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Institute for National Security
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INSCT Briefing Paper



UN MEDIATION AND THE WOMEN, PEACE, AND SECURITY AGENDA

Moving from Rhetoric
to Reality



By Catriona Standfield



August 2017

INSCT BRIEFING PAPER

**UN Mediation and the Women, Peace,
and Security Agenda:
Moving from Rhetoric to Reality**

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August 2017

The author wishes to thank the Andrew Berlin Family National Security Foundation and the Institute for National Security and Counterterrorism for support in conducting this research. This paper is a condensed version of a forthcoming journal article. The author can be contacted at chstandf@syr.edu.

EXECUTIVE SUMMARY

Women are present on the frontlines of conflict as combatants, peacebuilders, victims, and more. Yet, when it comes to negotiating the peace they are conspicuously absent, meaning their needs often go ignored. In 2000, the United Nations Security Council recognised this problem by adopting Resolution 1325 (UNSCR 1325). It called for increasing women’s representation in all aspects of peace and security decision-making, as well as greater sensitivity to gender inequalities in conflict.¹ These two norms—gender balance and gender sensitivity—form the core of the women, peace and security (WPS) agenda. Although some progress has been made, women’s participation in peace processes² remains at single-digit percentages and peace deals continue to benefit men over women.³ This matters because peace agreements distribute resources and power, and shape post-conflict society and institutions. When women and other marginalised people are excluded from mediation, they often lose out.

Other areas of peacebuilding and development, such as peacekeeping, have made inroads but mediation remains resistant to the WPS agenda. The UN itself has struggled to implement its WPS mandate in mediation. Many critics identify “institutional resistance” as a reason for patchy progress. However, scholars and practitioners alike need more a more specific diagnosis. This project investigates this resistance and how it affects the implementation of the WPS agenda. It also makes evidence-based recommendations for how the UN and its partners can ensure that mediation no longer perpetuates women’s exclusion from social, political, and economic institutions.

After an in-depth analysis of key mediation documents, I find that UN mediation relies upon gendered assumptions about conflict resolution. Mediation guidelines set up trade-offs—ethical, political, and practical—in which women and gender equality lose out. It also confuses “gender” with “women”, and represents women as instruments rather than agents of mediation. This presents a substantial challenge to implementing the WPS agenda. While this paper is often critical of the UN’s practice, I wish to assist practitioners in overcoming obstacles to implementation. These recommendations complement current measures to mainstream gender in peace and security.⁴ I hope that these findings will prompt policymakers and gender equality advocates to be aware of the limitations of current thinking about mediation and gender so that the UN can fully realise its mission to end violence and ensure sustainable peace.

¹ UN Security Council, Resolution 1325, S/RES/1325, 2000.

² This paper refers to “mediation”, “peace processes”, and “peace talks” interchangeably.

³ Castillo Diaz, Pablo. “Women’s Participation in Peace Negotiations: Connections between Presence and Influence.” New York, NY: UN Women, 2012.

Radhika Coomaraswamy. Preventing Conflict, Transforming Justice, Securing the Peace: A Global Study on the Implementation of United Nations Security Council Resolution 1325. New York, NY: UN Women, 2015.
<http://wps.unwomen.org/~media/files/un%20women/wps/highlights/unw-global-study-1325-2015.pdf>

⁴ For instance, the UN Strategic Results Framework for Women, Peace and Security 2011-2020, see http://www.un.org/womenwatch/ianwge/taskforces/wps/Strategic_Framework_2011-2020.pdf

Recommendations for UN mediation actors, member states, and gender equality advocates

<p>1. Inclusion Assumptions</p>	<p>1.1 The UN, partners and gender advocates should urge women’s full participation, not just consultation. If consultation is the only option available, then there must be transparent follow-up processes and communications between the UN team, the negotiating parties, and any consultative forum/s.</p> <p>1.2 The mediator and their team should involve local women and gender advocates in the earliest stages of pre-negotiation.</p> <p>1.3 All mediation actors should support research on alternative process design. This can be conceptual or based on existing practices. The Yemeni National Dialogue and the Northern Irish peace process are examples of broad based, participatory mediation efforts. Many Indigenous peacemaking practices are also promising.⁵</p> <p>1.4 All mediation actors should recognise that everyday knowledge about conflict is equally important as technical, thematic expertise. Both are needed to address the root causes and consequences of conflict and build sustainable peace.⁶</p>
<p>2. Normative Assumptions</p>	<p>2.1 The mediator and their team should give norms on gender equality equal force with other international human rights and humanitarian norms and laws.</p> <p>2.2 The compact that a mediator agrees to when appointed should include language on upholding international norms on gender equality and a requirement to report to the Security Council on their efforts.</p>
<p>3. Assumptions about the Role of the Mediator</p>	<p>3.1 The UN Secretary-General should appoint gender equality champions to senior roles, especially as mediators. In many cases, women mediators are more likely to prioritise marginalised people’s contributions, but male champions have also been important.</p>

