Section 4
Gender, armed conflict and the search for peace
Some of the armed conflicts and states of pervasive violence that proliferated unexpectedly after the end of the Cold War have abated in the 10 years since 1995, but others continue in as brutal a form. To these are added the acts of multilateral military intervention under US leadership which, since 9/11, have been justified within the framework of a worldwide “war on terror”. These new types of war, associated less with formal battlefield confrontations than with the breakdown of order, livelihood systems and social norms have particular impacts for women, both in their persons and in their socially constructed roles.

During the past 10 years, the recognition in the early 1990s of sexual assault as a weapon of war and a crime against humanity has been further concretized in international humanitarian law; a few cases have even been successfully prosecuted in postwar tribunals associated with Rwanda and former Yugoslavia. At the same time, increasing attention has focused on women’s roles in conflict resolution and peace building, and in helping bring into being the transitional or “new” institutions of state emerging in the postconflict environment. Much needs to be done to consolidate a “gender-friendly” peace, so that women are not forced back into the very roles and disadvantages that were part of the social and political circumstances out of which armed confrontation originally emerged.

The first chapter in this section, “The impacts of conflict on women”, examines the multiple and sometimes contradictory ways in which women are affected by armed conflict, while the second chapter, “After conflict: women, peace building and development”, looks at the challenges of post-war peace building as well as the potential for positive change in women’s ability to seek justice and exercise rights.
Ten years after the Beijing Conference, the world is still enduring an epidemic of armed violence, with 19 major conflicts and many more smaller-scale violent confrontations ongoing in different parts of the globe. Although the number of major conflicts is lower than in most of the years since the end of the Cold War, the decline in armed confrontation and warfare optimistically anticipated at the beginning of the 1990s has never effectively materialized. Some wars have ended; however, not only do many continue, but the changed circumstances wrought by the 11 September 2001 attacks on the United States and the subsequent “war on terror” appear to have left the world more prone to unpredictable armed violence than before. The problems of addressing the causes and implications of conflict in the lives of ordinary people, including and especially women, have accordingly become more complex.

The end of the Cold War saw changes in the forms and arenas of armed violence. Some conflicts or armed political confrontations earlier fuelled by the global competition for strategic allies between the two superpowers of East and West came to a negotiated end. However, new wars were also unleashed by the relaxation of controls held in place by the long era of superpower stand-off, such as those in the former Yugoslavia. Several ongoing conflicts—Kashmir, Sudan, Democratic Republic of Congo (DRC)—are holdovers from the postcolonial period, continuing in new mutations. Yet others derive from internal contest over territory or resources between local clan or ethnic leaders, as in Burundi, Somalia and Indonesia; or are armed insurrections against the state, whose fortunes ebb and flow but which fail to reach a conclusive end, as in Sri Lanka, Chechen Republic and Colombia. Most of these conflicts are internal or “civil” wars: only two of the 19 major conflicts underway in 2003 were interstate (the US/UK-led invasion of Iraq, and India–Pakistan over Kashmir); but interference or involvement from external powers or interests is common (see figure 13.1).

The dissolution of the Union of Soviet Socialist Republics (USSR) led to a reduction in the prospects of mighty clashes between organized national armies using sophisticated aerial, battlefield and nuclear weapons; this was the image of war which dominated most of the 20th century, with guerrilla warfare emerging more strongly in the Viet Nam war and African liberation struggles. Subsequent geopolitical developments, including the rise of US unilateralism, have opened the door to new kinds of external military interventions: onslaughts from the air against a nonconformist or outcast state, or military invasions whose nominal purpose is to end gross violations of human rights or restore order. The complex crises of the 1990s and early 2000s have witnessed the evolution of comprehensive external interventions, often under the rubric of UN peace building. Their objectives—peace, stability, development and accountable governance—have become steadily more ambitious, wide-ranging and trusteeship-like than in the past; the 2002 intervention in Afghanistan is a classic example. These interventions, often with the involvement of forces from many nations in military and nonmilitary roles, is yet another important element in the confusing picture of today’s conflict and postconflict situations.

At stake in today’s wars are not only territories, but ethnic and religious identities, control over natural resources such as oil and minerals, and control over lucrative and sometimes illicit
trade, such as in drugs and arms. Tensions have been exacerbated by economic crises and their accompanying social distress; growing wealth gaps between regions and nations; and the weakness of state institutions in the face of impoverishment and civil unrest. A common feature is the assertion of ethnic, religious and racial allegiance, overlaying political and economic malaise. In a world in which the balance of power is lopsided, and where many people feel economically or politically vulnerable, these bonds of common identity often provide a powerful mobilizing force.

In the playing-out of these forces, women’s role is subsidiary to that of men, since their influence over power structures and decision-making leadership is minimal. They occasionally gain an emblematic prominence in exceptional guises, such as suicide bombers or “mothers of martyrs” (the two may even be combined). But as a group, women’s explicit role in waging war and influencing military outcomes is marginal, even if a few have exercised important influences on their commander-spouses, privately, behind the scenes. They have also been important as cheerleaders, challenging men to behave courageously in battle, and helping to shape notions of honour and masculinity by conferring female approval on the warlike male.

**WARFARE AND WOMEN**

When contrasting today’s wars with those of previous generations, it is common to cite the statistic that whereas 80–90 per cent of casualties in the First World War were military, around 90 per cent of the victims of today’s conflicts are civilian, of whom the majority are women and children. Although the accuracy of these statistics is questionable, and it is probable that there is some confusion between “casualties” and “victims”, they do indicate important changes in the way war is experienced by ordinary people, by men and women alike but especially by women (see box 13.1).
The distinction between a “war front” on some distant battlefield exclusively occupied by men, and a “home front” where women carry on daily life as closely as possible to “normal”, if it was ever accurate, has eroded.4 No longer is there a separate sphere where women are kept away from hideous sights, carefully cocooned with children and dependants to mind the hearth while husbands, fathers and sons face the heat of battle. War can permeate whole areas and embrace their entire populations, or can persist in alternating high-intensity and low-intensity forms as “fronts” move unpredictably through contested terrain. These situations may last years or even decades, waxing and waning as different parties enter the fray or different armed groups achieve temporary ascendancy.

Conflict zones in today’s wars embrace homes, markets, cafés, workplaces, trains, theatres, temples and schools; almost nowhere can be considered a reliable safe haven. Just as the venue of war has become diffuse, so have the actors. National armies—in which women are present in numbers that are small but larger than they used to be—still play an important role, especially in external interventions. But many wars are fought by informal fighting forces rather than organized armies. Their active perpetrators comprise a variety of state and nonstate actors, including private militias, paid mercenaries and criminal groups, indicating a “privatization” of violence.6 For example, in the battle for autonomy in the state of Kashmir in India, at least a hundred different groups are now engaged in fighting the Indian State, some also fighting each other.7

The degree to which women play a role in these informal fighting forces varies greatly; but the idea of their total absence from the battlefield is now discredited. Feminist researchers have identified active participation by women in wars historically, not only as camp followers, carers and providers, but as

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Box 13.1 Data on women affected by armed conflict

There is relatively little sex-disaggregated data on the impacts of armed conflict; and indeed the difficulty of collecting data in any conflict zone means that there is usually little dependable data at all. A recent review of conflict-associated mortality and injury data by World Health Organization (WHO) experts and others points out that information services break down during warfare, and uncertainty prevails concerning death and disability statistics.8 Situations are fluid, populations ebb and flow rapidly according to events, security is limited, and priorities for relief personnel lie elsewhere. For these reasons, surveys cannot be undertaken; those that do exist are limited to particular populations in special circumstances, and do not form a reliable basis for extrapolation. Reported figures of deaths from conflict or conflict-related causes are therefore always estimates and may be biased; all data of this kind is politically charged and may have been developed for propaganda purposes. Statistics such as that 80 per cent of camp populations are women and children, or that indirect deaths from war are in a ratio of 9:1 to direct deaths, are not based on empirical evidence and should be treated with caution.

WHO is now attempting to improve methods of assessing mortality, disability and morbidity in conflict and postconflict environments. UN bodies, as well as human rights organizations, are trying to assess levels of sexual violence against women, and to collect data among the populations of camps for the displaced and refugees. There is a growing recognition that women refugees have different needs and vulnerabilities than men, and that sex-disaggregated data, and information about female-headed households and family dependency within refugee populations, are important. The UN High Commissioner for Refugees (UNHCR) and key emergency relief non-governmental organizations (NGOs) attach a higher priority to refugee registration and documentation than in the past; without registration, refugees have no rights, effective protection and assistance is difficult to offer, and families cannot be reunited. WHO has also set up a database on violence against women and its effect on women’s health, and is conducting a multicountry study, but the emphasis here is primarily on domestic violence.

combatants. More recently women have trained and fought as “freedom fighters”, in Nicaragua, Viet Nam, Sri Lanka, South Africa and southern Sudan. They also play important subsidiary roles in resistance movements and insurrections, acting as couriers and spies, providers of refuge and care for the injured. Sometimes they are acting in these supplementary military roles under coercion, but many female participants also sign up to a military life voluntarily.

**Fighting methods**

The means of fighting the wars of today also have strong social repercussions. Aerial bombardment invariably involves “collateral” deaths—of unarmed civilians, even if deliberate civilian onslaught from the air is now less common than in the first half of the 20th century. The spread of conflict has also been fuelled by the proliferation and bourgeoning worldwide trade in small arms. Around 1,250 companies in more than 90 countries (predominantly Europe and the United States) are currently producing small arms and light weapons. Stockpiles of government-purchased small arms are vulnerable to looting and dispersal among the population, and may be sold on very cheaply. In 1997, the loss of control over Albanian arsenals led to an increase in the fighting in neighbouring Kosovo and Macedonia. In 1991 in Somalia when the government collapsed, hundreds of thousands of firearms found their way into the hands of warring clans. In Iraq, in the wake of Saddam Hussein’s defeat, civilians took possession of an estimated seven to eight million small arms; every household in Basra had up to four guns.

The profusion of weapons makes possible the rise and sustenance of militias and gangs; these use them not only for shootouts, ambushes and obvious acts of war, but for criminal purposes, to settle old scores or carry out revenge killings. Where order has collapsed and the police force is unable to function, civilians are exposed to personal insecurity. Rape in wartime and related contexts often occurs under the threat of a gun.

Meanwhile some 100 million landmines are thought to be endangering life in different conflict terrains around the world. Not only do these cause death and maiming, they also put large areas of agricultural and grazing land out of bounds. This means that women and girls going to the fields for work, or to collect fuel or water, are put at risk. Terror tactics which create widespread fear, render land and homes unusable or uninhabitable, and which destroy sacred buildings and monuments, are all deployed in the new wars, made easier by the ready availability of small arms and explosives.

The infestation of violence helps to foster fear, hatred and insecurity, brutalizing attitudes and damaging interpersonal relations. Ethnic or faith groups previously intermingled within communities and neighbourhoods, and within families by marriage across clans, communities or religions, are often forced by the diktat of local “commanders” into warring camps. The emotional hurt and psychological trauma stemming from the experience of atrocities at the hand of previous neighbours and friends reaches a level which is very difficult to cope with when “peace” is restored. The descent into internecine clan war in Somalia forced many women who had married out of their clan to leave their husbands and children, and travel long distances to their fathers’ or ancestral home areas for safety. Relationships so sundered may be impossible to repair. Many mothers in exogamous marriages have lost their children for good, and as a result marriage in Somalia today is more often within the clan.

**WOMEN AS DIRECT VICTIMS OF WAR**

The violence of war and conflict affects everyone in its vicinity. These impacts are differentiated by many factors, in which age and gender loom large. While women are seldom among the instigators of wars and conflicts, they rank high among their victims, both in their own persons and in their socially constructed or gendered roles. Their experience of conflict tends to be markedly different from that of men, in the contexts of both agent and victim.

Until recently there has been a tendency to emphasize women’s victim roles and downplay their agency; but the changing nature of conflict and the evaluation of contemporary warfare from a feminist perspective have begun to fill in a far more
complex picture of women’s activity in war and its implications for them. They are, in this view, both more actively involved and associated with defending the society at war and sustaining its fabric, and more openly exposed to its brutality, and sometimes complicit in it. The recognition that mass rape may be used as a “weapon of war”, and that sexual assault is routine as a corollary of the fighting culture, has emphasized the direct vulnerabilities faced by women in situations of pervasive insecurity. These phenomena can be seen as symptoms of the generalized exposure to violence of entire populations.

Far from being protected or “immunized” by their feminine status, women may be especially targeted in the endemic violence that engulfs many theatres of fighting. In wars arising from social and economic inequality, identity or religious difference, women are assigned involuntarily to the side of the dispute to which they are deemed to belong by family, kin or faith, whether or not this reflects their personal sense of identity. The targeting of wives and children of fighting leaders for kidnap or assault has been routine historically. Cases have recently been reported in eastern DRC of women being buried alive by local villagers, ostensibly because they were believed to be witches, but actually because they provided food and medicine to armed groups the villagers did not support.16 In conflict zones in sub-Saharan Africa and elsewhere, women face personal danger every day, as they scour the environment for food, water and fuel. In eastern DRC, a UN official reported to independent experts from the United Nations Development Fund for Women (UNIFEM): “Women take a risk when they go out to the fields or on a road to a market. Any day they can be stripped naked, humiliated and raped in public. Many people no longer sleep at home. Every night there is another village attacked, burned and emptied…. always they take women and girls away.”17

Mortality and loss

The number of deaths among men is higher than those among women, as is shown by figure 13.2. However, deaths among women from injury are higher than might be expected. In 2000
alone, conflicts are estimated to have resulted in 310,000 deaths by injury, with more than half taking place in sub-Saharan Africa, one-fifth in Southeast Asia, and the rest in the Balkans, Central Asia and the Middle East. While the highest mortality rates were among men aged 15–44, a quarter of direct mortality was among women, with the highest number being among women between the ages of 15–29 (26,000 dying of direct causes).

Thus the region where women suffered worst was in sub-Saharan Africa; in this region, where the brutal and vicious forms of violence experienced by rural people has been exceptional and a cause of special concern, sudden raids and attacks on villages are a common pattern. This puts women especially at risk, as times when the men are absent may be chosen deliberately as good moments to launch an assault. This is indicated by the testimony of many survivors of attacks on villages in West Darfur, Sudan in a study undertaken by Amnesty International in early 2004. One stated: “Only women and children were in the village, the men were with the cattle a bit further north, closer to the hills. When the attack occurred, men ran up the hills in order to see and the women ran into the village to take their children and flee south of the village.”

A high proportion of deaths also transpire as a consequence of flight and population disruption. As was noted earlier, one estimate of deaths in war suggests that there are nine indirect deaths for every direct death, among which women and children constitute a high proportion; however, like almost all war-related statistics, there is no empirical basis for this figure. These are deaths from hunger, exposure, exhaustion, infection or epidemic disease, or some combination of these exacerbated by injury or trauma. The mortality rate among war-torn populations is much higher than usual. When civil war restarted in Congo in late 1998, a third of Brazzaville’s population—about a quarter of a million people—fled into the forests, where they remained trapped for several months without access to aid. Their death rates soared to five times the level regarded as the emergency “alert threshold”.

Estimates by the International Rescue Committee in DRC show that between August 1998 and April 2001, there were 2.6 million excess deaths in the five eastern provinces where armed groups were attacking one another. Of these, 350,000 were directly caused by violence, 40 per cent of which were among women and children; the remaining excess deaths were from disease and malnutrition.

**Widowhood**

While their survival chances from injury may be higher, women have to absorb the loss of husbands, fathers and sons with all the attendant emotional and psychological pain, and cushion the effects of loss for other dependent family members, including children. Demographic estimates suggest that up to 30 per cent of the population in war-torn societies may be widows. The predicament of war widows can be acute. They are strongly associated with the increase in female heads of household common during war, but they can face particular difficulties compared with those whose male partners or household members have temporarily departed to fight, or have disappeared or been detained. Support from the family may traditionally depend on reassignment as an extra wife to a brother or other family male; a life at the economic margins may be the only alternative. In places where widows can own or access land they may be forced to sell it if they are cash-constrained and thus unable to hire labour and purchase inputs. Issues relating to female land ownership and access are highly significant in postwar settlements (see chapter 14).

That there is such a large number of widows in a population engulfed in conflict may relieve the individual effects of stigmatization, where that is traditionally felt; widows may even manage to change social attitudes towards them and wring concessions from the authorities. However, widows’ needs for economic and social support might not be met willingly. Even in countries where pensions and benefits are theoretically in place, they might be denied or difficult to access. In situations where the husband has disappeared without trace, this problem can be compounded. In the northern Indian state of Kashmir, there are large numbers of women who are known as “half widows”. These women are not able to produce proof of a vanished male provider in the form of a dead body or some other formally accepted evidence. In such cases the woman is not technically considered a widow, a status that would qualify her to receive certain kinds of state assistance.
The experience of war widows is not invariably negative. Tamil war widows in Sri Lanka have shown a courageous independence of action and become a “liberated” group within a highly conservative society. A Sri Lankan study describes a generation of widowed women as: “challenging conventional Hindu constructions of widowhood as a negative and polluting condition which bars their participation in many aspects of community life.” These women have redefined what it means to be without a spouse in the South Asian context; many have sought a newfound independence, access to the public world, and to employment if urban opportunities are within reach. Here is another example of the contradictory experience of war for some women: a triumph of social transformation stemming from predicaments of extreme distress.

Targeted sexual assault

I was sleeping when the attack on Disa started. I was taken away by the attackers, they were all in uniforms. They took dozens of other girls and made us walk for three hours. During the day we were beaten and they were telling us: “You, the black women, we will exterminate you, you have no god.” At night we were raped several times. The Arabs guarded us with arms and we were not given food for three days.

