



Conditionality and other approaches to secure women's rights provisions in peace processes

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Question

What are the lessons learned on the role of conditionality specifically in securing provisions protecting women's rights as an outcome of a peace process? What other approaches can be used by international development partners to ensure inclusion of women's rights provisions? What lessons can be applied to the Afghanistan peace process?

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1. Summary

This rapid literature review found no examples of the use of aid conditionality specifically to ensure inclusion of women's rights provisions in peace process outcomes, but did identify other effective approaches, notably mobilisation of women, external pressure by mediators/international development partners, and funding and capacity building support for women's groups. There are examples of peace processes where these various mechanisms have been used, and international development partners can play important roles in promoting these. In the context of the Afghanistan peace process with the Taliban, it is vital that women have a 'place at the table' and that their rights be safeguarded.

This review draws on a mixture of academic and grey literature. It found far greater focus in the literature on participation of women in peace processes, than on the inclusion of women's rights in peace process outcomes.

Aid conditionality refers to attempts by donor governments to induce recipient governments to change their policies and behaviour, as well as to influence the way aid itself is spent. **Peace conditionality is used as a lever to persuade conflicting parties to make peace, to implement a proposed peace accord, and to consolidate peace.** Peace conditionality can potentially be used to ensure a gender perspective in peace agreements. The latter includes three layered components (Bell, 2015: 17):

- a. the inclusion of women in peace process negotiations, and support to women to participate effectively;
- b. the inclusion of provisions designed to address the particular needs of women;
- c. an assessment of the implications for women and men of any provision in the peace agreement, including provision for legislation, policies or programmes in any area and at all levels, with a view to ensuring that men and women benefit equally and inequality is not perpetuated.

In the past few decades, there has been greater recognition in the international community of the essential role women can play in the prevention and resolution of conflicts, peace-building and post-conflict reconstruction, notably since passage of UN Security Council Resolution 1325 (SCR 1325), approved in October 2000.¹ **Women's involvement in peace processes brings significant benefits,** including a long-term perspective on peace and stability (as opposed to just an absence of formal conflict) and durability of peace agreements. Women's participation is also important to ensure women's rights are addressed. The inclusion of gender provisions in peace agreements and newly established constitutions is critical to the emergence of equitable and more inclusive societies in the post-conflict phase.

While women have participated in negotiation processes in different ways (e.g. as mediators, witnesses, representatives of women's groups) a recurrent finding in the literature is that **women remain largely unrepresented at the peace table** where key decisions about post-conflict recovery and governance are being made. There is some evidence that greater involvement of women in peace talks supports more effective peace agreements from a gender

¹ Full text of UN SCR 1325 available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>.

perspective, but participation alone does not ensure this. **The literature does indicate a trend of an overall rise in references to women and gender in peace agreements since passage of UNSCR 1325.** However, there can be huge variation in the scope and depth of those references: they are often merely in the form of anti-discrimination provisions or vague references to participation. **Overall, inclusion of women and gender concerns in peace agreements remains marginal and uneven.**

The literature identifies diverse mechanisms that can and have been used to promote women's role in peace processes. Aid conditionality is not referred to specifically as a means of promoting either women's participation in peace processes or the inclusion of women's rights in peace process outcomes. This review was unable to find any examples of peace processes in which conditionality had played this role.

The literature does identify a number of other mechanisms which have been effective: mobilisation by women themselves to apply pressure for their inclusion, pressure by external mediators and agencies, and funding and capacity building support for women's inclusion. International development agencies can play important roles in supporting all of these.

- **Mobilisation by women** - The literature features lots of examples where women in affected countries have mobilised themselves to push for a 'place at the table' or at least to get their concerns and needs voiced, and thereby bring about increased women's participation and/or increased inclusion of gender concerns in peace agreements. In Somalia women joined to form a 'sixth clan' which was then included in decision-making and helped bring about rights for women. In Northern Ireland, women formed a separate women's political party which secured a seat at the negotiating table and was able to push for inclusion of gender rights. The 2016 peace agreement between the Colombian government and Revolutionary Armed Forces (FARC) featured extensive women's participation on both sides, and led to inclusion of substantive women's rights provisions.
- **External pressure** - International partners and the international legal framework can add significant leverage to women's attempts to engage in peace processes. One study (Bell, 2015) found that peace agreements both before and after UNSCR 1325 were more likely to mention women where the UN was a party to the agreement. There is some evidence that international actors may be able to ensure robust provision for women find their way into agreements. However, it is important to understand the limitations of agreements with internationally-placed provisions on women: there is a lack of implementation of these agreements as a whole, and their gender provisions in particular. The peace processes in Kenya and Burundi provide powerful examples of how international pressure for local women's advocacy messages, and building strong relationships between local and international efforts, can support and promote women's participation.
- **Funding** - Funding is a means to facilitate action. Funding can support the preparedness of women, provide beneficial support structures, and allow them to act flexibly and independently. Funding is vital for the basic preconditions of women's participation, e.g. physically reaching the locations of negotiations. There is a need for both targeted and sustained investment of resources to support women's participation in peace processes. Examples of funding support making a difference are the Somali peace negotiations in the early 2000s, and the Liberian peace process.
- **Capacity building support** - Increasing the capacity of women to negotiate, inform and influence peace and transition processes is critical. It can entail helping women understand the issues [e.g. security sector reform (SSR), disarmament, demobilisation

and reintegration (DDR)], training them in leadership and negotiation, explaining the technicalities of peace processes, and giving support in drafting documents. As well as increasing the overall preparedness of women, such support often contributes to women pushing for more gender-specific goals. Current international practices suggest that including a gender advisor in mediation teams is useful and strategic, as it helps to ensure women's perspectives get taken into account in the actual peace negotiations and to secure WPS provisions in peace agreement texts. Burundi, Somalia and the Democratic Republic of Congo are all examples of peace processes in which capacity building support for women had an impact in terms of women's participation/rights.