⁵ For instance, the Near Westside Peacemaking Center in Syracuse, New York, trains local residents in Native American peacemaking practices. Peacemakers then resolve disputes that may otherwise escalate to violence and/or police involvement. See “Near Westside Peacemaking Project.” *Center for Court Innovation*, February 5, 2015. <http://www.courtinnovation.org/near-westside-peacemaking-project>.

⁶ Autesserre, Séverine. *Peaceland: Conflict Resolution and the Everyday Politics of International Intervention*. New York, NY: Cambridge University Press, 2014.

<p>4. Assumptions about Gender</p>	<p>4.1 All mediation actors should move the focus from “women” to gendered dynamics of conflict and marginalisation. To guide analysis, they can ask:</p> <ul style="list-style-type: none"> ▪ Where are(n’t) the women? Who are they (not)? What are(n’t) they doing? What does this tell you about the conflict? ▪ Where are the men? What kinds of men aren’t you seeing/hearing from? What does this tell you about the conflict? ▪ How have gender dynamics and roles changed as a result of the conflict? How is this relevant to post-conflict planning? What is the potential for progress or backlash?
<p>5. Capacity Assumptions</p>	<p>5.1 All mediation actors should question the assumption that local women need special training to participate. They should focus instead on providing spaces for diverse women to form strategy, build skills and articulate their views.</p> <p>5.2 Local women should be able to request specific capacity building as needed. This capacity building is best delivered by peers, such as women who have engaged in mediation elsewhere.</p>
<p>6. Engagement Assumptions</p>	<p>6.1 The mediator and their team should adopt a rights-based approach to engaging with women and marginalised people in a peace process.</p>

MEDIATION AND THE WOMEN, PEACE, AND SECURITY AGENDA

The UN defines mediation as “a process whereby a third party assists two or more parties, with their consent, to prevent, manage or resolve a conflict by helping them to develop mutually acceptable agreements”.⁷ Many different actors may be third parties, including states, regional organisations, and international organisations. In the case of the UN, the Secretary-General appoints an Envoy or Special Representative. S/he brings parties to the peace table and conducts talks to achieve a peace agreement. The UN Department of Political Affairs (UNDPA) supports the work of these representatives. Peace processes have three stages: pre-negotiation, negotiation, and implementation.⁸ This paper is most concerned with the first two stages. In the pre-negotiation stage, the mediator conducts shuttle diplomacy or secret talks to lay the foundation for negotiations. The negotiation phase should result in an agreement. This could be a ceasefire, an interim agreement, or a comprehensive peace agreement.

There are several WPS resolutions that include language relevant to mediation. UNSCRs 1325, 1889, 2122, and 2242 all call for increased women’s participation in peace and security decision-making. However, mediation is one of the areas of peace and security that has been least responsive to the WPS agenda.⁹ There have been some successes: UNSCR 1325 has helped codify a norm of gender equality.¹⁰ It has also increased the number of gender-sensitive clauses in peace agreements.¹¹ Yet, less than a third of all agreements since 2000 include language on gender.¹² Moreover, peace processes that have been successful, such as Northern Ireland, Colombia, and the Philippines, are those where the UN has been least influential.

The UN recognises that its progress has been slow and it has taken steps to improve. The Security Council passed follow-up resolutions to UNSCR 1325 that detailed mechanisms for implementation, resourcing, and accountability. In 2009, the UNDPA formed its Gender Technical Unit, which has three full-time staff that provide expertise on gender to DPA’s political missions.¹³ Under the UN Strategic Results Framework for Women, Peace and Security 2011-2020, the UNDPA reports on fifteen deliverables related to mediation. It has also created gender training programs for staff and mediators, appointed more gender experts to missions, and

⁷ UNDPA-MSU, *Guidance for Effective Mediation*. New York, NY: UNDPA, 2012.