A refugee from West Darfur Sudan, interviewed in Goz Amer camp, Chad, May 2004

The use of sexual violence in armed conflict has been recorded since ancient times, but it has recently gained a much higher profile. Evidence exists for sexual assaults on a wide scale in postcolonial conflicts. During the Partition of the Indian subcontinent into India and Pakistan in 1947, an estimated 100,000 women were raped, abducted and forcibly married. Rape was also used strategically in Korea during the Second World War, and in Bangladesh during the 1971 war of independence. However, it was not until the mass rape of women in Bosnia and Herzegovina received worldwide media attention in 1992, followed by that of between 250,000 and 500,000 women during the Rwandan genocide in 1994, that rape was acknowledged as a weapon of war. Subsequently, far more official and unofficial reporting of war has focused on the issue of sexual violence, and it has emerged as a characteristic of hostilities in Afghanistan, Algeria, East Timor, Liberia, northern Uganda, Sudan, DRC, Somalia and elsewhere. Rape seems to be on the increase in conflict, but such is the silence that has previously surrounded the issue that trends are difficult to assess.

The circumstances and forms of sexual violence are many and can be extreme. They include the rape and torture of women in front of their husbands; the use of rifle barrels and knives; attacks on pregnant women and their unborn foetuses; the mutilation of breasts and genital areas; and other horrors which women are barely able to confide. Some women and girls have endured repeated gang rapes; some have survived “rape camps” where they were imprisoned and suffered systematic sexual assault. Rape used in this way demeans and humiliates not only the woman herself but the people or clan to whom she belongs. In Rwanda and the former Yugoslavia, rape was used as a strategy to subvert community bonds and even as a tool of “ethnic cleansing”. The violation of women’s bodies, and of their sexuality and reproductive functions, in this way becomes an extension of the battlefield.

For the women victims, the impact might not only be physically and psychologically devastating, but lead to divorce, family rejection or social ostracism. In many cultures rape is deeply shameful for the woman and polluting for her family. Somali women do not confess to having been raped because social rejection and divorce will follow. Palestinian women resistance fighters who have been imprisoned have been rejected by their communities upon release, whether or not they have actually been violated. Some Iraqi women victims of rape, or women who have been imprisoned and assumed to have been violated by their captors, have subsequently been divorced or even killed.

A study in Sierra Leone carried out by Physicians for Human Rights estimated that war-related sexual violence had been suffered by 11 per cent of female household members; 8 per cent reported rape, but a number of others reported abduction, and/or became pregnant or experienced vaginal bleeding, pain, swelling or had some kind of sexually-transmitted infection.
indicating coercive sex to which they did not admit for fear of stigma. Most of these victims had been raped and one-third had been abducted; some had been forcibly married, and a few had become pregnant.35

According to a report commissioned by the Reproductive Health for Refugees Consortium, estimates of war-related rape and sexual assault in Kosovo ranged from 10,000 to 30,000. However international health and human rights organisations including the Centers for Disease Control, the Organisation for Security and Cooperation in Europe and Human Rights Watch have been unable to verify the actual number.36 Such is the “metallic silence” and taboo on rape that very few cases were ever reported. It is common for such pregnancies to come to term without medical help, in Kosovo as in Liberia, Bosnia and Sierra Leone; many mothers are subsequently outcast by their families, as are the children.

Forced marriage and sexual slavery

Populations in areas ravaged by war, where previously strong social norms of protection for the defenceless can no longer be relied upon, are very conscious of the threat to women’s honour. In Afghanistan, where civil war has continued for over two decades, households which previously sent young daughters away to marry a kinsman in another region because of fear of possible abduction or forced marriage by the Taliban, have adopted this course of action as a protective strategy against the predations of young armed men forcibly taking brides.37

There is evidence from other conflict zones that parents try to pre-empt sexual assault on their daughters by marrying them off at a very early age; or they may resort to the “sale” of a young daughter into marriage as assets become depleted.38 In camps for the displaced in Burundi, for example, surveys showed that

Between 1991 and 1994 thousands of Somali women were subject to rape and assault as a component of interclan conflict. These atrocities were unprecedented in Somali history. Traditionally, feuding and conflict in Somali pastoral society were bounded by social codes which protected women, the elderly, the sick and children from attack, or at least ensured retribution. These rules were abandoned during the conflicts which erupted in 1991, in which women and other nonfighters were attacked with impunity by militias and individuals, a cause of profound and lasting shock to Somali women.

Many women escaped to Kenya where sexual violence continued in the refugee camps in which they took shelter. Here, since they constituted 80 per cent of camp populations, they were insecure and exposed to attack by marauding groups of Somali gunmen (shifta). Human rights activists uncovered assaults on a large scale, and UNHCR undertook a full investigation. The following is an excerpt from one of the interviews conducted in the camps with 192 rape survivors.

In July 1992 nine shifta (bandits) with guns came into my house at night. They were wearing black trousers, black jackets and hats pulled low. I did not know them. They all had guns and big boots like soldiers. They pulled my arms behind my back and tied my hands. They told me not to scream and pushed knives into my upper arms and head. They kicked me with their boots. They told me to give them all the money I had. I traded at the market during the day and they must have followed me to know where I stay. After they tied and cut me I gave them the money which I had buried in a safe place. Then three of the men caught me and dragged me into my house and raped me. One man raped me while another held a gun at my head and told me he would kill me if I made a noise. My daughter of 10 years woke up and cried and they beat her on the head with guns. Up to today she has [mental] problems. I tried to shout but the shiftas shot in the air and so people ran away.


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55 per cent of girls married at an earlier age than before; in the troubled countryside, the figure was 18 per cent. Somali refugees from minority communities reported that girls as young as 13 were forcibly abducted, and married to militia “commanders”; such marriages may be arranged with families as the price of a family’s “protection”. The UN Special Rapporteur on violence against women reported in 1998 that forced marriage and forced prostitution were among the human rights violations perpetrated by the Indonesian security forces in East Timor.

Sexual slavery, or keeping women in captivity to provide sexual services to soldier combatants, is another abuse of women during conflict. “Comfort women” were forcibly recruited from Malaysia, Indonesia and Korea by the Japanese army during the Second World War, and have since unsuccessfully sought reparations from Japan. In northern Uganda, a systematic campaign of abduction and kidnap of girls by the Lord’s Resistance Army (LRA) has been underway since the mid-1990s. The abductees are known as “wives” or “helpers”, but are used as sexual and domestic slaves. They are allocated to soldiers as a reward for good performance, a source of prestige and a proof of status: the higher the rank within the LRA, the greater the number of allocated “wives”. When those who escaped were medically examined, nearly 100 per cent had STIs.

Other sex-associated vulnerabilities

All conflict zones show a marked increase of STIs and often of HIV/AIDS. The high rate of STIs is caused by the sexually predatory behaviour of soldiers, local marauders, militiamen and also of peacekeeping forces. The Joint United Nations Programme on HIV/AIDS (UNAIDS), which focuses on soldiers as one of many groups at risk of STIs including HIV, states that STI infection rates among armed forces are generally two to five times higher than in civilian populations, but that in time of conflict, the difference can be 50 times higher or more. There are many instances where HIV has appeared on an epidemic scale in a civilian population after the presence of an army in the vicinity, either encamped or passing through. In Rwanda in 1992, infection patterns of HIV were high in urban areas (27 per cent of pregnant women attending antenatal clinics) but only 1 per cent in rural areas. By 1997, the demographic upheaval following the 1994 genocide had led to near-equivalence of urban and rural rates. Since health data are difficult to collect in conflict zones, the association between HIV spread and conflict is difficult to show categorically, but it is fairly widely accepted. In Rwanda, infection with HIV during rape was an expressed intention of some Interahamwe militias.

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**Box 13.3 Abducted girl mothers and babies**

In Northern Uganda and Sierra Leone, girls who have been kidnapped to be used as forced wives of bush “commanders”, and become mothers of their babies, are highly vulnerable when they return to their communities. The children themselves are often stigmatized, lack basic health care, food, shelter and clothing; their mothers have difficulty providing for them, and attachment disorders between mothers and babies can affect their ability to thrive. On their return to their communities, the stigma involved in having given birth to the child of a rebel commander—a stigma even greater than that of having suffered sexual abuse—may lead the girls to hide and avoid attendance at clinics and programmes where their situation would be revealed. The babies may not be accepted in the communities, or even by the mothers: they are seen as the “rebels of tomorrow”. A UNICEF/Government of Uganda psychosocial assessment team recorded many statements confirming these attitudes: “The young mothers do not like the unwanted babies; many of these mothers are young and want to go to school but they can’t because of the kids. Flashback of their attacks torment many of these young mothers” (young man in Adjumani, northern Uganda, 1998).

*Source: McKay and Mazurana 2004.*
The problem of STIs in women is exacerbated by the prevalence of rape, and by the number of women who sell sex during times of severe distress as a means of survival. The demand for sexual services, especially in the presence of external armies or UN peacekeeping forces with money to spend, rises just at a time when there is acute need to find the wherewithal to live and keep a family going. A workshop on the social consequences of the peace-building process in Cambodia held in Geneva in 1992 pointed out that the growth of the “rest and recreation” industry had impacted on both women and children, with children increasingly being drawn into the sex trade.46 The independent experts of UNIFEM, reporting in 2002, described this as a phenomenon in several conflict zones they visited, including DRC, Sierra Leone, Cambodia and former Yugoslavia. Radhika Coomaraswamy, the former UN Special Rapporteur on violence against women, has called on the United Nations to take active steps to prevent peacekeepers’ involvement in sexual violence against women and punish it where it occurs.47

Although the definition of trafficking remains controversial, situations of war and conflict seem to be associated with an increase in trafficking of people, especially women and girls. This is partly because social upheaval and lack of functioning legal systems or law enforcement provide good cover for this lucrative trade; there is also an association between the destruction to economic life and the penury to which families are reduced, and their resort to drastic means of survival by trading themselves or their children. The lack of proper border controls during conflict has helped create an environment in which the trafficking of women has flourished.48 The rate of trafficking is estimated to have risen 50 per cent between 1995 and 2000. Much of it derives from countries subject to turmoil and its attendant economic stress; the majority of trafficked persons are thought to be women, many destined for prostitution, according to the International Organization for Migration (IOM).49 In war-torn Colombia, just as one example, an anti-trafficking organization believes that as many as 50,000 women are being trafficked annually out of the country (see also chapters 7 and 10 for an elaboration of the controversies surrounding human trafficking).50

**WOMEN AS MILITARY PARTICIPANTS**

Although armed violence is commonly regarded as a male preserve, women have long taken on active military roles in wars and revolutions. Their active role as fighters has received more attention in the recent past, especially since the advent of woman suicide bombers among the Liberation Tigers of Tamil Elam (LTTE) in Sri Lanka, in the Palestinian intifada, and among Chechen insurgents. Women performed as freedom fighters in the African liberation struggles of the 1970s and 1980s in Mozambique, Zimbabwe and Namibia; also in Nicaragua, Viet Nam, and in South Africa where they were trained and fought along with men in the African National Congress (ANC) forces.51 Some women combatants are coerced into carrying arms or working for military commanders; yet others are inspired by identification with the cause in which war is being waged by kin and identity groups. Their participation is not limited to revolutionary and radical causes: chauvinist or nationalistic movements include women among their active members and principal cheerleaders. Women’s agency in conflict situations can grow in a variety of different political contexts—democratic, revolutionary and authoritarian—and in strong as well as weak states.

A considerable amount of attention has been given in recent years to the recruitment and use of “child soldiers”, both in organized forces and in militia bands. This has been made much easier by the development of light-weight, easy-to-use automatic weapons. Most of these child (under-18) soldiers are boys, but by no means all. Between 1990 and 2003, girls belonged to fighting forces in 55 countries, and took part in fighting in 38 of these countries where internal armed conflicts were underway.52 Many were abducted and forced to serve as fighters, or in other roles; in the internal wars of Africa where girls’ presence in armed groups is most common, the idea that many participate voluntarily is disputed since they may have no realistic alternative.

Women played a role as combatants and political supporters in the civil conflicts in the Central American countries of Guatemala, El Salvador and Nicaragua. At the height of the Sandinista effort to topple the regime of President Anastasio
Somoza in Nicaragua from 1977–9, women made up 25–30 per cent of the combatants; in subsequent years, they continued to play a central role in the transition from armed struggle to governance. In El Salvador, where better statistics are available, the United Nations Observer Mission (ONUSAL) estimated that women made up 29 per cent of the combatants, and 37 per cent of the political cadres. In Guatemala, the Guatemalan Unidad Revolucionaria Nacional Guatemalteca (Guatemalan National Revolutionary Unity, or URNG) data show that women made up 15 per cent of the combatants and 25 per cent of the political cadres (see figures 13.3 and 13.4). Interestingly, women in Guatemala did better out of the peace settlement than did those in El Salvador, partly because the settlement came six years later and reflected the growing awareness of women’s rights as well as civil society pressure.

In the ongoing Maoist armed rebellion in Nepal, one-third of the guerilla cadres and around half of the middle-level leadership are believed to be female. These figures are based on interviews with the Maoist leadership and anecdotal evidence and cannot be confirmed, but appear likely. Nepal is a poor, rural and mountainous country and the Maoist rebels are based in the poorest and most remote areas. Most rural areas contain few men, since they have migrated either to the capital, Kathmandu, in search of work, or to other towns and cities across the Indian border. Women are left behind to farm, maintain the family and somehow make ends meet. The state is virtually absent, and in many communities the Maoists are the only providers of administration, services or security that people know. It is therefore no surprise that their ideology is attractive, and that women, facing grinding poverty and hardship, enter the guerilla cadres and make a significant contribution to their numbers.

Cases of women participating in warfare as active supporters and provocateurs of fighting forces have also been reported from a number of countries, including northern Uganda and western Sudan. One example is the al Hakkamat of Darfur, who have a traditional role as praise-singers and cultural performers, as do women’s groups in many countries of the region. In recent attacks carried out by the Janjaweed militia on local villages, Hakammat have been reported as accompanying the male fighters, ululating and singing songs to encourage them, declaring that local African villagers will be driven out and “our cattle will be in their land”. According to testimonies collected by Amnesty International, Hakammat women play the role of communicators during attacks and, although not actively involved in combat, participate in acts of looting; in some instances, they have been known to watch their men while they rape other women.

**WAR’S EFFECTS ON WOMEN AS SOCIAL ACTORS**

During their course, and as a consequence of changes in ruling authorities and power relations, war transforms the way societies function in fundamental ways. Especially if they continue for a long period, they destroy the economy in the area they pervade, and alter its key structures, including the modes of livelihood, means of survival and active providers. These changes have important ramifications on gender relations. Women may on the one hand lose professional and business occupations and be plunged into poverty, as happened in Bosnia and Herzegovina; they may lose access to land, or to workable land, as in many African conflicts such as Angola, Rwanda and Uganda. On the other hand their efforts to survive may lead them into new ventures, and even—in the context of the international and non-governmental relief aid effort—give them training and access to jobs as teachers, health and social workers. Many feminist observers have pointed to a pattern of gaining social, economic and even political rights for the first time, even if this comes with the shoudering of burdens which are barely supportable.

In their caring roles as social providers, women also have to assume extra levels of responsibility; these come from the fact that they may be separated from their homes, and from other family members, especially men who normally act as principal providers, protectors and heads of household. Additional burdens may also derive from the collapse of services, especially of health services, in the fighting vicinity. The impacts of service loss may affect them personally, but it is primarily in their roles of carers for their children, for the elderly and infirm, for orphans or other family members entrusted to their care because of death or injury,
Figure 13.3 Gender composition of Frente Farabundo Martí para la Liberación Nacional (FMLN) in El Salvador, membership by demobilization category


Figure 13.4 Gender composition of Unidad Revolucionaria Nacional Guatemalteca (URNG) in Guatemala, by demobilization category

that the lack of support mechanisms for daily life is particularly stressful. Epidemics of infectious disease or shortages of nutritious food cause the most havoc in small children; women and their older daughters have to carry the burden of disease and hunger in the family, seeking out relief feeding programmes and taking the children in; or else sustaining the responsibility for their loss.

The impact on health and health services

Women’s own health is put at risk from heightened exposure to STIs, physical and psychological damage from rape, and from lack of reproductive care. They may have to give birth without medical assistance or in conditions of extreme distress, such as flight. The care of children and other family members who are sick or infirm is more difficult even than usual, and they also have to tend the injured. These functions often have to be carried out in circumstances where clinics have been destroyed and looted, health professionals have vanished, there is a general lack of medicine and equipment, and fighting may have put medical assistance beyond reach. A 1992 UNICEF report on the situation of Afghan women and children described how “A few women of the poor neighbourhood had assembled on the rooftops and were discussing health care facilities in the area…. The women were distraught with their daily problems of survival and were not able to talk about anything else.”

Their caring and family provision roles exert pressures on women which may have additional implications for their health. There is strong evidence that women frequently reduce their own food intake to protect the nutritional status of other family members, such as able-bodied men or children, depending on cultural norms. In some conflict areas or in the exigencies of camps for the displaced, foods known as “famine foods” which are only consumed at times of severe food insecurity may be introduced into the diet. Such “famine crops” as cassava (eaten in West and Central Africa) have a poor nutritional content and require extra time and labour spent on preparation to ensure that toxicity is not a threat.