Women and the Afghanistan peace process: Since the fall of the Taliban in 2002, women in Afghanistan have made substantial progress, for example in access to healthcare and education, political representation, and legislation protecting women's rights. Nonetheless, the country ranks almost bottom on an index with measures for well-being, empowerment and rights. Since 2010 women have been included in informal peace processes for Afghanistan, but their representation in formal peace processes has been negligible. A dialogue in Moscow in February 2019 featured the Taliban and Afghan (largely opposition) political leaders: there were only two women included, and women's rights barely featured on the talks agenda. Recent statements by the Taliban (and their record) raise fears that any political settlement with them could erode women's rights in Afghanistan. There are calls for the international community to ensure women's participation in current peace processes, protection and promotion of women's rights, and enforcement of those. One lever available to the international community is to threaten the withdrawal of vital aid. The US Women, Peace and Security Act (2017) mandates the US government to take steps to protect security of women in Afghanistan.

2. Context

Aid conditionality in peace processes

Conditionality is not an aim in itself, but an instrument through which other objectives are pursued (Frerks, 2006). **'Aid conditionality refers to attempts by donor governments to induce recipient governments to change their policies and behaviour, as well as to influence the way aid itself is spent'** (Frerks, 2006: 11). Conditionality is the promise or increase of aid in the case of compliance by a recipient with conditions set by a donor, or its withdrawal or reduction in the case of non-compliance (Frerks, 2006: 15). Conditionality can be used to achieve political outcomes, such as elections, or economic outcomes, such as fiscal decentralisation, or social outcomes, such as gender equality (Manning & Malbrough, 2010: 145; Frerks, 2006).

Building on this understanding of aid conditionality, Frerks (2006: 16) asserts that **peace conditionality is used 'as a lever to persuade conflicting parties to make peace, to implement a proposed peace accord, and to consolidate peace'**. The notion of attaching conditions to the provision of aid for peacebuilding arose out of dissatisfaction with the results of non-conditional aid provision in post-conflict settings (Manning & Malbrough, 2010: 145). An example of 'peace conditionality' is the Mozambique peace process: the country's major donors committed a large infusion of aid upon signing of the peace agreement in Rome in 1992 (Manning & Malbrough, 2010: 164). This commitment was based on the expectation that the government of Mozambique and the opposition Renamo would move forward to implement the commitments each had made in Rome (Manning & Malbrough, 2010: 164).

Conditionality of any type, and particularly peace conditionality, requires donors to overcome problems of information, coordination and cooperation. With regard to information, donors must have an accurate understanding of the local context and of the relationship between their overall goal and the specific actions or policies required to reach that goal, as well as a clear idea of the types of consequences (both intended and unintended) likely to follow from the policy changes they prescribe. Coordination and cooperation can also be difficult: donors have different incentives and different priorities; they are accountable to their own governments and are typically keen for provision of aid that can be identified with their own actions; donors need to devise mechanisms to work together and divide responsibilities amongst themselves (Manning & Malbrough, 2010: 146). There can also be ethical problems (e.g. conditionalities clash with international principles of sovereignty); negative unintended consequences (e.g. resentment on the part of recipients); and recipient problems (e.g. change cannot be imposed from outside but must have a home-grown legitimacy; conditionality has little impact where there is a low aid dependency) (Frerks, 2006: 28-30).

In general, conditionality has been found to work best when key actors in recipient countries buy into the goals of conditionality, when the performance can be verified and then rewarded or punished in a timely and predictable manner, and when it is clear where responsibility lies for the implementation of the required measures (Frerks 2006: 32-3).

Translating these best practice findings to the post-conflict peacebuilding context, Manning and Malbrough (2010: 147) infer that peace conditionality will be most successful:

- when there is a peace agreement signed by all relevant parties;
- when donors who make use of peace conditionality are well acquainted with economic, political, and social conditions in the recipient country and have a long-term relationship with the recipient government;
- and when aid is conditioned on, or offered for, specific, discrete actions, rather than for abstract or complex goals.

Women in peace agreements

Women's participation

In the past few decades, the international community has made great strides forward in recognising the essential role women can play in the prevention and resolution of conflicts, peace-building and post-conflict reconstruction. This was laid out in UN Security Council Resolution 1325 (SCR 1325), approved in October 2000.² It calls for equal participation of women in decision-making related to peace processes, protection of women from violence, in particular sexual violence in armed conflict situations, and gender mainstreaming in conflict management and peace building efforts. A series of subsequent Security Council resolutions have reinforced the women, peace and security (WPS) agenda laid out in SCR 1325: 1820 (2008), 1888 (2009), 1960 (2010), 2106 (2013), 2122 (2013) and 2242 (2015).³

Women have participated in negotiation processes in different ways (Domingo et al, 2013: 11):

² Full text of UN SCR 1325 available at: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N00/720/18/PDF/N0072018.pdf?OpenElement>.

³ For a useful summary of UN Security Council resolutions dealing with women, peace and security see Table 1 in Pospisil & Bell, 2018: 3-4.

- as mediators or as part of a mediating team; as delegates of negotiating parties;
- through all-female negotiating parties that represent a women's agenda (with Northern Ireland perhaps the most prominent, if rare, example);
- as signatories;
- as witnesses;
- as representatives of women's CSOs or as observers;
- in a parallel forum or movement (often as a result of their exclusion from official mechanisms, e.g. Aceh);
- as gender advisors to mediators, facilitators and/or delegates;
- and as members of technical committees of working groups on gender issues (e.g. El Salvador, Guatemala and Sri Lanka).