⁸ Bell, Christine. *On the Law of Peace: Peace Agreements and the Lex Pacificatoria*. Oxford: Oxford University Press, 2008.

⁹ Castillo Diaz, op. cit.

¹⁰ Tryggestad, Torunn L. “Trick or Treat? The UN and Implementation of Security Council Resolution 1325 on Women, Peace, and Security.” *Global Governance* 15, no. 4 (October 2009): 539-57.

Ellerby, Kara. “(En)gendered Security? The Complexities of Women’s Inclusion in Peace Processes.” *International Interactions* 39, no. 4 (September 1, 2013): 435-60.

¹¹ Bell, Christine, and Catherine O’Rourke. “Peace Agreements or Pieces of Paper? The Impact of UNSC Resolution 1325 on Peace Processes and Their Agreements.” *International and Comparative Law Quarterly* 59, no. 4 (October 2010): 941-80.

¹² Coomaraswamy, op. cit.

¹³ Interview with author, 2016.

established a mediation support roster that includes more women and gender experts.¹⁴ These changes are all positive but they have to contend with entrenched assumptions about mediation that undermine their effectiveness.

WOMEN AND GENDER IN UN MEDIATION DISCOURSE

The core of this paper focuses on analysing best practice in mediation using two main sources. The first is the *Guidance for Effective Mediation* (hereafter “the Guidance”), a document that outlines best practice. The Mediation Support Unit (MSU) of the UNDPA issued it in 2012.¹⁵ The Guidance is designed to help mediators reach a peace agreement that “should end violence and provide a platform to achieve sustainable peace, justice, security and reconciliation”.¹⁶ The Guidance argues that paying attention to certain fundamentals can maximise a mediator’s chance of success. Even though this document does not bind mediators, it outlines the policy options that they consider. It is an excellent place to look at UN mediation discourse,¹⁷ particularly its core assumptions and representations of women and gender. The second source is interviews with mediation practitioners. I interviewed ten current and former UN officials and NGO staff throughout 2016, who will remain anonymous here. In these interviews, I asked about mediation and process design, as well as about the WPS agenda.

The UNDPA claims that the Guidance is fully in line with the WPS agenda.¹⁸ While it includes language on gender balance and gender sensitivity, this section examines how the Guidance is also ambivalent towards gender and women. The Guidance positions gender and women as losers in any trade-offs that mediators may make to reach an agreement. It also confuses “gender” with “women”, and represents women as instruments, rather than agents, of mediation. Similarly, the interviews reveal that there is considerable ambivalence among practitioners about the meaning and importance of gender-sensitive mediation. While practitioners express support for WPS norms, their assumptions about mediation reveal challenges to implementation. This ambivalence indicates that the UN has not been able to resolve the internal contradictions of its work in this area. UN mediation still operates on a set of core assumptions that undermine the norms of gender balance and gender sensitivity.

¹⁴ UNDPA, “Gender Factsheet 2016”. http://peacemaker.un.org/sites/peacemaker.un.org/files/GenderFactsheet-US-Format_April%202016.pdf

¹⁵ Available at <http://peacemaker.un.org/resources>.

¹⁶ UNDPA-MSU, op. cit., p 20.

¹⁷ “Discourse” is our use of language to make sense of the world. How we think about the world guides our action within it. If women and gender are not central to UN mediation discourse, we can expect that mediation practice will reflect that.

¹⁸ UNDPA, op. cit., p. 4.

1. Assumptions about Inclusion: The “Inclusivity versus Efficiency” Trade-Off

The inclusivity of mediation is increasingly salient, largely due to UNSCR 1325. Although the Guidance includes a whole section on inclusivity, it notes that “mediators have to grapple with the potential tension between inclusivity and efficiency”.¹⁹ By efficiency, it means being able to reach a peace agreement, quickly. Mediators should build manageable processes by limiting the range and number of actors. However, this presented as being at odds with the goal of mediation—to end violence and achieve sustainable peace. If inclusivity makes peace more sustainable in the long term as some claim,²⁰ but harder to achieve in the short term, efficiency may win out. Anyone whom the mediator sees as inessential to the short-term goal of ending violence will lose out in this trade-off. Most often, this means women. Although the Guidance advises against rewarding violence, the “judgment of sufficient consent” still rests on getting combatants to the table.²¹ Women’s and civil society groups, who generally are not violent actors, remain outsiders to the formal process.