Doctors and medical personnel often flee as their conditions of work become dangerous. In Bosnia and Herzegovina, 40 per cent of physicians and 30 per cent of nurses left the country during the war. In Rwanda, over half the health workers were killed during the genocide, the infrastructure was destroyed and administrative capacities disrupted. In Uganda, between 1972 and 1985 half of the doctors and 80 per cent of the pharmacists left the country. In such circumstances, women are forced to devise their own health care systems and apply whatever remedies they know. Those who have had minimal experience as traditional birth attendants are called upon in refugee camps to assist in deliveries, and may become involved in trying to establish basic health facilities and other social services, such as children’s feeding centres, psychosocial counselling services, and schools. UNFEM’s independent experts enquiring into the consequences of war for women found a number of ways in which their sex and gender additionally compromised their state of health and access to services.

Displacement and exile

We received an official document for refugees. They explained to us our status, rights and how to get help. That’s the moment when I became aware of my loss. I lost my homeland and my personality.

A Bosnian woman refugee

Populations are often forced to move en masse when violence and insecurity escalate. These moves, both internal, within the borders of the same country, or external, across national boundaries initially to neighbouring countries, are often devastating for those involved and put huge pressures on host populations and authorities. Those who move within their own countries are known as “displaced”; those who leave their countries and cross borders are designated “refugees”. In some parts of the world, notably in parts of sub-Saharan Africa where
national borders divide ethnically contiguous people, these designations are more bureaucratic than real. The figure of 80 per cent has been commonly cited as the proportion of women and children in refugee and displaced populations; recent analysis shows that the proportions of men and women above the age of 18 are approximately equal. However, women make up a smaller proportion of asylum applicants: many are young males who leave refugee camps or their country of origin, leaving women to follow later.

According to UNHCR the numbers of those currently designated refugees rose from 2.4 million people in 1975 to 14.4 million people in 1995. By the end of 2003 the global refugee population had gone down to 9.7 million people. The US Committee on Refugees, however, which includes the internally displaced in its calculations, estimated a rise from 22 million in 1980 to 38 million in 1995, of whom around 50 per cent were displaced. One estimate of trends suggests that the number of refugees per conflict has roughly doubled since 1969, from 287,000 per conflict to 459,000 per conflict in 1992. The increase in internally displaced persons is higher, from 40,000 per conflict in 1969 to 857,000 per conflict in 1992. UNHCR estimates that about half the world’s refugees are women, and that they represent a higher proportion in the older age groups (see figures 13.5 and 13.6).

Statistics mask the extent of human suffering endured by families broken apart, homes and belongings lost, older and younger family members unable to survive long and dangerous journeys, and lives repeatedly disrupted and remade. “In 1984 we were forced to flee. Myself, I took nothing thinking that we would return next day to peace and quiet. However, it lasted for months and months. In the country where we sought refuge, we suffered terribly—no house, no food, almost everyone was sick. Children were dying day by day,” reported a refugee from Chad. Refugees and the displaced are usually accommodated in camps, where conditions are cramped and unhygienic, food, water and medical assistance may be in short supply, and schooling and other services may not be available. However, it can also be the case that the camp is the first encounter for women in extremely poor countries, such as Afghanistan and Somalia, with modern medical and reproductive services, and that women gain in literacy and personal empowerment: the displacement experience cuts both ways.

The trauma of loss, anxieties concerning people, property and lands left behind, and the psychological effects of having witnessed slaughter and destruction, can take a heavy toll. The experience of being a refugee, with its inevitable dependency and sense of personal disempowerment, can cause serious depression. Camps for the displaced are also breeding grounds for disaffection and rage. They provide recruitment opportunities for agents of violence and terrorist groups; they can also lead to tension and conflict with host populations. Where women and children predominate in the camps, as is common in most African conflicts, women are also vulnerable to attacks from external bands of marauders, or from security personnel or refugee “commanders” within them. Their predicament was brought to international attention in 1993, when sexual atrocity on a shocking scale in camps sheltering Somali refugees in northern Kenya was brought to light by international human rights organizations and the UNHCR. The need of women and girls for personal security in all refugee camps is now treated much more seriously.

The lack of privacy, the difficulties of managing children in camp conditions and of maintaining family health, the lack of hygiene and the personal insecurity exacerbate the difficulties of the refugee experience for women. Health-related problems can be compounded. A study of Somali refugees indicated that up to 70 per cent of women of reproductive age were anaemic, probably because of a lack of iron in the diet, or because of malaria which depletes the body’s stores of iron. Epidemics of diarrhoeal disease due to poor sanitation and inadequate water supplies are also common among camp populations. For example, among the 500,000 Rwandans who fled into DRC (then Zaire) in 1994, almost 50,000 died in the first month from diarrhoeal infections. The death rates were highest among children under five, and among women.

Providers and workers
Within camps, the supply of food and other basic necessities is rarely regular or sufficient, and women may need to supplement it by selling keepsakes or establishing some kind of petty trading.
Figure 13.5 Main countries of origin with the greatest population of concern to UNHCR, by sex (end 2003)

Note: Population of Concern to UNHCR includes the 6 following categories: Refugees; Asylum-seekers; Returned refugees; Internally displaced persons (IDPs); Returned IDPs; Others of concern to UNHCR; Refugees/asylum-seekers; Various/unknown. The total population of concern from the main countries of origin does not necessarily represent their actual total number because data regarding some of the countries of residence are not available.

Source: UNHCR forthcoming.

Figure 13.6 Main countries of origin with the greatest number of refugees, by sex (end 2003)

Note: The total population of concern from the main countries of origin does not necessarily represent their actual total number because data regarding some of the countries of residence are not available.

Source: UNHCR forthcoming.
concern. Women may also collect fuel or water for sale to others. There are many situations when local authorities—whether legal or de facto rulers—inhibit women’s mobility and activities, or deny access to international organizations providing relief. In 1998, for example, the National Movement for the Total Independence of Angola (UNITA) launched a campaign of violence specifically intended to provoke civilian displacement from the countryside into the main cities; having herded over a million villagers into the cities of Huambo, Kuito and Malange, UNITA then cut off their access to food.75 The war in Angola lasted for 27 years, ending only with the death of UNITA’s leader, Jonas Savimbi in February 2002; the long narrative of warfare was studded with episodes of famine, civil distress and displacement, and women were driven to their limit in trying to provide for their families.

During the Soviet occupation of Afghanistan from 1979 to 1989, insurgency and counter-insurgency in the countryside ruined the rural economy, and—aided by the inducement of politically motivated humanitarian aid—led to the flight of millions of citizens to camps across the Pakistan border and in Iran. Between 1979 and 1992, an estimated six million people—more than one-fifth of the population, fled their places of origin to become refugees or internally displaced in Afghan towns and cities. The transformations within society, and of the rural economy, had contradictory repercussions on women’s roles, on gender relations, and on the assertion of patriarchal controls. As in other turbulent settings, communities sending out male combatants burdened women with new types of responsibilities in the day-to-day management of their households.76

The absence of men, who are away taking part in fighting, loads on to women temporary headship of the family, and the burden of ensuring food provision whether it is possible to farm, travel, find any kind of paid work, or not. There is a shift of economic and social responsibilities within households and communities from men to women, despite the many different contexts in which conflicts occur. In rural areas they become responsible for agriculture and livestock; in towns, they are more likely to resort to self-employment or casual wage labour. Even when overt warfare is over, and the situation has become merely tense and unsettled with sporadic violence, as in southern Somalia, men’s will or capacity to provide for the household may have disintegrated: “Now we obey our women. Women sell tomatoes, maize, etc., and men are supported by their wives. They are taking us through this difficult time…. That is how we are living,” was how an elder from the beleaguered coastal town of Brava described life to a researcher in a study conducted by the Agency for Cooperation and Research in Development (ACORD).77 Responsibilities for family provision also extend in some situations to very young women: in postgenocide Rwanda, an estimated 45,000 households were headed by children, 90 per cent of them girls.78 For some women, the changes into which they are forced may be embraced as a liberation from the old social order. Some find work with NGOs in relief camps, or develop their own self-help groups. The opportunity for opening up “political space” and pushing the social boundaries are frequently present in times of social crisis, and wars are no exception.79 Many women in refugee camps, or in the diaspora created by conflict, have gained from education programmes and exposure to the wider world. They bring to the establishment of peace and “normal life” a desire for expanded educational opportunities for girls, and experiences of earning independent incomes and making other choices in life, which were previously unthinkable in the culture in which they were raised.

WOMEN AND THE SEARCH FOR PEACE

In the past decade, considerable interest has developed among researchers and organizations working for peace in the potential and actual role of women in bringing an end to conflict. The conventional view is that women find war and violence intrinsically antipathetic, and that femaleness or femininity can automatically be equated with an urge for peace. This assumption, disputed by recent feminist critique, appears oversimplistic in the light of the active role some women take in conflicts or in supporting the fighting cause. However, the view prevails that women—whether for biological or socially constructed reasons—have a stronger motivation for peace than men, and
special capacities for conflict resolution. International Alert’s 1998 Code of Conduct states: “We explicitly recognize the particular and distinctive peace-making roles played by women in conflict-afflicted communities. Women and women’s organizations are often reservoirs of important local capacities which can be used in peace-building activities”. This perception has led to a range of recent international activity to explore and promote women’s peace-building initiatives.

One interpretation of the “warrior” instinct displayed by some women is that it is an attempt to reduce violence rather than increase it. Many examples exist of women courageously resisting violence, or putting themselves in the way of armed assault. Women in the Palestinian territories, for example have frequently confronted Israeli soldiers in their homes and neighbourhoods, showing equal or even superior bravery to men. In northern Somalia, women have staged cultural sit-ins to forestall hostilities between warring clans. Many of these spontaneous actions can be seen as attempts to reduce day-to-day carnage or protest about its effects in the midst of ongoing wars, rather than as efforts to bring warring parties to settlement. Protests such as that of the Mothers of the Plaza de Mayo in Argentina during the crisis of the “disappeared” in the late 1970s and early 1980s may start spontaneously and then continue over many years. They contribute to the idea of the peace-making woman and her iconic role in re-establishing a social order with moral and compassionate values at its core.

Undertaking action in the midst of war

Many activities undertaken by women at the peak of fighting are measures to provide relief assistance in their neighbourhoods or communities. In these contexts, women may act within a church or faith group, or as members of some existing voluntary organization for women. While they may confront acute political and military difficulties, having to cross fighting lines, face down militia leaders trying to co-opt their supplies, and be as strategic in their operating tactics as any commando unit, these efforts are usually labelled “charitable”, “humanitarian” or “social”, and their political significance is ignored.

The lack of acknowledgement of their significance does not extend to those whose interests these programmes cross. Rajani Tirangana of Sri Lanka, a poet and writer who wrote powerfully against the violence of conflict, was one of a group of women who set up the Poorani Women’s Centre in Jaffna, the Tamil stronghold. Poorani provided shelter to victims of the war, including victims of rape and their children. In 1989, Rajani was killed because her activities threatened perpetrators of the conflict. Political engagement and risk is a precondition of all such activities. In Mogadishu, Somalia, between 1991 and 1993, when indiscriminate fighting led to famine in many parts of the country, women activists were similarly threatened. They risked their lives to run food kitchens under targeted attack from gunmen. By moving food about in small quantities to nearly 1,000 locations, and cooking it immediately, thus devaluing it as a commodity, they thwarted warlords trying to steal their supplies. This programme saved over one million lives, but the safety of its co-ordinator became so jeopardized that she was forced into exile.

Other women’s groups have come together to assist those suffering from assault, rape or bereavement, opening up hotlines, and refuges or centers where women can jointly address common problems. A large number of such organizations sprang up in Bosnia-Herzegovina and Croatia in the early 1990s, especially in response to the widespread problem of sexual assault, and have subsequently remained in existence, protecting women victims and actively opposing war, violence and nationalist extremism. The dividing line between relief and protesting war or militarism can be extremely thin. In Russia, the Mothers of Soldiers organization has demonstrated in the streets, lobbied among officials of state institutions and employed other peaceful means to recover youths from the Russian army before they are socialized into a culture of violence. Among the NGOs formed by urban and educated Afghani women in exile was the controversial Revolutionary Association of the Women of Afghanistan (RAWA), founded in 1977. RAWA engaged in political campaigning and advocacy, alongside humanitarian assistance for women and children.
The creation by women of grassroots NGOs whose work straddles humanitarian, social and educational activities in the midst of armed struggle, alongside the promotion of peace, has an important role in establishing women as civil-society actors, with implications for women’s later claims for enhanced participation in the postconflict society. When war-affected women in Afghanistan, the former Yugoslavia, Somalia, Colombia, Sri Lanka or elsewhere have joined with others similarly affected and taken on such roles, they have developed strength and an unexpected capacity for setting goals and undertaking action to reach them, without male guidance or control.

Women’s informal peace initiatives

From community-based action on behalf of the war-affected, to participation in action to end war itself, only a small conceptual step is required. A recent study of individual and collective initiatives for peace in Sri Lanka shows how, since the early 1970s, women have repudiated the ethnic divide over which the civil war was fought, and worked hard to create the conditions for peaceful democracy and support for human rights.88 Many examples exist of women’s efforts, in societies that have long been in a state of tension overlapping into war, to build ideas of peaceful co-existence across religious and cultural divides, and take positive actions to support this purpose. Such community-based movements exist in Palestine, Indonesia, former Yugoslavia, Mozambique, Israel and other settings. The importance of these initiatives has been acknowledged in a number of UN reports, which have also underlined the contribution women make to peace as educators within their families and societies.89

Women’s peace activism may encounter fewer difficulties in expressing concerns about conflict than do men. This is not to decry the courage that is required, or the strategic and political understanding: such acts as peace rallies, or non-violent obstructionism, are far from disingenuous. A women’s march in Sierra Leone in May 2000 set the stage for a march of parliamentarians and civil-society organizations a few days later. Without the women’s demonstration that peaceful action against the conflict was possible, the second march would probably have incited a violent reaction.90

Another little-known example is the Naga Mothers’ Association (NMA) in one of India’s northeastern states, home to a long-running insurgency. Set up in 1984, the initial focus of the NMA was on development work. Gradually, the group intervened in the conflict. Adopting a two-pronged strategy, NMA members walked miles into Myanmar, where the leaders of one of their factions were located, and attempted to persuade them to initiate dialogues for peace. They then began a campaign called “Shed no more blood” in which they appealed as mothers—both of fighters and martyrs—to the Indian security forces and the militants to end rivalry and bloodshed, both among the militant factions and with the army.91 The women have subsequently maintained pressure for peace and for negotiations among the Naga factions to create the environment for a settlement.

The visibility of women in such initiatives has recently become more prominent. One example is that of the Women in Black (WIB) international network, with chapters in over 12 countries. The Serbian group was credited with a role in the overthrow of the regime of President Slobodan Milosevic. Members of Women in Black demonstrated outside government offices for years, calling for peace and denouncing the government’s military adventures. Stones were thrown at the women, they were beaten up and arrested, and every effort was made by the regime to isolate the group and alienate its support. As members of an international network, their strategy was to build networks of solidarity “combining feminism and anti-militarism”.92

Colombia has recently seen the establishment of a National Movement of Women against the War. The independent experts collecting evidence on women’s participation in war for UNIFEM describe taking part in a peace march of 20,000 women in Medellin, in which the principal slogan was: “We won’t give birth to more sons to send to war”. Examples of cross-border initiatives by women searching for peace include the Mano River Union Women’s Network for Peace, which contains members from Guinea, Liberia and Sierra Leone. The network claims to
have been instrumental in resolving the conflict in Sierra Leone, and in helping start negotiations between the Mano River countries; its own origins lie in the membership of one of its key activists in the national Women's Forum in Sierra Leone before the war began there in 1991. The Women's Forum already had a voice and powerful contacts at the national level, and was able to reach out regionally and internationally.

Women and formal peace negotiations

The processes surrounding the search for peace vary according to the circumstances of war, and these circumstances are more or less propitious for women's involvement. Some wars are relatively short, and consist of a military campaign which ends in the victory of one side over the other (for example, Tanzania's 1979 invasion of Uganda); in such a case, the victor usually dictates the terms of peace. In other cases, a long-term or short-term insurgency or multiple insurgencies within a country can lead to external intervention of some kind, and the parties may be brought to the table under the pressure of larger national powers or the international community (for example, Cambodia 1967–91, Kosovo 1999 and Somalia 1991–2004). The creation of a new state by a national or ethnic subgroup seeking independence is a further variation (for example, Bangladesh in 1971 and Eritrea in 2000), and here the settlement involves the establishment of a whole new set of government institutions. In yet another kind of situation, a long period of armed resistance has aided a country's “liberation” from repressive or colonial regimes (for example Viet Nam, Nicaragua, Namibia and South Africa); the establishment of a new government similarly involves a transition or transformation of structures.91

Where women have taken part in a liberation struggle as fighters or active supporters, it may be easier for women to demand a role in negotiations for new constitutional provisions and governmental structures. Women are often aware that if they do not manage to gain a place in negotiations and help to shape the new governance framework, the upheaval of war, the trials, tribulations, losses and distress endured in the name of fighting for a “better society” may leave them in the same disadvantaged positions as before the war took place, or even worse off (see next chapter).

Thus women's desire to sit at the peace table is motivated by many considerations, among which is the determination to create better livelihood circumstances and not simply contemplate the carve-up of power over government offices, patronage and budgetary resources. Women are often anxious that socio-economic predicaments arising out of war should be addressed (see box 13.4). Some feminist critiques of standard peace processes have pointed out that unless the underlying causes of conflict, including gross poverty and inequity, are addressed in the course of their attempted resolution, peace will be neither long-lasting nor “gendered”.95 In this perspective, efforts to secure peace settlements or resolve conflicts definitively cannot afford to regard gender considerations as peripheral to the peace-seeking quest—as tends still to be the case. Where an “ungendered” peace is secured, it may be a peace in which the widespread violent conflict associated with war has ended; but it is likely to be a peace in which social violence (against women), structured violence (against minorities or other seriously discriminated groups), and gross violations of human rights continue to occur.

