangements. Presentation at the 2nd Pilot Course, Gender & Inclusive Mediation Processes. A High-level Seminar for Envoys, Mediators and Mediation Experts, Brussels, 16-17 April 2013. Organized by the United Nations and the European External Action Service. Even though hostilities broke out again in the Central African Republic, the agreement as such can be considered as a model.

Some of the measures and the mechanisms that can be established to ensure that gender-inclusiveness is promoted through the peace agreement and will persist could include the:

- Development of a national gender equality strategy;
- Establishment of a national women's commission or committee;
- Establishment of a Transitional Justice mechanism which is gendered and sensitive to issues of victim's rights;
- Formation of a women's caucus in parliament;
- Development of national action plans and/or other strategies for the implementation of CEDAW as well as UNSCR 1325 and subsequent resolutions on Women, Peace and Security;
- Introduction of time-limited gender equality quotas;
- Training seminars or workshops on gender-inclusiveness for all government institutions;
- Skills developments for women (scholarships, mentoring programmes etc.);
- Establishment of women's resource centres;
- Access to grants and loans for economic empowerment;
- Co-operation with women's civil society organizations;
- Allocation of budgets for all the above.

Some of the key questions mediation professionals may ask to identify gender dimensions of substantive empowerment issues on the agenda are:

- Does the constitution guarantee protection against gender-based discrimination?
- Is there additional national legislation and policy envisioned in order to enable the implementation of this guarantee?

- Have women been included in all reconstruction efforts and at all levels?
- Are women represented in newly established institutions, different governmental branches and temporary bodies,⁵⁰ such as constitutional assemblies, security institutions or political parties?
- Are there special measures and mechanisms in place to assist with reaching gender equality (like quotas or women’s committees)?
- Have structural obstacles to women’s full and equal participation been addressed? (*Can women participate in elections and stand for elections?*)
- Has equal access to and control over resources been ensured for women and men (*including access to credits, grants, land and distribution of tools, equal pay for equal work*)?
- Have obstacles such as discriminatory inheritance laws and laws regulating the ownership of land been repealed?
- Have women’s social and economic contributions during conflict been acknowledged and are they now well positioned to contribute to post-conflict reconstruction?
- Have means been explored to incorporate women into income-generating activities (*like starting small businesses and community projects in the post-conflict setting*)?
- Are women involved in the monitoring of human rights and humanitarian conditions?

A final, essential question that mediators have to consider throughout assessment, agenda-setting, negotiations and conclusion of agreements and documents has to be: Is the language used in oral and written communication and drafting gender-sensitive?

50 Castillo Diaz, P. & Tordjman, S., (2012), op.cit.

2.6. Reaching agreements and implementing them

It is likely that memoranda of understanding, transitional arrangements and partial accords will be signed before a comprehensive agreement is reached. These different settlements need to comply with international standards, treaties and conventions and should ensure that no amnesty is granted for crimes committed during the conflict or that conflict-related gender-based and sexual violence does not remain unaddressed.⁵¹

Negotiators must also ensure that all issues and priorities that were addressed at the negotiating table are incorporated into drafts and subsequent versions of accords. Most importantly, they must be included in the final agreement. In Sudan, women-specific points agreed upon during multiple negotiations were subsequently reduced and eventually dropped by an all-male team of professionals in charge of drafting the agreements.⁵²

The final agreement sets the threshold for professionals in charge of implementing the provisions that will either help or hinder the implementation of gender-responsive stipulations of the accord.

Some issues that mediators have to take into consideration when concluding the mediation and negotiation process:

- Gender experts or reliable representatives of women’s organizations should be involved in the different stages of drafting peace agreements, including the final stage.⁵³

51 UN, 2012. *Guidance for Effective Mediation*, available at: <http://www.un.org/wcm/webdav/site/undpa/shared/undpa/pdf/UN%20Guidance%20for%20Effective%20Mediation.pdf>

52 “For example, during the negotiations SPLM/A women proposed a minimum quota of 25 per cent for the representation of women in the civil service, the legislative and executive at all levels of government, as provided for by the SPLM/A constitution. One senior male member of the SPLM/A delegation laughed and asked me where the women would be found to fill these positions. The 25 per cent quota was eventually accepted in the larger group, where there were at least three women, but then the all-male SPLM/A drafting committee reduced this figure to 5 per cent. The SPLM/A Chairman raised this to 10 per cent as a compromise. Later on we learned that it had been dropped altogether when government negotiators refused a quota for women in power sharing on the grounds that they had not been fighting women.” Itto, A., (2005). *Guests at the table? The role of women in peace processes. Accord 18*, available at: http://www.c-r.org/sites/c-r.org/files/Accord18_19Guestsatthetable_2006_ENG.pdf

53 Nilsson (2011).

- It is highly desirable to have (expert) women from the negotiating parties sign the intermediate and final documents and agreements in order to make sure that gender equality issues are properly addressed and have their legitimacy.
- Provisions should be worded as explicitly and accurately as possible, using inclusive language. Abstract formulations or gender-neutral language that may open problematic interpretative spaces should be avoided.⁵⁴
- Gender sensitive language should survive translation into local language and be accurate.
- Women’s organizations should be involved in planning, implementing and monitoring of agreement provisions.
- Women’s civil society initiatives need be provided with the proper conditions to contribute to the implementation of agreements. This requires that women are notified of the content of the agreement, provided with space and if necessary with resources for the reconstruction phase.
- Aim for a minimum of 40 per cent of female and male participation in oversight commissions and other institutions; consider using quotas or other affirmative actions in this regard.
- It is important that all provisions of the agreement are implemented with full regard of their gender specific implications⁵⁵ and that they are carried forward in a comprehensive and timely manner and are adequately funded.
- Mechanisms should be established to review progress on the implementation of the signed peace agreements on a regular basis; the results should be shared widely with decision-makers and the civil society.⁵⁶

54 United National, Department of Political Affairs (2006). *Women in Peace Processes and Agreements: Operational Guidance Note*, available at: http://www.peacewomen.org/assets/file/Resources/UN/un__womenandpeaceprocesses_2006.pdf

55 United National, Department of Political Affairs (2006), op.cit.

56 Nilsson (2011), op.cit. p. 16.



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