As in the Guidance, some practitioners believe that inclusivity may jeopardise chances of peace unless it increases efficiency. Interviewees therefore justified women’s participation not on rights grounds, but in terms of efficiency. One process design expert related how he was very sceptical of women’s participation until he saw the output of a group of local women linked to a mediation process.²² These use-value justifications instrumentalize women and undermine their legitimate, ethical claim to participation. Moreover, efficiency is not a standard that is applied regularly to male participants, who may openly obstruct a process. It is also particularly misguided because it assumes that women have to “prove” their dedication to ending the conflict. This makes little sense, given the impact of conflict on women, as well as many women’s extensive conflict resolution efforts.

The Guidance attempts to stretch the concept of inclusivity, arguing that “an inclusive process does not imply that all stakeholders participate directly in the formal negotiations”.²³ However, this is precisely what inclusion means. Insisting otherwise may contravene the letter, and certainly the spirit, of UNSCR 1325. In operative clause number two, the Security Council:

(E)ncourages the Secretary-General to implement his strategic plan of action (A/49/587) calling for an increase in the participation of women at decision-making levels in conflict resolution and peace processes.²⁴

¹⁹ UNDPA-MSU, op. cit, p. 12.

²⁰ Paffenholz, Thania. *Can Inclusive Peace Processes Work? New Evidence from a Multi-Year Research Project*. Geneva, Switzerland: Graduate Institute Geneva, 2015.

Paffenholz, Thania. “Civil Society and Peace Negotiations: Beyond the Inclusion-Exclusion Dichotomy.” *Negotiation Journal* 30, no. 1 (January 1, 2014): 69-91.

²¹ UNDPA-MSU, op. cit, p. 11.

²² Interview with author, 2016.

²³ *ibid.*

²⁴ UN Security Council, 2000, op. cit.

Given that parties to the process are the ones making decisions, a reasonable person could only interpret this clause to mean full inclusion. Of course, UNSCR 1325 is not binding, but it is part of the normative framework within which mediators work. It should therefore carry as much weight as other norms.

The Guidance also recommends that mediators “identify the level of inclusivity needed for the mediation to start and required for a durable peace that addresses the needs of all affected by the conflict”.²⁵ While this seems to leave the door open to changes once the process begins, this is unlikely because mediation has a zero-sum problem. If mediators try to minimise the number of participants in the name of efficiency, then this puts a premium on seats at the table. As one interviewee noted:

If you have a certain number of seats around a peace table and you’re saying to them, “you have four seats and we’d like to see half of them going to women”, then you are eliminating two men who would naturally otherwise be sitting in those seats. They’re not going to let that influence and that power go lightly. It’s a jostling for influence and having a seat at the table—that is where a lot of challenges come in.²⁶

With this in mind, I urge caution toward proposing consultative forums as a first option for women’s participation. Consultation has arisen as an imperfect but necessary solution in many processes. There are three issues with this approach: process inertia, political obstacles, and lack of follow-up. First, peace processes often become subject to a linear logic in which a deal must be reached, no matter what.²⁷ Other actors who use violence or protest to voice their political demands are labelled “spoilers”. Consultative forums can be susceptible to the “spoiler” label when parties feel they distract from their own claims. Second, existing parties may agree to consultative forums only when they are marginalised from the main decision-making. The secrecy of many processes further compounds this problem, as consultative forums are often positioned outside the circle of people who “need to know”. Additionally, the make-up of consultative bodies can be hotly contested. Controversy over the selection of the Women’s Advisory Board to the Syrian peace process is one example.²⁸ Third, consultation often has limited impact. This can be due to poor communication channels, negotiating parties’ reluctance to listen, and a lack of transparency and accountability regarding follow-up.

We can illustrate some problems with consultation using the case of the Gender Advisory Team in Cyprus in the talks between 2008 and 2012.²⁹ This was a promising scenario in many ways: the UN office had a dedicated Gender Advisor, and it supported the establishment of the Team, which is made up of Cypriot women

²⁵ UNDPA-MSU, op. cit, p. 13.

²⁶ Interview with author, 2016.

²⁷ Mitchell, Audra. “Peace beyond Process?” *Millennium—Journal of International Studies* 38, no. 3 (May 1, 2010): 641-64.