A recurrent finding in the literature is that women remain largely unrepresented at the peace table, where key decisions about post-conflict recovery and governance are being made (Domingo et al, 2013: 12). An analysis of women's roles in major peace processes between 1992 and 2018 found that women made up 3% of mediators, 4% of signatories and 13% of negotiators.⁴ Only two women – Miriam Coronel Ferrer of the Philippines and Tzipi Livni of Israel – have ever served as chief negotiators, and only one woman (Coronel Ferrer) has ever signed a final peace accord as chief negotiator.⁵

Women's involvement in peace processes brings significant benefits. Women are known to contribute to the long-term view of peace and stability by focusing on a 'positive peace' approach (ABColumbia, 2013). A 2013 report 'found that women are more likely than men to adopt a broad definition of peace which includes the household level and focuses on the attainment of individual rights and freedoms such as education, health care and freedom from violence. In contrast, men have a greater tendency to associate peace with the absence of formal conflict and the stability of formal structures such as governance and infrastructure' (ABColumbia, 2013: 23).

Women's involvement leads to durability of peace agreements. Krause et al (2018) used a mixed method design to test the assumption that women's participation in peace negotiations contributes to the durability and quality of peace after civil war. They found a robust correlation between peace agreements signed by female delegates and durable peace; these also showed a significantly higher number of provisions aimed at political reform, and higher implementation rates for provisions (Krause et al, 2018).

Taylor (2018) identifies three 'gender-specific' reasons why women's participation in peace processes is important:

- One, armed groups often include women (according to one estimate, women can comprise 30% or more of armed groups), and hence excluding them means there is a lack of women with guns at the table.

⁴ UN Women and Council on Foreign Relations. <https://www.cfr.org/interactive/womens-participation-in-peace-processes>

⁵ UN Women and Council on Foreign Relations. <https://www.cfr.org/interactive/womens-participation-in-peace-processes>

- Two, in many armed conflicts violations of women's rights (e.g. sexual violence) has been central to the waging of the conflict. Hence ceasefires and efforts at peacebuilding need to include the cessation of these tactics and strategies, and measures for redressal – all of which require women's participation.
- Three, once a ceasefire is established and a substantial peace process gets underway, the approach of 'waiting until later' to push for women's inclusion and for their rights to be addressed usually means both are substantively excluded.

There is some evidence that greater involvement of women in peace talks supports more effective peace agreements from a gender perspective (Domingo et al, 2013: 13). Examples include Kenya, Burundi and Somalia and are discussed in the next section. Conversely, there are many cases of exclusive peace processes leading to fragile peace (Jung & Cobar, 2019). For example, the Sudan-South Sudan peace process shows how exclusion and marginalisation of women has led to gender-blind institutions in the post-war period – women in South Sudan remain largely absent from decision-making and political power. The Democratic Republic of the Congo (DRC) provides another example: low levels of women's participation in the peace process and gender inequality, among other factors, partly contribute to legal discrimination and violence against women.

However, it is important to stress that having a large number of women participating in an official peace process does not necessarily guarantee that they will succeed in tangibly influencing the peace negotiations (or secure a gender-sensitive agreement) (Reimann, 2014). In El Salvador, for example, 12% of the signatories to the 1992 peace agreement and 13% of the negotiating team were women (Reimann, 2014: 39). 'Even though a total of 25% of participants in the negotiations were women, the resulting agreement contained no gender-specific provisions and did not differentiate between the needs and interests of women and men' (Reimann, 2014: 39). Domingo et al (2013: 18) conclude that more attention needs to be paid to the *substance of women's inclusion and incorporation*, as their mere physical presence in different aspects of peacebuilding is not enough to ensure a gender-responsive process. Echoing this, an analysis of the role of different actors and groups in all stages of peace and political transition processes, comprising 40 in-depth case studies, found that what makes a difference is not women's participation *per se*, but the influence women actually have on a process (Paffenholz et al, 2016).

Women's rights in peace agreements

This review found the literature places great stress on the participation of women in peace processes and far less on the inclusion of women's rights in peace process outcomes.

Peace and transition processes present unique opportunities for reforms that transform institutions, structures, and relationships in societies affected by armed conflict or crisis (Bache, 2019: 9). **The inclusion of gender provisions in peace agreements and newly established constitutions is critical to the emergence of equitable and more inclusive societies** in the post-conflict phase (Bache, 2019: 9).

The analysis by Paffenholz et al (2016: 10) found that, where women were found to be influential in a particular multi-stakeholder negotiation process, they pushed for more concrete and fundamental reforms, notably on four common issues: cessation of hostilities, signing of peace agreements, enhanced women's representation, and additional gender-sensitive reforms (Paffenholz et al, 2016: 10). Examples of the latter are (Paffenholz et al, 2016: 10):

- political and legal reforms, e.g. demanding changes to laws governing land ownership, inheritance, or healthcare;
- transitional justice issues, e.g. addressing any gender-based violence and human rights violations that occurred during the conflict, or demanding truth and reconciliation commissions;
- post-conflict reconstruction concerns, e.g. equal access to disarmament, demobilization, and reintegration programmes for women, and/or child soldiers where applicable.

The literature does indicate a trend of an overall rise in references to women and gender in peace agreements since passage of UNSCR 1325 (Bell, 2015). However, there can be huge variation in the scope and depth of those references (Bell, 2015: 12). Peace agreement provisions which go beyond a mere passing reference to ‘adopt a gender perspective’ are still fairly patchy, and examples of anything approaching such a perspective remain fairly rare (Bell, 2015).