At the peace table

Significant attention at the international level has recently been given to the difficulties women face in gaining actual places at the negotiating table. On the exclusion of women from the post-Oslo peace discussions between Israel and Palestinians, a female commentator wrote:

“How ironic it was that high-ranking Israeli generals, who spent a good proportion of their lives waging war, have now become the ultimate voices of authority of peace, while the perspectives and experience of women peace activists have been rendered trivial”.97
There were no women at the Dayton peace talks that ended the war in Bosnia and Herzegovina; the examples are too many to name. Whatever the credibility of women in grassroots organizations and traditional community and caring roles, they are marginalized from negotiations at the peace table. Their relative lack of education and experience at senior levels in public life compound their difficulties in seeking a voice.

However, a number of international organizations now try to provide women with fora in which they can develop positions which can be placed before peace negotiation delegations. In the case of the Somali conflict, the ongoing negotiations between the warring clans which have been attempted in different venues over the past 10 years have admitted a women’s representative delegation, even if its role has been restricted to observer status. The pressure on agricultural land, especially where it is mined, affects livelihoods in a society that remains primarily agricultural, in particular those women running households on their own. The UN Transitional Authority in Cambodia (UNTAC) noted that at the village level, many disputes arose over ownership of land. The breakdown of traditional systems of conflict resolution also meant that with the return of peace, women and children found themselves at the receiving end of heightened levels of violence.98

In such circumstances, a peace settlement that fails to address the predicaments affecting women will fail to address the underlying circumstances which foment insecurity and violent upheaval.

**Source:** Curtis 1998.

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**Box 13.4 The end of conflict in Cambodia**

Women account for nearly two-thirds of the population of Cambodia and head a third of all households. With the breaking up of old social structures and relationships as a result of the long years of war, genocide and upheaval, the old pattern of mutual assistance and community interaction that once characterized Cambodian society gave way to individualized, monetized relations.

More women and children have been pushed into the “rest and recreation” industry, and increasing burdens have been imposed on returnees (an estimated 370,000 refugees), among whom are many women, especially widows. A 1995 survey of the reintegration of this population showed that up to 40 per cent were not managing economically.

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Postwar transitional arrangements and interim administrations, such as those in Afghanistan and Iraq, have made significant gestures in the direction of female inclusion. The Bonn Agreement of 2001 ending the Afghan war offered a clear commitment to mainstreaming gender and redressing past injustice; and after discussions in Kabul in 2002, a Ministry of Women’s Affairs and a Gender Advisory Group were established. A number of international organizations have offered training to women so that they have the leadership and negotiating skills to participate effectively in peace-keeping activities and interim governmental institutions. All such efforts help to avoid a situation in which women and the issues that are of most importance to them do not become relegated to the sidelines once peace has begun to prevail. However, it is also the case that effective modalities for women’s inclusion where social cleavages in the society have been acute and there can be no one “women’s voice”, are still in their infancy.

There has been a similar recognition by some international peace-keeping operations that gender issues should receive attention. The “peace-keeping environment” is not necessarily
one that favours women, who face continued, sometimes enhanced, levels of violence in the postconflict situation, and are lured by need into flourishing “rest and recreational” industries, including prostitution and trafficking. In East Timor, the UN Secretary-General’s Representative was originally opposed to the creation of a gender affairs unit in the UN Transitional Authority, but later agreed he had been mistaken. The first regulation passed by the Transitional Authority guaranteed human rights standards, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), as a foundation of all new government institutions. Women thereafter participated in negotiations surrounding the establishment of new institutions of democratic governance. The gender affairs unit worked with women throughout East Timor to make the acceptance of a human rights regime into a reality. As a result, the subsequent elections for the Constituent Assembly produced a relatively high number of women representatives.99

The international climate

In recent years international and donor organizations have given increasing recognition to the impact of conflict on women, and to the necessity of taking account of women’s specific needs in the transition to peace. Two programmes—the International Fellowship for Reconciliation’s Women and Peacemaking Programme launched in 1998, and International Alert’s Gender Campaign launched in 1999—have been established specifically to promote women’s contribution to peace. The US Agency for International Development (USAID) has carried out a two-year investigation of gender issues in postconflict societies (Bosnia and Herzegovina, Cambodia, El Salvador, Georgia, Guatemala and Rwanda).100 The Asian Development Bank (ADB) has held internal seminars on “Gender and post-conflict reconstruction” in which it has looked at how women’s voices can be integrated in peace negotiations, and in the allocation of resources and monitoring of human security in postconflict situations.

Thus it is fair to say that, since the Beijing Conference, the international climate has become more open to engaging with women and addressing their specific predicaments in conflict situations, as well as consulting them during the transitional phase leading out of conflict towards peace. Considerable progress can similarly be seen to have been made in the development of international humanitarian law. Much has been done to correct the historic impunity enjoyed by perpetrators of sexual violence against women during war, and to recognize women’s and girls’ special needs for protection during conflict, and in areas in transition from states of war to states of peace. These developments were stimulated by the international publicity given to mass rapes in Bosnia and to the experiences undergone by women during the Rwandan genocide, tragedies regarded as having had a catalytic effect on advancing international gender justice.101 But the new respect accorded to women in landmark provisions of international law was also a response to prolonged efforts of women activists to attain legitimacy for their cause.

The first milestone came in January 1992, when CEDAW adopted Recommendation 19 to add to its existing provisions, declaring violence against women a form of discrimination. In 1993 the World Conference on Human Rights in Vienna stressed women’s rights as “an inalienable and indivisible part of human rights” in its Declaration and Programme of Action, and called for an end to all forms of violence against women. Shortly thereafter the UN General Assembly adopted the Declaration on the Elimination of Violence Against Women (DEVAW) and in 1994 came the appointment of a Special Rapporteur on violence against women by the Office of the United Nations High Commissioner for Human Rights (OHCHR). These developments were precursors to the emphasis given in the Beijing Platform for Action to the need to curtail violence against women, especially during war, and obtain enforcement of human rights instruments and redress against perpetrators of violations. The passage by the UN Security Council of Resolution 1325 in 2000, urging member states to ensure increased representation of women in decision-making mechanisms for the resolution of conflict, is the high-water mark of many post-Beijing advances. These are examined in chapter 14.
The application of international instruments to resolve problems of gender injustice experienced on the ground can never prove an adequate corrective in situations where gender inequality is a prevailing norm. This is not to suggest that changes to international law are not worth pursuing: on the contrary, they help to legitimize new normative frameworks, and can be used in advocating legal and social change. However, their limitations are real. The call to uphold international human rights for women and all those facing gross violations is at its least efficacious in situations of conflict, where the rule of law has broken down and insecurity is at its worst. But once peace building begins to take serious hold, the fact that there has been a recognition of the need for women’s voices to be heard in creating a real and effective peace ought to yield further dividends in years to come. Nothing, however, can be taken for granted while armed conflicts and the “war on terror” remain pervasive in so many parts of the world.

Notes

1 SIPRI 2004:summarized chapter three.
4 Afshar 2003:149.
7 Butalia 2004.
12 UN Secretary General 2002: 26.
13 Kaldor 1999.
16 Rehn and Sirleaf 2002:10.
17 Rehn and Sirleaf 2002:11.
19 Mkandawire 2002.
21 Murray et al. 2002.
22 Legros and Brown 2003.
23 Rehn and Sirleaf 2002:33.
24 Sørensen 1998:38.
25 UN Secretary General 2002:23.
26 Butalia 2002.
27 Rajasingham-Senanayake 2001:122.
29 Butalia 2004.
30 Krug et al. 2002:156.
31 Pankhurst 2003:159.
32 Gardner and El Bushra 2004:70.
33 Krug et al. 2002:156.
37 Kandiyoti 2004.
Chapter 14
After conflict: Women, peace building and development

The lack of separation between the “war front” and the “home front” which characterizes so many of today’s armed conflicts has important implications for the onset of peace. This rarely derives from a climactic defeat or victory by military forces, yielding to a state of tranquillity in which the regular apparatus of the state reassumes control. Formal hostilities may end because military commanders flee or capitulate, or peace accords are signed; but armed violence continues within disputed terrain, urban neighbourhoods and even in households. The hold and reach of the civilian authorities may be weak, and their legitimacy may continue to be challenged by groups unready to accept a final outcome. In these circumstances, the insecurities and deprivations experienced during conflict may continue, and their pattern remain as unpredictable as during actual war.

Thus the postconflict environment cannot be characterized as one in which life for women invariably returns to “normal”—even if a return to previous patterns of gender and social relationships, as if no war had occurred, were desirable or even possible. The upheaval of war, in which societies have been transformed and livelihood systems disrupted, in which women have assumed certain roles for the first time or come into contact with new ideas, has its own impact on interpersonal relationships and societal expectations. But beyond these well-established historical patterns, evidence emerging from gendered analysis of postwar situations in the former Yugoslavia, sub-Saharan Africa, Cambodia, East Timor, Colombia and elsewhere shows that women not only face a continuation of aggression endured during the war, but may also face new forms of violence.

Furthermore, in the design of policies for postwar reconstruction, women’s needs may be systematically ignored, and even deliberately marginalized. This may carry forward echoes of past situations and power relations, but there can also be a new edge of aggression against women. Together, the continued and new forms of violence, and the attacks on women’s newly assumed rights and behaviours, constitute what frequently amounts to a postwar backlash against women.

THE CONTINUATION OF VIOLENCE AND SEXUAL ASSAULT

In the aftermath of war, women are still exposed to abuse and violence at home, on the way to collect water, to work in the fields, in the urban workplace and when they go to the police station for help—sometimes by those whose responsibility it is to safeguard and protect them in the “at peace” environment. In camps for refugees and the displaced, and in areas where livelihood systems have collapsed, they continue to be forced to sell sex as a means of economic survival. In addition, it is normal for domestic abuse to increase in the postwar setting, both from partners returning home from the war, and from partners who remained together.

The apparent rise in postconflict domestic violence may result from a number of interrelated processes. In the aftermath of war, men may experience trauma and dislocation derived from the culture of violence experienced as combatants. They
may also feel intense dissatisfaction with their lives, whether they have returned with little support or have benefited from demobilization, development and reintegration policies. There are often no effective constraints against men behaving violently to their partners; existing community sanctions may have broken down, and women may not find it possible to go to the police where the routine practice is to treat women unfairly and even abuse them.

The backlash women experience may extend to a public outcry, dominated by male voices, against women who are perceived as having moved away from their assigned positions in society during the war; as a result, rights or spaces to which they have gained access are removed. These outrages can be accompanied by violent assaults on women; even their arrest and murder. Women can be targeted for having gained economic independence from men, having been employed in “male” roles, or for having adopted urban and educated lifestyles in predominantly rural societies. There are calls for them to be forced “back” into kitchens and fields, even if they were not so occupied before the war. It is usually unclear whether these outrages are spontaneous reactions from individual men, or whether they are orchestrated by the state or government. In either case, at both social and individual levels there are forceful attempts to define women’s roles and rights as secondary to those of men.

For instance, in the immediate aftermath of the ceasefire agreement in Sri Lanka, codes and behaviours were imposed on women which amounted to restrictions of their rights. Married Tamil women were called upon to wear the sari; unmarried Tamil women were adjured to follow certain behaviour patterns and restrict their movements at night; Sinhala military widows were carefully “policed” with regard to their sexual activities; Muslim women were encouraged to wear the veil and had their movements restricted within their communities. Such instances of backlash were also experienced with bitterness by women active in earlier liberation struggles, for example in Algeria, El Salvador, Eritrea, Mozambique, Nicaragua, Viet Nam and Zimbabwe; some of the women concerned had even risen to senior military rank.

**THE REDUCTION OF “SPACE” AND LIFE CHOICES**

Many women who were active in war find that they have to adjust to a new situation in peacetime in which they have less political space to challenge gender relations than they did during wartime, or even beforehand. They are subject to violence and censure if they do not want to return to old ways of living. In the face of such obstacles, many women prioritize the restoration of peaceful relationships with men, rather than continue to fight for greater rights themselves. For instance, in Namibia it was noted that “Women accustomed to leadership in exile were soon observed to suppress their skills so as to achieve community

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**Box 14.1 Domestic violence increases after war**

Recent research indicates that many combatants have difficulty making the transition to peacetime non-violent behaviour after returning home. In the United States in 2002, four Special Forces soldiers at Fort Bragg in North Carolina killed their wives within a period of six weeks. Three of the four had recently returned from overseas duty in Afghanistan, although some commentators believe it is not the experience of conflict but the culture of violence and masculinity that permeates military forces that causes soldiers to be violent in civilian life. Studies in Cambodia in the mid-1990s indicated that many women—as many as 75 per cent in one study—were victims of domestic violence, often at the hands of men who have kept the small arms and light weapons they used during the war.

Source: Rehn and Sirleaf 2002.
acceptance.” The consequent increase in divorce adds to the overall postwar context of heightened gender tensions.

Women commonly find their contributions to the war and peace efforts marginalized in both official and popular accounts of war immediately afterwards, as happened in Europe after the Second World War. There seems to be an attempt to deny that shifts in gender relations were required for women to take on their wartime roles, or that such shifts will ever, by implication, actually be possible. The ideological rhetoric is often about “restoring” or “returning” to a state of gender relations that resembles something associated with peace in the past, even though the proposed “restoration of normality” may undermine women’s rights even further. The “restored” balance of gender politics will, in effect, unambiguously favour men. This is often accompanied by imagery of the culturally specific notions of “tradition”, motherhood, and peace. The challenge to gender relations experienced during war seems to become too great for patriarchal societies to maintain in times of peace.

Protests by women against such behaviour are often castigated as being “Western-influenced”. In such an intense and sometimes violent moment, the state can bring to bear many of the policies used in “normal times” to intervene in gender politics, or weight the “sex war”, in favour of men. The state becomes instrumental in enforcing controls over women’s sexuality; fails to increase, or prevent a decline in, women’s personal security; imposes or supports restrictions on women’s movement, access to housing, jobs and property (especially land); and marginalizes women’s health needs. In many cases such official policy outcomes are reinforced by the practices of international organizations which do not actively seek the opinions of women, or fail to promote their interests where this might be “culturally insensitive”.

**TENSIONS BETWEEN WOMEN**

In this difficult postwar situation, the differences between women often reassert themselves, especially in countries where women are divided by a strong ethnic or regional identity. New divisions can occur as a result of the different experiences women have endured, or their different allegiances, during the war; for example, whether they were on the side of “victors”, “perpetrators” or “collaborators”, and whether they have given birth to children of “the enemy” after rape. Such issues can determine who qualifies for aid and other support, as can women’s marital status, and whether or not they still live with their husbands, or are widowed, abandoned or divorced. Marital status is highly significant in situations where women do not have strong legal rights (such as in land and property titles or access to credit).

Where the majority of the surviving population is female (as in Rwanda, where around 70 per cent was female), this can lead to competitions between women over men and resources. Tensions also exist between women over whether or how their children survived the war. For many reasons, it is not unusual for there to be very little trust between women as a group in the postwar period, as is the case between many mixed groups of conflict survivors. These types of difference and tension between women make it very difficult for them to articulate common needs, which adds to the silencing effect of the backlash against them. Peace-building strategies do not usually address this tension between common experience and major differences and divisions between women, but rather tend either to focus on women as a homogeneous category, or assume their existence as genderless members of other groups.

**POTENTIAL FOR POSITIVE CHANGE: OPPORTUNITIES GLIMPSED AND REAL**

This negative picture is alleviated by the potential for positive change in some postwar circumstances which arise where the nature of the conflict creates new opportunities. Some wars end in an atmosphere pervasive with the desire to build a new type of society, particularly where some kind of liberation struggle was fought and won. Where gender issues were raised as part of the political agenda of the conflict (for example, in Uganda), or where the situation of women received a lot of attention during the conflict (for example, Afghanistan), there may be a greater potential for improving women’s legal rights.
beyond the prewar situation, although the realization of these gains might be more elusive.

Other factors may favour women’s assertion of their rights or the consolidation of temporary gains. Where many women gained sufficient confidence to articulate their needs during the conflict, they may be more effective campaigners and activists. Where the postwar period heralds a greater openness to learning from similar circumstances in other countries, governments may see more clearly the efficacy of supporting women. If unprecedented amounts of international funding become available from intergovernmental and non-governmental organization (NGO) sources, as is often the case in poor countries following a conflict, there may be external pressure for policies that support women, and funds may be directly available to women’s organizations.

If women are to benefit from such opportunities, it is important to identify the strategies to promote and the issues to be given priority. These are bound to vary. Postwar contexts pose confusing dilemmas about the extent to which they require special approaches, or merely represent normal challenges of social development. Where considerable devastation has been wrought to production and communication, and where large numbers of people have fled their homes, for instance, the need for “exceptional” approaches to macropolicies for “recovery”, “rehabilitation” and “reintegration” is commonly perceived. In the political arena, there may likewise be “exceptional” requirements: for example, for voter registration and the establishment of machinery to hold elections, and increasingly for some kind of exceptional judicial or “truth and reconciliation” process.

THE GENDER-WEIGHTED PEACE INDUSTRY

Such exceptional and urgent activities may receive new streams of international funding and be given high priority by all parties, to be conceived and implemented outside any normal planning process. And in the immediate postwar stage, these exercises are even more difficult to implement effectively than usual since the state, so recently contested, is politically weak and its apparatus damaged or barely intact. Weakened state capacity tends to lead to outcomes that are detrimental to women’s interests, thus adding to the cards stacked against them. In the absence of an effective state, the exercises in question are largely controlled and determined from outside the country, as part of what has become known as the “peace industry”.

