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Peace Agreements as a Means for Promoting Gender Equality and Ensuring
Participation of Women

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**UNITED NATIONS DEVELOPMENT FUND FOR WOMEN
UNIFEM**

**Peace Agreements as a means of Promoting Gender Equality and ensuring Participation
of Women: The cases of DRC and Liberia**

Peace and Security Program

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DEMOCRATIC REPUBLIC OF CONGO

1. Background

Located at the Centre of the continent, the Democratic Republic of Congo (DRC), has been independent since 30 June 1960 and is the biggest country in Central Africa with close to 60 million inhabitants. Mobutu Sese Seko ruled the DRC from 1965 until forced into exile in May 1997 when a brief rebellion led by Laurent Kabila supported by Uganda and Rwanda, overthrew his government militarily and immediately assumed governing authority. The new regime offered hope to the country's citizens for the first time in decades. That hope was however dashed when a new rebellion started in 1998.

Poverty is part of the day-to-day reality of more than 90 percent of the Congolese population; it is estimated that about 80 percent of the population live below the poverty line, on less than US \$1 per day. The UNDP Human Development Report classifies the country to be among the poorest in the world, ranking it 167th on the Human Development Index.¹

Starting in 1996, indiscriminate attacks, extrajudicial executions of civilians, rape, and large-scale destruction of civilian property characterized the conduct of the belligerent to the conflict in then-Zaire. The war that broke out in the DRC in August 1998 has taken 3.3 million lives, more than any other since World War II and is the deadliest documented conflict in African history, according to a study by the International Rescue Committee.² According to a June 2002 Report on Sexual Violence Against Women and Girls in Eastern Congo, sexual violence has been used as a weapon of war by most of the forces involved in this conflict.

Women were not represented at the 1999 Lusaka Peace Negotiations, which brought together representatives of the six countries involved in the conflict – Angola, DRC, Namibia, Rwanda, Uganda and Zimbabwe and the rebel groups. In February of 2000, women participants convened in Kenya and produced the Nairobi Declaration³ that outlined a women's agenda for the peace process, calling on actors to cease fighting and recognize the particular burden of war on women and women's roles in peace-building and reconstruction. On 2 April 2003 in Sun City South Africa, participants in the second phase of the peace process for the DRC, the Inter-Congolese Dialogue, signed the Final Act of the negotiations that started in October 2001, formally endorsing a package of agreements that will restore peace and national sovereignty over a two-year transition period.

¹ UNDP Human Development Report 2003, p.240

² International Rescue Committee, *Mortality in the DRC: Results from a nation-wide survey* (September - November 2002) April 2003

³ <http://www.peacewomen.org/campaigns/featured/drc/NAIROBI%20DEC.html>

The signing of the Final Act of the Inter-Congolese Dialogue in April of 2003 marked a new chapter in the conflict and peace process in the Democratic Republic of the Congo, but did not stop the bloodshed in the country, particularly in the east.

The United Nations Mission in the Democratic Republic of the Congo (MONUC) has been in place since 1999, with an initial mandate of monitoring the Lusaka Cease-fire Agreement. MONUC's mandate has since been revised to include: (i) to provide political support to the transition by assisting the Congolese parties in the implementation of their commitments, leading to the holding of elections, which will be one of the important elements in the Mission's exit strategy b) to contribute to local conflict resolution and the maintenance of security in key areas of the country c) to continue with its mandated task of the disarmament, demobilization, repatriation, resettlement and reintegration of Congolese combatants, d) to contribute to confidence-building between the DRC and the neighbouring states. At the same time, ongoing MONUC activities in vital areas of human rights, humanitarian affairs, child protection and gender affairs continue.