Peace agreements which have fairly extensive provisions addressing women include (Bell, 2015: 12-13):

- Peace Agreements and agreed outcomes of international conferences in the post 2001 Afghan reconstruction process, which pay considerable attention to women.
- The Great Lakes regional agreements in support of the inter-connected conflicts and peace processes in that region.
- The peace process in Burundi, and in particular the Arusha Peace and Reconciliation Agreement of 28/08/2000.
- Very recent agreements signed between the Colombian government and the FARC in 2014, which stand in stark contrast to Colombian peace agreements of the past (although the 2001 Colombian Constitution which was a form of peace agreement constitution was relatively ‘women-friendly’).
- Agreements in the Democratic Republic of Congo in 2003 and 2009.
- Agreements in Sudan, most notably agreements in Darfur and Eastern Sudan.

Bell (2015: 13) also gives examples of other peace processes which, while not showing comprehensive treatment, have persistent references to women across most of the agreements signed:

- Agreements in Nepal base their provision on ‘progressive restructuring of the state to resolve existing class-based, ethnic, regional and gender problems’, and while not perhaps adopting a holistic gender approach with agreements across the process consistently having references to women, including to equality, representation, anti-discrimination and gender-based violence.
- Agreements in the Philippines, similarly, while not having copious reference to women and gender, have fairly consistent consideration of women in the peace process in Mindanao. In the peace process with the National Democratic Front the Comprehensive Agreement on Respect for Human Rights and International Humanitarian Law in 1998 had fairly extensive treatment of sexual violence and women’s rights.
- Agreements in Somalia providing for new institutions have fairly consistently specified numbers of women to be involved in political institutions, although have little other provision on women.

- Agreements in Northern Ireland have often had reference to women, although no comprehensive treatment of women.
- Similarly, Agreements in Mexico between the government and Chiapas, have considerable references to indigenous women's rights.

Apart from these examples, **references to women in other processes and agreements are often merely in the form of anti-discrimination provisions** which reference discrimination on the grounds of sex or gender, other vague references to participation, or one-off references to particular issues such as violence against women (Bell, 2015: 13).

Bell (2015: 15) also analysed specific references to participation of women, quotas for women and provisions on violence against women:

- Between 01/01/1990 and 01/01/2015, 43 agreements provided in general terms for participation of women: only 8 (or 19%) of these agreements were before 31/10/2000.
- In the same period 28 agreements provided for numerical quotas for women, with only 6 of these (21%) being before 31/10/2000.
- With regard to violence against women, during the fifteen-year period 41 agreement provide measures addressed at violence against women. Only 7 (17%) of these were before 31/10/2000, and here the references to violence against women are fairly oblique, e.g. in two agreements in Guatemala it was provided that sexual harassment should be made a crime. More recent agreements, particularly those in which sexual violence has been a key feature of the conflict, have included much more specific references to sexual violence, for example, agreements in Democratic Republic of Congo and Darfur, Sudan.

Bell (2015: 16) concludes that **peace agreements do seem to be improving in the substance of their provision, from general references to equality, towards firmer commitments to participation, quotas and to addressing violence against women.** But overall, inclusion of women and gender concerns remains marginal and uneven (Domingo et al, 2013: 11).

3. Approaches to promote women's rights in peace processes

The literature identifies diverse mechanisms that can and have been used to promote women's role in peace processes. While **aid conditionality** is mentioned in the context of peace processes as a whole (i.e. bringing conflict parties together, promoting compromise, etc.), **it is not referred to specifically as a means of promoting either women's participation in peace processes or the inclusion of women's rights in peace process outcomes.** This review was unable to find any examples of peace processes in which conditionality had played this role. Moreover, the literature on recommendations to promote women's participation in peace processes (e.g. Reimann, 2014; Paffenholz, 2016) does not refer to the use of aid conditionality.

The literature does identify **a number of other mechanisms which have been effective in promoting women's participation in peace processes and/or inclusion of provisions for women's rights in peace process outcomes.** The most common are **mobilisation by women themselves to apply pressure for their inclusion, pressure by external mediators and agencies, and funding and capacity building support for women's inclusion.** International development agencies can play obvious roles in the latter two, and through funding and capacity building

assistance can also support women's mobilisation. For each of these mechanisms, examples of peace processes in which they were used are given below.

Mobilisation by women

The literature features lots of examples where women in affected countries have mobilised themselves to push for a 'place at the table' or at least to get their concerns and needs voiced, and thereby bring about increased women's participation and/or increased inclusion of gender concerns in peace agreements.

***Somalia*⁶**

Women in Somali society have traditionally been excluded from the political sphere, and the early deliberations of the 1999 Arta peace process reflected this. Decision-making power rested in the hands of the male elders from the five traditionally dominant Somali clans. The leaders of the five clans intended to structure the peace accord in a way that distributed power along clan lines, but a number of female delegates realised that a peace process based strictly on the traditional Somali clan structure would essentially exclude women from decision-making. Consequently, of the 100 female delegates present, 92 formed a joint women's coalition to transcend clan lines and vote as a single bloc. In doing so, these women effectively initiated their own inclusion as a group based on gender identity. This so-called 'sixth clan' was able to bring about the creation of a national charter that reserved 25 seats in the 245-member Transitional Assembly for women, and also negotiated guarantees to protect the human rights of children, women and minorities.

***Northern Ireland*⁷**

In Northern Ireland during the negotiations for the Good Friday Agreement (1998) the top ten political parties represented at the negotiation table had no female representation at all. That was the trigger for several women leaders to form a separate women's political party, the Northern Ireland Women's Coalition (NIWC), which won support and gained a seat next to the other parties at the negotiation table. Although the NIWC did not have signatory power in the end and was outnumbered by male-dominated parties, their decision-making power was enhanced because they were negotiating at the same level as the other political parties and were able to push for the inclusion of gender issues, many of which made it into the final agreement. The NIWC pushed for equality, human rights, and broad inclusion. They promoted an inclusive, cooperative process, and put women's participation and women's rights at the top of the political agenda. The NIWC also focused on preventative measures for violence, specifically addressing prosecutions of cases of violence against women.