Steps taken at moments of emergency, and periods immediately following a conflict, often have serious implications for the longer term. Yet in such climates, the sense of urgency itself tends to eclipse such considerations as gender analysis; women’s needs are usually overlooked, or at least misunderstood. For instance, despite women’s activism and the important role they had played in the war in El Salvador, gender was not a priority for the Frente Farabundo Martí para la Liberación Nacional (FMLN). In the words of one activist: “Before the negotiations we [women’s groups within the FMLN] had already elaborated women’s demands but it was not possible to introduce them into the process. They [the FMLN leadership] did not even bother to read the document.”

Postwar policies need to be able to bring in key lessons from a gender analysis of the processes of economic, social and political development. There are a number of highly significant policy areas to be considered for postwar situations, although the particular mix is bound to vary from one context to another. A selection is reviewed here, with special attention to the potential opportunities for reducing the gender bias inherent in the way many authorities tend to behave, and therefore for breaking many of the persistent inequalities and injustices facing women after wars.

MACROECONOMIC AND MACROSOCIAL POLICIES: IMPLICATIONS FOR WOMEN

Macro-level policies for the postwar context tend to ignore the constraints and realities of women’s lives. For instance, many women continue with wartime economic strategies involving small-scale trade in the informal economy. However, in a bid to increase meagre revenues, governments may attempt to
formalize the “grey economy” by introducing regulations, fees and income tax. Without the means to comply with regulations, such measures often serve to deprive women of their livelihoods. This was the experience of women in Mozambique. Similarly women also often attempt to rebuild or maintain primary education and primary health-care services themselves as state services collapse, but these efforts are not generally built on after the war. The women are pushed aside in favour of bringing in qualified professionals, who tend to be men.

Policy initiatives at the macro level need to build gender analysis into peace-building policy processes, alongside “special” policies specifically geared towards women; this has been accepted as appropriate by key international organizations for some time. At its simplest, a gender-aware approach requires people to apply the question: “Does this policy affect women and men differently?” If the answer is in the affirmative, then policy makers need to explore what can be done to prevent or correct women’s disadvantages. Posing this question should lead in some cases to a complete rethink in the way a policy is developed and implemented; in others, relatively minor adjustments would be required.

In postwar emergency situations in poor countries, it may be difficult to apply a gender-aware approach. Not only are resources scarce and infrastructure weak, but new governments are often constrained in their spending by the conditions attached to multilateral and bilateral loans, which place strict limitations on budget deficits. A growing lobby supported by some eminent economists argues that such conditions ought to be loosened in postwar economies, since they severely undermine the chances of economic recovery. The needs of women and other vulnerable groups should be given a higher priority than macroeconomic probity.

Applying a gendered approach

If there is political willingness to take the gender implications of policy seriously, the analytical tools already exist to undertake the necessary data collection, analysis, monitoring and evaluation. In some postwar environments, as was the case in Uganda after 1986, the political will to do this may be strong. Where such opportunities occur, it might be possible to develop some elements of a top-down gender-aware approach to a range of policies. It has now become usual in postwar circumstances to attempt a bottom-up approach of at least some support for women’s organizations as the most obvious way to support women. International links between women’s organizations have been expanded in recent years, and are greatly facilitated by the IT revolution.

Such a positive political environment cannot by any means be guaranteed; indeed, in the atmosphere of backlash already described, the political will for changing gender relations may be completely absent, or at best ambivalent. For various reasons, women themselves may not be in a position to press for positive change. Nonetheless, the contrasting political postwar contexts mean that opportunities can arise. Some general economic and

Box 14.2 Women excluded from postwar planning

*“It is really amazing”, said one Kosovar woman, “… that the international community cared only about Kosovar women when they were being raped—and then only as some sort of exciting story. We see now that they really don’t give a damn about us. What we see here are men, men, men from Europe and America, and even Asia, listening to men, men, men from Kosovo. Sometimes they have to be politically correct so they include a woman on a committee or they add a paragraph to a report. But when it comes to real involvement in the planning for the future of this country, our men tell the foreign men to ignore our ideas. And they are happy to do so—under the notion of ‘cultural sensitivity’. Why is it politically incorrect to ignore the concerns of Serbs or other minorities, but ‘culturally sensitive’ to ignore the concerns of women?”*

Source: Rehn and Sirleaf 2002: 125.
social policies have more acute implications for women than others, and significant change could be supported by focusing on a few key areas.

Specific contexts determine both what is possible and what ought to be prioritized. For example, where the majority of the surviving population relies on agriculture as the main source of livelihood, land reform is often key. Where levels of urbanization and education are higher, employment issues are of far greater significance. In all contexts however, it is normal at the end of war to find women dominating the most marginalized sections of society. They are the returnees with access to the fewest resources, the ex-combatants who tend to be overlooked, the heads of household with least support. Women tend to predominate in the most stigmatized and disadvantaged groups: rape survivors, orphans, disabled people and widows (who may constitute up to 30 per cent of the surviving postwar population). They generally tend to be the least well trained and educated, whether in urban or rural areas, and have specific health needs that are overlooked. How can these challenges be addressed?

**AGRICULTURE AND LAND REFORM**

Agricultural economies, where the majority of the population still mainly depend on cultivation and raising of livestock for their food supply, are normally characterized by a strong gender bias in favour of men. Women typically receive less of the income generated from their labour, and have less access to other people's labour and less control over their own, than do men. As a result, many women seek opportunities to sell their labour to others for very poor returns to guarantee some minimum resources for household needs. In places where women are unable to get access to sufficient land to farm, as in Rwanda, Cambodia, Zimbabwe and Sri Lanka, they hire themselves out as casual workers.

During periods of violent conflict, agriculture becomes important as a source of food, even for people whose livelihoods were previously non-agrarian. Where men are away fighting, or are injured or dead, women often take up the burden of agricultural production even where they did not do this previously. War also disrupts established systems of land tenure. Men take land by force as social regulation breaks down and people move away from their homes into new areas. Landmines restrict the use of fields and grazing land, putting great pressure on the remaining accessible areas. Soldiers use land for camps, often killing wildlife and stripping vegetation and soil. Traders and soldiers negotiate tenure deals with local leaders for mining or natural resource extraction, as in the Democratic Republic of Congo (DRC), and even buy and sell land.

All this may take place without reference to local custom or law relating to ownership and use of land, which leaves a confused postwar land rights legacy. This happened in Mozambique, even though existing communal land tenure arrangements made the sale of land illegal. It is rare to find that there is agreement, let alone a written record, of land transactions during the war; nor is there a clear understanding of who the rights should pass to in the event of the landholder's death. Previously accepted land-tenure systems break down or become superseded because of new land shortages, the absence or removal of local leaders, and the collapse of local government institutions.

**Land tenure and women’s rights**

The more severe the land shortage, the more the pressure on women’s rights. In many places women may be the majority of postwar adult survivors in the countryside, and there may also be many women-only households, as in Mozambique, desperate for land to grow food. Nonetheless, discriminatory legal practices or entrenched social attitudes can still prevent them from taking possession of family lands. In Rwanda, large numbers of men were killed during the genocide; but women were barred from claiming lands under customary law, even though under the constitution they have the legal right to inherit. Some revisions were made to inheritance laws to try to address this problem, but these still do not provide women with secure tenure.

Many other examples can be cited to reinforce a picture of women’s rights or access to land gained during conflict receding in the postconflict period. The United Nations Transitional
Authority in Cambodia (UNTAC) found that many disputes arose over ownership of land at the village level, while the simultaneous breakdown of traditional systems of conflict resolution meant that women and children found themselves at the receiving end of heightened levels of violence. In postwar Eritrea, men protested against women having access to land even though the majority of households were probably headed by women. While in exile, Guatemalan refugees had given women a voice in political structures; on returning home, when women tried to claim equal rights to land, they were attacked by local people for having “overstepped the acceptable limits … prescribed for women”.

At the end of a conflict, there is often pressure to “sort out” land tenure and land use from several directions. Land and agrarian reform may be seen as a means of speeding up the process of recovery and “normalization”—part of a modernization agenda that takes on a keener urgency in the postwar context. Many countries emerging from conflict in the last decade have predominantly agrarian economies; systems of land tenure are seen as central to recovery. The World Bank identifies certain types of land reform with a “market friendly environment”, particularly in Africa, and promotes this model in post-conflict contexts. Land reform also figures as part of peace deals because land is often an issue in the conflict itself, even in wars that appear to be primarily about other issues (as in El Salvador, Nicaragua, Guatemala, Zimbabwe and Namibia). The nature of the land reform contained in the agreement reflects the view of what the postconflict society should be like and the future role of agriculture within it. It may involve negotiations with international donors expected to underwrite its costs, who are often themselves highly influential in determining the outcomes.

The land reform promoted by international lending organizations is almost universally in favour of privatized, individual land-tenure arrangements. The outcome of land reforms with this principle at their core has universally been that women emerge with rights no stronger than previously, and frequently find them drastically reduced (see also chapter 6). There are a few exceptions where an effort has been made to correct this imbalance—as in El Salvador—by building on existing, more flexible approaches which had more capacity to protect women’s land rights; but in the postwar context none of these lessons are typically brought on board. Planners tend to ignore the fact that many men who have been fighting have not been farming for a long time, and those who joined military forces as boys have barely any farming skills at all. By contrast, women have been planning and managing scarce resources under difficult conditions, and are often better informed about the particular local ecological conditions and trading opportunities.

Title to land discriminates against women

Where there is an attempt to codify and modernize previous systems of land use, there is a tendency to overlook the ways in which women accessed rights as daughters, aunts, wives, widows and mothers, and even as independent women where they are able to negotiate with local leaders, even if their access was typically more limited than that of men. New land titles tend to be granted almost exclusively to men, and even where there is no legal impediment to women purchasing such rights, and women have the resources to do so, men in their families and communities may actively discourage them from taking them up, as in Guatemala.

Even where women have some access in their own right, this is usually less secure than men’s and often dependent on their marital status. There may also be a conscious prejudice on the part of planners involved in land allocations and titles, who may characterize rural women as poorly educated, more “backward” than men, and therefore not as able to take advantage of land-reform opportunities. Inequalities are compounded by the fact that postwar rehabilitation of agriculture (usually involving the distribution of seeds, tools and livestock) is usually organized on a per household basis in which the man is always the head, even where it is clear that women’s agricultural production is important for food security and small-scale business.

Undermining women’s land rights, and marginalizing them in agrarian reform, are not likely to improve food security where women retain the main responsibility for meeting household food needs, especially where conflict has left them as heads...
of households. Thus in postwar settings, the standard approach to land reform reinforces the likelihood of food insecurity. Land and agrarian reform can, on the other hand, be used to support women’s postwar roles. The political significance of land reform and the strong donor influence in postwar situations ought to present positive opportunities; international donors have at their disposal many reports that highlight the potential dangers of undermining women’s land rights and the advantages of supporting them. If the political context is one where it is widely acknowledged that women played key roles during the conflict as farmers, and as managers of household resources, donors could be reasonably expected to highlight the advantages of their continuing to do so, although they rarely do.

URBAN EMPLOYMENT

The postwar context provides an opportunity for states to consider employment strategies afresh, rather than merely seek to recover the prewar situation and “reintegrate” returnees into a shattered economy. This is particularly important where towns and cities did not offer sufficient job opportunities before the war. Where wars are fought in the countryside, people tend to flee to urban areas, even while formal employment is severely constrained because of the disruptions of war. The public sector often collapses, creating problems similar to those in countries suffering retrenchment under public-sector reforms. The private commercial sector also experiences difficulties due to the destruction of infrastructure, including transport, communications, currency controls, security and other services.

As recovery takes place, a prolonged shortage of male workers (caused by death or absence) may lead to women taking up...
key positions and becoming a significant part of the workforce. However, this is unusual; the norm is for returning men to take up the best employment opportunities—for which on average they have better education and training. Cultural arguments about women’s roles are often used to prevent women from trying to enter the formal sector. In some cases women’s legal rights of access to employment may actually be curtailed by the state in the postwar context. An International Labour Organization (ILO) document confirmed that in Namibia, some 60 per cent of women remained unemployed even two years after they had returned to the country.

Women ex-combatants, even where they have held very responsible positions during a war, as in Eritrea, frequently find it harder than men to make a life in their rural homes, and so seek a living in town. In the context of a backlash, they are particular targets for censure and may find getting work very difficult indeed. Cultural constraints or newly coined political versions of them also keep women away from employment. In Afghanistan, for example, the Taliban had very specific restrictions on women working, and many women nurses, teachers and other professionals were forced to leave formal-sector jobs. The change of government has so far produced no clear signs that this situation will change. The lack of adequate childcare can also be an obstacle to taking up jobs, as female ex-combatants in Eritrea found.

The informal economy

For women and men, earning in the aftermath of war often means relying on the informal economy. Women’s peacetime employment is predominantly in the informal economy anyway, based on trade in fruit and vegetables from the countryside, cooked food, beer, scarce goods from long-distance trade, and handcrafts. These goods offer relatively quick returns for small investment and do not require access to land. In war-ravaged societies where formal trade has not yet recovered—if it had ever developed—these activities may keep society provisioned. Women entrepreneurs are often able to meet local urban demands for cheap food which governments cannot provide.

In Somalia, for example, women have taken over men’s traditional roles and sold livestock; in Mozambique, they took to marketing fruit, fish and vegetables, and beer. In many countries women take on long-distance and cross-border trade, as in Chad, Eritrea and Sierra Leone. A survey of Somali refugees carried out by UNHCR in 1994 notes that in the absence of men, women have become increasingly involved in economic activity, and have acquired a virtual monopoly of the barter trade in food, clothing and a number of other items. Yet none of these trading and retailing activities are supported by postwar governments—or ever given their due economic policy credit for that matter.

As part of the postwar “backlash” against women, their retailing can actually be curtailed. Successful women may be socially castigated, their entrepreneurial activities treated as undesirable and even declared illegal. In Zimbabwe, women have created informal trade networks that span several countries in an attempt to supplement family incomes. However, this transgressing of social boundaries has resulted in their being branded as prostitutes and harassed at international borders. Increasingly, however, the international donor community is recognizing the growth potential among women entrepreneurs and is investing heavily in micro-credit programmes. Still, research from Bosnia showed that programmes targeting women tend to be at the lower end of the loan market whereas male borrowers are able to access significantly larger amounts of credit. As they have become more successful economically, male-dominated state institutions have brought in regulations to undermine them. An alternative approach would be to investigate such activities and identify ways to support their development: many women’s businesses fail because of insufficient capital and skills in business management. Relief and development organizations increasingly seek to work with women in the postwar context, and are also able to offer sources of income, either as direct employment or to support women’s organizations. In the postwar countries of former Yugoslavia, women were very effective at coming together to establish new organizations so as to take advantage of this opportunity.
Selling sex to survive

The last resort for women without other gainful employment is often prostitution. In postwar contexts formal and informal selling of sex flourishes, particularly where there is an international market, such as from international peacekeepers and international tourism. Postwar countries may see very fast growth in the numbers of women involved, because of their lack of other opportunities, the presence of foreign, therefore moneyed, clients, and the degree of dislocation in social relationships.

The dilemmas faced by postwar authorities in managing prostitution are therefore even more complex than usual. The most effective strategy for limiting the numbers of women involved would be to support their alternative endeavours in small-scale production and trade, through the provision of training and small loans, and to ensure that they are included in general opportunities for training and education appropriate for formal-sector employment. This plea has featured in major reports for many years, but there are still many women who find they have little choice but to risk their lives in this way. Even those who are lucky enough to undergo training or education have to find ways to eat in the meantime.

HEALTH, WELFARE AND EDUCATION

At the end of most wars, health services are very run-down and may even have collapsed entirely. Even where there have been valiant attempts to keep some kind of health provision going for children, that for adult civilians has usually been undermined. This is dramatically illustrated by the fact that women’s mortality tends to worsen at a faster rate than men’s during war, because of the indirect impact of war on mortality via health service collapse, food shortages and lack of professional obstetric assistance, rather than as a direct impact of fighting. High morbidity and mortality levels in a population from avoidable disease constitute a serious development cost; however, expenditure on health has not been given adequate weight by international financial institutions and major donors in the terms for loans and investments for postconflict reconstruction. Leading economists have called for public entitlements to health and education to be sustained during and after wars, particularly as primary health and education only take a fraction of social expenditure.

Virtually every report on women and conflict highlights the need for health programmes to be geared specifically towards women, including ex-combatants, as a precondition for social recovery. Neglect of women’s health needs during pregnancy, childbirth, and for rape injuries tends to be common; this neglect has a multiplier effect on their difficulties in meeting the needs of dependants and other community members, as well as undermining their ability to participate in public life. Instead, women are subject to gender bias against their interests in the ways that many health and welfare policies work during “normal” times. Injured women may not be able to access even the most basic elements of community support where they are stigmatized as a result of surviving their assaults, and/or being pregnant, and/or having HIV/AIDS.

Neglect of women’s basic needs has an impact throughout society, as they tend to be the main carers at home. An alternative approach prioritizing women’s welfare requirements would have positive knock-on effects throughout society during peace building. This requires imaginative and innovative approaches to budget allocations which are unlikely to become commonplace in the future.

In the immediate postwar setting, special measures are often put in place to provide support for ex-combatants before, during and after the processes of “demobilization, development and reintegration”. It is still common for women (and child, especially girl) ex-combatants to be relatively marginalized, if not completely neglected in such programmes, in spite of this having been highlighted for nearly a decade.

One of the most challenging areas in postwar healthcare is the need to address psychosocial trauma. Alcoholism, anxiety, violent and aggressive behaviour, even suicide, are common as a result of wartime experiences and difficulty in coming to terms with the postwar situation. Trauma counselling receives insufficient attention, and where resources are available, may be poorly designed. Research suggests that the employment of western medical approaches to treat such problems, by focusing on
the individual, is not appropriate for all cultural contexts. In many predominantly rural societies the ways in which people experience trauma not as isolated individuals, but within a socially constructed context, mean that support has to take this into account, if not actually be provided through social relationships. Awareness is growing that culturally specific healing processes can be more effective in such societies. Where women have roles in the rituals and practices associated with such healing, they could be given support.