Since 2002 the mission has included an Office of Gender Affairs (OGA), with a mandate to assist the SRSG in gender integration within MONUC, ensure a gender perspective is included in the development of policies and activities, interface with women's organizations of civil society and governmental institutions to encourage, and later ensure, the participation of women in the peace process and post-conflict reconstructions as active agents and conduct research and analysis to better direct the mission's policies.⁴

2. Women making peace

Despite the horrific and meaningless violence visited upon them, Congolese women in Southern Kivu province have formed grassroots support networks to assist victims of sexual violence and encourage them to come forward with their stories.⁵ The civil society of South Kivu in Bukavu at the initiative of the Women Network for the Defense of Rights and Peace organized a group of 25 women leaders who wrote an open letter to the ICD delegates and distributed a paper on plans for a transitional government that would include representational quotas, recognition of sexual violence as a war crime.⁶

Women representatives to the Inter Congolese Dialogue (ICD) drew up a memorandum appealing for sustainable peace in the Congo and have given television and radio interviews. They have also been successful in meeting representatives of the three key players in the peace talks – the government and the rebel groups. Only 36 out of 300 Delegates to the ICD were women.⁷ Women representatives to the ICD participated in founding the cross-party Congolese Women's Caucus. During the ICD, the Congolese Women's Caucus participated in a televised debate about the peace process, women's roles in peace-building and the contribution of women in advocating around Resolution 1325.⁸

In February 2002, female participants in the ICD, along with other female politicians and representatives of civil society, convened in Nairobi, Kenya, to articulate their demands and expectations of the dialogue. The resulting document, known as the Nairobi Declaration, calls on actors to cease fighting and recognizing the particular burden of war on women and women's roles in peace-building and reconstruction.⁹

⁴ Office of Gender Affairs website <http://www.monuc.org/gender/mandate.asp>

⁵ <http://www.hrw.org/reports/2002/drc/Congo0602.pdf>

⁶ http://www.monuc.org/gender/downloads/GenderofficeDRC_activity_report.pdf

⁷ <http://www.unifem.org.au/currents0204.html#INTER-CONGOLESE>

⁸ http://www.monuc.org/gender/inter_congolese_dialogue.asp

⁹ <http://www.peacewomen.org/campaigns/featured/drc/NAIROBI%20DEC.html>

3. Women's Leadership in decision-making mechanisms

Despite the ratification of the CEDAW and other related legal instruments at the national and sub-regional and international levels, women are rarely represented in decision-making mechanisms. During the transitional period (1991-1997), 19 Governments have been formed with a total number of 519 ministers and Vice-Ministers among whom, only 19 were women, representing about 5.5 percent of all appointments during that period.¹⁰

Women ministers have been frequently appointed to positions that are considered as "less important" such as gender, social affairs and labour. On a few occasions, women were appointed to important positions of Foreign Affairs (early 1980), Economy (1986) and Health (1998).

On 4 April 2003, the Head of State promulgated a new Constitution of the DRC, which inaugurated the "new legal, political and social order" for the DRC as a concrete implementation of the "Pretoria Global and Inclusive Accord" on the transition as the result of the Peace process from Lusaka Ceasefire Agreement in 1999 to Pretoria in 2003.

The Introduction to the Constitution stipulates that the country must have "an active participation of women at all levels of responsibility, considering all criteria of competency, credibility and honourability in a national reconciliation spirit".

Article 51, the Constitution further specifies,

- *"The State has obligation to avoid by all means all forms of discrimination against women and to ensure the respect and the promotion of her rights.*
- *The State has obligation to take, in all domains, notably the economic, social and cultural areas all appropriate measures to ensure a full participation of women in the development of the Nation.*
- *The State will take measures to fight against all forms of violence against women in the public and the private life. Women have the right to a significant representation in all institutions, at national, provincial and local levels."*

Despite these legal provisions and political declarations and the work done by women's organisations with the support of the international community, women have been seriously marginalized in ongoing power sharing process. As at October 2003, the Transitional Government was composed as follows: Ministers: 6 women, 30 men; vice-Ministers: 2 women and 23 men; members of Parliament: 3 women and 117 men; National Assembly: 49 women and 451 men. For other institutions in support of the Transition, the situation is no better: Independent Electoral Commission: 1 woman, and Truth and Reconciliation Commission: 2 women. Currently, the President of the Parliament is a woman and thanks to the MONUC intervention, the Chairperson of the Ituri (Haute-Congo) local authority is a woman, who is highly respected by all the parties to the conflict as a result of her outstanding work.