***Philippines*⁸**

In the Philippines, female representatives of different sectors of society, including Moro and indigenous women, formed the Women's Peace Table in July 2012. Its members are well connected, have strong grassroots support and active international connections. The Women's Peace Table lobbies for the participation of women and is considered an important think-tank and

⁶ This write-up is based on Paffenholz et al, 2016: 18.

⁷ This write-up is based on Paffenholz et al, 2016: 24.

⁸ This write-up is based on Reimann, 2014: 35.

political actor in the peace process. The Peace Table has the capacity to connect up the formal peace table and the women active at the grassroots of various strategic sectors, such as human rights, health, ecology, politics and education. Its high credibility and effectiveness is deemed to be the product of its longstanding role in leading and organising women's movements like the national Mothers for Peace movement.

Colombia⁹

In December 2016 a comprehensive peace agreement was signed in Colombia between the Colombian government and the Revolutionary Armed Forces (FARC), ending fifty years of armed civil conflict. The agreement set an international example for women's involvement. When formal talks opened in Cuba in November 2012, only one of the twenty negotiators was female. In 2013, civil society leaders organised a National Summit of Women and Peace to demand an inclusive peace process, and by 2015, women comprised 20% of the government negotiating team and 43% of FARC delegates (a level consistent with the percentage of women fighters in the guerrilla group). Women also contributed to the peace process at all levels, including through official sub-commissions—notably the first-ever Gender Sub-commission—and through influential roles in the government's Office of the High Commissioner for Peace. Women's participation on both sides of the formal negotiating table and in civil society helped ensure the success of the years-long Colombian peace-making effort with the FARC.

Specifically, with regard to peace process outcomes, women used their seats at the table to address some of the primary grievances of affected communities, including land restitution and the right to justice and reparations for victims. They successfully included provisions in the agreement on the rights of women, girls, and indigenous populations that sought to secure equal access to property for rural women, promote women's political participation, create measures to prevent gender-based violence, and rebuke amnesty for crimes of sexual violence committed during the conflict.

External pressure

Pospisil and Bell (2018: 9) note that peace negotiations tend to be exclusive affairs – focusing on those mainly responsible for the conflict; for reasons such as confidentiality and a sense of risk, the parties to the conflict are often reluctant to accept broader participation. **International partners and the international legal framework can add significant leverage to women's attempts to engage in the process.** 'International organizations, such as the United Nations, and regional organizations such as the African Union, can offer useful support. So too can international civil society organizations, whose importance in peace negotiations has significantly increased in recent years' (Pospisil & Bell, 2018: 9).

Bell (2015) presents data which indicates the influence that external mediation/pressure can exert in promoting women and women's rights in peace processes. She notes that before UNSC Resolution 1325, out of 664 agreements in total, 168 agreements or 16% referenced the UN as some sort of party to the agreement (Bell, 2015: 11). Out of these 23, or 14% of the UN-agreements, referenced women or gender. After UNSCR 1325, out of 504 agreements, 122 agreements, or 24%, referenced the UN as some sort of party. Out of these 46, or 38% of UN-

⁹ This write-up is based on the Council of Foreign Relations (CFR), 'Women's Role in Peace Processes: Colombia'. <https://www.cfr.org/interactive/interactive/womens-participation-in-peace-processes/explore-the-data>

agreement referenced women or gender (Bell, 2015: 12). These results suggest that **agreements both before and after UNSCR 1325 were more likely to mention women where the UN was a party to the agreement**, but also that the rise over time in those agreements mentioning women has been slightly more than in general (Bell, 2015: 12).

There is some evidence that international actors may be able to ensure robust provision for women find their way into agreements (Bell, 2015). However, this is in contexts where there is little real 'agreement' between the parties to the conflict as to ending it, and where key parties may have little intention or will to implement either the agreement or its gender provisions (Bell, 2015). Nonetheless, Bell (2015) argues that gender references in contexts of forced 'agreement' contexts should not be entirely dismissed. Peace agreements set road-maps for the future, and it is at least symbolically important that international actors ensure that issues affecting women are on the peace agreement agenda, even if conditions for implementation are less than ideal (Bell, 2015). At the same time, she stresses that it is important to understand the limitations of internationally 'forced' agreements with internationally-placed provisions on women: there is a lack of implementation of these agreements as a whole, and their gender provisions in particular (Bell, 2015: 17). **Where gender provision is seen as an internationally required 'add-on', parties may have little incentive to implement and more robust forms of implementation support may be required** (Bell, 2015: 17).

The peace processes in Kenya and Burundi (outlined below) provide powerful examples of how international pressure for local women's advocacy messages, and building strong relationships between local and international efforts, can support and promote women's participation (Reimann, 2014: 26).

Kenya

In the Kenyan peace process, aimed at finding a solution to the 2008 post-election violence, both pressure from women themselves, and pressure from the international community to implement UNSCR 1325 were critical (Reimann, 2014: 52).

When violence broke out after contested election results at the end of 2007, a number of Nairobi-based female professionals from all different political and geographical areas working in peace, human rights, development and humanitarian organisations came together to assess potential areas of contribution for women to address the crisis (Paffenholz et al, 2016: 46). A core group of three women sent out invitations to all women's organisations in the country. Different meetings and consultations were held comprised of between 10 and 200 women (Paffenholz et al, 2016: 46). Graça Machel's presence as mediator next to Kofi Annan in the African Union (AU) Panel of Eminent African Personalities, was crucial for the women. It required the impetus of Graça Machel for women to overcome their own differences and divisions in order to work together to press for greater focus on women's issues in the process (Paffenholz et al, 2016: 47). Graça Machel advised the group to unite on common grounds, put aside political differences, and come up with a memorandum to the African Union Panel with women's concerns and recommendations.