Perhaps surprisingly, education is often seen by survivors of wars as a key part of recovery. This is partly because of a need to “return to normal”, but also because people recognize that for children, and even adults, education can play an important role in conflict prevention. Women often attempt to re-establish primary education themselves during and after wars, rather than wait for the state to do it. In spite of its having this high priority in people’s minds, government spending on education is restricted by the same budgetary constraints as health, and so rarely meets expectations.

In many countries, girls participate in education to a lesser degree than boys. Although this can be reversed during wars when boys may be away from home, the process of rehabilitating educational provision usually finds the proportion swing back again once boys return. There are many ways in which unequal access to education reinforces gender inequalities, and this is therefore a useful point of intervention to foster future positive change. The education of girls and women is vital if women are ever going to be able to participate effectively in peace negotiations, postwar planning and public life. Even where women are included in peace negotiations, they are at a strong disadvantage where they do not even have primary education, while most other key players have been at least to secondary school.

Where peace education is taken seriously as part of the new curriculum, this frees women from what might be seen as a private responsibility (that of educating their children for peace) and makes it a public activity in which men can also play a part. Where peace education also contains explorations of gender issues, this can have a long-term impact on the overall transformation of gender relations in ways connected and unconnected to war.

WOMEN’S RIGHTS AND POSTWAR POLITICAL CHANGE

As well as trying to rebuild economies and societies, postwar administrations face the challenge of trying to (re)build respect for human rights and for rights-based behaviour in the population at large, among former fighters, members of the security forces, and in the justice system. Despite significant improvements, women are still able to access fewer political rights than men in the postwar context, as in most others.

Nurturing a human rights culture in the postwar context is complicated because all too often many of the perpetrators of human rights abuses during the war are still at large; they may even be members of the government, the police or the armed forces. Even where the necessary legal framework and evidence against suspects are available, a relatively small number of perpetrators tend to be prosecuted. Furthermore, attempts to (re)establish the rule of law in postwar contexts have proved to be extremely difficult in most places, even where extraordinarily large sums of money are invested, as was the case in Latin America.

The most common focus in immediate postwar situations is on the behaviour of the state, whether in a new or a changed form, to ensure that military and police personnel no longer act outside the law through arbitrary arrest, detention and torture. This attracts plaudits from the international community, even though achieving real change can remain elusive for many years. All too often however the (re)establishment of some degree of law and order simply means that men are not suffering such serious abuse at the hands of those holding power.

Children’s rights have been taken more seriously over the last decade, with the plight of former child soldiers receiving a great deal more attention and increasing international support, but the focus still remains on boys’ war experience rather than girls. Many experiences of girls, such as sexual abuse by peacekeeping forces in Mozambique, remain hidden.

Women’s human rights are sadly still not automatically considered with the same degree of importance as men’s, even while they suffer forms of abuse identified above as part of the postwar backlash. In contexts where transitional systems of justice
are used as part of a process to rebuild the rule of law, women’s human rights are not given priority. For instance, the police tend to operate with a strong gender bias, even where postwar reform and political change means that men are no longer subject to arbitrary arrest and torture. It is not uncommon for there to be immense postwar social pressure on women not to report abuse by men, particularly if the men are members of key political movements, the government, or where there is a shortage of men available for marriage. Where rape was widespread during war, and wartime rapes are not effectively prosecuted afterwards, it is extremely difficult to bring prosecutions for rape in the postwar setting, an issue that remains as much of a problem as when it was highlighted over a decade ago in the United Nations.68

Violations of women’s rights

Until relatively recently, women’s rights in the postwar context seem to have been breached almost with complete impunity. In recognition of their persistent abuse in all stages of war, the UN Security Council passed a landmark resolution in 2000, UN Security Council Resolution 1325. Although this was an important achievement, Resolution 1325 has not escaped criticism. Initial reviews speak of gaps in its conceptual framework, failures of implementation,69 and a lack of proper guidelines for practical application in the field. However, to women in conflict zones, such initiatives can mean a great deal. This was evidenced by the story of women from Afghanistan, Kosovo and East Timor, who came together to testify before the Security Council in October 2001 to honour the Resolution’s first anniversary.70

The immense international publicity about rape during war has had the effect of channelling additional resources into women’s concerns in the postwar context, although these are by no means successfully mainstreamed into health or development policies. International agencies and human rights organizations offer support to local human rights organizations; but women’s rights are still typically not centre-stage and such organizations are only now beginning to have an effect on women’s lives. Women are increasingly forming human rights organizations themselves, and there are several that have taken on the challenge of retraining the police, judiciary and other institutions to contest the discrimination, culture and practices that are so deeply entrenched in the institutions of law and order.71

Increasingly, good practices with regard to helping women to report and record information, and to prevent the representation of postwar domestic violence as “cultural”, are being

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**Box 14.4 UN Security Council Resolution 1325**

Resolution 1325 urges member states to ensure increased representation of women at all levels of decision-making in national, regional and international institutions and mechanisms for the prevention, management and resolution of conflict. It calls on:

- all actors involved, when negotiating and implementing peace agreements, to adopt a gender perspective, including, inter alia:
  - (a) the special needs of women and girls during repatriation and resettlement and for rehabilitation, re-integration and postconflict reconstruction;
  - (b) measures that support local women’s peace initiatives and indigenous processes for conflict resolution, and that involve women in all of the implementation mechanisms of the peace agreements;
  - (c) Measures that ensure the protection of and respect for human rights of women and girls, particularly as they relate to the Constitution, the electoral system, the police and the judiciary.

*Source: UN Security Council 2000*
shared. Significant advances have taken place with regard to the prosecution of abuses against women during war, and it is to be hoped that further improvements in this area will assist those organizations that are also trying to work to prevent its occurrence in the postwar setting. However, as a recent report by the UN Secretary-General observes: “the facts on the ground point to our collective failure in preventing such violence and protecting women and girls from the horrors of gender-based violence and heinous violations of international human rights, criminal and humanitarian law. Sexual and gender-based violence has been recently reported in Afghanistan, Burundi, Chad, Côte d’Ivoire, the Democratic Republic of the Congo and in Darfur, the Sudan.”

SEEKING JUSTICE FOR WAR RAPE AND SEXUAL VIOLENCE

In spite of the large number of internal conflicts and of the existing international humanitarian legislation as governed by the Fourth Geneva Convention and Protocol II, historically few prosecutions of war crimes have occurred; fewer still have involved gender-based violence. Although these legal instruments have been available since 1949, they have not been implemented effectively and have proven to be limited. Amnesty for war criminals is an important tool in peace negotiations, but its use may preclude their prosecution, as happened in a recent peace negotiation in Burundi.

The past decade, however, has seen dramatic developments in, and enforcement of, international humanitarian law primarily through the creation of the ad hoc war crimes tribunals for Yugoslavia and Rwanda, the International Criminal Courts as well as the tribunals set up in Sierra Leone and East Timor.

Engendering the international legal framework

Prior to 1994, the international legal framework governing armed conflict prohibited violence against women and in particular sexual violence. However, these provisions were considered inadequate and indeed inferior to the protection offered to men. Under the pressure of women’s international organizations and of the political changes that occurred at the national and international levels throughout the 1990s, a new perspective on gender-based violence was established and violence against women has increasingly become a priority in the international agenda.

The dramatic atrocities in the Bosnian conflict and in the Rwandan genocide, and their media coverage, urged the international community to take serious measures to enforce women’s

Box 14.5 Talking about sexual assault and rape

“I have a question”, Mirha Nurka begins, standing confidently in front of the 15 male judges. “Who had sex last night, and how was it?” There is an awkward stir in the room. The men shift in their chairs, or frown in distaste. Several clear their throats. One bursts into laughter. “I’m serious,” Nurka continues. “We’d like each of you to share the details with the group.” The judges have gathered in Zenica … for the second day of a workshop on gender-based violence in the district. Mirha Nurka, their trainer, is a member of Medica Zenika, an NGO that is using their research on violence against women to change the way judges, prosecutors, police and health and social service providers respond to abused women. She waits until the silence is almost painful. “You don’t need to answer. But can anyone tell me why you think I asked the question?” The men, relieved, begin to talk. They spend the next several hours trying to grasp how survivors of sexual assault and rape must feel when they are asked to describe their humiliating experiences in detail, again and again, to a judge and jury.

Sources: Spindel et al. 2004.
The massive scale of gender-based crimes and their systematic use as weapons of war prompted the international community into action. Here began the process of expanding a more gender-aware protective legal framework and enforcement. The UN Security Council set up the International Criminal Tribunal of Yugoslavia (ICTY, Security Council Resolution 827/93) and the International Criminal Tribunal of Rwanda (ICTR, Security Council Resolution 955/94) to prosecute these war crimes. Both the ICTY and ICTR Statutes explicitly mentioned rape only under crimes against humanity; this left it open to the tribunals to determine the precise standing of rape and other sexual offences in international law. Despite initial disappointment that the definitions were so limited, both tribunals were successful in establishing historic legal precedents, breaking new legal ground and expanding international jurisprudence. The cases of Tadic, Akayesu and Kunarac were landmark cases where perpetrators of violence against women in wartime were prosecuted for the first time.

The first case dealt by the ICTY—the prosecution of Dusko Tadic—illustrates a number of initial problem areas encountered. First, evidence of sexual violence had not been treated as seriously as other crimes. It was only when the female member of the Trial Chamber, Judge Odio Benito, challenged the Prosecutor upon receipt of submissions from women’s organizations that a more robust view was taken in prosecuting these crimes. The case further raised the importance of protective measures for witnesses, leading to the establishment of guidelines set down by the Trial Chamber presided over by Gabrielle Kirk MacDonald. However, Tadic was never prosecuted for rape as the complainant decided not to testify.

The case of Akayesu in Rwanda establishes a remarkable number of historic precedents related to the definition of rape as well as to its conviction. Like the Tadic case, no charges related to sexual violence appeared at the initial stage of the trial. Only later, as the female judge Pillay drew out evidence of sexual violence from one of the witnesses’ testimony, was Akayesu prosecuted and convicted for rape as a crime against humanity. Without any precedent, sexual violence was punished by an international court in an internal conflict, with a pioneering definition of rape as “a physical invasion of a sexual nature, committed under circumstances that are coercive”. Even more importantly, for the first time rape was punished as an act of genocide aimed at destroying a group, as it was found to be a constituent element of genocide “causing serious bodily or mental harm”.

Equally, the Kunarac or “Foca” case constitutes a pioneering conviction of perpetrators of rape, for it redefined rape as a violation of sexual autonomy. More, this judgement acknowledged rape as an element of torture causing severe physical and mental pain and suffering, as well as of enslavement as a crime against humanity. It was also the first indictment brought to an international tribunal exclusively on the basis of a crime of sexual violence against women.

**The International Criminal Court**

Gender-based crimes are also now codified in humanitarian law in the International Criminal Court (ICC) Statute. This specifically mentions rape, sexual slavery, enforced prostitution and enforced sterilization as war crimes and crimes against humanity. It goes one step further in allowing any other forms of sexual violence as a grave breach of the Geneva Conventions. Persecution on the basis of gender is also now admitted in the definition of crimes against humanity. Further, by providing definitions of rape, enslavement and sexual violence, case law has helped to advance understanding by establishing that rape and other forms of sexual violence can constitute war crimes, crimes against humanity, and genocide.

In 1997 a Women’s Caucus for Gender Justice was formed within the ICC, which brought together many groups and individuals who worked to ensure the centrality of a gender perspective in the procedures and functioning of the court. Among its other provisions, the ICC ensures protection for victims, and it requires that both male and female judges have legal expertise on specific issues, including violence against women. However, the ICC has many limitations, not least that its jurisdiction only applies in signatory states; and it has no power to locate war criminals, execute arrest warrants, search homes and buildings, or compel witnesses to attend trial.
In Sierra Leone, political will and a commitment to learning from the mistakes of the ICTR enabled much faster and more effective prosecution of war crimes against women to take place, even without there being a majority of women judges or significant extra resources earmarked for special activities relating to women.\(^7\) This growing body of experience also helps people to campaign for their own countries to follow suit.\(^7\) The ICC framework has also proved useful for highlighting crimes against women in several other contexts. It was incorporated into regulations of the special panels in East Timor and the Extraordinary Chambers in Cambodia. In Cambodia this was particularly important as there was no other reference to gender or sexual violence in the founding documents of the courts established to try Khmer Rouge leaders.

**CHAPTER 14 – AFTER CONFLICT: WOMEN, PEACE BUILDING AND DEVELOPMENT**

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**Box 14.6 Prosecuting sexual crimes in Sierra Leone’s UN Special Court**

The court was set up to hold accountable those most responsible for the atrocities committed during the Sierra Leonean civil war. Despite having significantly fewer resources and staff than the ICT for Rwanda, Prosecutor David Crane ensured that the prosecution strategy incorporated sexual crimes. With only 10 investigators in the team, two competent and experienced female investigators were immediately dedicated to sexual assault investigations (in contrast to the 1–2 per cent of a team of 100 working for the Rwandan tribunal). After only one year, all the indictments included sexual violence, before the court had even begun to hear cases. Crane also tasked a trial attorney to develop the prosecution plan for sexual crimes, and is planning not only to bring rape charges but to fully prosecute sexual violence, and to broaden the existing interpretation of international law. David Crane has shown that political will by the prosecutor can make all the difference, even when working under constrained conditions. On 7 May 2004 the Special Court of Sierra Leone announced that a new count of “forced marriage” will be added to the indictments against six defendants. It is the first time that forced marriage is prosecuted as a crime against humanity under international law.\(^7\)

*Source: Nowrojee 2004:13,23.*

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**Slow and dilatory progress**

Despite this progress, the majority of crimes against women during wartime still go unpunished. In the case of the ICTR, Judge Goldstone made it clear at the beginning that he intended to take crimes of sexual violence seriously, but then failed to develop the capacity of the investigations team to collect evidence; failed to include rape charges in most of the early indictments; and allowed there to be no consideration of this in the prosecution strategy.\(^8\) Women survivors of such abuse are still stigmatized to a far greater degree than male survivors of human rights abuses, and are still at risk of being targeted again by perpetrators.\(^9\) It is therefore not surprising that most women find it very difficult to take legal action and give evidence. Women are also still unlikely to receive compensation for such abuses, even where prosecutions are successful.

Wartime prosecutions tend to be painfully slow: “We will be dead before we see any justice,” commented a woman seeking redress through the ICTR.\(^9\) Ten years after the genocide, there have only been two successful prosecutions for rape and one acquittal. For many women, the process of justice—of revealing truths and validating people’s stories, of showing up perpetrators in the open—is often at least as important as the outcome. Yet such prosecutions are ineffective as mechanisms to bring out and record narratives: the stories contain much more than comes to court. Rwandan women survivors’ own accounts of rape and violence during the genocide reveal the extent to which the ICTR cannot be “left to tell the story”.\(^9\) These women are still waiting for an official announcement that what happened to them was wrong and that their survival does not signify collusion with their attackers. They also want support and better treatment as witnesses—at least the same level of healthcare and treatment for HIV/AIDS as the defendants awaiting trial. At present it seems unlikely that their requests will be met.
POSTWAR TRUTH PROCESSES, RECONCILIATION, AND WOMEN’S STORIES

The linking of “truth” and “reconciliation” has become very popular over the last decade. The most common understanding of “reconciliation” is that it is about restoring good relationships and involves some level of forgiveness; but different people mean different things, some focusing on what happens to individuals, some on groups, and some on society as a whole. There is considerable national and international discussion about whether and how reconciliation might be possible, but there has been virtually no discussion about “gender reconciliation”. Women are often expected to identify themselves with reconciliation and peace-building interventions, in the same way as the idea of women’s inherent peacefulness may be co-opted or deployed to reduce hostilities during wartime. Some of these interventions could be interpreted as being about reconciliation between women and men.

The issue of amnesty and truth-telling remains controversial; where amnesty is offered in return for truth-telling, the sense of being deprived of justice could provoke further violence. For this reason, when the El Salvadorian Truth Commission released its report, the government passed an amnesty law within a few days, fearing that the findings could fuel further conflict. In general, Truth Commissions do not have the power to prosecute, although some of them do grant amnesty; the South African Truth and Reconciliation Commission for example was empowered to grant amnesty to individual perpetrators in exchange for testimony if they could prove that their crimes were politically motivated. However, this can also create problems for anyone who would prefer a prosecution.

There have been 25 Truth Commissions in different parts of the world since 1974. Official Truth Commissions (TCs) take many different forms, seeking sometimes to find out information about “the disappeared”, as in Argentina, Uganda and Sri Lanka; at other times to work towards “truth and justice” as in Haiti and Ecuador, or “truth and reconciliation” as in Chile, South Africa, the Federal Republic of Yugoslavia, East Timor and Peru. Box 14.7 summarizes the most common characteristics and purposes of TCs, but these are very difficult to achieve and most do not achieve them.

TCs can also be created by NGOs. When the government of Brazil refused to institute a formal enquiry into human rights abuses under Brazil’s military regime, the Archbishop of Sao Paulo was assisted by the World Council of Churches in his own investigation. The Catholic Church in Guatemala also established a truth process.