²⁸ “The Controversy over the Syrian Women’s Advisory Board.” *Syria Justice & Accountability Centre*, April 7, 2016. <http://syriaaccountability.org/updates/2016/04/07/the-controversy-over-the-syrian-womens-advisory-board/>.

²⁹ This information comes from my experience working as a research intern for the UN Good Offices Mission in Cyprus in 2011 and 2012. I spent some time in Cyprus interviewing UN staff, negotiating team members, and civil society members.

experienced in peacebuilding and gender analysis. However, the Team was not an integral part of the process' structure. The Team had no rights to sit at the peace table, and they were not privy to confidential information. Moreover, I observed how each negotiating team delegated liaison responsibilities to junior, female members of the team. This suggests that senior members did not prioritise gender or the Team's recommendations. In one meeting between the Team and the Greek Cypriot chief negotiator, I witnessed how he sidestepped their questions and comments. Finally, there was a lack of transparency and follow-up regarding the status of the Team's recommendations.

While research on inclusivity and efficiency is still in its infancy, preliminary findings suggest that more inclusive peace processes tend to have better outcomes.³⁰ This may be because having a diversity of perspectives gives parties a greater understanding of the causes and dynamics of the conflict. Everyday knowledge about how conflict has affected markets, families and informal social institutions is essential. Women often have intimate knowledge of these. Practitioners and advocates should strive to find a balance between thematic and local, everyday expertise in informing their responses to conflict. Moreover, while efficiency should not be the primary reason for including women—they have a right to participation—evidence so far suggests that the relationship between inclusion and effective mediation is not necessarily a negative one.

The inclusivity versus efficiency trade-off is entrenched in mediation discourse. Because it is assumed to be so natural, it can be hard for practitioners to see. Practitioners and gender advocates therefore need to bring this assumption into the light and be mindful of it throughout process design. There are four areas for improvement. First and most important is the involvement of women and gender advocates from the very first stages of a mediation process. Indeed, UNSCR 1889 (a follow-up to 1325) calls for improving “the participation of women in political and economic decision-making from the earliest stages of the peacebuilding process”.³¹ Women and other marginalised people should have a say in shaping the agenda and structure of talks. This is counter to the current model that asks women to direct their concerns toward pre-established agenda items. This precludes discussion of certain issues, or the identification of issue linkages. Second, research on alternative, more inclusive mediation modalities is needed. Third, local and/or Indigenous peacemaking practices should inform the creation of mediation processes that are both inclusive and culturally familiar to participants. None of this requires reinventing the wheel: although there is no “best case”, history provides us with a rich mine of good and bad experience to learn from. Practitioners can also learn a lot by listening seriously to the experiences of women who have experience conflict and conflict resolution. Fourth, the UN should reassess its evaluation measures, which focus overwhelmingly on quantitative indicators of participation and gender-sensitivity. It is necessary to evaluate quality, not just quantity, in order to avoid superficial measures designed only to meet numerical targets. One approach is to supplement numerical indicators with qualitative ones related to the content, repetition, and follow-up on consultations with women, as well as subjective assessments on the quality of consultation from local women involved.

³⁰ Paffenholz, *op. cit.*, 2015.

³¹ UN Security Council, *Resolution 1889, S/RES/1889*, 2009, operative clause number 15.

- 1.1 The UN, partners and gender advocates should urge women’s full participation, not just consultation. If consultation is the only option available, then there must be transparent follow-up processes and communications between the UN team, the negotiating parties, and any consultative forum/s.
- 1.2 The mediator and their team should involve local women and gender advocates in the earliest stages of pre-negotiation.
- 1.3 All mediation actors should support research on alternative process design. This can be conceptual or based on existing practices. The Yemeni National Dialogue and the Northern Irish peace process are examples of broad based, participatory mediation efforts. Many Indigenous peacemaking practices are also promising.³²
- 1.4 All mediation actors should recognise that everyday knowledge about conflict is equally important as technical, thematic expertise. Both are needed to address the root causes and consequences of conflict and build sustainable peace.³³

2. Normative Assumptions

The issue of inclusivity relates to the Guidance’s normative trade-off. “Normative” refers to the international law and norms that are supposed to guide the UN’s work. The Guidance notes that mediators may have to “balance” normative and legal demands against those of the conflict parties, especially where ending violence is urgent.³⁴ In plain language this means that respecting norms may come second to getting conflict actors to cooperate. Moreover, it appears that some norms and laws matter more than others. Although UNSCR 1325 does not frame women’s participation in mediation in terms of rights, documents like the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) recognise women’s equal right to political participation.³⁵ However, the Guidance never gives the norm of equal political participation for women the same force it gives to the prohibition against amnesty for war crimes, for instance. In the normative trade-off, norms of gender sensitivity and gender balance are easily set aside. This trade-off should be made visible and addressed urgently with practical measures that ensure gender equality has the same force as other norms and laws.