4. What can explain the contradictions?

Women's organisations, government officials, UN agencies and NGOs have advanced several reasons. These include:

- Traditional practices that regard women to be inferior to men and therefore not ready for politics and decision-making positions.
- Lack of immediate follow-up to women's participation in the peace negotiations, notably UNIFEM and related partners who achieved a lot in supporting women's participation in the

¹⁰Programme National pour la Promotion de la Femme Congolese, point 1.2.2.2. Domaines politique et public, pp. 6-16. Read also Purusi Sadiki, «The role of women in conflict resolution in the Great Lakes Regions of Africa, a retrospective and prospective analyze of regional crises », Ph.D research, the Ghent University, 2002, 500 p, with annexes and maps.

Peace Process. Follow-up actions could have been developed immediately after the peace negotiations to ensure that from the negotiation table (where firm commitments and promises have been given by all parties to encourage women's participation) to the implementation period in the country, to make sure that women are part of all structures as has been agreed upon by all participants to the ICD.

- Lack of funds and assistance to sustain the momentum created during the negotiations and advocate for women's representation is a major impediment. As a result, valuable time was lost and few women are represented in the Transitional Government

5. UNIFEM efforts to strengthen women's capacities in the implementation of the peace agreement

Since 2001, UNIFEM has worked with women's organizations and the Facilitator's office to support participation of women's delegates and experts to the ICD. UNIFEM worked closely with leading NGOs who had been following the situation closely, such as Femmes Africa Solidarité, and ACCORD South Africa to help form a cross-party space for women to articulate their agenda.

UNIFEM assisted Congolese women to meet with women that had experienced peace negotiations and processes, such as those in South Africa, Guatemala and Uganda. UNIFEM facilitated a solidarity mission by the Women's League of the African National Congress (ANC) on 4 April 2002 to support Congolese women attending the ICD in Sun City, South Africa. The ANC women shared the history of their struggle for political participation and urged the Congolese women to create a support group to assist one another to access political leadership. They also urged the more than 60 Congolese women present to fight the system of gender discrimination and not their male counterparts. The women experts contributed substantively to the agenda of the five commissions: defense and security, political and judiciary, financial and economic, humanitarian, social and cultural, peace and reconciliation. In the Inter-Congolese Dialogue, Commitment was made to provide further technical assistance to the Facilitator's office in the last round of negotiations. The women have drawn up a memorandum appealing for sustainable peace in the Congo and have given television and radio interviews. They have also been successful in meeting representatives of the three key players in the peace talks – the government and the rebel groups.

In 2002, UNIFEM worked closely with MONUC's OGA, including participating in meetings around the ICD and designing strategies around mainstreaming gender in the reintegration of Rwandans in the DDR process. On 22 May 2003, UNIFEM Executive Director Noeleen Heyzer met with Congolese President Joseph Kabila in Kinshasa and urged him to ensure women's full participation in DRC's political transition and reconstruction.¹¹

Building on UNIFEM experience on engendering peace in the DRC in particular its contribution to the Inter Congolese dialogue, major policy and programme orientation were defined for UNIFEM's intervention in the transition period in the DRC, based on high-level advocacy and interface with various partners: the Government, Civil society in particular, women organizations within the Women's Caucus. This orientation focuses the intervention around five main areas (i) the impact of war on women, (ii) gender and HIV/AIDS (iii) the participation of women in the decision-making process, including during the transition and in the upcoming election, (iv) protection and assistance to women victims of violence in particular psychosocial support and (v) support for women's organizing.

¹¹ http://www.unwire.org/unwire/20030522/33882_story.asp

LIBERIA

1. Introduction

Liberia is only recently beginning to recover from a brutal, civil war that spanned 14 years of the West African nation's history. Women have been involved on all sides prior to widespread fighting, throughout the contemporary conflict and in the early stages of a peace process today. Ellen Johnson-Sirleaf became the world's first woman Finance Minister in 1979 and later ran a competitive race for the presidential office against ex-president Charles Taylor.