Difficulties of speaking out

The most common abuses under-reported to TCs are those suffered by women, as indeed are those least prosecuted. Women may find it impossible to speak out. In the most famous Truth and Reconciliation Commission (TRC), that in South Africa, although women constituted the majority of witnesses for acts of violence committed against others, only a few initially spoke about acts of sexual violence committed against themselves. After prompting from women activists, the TRC tried to create an enabling environment where women could feel safe to speak out; but even then few could find the words or courage to speak publicly of sexual violation. Some women-only hearings were then held, which many women regarded as successful in addressing the problem. Women who have survived rape go on to enter public office, as has happened in South Africa and Latin America, they may strongly wish to avoid public exposure.

The development of good practice in encouraging women to come forward, in which women’s organizations have played a key role, continues with tribunals and truth processes. The physical location of hearings is important where it is culturally or practically difficult for women to travel out of their homes; for this reason the Commissioners of the Guatemalan Commission for Historical Clarification chose to travel to remote areas to reach out to the indigenous population. The Truth and Reconciliation Commission for Sierra Leone (2003) ensured that its 73 statement takers—who included regional and district co-ordinators—were first trained in taking statements; they then fanned out all over the country to talk to people who had been affected. The
Sierra Leone Commission also established a Women’s Task Force to work towards creating an enabling environment for women to be able to testify.

La Comisión de la Verdad y Reconciliación—TRC—of 2001 in Peru looked at the conditions which accounted for 20 years of violent conflict, and formulated proposals to suggest how victims of violence could regain their dignity and humanity. From the beginning, the Commission incorporated a gender perspective as a central tenet, explicitly rejecting “the gender blind belief that the human rights of women and men are violated in the same way and with similar consequences”.

The Commission put in place a gender programme to raise awareness of gender issues in the work of the Commission’s interviewers and the rest of its officials in order to ensure that a gender perspective would be present in all its work. The programme developed training and communication materials, set up links, offered suggestions on how to carry out investigations in remote areas and ensured that information was shared with different communities. Workshops were held in different areas on subjects such as disappearances, and educational materials were provided to help raise gender issues. This strategy of proactive engagement with women and the broader community ensured that gender concerns were given a hearing. The Commission’s report stated that gender concerns were central to peace building, and needed to be taken into account if future human rights violations were to be prevented.

Recounting of war stories

The ideal of a gender-aware truth process is not only to avoid omitting the particular sufferings of women, but also to integrate into the conflict narrative their experiences as fighters, survivors of attack and torture, household managers and community

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**Box 14.7 Characteristics and purposes of Truth Commissions**

Four main characteristics:
- They focus on the past, and often on the recent past, but are not ongoing bodies such as human rights commissions.
- They investigate a pattern of abuse over a set period of time rather than a specific event. The mandate of TCs is time-bound, and specifies the types of abuse the Commission can look at.
- TCs are usually temporary bodies, operating over an average period of six months to two years at the end of which they submit a report. Sometimes their time period can be extended if necessary.
- They are officially sanctioned, authorized and empowered by the State; also sometimes by armed opposition groups as part of a peace negotiation. In theory this allows them access to information, and should also ensure that their recommendations and findings are taken seriously.

*Source: Hayner 2001:14.*

Six main purposes:
- To clarify and acknowledge truth.
- To respond to the needs and interests of victims / survivors.
- To contribute to justice and accountability.
- To outline institutional responsibility and recommend reforms.
- To promote reconciliation and reduce tensions resulting from past violence.
- To meet the rights of victims/survivors and society to the truth.

leaders. To release such stories may require a different kind of truth process than a national commission. For example, in 2000 women’s groups in Japan and neighbouring countries came together to hold a War Crimes Tribunal to look at the issue of sexual slavery by the Japanese army during the Second World War.94 Set up by women’s groups, this tribunal had no official status; but even though more than half a century had passed since they experienced being sexually abused, the women who came forward to testify felt keenly the need for public acknowledgment of what they had lived through. While reluctant to accept culpability, the Japanese government did eventually acknowledge the issue of sexual slavery, which had earlier been denied; however, the women’s demand for compensation from the State was rejected. A few women accepted compensation from a special private fund, but many refused; it was important to them that the Japanese State itself make reparations and apologize.95

“Traditional” conflict resolution systems

In Africa, people are increasingly turning to local processes as a means of coming to terms with what happened during conflict. This coincides with a growing fashion among donors for promoting so-called “traditional” methods of conflict resolution (ending of organized violence) and postconflict mediation and reconciliation. Increasing funds are being applied to these, with multiple objectives and much confusion about whether justice, truth processes and/or reconciliation are being sought. These mechanisms include rituals, and transfers of property and labour (individual and collective), intended to achieve a range of outcomes including retribution, compensation, forgiveness and building of trust. Some of these systems are in regular use; others are being resurrected from the memories of elderly people and reinvented; yet others are actually being invented. These activities may co-exist in the same country—even in the same communities—but they are increasingly being packaged under the rubric of peace building, not least in order to access funding from international donors.96

These processes tend to reflect highly gendered local political and power relations, and by no means belong to a value-free traditional culture. Women are normally completely marginalized in their practice, and their needs are not given any priority. Some even have cultural roots in such practices as exchanging women as wives between different groups by way of compensation and repairing community relations, as in Afghanistan.97 In postwar contexts where there is a backlash against women, the revival of “traditional” practice can form part of the process of putting women back “in their place”. On the other hand, where gender awareness is incorporated, it can be used to help build a new society. A notable example of this is the use of Gacaca in Rwanda. The Rwandan government revived an old system of dispute resolution that had largely fallen into disuse, to assist with hearing genocide cases. Gacaca, in its new form, has incorporated important roles for women (see also chapter 11). Among many other fundamental changes is the participation of women as judges, although it is too early to evaluate what difference this might make to the outcomes.

CIVIL AND POLITICAL PARTICIPATION

Where there is a perception that women “earned” new rights because of the roles they played during wartime, there may be a new awareness in the postwar environment of what women can contribute politically, and of the moral imperative to let this happen. The chances of such perceptions influencing political structures are greater where there is a conscious attempt to build a “new” society after a “liberation”.98 It is less likely when the postwar context is dominated by a political ideology that does not recognize women’s contribution to, or potential for, public life.99 In Kashmir, northern India, for example, it is unlikely that women will anticipate a moment of liberation. There, years of syncretism and a healthy mix of Islamic, Hindu and Sufi traditions had ensured a liberal space for women in society. With the deepening of the conflict and the growing hold of fundamentalism among insurgents, the imposition of restrictions on women has forced them to submit to rigid patriarchal mores.100

However, even in deeply conservative environments such as Kashmir or Somalia, there can also be recognition during
wartime of the ways women exercise old forms of influence as power. In private, they may guide men’s decisions; they may perform in public as singers or poets; they may give direction as elders or leaders in cultural activities, or act as informal negotiators while visiting kin or engaging in trade. From such gradual accretions of responsibility, the opportunity may emerge for basic legal and political rights to be developed in a postwar setting.

The chances of political participation

In the feverish postwar environment, new constitutions and laws with radical provisions can come speedily into being even though they initially exist only on paper, they may well be more progressive than if there had been no war or upheaval. For example, after the war of liberation in Zimbabwe, women’s legal status was much improved. In Namibia women were given clear rights in the constitution, as they were in Eritrea. The establishment of formal legal rights for women is, however, only one step towards their being able to exercise them. In postconflict settings, particularly where war has been prolonged, illiteracy is widespread and access to the law may be confined to a handful of the elite. So even if the population is aware of women’s new rights they cannot easily be realized. Moreover, the existence of such political rights does not protect women from the “backlash” explored earlier.

Even where the political and legal apparatus is in place to allow women to take part in political life, their level of political participation tends to remain lower than men’s. They may be discouraged by the educational requirements for voter registration, or the long distance needed to travel in order to vote, as shown in a number of elections. Practical or cultural constraints, or family and community pressure, can bar women from exercising their right to vote, or standing in elections. In Algeria, men routinely vote on behalf of women. Similarly, attempts to encourage civil-society organizations to participate in public debate, or consult with government, may marginalize the views of women if they are dominated by men. Special activities to involve women may still be required, and may not be put in place even though they have long been proposed at the international level.

In situations where women are experiencing a backlash, it is extremely difficult to implement any measures that would increase their participation, even where there is the political will. For example, in Afghanistan, women are being excluded from democracy-promotion projects. In postwar Central America, women ex-combatants who became politically active were ostracized by their families, and many faced sexual abuse from high-ranking officials within their own parties.

The issue of how to increase women’s representation in politics remains challenging, as discussed earlier in the report. The Beijing Platform for Action called for a 30 per cent minimum representation of women in decision-making bodies; UN Security Council Resolution 1325 urges the appointment of women in peace processes and subsequent political structures. There have been some striking successes in using these international frameworks to increase the representation of women. In postwar settings in particular there are sometimes opportunities for pushing forward reforms and innovative approaches, where there is a coincidence between the desires of international donors and local women’s groups.

Where women have gained stronger political voice through the experience of conflict, they may be able to leapfrog stages that elsewhere remain protracted. For instance in South Africa, the majority of ANC leaders at the transition to democracy were men, even though gender equality was much discussed. Women fought for representation achieving the 30 per cent of seats in the National Parliament. Similarly in Eritrea, the government ensured that the postwar administrative system involved women; it was agreed that women would have a 30 per cent quota in regional and subregional councils and could contest any of the remaining 70 per cent of posts. Even in Afghanistan, the Constitutional Loya Jirga ensured that at least 19 per cent of the 500 seats went to women, who actually gained 20 per cent.

Sometimes measures to assist women’s representation have been introduced postwar that would not be implemented in donor countries promoting this agenda. For instance, the United Kingdom has legally rejected the use of women’s quotas for political parties; but the reservation of seats for women in local and national government structures in Uganda was supported by the UK government. Many such issues are felt
across the world as women try to increase their engagement in formal politics, but in postwar societies where the conditions are ripe, change can happen at an unprecedented rate. Rwanda offers a very striking example. Here, elections to the national assembly in 2003 delivered 49 per cent of the seats to women, a higher proportion than in any OECD country. This does not indicate a Rwandese revolution in gender relations, but rather reflects the high proportion of women among genocide survivors. Nonetheless this massive change was by no means demographically inevitable, and will have consequences for political life in Rwanda that are as yet too early to judge.

Visibility is not enough

For more than a decade, the United Nations has proclaimed that women’s needs deserve greater attention in the postwar context. Yet the problems, rights abuses and programme shortcomings documented in many reports remain commonplace. The plight of women during war, particularly the scale of their sexual violation, has attracted international attention, and is often used to characterize the barbarism of mankind or brutality of particular “enemy” groups. Women’s roles in working to end conflicts are increasingly celebrated—even if other roles...
are downplayed. As a consequence, women participants in postwar peace building have been thrust into unprecedented prominence by certain international organizations. Yet for all this visibility, women usually remain marginal, as a group or as individuals, in peace negotiations, in consultations about post-war strategies, and in the public life of postwar societies.

The persistent reluctance of many analysts and advisers to take on board lessons about gender analysis and its incorporation into policy processes in the postwar setting needs to be recorded, and further effort is needed to overcome this thoughtless, or deliberate, resistance. This can itself be seen as part of the backlash against women, helping to allow, if not facilitate, the playing out of intense gender politics in households, communities and the wider polity. Feminist histories of conflict, and feminist studies of development, provide a rich store of relevant experiences, positive and negative. These have been collated and analysed for several years and comprise a significant literature; but they are still not taken sufficiently seriously by many of the key international actors in the context of postwar activity.

In the future it is to be hoped that international agencies and donors will be better prepared to take opportunities to put these lessons about how to mitigate injustices for women centre-stage when advising and supporting postwar recovery programmes—in the economic, social, political and governance spheres alike. As more successes are achieved, it is also to be hoped that postwar governments will more readily see the advantages in developing policies that not only support women’s efforts to survive, but enable them to fulfil their potential in helping rebuild their societies in the image of gender equality and gender peace.

Notes

1 Rehn and Sirleaf 2002.
2 Pankhurst 2003:11; Pankhurst and Pearce 1997
3 Spindel et al. 2004; Rehn and Sirleaf 2002; Sørensen 1998.
4 Kandiyoti 2004: 25.
6 Jacobs and Howard 1987.
17 Pankhurst 2003.
24 Sørensen 1998.
25 UN 1995:apara 141.
26 Elson 1995.
28 Sørensen 1998:38.
30 Sørensen 1998:19.
31 UNIFEM 2001:45–53.
32 Chingono 2001: 95.
33 UNIFEM 2001:38–44.
37 UNIFEM 2001; Davison 1998.
38 UNIFEM 2001:63.
39 Sørensen 1998:20; Chingono 1996.
40 UNIFEM 2001:45–53.
44 UNIFEM 2001:66.
47 Sørensen 1998.
52 Sørensen 1998:20, 22.
53 UNHCR 1994.
58 Rehn and Sirleaf 2002.
59 Stewart et al. 2001:93.
60 Stewart and Fitzgerald 2001:236.
63 Sørensen 1998:34.
64 Stewart et al 2001:103.
68 For the example of Afghanistan see Kandiyoti 2004:27–8.
70 Samuel 2004.
71 Spindel et al. 2004:85.
72 UN Secretary-General 2004:16.
74 This subsection draws on Walsh 2004; Nowrojee 2004; ICC 1998.
75 This subsection draws on Walsh 2004.
76 UNIFEM 2001.
77 Nowrojee 2004:13,23.
78 See Special Court for Sierra Leone 2004.
84 Pankhurst 1999
85 Bloomfield et al. 2003.
86 Pankhurst 2003.
87 On former Yugoslavia see Žarkov et al. 2004:11.
88 REMHI 1999.
90 Sørensen 1998.
91 Luciak 2004.
92 REMHI 1999.
93 Manilla 2003.
95 Vanderweert 2001:141.
98 For example in Nicaragua in the 1980s, southern Africa in the 1970s and 1980s, the ‘new’ South Africa in 1990s, and possibly Iraq in 2004.
100 Butalia 2004.
101 See Batezat et al. 1988 on Zimbabwe, Bentley 2004 on South Africa.
102 Kandiyoti 2004:32.
103 Luciak 2004.
106 Rehn and Sirleaf 2002: 81.
107 Tamale 1999.
Women's agency is today increasingly visible and impressive in women's movements around the world, in organizations of civil society, in the state and political society, and in the international development establishment. Processes of democratization, to which women's movements contributed, have altered the terms under which women's groups engage in political activity. Despite some initial setbacks and loss of momentum, strategies have been adapted and revised to help women gain political power under the democratic rules of the game. The entry of more women into national legislatures as well as municipal councils and other locally administered bodies has contributed to the deepening of democracy around the world, while providing valuable openings for women representatives and councillors to articulate different priorities in national and local decision making.

Dovetailing with the vociferous demands of women's movements, “femocrats” from within the state and women legislators have worked hard to make national laws responsive to women's reproductive health and rights, and to prohibit violence and discrimination against women, no matter where these violations occur and who their perpetrators are. Landmark international prosecutions against sexual assault in war as a crime against humanity now mean that public actors responsible for sexual violence are beginning to be held accountable not just to the citizens of their own countries, but to global society.

These explicit policy and legislative moves have combined with long-term processes of social change in families and cultural practices to bring more women into the public domain. A decade on from Beijing there is indeed much to celebrate. But there is also much at risk. On the tenth anniversary of the Beijing Conference women's movements will be pondering not only the continued dominance of neoliberalism in some important arenas of policy making, but the challenges thrown up by the recent shifts in geopolitics and new forms of religious-identity politics played out at the global, national and subnational levels. Women's ambitions for social change risk taking a back seat to concerns with security. Unilateralism is eroding the multilateral framework within which transnational feminist networks have painstakingly nurtured a global women's rights regime over the years. In a polarized ideological climate where security concerns loom large and internal dissent is discouraged, sustaining autonomous spaces where women's groups and movements can address critical and controversial issues of gender equality and liberal freedoms will require political agility and alliance building with other social movements, political parties and states.

**ECONOMIC LIBERALIZATION**

In reflecting on the achievements of the 1990s, the report has paid particular attention to the contribution that development policy can make in accentuating or diminishing women's subordination. It has suggested that among the reasons for the persisting gender inequalities has been the prevailing policy orthodoxy with its emphasis on monetary and fiscal restraint.

Economic liberalization has never been smooth or uncontested, and there have always been spaces for policy experimentation.
and heterodoxy, whether with respect to macroeconomic policies or social policies. Where policy makers have followed orthodox prescriptions—whether under pressure from Washington or of their own volition—the outcomes have been disappointing, even in the estimate of their designers. Rural livelihoods have become more insecure (as well as more diversified) in contexts where cutbacks in state support to domestic agriculture have coincided with increasing exposure to competition from large subsidized producers. At a time when global commodity markets have been volatile and depressed, large numbers of people have been trapped in poverty, hunger and even famine.

Insecurity is also etched into the growth of informal economies across the world, where “flexibility” has come to mean a weakening of labour standards rather than creating a better balance between work and life. With weak public health and welfare programmes, fragile infrastructure and thin social protection mechanisms, the provision of unpaid care by women and girls has been intensified—to intolerable degrees in sub-Saharan Africa, where the HIV/AIDS epidemic is taking a staggering toll of lives. At the same time taking on paid work has become ever more necessary for all household members—whether male or female, young or old—to make ends meet in increasingly commercialized contexts.

However it is important to underline that the economic policy agenda that has been so deeply adverse to many women and men around the world has also provided new opportunities to some social groups, including some low-income women. Jobs in export-oriented manufacturing firms and capitalist farms producing “high value” agricultural export crops around the world, no matter how fragile and short-lived, and how low the pay and unfavourable the conditions of work, have benefited some women: giving them their first discretionary income, new social contacts beyond the confines of kinship and neighbourhood, the chance to postpone marriage at a young age, maybe save for a better future, invest in their children’s education, or have a greater say in how household resources are allocated. This may not have ended women’s subordination and dependence on male protection, but it has given some women at least the tools with which to whittle away at the pillars of patriarchy. For those who command more capital and resources, liberalization of markets has provided opportunities to trade and invest, to purchase land and housing in their own name, and bequeath it to their offspring or siblings, perhaps in return for the promise of protection and security in old age.