- 2.1 The mediator and their team should give norms on gender equality equal force with other international human rights and humanitarian norms and laws.

³² For instance, the Near Westside Peacemaking Center in Syracuse, New York, trains local residents in Native American peacemaking practices. Peacemakers then resolve disputes that may otherwise escalate to violence and/or police involvement. See “Near Westside Peacemaking Project.” *Center for Court Innovation*, February 5, 2015. <http://www.courtinnovation.org/near-westside-peacemaking-project>.

³³ Autesserre, op. cit.

³⁴ UNDP/MSU, op. cit, p. 16.

³⁵ “Convention on the Elimination of All Forms of Discrimination Against Women.” New York, NY: UN General Assembly, 1979. <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm#article7>

- 2.2 The compact that a mediator agrees to when appointed should include language on upholding international norms on gender equality and a requirement to report to the Security Council on their efforts.

3. Assumptions about the Role of the Mediator: the Issue of Impartiality

A key assumption undergirding UN mediation discourse is that the mediator will remain impartial. Impartiality is essential because it allows the mediator to operate with the consent of the parties. Above all, they must conduct a “balanced process that treats all actors fairly”.³⁶ According to the Guidance, impartiality does not mean neutrality with respect to international law and norms. In practice, however, this is often the result. This is because the Guidance urges mediators against becoming “advocates” for particular norms. This poses a problem for implementing WPS resolutions not only because gender norms are accorded less force, but also because their promotion requires actions that may be seen as partial. For instance, promoting respect for gender equality may require advocacy where the conflict parties are particularly intransigent. Moreover, where including women in the room shifts the balance of power (real or perceived), participants may think the mediator is playing favourites. Some mediators choose to become advocates, like Jamal Benomar who insisted upon a quota for women’s participation in the Yemeni National Dialogue. As Special Envoy, Mary Robinson worked closely with women in the Great Lakes region of Africa, resulting in the Bujumbura Declaration on WPS and Development in the Great Lakes. Likewise, Staffan de Mistura in Syria has been a champion of women’s participation, despite the extremely difficult and violent political context. These examples show that it is possible to remain impartial without sacrificing WPS norms. However, for others who are less committed, impartiality may provide the mediator with additional reasons not to pursue gender equality. Again, s/he will engage in a normative trade-off that disadvantages women and gender norms.

- 3.1 The UN Secretary-General should appoint gender equality champions to senior roles, especially as mediators. In many cases, women mediators are more likely to prioritise marginalised people’s contributions, but male champions have also been important.

4. Assumptions about Gender

UN mediation discourse presents gender in simplistic terms. The Guidance and interviewees tended to conflate “gender” with “women”, meaning that they treat women as the only relevant actors in a gender analysis. This is problematic because gender is about how our identities as women and men, and how our relationships with each other affect all kinds of life outcomes. Gender is socially constructed, not biologically determined. A rigorous gender analysis of a conflict should therefore focus on men and masculinities, as well as women. Conflating “gender” with “women” can lead practitioners to ignore important facts about a conflict. For instance,

³⁶ UNDPA-MSU, op. cit, p. 17.

in many cases, men are victims of conflict-related sexual violence. However, the common assumption that victims are women has prevented male victims from seeking help or even from accessing resources.³⁷ Conversely, female combatants have often been left out of demilitarisation, demobilisation and reintegration programmes, leaving them with little support to transition to peacetime.³⁸

Compounding this problem, practitioners also tended to speak of women in homogeneous terms. Many referred to local female participants as “the women”. Grouping women in this way ignores that different women have different perspectives and needs. It also encourages the use of stereotypes as cognitive shortcuts when thinking about women’s roles and demands, rather than listening and exploring these. Unfortunately, mediation practice seems ill-prepared to accept a variety of women’s voices in a process. Practitioners I spoke with emphasised the importance of coherence in women’s demands.³⁹ This is a standard that typically is not applied to male participants. It also forces an unrealistic expectation of unity on women who may have important internal divisions. Rather than seeing these differences as important issues that could generate dialogue, practitioners seemed to perceive them as distracting and even unprofessional.