A peace agreement was signed in Abuja Nigeria in 1995 between the National Patriotic Front of Liberia (NPFL) led by Charles Taylor and Samuel Doe's military regime. The parties agreed to share power via an interim ruling council, promising to disarm fighters and hold elections within a year. Women, through the Liberian Women's Initiative, were key actors in the collection of small arms that preceded the election. That same year, Liberian women participated in the Fourth UN Conference on Women in Beijing. After his successful race for president in 1997, Taylor began a presidential term that would become known for supporting Sierra Leonean rebels of the Revolutionary United Front (RUF) through the arms-diamond trade.¹² By 1999, Charles Taylor's government was again at war with a group known as the Liberians United for Reconciliation and Democracy (LURD).

In 2000 the Mano River Union Women Peace Network (MARWOPNET) was founded by women from Guinea, Sierra Leone and Liberia, recognizing that there would be no peace in Liberia without peace in the region. MARWOPNET put forth an initiative to mediate the conflict and disagreement between Guinea and Liberia and dispatched a delegation to appeal to the feuding heads of states in the region. MARWOPNET has issued statements urging ECOWAS and the UN to intervene in the Liberian crisis. MARWOPNET's efforts were commended by the Security Council in Resolution 1408 on the situation in Liberia. In 2000, women spoke out against war as the Women in Peace-building Network staged sit-ins in Monrovia,¹³ also protesting the severe economic conditions affecting the country.

Peace talks in Accra, which began on 4 June 2003, led to a ceasefire agreement signed on 17 June 2003, in which President Taylor agreed to step down from his position as President of Liberia. Widespread sexual violence continues to target women and girls in flight and even once they reach centers for displaced persons. By 18 August 2003 LURD, MODEL, and the Liberian government signed a peace agreement and a month later, in Security Council Resolution 1509, approved the UN Mission In Liberia (UNMIL), to deploy 15,000 military personnel. The 3,500 ECOMOG troops that were deployed by ECOWAS in August 2003 will remain in Liberia as part of UNMIL. Resolution 1509 calls for a gender perspective in all peacekeeping operations, highlighting Resolution 1325 (2000) on Women, Peace and Security.¹⁴ After persistent fighting on the outskirts of Monrovia, which displaced thousands, Taylor went into exile in Nigeria on 11 August 2003. Women and their organizations who have spearheaded the peace movement during the crisis would need to further enhance their capacity to play a leading role in the post conflict phase.

2. UNIFEM support to Liberian women during the peace negotiations

In August 2003, the UNIFEM Regional Peace and Security Adviser attended the Peace talks in Accra as an observer. UNIFEM and Liberian Women's Organizations, together with the support of Ghanaian

¹² <http://www.reliefweb.int/w/rwb.nsf/vBS?OpenView&Start=1784.1&ExpandView>,

¹³ http://www.alertnet.org/thefacts/countryprofiles/218285.htm?v=details#cp_poli_profile

¹³ <http://www.reliefweb.int/w/rwb.nsf/vBS?OpenView&Start=1784.1&ExpandView>,

¹⁴ http://www.alertnet.org/thefacts/countryprofiles/218285.htm?v=details#cp_poli_profile

¹⁴ http://www.alertnet.org/thefacts/countryprofiles/218285.htm?v=details#cp_poli_profile, www.unifem.org

Minister of Women and Children Affairs worked together to support women's activities aimed at ensuring gender sensitivity and raising women's and girls concerns in the Peace Agreement.

In a move to correct the gender-imbalance at the peace talks in Accra and to ensure inclusion of women and gender sensitivity during peace operations and the transitional government phase, Liberian women with the support of UNIFEM organised a workshop which culminated in the adoption of the *Golden Tulip Declaration*.¹⁵ The Declaration sets out the women's vision the inclusion of women within all existing and proposed institutions for the transition and within all structures to lead the post conflict peace building process. UNIFEM went further to sensitise all actors including the SRSG for Liberia, the current Head of State of Liberia, and leaders of warring factions.

Building on its experience in the DRC, UNIFEM recommended that in order to avoid missing the opportunity, all international structures should move back Liberia following the signing of the Agreement in order to support Liberian Women's efforts and to work closely with all stakeholders during the entire power-sharing process, and make sure that women will not be left behind in the post-conflict reconstruction phase.