For the vast majority of women, however, gender equality will remain a distant dream as long as the market calculus remains the principal arbiter of policy. Attaining gender equality requires the strengthening of publicly accountable systems of mutual assurance against entitlement failure. This means investing in areas that orthodox prescriptions cannot countenance: well-functioning and accessible public health and education services, labour standards and rights that protect women’s employment and conditions of work, and investment in public provision of a range of complementary services (clean water, sanitation, electricity, paved streets, childcare) to support the care economy.

To have substantive rights and entitlements implies access to an accountable process where access to a resource is not at the arbitrary discretion of a public official, dependent on the favour of a patron or the goodwill of a husband, or the price-fixing power of a monopoly supplier. Genuine empowerment is about having meaningful institutional alternatives to dependence on familial and conjugal relations, on markets and employers, and on public and non-state actors when the terms of any of these relations become unacceptable. It means decent jobs with employment rights, and fair allowances for lifecycle contingencies such as old age, ill-health, disability and periods of intense care. It also means a more equal sharing of unpaid care between men and women, and thus a redefinition of full-time work.

### Embedding Liberalism?

In response to widespread discontent with the liberalization agenda, more attention is now being given to social policies and governance issues. There is the view in some policy circles that if globalization is to stay on course, then it must be “tamed” or “embedded” through social policies and political reforms. However, the full potential of these positive moves is vitiated by the persistent dominance of “market fundamentalism” in some of the most influential arenas of policy making.
The social distress and inequalities that are being unleashed by current economic policies are far more extensive than the remedies that are suggested. Such prescriptions thus risk replicating the by now well-rehearsed limitations of minimal safety nets in the era of structural adjustment. In the context of liberalized trade (which reduces import and export taxes), and the pressures from mobile capital (which reduce corporate taxes, capital gains and income taxes) it is very difficult for governments to raise the kind of revenues needed to finance public services and transfers that can meet the casualties of economic policies. In sum, there is a lack of affinity and complementarity between sectoral and macroeconomic policies.

It is now more widely recognized that effective governance is not about shrinking the state. The neoliberal reform agenda is criticized by some of its own architects for its failure to unpack the different dimensions of “stateness” and distinguish between state scope and state strength. Even on the restricted versions of governance, as seen by the international financial institutions (IFIs), the nimble, responsive state that regulates private industry and commercialized social services is a pretty high-capacity state. That means training, salaries and incentives.

It is also increasingly clear that the view of the modern state envisaged in governance reforms—with lean and clean bureaucracies and judiciaries creating the conditions for unfettered market competition, inviolable and individual property rights, well-enforced contracts—never actually existed in any historical version of the development of capitalism. The “blueprint” versions of institutional reform that are being pushed on developing countries in order to foster growth will not necessarily promote vibrant private sectors, at least if history is to be taken as the guide. The dangers of institutional “monocropping” mean that governance reforms are likely to run into as many problems as economic reforms, as they encounter the unruly reality of developing-country institutions.

Nevertheless, there is an increasingly coordinated assault on domestic market and state institutions to make them resemble this abstract model. In this ideal state and market, gender equality hardly figures. Instead, the “abstract market” and “rational-legal” state are based on the notion of the rational, unencumbered, free-choosing individual. As the analysis in this report suggests, women do not fit this model. They have dependants and care burdens. Their political “voice” can be muffled by gender-biased institutions and the restricted notions of participation that some governance reforms entail.

**TOWARDS A GENDER-EQUITABLE POLICY AGENDA**

Any proposal for alternatives must eschew prescribing a “one-size-fits-all” solution in the manner that orthodox approaches have done, given the immense institutional, historical, social and political diversities among countries. Charting gender-equitable macroeconomic policy is in a sense an art, for which there is no simple recipe. There are certain guiding principles however that macroeconomic policies need to observe: avoiding deflationary policies that sacrifice growth and employment creation, placing equality as a central objective at the heart of policy making along with macroeconomic stability, and ensuring affinities and complementarities between sectoral and macroeconomic policies. As a leading economist puts it:

“Financial conservatism has good rationale and imposes strong requirements, but its demands must be interpreted in the light of the overall objectives of public policy. The role of public expenditure in generating and guaranteeing many basic capabilities calls for attention; it must be considered along with the instrumental need for macroeconomic stability. Indeed, the latter need must be assessed within a broad framework of social objectives”.

While economic growth provides the necessary conditions for escaping poverty, improving standards of living, and generating resources for redistributive policies, it is not sufficient for gender equality. The widely praised East Asian growth trajectories may have produced relatively egalitarian societies in terms of asset and income distribution between social classes and households, but they were far from egalitarian when it came to gender relations and outcomes. This is not to suggest that growth is inherently inimical to gender equality, but to underline the point that some growth trajectories may indeed
coincide with, or be premised upon, a highly inegalitarian gender order. High rates of economic growth, for example, may draw more women into the labour force, but this can coincide with persistent gender segmentation in labour markets. What this suggests is that more specific policies are needed to make growth and gender equality compatible: social regulation of all labour markets to erode gender-biased social norms and remove discriminations that account for the persistence of gender segmentation, together with removal of structural constraints on women's ability to take up widening labour-market opportunities.

Similarly, higher rates of growth together with taxation policies that generate higher levels of government income do not necessarily lead to a more gender-equitable use of these resources. To ensure that public expenditure is actually reaching women and girls equitably, for example, and that women benefit from mechanisms promoting social security, gender-policy objectives have to be set and mechanisms put in place to guarantee that public expenditures are channelled to these areas, and to the provision of infrastructure and services that contribute to a reduction in women's unpaid labour time.

The feminization of national parliaments and local governments in some parts of the world will not necessarily mean that women politicians will use gender budget initiatives—or indeed other mechanisms—to advance women's interests. The responsiveness of women in public office to the gender-equality cause will depend upon a number of factors, including whether their means of access to politics enjoins them to respond to a female constituency, and whether their political resources include the capacity to ensure that political parties place gender equality on their platforms. The effectiveness of women politicians as gender-equality advocates will also depend on whether the institutions of governance—the judiciary, the audit systems, the legislature, the public administration—can be reformed to make social justice and gender equality a measure of excellence in public service.

As the preceding paragraphs have argued, where economic and governance reforms do not pay heed to the protection of human rights and do not contribute to building meaningful opportunities for participation and deepening democracy, it will remain difficult to enshrine gender justice as a measure and objective of performance in the public sector. Indeed, if the privatization of core state functions in some places, and the limitations imposed on domestic policy making by economic globalization in others, are heralding the demise of the proactive state capable of “governing markets”, then the capacity of women in public office to bring gender equality into public policy will be greatly diminished.

It is far too early to mourn the demise of the state, however. The many contradictions in the liberalization agenda are forcing a reassessment of policies for market and state reform that have proven destructive for secure livelihoods and for national stability. Democratization and globalization have also raised citizen expectations about the role of the state. In diverse contexts there are growing popular expectations that principles of greater accountability, transparency and openness should apply not just to commercial transactions, but across all institutions, public and private. Globalization has meant that the jurisdictions for rights-based struggles have multiplied: no longer limited to the state level, but evident at both supra and subnational levels. It is now possible for women's justice struggles to find an international audience through global justice institutions, and new local audiences through new institutions of local government.

These efforts to advance women's access to resources and to justice can support the efforts of gender-equality advocates at national levels to create and enforce progressive legislation on women's rights. This kind of multiple-jurisdiction strategy is evident today in, for instance, efforts to deal with sexual and domestic violence in Rwanda.

The central instrument for the protection of rights has been, and must remain, the state, even if its own practices and institutions need to be thoroughly democratized to deliver gender justice. Where market fundamentalism has reduced the legitimacy of the state as the maker of national rules about the obligations and rights of citizens, the utility of the state as the most important mechanism for promoting social change and enforcing standards of gender equality is diminished.

Fragile, failing or conflict-ridden states present acute challenges to the project of pursing gender equality, challenges that
will demand increasing international attention over the years to come. Where core state functions, such as the provision of basic social services, are offloaded onto humanitarian and international aid organizations, where the processes of state building and peace consolidation are themselves subject to blueprints laid out by international players, and where domestic women’s movements are weak, it is extremely difficult to build a national consensus for gender justice.\textsuperscript{13}

On the contrary, when people seek social protection from traditional or informal social institutions, because of state failure to provide services or a sense of national purpose, conservative scripts for gender relations may enjoy a revival (or be invented from scratch). The resilience of these informal institutions, their ingenuity in substituting for state services, and their enduring effectiveness at providing members with dignity and social purpose, mean that these institutions must be recruited to the task of rebuilding social cohesion in post-conflict situations or in failing states.

It may be difficult to insert gender-equality concerns (or broader social equality concerns) to these processes, where traditional institutions have a patriarchal character,\textsuperscript{14} but it is not impossible. South Africa provides a model of holding traditional institutions to basic constitutional standards of social equality. The South African case underlines the need for the state to uphold gender equality across all social institutions, and this will remain a challenge in fragile or failing state contexts.

What this shows is that good governance and equality projects are costly—they require strong states—but they are essential for building secure states and societies capable of tolerating diversity and difference. Neoliberal prescriptions for market and state reform avoid issues of inequality. In the short term inequalities, including gender-based inequalities, may facilitate rapid growth, but in the long term they deeply undercut the contribution of growth to poverty reduction, they erode social cohesion, and they can foster extremist political activity and instability.

\textbf{Notes}

1. Elson 2002.
2. ILO 2004d; Ruggie 2003.
5. Upham forthcoming.
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Basu, Rasil. *Gender and Local Government in India.*
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Acronyms

ACFTU  All China Federation of Trade Unions
ACORD  Agency for Co-operation and Research in Development
ACP    African Caribbean and Pacific
ADB    Asian Development Bank
AIDS   acquired immunodeficiency syndrome
ANC    African National Congress
CBO    community-based organization
CEDA   Committee for Economic Development of Australia
CEDAW  Convention on the Elimination of All Forms of Discrimination against Women
CFEMEA Centro Feminista de Estudos e Assessoria
CIIR   Catholic Institute for International Relations
CRC    Convention on the Rights of the Child
DEVAW  Declaration on the Elimination of Violence Against Women
DRC    Democratic Republic of Congo
ECLAC  Economic Commission for Latin America and the Caribbean
ECOSOC United Nations Economic and Social Council
EEA    European Economic Area
EPW    Economic and Political Weekly
ESCWA  Economic and Social Commission for Western Asia
EU     European Union
FAO    Food and Agriculture Organization of the United Nations
FDI    foreign direct investment

FMLN   Frente Farabundo Martí para la Liberación Nacional
GASPP Globalism and Social Policy Programme
GAWU   General Agricultural Workers’ Union
GDI    Gender Development Index
GDP    gross domestic product
GEM    Gender Empowerment Measure
GLTF   Gender Land Task Force
GNI    gross national income
HDI    Human Development Index
HIV    human immunodeficiency virus
HVAE   high-value agricultural export crops
HWFC   Health Workers for Change
ICCTR  International Criminal Tribunal of Rwanda
ICTY   International Criminal Tribunal of Yugoslavia
IDASA  Institute for Democracy in South Africa
IDEA   Institute for Democracy and Electoral Assistance
IDEAS  International Development Economics Associates
IDP    internally displaced person
IDS    Institute of Development Studies
IFI    international financial institution
IFP    Inkatha Freedom Party
IIS    Integrated Insurance Scheme
ILO    International Labour Organization
IMF    International Monetary Fund
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<th>Acronym</th>
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<td>UK</td>
<td>United Kingdom</td>
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<td>UMASIDA</td>
<td>Umoja wa Matibabu katika Sekta Isiyo Rasmi</td>
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<td>UNDP</td>
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<td>United Nations Educational, Scientific and Cultural Organization</td>
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<td>United Nations Population Fund</td>
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<tr>
<td>UNGA</td>
<td>United Nations General Assembly</td>
</tr>
<tr>
<td>UNGASS</td>
<td>United Nations General Assembly Special Session</td>
</tr>
<tr>
<td>UNHCR</td>
<td>United Nations High Commissioner for Refugees</td>
</tr>
<tr>
<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
</tr>
<tr>
<td>UNIFEM</td>
<td>United Nations Development Fund for Women</td>
</tr>
<tr>
<td>UNITA</td>
<td>União Nacional para a Independência Total de Angola</td>
</tr>
<tr>
<td>UNOCHA</td>
<td>United Nations Office for the Coordination of Humanitarian Affairs</td>
</tr>
<tr>
<td>UNRISD</td>
<td>United Nations Research Institute for Social Development</td>
</tr>
<tr>
<td>UNTAC</td>
<td>United Nations Transitional Authority in Cambodia</td>
</tr>
<tr>
<td>UNSC</td>
<td>United Nations Security Council</td>
</tr>
<tr>
<td>UNSG</td>
<td>United Nations Secretary General</td>
</tr>
<tr>
<td>UPEU</td>
<td>Uganda Public Employees Union</td>
</tr>
<tr>
<td>URNG</td>
<td>Unidad Revolucionaria Nacional Guatemalteca</td>
</tr>
<tr>
<td>US</td>
<td>United States</td>
</tr>
<tr>
<td>USAID</td>
<td>United States Agency for International Development</td>
</tr>
<tr>
<td>USSR</td>
<td>Union of Soviet Socialist Republics</td>
</tr>
<tr>
<td>WAC</td>
<td>Women’s Agenda for Change</td>
</tr>
<tr>
<td>WDR</td>
<td>World Development Report (of the World Bank)</td>
</tr>
<tr>
<td>WEDO</td>
<td>Women’s Environment and Development Organization</td>
</tr>
<tr>
<td>WHO</td>
<td>World Health Organization</td>
</tr>
<tr>
<td>WIB</td>
<td>Women in Black</td>
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<tr>
<td>WIDER</td>
<td>World Institute for Development Economics Research</td>
</tr>
<tr>
<td>WLULM</td>
<td>Women Living Under Muslim Laws</td>
</tr>
<tr>
<td>WTO</td>
<td>World Trade Organization</td>
</tr>
</tbody>
</table>
Annex: Geographical groupings

**Africa**

**North Africa**
- Algeria
- Egypt
- Libyan Arab Jamahiriya
- Morocco
- Tunisia
- Western Sahara

**Sub-Saharan Africa**
- Angola
- Benin
- Botswana
- Burkina Faso
- Burundi
- Cameroon
- Cape Verde
- Central African Republic
- Chad
- Comoros
- Congo
- Congo, Democratic Republic of the
  - Côte d’Ivoire
- Djibouti
- Equatorial Guinea
- Eritrea
- Ethiopia
- Gabon
- Gambia
- Ghana
- Guinea
- Guinea-Bissau
- Kenya
- Lesotho
- Liberia
- Madagascar
- Malawi
- Mali
- Mauritania
- Mauritius
- Mozambique
- Namibia
- Niger
- Nigeria
- Réunion
- Rwanda
- Sao Tome and Principe
- Senegal
- Seychelles
- Sierra Leone
- Somalia
- South Africa
- Sudan
- Swaziland
- Tanzania, United Republic of
  - Togo
- Uganda
- Zambia
- Zimbabwe

**Latin America and the Caribbean**

**Caribbean**
- Antigua and Barbuda
- Aruba
- Bahamas
- Barbados
- Cuba
- Dominica
- Dominican Republic
- Grenada
- Guadeloupe
- Haiti
- Jamaica
- Martinique
- Netherlands Antilles
- Puerto Rico
- Saint Kitts and Nevis
- Saint Lucia
- Saint Vincent and the Grenadines
- Trinidad and Tobago
- United States Virgin Islands
Central America
Belize
Costa Rica
El Salvador
Guatemala
Honduras
Mexico
Nicaragua
Panama

South America
Argentina
Bolivia
Brazil
Chile
Colombia
Ecuador
French Guiana
Guyana
Paraguay
Peru
Suriname
Uruguay
Venezuela

Asia

East Asia
China
Hong Kong Special Administrative Region of China
Macao Special Administrative Region of China
Taiwan Province of China
Korea, Democratic People's Republic of Korea, Republic of
Mongolia

Southeast Asia
Brunei Darussalam
Cambodia
Timor Leste
Indonesia
Lao People’s Democratic Republic
Malaysia
Myanmar
Philippines
Singapore
Thailand
Viet Nam

South Asia
Afghanistan
Bangladesh

Asia

Central Asia
Kazakhstan
Kyrgyzstan
Tajikistan
Turkmenistan
Uzbekistan

West Asia
Armenia
Azerbaijan
Bahrain
Cyprus
Georgia
Iraq
Israel
Jordan
Kuwait
Lebanon
Occupied Palestinian Territory
Oman
Qatar
Oceania

American Samoa
Fiji
French Polynesia
Guam
Kiribati
Marshall Islands
Micronesia, Federated States of
Nauru
New Caledonia
Palau
Papua New Guinea
Samoa
Solomon Islands
Tonga
Vanuatu

Developed Regions

Eastern Europe
Albania
Belarus
Bosnia and Herzegovina
Bulgaria
Croatia
Czech Republic
Estonia
Hungary
Latvia
Lithuania
Macedonia, The former Yugoslav
Republic of
Moldova, Republic of
Poland
Romania
Russian Federation
Serbia and Montenegro
Slovakia
Slovenia
Ukraine

Western Europe
Andorra
Austria
Belgium
Denmark

Other developed
Australia
Bermuda
Canada
Japan
New Zealand
United States of America
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