In line with contemporary feminist thought, gender analysis in mediation should move from a sole focus on women to a broader understanding of how intersecting gender, ethnic, religious, class, and other identities shape the causes and experiences of conflict. Moreover, it should recognise that the lines between combatant and civilian, victim and perpetrator, are increasingly blurred. Rigid gender categories that equate men with violence and women with peace overlook this. More thorough gender analysis can be achieved by asking a series of questions designed to turn gender assumptions on their head.

- 4.1 All mediation actors should move the focus from “women” to gendered dynamics of conflict and marginalisation. To guide analysis, they can ask:
- a) Where are(n’t) the women? Who are they (not)? What are(n’t) they doing? What does this tell you about the conflict?
 - b) Where are the men? What kinds of men aren’t you seeing/hearing from? What does this tell you about the conflict?
 - c) How have gender dynamics and roles changed as a result of the conflict? How is this relevant to post-conflict planning? What is the potential for progress or backlash?

³⁷ Grey, Rosemary, and Laura J. Shepherd. “‘Stop Rape Now?’ Masculinity, Responsibility, and Conflict-Related Sexual Violence.” *Men and Masculinities* 16, no. 1 (April 1, 2013): 115-35.

³⁸ MacKenzie, Megan. “Securitization and Desecuritization: Female Soldiers and the Reconstruction of Women in Post-Conflict Sierra Leone.” *Security Studies* 18, no. 2 (June 12, 2009): 241-61.

³⁹ Interviews with author, 2016.

5. Capacity Assumptions

Practitioner interviews revealed that many assume that local women lack the necessary skills to negotiate peace at a high level. I did not see this assumption applied to local men, who are assumed to be qualified because of their gender and/or their roles as politicians or combatants. Several respondents mentioned the importance of training local women to participate in peace processes. Practitioners see training as a way to discipline local women into appropriate engagement in mediation. One expert spoke of how women needed to prepare themselves to speak to “what is actually on the table”. She gave a hypothetical example: “I’m not at all trying to be critical of women’s advocates or leaders but often they’re sort of thrown in with no preparation or no background and then...the negotiators are talking about a ceasefire and the women come in and talk about justice.”⁴⁰ It is worth considering why talking about justice is represented as problematic in this example.

This example also highlights how the implementation of UNSCR 1325 in mediation has focused more on reshaping women than on reshaping mediation practice. However, ordinary people are usually well-equipped to participate in discussions about their futures. Experiments in participatory democracy across the world have shown that citizens are capable of engaging in policy debates without prior political experience.⁴¹ Moreover, everyday lived experience of conflict should be considered as expertise alongside more technical forms of knowledge. But, rather than designing processes and setting agendas collaboratively (for instance, to focus on justice), local women are presented with a fixed process and agenda that they must conform to if they want to engage “efficiently” or, indeed, at all. The focus on capacity also presents an additional barrier to participation: if women need to be trained to participate, then resources and personnel need to be provided. Unless member states are willing to pay for this, the training may not occur. This places local women in an impossible situation.

While recognising that everyday knowledge and experience is a sufficient starting point for participation, capacity building in other areas may be needed. However, support for this should be provided as part of participation, not as a prerequisite for it. An encouraging development is the support of civil society “rooms” where women and civil society actors can work on mediation. These rooms should offer a space for diverse women to debate and form demands, but also for peer-based skills-building where requested by the women themselves.⁴²

- 5.1 All mediation actors should question the assumption that local women need special training to participate. They should focus instead on providing spaces for diverse women to form strategy, build skills and articulate their views.

⁴⁰ Interview with author, 2016.

⁴¹ For example, participatory budgeting in the Brazilian city of Porto Alegre.

⁴² For example, WILPF’s “Bosnia and Syria Women Organising for Change” initiative, which focuses on women from different conflict areas sharing their knowledge and experiences in organising for peace. See <http://womenorganizingforchange.org/en>

5.2 Local women should be able to request specific capacity building as needed. This capacity building is best delivered by peers, such as women who have engaged in mediation elsewhere.

