



KVINNA TILL KVINNA

How to Include Women and Sexual and Gender-Based Violence in Peace Negotiations and Agreements

Introduction

Despite the fact that mass rape of women was used as a weapon of war in the 1990ies in Bosnia and Herzegovina, the gender dimension of the conflict and the different impact the conflict had on women and men was *not* a part of the political analysis that led to the final peace settlement.

If the long term, serious effects of sexual gender based violence (SGBV) on relations within families, life in villages and the social fabric of the whole society *had been taken into account at that time*, what would the impact of the Dayton Peace Accords then have been?

One could assume that the shortcomings on sexual and reproductive health and rights, on property issues, women's participation in decision making bodies, labour discrimination and treatment of refugees would not have been as alarming as they turned out to be for a long time afterwards.

Today SGBV, such as mass rape, during armed conflict, is recognized as a weapon of war and a security threat (for example UNSCR 1325, 1820 and the Rome Statute for the International Criminal Court.)

The shortcomings of the Dayton Peace Accords were serious missed opportunities to redress the gender inequalities and ensure sustainable human development. Although it has been 14 years since the Dayton Peace Accords was signed the same shortcomings can be found in later peace agreements, over and over again.

Kvinna till Kvinna would like to put forward the following advice:

I. Preparation for peace negotiations:

Analysis of security threats must include SGBV as one component as important as other traditional security threats. Historical background, mapping of the conflict incorporating gender-specific data and information, and oral and written briefings on the experience of women in the conflict is an important tool.

Women's Human Rights Defenders (WHRD) and organisations can provide important information on SGBV since the official sources might not give the total picture. Since

they cannot always operate in the open, increased support, protection and political acknowledgement of Women's Human Rights Defenders is needed by the International Community (IC).

A. Make visible the effects of SGBV in the peace negotiations for all parties involved.

1. Highlight the consequences for society at large of SGBV such as high rates of maternal mortality, the rapid increase of HIV and the negative effects of the social cohesion of the society.
2. Reorient efforts of peacekeeping forces to focus on protecting women and girls where they are most vulnerable, for instance at check-points, when collecting firewood and water, and including camps for internally displaced people.
3. Hold heads of UN missions to account if staff breaches the UN zero tolerance policy on sexual exploitation. UN missions must have an equal gender division and all staff educated in women's human rights and UN codes of conduct.
4. Use a gender perspective in the recruitment processes of international actors to ensure the ability to interact with the local population in a respectful manner.

B. Secure Women Human Rights Defenders participation in peace processes

5. IC should identify and actively contact WHRDs in the conflict area to make sure that their voices are heard.
6. IC should make sure that WHRDs have the possibilities to attend the peace negotiating meetings by ensuring enough financial, security and other means are at their disposal, for example safe transport and accommodation.

C. Secure that WHRDs facts and information are being taken into account in the peace negotiations.

7. Expert interviewers should document the information from WHRDs. It is also important to provide proper translation to overcome language barriers.
8. Expert support to overcome knowledge barriers of the political and technical process. For example mediators who has expert knowledge and special skills on both local community work and the peace process in question.

D. Secure that the warring parties have information about (A) and (C)

9. IC should make sure that the warring parties have an understanding of the vast effects of SGBV as mentioned above. Ensure a gender balance, i.e. that both men and woman are used as educators and experts.
10. IC should make sure that the warring parties are given opportunities to listen to all the facts and the information that the women's organisations have on the subject,.

II At the negotiation table:

11. State clearly that women's human rights are never negotiable.
12. Establish that the definitions of international humanitarian law and human rights law from the Rome Statute for the International Criminal Court and the jurisprudence of the international criminal tribunals, including the parts related to victims and witness protection, are to be incorporated into domestic law.
13. Support national efforts to prosecute rape as a war crime. This includes support for police and judicial reform. At the international level, intensify investigations into the chain of command that either encourages or allows rape to be utilized as a war strategy.
14. Ensure women's access to property and inheritance rights.
15. Promote protection mechanisms for witness and women human rights activists during and after judicial processes.

III After peace agreements is signed:

16. Work to lessen the stigma for the victims of SGBV through advocacy at community, national and international levels; consider special needs of those victims who are HIV-positive.
17. Greatly increase resources for sexual and reproductive health care to enable survivors of sexualised violence to receive the care they are entitled to. Resources are also needed for psychosocial support for the survivors to help them reintegrate in the society.

18. Fight the culture of silence by supporting victims of sexualised violence in being accepted by their communities and by society at large. These crimes need to be talked about and condemned.
19. Recognise and support Women Human Rights Defenders. They work to support the survivors of SGBV, to fight impunity and to ensure legislation that protects women. They are the most likely to be in the forefront and stand up publicly about the consequences of SGBV.
20. Punish SGBV crimes committed by combatants as well as international actors such as peacekeepers. If these crimes are not investigated and justice is implemented, the societal acceptance for SGBV also in peacetime will be an inevitable consequence.

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