Both Kofi Annan and Graça Machel facilitated women's access to the negotiations (Reimann, 2014: 17). The women's recommendations were presented to the Kenyan National Dialogue and Reconciliation Committee charged with negotiating the terms of the peace agreement. As well as securing women's participation, Graça Machel was instrumental in addressing gender-based violence (GBV) in the post-election violence. She lobbied the Kenyan government to take

affirmative action and come up with clear policies that would safeguard the rights of women, children and young persons. As a result of external and internal pressure, gender desks were set up in every police station where women can talk to trained female police officers (Reimann, 2014: 52).

Burundi

A similar example of internal pressure from women combining with external pressure from international agencies was seen in the Burundi peace process. Women were initially denied access to the official peace process taking place in Arusha, so in 2000, with support from UNIFEM (now UN Women), they set up the All-Party Burundi Women's Peace Conference, which brought together women from the 19 negotiating parties, observers, refugees and internally displaced persons (Reimann, 2014: 17). At the conference women drafted specific recommendations for the peace process, notably the need for negotiating parties to adopt a gender perspective in the talks and to guarantee women 30% representation in the executive, legislative and judiciary branches of government and all public bodies (Domingo et al, 2013: 23).

Women's organisations approached and lobbied the conflict parties and Nelson Mandela – one of the chief mediators – to include women in the peace negotiations (Reimann, 2014: 17). Mandela publicly stated his support for women's equal participation in the peace negotiations. Furthermore, women's representatives urged the Ugandan President (who also participated in the peace negotiations) to make their voices heard. The president received a delegation of 100 women and subsequently asked the former president of Tanzania and other chief mediators to push for the participation of women in Arusha. Consequently, seven women attended the talks. These women were not members of any political party; they were representatives of women's rights organisations. The 2005 Constitution guaranteed the 30% representation of women in public bodies and also included provisions regarding party lists for elections, requiring that at least 25% of candidates be women (Domingo et al, 2013: 23).

Funding¹⁰

Funding is a means to facilitate action. **Funding can support the preparedness of women, provide beneficial support structures, and allow them to act flexibly and independently. Funding is vital for the basic preconditions of participation.** For instance, with peace processes often taking place in varied and distant venues, it can be difficult or impossible to physically reach the locations of negotiations or lobby the process in person without proper financial means. Funding for informal consultation modalities is more of a problem compared to other forms of consultations or modalities.

Domingo et al (2013: 17) stress the **need for both targeted and sustained investment of resources to support women's participation in peace processes.** 'The "staying power" of funding matters, as transformation requires a longer-term perspective. This funding should be maintained beyond the short term to ensure gender-responsive agreements translate in practice into sustainable advances towards gender equality goals' (Domingo et al, 2013: 17). They also note that ongoing engagement is needed to provide crucial backing to women's groups and other CSOs to support implementation of gender provisions (Domingo et al, 2013: 17).

¹⁰ This write-up is based on Paffenholz et al, 2016: 49.

Somalia¹¹

In the Somalia peace negotiations in the early 1990s, the Swedish Life and Peace Institute provided financial and logistical support to local and diaspora women's groups to be able to attend important meetings and be present during the negotiations. This allowed women's voices to be heard and to lobby for their inclusion.

During the 2001–2005 Kenyan-led Somali peace negotiations, women benefitted from a number of support structures sponsored by international organizations. Key among these was a resource centre supported by UN Women, fully equipped with computers, photocopiers, printers, and internet access. This centre helped women publish materials supporting their position, which they provided to delegates, the mediator, and other key individuals. As one of the few locations available with adequate equipment for the negotiation proceedings, the centre provided women's groups with direct lobbying access to influential figures who were forced to use its equipment. Bolstered by these support structures, women's groups lobbied for and achieved the successful introduction of human rights and gender-sensitive language into the agreement as well as a 12% women quota in the transitional parliament.

Liberia

Another example of funding support making a difference was seen in the Liberian peace process at the negotiations on the Accra Comprehensive Peace Agreement (2003). The Women in Peacebuilding Network (WIPNET) were constrained by lack of funds and were unable to mobilise campaigns abroad, until they managed to secure additional funding from the West Africa Network for Peace Building (WANEP), a regional peace network, which in turn allowed them to maintain presence and pressure on the process (Paffenholz et al, 2016: 48).

Capacity building support

Capacity building support can be targeted at women participating in diverse roles in a peace process: as negotiating parties, as mediators, as witnesses, as representatives of women's groups, and so on. The nature of support can vary, including helping women understand the issues [e.g. security sector reform (SSR), disarmament, demobilisation and reintegration (DDR)], training them in leadership and negotiation, explaining the technicalities of peace processes, and giving support in drafting documents (Reimann, 2014: 26). It can also include provision of external experts, e.g. female mediators. Mechanisms can be workshops, training sessions, mentoring schemes, networking and others. **As well as increasing the overall preparedness of women, such support often contributes to women pushing for more gender-specific goals** (Paffenholz et al, 2016: 48).

Bache (2019: 28) stresses that **increasing the capacity of women to negotiate, inform and influence peace and transition processes is critical** – the more inclusive such processes are, the more likely peace agreements are to endure. Initiatives such as the Women in Conflict 1325 Fellowship and the Women Peacemakers Programmes, provide essential training in mediation, conflict resolution, reconciliation, and negotiation to women peacebuilders (Bache, 2019: 28). Furthermore, the alumni networks of the above and other similar initiatives serve as important

¹¹ This write-up is based on Paffenholz et al, 2016: 48.

platforms for on-going exchanges between graduates and members of their respective organisations.