6. Engagement Assumptions: Women as Instruments of Mediation

The WPS agenda has urged recognition of local women's roles as agents in conflict and its resolution. Women are not merely passive victims. They may be combatants, heads of household, or grassroots peacemakers. WPS advocates have focused on increasing local women's representation in peace talks. The Guidance nods to the importance of involving local women, but it stops short of according them full agency. Rather than representing women as independent actors who can participate in peace talks equally with men, the Guidance focuses on how they can be instruments of the mediation process. That is, their political role reduces to being handmaidens of the process, not guiding forces within it.

The Guidance does this in two ways. First, it assigns women the responsibility for legitimising the process. It argues that women, with their links to the community and family, can encourage conflict parties to join a mediation process. This relies on women performing essentialized roles, such as mothers or wives, rather than challenging existing social structures. Second, it outsources normative advocacy to women and civil society as a way for the mediator to avoid appearing partial.⁴³ This shifts the burden of progressing international law and norms to the very women who need them the most. In short, the Guidance recognises women's agency, but it validates that agency only as it furthers the goals of the process. These are goals that local women have little to no say in identifying in the first place.

Rather than treating women (consciously or not) as instruments, mediators and their teams should adopt a rights-based approach to engaging with women and other marginalised people. Rights-based approaches have been used extensively in development and can be applied to all aspects of peacebuilding. A rights-based approach "...transforms power structures while working for gender equality and development".⁴⁴ It uses the following tools:

(1) using intersectionality analytically; (2) thinking about an issue with awareness of its cross-issue dimensions; (3) promoting the capacity for self-advocacy and advocacy for those with whom they network; (4) building coalitions and networks through connected action with others who share or who could share the same goals; and (5) incorporating learning as a movement-building tool.⁴⁵

In a mediation process, this means asking how the participation of women and other marginalised groups can change the context that gave rise to the conflict in the first place. As described above, it also seeks to build

⁴³ Interview with author, 2016.

⁴⁴ Carella, Anna, and Brooke Ackerly. "Ignoring Rights Is Wrong: Re-Politicizing Gender Equality and Development with the Rights-Based Approach." *International Feminist Journal of Politics* 19, no. 2 (April 3, 2017): 137-52, p. 145.

⁴⁵ *ibid.*

capacity through the exercise of rights to voice and participation. A rights-based approach would shift the dominant frame that sees local women as incapable of full participation to one in which they are agents with important knowledge and skills.

- 6.1 The mediator and their team should adopt a rights-based approach to engaging with women and marginalised people in a peace process.

CONCLUSION

This paper has outlined some of the key assumptions of mediation that undermine the implementation of UNSCR 1325 and other WPS resolutions. Mediation discourse sets up trade-offs between inclusivity and efficiency, and impartiality and normative advocacy. In each case, these disadvantage the twin WPS norms of gender balance and gender sensitivity. Discourse also tended to confuse “gender” with “women”, and to treat women as a homogeneous group with limited capacity to participate in talks. As I noted throughout, these assumptions are gendered because they are rarely applied to men, especially male combatants, and they have a disproportionate effect on local women.

The power of these assumptions is not limited to policy documents or UN debates: they have urgent and real consequences. By making it seem natural or effective, they allow for local women to be excluded from negotiating peace. Peace processes and peace agreements continue to overlook the contributions and perspectives of women in conflict, potentially undermining the chance of sustainable solutions. Rather than championing women’s rights and gender equality, UN mediators may try to shift the burden of enforcement onto the very women these rights are supposed to benefit. This breaks the UN Charter’s promise to reaffirm the equality of men and women and to promote social progress. While there is no question that there are many committed and idealistic women and men working at the UN, the institution as a whole is operating on assumptions that may undermine its mission.

What this analysis makes clear is that there are significant structural constraints on mediation that make implementation of the WPS agenda difficult. However, entrenched these may appear to be, institutions are dynamic and there is always the possibility of change. One promising finding is that we see ambivalence toward, rather than outright rejection of, WPS norms. Although ambivalence means we have to look more carefully for sources of institutional resistance, it also opens doors for entrepreneurial institutional actors. Many of these women and men are already working to improve the situation. I hope that these actors will take heed of the recommendations here. While not without risks—certain parties may actively resist some of these measures—the rewards are potentially huge. Pioneering innovative approaches to inclusive process design could cement the UN’s position as the broker *par excellence* of best practice in mediation, lead to better outcomes for societies in conflict, and, of course, promote gender equality around the world.

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