Arrangements for power sharing started in Monrovia immediately following the signature of the Peace agreement by all the factions in August. No one was there to support the Liberian women's efforts, resulting in another missed opportunity.

During UNIFEM's last mission to Liberia on 25 October 2003, it was disappointing to learn that among 52 parliamentarians, there was only 1 woman and among 26 ministers already nominated, there was again only 1 minister.

4. Lessons Learned

The warring parties have been the key-players of the Accra peace process. The peace agreement has been signed within 79 days of negotiations following 14 years of conflict, demonstrating that when and where there is political will, there is hope for a peaceful solution. The future of the country will depend on similar attitudes from all actors, specifically the warring factions.

The final decision for the management of the country was at the end left in the hands of warring factions with key ministries such as Foreign Affairs, Home Affairs and Education going to the warring factions, while civil society activists, women's organizations and intellectuals were left behind in the process. It was only due to pressure from the women that the ministry of gender came to be added to the list of ministries selected.

The Liberian women were involved in the struggle for peace and are committed to struggle for their rights and not to be excluded from the process that will decide their future and the future of the entire Liberian population. Yet, women were marginalized in the Accra peace negotiations, despite their physical presence. Women did not seem to be free to express their views publicly to make changes to the draft agreement. This could be partly attributed to fear for their lives and those of their families that were back in Liberia. The warring factions and women at the talks often knew each other, or came from the same villages or towns in Liberia. The women could therefore talk to delegates to the Peace Talks individually in advocating for gender issues and making suggestions and recommendations on the provisions of the peace agreement. But they could not air the same views publicly in the negotiations due to fear based on a saying that "the boys can't be humiliated in public." The rebel groups had regular contacts with their troops in Liberia and it was feared that they could order their child soldiers to carry out actions against relatives of individuals opposing them at the talks. Thus, although women were not satisfied with the Peace Agreement as it failed to address many of their concerns, they could not risk disagreeing in public.

¹⁵ <http://www.peacewomen.org/news/1325News/issue30.html#Statement>

5. Recommendations

a) *The Peace Process should be inclusive from the outset:*

Knowing that in most instances, the negotiating parties have few women within their decision making structures, it is imperative therefore that peace processes should as much as possible be more inclusive, to include civil society groups, women's groups and youth groups among others. This would provide space for women's participation in instances where there still is space for their participation in their own through their organized groups. This inclusion could be either as delegates or observers.

b) *Rules and Procedures of Negotiations should include gender equality principles*

This is very central as a strategy. Firstly, if the rules require each negotiating party to have quota for women and young people among their delegation for them to be recognized at the table, this in itself ensures that the different interested parties have women from within their groups. Secondly, the rules could also provide that special committees of the negotiations are chaired and co-chaired by women and men alternatively as much as is possible. By application of this principle, it ensures that women who are delegates are also facilitated to actively participate and provide leadership to the negotiations. Women should not be reduced to « corridor lobbying »

c) *The Peace Negotiators and Facilitators must be committed to women's participation and gender equality.*

Given that Facilitators of peace negotiations often have no gender expertise, there is a need to attach a Gender Expert to the office of the Facilitator to advise him or her on gender issues and to support and facilitate women's contributions into the negotiations.

d) *Strengthen capacity of women and their organizations for influencing peace processes.*

The best advocates to push for women's participation are women themselves. It is therefore important to continue to support the efforts of women organizing and influence conflict resolution, peace building and governance initiatives. Women as a group may know the issues, but may lack the negotiation skills, the advocacy and the drafting skills. This does not in anyway mean that their knowledge and experience is irrelevant, but merely that the processes of engagement may be complex and require certain technical skills. This support should extend to before, during and after the peace process has been concluded.

e) *Donor Support for participation of women in Peace Process:* As this effort requires resources both technical and financial, the commitment of international partners and especially donors has equally been central. The duration of any given peace process is hard to project, hence the need for sustainability of support to enable women to remain engaged in the talks together with their male counterparts.