Current international practices suggest that **including a gender advisor in mediation teams is useful and strategic**, as it helps to ensure women's perspectives get taken into account in the actual peace negotiations and to secure WPS provisions in peace agreement texts (Reimann, 2014: 33). In January 2011, the Institute for Inclusive Security brought together 21 specialists to develop recommendations for advancing women's meaningful inclusion in peace and transition processes (Bache, 2019: 28). The group 'considered ways to increase the prevalence of female mediators, enhance communication and cooperation with women and civil society during negotiations, and to augment women's priorities and needs' (Bache, 2019: 28).

Recommendations for promoting inclusive frameworks included: introducing quotas, offering technical support to mediators, strengthening international contact groups/groups of friends, and giving credit and acknowledging women as members of mediation teams (Bache, 2019: 28).

Information about the technical and logistical procedures and content of a peace process is key (Reimann, 2014: 25). Women's activists and women's organisations have to know what themes are under discussion, and when and where formal and informal talks are taking place. Information is power and, if women are not kept informed, local women's activists and organisations have difficulty influencing the formal agenda (Reimann, 2014: 25). **International development partners can support women's access to information on peace processes** via community and social media, such as radio, Twitter, Facebook and information hubs, and support those media that promote the participation of women in peace processes and questions of gender equality related to peacebuilding (Reimann, 2014: 27).

The following examples demonstrate the impact capacity building support can have on women's participation in peace processes and inclusion of women's rights provisions in peace agreements.

Burundi

In Burundi in 2001, UNIFEM (now UN Women) invited an international expert team on gender to accompany the peace negotiations in Arusha, Tanzania. The team consisted of three women and one man from Guatemala, Uganda, South Africa and Eritrea who participated in peace negotiations and/or were former members of liberation movements in their countries (Reimann, 2014: 33). Although they were not officially part of the negotiation teams, they were given access to the peace-negotiating table. Their background gave them credibility and enabled them to convince the negotiators to convene a women's conference and give women a platform to formulate their recommendations (over half of which were included in the subsequent Arusha Peace and Reconciliation Agreement for Burundi) (Reimann, 2014: 33).

Somalia

In the Somali peace process, including the Djibouti peace agreement signed in 2008 and consequent agreements signed in the period 2008-2011, no women were recorded as participating as representatives of conflict parties, mediation members or signatories (Reimann, 2014: 33). The gender dynamics changed when the then gender advisor of the UN Mediation Support Unit's (UN MSU) Standby Team of Mediation Experts had the opportunity to participate in the 2011 negotiations and to ensure quotas for women in the subsequent peace talks (Reimann, 2014: 33). According to local Somali women, the gender advisor played a crucial role

in the 2011 peace talks; her role as gender advisor to the UN MSU allowed her to move among women and take forward their critical concerns. Her expert advice shaped the technical use of language in the peace agreement. The gender advisor also ensured that the quota for women in all political structures of the roadmap was part and parcel of the negotiations. Local Somali women present at the peace talks got 140 signatures for their petition overnight – from almost all of the participants of the negotiation process – for 30% women's participation (Reimann, 2014: 34). The UN had the petition translated into English and submitted it to the international community as one of the key commitments.

Democratic Republic of Congo¹²

UNIFEM and local NGOs such as Femmes Africa Solidarité (Women as Partners for Peace in Africa) organised a problem-solving workshop exclusively for women at the beginning of the Inter-Congolese Political Negotiations in the DRC in February 2002. It provides an example of how effective such workshops potentially can be. The workshop prepared 64 women for direct participation at the peace talks in Sun City in South Africa. During the workshop UNIFEM held crucial sessions on gender dimensions of reforms and effective participation, and the women agreed on a declaration and a plan of action. This also led to an increase in the number of women delegates.

4. Women and the Afghanistan peace process

Afghanistan stands at a critical juncture in relation to peace-making and agreeing a new political settlement. As detailed below, women have played some role in past peace processes in the country. Of the mechanisms to promote women's participation detailed above, mobilisation by women and external pressure (by donors and the international community) stand out as the most significant. However, as discussed in this section, there are significant risks in relation to the current peace process, both for women's participation and the protection of women's rights. The international community, and specifically international development partners, can play important roles in ensuring women's inclusion in the process, and that gender concerns are addressed in any new political settlement for Afghanistan.

Situation of women in Afghanistan

Much progress has been made by women in Afghanistan since the fall of the Taliban in 2002, notably in access to education, health, formal employment and political participation, alongside the adoption of legislation stipulating protection against abuses, and of gender-sensitive policy frameworks (Wimpelmann, 2014: 2; Ahmadi, 2019). Despite these achievements, the situation of women in Afghanistan remains dire with, for example, school enrolment rates for girls significantly behind those for boys, and among the worst maternal health in the world (Wimpelmann, 2014: 2). Little effort has been made by the government to implement new laws and policies offering protection to women. Wimpelmann (2014: 2) notes that:

On a deeper and less measurable level, women's lack of access to property ownership, extremely rigid notions of female propriety which severely restrict their mobility and conduct, and continuing reports of exceedingly brutal violence against women who defy

¹² This write-up is based on Paffenholz et al, 2016: 42.

family and societal control, all testify to a society that remains one of the most gender-unequal in the world, comparing unfavourably also with other countries in the region.

Furthermore, there is evidence of a conservative backlash in recent years and erosion of protection infrastructure and rights for women. Examples include lowering of parliamentary quotas for women's representation in provincial councils from 25% to 20%, and former President Hamid Karzai's support of the Ulema Council's non-binding edict that women are worth less than men (Oxfam, 2014: 2). According to the Women, Peace and Security (WPS) Index, which provides measures of various indicators on women's rights, wellbeing and empowerment, Afghanistan ranks 166th out of 167 countries.¹³

Role of Afghan women in peace processes: historic and current

Afghan women have had some role in seeking to end the conflict in Afghanistan. In 2010 President Hamid Karzai organises a three-day National Consultative Peace Jirga to pave the way for a political settlement: women comprised 20% of the Peace Jirga (Ahmadi, 2019). Women demanded that they be included in peace processes, and as a result nine were appointed to the 70-member High Peace Council that emerged from the gathering of tribal leaders, with two women serving on the executive board (Jung & Cobar, 2019). Women's groups since then have proactively consulted with women across the country to identify their needs and expectations regarding the peace process and communicated their findings to the Afghan government, political leaders and the international community (Ahmadi, 2019). Provincial peace councils and the Afghan Women's Network, a network of over 125 organizations, have also served as consultation mechanisms to lead local peacebuilding efforts, raise public support for the process, and to broker deals for the reintegration of former combatants (Jung & Cobar, 2019). In 2014, the female members of the High Peace Council collected 300,000 signatures calling for peace and cessation of armed hostilities) (Ahmadi, 2019).

However, there has been a lack of direct involvement of women in formal peace processes: in 23 rounds of talks between 2005 and 2014, there were only two occasions where Afghan women were directly represented at the negotiation table – the 2010 talks in the Maldives and the 2011-12 talks in France (Jung & Cobar, 2019).

In February 2019, Russia hosted a two-day conference in Moscow where 10 Taliban representatives and some 40 Afghan, largely opposition, political leaders headed by Karzai, including four presidential candidates, **took part in a face-to-face dialogue** (Ahmadi, 2019). The Afghan Women's Network gathered opinion from a broader constituency including women from urban and rural areas of Afghanistan as well as the diaspora, and produced a document titled, 'Afghan Women Six Point Agenda for Moscow Peace Talks' (Jung & Cobar, 2019). With regard to women's participation, there were two women in the political sector delegation: Fawzia Kofi, a parliamentarian, and Hawa Alam Nuristani, a member of the Afghan Human Rights Commission (Ahmadi, 2019). Two other female Afghan officials declined to attend, saying peace talks without the government could not yield meaningful results. Various topics were covered during the two-day conference, including foreign troop withdrawal and the formation of an interim government, but women's rights were barely mentioned (Ahmadi, 2019).

¹³ <https://giwps.georgetown.edu/country/afghanistan/>

Risks of exclusion and recommendations

While there have been significant improvements in the role of women in Afghanistan over the past 17 years, **the position of the Taliban on women's issues appears to have evolved little.** In his closing speech to the Moscow conference the chief Taliban negotiator said, 'Islam has given women all fundamental rights, such as business and ownership, inheritance, education, work, choosing one's husband, security, health and right to good life' (Ahmadi, 2019). But these seemingly encouraging words were followed by the assertion that, in the name of women's rights, Afghanistan had seen a rise in immorality, indecency and a corrupting media that spread non-Islamic culture and encouraged women to violate Afghan customs (Ahmadi, 2019). There are fears that a return to power by the Taliban could lead to the erosion of women's rights and the progress made since 2002 (Oxfam, 2014; Wimpelmann, 2014; Ahmadi, 2019; Jung & Cobar, 2019). Afghan women fear that 'their hard-won rights to participate in the nation's political and economic life could again be washed away by the Taliban's rigid views on gender' (Ahmadi, 2019).

Ahmadi (2019) urges the international community to ensure that women's rights in Afghanistan are not sacrificed in the drive to reach a deal with the Taliban. 'The very notion of a deal that limits women's rights must be named, called out and put under a spotlight so negotiators understand such an arrangement is a non-starter' (Ahmadi, 2019). She further stresses that inclusion of women is about much more than having women around the negotiating table (Ahmadi, 2019):

It means bringing the perspectives of more than half of the population into the peace process. It is about making sure the rights, concerns and contributions of women are considered at every turn and communicated forcefully in closed-door meetings with the government and the Taliban and with other insurgent groups.

Ahmadi (2019) calls for a holistic approach to ensuring gender perspectives in the Afghan peace process, focusing simultaneously on: women's right to participate in the process; have their rights protected in any agreement; and ensure that adequate institutional mechanisms and resources are available to implement and uphold the terms of an agreement. The latter would include support for bodies such as the Afghanistan Human Rights Commission, the Ministry of Women's Affairs, and the Women's Chamber of Commerce. Noting the pivotal roles women's rights groups and NGOs have played in providing legal, social, economic, educational, health and psychological services to millions of Afghan men and women, Ahmadi adds: 'A peace agreement must explicitly allow these groups to continue operating without restriction; their staff must be further empowered and protected from persecution and unjust treatment in the name of Sharia or local traditions'.

Ahmadi (2019) identifies two sources of leverage available to the international community to ensure there is no rollback of women's rights in Afghanistan. One, negotiators can stress that the international community, and donors specifically, will not 'bankroll an Afghanistan that abridges these rights' and 'without these donors Afghanistan cannot maintain financial solvency' (Ahmadi, 2019). The second relates to the Women, Peace and Security Act, signed by President Trump in 2017, which calls for the United States to be a global leader in promoting women's participation in preventing, managing and resolving conflict and in sustaining democratic institutions in fragile states. She notes, however, that 'faced with the realities of trying to wind down the war' it is uncertain whether the US is in a position to do much about any reversal of women's rights, assuming it even has the will to try (Ahmadi, 2019). 'The United States should

stand behind these demands: the Women, Peace, and Security Act mandates that the U.S. government reinforce through diplomatic efforts and programmes the promotion of “physical safety, economic security and dignity of women and girls” ’ (Ahmadi, 2019).

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